Editorial

My apologies for the lateness of this issue of Chainletter, but I have suffered a bereavement. Thank you all for your support—you are keeping me going.

The theme for this issue is imposture and the fantasists who committed it. These were crimes of brazen deceit, that preyed on the culture of personal patronage and the snobbery that flourished in of nineteenth-century society, where fortunes were made and lost, where caste mattered as much as class, and where a ‘gentleman’ and a ‘lady’ were accorded undue deference that enabled some to get away with murder—literally in the case of

Thomas Griffiths Wainewright, the colonial portraittist.

One of our authors is Douglas Wilkie who is writing a PhD under the supervision of Dr James Bradley, that focusses on foreign-born swindlers and rogues. Some of them turned a new leaf in the colonies; others continued on their merry way, usually to disappear from our sight under multiple aliases.

Douglas has published a number of fascinating portraits of such characters and you can find them by googling his name—he publishes them online.

Another author is Marjorie Theobald, who with Heather Holst is writing a history of the Castlemaine goldfields. A notorious group of Goldfields police, known as ‘The Pensioners’—what she describes as a ‘Dad’s Army’—was raised among former convicts in Van Diemen’s Land.

Among them was John Dow alias John Colquhoun alias Edward, Lord Lascelles. He is the subject of an excellent book by Kirsten McKenzie A Swindler’s Progress. He happened to be on the Woodman that arrived in 1826 with a number of other remarkable men who were to make their mark on Van Diemen’s Land.

Janet McCalmam
Volunteers’ Corner

Progress Report May 2013

Three months to go and we are travelling well.

Progress by 10:05:2013

We now have over 19,000 convicts researched and will reach 20,000 in about three weeks. This is phenomenal. We are tracking to have amongst that around 16,000 who come from the ships’ project. These will comprise our core population for assessing population trends. In addition we hope for more than 4000 who arrived on other ships and became spouses or who have been contributed by descendants. This means that we have researched the life courses of around 30% of the convicts for whom there are records. It is a wonderful achievement by our valiant volunteers. Thank you from the bottom of our hearts.

We will hold another workshop in Melbourne in June, just to keep in touch and assess the last stages of finishing. It will also be an opportunity to discuss the Irish ships which have become a project of their own, tracing the impact of the Great Famine on the Irish people.

After July

There will still be plenty to do before the end of the year when the public project officially finishes. We have to check and authenticate the entries—the backlog is now around 3500.

Those volunteers who have still a little juice in the tank can help us with this, as they can with the coding of the ‘odds & bods’ from other ships. These are important because they include a much higher proportion where the deaths have been found and they have AIF descendants. Many have come into the database from descendants or are spouses of convicts from the ships project.

The ships project sample will provide us with a controlled population that we can use for comparison and demographic analysis of the character of the convicts, their backgrounds and fates under sentence and life afterwards. But the ‘odds & bods’ will add greatly to our causes of death analysis. They will boost our health analysis to a sample of around 10,000, which is outstanding by international standards.

Next Year and Long Term

Since our last newsletter we have received in principle support from the Tasmanian Government and the Tasmanian Archive and Heritage Office. It is early stages and there is much to negotiate about technology and timing, but everyone is committed to keeping Founders & Survivors alive and, we hope, developing.

We thank the Premier, the Hon. Lara Giddings, Ross Latham the Director of TAHO and the Tasmanian Department of Education.

Research Papers

Rebecca Kippen and Jane McCalman have produced a number of book chapters and papers this year. They include:

A study of the mobility of convicts both before and after sentence for a volume in the series ‘Visible Immigrants’ published by Flinders University under the editorship of Professor Eric Richards and Dr Margrette Kleinig.

A study of the Swing Rioters as a control group of convicts of ‘good character’ for a volume to be published by McGill University Press.

An analysis of the effects of having been ‘on the town’ on life expectancy and fertility among women convicts, presented by Rebecca at a conference in Sydney. This will be reworked for a conference in Korea in July, with more ships data added. It will then be converted into an article.

We will make these publications available through the FAS website if copyright regulations permit. If that is not possible, we can publish summaries of the findings once the peer-reviewed publication has appeared.

Victorian Workshop

We will hold another Melbourne University Workshop on Saturday 22 June, 2013, at the School of Population Health, 4th floor, 207 Bouverie St. This workshop will go all day from 11 am until 4 pm, and will involve researchers breaking into groups to help each other and to get to know each other. Lunch will be provided.

This workshop will focus on how we finish up the ships project over the next three months.

Please email Trudy Cowley trudy@researchtasmania.com.au to RSVP by 15 June 2013

Tasmanian Tutorials

Colette McAlpine is still providing group and one-to-one tutorials as well as telephone support from her Hobart home. She is doing a fabulous job and has been coaching volunteers from England to Brisbane and from Hobart to the back blocks of everywhere. The ships project work is a steep learning curve for both volunteers and staff. We are finding new problems we didn’t anticipate all the time, so these tutorials and workshops help us all.

Colette is also daily receiving and entering research from our new volunteers in the UK. Some of them are doing amazing work, bringing to life the world the convicts left behind them.

One of these stories is reproduced in this edition of Chainletter on page 18.

Colette has also done sterling work transcribing the records of the women patients at New Norfolk Asylum. This was difficult—and depressing work—we thank her sincerely.

Email her on colette.mcalpine@gmail.com to obtain advice or to organise a tutorial.

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A thief is a person who steals something from another person. A swindler is somebody who cheats or defrauds another person of money or property. A confidence trick is a swindle that involves winning the victim’s trust before defrauding them of their money or property.

During the early nineteenth century London was flooded with swindlers, thieves and con-men. However, when the perpetrators of these acts were caught, the circumstances of their theft would determine whether they were charged with various categories of Deception, such as Fraud or Forgery, or one of the numerous categories of Theft, such as Theft from a House, or Shoplifting. It is often only through a careful reading of the trial transcripts and other reports, that we can determine whether the thieving was actually part of a swindle or confidence trick.

On 9 May 1836 twenty-three year old Frenchwoman, Eugenie Caroline Lemaire, was convicted of ‘Larceny in a Dwelling House’ and sentenced to transportation for life. She and another woman, who was never brought to trial, were accused of stealing fifty-nine yards of lavender silk from the shop of William King. Had it only been King’s shop she would have received fourteen years, but King also lived there, so it was his house, and that was worse. Lemaire’s accomplice, her husband Alexandre Julien Duchene was convicted of ‘Receiving Stolen Goods’ and sentenced to fourteen years. But, despite the official final categorization of their crimes, when they were originally brought before the Marlborough Street Police Court a few days earlier, the press described them as ‘very fashionably dressed foreigners … believed to form part of a gang of foreign swindlers who have for a long time committed the most expensive depredations upon the jewellers and silk-mercers at the west end of town’. The scene at Marlborough Street was literally Dickensian — Dickens had been court reporter there for the Morning Chronicle and wrote the court room scenes into his novels such as Bleak House. Indeed, Dickens missed nothing and in a short piece on the Detective Police described the swindlers:

They are, one and all, respectable-looking men, of perfectly good deportment and unusual intelligence; with nothing lounging or slinking in their manners; with an air of keen observation and quick perception when addressed; and generally presenting in their faces, traces more or less marked of habitually leading lives of strong mental excitement. They have all good eyes; and they all can, and they all do, look full at whomsoever they speak to.

He was describing the ‘swell mob’ but may well have been describing Duchene and Lemaire and their associates.

Dickens was not exaggerating, according to the First Report of the Constabulary Commissioners most foreign swindlers were ‘men who have received education, some respectably connected,
all well dressed; in society, except to their immediate associates, they appear and are considered as gentlemen’. The females ‘dress elegantly, personate women of fashion, attend masquerades, and instances have been known, in which, by extraordinary effrontery, they have forced themselves into the circle of St James’. The authors of the report could not accept that the female swindlers might actually have been real women of fashion, or might have been willingly invited into the circle of St James.

