



Helen Stewart

| | |
|------------------------|--|
| Date of Trial: | 30 April 1817 |
| Where Tried: | Inverness Court of Justice |
| Crime: | Theft |
| Sentence: | 7 years |
| Est YOB: | 1793 |
| Stated Age on Arrival: | 25 |
| Native Place: | |
| Occupation: | |
| Alias/AKA: | Ellen Stewart, Eleanor/Ellen/Helen Reardon (m) |
| Marital Status (UK): | |
| Children on Board: | |
| Surgeon's Remarks: | Filthy and lazy |
| Assigned NSW or VDL | VDL |

The business of the 1817 Spring Inverness Circuit Court of Justiciary extended over two days, opening on Tuesday 29 April and concluding the following day. Before rising the Court congratulated the Sheriff of the Northern Counties, noting, somewhat cryptically, that though their duty had been laborious, 'no cause had come before them arising immediately out of the peculiar circumstances of the country'.¹ One of the cases heard was that of Helen Stewart, charged with four different sets of theft or reset of stolen goods, for which she was found guilty and sentenced to seven years transportation. During her trial she had 'manifested the most obdurate indifference' but when her sentence was handed down her demeanour changed dramatically.

[The pannel] now screamed out, when the clerk read her sentence; she was heard to say "I'll not go, and be d....d to them," with several other most improper and audacious expressions.²

Interestingly convicts from Scotland accounted for only about five or six percent of all convicts transported to Australia. It has been suggested that one reason for this disparity is that Scottish judges did not favour transportation, and tended to resort to banishment only for serious crimes, and/or for repeat offenders, particularly women. Of note is that statistics show that about two-thirds of Scottish women were sent direct to Van Diemen's Land – where the most serious offenders went, the Scottish cohort outnumbering other nationalities sent there by two to one.³

Despite her protestations, after a short time in the Inverness gaol, repeat offender Helen Stewart was taken south to be embarked on the convict transport, *Friendship*, one of the three women from Scotland who were taken board.⁴ If Surgeon Cosgreave is to be believed, Helen's behaviour during the voyage – 'filthy and lazy' – taken together with her outburst at her sentencing, served only to further confirm her as an undesirable. Not surprisingly, on arrival at Port Jackson on 14 January 1818 she was one of the women selected for transhipment to Van Diemen's Land where she arrived aboard the *Duke of Wellington* on 20 February, aged 25, illiterate, and with no nominated occupation.

On arrival she had been assigned to Thomas Peters, an emancipist and a married man with seven children, who had arrived as a 'lifer' per *Calcutta* in 1803.⁵ Now referred to as Ellen Stewart, within weeks of her assignment she committed her first offence. On 31 March 1818 Ellen was taken before the Magistrates to answer a charge of neglect of duty and of disobeying the orders of her master, Mr. T. Peters. He had to do without her services for the week during which she was confined to the solitary cell on bread and water. One week after returning to the Peters' household Ellen was once again, on 10 April, up on a charge of having been absent from her master's house for three days. This time she was sentenced to solitary confinement for two weeks on bread and water. Her sentence served, she again returned to the Peters' family, and managed to avoid the Magistrates for nearly a month. But on 19 May she faced a charge of absconding from her master's service and this time received a harsher sentence – three months imprisonment in the Hobart Gaol. Unchastened, during her sentence she was,

on 23 June, ordered to spend one week in the solitary cell on bread and water for neglecting her Gaol duties. On 6 August 1818, as punishment for disobedience of orders while in Gaol, she was remanded to the Gaol until her former sentence expired.⁶

By this time Ellen had clocked up five sentences in six months, during the greater part of which she had been locked up. But an opportunity to break this cycle came through her marriage on 21 September 1818 to fellow convict William Reardon.⁷

| | | | | | | |
|---|---------------------------------------|--------------------|--------------------------|----------------------|----------------------------|-------|
| Wm Elleanor witness Joseph David W. | Reardon Stewart Holiday Bush | Convict Convict | Earl Moira Friendship | 31 years 25 years | 21 st September | James |
|---|---------------------------------------|--------------------|--------------------------|----------------------|----------------------------|-------|

Referred to now as ‘Elleanor’, the bride who was unable to sign her name was correctly recorded as having arrived on the *Friendship*. The name of the ship that had brought 31 year old William Reardon to Van Diemen’s Land was incorrectly recorded as ‘Earl Moira’ instead of *Almorah*.

