



Eliza Brady

Date of Trial:	8 March 1817
Where Tried:	Lincoln Assizes
Crime:	Child Stealing
Sentence:	7 years
Est YOB:	1783
Stated Age on Arrival:	35
Native Place:	Boston, Lincolnshire
Occupation:	Country Servant
Alias/AKA:	Elizabeth McDonald (m)
Marital Status (UK):	
Children on Board:	
Surgeon's Remarks:	Insolent and filthy
Assigned NSW or VDL	VDL

The crime that led to Eliza Brady being sent to the distant colonies was not 'run of the mill' as described in the *Stamford Mercury* of 1 November 1816.

Eliza Brady, committed for vagrancy the 24th of July last, stands charged with stealing Ann Pearson, a child under 9 years of age, the daughter of William and Jane Pearson, of Boston, and was ordered to be committed to the Castle of Lincoln for trial at the assizes.¹

She was held at the Castle for nearly five months before she was brought up for trial on 8 March 1817 and the *Stamford Mercury* was again on hand to report on the proceedings.

ELIZA BRADY, aged 33, was arraigned for feloniously and maliciously carrying or enticing away the infant daughter of William Pearson, of Boston, aged 9 years. There was another count in the indictment, for concealing and detaining the said child.

Ann Pearson, the child in question (an interesting and intelligent little girl) stated, that she remembered the prisoner's coming to lodge at her father's house last summer; she slept there only four nights; witness was playing with her twin sister before her father's door, when the prisoner took hold of her hand and asked whether she would go with her; witness began to cry, and prisoner said she would give her some gooseberries; and asked her to go away with her; then she took her to Sibsey, which is five miles off, and *there made her beg*; what money she got, prisoner took away from her. On the road to Sibsey they were joined by the prisoner's husband, who quarrelled with his wife about taking witness, and all three were apprehended at the town as vagrants, for begging, and were sent to Louth house of correction, but the man escaped from the cart. Witness was some time in the goal at Louth before her father and mother found her; the woman called her Ann Brady, and often beat her for not calling her mother, which she was therefore obliged to do.²

Ann's parents, William and Jane Pearson, gave evidence. They confirmed that Eliza Brady had lodged with them for four days. According to them it was not until after she left that they realised that their daughter was missing. Despite the father's desperate search all over the district, it was a month before he found out where she was.

For her defence, the prisoner, pointedly described as 'an Irish woman', had written down the names of three people to testify on her behalf.

The first was Martin Doudle (alternatively Dowdswell), 'an Irishman', who had been at the Pearsons' house when Mr. and Mrs. Pearson, and the prisoner's husband, had all agreed that the child should go with Brady and his wife for a month. Indeed, he added, the father had kissed the child and told her to be a good girl, and that she would be home within a month. Helpfully, Mr. Pearson told the Bradys which road to take, and his wife told them that 'it was good country to beg in', and that she and her husband used to 'travel that way with books and ballads'. The next witness was Mrs. Hunt, a neighbour of the Pearsons who recalled Mrs. Pearson telling her:

Well, I have got rid of one of my little girls; a man and his wife have lodged with me for a fortnight, and took a

great liking to the child, and she is gone with them. I am not afraid of the child; her father began to roar, but I should not care if I had got rid of them all.

Mrs. Alice Hunt swore that in the summer she had gone into the house of the Pearsons, her neighbours, and was informed by Mrs. Pearson that she had got rid of one of her little girls. As if to establish her credentials, Alice Hunt stated that she did not know the prisoner, she had come to court voluntarily and at her own expense, and, most significantly, she was a West-Country woman, not an Irishwoman. The last witness for the defence was Sarah Hughes, another neighbour of the Pearsons who, in conversation with Mrs. Pearson, was asked if she would not let a child of her's go with travellers, to which she replied that she would not, and to which Mrs. Pearson retorted that *she* would, 'for she had not victuals for it'.