Indeed, Eugenie Lemaire was ‘very well connected.’ When the Court Recorder announced the sentences he told Lemaire her sentence was fixed and any application for mitigation would need to be addressed to the King. Duchene was distraught and ‘burst into a violent paroxysm of grief and despair’, and exclaimed in French, ‘I swear before God that she is innocent.’ By contrast, Lemaire ‘behaved with much coolness, and endeavoured to appease her fellow-prisoner’.

Lemaire may well have had reason to remain cool — she was counting on her friends in high places to secure her release. Even during the committal hearing ‘attempts had been made to tamper with the prosecutors’. Thomas Clements, one of the policemen at Marlborough Street, recalled ‘the offers that were made to me to “stall off” the principal witnesses’, and how, ‘The prisoners, especially the lady, had friends among the highest nobility, and everything was done that was possible to get them off … I could not make out for some time how it was that the prisoners appeared to have so little care about the result of the proceedings against them, but I had a suspicion’.

Clements had to exercise great tact when applying for search and arrest warrants against Lemaire:

This was a matter of some delicacy. The magistrate was not unacquainted with the high influence that this woman could command. She was the *chere amie* of a noble lord then holding high position in the government, – and who had, of course, great influence with the Home-office. A false step would be productive of inconvenience too serious to be encountered except on the clearest justification.

Alexandre Duchene was sent to the hulk *Leviathan*, and then transported to Van Diemen’s Land on the *Henry Porcher*. Eugenie was placed on board the *Westmoreland* ready to follow the *Henry Porcher* to Hobart, but influence had been applied — Lemaire’s prosecutors and their solicitor, James Fuller, held discussions with Lord Russell and her sentence was reduced to fourteen years. Lemaire still ‘firmly protested her innocence’ and Russell ordered her off the *Westmoreland* while he investigated.

The sceptics claimed, ‘Eugenie will owe her escape should she be released, entirely to [Lord Russell’s] gallantry,’ and demanded to know ‘whether a certain lady… who is well known in high life for administering to the pleasures of men of rank and fashion, was not the party at whose instance this convict was brought back to Newgate’ and whose carriage had been ‘observed in the uncongenial neighbourhood of Newgate’. Unnamed members of Parliament and ‘even still more influential individuals,’ were accused of helping the lady ‘to procure the release of her former protégé’.

Despite representations from influential people, public indignation was growing, and Lord Russell could not be seen to be bowing to the influence of a ‘certain lady who administered pleasures’. His original decision to reduce Lemaire’s sentence from life to fourteen years was the final concession.

Eugenie left England on 28 December 1836, seven months after her trial, on board the *Sarah* and *Elizabeth* bound for Sydney rather than Hobart.

The *Sarah and Elizabeth* arrived at Sydney on 23 April 1837 and the availability of the women for service was immediately advertised. Eugenie Lemaire was assigned to John Ryan Brenan, the Superintendent of Convicts. Lemaire may have had references from ‘people in high places’, but even without them, Ryan had a reputation for selecting the best convicts for his own service — either at his home in Sydney or his farm at Parramatta. Financial difficulties in 1839 led to the Parramatta property being sold and Lemaire was transferred to the nearby estate of James Atkinson at Toongabbie. All of this time Alexandre Duchene thought his wife had been pardoned and sent back to France — but he was soon to discover the truth.
Another of Atkinson's neighbours at Toongabbie was Major D'Arcy Wentworth, brother of William Charles Wentworth. D'Arcy Wentworth was appointed Police Magistrate at Launceston between 1837 and 1841, but visited his estate at Toongabbie regularly, and it was probably through Wentworth that Duchene discovered the whereabouts of Eugenie Lemaire.21

Having learned of his wife's assignment to James Atkinson, on 7 March 1840 Duchene wrote to Van Diemen's Land Governor, Sir John Franklin, diplomatically admitting his own wrongdoing in possessing 'goods received from an illegal source,' but protesting his wife's innocence, and explaining that he originally expected 'the public interest' to lead to her pardon, referring Sir John to reports in the London Times during 1836.22 Duchene continued:

Your Petitioner does not presume upon this honourable conduct, it being nothing but his duty – but he trusts that it will engage Your Excellencies Commiseration in favor of his wife who is at present at Sydney laboring under aberration of mind, from the fear of her never seeing again, a husband, to whom she was only united at Paris in the Year 1836.

Duchene sent references from his employer, James Barclay, who offered to employ Lemaire; from Major D'Arcy Wentworth, Launceston Police Magistrate, who said Duchene was 'a man of most exemplary conduct'; and from Major Frederick Mainwaring, of the 51st Regiment, who stated, 'it is scarcely necessary for me to say a word but from the opportunities I have had of knowing this Foreigner and his quiet & exemplary habits I trust his Excellency will permit me to strongly join with Major Wentworth in recommending the prayer of his Petitioner'.23 Mainwaring told Josiah Spode, Chief Police Magistrate at Hobart that he knew Duchene to be 'a good man'.24 Hobart Police Magistrate, William Gunn, saw Duchene's petition and its high-level referees early in April, and noted that, while Duchene had not served the regulation period, it should be favourably considered anyway.25 Gunn asked Duchene for more details and Duchene replied, 'her character will enable the Government to grant the indulgence provided no unforeseen misfortune should intravene [sic]', and added that the Barclay brothers had offered to pay the cost of Lemaire's travel.26 By 8 September the petition had reached the Colonial Secretary's desk and was immediately signed off by the Secretary and Governor Sir John Franklin without further question.27

The application reached Sydney on 17 September with a recommendation that, 'As the conduct of the male prisoner since his arrival in Van Diemen's Land has been exceedingly good ... should His Excellency Sir George Gipps approve of the removal of the Woman in question Sir John Franklin will have no objection to her residing here'.28 More enquiries were made in Sydney – 'Nothing recorded. At present in the service of Mr Atkinson of Toongabby [sic]'.29 Atkinson's wife agreed that Lemaire should be allowed to join her husband, and by 22 October Governor George Gipps approved the transfer.30 So far it had taken nearly eight months.

The problem now arose of how Lemaire would actually get to Van Diemen's Land and who would pay.31 After some confusion, by 24 November Deas Thompson asked that Lemaire be ready to leave as soon as arrangements were completed.32 The Abercrombie left for Hobart on 6 December; followed by the William for Launceston on 11 December.

On 26 January 1841 the Principal Superintendent of Convicts in Hobart wrote to Deas Thompson in Sydney to confirm that Eugenie Lemaire arrived at Hobart on board the Abercrombie on 12 December and that her fare had been paid to the Master of the Abercrombie.33 Lemaire's subsequent Conduct Record for Van Diemen's Land also states that she transferred to Hobart on board the Abercrombie in 1840. However, the Abercrombie left Sydney on 6 December 1840 with eleven passengers, five soldiers, nine male convicts and one female convict. It ran into a gale at Sydney Heads, almost sank, and the passengers had to be rescued.34 The female convict who arrived at Hobart on 12 December was not Eugenie Lemaire, but Ann Carroll, a woman who had been convicted of Highway Robbery in Sydney and transported to Van Diemen's Land.35

Five days after the Abercrombie left Sydney for Hobart, the brig William left Sydney for Launceston, and had on board a passenger listed as Madame La Mer.36 Lemaire had been given a private passage directly to Launceston, while other transferring convicts went on board the Abercrombie as scheduled.37 The Superintendent of Convict Office in Hobart clearly did not check the actual passenger list and paid the Master of the Abercrombie for a passenger he was not carrying. A note on Lemaire's file in the New South Wales archives, from the Deputy Commissary General in Sydney, simply states, 'Her passage was not paid by me. W. Miller'.38 It was undoubtedly James Barclay, Duchene's employer, who paid the Master of the William at Launceston.

