



Elizabeth Perkins

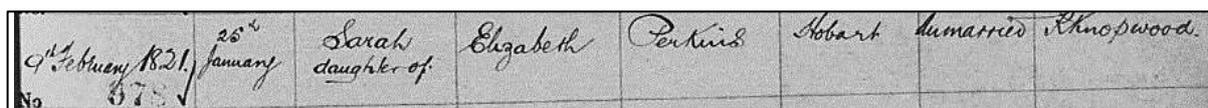
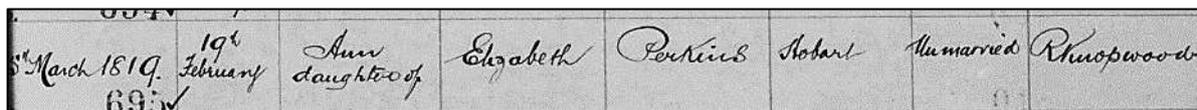
Date of Trial:	15 July 1816
Where Tried:	Bristol Quarter Session
Crime:	Larceny
Sentence:	7 years
Est YOB:	1794
Stated Age on Arrival:	24
Native Place:	
Occupation:	Servant
Alias/AKA:	
Marital Status (UK):	Married – George Perkins
Children on Board:	
Surgeon’s Remarks:	A prostitute regardless of remonstrance
Assigned NSW or VDL	VDL

Of the ten ‘Bristol Girls’ Elizabeth had spent the longest time in Newgate prison – ten months. She had been brought up before the July 1816 Quarter Session held at Bristol where she had been found guilty of stealing wearing apparel and sentenced to seven years’ transportation.<sup>1</sup> Based on her estimated year of birth as 1794, at the time of her trial she was 22 years old. Where Elizabeth had been born is not known at this stage. However she was mustered on board the *Friendship* as Elizabeth Perkins, a servant, and *uxor* George Perkins (UK).<sup>2</sup> They may have been the George Perkins and Elizabeth Flemming who were married at Bristol on 12 September 1814, but this is only speculation.<sup>3</sup>

On arrival at Port Jackson Elizabeth was placed in the group of female convicts who were sent on to Van Diemen’s Land on board the *Duke of Wellington* which docked at Hobart on 20 February 1818.<sup>4</sup> The *Friendship’s* surgeon had not been impressed with Elizabeth, describing her in his final report as ‘A prostitute and regardless of remonstrance’.<sup>5</sup> If indeed her behaviour on board had merited such an unfavourable reference, perhaps her new surroundings would offer a chance to become a reformed character?

On 16 April 1818, within a month of her arrival at Hobart, Elizabeth was charged for being absent from her master Mr Ransom’s property without leave for which offence she was put into a solitary prison cell for a week on bread and water. If the property was Thomas Ransom’s public house, the “Carpenter’s Arms” in Murray Street, it was rather an unfortunate assignment given Elizabeth’s propensity for drink.<sup>6</sup>

By 1819 she had formed a relationship with one John Leach and appeared with him in the 1820 and 1821 musters and, although still living with him, was recorded as being an invalid at the hospital for the 1823 muster.<sup>7</sup> Two daughters, Ann and Sarah, were born to the couple, but registered and baptised at Hobart under the name of Perkins.<sup>8</sup>



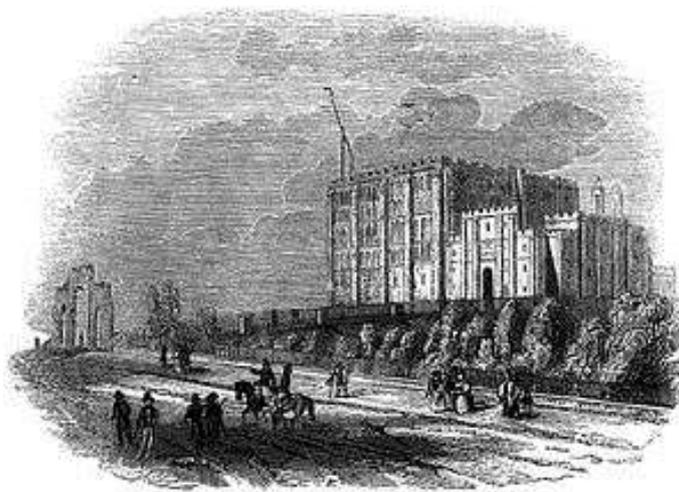
It was in July 1823 that Elizabeth became a free woman, having been granted her certificate of freedom, as reported in the *Hobart Town Gazette* of 26 July. She was listed as ‘Eliz. alias G. Perkins’.

The 19 March 1814 issue of *The Norfolk Chronicle* informed its readers that:

At the Assizes for this county, the commission for holding which will be opened this day at Thetford, there are 21 prisoners for trial, viz. four for horse-stealing, one for sheep-stealing, two for forging a will, three for receiving

stolen property, and the rest for divers felonies, &c.<sup>9</sup>

Aged 25, John Leach (alternatively Leech), was one of the twenty-one prisoners and one of those charged with horse-stealing – a bay mare, the property of blacksmith Nathaniel Plumpton, of Colney. He, together with one other charged with a similar offence, were the only two whose cases were heard that day who were ‘capitally convicted and received the sentence of death’.<sup>10</sup> At the time of John Leech’s sentencing there were more than 200 crimes for which the death penalty applied. These were encapsulated in what was called the “Bloody Code”. From the early 1800s various initiatives were introduced to minimise the number of capital crimes – but it was not until 1832 that horse-stealing was removed from the list.<sup>11</sup> However, juries and magistrates were increasingly reluctant to impose the death penalty, preferring instead to commute the sentence, usually to transportation for an appropriately punitive period of time. Thus John Leach was reprieved and his sentence commuted to transportation for life.



Norwich Castle (1845)<sup>12</sup>

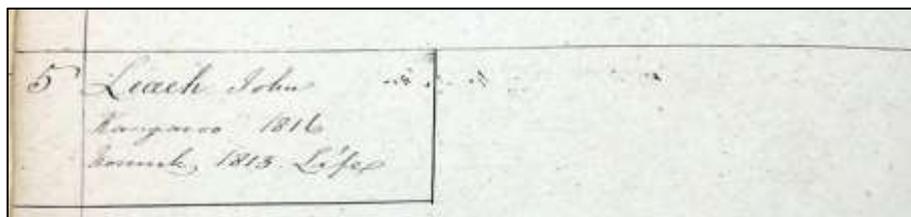
Prior to appearing before the Thetford Assizes John Leach had been held at Norwich Castle, the County Gaol, to which he had been committed on 31 January.<sup>13</sup> Dating from the Norman Conquest days, and situated on the summit of a lofty hill, the prison had been recently enlarged and some improvements in procedures introduced. The male criminal prisoners were accommodated in the older part of the building, each cell being 5 feet 6 inches by 8 feet, and furnished with an iron wooden-based bedstead, two mats, two blankets in summer or three in winter, and a rug. The windows were not glazed but did have shutters. On arrival he would have been divested of his own clothes and provided with the ‘County’ clothing. But when going to be tried, he would have been given his own clothes to wear, changing back to prison garb on return. Based on the observations of James Neild, compared with most such institutions, those incarcerated within the walls of Norwich Castle ‘enjoyed’ relatively good conditions.<sup>14</sup>