It was as William Riordam that Ellen’s future husband was indicted on 8 July 1816 for stealing 550 pieces of foreign silver dollars, valued at £110, the property of Colonel William Jervois, in the dwelling of Thomas Hedges. He was held at the Middlesex Gaol to await his trial which took place at the Old Bailey on 18 September, and which was recorded as follows.

COL. WILLIAM JERVOIS. On the 8th of July, I lodged at No.35, Duke-street, St. James’s-square. The prisoner was my servant; at the same time he lived with me, I was in possession of a quantity of foreign dollars, there were eighteen hundred; they were kept in a box in my bed-room; that box was locked. I met the prisoner in St. James’s-street, a short time after I had returned from Canada, where I had been on service; he was looking in at a shop window, and seemed, as I thought, in very great distress; he addressed me, and told me that he was in very great distress, and had been out of employ for six months, and had been obliged to pawn all his clothes from poverty; from a feeling of charity, I took him into my service.

Q. How long after this was it that you missed any dollars - A. I don't know exactly how many days it was; but it was between the 5th and the 8th that I missed them, I only missed a portion, about five hundred and fifty-five, within one or two. After the prisoner came to live with me, I believe the next morning, or the day after, he appeared in a new coat, in an extremely nice new coat, and his appearance was changed very much indeed for the better. I had left my lodging for one night to go to Richmond, and foolishly left my keys behind me; one of those keys would open the box in which the dollars were deposited. The prisoner was my only servant. In consequence of my suspicion, I went to Bow-street. I was present when the Bow-street officer apprehended the prisoner; he was not living in the same home with me; he slept in one of those old houses in Bolsover-street. At the time he was apprehended I told him what I apprehended him for; I told him I missed a quantity of dollars, and I conceived it impossible for any one else to rob me. He then became rather abusive, and he said, he was extremely sorry that he ever came into my service, on account of his character, and he never had taken any money of mine. On taxing him with the alteration for the better in his appearance; he said, he bought the new coat from a jew in the street. I went with the Bow-street officers to his lodging in Bolsover-street. I took the prisoner with me. I saw the officers examine his lodging, and we found a parcel of women’s new shoes, a quantity of trinkets, and silk handkerchiefs quite new. We did not find any dollars.

JOHN HARRIS. I am shopman to Messrs. Rochforts, in Jermyn-street, they are pawnbrokers. I know the prisoner at the bar; he purchased a watch at our shop, I think on the 9th or 10th of July; a silver watch; he paid me in Spanish dollars, fifteen in number; the amount was three pounds two shillings and sixpence. The next day he bought a gold seal, I think for twenty seven or twenty eight shillings; he paid me with nine Spanish dollars, and I gave him the difference of a few shillings; he did not make any other purchases of me; those he made he paid for all in Spanish dollars.

HENRY MYERS. I keep a sale-shop, in Swallow-street. The prisoner bought something of me, about two or three days before he was taken up; he bought a coat; I asked him two guineas for it, and he gave seven Spanish dollars; I allowed him four shillings and four pence a piece for the dollars; so then he paid me in all dollars. I am



sure he is the man; he used to pass my door almost every day.

DANIEL REECE. I am a sales-man, in Swallow-street. I know the prisoner; but no father than by sight; I now recollect his person; he purchased a pair of pantaloons of me about two or three days before he was taken into custody; he was to give me fifteen shilling for them, he paid me in four Spanish dollars, and I gave him two shilling in change.

JOHN CAESHAW. I am shopman to Mr. Wilkinson, the jeweller, in Piccadilly. I know the person of the prisoner at the bar; he came one morning; I think Thursday the 11th of July; we asked him four pounds for a gold seal; he bought it. I agreed for three pounds ten shillings at last. He paid me eighteen dollars, and I gave him two shillings change out; they were old Spanish dollars; at that time he had a number of dollars in his possession. He asked if we could not give more than four shillings a piece for them; and we told him no. He brought sixty four other dollars in his possession; he said he could get four shillings and sixpence and five shillings a piece for them in Swallow-street; but the person to whom he applied had gone out for change of a fifty pound note, to make a purchase of them. We purchased the sixty four dollars. I saw him in custody within three or four days after this, I knew his person.

PETER PERRY. I am a conductor of the patrol of Bow street. Col. Jervoise applied to me to take this man into custody; I don't know any more than Col. Jervoise has told you. I went to three several places, and collected these witnesses. I found these things in his lodging; I found all these things the Col. Jervoise has told you of; I know no more, I found no dollars on the prisoner's person, and he had but one shilling on him when I searched him.