Arriving in Launceston Lemaire should have officially been assigned to James Barclay, but this does not appear on her Van Diemen's Land Conduct Record. She was simply allowed to live with her husband, who was yet to get his ticket-of-leave, and on the annual Muster for 1841 her status is given as 'Married'.39 Lemaire and Duchene subsequently operated a successful and respected jewellery business in Launceston until late 1848 when they moved briefly to Port Phillip, and then moved to California where Duchene succumbed to the 1850 cholera epidemic.40 The story of Lemaire's conviction, appeal, and subsequent transfer from Parramatta to Launceston illustrates the interaction that could occur between educated convicts and people in positions of power and influence. Swindlers and con-men might have used their skills of persuasion to defraud others of their money and property, but those same skills of persuasion, and the ability to infiltrate the 'circle of St James', came in very useful at other times.
1 Statistics for these categories of crime in London can be obtained from the Old Bailey Online, http://www.oldbaileyonline.org/forms/formStats.jsp
2 England, Criminal Registers 1791-1872, Middlesex, 1836.
3 Alexandre Julien Duchene, Convict Conduct Record, CON31-1-11; Eugenie Caroline Lemaire, Convict Conduct Record, CON40-1-6, Tasmanian Archives and Heritage Office (TAS).
8 London Examiner, 21 August 1836.
9 London Times, Thursday 19 May 1836 p.6; Bell’s New Weekly Messenger, 2 May 1836, p. 12.
10 London Times, Friday 6 May 1836, p. 4.
14 London Examiner, Sunday 21 August 1836; London Times, Saturday 20 August 1836, p. 5; Morning Chronicle, Monday 22 August 1836.
15 ‘Justice in England’, London Times, 18 August 1836, p. 5; London Examiner, 21 August 1836. Despite the remarkable detail of this case that survives, a search of Lord Russell’s papers has, at the time of writing, failed to locate relevant documentation of the representations that were made.
16 Because of inequality in the treatment of appellants, appeals to the Home Secretary came under review ten years later – The Legal Observer, Digest, and Journal of Jurisprudence, Saturday November 27, 1847, p. 77.
18 Sydney Gazette, Saturday 29 April 1837, p. 4.
19 NSW Convict Muster 1837 HO 10/34.
21 Colonial Times, Friday 27 February 1829, p. 3. Sydney Herald, Friday 7 May 1841, p. 1; Thursday 1 July 1841, p. 3.
22 Duchene to Sir John Franklin, 7 March 1840, 40/10114 filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
23 References attached to Duchene’s Petition of 7 March 1840, filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
24 Mainwaring to Spode, 9 March 1840, 40/10114 filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
25 Gunn was presumably referring to the regulation that required convicts on 14 year sentences to serve 6 years before being granted a Ticket-of-Leave; William Gunn was brother of Ronald C. Gunn who became a close friend of Charles Joseph La Trobe.
26 Duchene to W. Gunn, Principal Superintendent of Convicts, Hobart, 13 June 1840, (no reference), filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267; The original Petition from James Atkinson referred to by Duchene was not in this file.
27 Page of references and annotations attached to Duchene’s Petition of 7 March 1840, filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
28 Colonial Secretary Hobart to Colonial Secretary Sydney, 17 September 1840, (no reference), filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
29 G. W. Buckland, 12 October 1840, note filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
30 James Atkinson to Colonial Secretary, Sydney, 19 October 1840, 40/9849 or 40/10322, filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267. Separate sheet of annotations filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
31 McLean to Colonial Secretary Sydney, 11 November 1840, 40/280 or 40/11400, filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
33 Superintendent of Convicts Hobart to Colonial Secretary Sydney, 26 January 1841, filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
34 AOT, Convicts, Eugenie Lemaire, Convict No. 42212 indicates arrival on Abercrombie on 01 Jan 1840 with remarks that she arrived in NSW per Sarah and Elizabeth; Note, AOT, Other Convict Records indicate the Abercrombie arrived Hobart on 27 July and 12 December 1840; Sydney Gazette, Tuesday 8 December 1840, p. 2.
35 AOT, Conduct Record, Ann Carroll, CON40-1-2; A search of all convicts registered for the Abercrombie indicates she was the only female convict arriving at Hobart on board the Abercrombie on 12 December 1840.
36 Misspellings on passenger lists are common – Australasian Chronicle, Saturday 12 December 1840 lists Madame La Mer; Sydney Monitor and Commercial Advertiser, Friday 11 December 1840 lists Madame Da Mer; Launceston Courier, Monday 21 December 1840 lists Madame Dumare; Hobart Courier, Tuesday 22 December 1840 – Madame Dumarr; Sydney Gazette, Saturday 12 December 1840, p. 2 lists Madame de Mer; Other passengers were Mrs Huxley, Miss Williamson, Mr Kelly, Mr Parr, Eliza Cosgrove and Mr Weatherall – Mr Weatherall returned to Sydney on board the William 22 December arriving in Sydney on 31 December, the same day the Abercrombie arrived back from Hobart; Tasmanian Convict Ships List at http://www.rootsweb.ancestry.com/~austashs/convicts/conships_a.htm gives Abercrombie leaving Sydney on 6 December 1840 and arriving Hobart 11 December 1840 with 10 male and female convicts.
37 When Lemaire left Launceston in November 1848 to travel to Melbourne she indicated that she had originally arrived in Van Diemen’s Land on board the William – AOT, Passenger List POL220/1/1, p. 50.
38 Note from Miller on letter – Superintendent of Convicts Hobart to Colonial Secretary Sydney, 26 January 1841, filed in NSW Archives, Colonial Secretary’s Main series of letters received, Letter No 41/2267.
40 The ongoing story of the lives of Alexandre Duchene and Eugenie Lemaire is told in a forthcoming article by the author, ‘A man of most exemplary conduct: Alexandre Duchene and Australia’s gold rushes’.

One of the most intractable problems on the central Victorian goldfields in the 1850s was the recruitment, training and retention of a reliable police force. When the gold rushes began in 1851 there was no central police force in Victoria, though there were seven autonomous units, of which the most effective were the police forces of Melbourne and Geelong. With the news of the easy pickings less than a hundred miles from these towns, the troopers deserted en masse. As long as gold held out the promise of untold wealth to every able-bodied man, recruitment to a goldfields police force was very difficult.

The Native Police under their creator Captain Henry Dana were the first on the scene, where they were deeply resented on racist grounds. In early 1852 they were replaced by a Dad’s army known as the Pensioners, a quasi-military body hastily raised in Van Diemen’s Land and best known for their drinking proclivities and their disinclination to venture into the densely-packed areas of the goldfields. Throughout 1852 Governor Charles La Trobe and Chief Gold Commissioner William Wright privately despaired of creating a reliable police force for the goldfields. Wright later went on the public record to admit that he had been obliged to recruit from the very lowest echelons of colonial society. The Castlemaine Court of Petty Sessions register for 1852 lists forty-two cases of police being tried for various misdemeanours such as refusing to obey orders, being drunk on duty, insubordination and allowing a prisoner to escape, which was code for taking bribes. Lack of police protection from criminals was a major grievance with the miners who charged that the troopers were only interested in pursuing unlicensed miners and sly grog traders because they received half the fines for each successful prosecution.

Perhaps the most spectacular instance of miscasting was the appointment to the Foot Police of the notorious con-man and ex-convict who went under the name of Lord Lascelles. Under his real name of John Dow he had been transported to Van Diemen’s Land for seven years for impersonating the son of a Scottish gentleman and obtaining money and goods under false pretences in Dumfries in 1825. By 1834 he was at it again, this time in New South Wales and under the title of Lord Lascelles of Harewood. The choice of ‘Edward Lascelles’ was not accidental, as it was well known in England that the eldest son and heir of the Lascelles family had disappeared in 1818 under mysterious circumstances. Dow was convicted of forgery and sent to Port Arthur for life, though he received a pardon in 1845. Via a stint in South Australia where he claimed to have been sheep farming, he joined the general exodus of adult males and came to the Victorian goldfields in early 1852. When he did not find gold he offered his services to the Foot Police at Mount Alexander under the name of John Douglas Murray and in February 1852 was sent to the Golden Point outstation near Chewton. He was promoted to sergeant and, according to his own account, took his duties so seriously that his subordinates complained to Headquarters. In the course of the official inquiry conducted by Assistant Commissioner Francis Doveton the aggrieved constables (or Irish agitators as he called them) ‘outed’ him as the ex-convict Lord Lascelles and he was dismissed from the service.

Amid the teeming life of the goldfields and before the advent of photography this was extremely bad luck indeed.