John Leach may have been returned briefly to Norwich Castle, but on 2 May 1814 he was delivered to the hulk *Captivity* moored at Portsmouth.<sup>15</sup> Compared with prisons, conditions on the hulks were decidedly grimmer. In the day time the convicts were put to hard labour, and at night were chained to their bunks to prevent them escaping.<sup>16</sup> Fortunately John did not have long to wait before he boarded the vessel that was to take him, and another 198 male prisoners, to New South Wales. The bulk of them were transferred to the *Marquis of Wellington* on 6 August 1814. The vessel left England on 1 September and arrived at Sydney on 27 January 1815.<sup>17</sup> John Leach spent his early days of servitude as a Government labourer in Sydney.<sup>18</sup> However by April 1816 he was on his way to Van Diemen’s Land, by order of Governor Macquarie who, on 14 April, noted in his diary:

H.M. Colonial Brig *Kangaroo*, Commanded by Lt. Chas. Jeffreys, sailed early this morning for Hobart Town in Van Diemen’s Land, having 40 Male and 60 Female Convicts on board for the use of that Settlement ... but after getting out and clearing the Heads, the *Kangaroo* returned in consequence of contrary winds and anchored within the Heads again.<sup>19</sup>

Three days later Governor Macquarie was pleased to note that the *Kangaroo* finally sailed from her anchorage at the Heads on 17 April.

Lieutenant Jeffreys' orders had been communicated by two letters from the Colonial Secretary dated 13 and 14 April together with a list of the names, convict ship details, sentences and place of trial and 'qualifications' for the 100 convicts to be transferred 'for the use of the Settlements in Van Diemen's Land'.<sup>20</sup> Included in this list of useful convicts was – No. 27, John Leach, Marquis of Wellington, Norfolk, 19 March 1814, Life, Boat Builder. His name was duly entered into the Conduct Register but the year of trial was not correct.<sup>21</sup>



From the bound indentures we know what John Leach looked like when he arrived. Standing at 5ft 3½ he was of average height. He had a florid complexion, sandy hair and hazel eyes, and was distinguished by a 'blue mark top of left side of nose'. At some stage his entry was annotated by the word 'sandy' being crossed out and replaced with 'grey'.<sup>22</sup>

Elizabeth Perkins and John Leach had set up home together in the waterfront area known unofficially as Wapping, roughly bounded by Liverpool, Campbell and Macquarie Streets, and, on the eastern side by Park Street (now the Brooker Highway). So named for its close resemblance to the London dock area Wapping, it was a closely settled working class district and the economic centre in the early years of Hobart Town where shipbuilding, whaling, sealing and commercial ventures provided employment. Apart from workers cottages, there were boarding houses in the district to cater for the 'floating' population. And, of course, the numerous pubs and 'houses of ill repute' provided other comforts. A major drawback was that Wapping lay in a low-lying area, prone to flooding, exacerbated by the fact that two streams emptied into the flat areas, and the polluted water of Hobart Town Rivulet ran straight through the district.<sup>23</sup>



Hobart Town in 1830<sup>24</sup>

John Leach is remarkable for the dearth of information about how he 'settled in' to his new surroundings half a world away from the land of his birth. There was not even one entry in the space allocated to him in the convict



Conduct Register. This suggests that he kept a very low profile, was reconciled to his fate, and just got on with the work assigned to him. Recorded in the musters from 1817 to 1826, it is the 1823 muster that is of particular interest. It states that he was not married.<sup>25</sup> However, unless she had died in the interim, there was a Mrs. Leach who, together with two children, in November 1814 was offered passage on the *Northampton*, which brought a number of free women and children to New South Wales to join their convict husbands/fathers.<sup>26</sup> Thirty free women and about 40 of their children came on the *Northampton* which arrived at Port Jackson on 18 June 1815. Mrs. Leach and her two children were not on board, having presumably declined the offer. According to researcher Shirley Tuff, John was given a ticket of leave in 1823, but by the 1826 muster he was again recorded as assigned to public works which suggests that, if he had been given a ticket, it may have been forfeited. Regardless, and noting that, as a rule, 'lifers' gained their freedom via a conditional pardon (after at least 10 years penitence) followed by an absolute pardon, there is a December 1828 notice in the *Hobart Town Courier* announcing that a ticket of leave had been issued to a John Leech [sic].<sup>27</sup> This was confirmed subsequently when it was noted that John Leach did hold a ticket of leave, issued to reward his good conduct and services in the public service as a boat builder and carpenter.<sup>28</sup> We do know of one misdemeanour which, in 1827, drew the public's attention to John Leach, and which merited seven lines in the police report in the *Hobart Town Gazette* of 21 April but no entry in the Conduct Register.

Wm. Shalligo, a shipwright, in the boat builders' gang was convicted of absenting himself since January last, under the pretence of being free, and was condemned to work in irons until the expiration of his sentence.

John Leach, overseer of the above gang, was convicted of conniving at Shalligo's absence, and was placed in the Penitentiary.<sup>29</sup>

It was as a boat builder that John Leach was later convicted of a far more serious crime. He and Elizabeth Perkins lived together for about ten years, but the relationship was sorely troubled. It ended abruptly and violently as reported in *The Hobart Town Courier* of Saturday 21 February 1829.

On Friday evening last a brutal murder was committed in a house at the lower end of Campbell-street, near the slaughter house. A man named Leach, a boat builder, had for a long time been observed by the neighbours to be constantly quarrelling with his wife, stimulated as is generally supposed by a justly founded feeling of jealousy, and the frequent intoxication of his wife. On Friday evening her cries as usual were heard, but they were observed to cease all at once, and soon after a suspicion was excited among the neighbours that all was not right, and a little girl, Leach's daughter, went to the room where they were, but speedily came out terrified, saying her mother's face was cold and she thought she was dead. On entering, Leach was found lying by the side of the corpse of his wife, with his head laid upon hers. The work of death appeared to have been accomplished not so much by sharp wounds as by violent beating with a stick. An inquest sat upon the body, and a verdict was returned of wilful murder against John Leach. He had frequently of late been heard to lament his miserable condition, for after the closest industry and long days of labour, he had no comfort in returning home, which he found heartless and desolate through the drunkenness and dissipation of his wife.<sup>30</sup>

A less restrained account, in *The Colonial Times* of 20 February, described in gruesome detail all the wounds inflicted - it was a very brutal murder. It also provided some additional details - the Leach home was in Collins street near the wharf; Elizabeth contributed to the household budget by taking in washing; and 'the parties were incessantly at variance, having for years back lived an unceasing life of strife and quarrel'. The article concluded:

On being conducted to the gaol, the prisoner expressed his perfect content at what had passed, and felt a degree of satisfaction at the prospect of being hung for his wife, having reaped his revenge for her infidelities and the life of misery she had entailed upon him.<sup>31</sup>

John Leach was tried in the Supreme Court by Chief Justice John Lewes Pedder on 7 March. The Minutes of Proceedings in Criminal Cases record that the jury returned a verdict of Guilty, and the sentence determined as follows.

