



Amey Barfoot

Date of Trial:	27 March 1817
Where Tried:	Surrey Assizes
Crime:	Burglary
Sentence:	Life
Est YOB:	1798
Stated Age on Arrival:	19
Native Place:	
Occupation:	Housekeeper
Alias/AKA:	Amay Barfoot, Emma Burford, Amelia Burfoot
Marital Status (UK):	
Children on Board:	
Surgeon's Remarks:	<i>Well behaved and industrious</i>
Assigned NSW or VDL	NSW

The Morning Post of 2 April 1817 reported that a young couple, Amey Barfoot and John Walton, had been indicted for 'burglariously breaking and entering the dwelling house of Anne Barfoot, at Putney, in this country and stealing a quantity of wearing apparel'. The newspaper also published a report on the trial proceedings, which were of particular interest in that the victim of the crime was Amey's mother.

Mr Curwood stated the circumstances of this case, in which the female Prisoner was the daughter of the Prosecutor, and the facts of which were proved by an accomplice as follows: Catharine Dudley deposed, that she knew the prisoners, Walton and Barfoot, who cohabited together; that Amey Barfoot had for several days been endeavouring to persuade Walton to go out with her, saying they should get some money, or something that would make money. Accordingly, on Wednesday, the 11th day of December, they all set off from St. Giles's and went to Putney; when they came to a small house; Amey Barfoot said, that is my mother's house, we can easily get in. The witness endeavoured to persuade them to come away; but the other replied that there was no danger. Walton and Barfoot then walked round the house, and at length Walton took down a shutter, which was over a glass door; he then cut away the glass, and he and Amey went into the house. Shortly afterwards they brought out a large quantity of shirts and other linen, which she and Amey wrapped up in their aprons. They then came off towards town, and as they passed the watch-houses on the road, they held the bundles as though they were children, and passed them and cried out Hush, hush as though to quiet them. When they got to town the witness gave her share to the other prisoners, and received six shillings a day or two afterwards. The statement of the accomplice was confirmed by the watchmen, who saw them pass on the road, and by two shirts, which were traced to the prisoners. The Jury found them both - Guilty. The unfortunate mother, who was called to prove the property, and give evidence against her daughter, was in a state nearly bordering on insensibility.¹

Both Amey Barfoot and John Walton were sentenced to death.² Fortunately for them, a plea for clemency was successful, as recorded by a letter of 11 April 1817 from Whitehall to the Justices of Assize for the Home Circuits.

Gentlemen

The following Persons, having been tried and Convicted before you at the last General Gaol Delivery holden for the Home Circuit of the Crimes hereafter mentioned and had Sentences of Death severally passed upon them for the same, viz ...

John Walton) at the same time and Place of Burglary in the Dwelling House of Ann Barfoot

Amy Barfoot) widow and Stealing Goods, value £10

And you having by Certificate under Your Hands humbly recommended them as fit objects of the Royal Mercy on Condition of their being Transported beyond the Seas for the Terms hereafter mention, viz

John Walton) for During their respective natural lives

Amy Barfoot)³

Neither had long to wait before they boarded their respective convict ships, Amey on the *Friendship*, which sailed

on 3 July 1817, and John on the *Larkins*, which departed from Portsmouth two weeks later on 20 July. The *Larkins* arrived at Port Jackson on 22 November, nearly two months before the *Friendship*.⁴

Amey Barfoot's behaviour on board the convict ship – 'well behaved and industrious' – ensured that she stood out from her fellow convict passengers, and earned her rare praise from Surgeon Cosgreave. He would also have appreciated her evidence given to the Board of Inquiry into the conduct of the *Friendship*'s Master and Surgeon.⁵