Convicts of Quality 2

Lord Lascelles on the Goldfields

Marjorie Theobald

“Edward Lascelles”/ John Dow / Colquhoun is the subject of Kirsten McKenzie’s book A Swindler’s Progress: Nobles and Convicts in the Age of Liberty (2009). John Dow was a serial imposter, one of a number transported to Australia.

Marjorie Theobald, who is writing a history the Castlemaine goldfields with Heather Holst, has taken the story of John Dow a little further. Perhaps others will find more

Kirsten teaches history at the University of Sydney. You may find her book on Amazon or in your local library.
Murray’s sixty-page plea to Governor La Trobe to reconsider his case is impassioned, erratic and at times close to madness. Much of it reads like the script for a B-grade movie, taking the form of a dialogue between himself and his persecutors. Nevertheless, taken with other sources on the goldfields administration, it does contains more than a grain of truth about the shortcomings of the Gold Commission at Mount Alexander. The gist of Murray’s case was that he had been pardoned for exemplary conduct in Van Diemen’s Land, that he had not put a foot wrong since, that he had been a conscientious police officer on the goldfields and that his summary dismissal by Commissioner Wright was unfair and illegal. He intimated that his dismissal would become a cause célèbre and rouse the despised army of ex-convicts (by now, he claimed, the greater part of the population of Victoria) to rise up against Her Majesty and her corrupt regime in the southern seas. He promised La Trobe a ‘bird’s eye glance’ into the goings-on at Mount Alexander and along the way branded Commissioner Wright as an habitual drunkard, Inspector of Police Charles Berkeley as mean, cowardly, mercenary and contemptible, Assistant Commissioner Francis Doveton as ‘flat, stale, and unprofitable’ and Inspector Samuel Windridge of the Golden Point outstation as a fool. He characterised the outstation in February 1852 as dysfunctional, manned by a cadre of drunken, cowardly idlers, cringing in fear of the diggers who rampaged around them. Licences went unpaid, sly grog tents flourished and unspeakable crimes went unpunished. This unflattering report card allowed Murray to cast himself as the saviour of the diggings. By his own account he:

turned Forest Creek diggings from a pandemonium into a paradise, in which the obscene and disgusting shoutings of the maddened drunkard were never heard, sly grog ships were rooted out, the robbers were either expelled or too intimidated to exercise their calling, the well-disposed slept in peace, and security reigned undisturbed.

It was apparently his institution of night patrols (long called for by the diggers themselves) that had precipitated the revolt of his constables.

Murray had another bone to pick with his superiors at Mount Alexander. His due reward for diligence in rooting out the sly groggers and the licence evaders – a half share of the fine for each successful prosecution – had, he charged, been shared out among the useless officers and the very idlers and drunkards who had refused to accompany him on these perilous raids through the diggings. He appended to his letter a list of his successful prosecutions for the months of April and May – sixteen cases of licence evasion and fourteen cases of sly grog selling – with a total of £238.10.0 in penalties awarded against the offenders.

As a half share of the take would have netted him the tidy sum of the equivalent of $14,000 at today’s value for a mere two months’ work, it is more likely that the fines were indeed meant to be shared more widely. With regard to the sly grog prosecutions his claim accords almost exactly with the Castlemaine Court of Petty Sessions register entries under Murray’s name, though cases of licence evasion were not entered at that time. Murray demanded of Governor La Trobe that he be compensated for this wilful misinterpretation of the Mining Act of 1852, with which he was evidently closely acquainted.

Finally, Murray charged that the pardon which Her Majesty had bestowed upon him in 1845 had been ‘rendered an insulting mockery’ by the drunkard Wright who had dismissed him without the shadow of a fault and who should therefore be immediately dismissed by La Trobe from public office. He ended on the more homely note that he could be contacted via Mrs Baker’s Book Depot, Swanston Street, Melbourne. Commissioner Wright dismissed his sixty-page cri de coeur as not fit to be noticed by His Excellency, and Dow/Murray/Lascelles disappeared once more into anonymity.

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Sources: Victorian Public Record Series (VPRS) 2878, Land Commissioners’ correspondence, unit 9, 52/2216 (the Dow/Murray letter); VPRS 1445, Court of Petty Sessions Deposition Books, accessed at the CHSI; Kirsten McKenzie, A Swindler’s Progress: nobles and convicts in the age of liberty, University of New South Wales Press, Sydney, 2009. Dow is the swindler of the title but McKenzie traces his fortunes only as far as his pardon in 1845. For more detail email Marjorie Theobald, mrttheo@netspace.net.au.
The Gentlemen of the Woodman, 1826

Colin Tuckerman, FAS Ships Volunteer

John Dow alias Edward Lascelles alias John Colquhoun arrived in Hobart on the Woodman in 1826. He wasn’t the only man of quality or deception on board.

The Van Diemen’s Land and Sydney newspaper reports of the arrival of the convict ship Woodman on 29 April 1826 stated “The Surgeon reports very favourably of the prisoners by the Woodman; there are among them however, no less than 22 who have been sentenced before, mostly to transportation hither.”

The papers also reported “On board this ship have arrived the Rev. Mr. Mummery, (a regular Clergyman), Mr. Christmas, the Bank Clerk, and Mr. Jorgensen (or some such name) a Swede, all of whose cases excited much observations in England”2, as well as a person who “comes out under the name of Dow alias Colquhoun, at the usual examination previous to debarkation, stated that his name was Lascelles, a son of Lord Harewood, and a cornet in the 10th Hussars”. So who were these men and why did they warrant the newspaper’s attention?

The Reverend Abraham Charles Mummery was a 27-year-old ordained Clergyman of the Church of England and member of St. John’s College, Cambridge. He had been given a life sentence in Northamptonshire for “feloniously stealing, taking, and carrying away three suits of clothes, one watch, with ribband, seal, and key, six silver spoons, two waistcoats, one umbrella, two pair of pantaloons, one pair of boots, one brass box, and various other articles, in the dwelling-house of Robert Hill, in the parish of Teignmouth, on the 6th of May last.”

He was described by the court reporter as being “a little thick set, softish, stupid-looking man, of a dark complexion, with black hair”. He pleaded guilty to his crime and was initially sentenced to death.

Mummery was at Maria Island from 29 Oct 1827 to 13 Sep 1831 where he was the Commissariat Store’s assistant clerk. Here he was found guilty of “highly provoking and abusing language” to an overseer. He was severely admonished and forced to apologise. At another time he displayed “most insolent and disrespectful conduct to the Commissary”, again severely admonished he also lost his additional rations. He received a conditional pardon in 1836 and became a schoolteacher at Bagdad. His time as a free man was not a happy one. In 1837 he was declared insolvent and he died on 22 April 1848 of a diseased liver.

Fifteen-year-old, William Edward Taylor Christmas joined Hoare’s Bank in 1811. His father had been a clerk at the Bank of England and William “proved himself to be an efficient and trustworthy clerk”. However, after a failed marriage he formed a relationship with a well-known actress, Louisa Chatterley. Her demands for an extravagant lifestyle well outstripped his annual salary and soon, Christmas was arrested and charged with embezzling £1,000 worth of Exchequer Bills. He was sentenced to 14 years transportation.

Christmas was given a clerk position in the Colonial Secretary’s Office at Hobart, but in mid 1830 he was moved to Maria Island after he had been found to be using his position to forge petitions for money. At Maria Island he was assigned as clerk to the Commandant, Major Lord. By September 1832, Maria Island was closed and all men had departed except for Major Lord and his family, Christmas and another prisoner, William King. Lord and his family left on 26 October 1832 leaving Christmas and King to collect the remaining Government property. They were forgotten until a whaleboat arrived on the island looking for fresh water. Christmas sent a note to the Lieutenant Governor telling him of their plight and informing him they had rations for only 10 more days.

In May 1835, he was given permission to move to Sydney. In 1837, he received permission to marry Catherine Elizabeth Leak, a free settler. He then settled in the Woolombi area as a farmer. His wife remarried in 1865, so he may have died before then. There was a record of a William Edward Taylor Christmas, reported to have been born in 1815, marrying in 1867 back in London, so possibly he did return to England.