Prisoner's Defence. I was in my working clothes when the Colonel spoke to me; I lived six years at Carlton House, and then General Bloomfield got me a place as an officer of the Woods, and then that office ceased, and I was out of employ; and Col. Jervoise spoke to me, and asked me if I was out of employment, and I told him I was, and I shewed him my papers that he might see the respectable situations I had been in, and he gave me a direction to call at his hotel in Bond-street, and I went to his service as clean as any servant ever went to any place, and as for their saying I was shabby it is no such thing. There is the Colonel, and I will leave it to him to say whether I was or not. I had been paid for my work in Spanish dollars, and went to lay them out where I was well known; and as for this old man, Myers, I did not lay a halfpenny out with him. I purchased the things of his son.⁸

Based on the witness accounts the accused William Riordan, with his revamped and accessorised wardrobe, would have presented as a very dapper man. But was he, as he claimed, paid for his services in Spanish dollars or had he dipped into the Colonel's treasure chest? The jury came down in favour of the prosecutor – verdict Guilty – Death. In reporting the case, the *Windsor and Eton Express* remarked on the warning given at the conclusion of the trial.

The Common Serjeant desired the prisoner to expect the worst, and prepare for it, for such offences as these were not lightly to be passed over. A servant robbing his master of 100*l* and capitally convicted, may not perhaps find mercy.⁹

But mercy had been found because when William Riordan was received from Newgate onto the prison hulk *Retribution* on 30 December 1816 his sentence was recorded as 'Cap. Respite', to be transported for life.¹⁰ He was removed from the hulk on 15 April for embarkation on the *Almorah* which departed from the Downs on 26 April 1817 with 180 male convicts. The vessel arrived at Port Jackson on 29 August, with a full complement of convicts, after a voyage of 125 days. Musters having been completed, William was one of the 125 convicts who boarded the *Pilot* which sailed for Hobart on 14 September 1817.¹¹

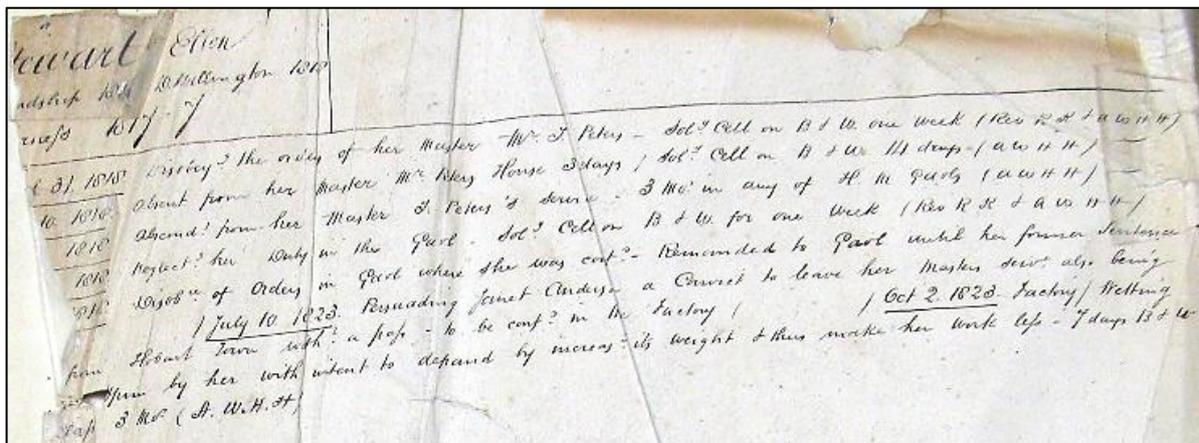
On arrival he was recorded as being 31 years old, standing at 5' 5¼", with hazel eyes, dark brown hair, and a sallow complexion. Although he was tried in London, he was Irish by birth (County Cork). The 'respectable situations' alluded to at his trial suggested that he had worked for gentlemen, but on arrival in the colony his stated occupation was bricklayer, one for which there was a greater call than gentleman's servant. And indeed, he was assigned to Government Works.¹² There are just two entries in William Reardon's conduct register. On 17 April 1818 he was charged with having disobeyed orders, for which he was to work for the Government for one week. A charge brought on 8 June 1818 for receiving stolen goods was dismissed.¹³