There could be no question that Eliza Brady and her (now vanished) husband) had committed a serious (but not uncommon) crime by setting a child to beg. But was she also guilty of abduction? In summing up, the Judge referred to the Statute by which child-stealing had been made a felony. He also stated that:

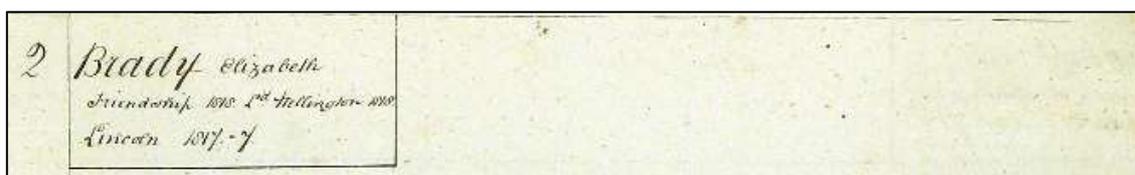
... so unnatural a disposition in parents as that of a willingness to commit their offspring to strangers, and to be brought up in every immorality, required to be proved by strong evidence, he left it to the Jury to decide on the extraordinary testimony before them.

The Jury immediately pronounced the prisoner guilty. Eliza Brady was sentenced to transportation for seven years. As a postscript, the evidence of John Doudle was deemed not creditable and he was subsequently tried and found guilty of perjury. He was ordered to be placed in the pillory for an hour on the Castle-hill, much to the amusement of a 'large concourse of spectators [who] conducted themselves properly' and then taken back to his cell to serve two years imprisonment.³

The *Stamford Mercury* of 13 June 1817 reported that Eliza Brady, together with two other women being held at Lincoln Castle - Maria Carter and Mercy Coltsworth [sic] – each under sentence of transportation for seven years, were delivered on board the ship *Friendship* on 23 June 1817.⁴ I wonder if she had recovered from the ophthalmia with which she had been afflicted while in gaol.⁵

Having arrived at Port Jackson on 14 January 1818, Eliza joined 51 of her fellow convicts, including the two others tried at Lincolnshire – Maria Carter and Mercy Cotsworth - on the journey to Van Diemen's Land on board the *Duke of Wellington*, arriving at Hobart at the end of January 1818. Surgeon Cosgreave had declared Eliza Brady to be an "insolent and filthy" woman - hardly a favourable reference with which to begin a new life. But, at age 35 and claiming to be a country servant, Eliza could have made herself useful.

By the time she was mustered at Hobart in 1820 she had obtained a ticket of leave. This was her status also for the 1821 muster. However, in 1823 she was mustered as the wife of J. McDonald, and residing at New Norfolk.⁶ In November 1824 the name of Eliza Brady appeared in a list of persons who had obtained their certificate of freedom.⁷ I have not located Eliza, as either Eliza Brady or Eliza McDonald, in the 1825 General muster. Without any further information about J. McDonald, the number of men named M(a)cDonald with the initial 'J' in the 1825 list defies attempts at identifying the possible husband of Eliza.⁸ If, indeed, they were man and wife as no record has been found of such a marriage. Nothing can be gleaned from Eliza's conduct record which, apart from the heading details, is totally blank.⁹



Eliza Brady may have attracted attention, and 'enjoyed' a fleeting moment of fame, through the newspaper reports of her crime of child abduction, but once she arrived in Van Diemen's Land to serve her sentence she did nothing to merit any attention, leaving many questions unanswered. What happened to her after the 1823 muster? Did

she remain with the mysterious J. McDonald, or find another partner? Did he/she leave the colony? How long did she survive? Where did she die?

NOTES

¹ *Stamford Mercury*, 1 Nov 1816, p.3.

² *Stamford Mercury*, 14 Mar 1817, p.2.

³ *Stamford Mercury*, 28 Mar 1817, p.3.

⁴ *Stamford Mercury*, 13 Jun 1817, p.3.

⁵ Transported Convicts Database, Lincolnshire County Council, <https://www.lincolnshire.gov.uk/libraries-and-archives/lincolnshire-archives/archives-collections/transported-convicts-database>.

⁶ Female Convicts Research Centre (FCRC), Female Convicts in Van Diemen's Land database, Convict ID: 3578.

⁷ *The Hobart Town Gazette and Van Diemen's Land Advertiser*, 12 Nov 1824, p.1.

⁸ Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849.

⁹ Tasmanian Archives and Heritage Office (TAHO), Conduct Record, CON40-1-1 Image 65.



SOURCES

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TROVE

The Hobart Town Gazette and Van Diemen's Land Advertiser

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