Name plate on Hoare’s Bank

In this edition of Chainletter there is also the article “Lord Lascelles on the Goldfields” by Marjorie Theobald, covering the later life of the con man, John Dow. His real name may never be known but Dow was transported for seven years after he swindled a number of people while claiming to be the son of a baronet, Sir James Colquhoun of Luss. While on the Woodman, Dow claimed his real identity was Edward, Viscount Lascelles, heir to a large fortune as well as an earldom.

Perhaps the most interesting of the Woodman’s gentlemen, if not one of the more fascinating convicts was Jorgen Jorgensen. Born in 1780 at Copenhagen, Denmark, he was the second son of...
Jorgen Jorgensen, royal watchmaker and instrument maker. He wanted a life of adventure and at the age of 15 became an apprentice to an English collier. After a four-year apprenticeship, he made his way to Cape Town, enlisted in the Royal Navy then joined as second mate to the Harbinger, which sailed to Port Jackson with a cargo of rum and wine via the newly discovered route through Bass Strait. In September 1801, after telling Governor King of his long-time dream of exploring the South Pacific, Jorgensen re-enlisted into the Navy as second mate on the Lady Nelson. He participated in voyages to Norfolk Island, Lord Howe Island, Hawkesbury River, Newcastle and was part of the 1802 survey of Western Port and discovery of Port Phillip Bay. In 1802, the Lady Nelson accompanied Matthew Flinders circumnavigation of Australia. Unfortunately, the Lady Nelson was forced to return to Port Jackson after it had lost its anchor and damaged its keels in the Whitsunday Islands.

In September 1803, Jorgensen was first mate on the Lady Nelson when it took the first group of settlers to Risdon Cove. In Jan 1804, the Lady Nelson accompanying the Ocean, picked up the emigrants from the Calcutta at Sorrento and took them to Van Diemen’s Land where they established Hobart.

In April 1804, motivated by his ambition to make his fortune, Jorgensen obtained his discharge from the Navy and became a skipper of a sealer and spent some time in New Zealand waters. He returned to Sydney, where he was paid 300 pounds for his seal skins and then joined a whaler, the Alexander as chief officer. The Alexander whaled in the Derwent and landed at Sullivan Cove, where Jorgensen renewed old acquaintances, and dined with the Lieutenant Governor and the Reverend Robert Knopwood. Faced with an indefinite term of imprisonment as a prisoner of war, Jorgensen was impatient to continue his life of adventure and fortune hunting. He decided to break off his ties with Denmark and declare his allegiance with England. He visited Iceland twice on missions to establish trade relationships with England. On the second visit, Jorgensen proposed and implemented a plan that saw the English merchant seamen arrest the Danish governor, place Jorgensen at the head of government and proclaimed Iceland independent of Denmark. His protectorship lasted only nine weeks before it was ended by the arrival of H.M.S. Talbot whose Captain realised the military problems for England in supporting a newly independent Iceland. The Talbot’s Captain returned the Governor of Iceland to his position, removed all of Jorgensen’s proclamations and in August 1809, put Jorgensen back on a ship to England.

At this time, Jorgensen’s achievements ended and for the next ten years his life was compounded by ill fortune, opportunism and drunkenness. His main income came from writing books and manuscripts while he maintained a constant stream of correspondence with his network of contacts. In an attempt to start a new life he spent two periods in Europe as a spy for the English. After May 1820 he was first arrested for petty theft and spent 52 months at Newgate and during this time was employed as a surgeon’s assistant. He absconded, was caught for “returning from transportation” and was condemned to death which was remitted to transportation for life.

During the voyage of the Woodman, an epidemic of fever broke out. Four of the convicts died of the disease, shortly followed by the ship’s surgeon. As the surgeon’s assistant, Jorgensen had to carry the responsibility to care for the others inflicted by this epidemic. By the time the ship arrived at Cape Town, the fever epidemic had passed.

When the Woodman arrived in Hobart, Jorgensen was amazed by the transformation that had occurred over the past 21 years. From September to November 1826 he was assigned to the Van Diemen’s Land Company due to his knowledge of navigation and was sent to explore parts of the north and north-west of the island. He discovered Mount Bischoff and Lake St Clair. In Jan 1827 he conducted a second exploration of the North West. The explorations proved the land was unsuitable for farming.
He received a ticket-of-leave in June 1827 and recommenced his writings, this time as a journalist for The Colonial Times. In 1828 he was appointed a convict-constable of the field police in the Oatlands district and became feared for his pursuit of sheep stealers and in tracking down Aborigines to be relocated. He was granted a conditional pardon in June 1830.

In January 1831 he married Norah Corbett, an illiterate and hard-drinking convict, born in 1800 in County Cork. The 1830s saw Jorgensen employed in the infamous Black Line, farming and acting as a scribe for the illiterate, and selling his writings wherever possible. During this period he lived with his wife's dipsomania. Both he and Norah were granted free pardons in 1835. On 20 January 1841 Jorgensen died in the Colonial Hospital of 'inflammation of the lungs'. Norah died in July 1847 after an excessive bout of drinking bad liquor.

These men all came from the gentlemen class of England and had been well connected in society. They showed that without money, life in England was very hard. They also showed that for some, life in the Colonies provided new opportunities and for others life became a battle with the bottle.

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**A LADY SWINDLER.**

The following account of the adventurer, supplied by a correspondent, is too good to be lost: - A very clever series of depredations have recently been perpetrated by a lady swindler as she is termed by the victims. It appears that for a length of time the lady has been in the habit of visiting lodging houses and inquiring for apartments. Having satisfied herself of the respectability of the house, she proceeds to inquire into the character of the neighborhood and having obtained the fullest information of the next door neighbor, she takes her leave with a promise to call again. Her next procedure is to call at one of the houses near; if they be lodging houses, stating that she has been re-commended by the person she first visited. She describes herself as the wife of a squatter whose station is situated near Piggoreet, and that she requires the apartments for herself and husband. Having agreed to take the lodgings she proceeds to pay a deposit, when, lo! on feeling in her pocket, she cries, 'I've lost my purse; they have stolen my purse,' and forthwith commences to lament and bemoan her loss, exclaiming 'What shall I do; what will my husband say.' The landlady naturally takes compassion on her forlorn condition, and promptly offers, her the loan of a few pounds to alleviate her distress until, she has time to communicate with her husband. The offer is accepted after many refusals, and the would-be lodger goes on her way rejoicing never to return again.

Such are the facts as told in upwards of a dozen cases reported to the police, and there seems little doubt that the lady in each case is the same. The lady is always accompanied by a little boy, dressed in Highland costume, whose tears mingled with the sobs of his mother, are the secret of the facility with which she accomplishes her schemes.

Mrs Askew, like Lord Byron on another occasion, awoke one of these mornings and found herself famous. There are some persons who aspire to notoriety with utmost devotion, and who care not whether the fame they successfully earn for themselves be, as a rule, enviable or otherwise, provided it be a bona fide and unmistakable reputation. It would seem, that this lady belongs to the class we refer to. To have one's name mentioned and one's cleverness eulogised in the counting-house and the workshop; in the railway carriage and "under the verandah"; at the dinner table and in the drawingroom, is a thing to be coveted; while to be regarded as an angel of light by reporters, and the object of the ten-derest anxieties on the part of the conservators of the public peace, is a realisation not to be treated, with indifference. It looks as if this "illustrious stranger" had, like the Duke of Edinburgh; drawn up for herself a programme of favored spots which she should honor with a visit in the course of her philosophical tour, to practically test the credulity of mankind and the "power of the purse," even though it be a lost one. The last we have heard of Mistress Askew is that the highly respectable Borough of Richmond was honored with her presence, on the 13th inst. On that day she patronised the drapery establishment of Mr Stirling, on the Bridge-road, accompanied by the inevitable lad with the auburn hair, and after inspecting large quantities of goods, she made a selection to the extent of £10 worth. She was about to . . . amount of her purchases, but that her purse was gone! and "what in the world was she to do? Oh! of course! she left it after her at home! Charlie, did you see my purse at home when we were leaving?" "Yes, mamma, I saw it on the dressing table!" "And, you little thief, why did you allow me to come away without it? But what was she to do now? Mrs Askew was the wife of a squatter, and had come to town to make purchase’s in anticipation of the visit of Prince Alfred. Her external appearance went to corroborate her statement, and Mr Stirling, with that peculiar politeness which always, characterises the followers of his line of business, very kindly undertook to forward the goods to the lady's town address. Mrs Askew, in very, strong terms, deprecated Mr Stirling's over transporting spirit: "She was a perfect stranger to him, and how could she think of allowing him to do as he proposed?" But at last Mrs Askew was prevailed upon to leave her address: it was a hotel in Swanston-street. The goods were delivered at