But whatever future William and Ellen may have planned together was cut short. The 1820 Muster lists Ellen Stewart as 'Widow Reardon'.¹⁴ William Rairdin [sic] had died on 2 April 1820 and was buried the following day, the Reverend Knopwood officiating. No cause of death was given.¹⁵

| | | | | | |
|-------------------|-----------------------------|----------------------------|-----------------------|--|--------------------|
| ✓ William Rairdin | 2 nd April 1820. | 3 rd April 1820 | 35 th year | | Convent R Knopwood |
| No. | 387 | | | | |

The 1821 muster finds Hellen [sic] Stewart, of the *Friendship*, with J. Hooper in the district of Bagdad.¹⁶ Following his trial at Dorchester in July 1807 which resulted in him being transported for fourteen years, James Hooper had arrived at Sydney in December 1808 per *Admiral Gambier* and subsequently relocated to Van Diemen's Land where he established himself as a settler/farmer.¹⁷ For the 1822 muster, under the column 'By whom or how Employed', Ellen was recorded as 'own benefit'.¹⁸ The following year's muster finds her in the Hobart Female Factory.¹⁹

On 10 July 1823 Ellen had been found guilty of two charges – persuading Janet Anderson to leave her master's service and also leaving Hobart Town without a pass – which earned her the punishment of being confined in the Factory. Janet (alias Jess[i]e) Anderson, tried and sentenced to 14 years transportation at the Court of Justiciary, Edinburgh, had arrived at Hobart in February 1823 on the *Lord Sidmouth*.²⁰ On 2 October 1823 a group of 20 Factory women were each found guilty of 'Wetting the yarn spun by her with intent to defraud by increasing its weight and thus make her work less'. This group included Helen Stewart and Janet Anderson, and this ploy earned Ellen seven days on bread and water and three months in the Crime Class. This was the last offence recorded in her conduct register.²¹



By 30 April 1824 Ellen Stewart was deemed free by servitude and was issued with a certificate of freedom, as publicised in *The Hobart Town Gazette and Van Diemen's Land Advertiser*.²² The granting of the certificate of freedom marks the end of the substantiated trail of Ellen Stewart/Reardon, and what follows can only be regarded as speculative.

Reference has already been made to James Hooper who had established himself in the Bagdad district, and with whom Ellen was mustered in 1821. Did she subsequently return to his service?

The following account, relating to the 'numerous attacks and movements of the enemy' [i.e. aborigines] appeared in the *Hobart Town Courier* of 28 August 1830.

A fourth [correspondent] adds the following tragic recital:- "On Sunday afternoon, about three o'clock, the hut of Mr. James Hooper in Spring Hill parish, (and not more than a gun shot from the main road) was attacked by the Blacks 30 or 40 in number. Hooper and his man had but one gun between them; with it and a flail they kept the Natives at bay nearly half an hour; when the Blacks (some with lighted fire-sticks and some with spears) made a rush at the hut. Hooper fired without effect, and in an instant was overpowered - his man fled. On the return of the man, in half an hour, with assistance, he found his master dead, covered all over with horrible wounds. The



hut was pillaged of most of its portable articles.

An inquest was held on the body, this morning, before T. Anstey, Esq. Coroner; verdict, "Wilful murder against certain persons of the aboriginal tribes of the Island, to the Jurors unknown."

Mr. James Hooper was a man of prodigious muscular strength. He had two farms in this district, and another (on which he generally resided) on the Derwent. A spear was driven 4 inches into his back, and another into his breast, and his head was beaten, so dreadfully, it was horrible to look upon.²³

On the same day the *Courier* published a notice, in the name of Thomas Wood Rowland creditor, and addressed to the 'next of Kin of the said James Hooper, and all Christian People' directing them to appear in the Supreme Court, Hobart, on 13 September next, where and when each would take upon themselves 'to for ever renounce the administration of the goods and chattels, rights, credits and effects of the said James Hooper, deceased, intestate', and witnessed by J.L. Pedder, Justice of the Supreme Court.²⁴ By November 1830 Letters of Administration for the estate of James Hooper, late of Spring Hill and Mount Direction, had been granted to the Registrar of the Supreme Court.²⁵ However, rather than resting in his grave, James Hooper was the central player in a legal case brought by one Mr. Molloy, a shopkeeper, against Sorell, the official administrator of Hooper's estate. Molloy claimed that he was due payment for a bill of exchange drawn by him upon Hooper in payment for goods sold and delivered. One newspaper account of the case first clarified the circumstances as set out by Molloy.