<p>1818. 3 March. Depositions re prostitution of female convicts and issue of rations on ship <i>Friendship</i>.</p>	<p>ANN BARFOOT, duly Sworn, Depoeth; I came over in the Ship Friendship. I have heard Dr. Cosgreave give orders more than once that the Men should not have intercourse with the Women. I saw Mr. Hicks four times himself open the Hatches and let Women up. I have not seen any other Officer of the Ship do so; a general intercourse took place between the Men and the Women on the passage; between eleven and one in the Night, Mr. Hicks removed the Hatches; there were Lights in the Women's Apartment, and Mr. Hicks came there to put the Lights out. I have seen Mr. Hicks let the Women down in the Morning, who had been let up the Night preceeding. Mr. Hicks had this communication before and since we were at St. Helena.</p> <p style="text-align: right;">ANN BARFOOT.</p> <p style="text-align: center;">Sworn before us same Day,—</p> <p style="text-align: right;">D. WENTWORTH, J.P. S. LORD, J.P. R. BROOKS, J.P.</p>
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While they were said to be cohabiting before their trial, on arrival at New South Wales, whether by choice or circumstance, Amey and John did not renew their relationship but went their separate ways.⁶ Aged 19, and described as a housekeeper, Amey may have been initially assigned, but by May 1820 she was at the Parramatta Factory, from whence she absconded. Emma Barfoot was one of those on a list of prisoners, issued on 27 May 1820 and reprinted on 3 and 10 June, by William Hutchinson, Principal Superintendent, who had absented themselves from their respective employments.⁷

Just prior to this, as Amelia Barefoot, she and another convict, Isaac Slater, had made application in March 1820 for permission to have their banns published in the church at Richmond.⁸

List of Persons praying His Excellency the Governor's permission to have their names published in the Church of Richmond in order to their being married. —

Eastburgh 9th March 1820

{ Isaac Slater, Prisoner p: ship Baring, and
Amelia Barfoot. Ditto p: ship Friendship. —

(App:), Signed, *L. Macquarie*, Signe, *Henry Fulton*
St: Chaplain

Their application was successful, and the couple married on 23 May 1820 at St Peter's Church Richmond, the Reverend Henry Fulton officiating, and Matthew Hughes and Mary Butcher acting as witnesses. Amelia Barfoot and Matthew Hughes were able to sign their names; Isaac Slater and Mary Butcher made their mark X.⁹

Isaac Slater had arrived in the colony on 7 September 1815 per the *Baring*, which had departed from England on 20 April, having made her way around the coast to embark her convict complement from the various hulks in late February and through March. Two prisoners died on the journey, but the balance of 298 prisoners were disembarked from the *Baring* on 15 September and distributed between government service and assignment to settlers. Seventy four men were sent to Windsor, and included in this cohort was Isaac Slater. According to the

indent, Isaac had been born about 1790 in Sussex, he was a labourer, 5ft 7¾ in height, with a dark/pale complexion, brown hair, and hazel eyes. He had been court-martialled on 1 April 1813 at Coria, Spain, and sentenced to transportation for life, but no record has been found to establish with what he had been charged. Prior to embarking on the *Baring*, he has spent time on the convict hulk *Laurel*, moored in Portsmouth Harbour.¹⁰ He was most likely the Isaac Slater, second son of Fortunatus Slater and his wife Ann, who had been born at Hartfield, Sussex in 1789 and who, at the age of 20, had enlisted on 18 April 1810 in the 2nd Battalion, 57th Foot Soldiers.¹¹

The Settler and Convict Lists record Isaac, serving a life sentence, as having been assigned to Lieut. Bell in 1817, and to W.H. Cox in 1818.¹² It was in 1818 that Isaac, describing himself as a Servant to Archibald Bell, Lieutenant Royal Veteran Company, petitioned for mitigation of his sentence (the outcome of which has yet to be checked), and for the 1820 and 1821 Settlers and Convict listings his employer was still listed as Lieutenant Bell.¹³

Both Emma Barfoot and Isaac Slater were living at Windsor for the 1822 muster, Emma as the wife of I. Slater, and Isaac, now holding a ticket of leave, as a government servant assigned to Alexander Bell.¹⁴ However, their situation had changed by the time of the 1825 muster. Effective from 1 February 1825 Isaac Slater was granted a conditional pardon, and he was also recorded as a landholder at Richmond; his spouse, transcribed as Amey Barford, was listed as Wife of Isaac Slater, Richmond.¹⁵