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1 The Sydney Gazette, 24 May 1826
2 Colonial Times, 5 May 1826
3 The Sydney Gazette, 24 May 1826
4 The Sydney Gazette, 15 Dec 1825:
5 Page 185 of CON31/29
6 TAS RDM 1937/1848
7 Through the Years - Tales from the Hoare’s Bank Archive, www.hoaresbank.co.uk
8 Maria Island Convicts 1825-1832 by Brian Freusset
9 A Swindler’s Progress: Nobles and Convicts in the Age of Liberty, by Kirsten McKenzie
10 The life of Jorgensen has been extracted from The Viking of Van Diemen’s Land by Frank Clunes, the Australian Dictionary of Biography and The Convict King by Frank Hogan, 1891.
11 Proceedings of the Old Bailey

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**Illustrated Australian News 25 Nov 1867**

A LADY SWINDLER.
buggy, and there seems to be little possibility that the friendship so pleasingly begun, and promising so bright a future is to be characterised by either continuity or sincerity. Mr Dickason, however, may congratulate himself that his loss extended, no further than a fleeting acquaintance. Where Mrs Askew may next turn up we cannot dream, but it appears to be the opinion of some of the members of the police force that if they met this clever lady in the street at any moment they would not be justified in arresting her on a charge of obtaining goods or money under false pretences. She has been shrewd enough on every occasion to avoid directly asking for anything; and for the matter of that she may be the wife of an individual with a few acres of land who calls himself a "squierter."

Vagrancy, it is said, is the only tangible charge that can be brought against her. It is supposed that Mrs Askew is not wholly unaided in her adventures, but that there is some one behind, the scenes in whose hands she is merely an instrument. The lady swindler who has lately been victimising the inhabitants of the ancient city, of Buninyong, was, brought up at the Eastern Police Court, Ballarat, on the 18th. instant, charged with obtaining the sum of £18 under false pretences. The lady, in, question, Alexandrina Askew, appeared in court expensively dressed, and conducted herself in a manner which explained how she had been so successful in practising upon the credulity of her victims. The warrant for her arrest having been issued at Buninyong, she was remanded thither. The lady swindler, Alexandrina Askew, was brought before Buninyong Police Court on the 19th inst., and again remanded, the police not having obtained the necessary evidence. In connection with the case this distinguished character, we understand that a short time since she left a vast quantity of valuable goods, consistently of shawls, dresses, &c., with the land lady of the Half-way House, Mount Clear, Mrs Northage declines to give up the property deposited with her, the value of which is roughly estimated at £200.

the house, it being found that the lady was stopping there at the time. Payment of the bill was not, however, pressed for on that occasion, another large order being perhaps anticipated by the vendor; but Mrs Askew "left the Earl, of Zetland Hotel," as the "fashionable intelligence", took the merchandise and ' her little boy' with her, and has not since been seen or heard from by the Richmond draper.

The same evening that found her at Mr Stirling's was chosen by the lady to visit also the coach-making establishment of Mr Dickason, situated on the same road. Here she was attracted by a buggy which stood for sale outside the door, and by making inquiries into the merits and price of the conveyance with the air of one prepared to purchase on reasonable terms, she ingratiated herself into the good will of Mr Dickason, who eventually invited her to partake of some excellent sherry, which, to use the expressive words of Mr Dickason himself, she "polished off" with the greatest alacrity. Mrs Askew now became most communicative, imparted to her host her elevated position in society, and spoke of family matters with a surprising ease and confidence. Mr Dickason's daughter attracted the particular attention of the guest; and on learning that the young lady was suffering from ill-health, she pressed her father to allow Miss Dickason to accompany her to her husband's station, and stay with them a few days, where the delightful salubrity of the country air would be sure to have a beneficial effect on her constitution.

It was ultimately arranged that the young lady should meet Mrs Askew at the Spencer-street railway station the next day, at three o'clock. After waiting for tea, Mr Dickason's newly acquired aristocratic friend took her departure, with many expressions of hope that the friendship so abruptly begun would be long, continued and sincere. Miss Dickson kept the appointment at Spencer street the next, day, but unfortunately the two friends, by some unaccountable circumstance, missed each other. Mrs Askew has not returned to conclude negotiations for the purchase of the buggy, and there seems to be little
Daniel Connors and the Murder of Ellen Moriarty
Steve Rhodes, FAS Volunteer

A tragic story of homelessness, alcohol and injustice, Longford Tasmania, 1867

The grisly discovery of the partially disembowelled body of Ellen Moriarty was made in the early morning of the 16th of December 1867 near the Longford race course by Edward Murnane who was on his way to work. The largely circumstantial evidence that was heard at the coroner’s inquest saw Daniel Connors charged with the murder - a charge he vehemently denied until his last breath.

Daniel was from County Kerry, Ireland, and aged 19 when transported for stealing £3 15s. from the person of Mrs Keefe in 1849. He had previously been convicted for a similar offence for which he received three months’ imprisonment. After serving three years of his seven year sentence for the most recent crime, he, along with 323 other Irish convicts, boarded the ship Lord Dalhousie in Cork, and arrived in Tasmania on the 14th of August 1852.

By Irish standards, Daniel’s conduct record was reasonably busy, with offences consisting of insolence, misconduct, neglect of duty, making a false statement against his overseer, drunk, being in possession of bread and £4 under suspicious circumstances, and absconding. In 1856 he received his Certificate of Freedom, but by 1861 was facing charges of stealing money and burglary from two separate premises. On the first he was acquitted, but the second he was sentenced to four years imprisonment. His second conduct record was similarly busy with another offence of absconding, several for misconduct, disobeying orders, assaulting a constable, and wilful destruction of government property.

Upon release, it would seem that Daniel was one of the group of ex-convicts that found it difficult to settle down, instead travelling the countryside, obtaining work, food and shelter where ever he could, and drinking the proceeds of any employment as quickly as it was earned. Toward the close of 1867 Daniel had three days’ work for a Mr Thompson cutting wood and threshing a cereal crop and was then headed for Cressy. Along the way he called at the public house at the Nile where most of the men were engaged in organised fighting – “the taproom was full of blood, and slime, and spit.” After partaking in six rounds with a man, selling his boots for 4s., and buying a loaf of bread and a half gallon of ale, he then headed for Evandale. Here he called on an old acquaintance, Mrs Hickey, they smoked together, and he bought breakfast for three men who had no money.

Before he could get to Longford, he had to wait with several other men at the bridge as the river had flooded, and they shared the food one of their number had. Eventually Daniel made it to Longford and went to Watson’s public house and then Clarke’s Railway Hotel where he shared the ale he bought with those that wanted it. Of those that partook in his generosity were Mary Ann Robinson, who “threw herself” in Daniel’s lap, Ann McDonnell and Ellen Moriarty, all whom had been drinking for a good part of the day. Robinson had earlier sold the dress she was wearing and McDonnell her sunbonnet, in order to “treat” Moriarty.

None of the women were strangers to a tipple and had all spent time in the Longford lockup. Ellen Moriarty (nee Vickers) had grown up in the Soho district of London and had no less than four appearances at the Old Bailey before being transported in 1843 per Margaret, aged 26, for stealing 21lbs. 10oz. of bacon. She was a married woman, although had been separated from her husband for 18 months, and had two children at the time of transportation. In 1849 she married John Griffiths in Campbell Town, but at some point she began to live apart from him. She later lived with John Smith at Longford but had also left him nine weeks before her murder when their landlord sent her away because of her drunken episodes.