Before the bill became due, Hooper was killed by the natives. A woman who had lived with him for many years, he not being married, although most of what he possessed had been obtained by her labour and industry, yet she not being by law in a situation to administer, Mr. Sorell officially did so, and I believe the only defence is, to obtain your sanction to his disposing of so much of the estate of the deceased, as plaintiff's claim amounts to.²⁶

Numerous witnesses were called to verify or otherwise that Hooper had in fact signed the bill, or whether his signature had been forged. Having heard the plaintiff's case, the Solicitor-General responded, during which he referred to Hooper's housekeeper –

Mrs. Reardon, who lived with Hooper at his death, stated to Mr. Sorell, that she knew nothing of the bill, but as the case has been gone into as fully as I could with her evidence, I shall not trouble you with it.

Who was this Mrs. Reardon? Another of the witnesses, James Peck, stated that he was acquainted with Elizabeth Reardon. And indeed there was a woman of that name living in the Green Hills district. As Elizabeth Nash, she had married Bartholomew Reardon on 1 January 1812.²⁷ Bartholomew had been born at Norfolk Island in June 1791. He arrived in Van Diemen's Land in 1810 and, by 1825, had established himself as a respectable and successful settler, on his property "Green Hills", renowned particularly as being the first to grow 'smut-free' wheat.²⁸ However, he fell afoul of the law in 1829 when he was found guilty at the Hobart Supreme Court on 27 May 1829 of stealing cattle and sentenced to seven years transportation. Initially in the Hobart gaol he was transferred in August 1831 to Macquarie Island.²⁹ So, rather than Hooper's housekeeper being Ellen Reardon, perhaps, with the absence of her husband, it was Elizabeth Reardon who kept house for him? Certainly she (and her family) continued to manage family property. In June 1866 she advertised for let the 'Old Established Brewery at the Greenhills. Interested people were invited to apply personally to her and would be shown the premises by one of her sons.³⁰

To return to Ellen Reardon. Could she have been the woman referred to in the following notice concerning a property in Hobart, rounded 'on the western side by an allotment occupied by or belonging to Ellen Reardon to Murray-street'?³¹ And did she remarry on 7 November 1836, her second husband being Thomas Adams?³²



| | | | |
|------------------------|---------------|-----------------------------|--------------------------|
| No. 76 | Thomas Adams | of the Parish | Bachelar |
| 3310 | Ellen Reardon | of the Parish | Spinster |
| married in this Church | | by | Palmer |
| this Seventh | | day of November | with the consent of both |
| | | | in the year 1836 |
| | | By me | P. Palmer |
| This Marriage was | | Thomas Adams | |
| solemnized between us | | The X mark of Ellen Reardon | |
| In the Presence of | | R. Booth | of |
| | | Henry Preley | of |
| | | | Robert Town |

According to the registration, this Ellen Reardon was referred to as a spinster rather than a widow, but how much weight can be given to this status, considering 'our' Ellen's husband William had died long before? It would have been helpful if some indication had been given of the ages of the groom and bride. Perhaps it is significant that this Ellen (like Eleanor Stewart) was not able to sign her name? Thomas Adams was described as a bachelor but no reference is made of the fact that he was also a convict. On 26 September 1836 permission was sought, and given, for the marriage between Ellen Reardon, free, and Thomas Adams, convict.³³

If Helen (Eleanor/Ellen) (Reardon/Stewart) did marry Thomas Adams, under what circumstances did he find himself in Van Diemen's Land in 1836? Thomas Adams was 35 years old when he was tried at the Old Bailey on 17 February 1825, indicted for stealing on 16 December, at St. Pancras, a mare valued at £20, a saddle valued at £2 10s, and a bridle valued at 8s, the property of one Samuel Badgery.³⁴ The circumstances of the case, as reported in the *Morning Post* indicate that Thomas, described as 'a man of gentlemanly appearance', was a wily fraudster, and Samuel a gullible victim.

Mr. Badgery, a tailor, stated that the prisoner called at his house in Cirencester-place, Mary-la-bone, on the 15th of December, and said he understood that he (witness) had a mare to sell, and he wanted to purchase one for an elderly gentleman, a friend of his. The prisoner went to the stable, and saw the mare, and said he would call again. He called on the 17th and asked if the mare was sold. Witness told him it was not. The prisoner said that if it was a safe-going horse, he thought his uncle would purchase it. Witness asked him where his uncle lived; the person said at No. 36, in Davies-street, Berkeley-square; that he lived with his uncle, and if he (witness) had no objection, he would ride the mare to his uncle's house; that if his uncle did not like it, he would bring it back in ten minutes, and if he did like it, he should not return for half an hour, and the money be paid at six o'clock the same evening. The prisoner rode away with the mare and he, the witness, did not see him again till the 17th of January. No person called on him representing himself to be the uncle of the prisoner.