The following item appeared in the 21 October 1826 issue of the *Sydney Gazette*, reporting on the Windsor Quarter Sessions.¹⁶

Isaac Slater was charged with stealing a bag, the property of Joseph M^cCaulding, of Richmond. A robbery to a considerable amount had been perpetrated; the property was clearly identified. Mr. Bell, Police Magistrate, gave the prisoner a most excellent character; Mr. Bell had been instrumental in obtaining both a ticket of leave, and subsequently a conditional pardon for the prisoner; his conduct had always been so very correct; nevertheless, he was compelled to commit the prisoner, when brought before him on the present complaint; however, Mr. Bell still would say, he should have the greatest confidence in the prisoner.—Guilty, but recommended to mercy. Sentenced that he become a Government servant, and to serve in such manner as His Excellency the Governor shall think proper, for the term of two years. This new and peculiar sentence was founded on the authority of the Act of Council, No. 5, 7th Geo. IV, and applied in this case, owing to the high character the prisoner had received, and the recommendation.

Isaac was fortunate that Archibald Bell, who had already assisted with the ticket of leave and conditional pardon, was prepared to speak on Isaac's behalf, resulting in some mitigation of his punishment, and the Act of Council granted some discretion in sentencing. Thus, taking account of the fact that this was Isaac's first colonial offence, and that he held a conditional pardon, rather than being sent to prison (and with hard labour), he reverted to being a Government servant, disposed of as the Governor saw fit. In this case he was presumably reassigned to Alexander Bell, who was given as Isaac's employer for the 1828 census.¹⁷

No record has been found in the 1828 census for Amey Slater/Barfoot (under the many variations of her names), and in fact the 1825 muster is the last definite record found for her. She may have been the subject of a coronial

enquiry held 12 April 1854, and perhaps also the anonymous subject of the following 15 April newspaper report, and the Emma Slater, aged 55, whose death was registered in 1854.¹⁸

DEATH FROM INTEMPERANCE.—An inquest was held on Wednesday last, at Moore's public-house, North Richmond, before Dr. Dowe, the coroner, and a jury. From the evidence of Johnson Pay, it appeared that on Sunday night last, deceased went to bed as usual; on Monday morning about 4 o'clock, he called to witness, who then got out of bed and gave her some water, of which she drank about half a pint. About six o'clock again witness got up and left deceased sleeping. About ten o'clock the same morning, he went to her bedside and found her dead. Deceased was very fond of drink. She would have rum whenever she could get it, that being her favourite liquor. She drank the third of half-a-pint of rum on Sunday; and on the previous day she had been drinking very freely. Mrs. Sarah Moore deposed that she had known deceased for about twenty years, and that for fifteen of these, she had been what witness called a drinking woman. Dr. Whitaker being examined said, that from the history of the case, it appeared deceased had been addicted to habits of intemperance, which he was of opinion, was the probable cause of death. Verdict, died by the visitation of God.

Isaac Slater was 44 years old when he was granted an absolute pardon, issued under the authority of Major-General Richard Bourke, and effective from 10 July 1834.¹⁹

AND WHEREAS in consideration of the good Conduct of the said Isaac Slater since his arrival in the said Territory of New South Wales I, the said Major General Richard Bourke have thought fit to extend the Royal Mercy to him the said Isaac Slater and to REMIT the whole of the Remainder of the Time or Term for which he the said Isaac Slater hath been so Transported as aforesaid ...

Nothing further has been found for Isaac except a possible record of his passing. The death of an Isaac Slater, aged 79, was registered at Liverpool in 1870.²⁰ The stated age of 'our' Isaac for the 1828 census was 40, which approximates the probable birth date of 1789 referred to previously.

No children have been identified for Amey and Isaac.