The said John Leach to be hanged on Monday next the 9<sup>th</sup> instant and then dissected.<sup>32</sup>

The outcome of the trial was reported in *The Hobart Town Courier* on Saturday 14 March 1829. While not in any way condoning John's crime, the article made reference to his partner's provocative behaviour.

Leach was on the whole an industrious character and had obtained not long ago, the indulgence of a ticket of leave in reward of his good conduct and services in the public works as a boat builder and carpenter. He cohabited, however, with this woman with whom it appears he was not married, and latterly she had become so great a slave to drunkenness, that she grew callous to the relative duties she owed to him on the labour of whose hands she depended for support. Whilst he was absent at his labour during the day, she would sell every moveable she could in order to obtain money to expend in drink. She actually on one occasion took out some salted meat from a cask and pawned for this purpose, to such a state of debasement does the passion of drink therefore reduce the human mind ... After the verdict of guilty had been returned, being asked what he had to say why sentence of death should not be passed upon him according to law, he said "nothing". His Honor the Chief Justice then addressed him in nearly the following words :- John Leach, you have this day been found guilty of the crime of murder, and that on a female with whom you have been living in a state of adultery for a number of years, which makes your sins the greater ... You have pleaded in your defence that you were drunk and did not know what you were doing. (Here his Honor, much affected, addressed himself to all within the court, which was much crowded, and hoped they would see by the fate of the prisoner, the dreadful effects of drunkenness). His Honor then told the prisoner that he was bound by the law to allow him only a few hours to live. ...He prayed for mercy in all the mental agony of miserable men about to die.<sup>33</sup>

On 9 March John Leach was executed above the Murray Street wall of the gaol by executioner John Dogherty, most likely at 8 a.m. as soon as the bell from St. David's Church, on the other corner of the gaol, finished chiming.<sup>34</sup> The *Hobart Town Courier* of 14 March captured the moment.

John Leach, Hobart Town, 13<sup>th</sup> March, 41 years, Executed for ye murder of Elizabeth Perkins.

On Saturday last John Leach was tried and found guilty of the murder of the unfortunate woman with whom he had lived for the last 10 years ... A few seconds put a period to his existence of this earth, and his body like those of the murderers executed the week before, was carried to the hospital in a cart for dissection.<sup>35</sup>

The same newspaper item noted that:

He prayed for mercy in all the mental agony of miserable men about to die; and on the morning of his suffering he was so deeply affected that his limbs as they shook beneath him could scarcely bear him to the gallows.



*The Hobart Town Gaol, Murray Street*<sup>36</sup>

The sheriff officiating at the execution was Dudley Feraday and John would have been attended by Rev. William Bedford, who no doubt spent the last few hours with John and accompanied him up onto the scaffold. His body would have remained hanging for an hour before being cut down, placed in a rough coffin box, and placed on a

hand cart to be taken to the hospital. Once the medical men had finished Johns remains were buried in St. David's burial ground by Rev. William Bedford on 13 March, four days after he was executed.<sup>37</sup>

By carting John Leach's body to the hospital, the authorities were following standard legal practice, in accordance with a law passed in England in 1752, which stated that the body of a person hanged for any crime would be handed over to surgeons to be dissected. To the people of the day the idea that after their death their body would be cut up was terrifying. It added an extra punishment to hanging.<sup>38</sup>

If the Colonial Secretary had had his way, the mercy John Leach prayed for would have been granted. A meeting of the Executive Council was convened on 7 and 8 March at which the Chief Justice, John Lewes Pedder, was to present his report on the case of John Leach to Lieutenant Governor George Arthur. But before the Chief Justice spoke to his report, the Colonial Secretary, John Burnett, gave his opinion of the case.<sup>39</sup>

I beg leave to recommend John Leach for Mercy in the strongest manner, because I do not believe him to have been Guilty of premeditated Murder, and because I do not believe it necessary in the present case either for the sake of example or punishment that the extreme sentence of the Law should be carried into effect.

John Burnett acknowledged that it was true that the "unfortunate man" had caused the death through a "long continued series of blows upon different parts of her body". However, he asserted that it was no less true -

... that he had ever borne the undeniable character of a humane, mild, good tempered Man and that his Crime was committed under aggravated circumstances of provocation at a time when his blood was heated by drinking, and his mind inflamed by one of the strongest passions of which the human breast is susceptible – jealousy.

Further, and reflecting the circumstances of the times, he stated -

It may be true that there was no legitimate cause for the latter, because the abandoned woman with whom he cohabited was not his wife, but when the peculiar circumstances of this Colony, the great disproportion of the Sexes, and the obstacles which are thrown in the way of marriage are taken into consideration, as well as that she had lived with him for 12 years, and borne him two Children, in my humble opinion much weight cannot be given to this objection.

He suggested that perhaps Leach had no intention of killing his partner, but once the beating started, he just got carried away. After all (and, rather unfortunately, reflecting the 'status' of woman as 'property') -

... we every day see instances in the Streets of this Town of men beating their Horses under the influence of a passion 'which seems to grow by what it feeds on' and yet these men have neither the intention of destroying nor even seriously injuring their own property, and are many of them perhaps as mild generally as Leach is represented to have been.

Finally,

I do not believe he had any intention of taking the life of the Woman, nor does it appear certain to me that he was conscious of having done so; even at the moment he was apprehended, for he did not attempt abscond after he had perpetrated the Crime, as he probably would have done had he been conscious of it, and he was not only found by the Constable in the same bed, but even almost in contact with the female.

But this plea was all to no avail. In concluding his presentation, the Chief Justice stated –

I cannot therefore think this is a fit case to recommend for Mercy, and from the experience I have had of the habitual profligacy and brutal violence of the lower orders of people in this Colony, married and unmarried, I feel convinced that a Pardon extended to this Prisoner on the grounds of the provocation he received, and of his being tipsy, would prove highly injurious to society.

The Lieutenant Governor concurred. Indeed, he could find no extenuating circumstances in the fact that the deceased had been a very drunken, depraved woman, who had so exasperated the Prisoner by her continued dissolute conduct. It was the view of the Lieutenant Governor that, as the deceased had not been his wife, the Prisoner "might, and it was his duty to, have separated himself from the adulterous connection which he had formed with her".

*As an aside, it is interesting therefore to read in a biography that "Pedder's judgements and reports to the Executive Committee on capital cases show that he was appalled by the severity of the criminal code and diligent in giving prisoners the benefit of every possible doubt. In many cases, and often with difficulty, he succeeded in persuading the lieutenant-governor to pardon prisoners or commute their sentences".<sup>40</sup>*

If the members of the Executive Council were less than empathetic towards 'the lower orders' the editor of the *Colonial Times*, Andrew Bent, was much more in tune with those who subscribed to his newspaper. An apprentice printer, Bent had been convicted in 1810 of burglary and, his sentence of death having been commuted, was transported for life, arriving at Sydney per the *Guildford* in January 1812, and then on to Hobart by the *Ruby* one month later.<sup>41</sup> On 13 March 1829, and penned in characteristically extravagant style, an article "Execution of Leach" appeared in the *Colonial Times*. It very much echoes the sentiments of the Colonial Secretary and counters some of those expressed by the Executive Council.