After several hours more drinking, Daniel Connors, Ann McDonnell, and Ellen Moriarty left Clarke’s and the last time they were seen together was standing talking at the water closet. The next morning Ellen’s body was discovered and McDonnell and Connors were arrested, with McDonnell being released soon after.
Daniel could neither read nor write or afford representation and so defended himself in court. He believed Ellen Moriarty had been murdered by someone she had crossed as she was known to have given information to the constables at Carrick. Conflicting evidence regarding whether or not Daniel was seen with a knife at the hotel cutting tobacco for one of the women hampered his case, but the most damning evidence was the existence of blood on his clothes. His explanation for this was that it could be blood from a bullock that he had assisted cutting up when at Mr Thompson’s, from fighting at the Nile, from falling into a gorse hedge, from killing a turkey and goose whilst on the tramp, and from a blow to the head he received from Mrs Wheeler because he had told her the beer she served was like soap suds. In his own evidence, Dr G. W. Turnley confirmed the blood stains on the clothes but could not say for certain it was human blood and admitted he had not tested to see if it was.

Most witnesses also contradicted Daniels account of events leading up to the murder, apart from a prisoner of the Crown who had been in the same yard as him whilst on remand, and even his account of the fighting at the Nile was questioned because of conflicting dates the fight was supposed to have happened. James Thompson confirmed the evidence of cutting up the bullock but it was all too little to assist Daniel in his plea of innocence. After the hearing of all evidence the jury retired to make their decision, and after two hours returned a verdict of guilty.

A few days later Daniel Connors was sentenced to death for the wilful murder of Ellen Moriarty but not before he gave a long speech regarding his innocence, the fairness of the trial, the questionable evidence of the Crown’s witnesses, and the lack of support he had received from the clergymen of the Catholic Church. He believed the Superintendent of Police, Thomas Perkins, had some of the witnesses conspire to find him guilty or face prosecution under the Vagrant Act, and stated that if found not guilty Perkins had said he would pay for his passage out of the country.

The Judge addressed Daniel’s concerns as he saw them and was about to pass sentence when Daniel interrupted, “I don’t want to hear any more sermons from you.” His Honour – “Don’t interrupt me, sir!” Daniel – “Give me my sentence and have done with it.” His Honour – “I shall say what I desire. Your life is due to society as an expiation of the crime you have perpetrated. I say I hope you will pay the most earnest attention to your spiritual advisers, and obtain that mercy from above which you cannot get here. The sentence of the Court upon you, Daniel Connors is that you be taken from hence to the place from where you came, and from thence to a place of execution, and that there you be hanged by the neck until you are dead! And may the Lord have mercy on your soul.” Daniel – “May you get back to England.”
Daniel received the news that he would be executed on the morning of Tuesday, 17th of March, and the Cornwall Chronicle reported his indifference to the news. The paper stated “the most extraordinary feature” of the case was a lack of motive, but were in no doubt of his guilt. They hoped in his time left he would confess, as a duty to society and for the sake of the witnesses, the Crown and Jury, validate their decision.

During the next few weeks, Daniel received the attention of the Church he felt he had till then been denied, for which he was grateful. As Daniel was led to the gallows, he stepped forward to the railing and addressed the crowd of onlookers. “To the public – I have to thank the officials of the gaol, and Mr Cox, for their great kindness, and attention to me while I have been here. I am going now to die for a crime I am entirely innocent of. I never had, act, or part in it. I sincerely forgive all my prosecutors from my heart, and I hope that God will have mercy on my soul.” He then moved back to the centre of the platform.

Daniel was only 4 feet 10 inches tall and when his body fell through the drop, his lack of weight caused his death not to be instantaneous. His body twitched and contorted for ten to twelve minutes before finally hanging motionless.

The final words I will leave to The Cornwall Chronicle reporter who witnessed the execution. “If all criminals who go to their final account declaring their innocence of the crimes of which they have been convicted on the clearest evidence are really innocent, then human tribunals are indeed so very fallible that the punishment of death ought to be abolished, no matter how clear the evidence of guilt may be. It requires strong proof of guilt to induce twelve men sworn to give a verdict according to the evidence brought before them, to induce them to deliver a verdict of guilty against their fellow man. There are always some amongst them disposed to recommend that the prisoner be allowed the full benefit of any doubts that may arise from defects in the evidence. It would be difficult to find any twelve men amongst whom the one half would not be disposed to act on the merciful principle, that it is better that twenty guilty men should escape than that one innocent man should suffer the penalty due only to the guilty. We believe the jury who were impanelled to try Connors are as intelligent men and as mercifully disposed as the prisoner could have selected if he had been allowed the widest latitude of selection, and as they were guided to their verdict by a large body of evidence, all tending to the conviction of the prisoner, and not a shadow of evidence being of such a character as to leave a possibility of even straining it in his favour; they have no reason to regret their verdict. It was given in accordance with the oath administered to them, that they should “a true verdict give according to the evidence.” There is but little probability that any further light will now be thrown upon the incidents connected with the horrible murder of the unfortunate woman Ellen Moriarty.”
The Patient Records - Case Books for patients at the Royal Derwent Hospital have recently been digitised and are available by following this link. [http://search.archives.tas.gov.au/default.aspx?detail=1&type=S&id=HSD52](http://search.archives.tas.gov.au/default.aspx?detail=1&type=S&id=HSD52)

The series description reads - Records name, age, ship to colony, date of admission, disease and details of treatment. This series probably commenced in January 1845. A separate volume was used for each of the 4 categories of inmate (male and female, mental and physical disease). The volumes were numbered in a single sequence, with further volumes allocated to each category as required. The original volume numbers are recorded on the Inventory as there are references to earlier and later treatment in the form of volume and folio numbers at the start and end of some entries. The series ends at what was originally volume 13. By December 1854 only mental patients were treated at New Norfolk and record-keeping was apparently decentralised to the male and female wards.

<table>
<thead>
<tr>
<th>Items in Series</th>
<th>Date</th>
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<tbody>
<tr>
<td>HSD246/1/1 Male (physical) (Volume No. 2).</td>
<td>01 Jan 1845</td>
</tr>
<tr>
<td>HSD246/1/2 Female (mental) (Volume No. 3).</td>
<td>01 Mar 1845</td>
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<td>HSD246/1/3 Male (mental) (Volume No. 7).</td>
<td>01 Oct 1845</td>
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<td>HSD246/1/4 Male (physical) (Volume No. 8).</td>
<td>01 Nov 1846</td>
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<td>HSD246/1/5 Female (mental) (Volume No. 9).</td>
<td>01 Nov 1846</td>
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<tr>
<td>HSD246/1/6 Male (physical) (Volume No. 10). (begins at folio 11)</td>
<td>01 Jul 1847 31 Dec 1848</td>
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<td>HSD246/1/7 Male (mental) (Volume No. 11).</td>
<td>01 Dec 1847 30 Apr 1849</td>
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<td>HSD246/1/8 Female (mental) (Volume No. 12).</td>
<td>01 Sep 1848 31 Oct 1851</td>
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<td>HSD246/1/9 Female (mental) (Volume No. 13).</td>
<td>01 Oct 1851 31 Dec 1854</td>
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I have been reading the rich records of 264 women named in these volumes and I have attempted to link them to the convict women we are researching. Less than fifty of these women were free settlers. The records hold details about the lives of these women prior to their arrival in the colony that are unlikely to find elsewhere. The early records contain some details of female invalids, but in 1846, these patients were moved back to the Hobart Colonial Hospital when medical support for the local community also ceased. Doctors Meyer and Smith expressed some subjective views on the appearance and demeanour of their patients, but also recorded information that now adds greatly to our understanding of our convicts.

Mary McLeod was a ‘rather good looking girl’ of ‘probably choleric temperament’, but who retained ‘an eccentricity of look and manner indicative of mental disease’. Susan Chickley never went to school, did not know her age, and was an orphan who also never went to church. Though she attempted to cut her arm in the privy with broken glass, she was given care of Mrs Brown’s child, as were several other inmates. Ann Peacock was also raised in an orphan establishment in England. Elizabeth Long accompanied her convict mother on the Gilbert Henderson and she spent time in the Queen’s Orphan School before a short stay in New Norfolk.