NOTES

¹ *Morning Post*, 2 Apr 1817, p.3.

² Findmypast (FMP), England & Wales, Crime, Prisons & Punishment, 1770-1935, Prison Registers, HO27/14.

³ FMP, England & Wales, Crime, Prisons & Punishment, 1770-1935, Correspondence and Warrants, HO13/29, pp. 342-348.

⁴ Free Settler or Felon? Convict Ship Larkins 1817, https://www.jenwilletts.com/convict_ship_larkins_1817.htm.

⁵ Historical Records of Australia (HRA), Series 1, Vol IX, Library Committee of the Commonwealth Parliament, p.756.

⁶ John Walton married Mary Ryan in 1831 at Campbelltown – Ancestry, Australia Marriage Index 1788-1950.

⁷ *The Sydney Gazette and New South Wales Advertiser*, 27 May 1820, p.3.

⁸ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, NRS 937, Reels 6004-6016, p.299.

⁹ Biographical Database of Australia (BDA), Biographical report for Isaac Slater, Person ID: U#3023300381.

¹⁰ Free Settler or Felon? Convict Ship Baring 1815, https://www.jenwilletts.com/convict_ship_baring_1815.htm. Ancestry; New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, NRS 937, Reels 6004-6016, p.176; BDA, Biographical report for Isaac Slater. FMP, England & Wales, Crime, Prisons & Punishment, 1770-1935, Prison Registers, T32/311.

¹¹ Ancestry, England & Wales, Christening Index, 1530-1980. Ancestry online family tree, Slater Family Tree, <https://www.ancestry.co.uk/family-tree/person/tree/75037206/person/42555050840/facts>. The National Archives; Class Number: WO 25; Class Title: 57 Foot 2 Battn; Piece Number: 427; Piece Title: 57 Foot 2 Battn. It was following the bloodiest battlefield of Wellington's Peninsula campaign – the battle of Albuera in 1811 in which 428 (66%) of the officers and men were killed or wounded - that the regiment won its fearsome reputation and became "The Diehards" – "The Diehards – Regiment Profile", *Military History Monthly*, Nov 2010, <https://www.military-history.org/articles/napoleonic/the-diehards-profile.htm>.



¹² Ancestry, New South Wales, Australia, Settler and Convict Lists, 1787-1934, HO10/8, HO10/10.

¹³ Colonial Secretary Index, 1788-1825, Reel 6007, 4/3501 p.299 & 4/3502 p.18. Ancestry, New South Wales, Australia, Settler and Convict Lists, 1787-1934, HO 10/13, HO10/16. Note, however, that the stated sentence may have been a mistake, because for the 1822 muster Isaac's sentence was back to 'Life'.

¹⁴ Ancestry, New South Wales and Tasmania Convict Musters, 1806-1849, HO10/36. BDA, Biographical report for Isaac Slater.

¹⁵ NSW State Archives and Records (NSWSA&R), Card Index to Letters Received, Colonial Secretary; Reel Number 774; Roll Number 1250. Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849, HO10/20, HO 10/19.

¹⁶ *The Sydney Gazette and New South Wales Advertiser*, 21 Oct 1826, p.3.

¹⁷ Ancestry, 1828, New South Wales, Australia Census, (TNA Copy), HO 10/28.

¹⁸ Ancestry, New South Wales, Australia, Registers of Coroners' Inquests, 1821-1937, State Archives NSW; Series 2921; Item: 4/6613; Roll 343; *The Sydney Morning Herald*, 15 Apr 1854, p.3.

¹⁹ NSWSA&R, Card Index to Letters Received, Colonial Secretary; Reel Number: 800, Roll Number: 1250; New South Wales Registry of Births Deaths & Marriages (NSW BDM), Death registration, 1238/1854 V18541238 157, 1440/1854 V18541400 41A.

²⁰ NSW BDM, Death registration, 4100/1870.



SELECTED SOURCES

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Online Family Trees

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Other Websites

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TROVE

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