This victim, to the baneful effects of ungovernable temper, expiated his horrid crime of murder upon the scaffold on Monday morning last, at 8 o'clock, in the presence of a large concourse of people, whose universal feeling was tinged with pitying compassion, at his untimely end. From the circumstance of Excellency having convoked a meeting on Saturday evening last ... a strong hope was entertained that the life of this most unfortunate individual would have been spared. Not impeaching the validity of the sentence, or doubting the soundness of the assembled Gentlemen's cogitations, we are of opinion that sufficient palliative existed in the case of Leach to render him an object of "Royal Mercy." It was not a premeditated murder, nor effected with malice prepense, but the effervescence of momentary, violent, and ungovernable passion, excited by the extreme virulence and unfeminine conduct of his victim, whose general routine of conduct for years had been marked by debauchery, depravity, and vice of every description, despite all which, and although not his wife, still the force of his love and affection for her counterbalanced her frailties and infirmities, and induced him to protect her as a husband, and share with her, nay, quietly submitting to her robbing him of his hard and industrious earnings, to lavish upon her inebriety; but "all things have an end," her's a most dreadful one. Leach was remarkable for his mild and placid temper, indeed well proved by his forbearance towards the female murdered, but human nature could not withstand the overexcitement that urged the unhappy man to commit the tragic act that closed the scene of their mutual lives. We accord with His Honor's remark, that not being his wife, and acting as she did, "he could have left her." That he could have left her, is true, but let us reflect, and so ought His Honor to have reflected, that for many years they had sojourned together, considering each other as man and wife (although the Church ritual had not hallowed the union) and performed towards each other the relative duties of that blessed state. How then could that man cast upon the world one he had so long protected and associated in all his cares and comforts, as his better half, destitute and more than destitute, because her unfortunate propensity to drink rendered her useless for acts of industry. Would he not by so doing be accountable for worse sin she might have committed, and would have committed to gratify her vicious habits. That she sinned in living with him, it is true, but the local position of the Colony at the period of their first acquaintance was a great palliative to their offence: this we say ought to have been urged on the side of mercy – his continuing his protection to her evinced a good, generous, and benevolent heart, added to his very mild and amiable temper, might have been some reason to spare his life, and by a transportation to a penal settlement, not only enabled him to repent the dreadful crime he had committed, but have rendered his valuable trade, a shipwright, (so scarce as artificers of that class are in the Colony) of benefit to the Government. But the deed is done, and cannot be recalled.<sup>42</sup>

I have given some focus to the newspaper reports and the Executive Council minutes because they reflect the prevailing societal conflicts - e.g. the gulf between the ruling and ruled and, within the ruled, the contradictory attitudes towards the victim and the murderer. Elizabeth Perkins was definitely no saint, but her partner was hardly blameless. But overwhelmingly, while Elizabeth was vilified, John secured the sympathy of his peers.

Elizabeth Perkins died at the recorded age of 32 (but more likely 35), having squandered any opportunity she may have had to turn her life around.

Elizabeth Perkins, Hobart Town, 16<sup>th</sup> February, 32 years, Murdered by John Leach, Labouring Woman.<sup>43</sup>

Nothing further has been found for the younger daughter, Sarah Perkins, who would have been 8 years old in

March 1829. But she is most likely the five year old girl, Sarah Ann Leach, who was buried at Hobart on 15 May 1825.<sup>44</sup>

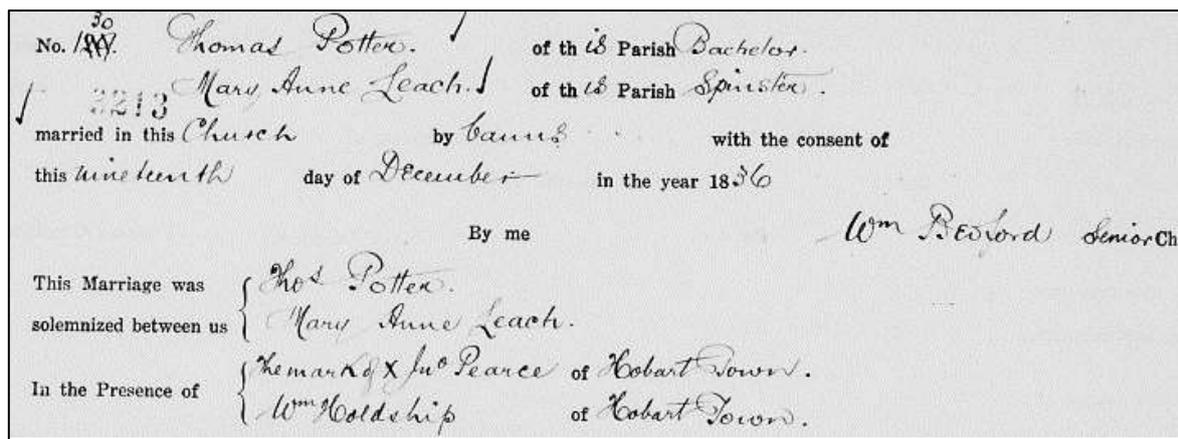
On the other hand, there is further information for the elder daughter, Mary Ann, who could rightly be counted as another victim of crime. If, as seems to be the case, the adult population of Hobart was shocked by such a vicious murder, even in a town in which the propensity for violence was ever present, how did the circumstances in which young Mary Ann lost both parents affect her? As the first person on the scene of the crime, did she suffer any long-term flash-backs of what she had seen in her parents' bedroom? While people may have felt sorry for her, there was then nothing available in the way of counselling, etc, that is readily available today. Her special need was, however, acknowledged by the Committee of the Female Orphan School. At its meeting in the Vestry of St. David's Church on 7 March 1829, noting that there was really no room at either of the Orphan Schools at that time, the Committee was, nevertheless, prepared to consider two peculiarly distressing cases – one of which was that of Mary Ann Perkins.<sup>45</sup>

A record has been located showing Mary Ann Perkins, was admitted to the Queens Orphan School - Orphan Number 4334, daughter of Elizabeth Perkins and John Leach, admitted at the age of 8 [note: Mary Ann was just short of her tenth birthday] on 7 March 1829 and discharged on 9 February 1832. The remarks column was annotated 'father executed for murdering the mother'.<sup>46</sup> It was to Mary French that Mary Ann was released on 1 February 1832, the Committee confident that Mrs. French, who had in fact looked after her formerly, was 'a decent woman and capable of taking care of the girl'.<sup>47</sup>