Margaret McDonald told the doctor that she went to school, but never learnt anything. She was addicted to intemperance, as it seemed were many of the patients. Margaret was only on board ship a month when symptoms of insanity first appeared. She too died in the asylum. Sarah Holmes was subject to epileptic fits when in prison in England where her health failed. She spent 16 years in the asylum until her death in 1860. Mary O’Brien also learnt little at school. She was a 17-year-old orphan who before her transportation had lived with her uncle’s family. She was one of many women admitted straight from the Anson.

Anne McGrath was in the lunatic division of a gaol at home and her fellow inmates considered insane. Mary Stubley, a free woman, was an educated person whose sister was in an asylum at home. When admitted Mary was remarkably thin, with dark hair and eyes and a deep melancholy. She grew stout, but was industrious, employed at needlework and washing. When her husband visited, she no longer knew him. Ruth Guest arrived as a prisoner to NSW in 1818. She was in the habit of drinking. She first entered the asylum in 1840; she died there in 1868.

Agnes Chambers laboured under insanity at Millbank. Even though the doctors both there and at New Norfolk believed she feigned and exaggerated her condition, she died in the asylum four years after her admission. Catherine Rice betrayed symptoms of mental illness, both on the voyage and at home. The doctor found her ‘ignorant like many of her class’. Though the doctor found Matilda Duncan a ‘rather good looking girl’, he also described her as a ‘cool, determined, mischievous and dangerous maniac’. Making herself useful enhanced Matilda’s chance of being discharged from the asylum. Helen Kelly told the doctor that unkind treatment by her mistress in Hobart drove her to attempt suicide. Margaret O’Ma was free and had lived with her brother in law for many years. She was reputedly well connected, but had for years been considered eccentric. The doctor found a ‘hereditary taint traceable’. Although anxious to be discharged, she died in the asylum ten years after admission. Barbara Phillips indulged in spirituous liquors and spent time in and out of the asylum before she died there in 1854. Ellen Fitzgerald had a similar relationship with alcohol. She first entered the asylum in 1853; she died there in 1885. Anna Gorringe’s father, a surgeon, sent his daughter to the asylum after she took solace in drink and developed an addiction. Anna’s fiancé, a doctor named Grant, had broken off their engagement. Jessie McCabe also took to drink after her husband eloped with their apprentice. Mary Norris also blamed her husband for her intemperance, stating that he had ‘brought her to this state’. Charlotte Graham complained of her husband’s treatment. The doctor noted she was a ‘decent, respectable looking girl, much more so than in common with her class’. Her husband reported that she had always had a ‘silly foolish manner’. Although discharged to her husband in 1848, she died in the asylum in 1892. Judith Chambers was an inmate from 1830 until her death in 1860. Sarah Cox spent almost 50 years in the asylum.

Many of the women spent some time in the colonial hospital prior to their admission at New Norfolk. Some came directly from the Anson probation station and a couple came directly from Cascades, not because of ‘mental aberration’, but because their behaviour was undermining the discipline of that Establishment. The doctor did not always record the native place for each woman in the later records and many of the early admissions are not in these records, but for those for whom a native place was recorded, or available from their convict records, over 100 of this cohort came from Ireland. Many women died in the asylum. Many shipmates were reunited at New Norfolk and given the large number of women from some ships, there seem to be questions to be asked.

These records will provide us with many stories and we may find some of our lost convicts in these pages. I have not yet read the male records, but it will be interesting to see how many of those patients are recorded as ‘good looking’. If you are interested in learning more about how the asylum was viewed at the time then, the news articles on Trove prove most interesting.

http://www.ashadocs.org/aha/19/19_04_Piddock.pdf

New Norfolk Invalid and Mental Asylum : patient admission register 1830-1930 / compiled by Dianne J. E. Cassidy.
Colette McAlpine, FCRC & Hobart FAS Team

John Oldershaw, twice returned Home

One of the interesting stories he has sent to us is the tale of John Oldershaw, alias Holinshaw or Hallishan, a man who was twice transported and who twice returned to his hometown in England. John was sentenced to transportation in July 1829 for stealing a coat and with a seven-year term to serve, he sailed from Plymouth to Van Diemen's Land. He was granted his Ticket of Leave in December 1848, and his sentence expired in early 1850.

During this time, the couple shared some letters, but Alice, never expecting to see John again, moved back to her home at Brougham Street in Nottingham, informed her neighbours of her husband’s plight and pragmatically or otherwise, married Alfred Marshall at St Paul’s in August 1844. Both of them worked making stockings and they settled down with young Samuel, changing his name to Marshall. Alice did not appreciate John’s tenacity and imagine her surprise when he arrived back home in late 1852 to find her married to someone else. John was not pleased and he immediately reported her to the authorities. Alice found herself sent to prison on a charge of bigamy.

The case went to trial in March 1852. Alice’s lawyer pleaded extenuating circumstances, revealing John’s list of convictions for felony and describing him as a man of very bad character, twice transported. John referred to the affectionate letters, at least one written on his wife’s behalf by Sarah Birks, who made her living writing letters for others. The judge was far more sympathetic to Alice, sentencing her to serve only a further month’s imprisonment. She returned to her husband, Alfred.

Whether John Oldershaw remained in Nottingham we do not know, but Alice and Alfred Marshall lived in the Nottingham community for at least another thirty years, Alice embroidering gloves and stockings, Alfred working in the lace and stocking trade.
Convict Lives at the Launceston Female Factory is the third book in the Convict Lives series to be published by the Convict Women’s Press. It was launched on 23 February 2013 at Cascades Female Factory Historic Site by the Premier of Tasmania, Lara Giddings. An eBook version of this title is also available.

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The book contains 33 stories from 34 contributors, all members of the Female Convicts Research Centre.

1. An institutional failure: the Launceston Female Factory by James Parker
2. Obstreperous inmates by Penelope Marshall
3. A rose by any other name by Jo Brodie
4. Washed ashore: surviving the shipwreck of the Neva by Victor Malham
5. A swing rioter: Elizabeth Studham by Keryn Rivett
6. Mary Salmon, a ‘sad spectacle of humanity’, and other women of the Tasmanians in the Launceston Female Factory by Joan Kavanagh & Dianne Snowden
7. A long way from Tipperary: Margaret Ryan by Ralph Crane
8. ‘A white rag burning’: Jane Allen by Dianne Snowden
9. ‘Moved and seduced by the instigation of the devil’: an infant murder in County Roscommon by Elaine Farrell
10. Mary Hogg: a reluctant grandmother by Colette McAlpine
11. ‘An interesting appearance’ and a libellous case by Lyn Horton
12. A journey to gentility: Hannah Tillotson by Noeline Goodwin
13. Quite a girl by Bernadette Dewhurst-Phillips
14. Ann Murray ‘mangles’ her career as a laundry maid by Jeanette Hyland
15. The men’s quarters—first violation for Ann Cooley by Leonie Mickleborough
16. Unhappy daughter of a celebrity: Sophia Mendoza by Lucy Frost & Susan Ballyn
17. An immigrant woman in the convict system: Ann Winfield by Liz Rushen
18. ‘A most respectable matron’: Mary Kirk by Trudy Cowley
19. ‘The biggest blackguard in town’: Ellen Toolan by Tim Horton
20. Charity by name perhaps by Alison Alexander
21. A tough and tragic life by Lynne Gillam
22. From despair to dynasty: Ellen Heath’s story by Lois Newham
23. Jane Maffat: all for love by Joy Crane
24. Sly: and a great thief by Kay Butfield
25. Mary Latham: a feisty troubled girl from Manchester by June Alekanavicius
26. A convict traveller ... for the love of family by Deborah Norris
27. Surviving by a thread by Judith Wood
28. Judith what’s-her-name from County Galway by Fay Grimsey
29. Feisty tragic or incorrigible old vagrant by Dianne Cassidy
30. A brutal outrage at Westbury: the lingering death of Anne Callaghan by Cheryl Griffin
31. Beatrice McBurnet: bold woman, bold son by Colette McAlpine
32. Mary Heffernan and the big top by Rod Beaver
33. ‘A basket on her arm and a blessing on her lips’ by Kim Simpson
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- Physical description
- Appropriation list
- Surgeon’s report (of the voyage to the colony)
- Application for permission to marry

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