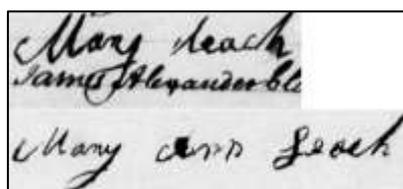
Mary French was probably the 33 year old Mary French (*uxor* William French, a watchman at the London Docks) who had been tried on 11 April 1810 at Middlesex, found guilty of stealing a washing tub, a flat iron, a candlestick, a boot jack and a cocoa nutshell, sentenced to 7 years transportation, and arrived at Sydney on the *Friends* in October 1811. She was subsequently removed to Van Diemen's Land and obtained her freedom by servitude on 1 February 1827.<sup>48</sup> She had also been one of the witnesses at the trial of John Leach.<sup>49</sup> Mary's husband, William, and their son John William French had come out to join her as free settlers. Under what circumstances is not entirely clear, but both William, a waterman, (then 72 and according to his will, very sick) and John William (aged 26) had died within days of each other and were both buried on 15 November 1832 in the Presbyterian cemetery.<sup>50</sup> When widowed Mary French married widower William Long on 5 October 1835 at Hobart, Mary Leach was one of the witnesses who, incidentally, was able to sign her name, testament to a certain level of education acquired while in the Orphanage and probably also under Mary French's supervision.<sup>51</sup>

No. 183.	William Long	of the Parish	Widower
2374	Mary French	of the Parish	Widow
married in this Church	by	James	with the consent of both
this 5th	day of October		in the year 1835.
	By me	J. Palmer.	Rural Dean and Chapl
This Marriage was solemnized between us	{ Ann Long		
	{ Mary French		
In the Presence of	{ Mary Leach	of	{ Hobart Town.
	{ James Alexander Clark	of	{

It was just over a year later, on 19 December 1836, that the marriage between Mary Anne Leach, spinster, and bachelor Thomas Potter was solemnised at St. David's Hobart Town. There was no reference to the couple's ages, and in fact Mary Anne, at 17, was a minor. Both parties were able to sign the register and the witnesses were Jno Pearce and the parish clerk, William Holdship.<sup>52</sup>



It is interesting to compare Mary's registry signatures for the two events.<sup>53</sup>



It was through this couple that Elizabeth Perkins' legacy lived on. So who was Thomas? \*\*

Thomas Steadman [variant spellings] Potter was baptised at St Mary, Rotherhithe, Southwark, on 2 January 1814, nearly four years after his birth on 1 March 1810. His parents were Thomas Steadman Potter and his wife Elizabeth (née Dowson [alternatively Dawson]). At the time they were resident at Russell Street, and Thomas was a grocer by trade. Elizabeth's parents, Richard Dawson, a shipwright, and his wife Ann, had their daughter baptised at St. Trinity, Hull, Yorkshire, on 5 August 1785. It was at St. Trinity, Hull, that Thomas Potter and Elizabeth (Dowson), both 'of this parish', were married on 24 August 1809, the banns having been called on 30 July, and 6 and 13 August. Thomas junior had followed in his father's footsteps and was also a grocer.<sup>54</sup>

Young 'Master Stedmann Potter' arrived at Hobart on 12 November 1823, a passenger on the brig *Belinda*, which, under Captain Thomas Coverdale, had left Plymouth on 12 June.<sup>55</sup> None of those on board would forget their journey in a hurry – it had been a disastrous voyage, during which the vessel had suffered a considerable amount of damage, with both masts having been lost, the galley and boats swept away in rough seas, and two seamen and a boy having been drowned. Fortunately, however, the cook who had gone overboard with the galley was saved.<sup>56</sup>

Albeit by a different 'route', young Thomas was following in his mother's footsteps when he embarked on the long sea voyage to the far-flung colony. In March 1813 Elizabeth Ann Wilson Potter, together with her younger sister Maria Ann Dawson, had been tried and found guilty of stealing furniture, property and money from the rooms of one John Hatherly at the Royal Marine Forton Barracks, at Gosport. One might question what the two girls were doing at the Barracks! Maria was sentenced to a year's imprisonment but Elizabeth, perhaps regarded as the ring-leader, received the harsher punishment of seven years' transportation.<sup>57</sup>

She arrived at Port Jackson on the *Wanstead* in January 1814 and was then transferred in August to Van Diemen's Land on the *Kangaroo*. Three months later, on 14 November, she married Philip Macklin at Hobart. Her husband, having departed from the colony in 1819, Elizabeth Macklin aged 39, having been granted her certificate of freedom in April 1820, married 43 year old Francis Barnes, landlord of the Hope Inn. The portrait below was painted shortly before she died on 2 April 1827.<sup>58</sup>



Elizabeth Ann Wilson Potter, Mrs Francis Barnes Hobart, 1825  
Augustus Earle<sup>59</sup>

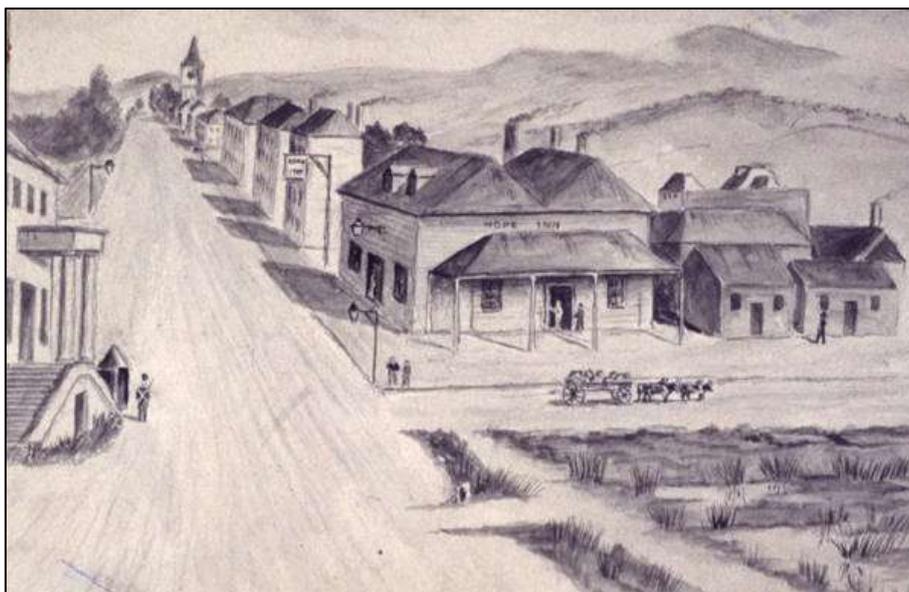
Francis Barnes, farmer, died on 26 October 1842 at Clarence Plains.<sup>60</sup> Their memorials are now featured in the St. David’s Memorial Park Wall.



Memorial Plaques, St David’s Memorial Park Wall  
(Photographs, Mike Fretwell, March 2018)

Briefly, at the age of 28, on 15 April 1801, Francis Barnes had been found guilty at the Old Bailey of multiple charges of stealing bank notes from Nathaniel Swan.<sup>61</sup> Sentenced to death (commuted), he arrived in the colony per the *Calcutta* in October 1803, and thence to Hobart Town per the *Ocean*, in February 1804. By 1813 he had obtained a free pardon.<sup>62</sup>

Described as publican, in 1818, and for the first time, he was included in a list of persons ‘duly licensed for Keeping of Public Houses, and Vending of Wines, Spirits, and Beer’ his ‘sign’ being the “Hope” establishment.<sup>63</sup> Claimed as being the oldest colonial public house, the “Hope Inn” was located on the corner of Macquarie Street and Market Place.

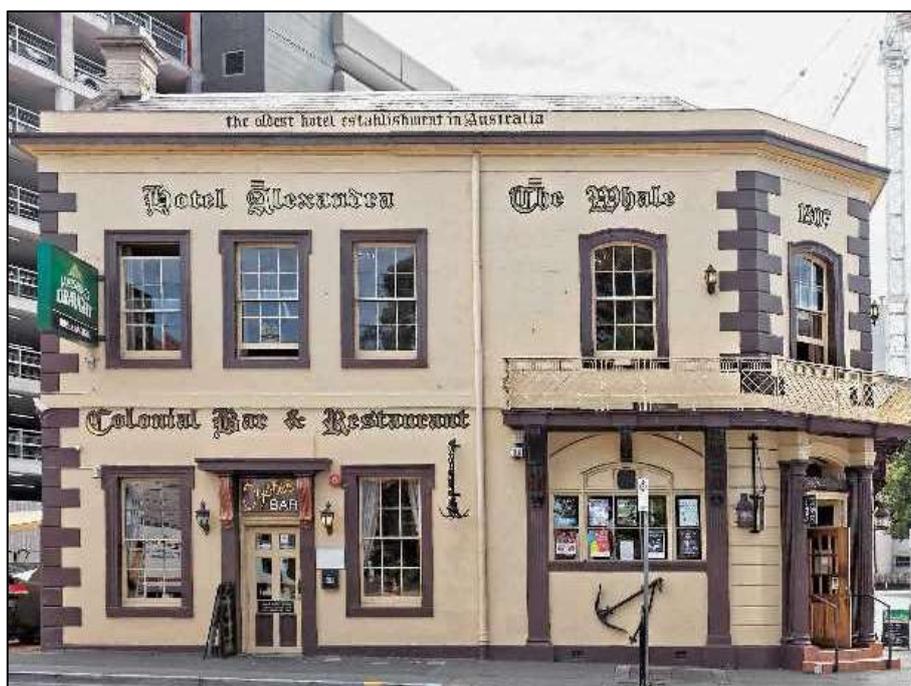


The Hope and Anchor, known just as the Hope Inn, c 1900  
(W.L. Crowther Library, SLT)

A century later, The Commentator of the *Critic* recalled the early days of the Inn.

Its landlord was one Francis Barnes ... a man of substance in the early days of the settlement ... Barnes christened his house the Hope, but in 1821 he changed it to the sign of the Hope and Anchor [which]... was always looked upon as a first-class house ... A more suitable spot for a public house could not be found, and Barnes, who always seems to have had his eyes lifting to the main chance, must have discovered this. Until the New Wharf was commenced on the western side of the harbour, all the traffic from the English ships came to the eastern side, the main landing place being Hunter's Island. The result was that the Hope and Anchor did a roaring trade.<sup>64</sup>

Francis Barnes held the license until 1827 when it was taken over by Thomas Dixon. The pub still operates today (2018) and its 'pedigree' is clear for all to see, with its various names emblazoned on the exterior walls.



(Photograph, Mike Fretwell, March 2018)



### Thomas Steadman Potter

Shortly after his arrival Thomas Potter went to live with his maternal uncle, Michael Dowson who, a couple of years younger than his sister Elizabeth, was baptised at Hull on 25 June 1787. On 24 September 1802 the 'son of Richard Dawson of Hull Shipwright' was apprenticed to 'Thomas Gleadow, Shipwright, witnesses John Coverdale Jnr, Edward Jackson'.<sup>65</sup> It is thought that Michael Dowson had arrived in the colony about 1816 as an officer on the *Lord Melville* and subsequently found employment as First Officer of the schooner *Derwent*.<sup>66</sup> But by early 1819, he was referred to as 'Mr. Dowson, late Chief Officer of the Derwent Schooner', about to leave the colony and requesting all claims to be presented to his brother-in-law, Mr. Barnes as he [Dowson] was intending to leave the colony.<sup>67</sup> Michael had returned to Van Diemen's Land by 1823 where, on 24 November of that year, he married Susanna Fisher by licence at St David's, Hobart Town.<sup>68</sup>

Sourcing information about Thomas Potter has been difficult, but we do know that, not surprisingly, he earned his living on the sea, as a mariner in the whaling industry from about 1837, and who rose to command the whaling brig *Maguasha*, a 150 ton vessel sailing out of Hobart in 1845-46.<sup>69</sup> Whaling necessitated being away from home for considerable periods of time. For instance, with a crew of 25, Thomas left Hobart on 3 January 1846 bound for the whaling grounds as far away as Banks Peninsula on the east coast of New Zealand's South Island, and then to Port Jackson, where he was required to report to the Health Officer on 27 September, and finally back to Hobart with a cargo of oil and whalebone on 18 November.<sup>70</sup> He was issued with his Waterman's Licence in 1852 and plied his trade as a waterman or boatman from then to about 1860.<sup>71</sup>

A 1932 obituary for his son Michael David Potter claims that Thomas Potter was 'in command of several well-known ships that used to trade to Hobart in the early days'.<sup>72</sup> Much of the personal information gleaned for Thomas Potter comes from the reports of the legal case 'Potter v. Dillon' which was covered in detail in the Tasmanian press in 1875, the subject of which was the will of Michael Dowson, who had died on 25 January 1875 at the age of 87, three months after the death of his wife Susannah. The day before he died Michael had made out a will leaving everything to his late wife's niece, Alice Dillon, who was also sole executrix. Thomas challenged the will on the grounds that his uncle had not been legally competent when he made the will and that Alice Dillon (and her husband Thomas Dillon) had exerted undue influence and coercion.<sup>73</sup>

In evidence, Thomas Potter stated that he had lived with the testator for a while after his arrival in the Colony, but subsequently they had not been close. For the past thirteen years Thomas had been crippled in one arm and one leg (the result of some accident?) and had been in poor circumstances, working as a night watchman when he could get employment and otherwise relying on his children for support. During this time his uncle had occasionally helped out – giving him six shillings when the Potter house was flooded out, and on another occasion when they met giving him £1. On the latter occasion, when Alice Dillon was out of favour, Thomas Potter stated that his uncle had intimated that he would leave all his property to his own relatives. And now, with the death of Mrs. Dowson, and with no evidence that any of Michael's relatives in England were still alive, Thomas Potter considered himself to be Michael's only living relative. It presumably came as something of a shock to Thomas to learn that on his deathbed, Michael had formally bequeathed all his property and assets to Alice Dillon. The two parties had garnered a procession of witnesses to speak on their behalf. Ultimately, the court ruled that, on balance, the evidence was in favour of the testator having had 'testamentary capacity'. Further, whilst there was some suspicion that some influence had been brought to bear by the Dillons, the evidence fell short of the legal definition of undue influence. Thus, the wishes of the testator were upheld, and Thomas had lost his appeal. It was fortunate, however, that the court also ruled that, given the circumstances, Thomas had a reasonable and justifiable motive for mounting the appeal, and on that basis the costs of both parties would be paid from the estate. The costs were estimated at £1000.<sup>74</sup> At the time of his death Michael's estate was valued at no more than £400.<sup>75</sup>

By this time Thomas Potter would have been about 65 and was clearly in a reduced circumstances, physically and financially. If he had hoped to gain by his uncle's will he was sorely disappointed. Within a year of the legal case Thomas Steadman Potter was dead. He died on 26 June 1876 at Sandy Bay, Hobart. The cause of death

was bronchitis. His death record notes that he was a boatman by occupation and that he had been born in England.<sup>76</sup> The *Mercury* of 30 June notified its readers:

POTTER – On 26<sup>th</sup> June, at his residence, Byron Street, Sandy Bay Road, Thomas Stedman Potter, in the 67<sup>th</sup> year of his age. Friends are respectfully invited to attend his funeral, which will move from his late residence THIS DAY (Friday), at half-past 2 o'clock.<sup>77</sup>



Over a period of 23 years, from 1837 to 1860, Mary Ann and Thomas Potter had twelve children, of whom according to one daughter, Elizabeth Ann Spencer, by 1909 three sons and four daughters were still living. In response to a series of articles on 'The Oldest Tasmanian Native' Elizabeth Spencer had written to the Editor of the *Mercury* to advise that her mother, Mary Ann Potter, was 'still active and able to converse on all the doings of the people of Tasmania' and further, that she had never been out of the State.<sup>78</sup> The following year, at the age of 95, Mary Ann Potter died on 5 January at Birch's Bay.<sup>79</sup> She was buried at the Woodbridge Cemetery, Kingborough, Tasmania.<sup>80</sup> Included in the illustrations featured in *The Tasmanian Mail* of Saturday 22 January 1910 was one of 'The Late Mrs Mary Ann Potter'.<sup>81</sup>

Mary Ann and Thomas has created quite a dynasty, with links to New Zealand, Victoria and Western Australia. The last of their children died in 1940, another to reach a grand old age.

KNIGHTS – Passed peacefully away on December 9 1940, at her residence, Altonia, Williamstown, Victoria, Letitia, widow of the late William Knights, shipbuilder, formerly of Hobart, beloved sister of the late Mrs. Lynch, Birch's Bay Post Office, Mrs. Spencer, Mrs. C. Coleman, and Mr. D and J. Potter. The last member of the family of the late Captain Thomas and M.A. Potter of Hobart whaling days, aged 93 years. Loved by all.<sup>82</sup>

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\*\* It should be noted that other Potter researchers have ascribed a different Mary Ann(e) as the wife of Thomas Steadman Potter. They hold that Thomas married a Mary Ann Brown who, having been cared for by William and Mary Leach, had adopted the name Leach and it was under that surname that she married Thomas in 1836. (<http://www.southcom.com.au/~pottermj/potter.htm>)

The lineage of Mary Ann Brown was the lynch-pin of a Federal Court case – *Edwina Shaw & Anor v Charles Wolf & Ors* [1998] FCA 389 (20 April 1998) – refer to section The Respondents, 1. Charles WOLF. (<http://www.austlii.edu.au/au/cases/cth/FCA/1998/389.html>)



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- <sup>1</sup> Ancestry, England & Wales, Criminal Registers, 1791-1892.
- <sup>2</sup> Ancestry, Australian Convict Transportation Registers – Other Fleets & Ships, 1791-1868; Biographical Database of Australia (BDA), Biographical report for Elizabeth Perkins.
- <sup>3</sup> Findmypast (FMP), England Marriages 1538-1973 Transcription.
- <sup>4</sup> Ancestry, New South Wales, Australia, Settler and Convict Lists, 1787-1834.
- <sup>5</sup> Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856.
- <sup>6</sup> *The Hobart Town Gazette and Southern Reporter*, 3 Oct 1818, p.1
- <sup>7</sup> Female Convicts Research Centre (FCRC), Female Convicts in Van Diemen's Land database, Convict ID: 3612; Convict Records, <https://convictrecords.com.au/ships/marquis-of-wellington/1814>.
- <sup>8</sup> FMP, Tasmania births 1803-1933 Transcription.
- <sup>9</sup> *The Norfolk Chronicle*, 19 Mar 1814, p.2.
- <sup>10</sup> *The Norfolk Chronicle*, 26 Mar 1814, p.2; Ancestry, England & Wales, Criminal Registers, 1791-1892.
- <sup>11</sup> "The Bloody Code - Capital Punishment UK", <http://www.capitalpunishmentuk.org/bcode.html>.
- <sup>12</sup> A mid-19<sup>th</sup>-century engraving of Norwich Castle from Charles Knight's Old England: A Pictorial Museum, reproduced by Wikipedia, [https://en.wikipedia.org/wiki/Norwich\\_Castle](https://en.wikipedia.org/wiki/Norwich_Castle),
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- <sup>15</sup> Ancestry, UK, Prison Hulk Registers and Letter Books, 1802-1849.
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- <sup>17</sup> *Sydney Gazette and New South Wales Advertiser*, 28 Jan 1815, p.1; "Convict Ship Marquis of Wellington 1815", Free Settler of Felon? [http://www.jenwillets.com/convict\\_ship\\_marquis\\_of\\_wellington.htm](http://www.jenwillets.com/convict_ship_marquis_of_wellington.htm)
- <sup>18</sup> Ancestry, New South Wales, Australia, Settler and Convict Lists, 1787-1834.
- <sup>19</sup> Lachlan and Elizabeth Macquarie Archive, <http://www.mq.edu.au/macquarie-archive/lema/1816/1816april.html#apr10>.
- <sup>20</sup> Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856.
- <sup>21</sup> Tasmanian Archive and Heritage Office (TAHO), CON13-1-1, p.60; TAHO, CON31-1-27.
- <sup>22</sup> Ancestry, New South Wales, Australia, Convict Indents, 1788-1842; BDA, Biographical report for John Leech.
- <sup>23</sup> Alison Alexander, ed, The Companion to Tasmanian History, Centre for Tasmanian Historical Studies, University of Tasmania, [http://www.utas.edu.au/library/companion\\_to\\_tasmanian\\_history/W/Wapping.htm](http://www.utas.edu.au/library/companion_to_tasmanian_history/W/Wapping.htm).
- <sup>24</sup> Walker, James Backhouse, Lantern Slide of Hobart Town, Van Diemen's Land in 1830, University of Tasmania Library Special and Rare Materials Collection, Australia., <https://eprints.utas.edu.au/3171/>.
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- <sup>26</sup> Shirley Tuff (compiler), A Resume of the Lives of All the Willing and Unwilling Passengers who arrived 25<sup>th</sup> January 1815 on The Marquis of Wellington, Canberra, 1982.
- <sup>27</sup> *The Hobart Town Courier*, 6 Dec 1828, p.2.
- <sup>28</sup> Shirley Tuff, A Resume; Ancestry, New South Wales and Tasmania Australia Convict Musters, 1806-1849; *The Hobart Town Courier*, 14 Mar 1829, p.4.
- <sup>29</sup> *Hobart Town Gazette*, 21 Apr 1827, p.5.
- <sup>30</sup> *The Hobart Town Courier*, 21 Feb 1829, p.2.
- <sup>31</sup> *Colonial Times*, 20 Feb 1829, p.3.
- <sup>32</sup> TAHO, Minutes of Proceedings, SC32/1/1 image 346.
- <sup>33</sup> *Hobart Town Courier*, 14 Mar 1829, p.4.
- <sup>34</sup> Information on the trial and execution was provided by Matthew Johnston, email correspondence, 23 January 2018.
- <sup>35</sup> FMP, Tasmania deaths 1803-1933 Transcription; TAHO, Hobart burials 1829, RGD34/1/1 no 1924; *Hobart Town Courier*, 14 Mar 1829, p.4. The two murderers referred to were John Salmon and Daniel Brown.
- <sup>36</sup> State Library of Victoria, <http://www.slv.vic.gov.au/pictorial/gid/slv-pic-aab51371>
- <sup>37</sup> TAHO, Hobart burials 1829, RGD34/1/1 image 85.
- <sup>38</sup> Tim Lambert, "A History of the Death Penalty in the UK", <http://www.localhistories.org/capital.html>.
- <sup>39</sup> Minutes of Proceedings of the Executive Council, TAHO, EC4/1/1.
- <sup>40</sup> P.A. Howell, 'Pedder, Sir John Lewes (1793-1859), Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/pedder-sir-john-lewes-2542/text/3457>.
- <sup>41</sup> E.R. Pretyman, 'Bent, Andrew (1790-1851)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/bent-andrew-1771/text1983>
- <sup>42</sup> *Colonial Times*, 13 Mar 1829, p.3.
- <sup>43</sup> FMP, Tasmania deaths 1803-1933 Transcription; TAHO, Hobart burials 1829, RGD34/1/1 no 1910.
- <sup>44</sup> FMP, Tasmania deaths 1803-1933 Transcription.
- <sup>45</sup> Queens Orphan School, Minutes of Meetings of the Committee of Management, TAHO, SWD24/1/1, 7/3/1829, pp133-134.



- <sup>46</sup> Friends of the Orphan Schools, St John's Park Precinct New Town [http://www.orphanschool.org.au/showorphan.php?orphan\\_ID=4334](http://www.orphanschool.org.au/showorphan.php?orphan_ID=4334). I am much indebted to Matthew Johnston who has, via the Friends of the Orphan Schools' site, claimed Mary Ann Perkins, and has provided additional information and references relating to Elizabeth Perkins and John Leach, and for following up on Mary Ann when she was released from the Orphan School.
- <sup>47</sup> Queens Orphan School, Minutes of Meetings of the Committee of Management, TAHO, SWD24/1/1, 9/2/1832, pp.371-372.
- <sup>48</sup> *Old Bailey Proceedings Online* ([www.oldbaileyonline.org](http://www.oldbaileyonline.org), version 7.2, 22 January 2018), April 1810, trial of MARY FRENCH (118100411-128). *Public Ledger and Daily Advertiser*, 20 Apr 1810, p.3; BDA, Biographical report for Mary French; *Hobart Town Gazette*, 3 Feb 1827, p.1.
- <sup>49</sup> TAHO, Minutes of Proceedings, SC32/1/1 image 346.
- <sup>50</sup> Email correspondence from Matthew Johnston; TAHO, Hobart burials 1832, RGD34/1/1 nos 2904 and 1905. TAHO, Wills, AD960/1/1, No 62.
- <sup>51</sup> TAHO, Hobart marriages 1835, RGD36/1/2 no 2874.
- <sup>52</sup> TAHO, Hobart marriages 1836, RGD36/1/3 no 3213.
- <sup>53</sup> Signature image provided by Matthew Johnston.
- <sup>54</sup> Ancestry, London, England, Church of England Births and Baptisms, 1813-1906; Ancestry, England & Wales, Christening Index, 1530-1980; FMP, Yorkshire Marriages Transcription; FMP, Yorkshire Banns Transcription.
- <sup>55</sup> *Hobart Town Gazette and Van Diemen's Land Advertiser*, 15 Nov 1823, p.2; *Hampshire Telegraph*, 16 Jun 1823.
- <sup>56</sup> The subsequent repairs took three months, after which the vessel departed for the Western Australia coast where, in June 1824, she was wrecked – "Belinda", Shipwreck Databases, Western Australian Museum, <http://www.museum.wa.gov.au/maritime-archaeology-db/wrecks/belinda>.
- <sup>57</sup> *Hampshire Chronicle*, 8 Mar 1813, p.4.
- <sup>58</sup> TAHO, Hobart marriages 1814, RGD36/1/1 no 52. TAHO, Hobart marriages 1823, RGD36/1/1 no 639. LINC, Hobart burials 1827, RGD34/1/1 no 1434.
- <sup>59</sup> I am indebted to Matthew Johnson for his assistance with sourcing information on Elizabeth Perkins and the Potter family, and for directing me to the link for the portrait.<http://www.deutscherandhackett.com/auction/lot/portrait-elizabeth-ann-wilson-potter-mrs-francis-barnes-hobart-1825>.
- <sup>60</sup> TAHO, Hobart deaths 1842, RGD35/1/1 no 909.
- <sup>61</sup> Proceedings of the Old Bailey, <https://www.oldbaileyonline.org/images.jsp?doc=180104150044>.
- <sup>62</sup> BDA, Biographical report for Francis Barnes.
- <sup>63</sup> *The Hobart Town Gazette and Southern Reporter*, 3 Oct, 1818, p.1
- <sup>64</sup> *The Critic*, 11 Jul 1924, p.3.
- <sup>65</sup> Ancestry, England & Wales, Christening Index, 1530-1980. Records relating to freemen and apprentices in Kingston upon Hull, Ref No C BRG/10/447, Hull City Archives. John Coverdale Jnr may have been nephew of Thomas Coverdale, master of the brig *Belinda*.
- <sup>66</sup> Irene Schaffer and Thelma McKay, *Exiled Three Times Over*, St. David's Park Publishing, Tasmania, 1992.
- <sup>67</sup> *The Hobart Town Gazette and Southern Reporter*, 9 Jan 1819, p.2.
- <sup>68</sup> TAHO, Hobart marriages 1823, RGD36/1/1/ no 669.
- <sup>69</sup> Email correspondence from Matthew Johnston, 2 July 2017.
- <sup>70</sup> *Maguasha*, Mariners and ships in Australian Waters, <http://marinersandships.com.au/1846/09/349mag.htm>. *The Courier*, 21 Nov 1846, p.2.
- <sup>71</sup> Graeme Broxam, *Pride of the Port : The Watermen of Hobart Town*, Hobart Navarine Publishing, 2012.
- <sup>72</sup> *The Mercury*, 23 Aug 1932, p.6.
- <sup>73</sup> *The Mercury*, 17 Nov 1875, p.3.
- <sup>74</sup> *The Cornwall Chronicle*, 17 Nov 1875, p.2.
- <sup>75</sup> TAHO, Wills, AD960/1/10, Will No. 1685.
- <sup>76</sup> TAO, Hobart deaths 1876, RGD35/1/8 no 3430.
- <sup>77</sup> *The Mercury*, 30 Jun 1876, p.1.
- <sup>78</sup> *The Mercury*, 11 Mar 1909, p.7.
- <sup>79</sup> *The Mercury*, 7 Jan 1910, p.5.
- <sup>80</sup> Ancestry, Australian Cemetery Index, 1808-2007.
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