Mr. Justice Burrough – You swear there was no absolute sale of the mare?

Witness – Most positively. He called at 36, Davies-street, Berkeley-square, on the same night the prisoner took the horse away, and found Mr. Hopkins, a coach-maker, residing there, who knew nothing about the prisoner or the mare.

The prisoner addressed the Jury, and denied the greater part of the prosecutor's statement; he called no witnesses, and gave as a reason, that he had been till within a few months at the Cape, and his friends lived at a great distance from London. Verdict, *Guilty*.³⁵

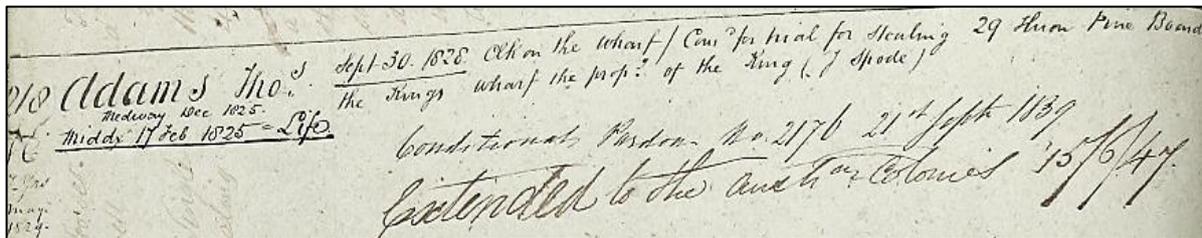
The prosecutor recommended him to mercy, on the ground that he believed him to be the dupe of others.

Fortunately for Thomas Adams, his capital conviction was respited. Rather than facing the gallows he was to be transported for life.³⁶ On 25 June 1825 he was received from Newgate onto the hulk *Retribution* and from there on board the convict transport *Medway* which, carrying 173 convicts, sailed from the Downs on 2 August 1825 and arrived at Hobart on 14 December.³⁷ On arrival a description of each of the convicts was recorded. Thus, Thomas Adams was described as being 35 years old, 5'8" tall, with dark brown hair, dark grey eyes, and 'distinguished' by scars on the left side of his bottom lip and on the left underside of his jaw. He was a native of Bristol and, prior to transportation, had been a Lieutenant in the 38th Foot.³⁸ This last fact is reflected in his



'gentlemanly appearance' at his trial, and explains his absence at the Cape.³⁹

Only one offence was recorded on Thomas Adams' conduct sheet. On 30 September 1828 he, together with a Richard Lynch was committed for trial for stealing from the wharf 29 Huon pine boards, the property of the government and valued at £2 18s.⁴⁰



One James Lloyd was also committed for trial on the same day for receiving the said pine boards, knowing them to have been stolen.⁴¹ It was not until May 1829 that the three came before the Supreme Court. The case lasted two days, at the conclusion of which Adams and Lloyd were found guilty and Lynch was acquitted.⁴² His sentence was transportation for seven years, but where it was to be served has not been established.⁴³ However, as annotated on the conduct record, and confirmed by a Government Notice, Thomas Adams was issued with a conditional pardon on 21 September 1839.⁴⁴ A year later, notices in the local papers announced that Thomas Adams was a declared bankrupt. The following two items were published in the *Tasmanian Weekly Dispatch* of 25 September.⁴⁵

In the Matter of the Insolvency of Thomas Adams, of Murray-street, Hobart Town, in the Island of Van Diemen's Land, Cabinet-maker.

To the several Creditors of the said Insolvent, or their Agents.

NOTICE is hereby given, that the above-named Thomas Adams having presented his petition to Joseph Hone, Esquire, Commissioner of Insolvent Estates for Hobart Town, praying amongst other things that he might be declared insolvent, the same was heard before such Commissioner, who thereupon declared the said Thomas Adams insolvent, and appointed Andrew Crombie, of Hobart Town, Solicitor, provisional assignee of his estate and effects, and the said Commissioner also appointed Wednesday the seventh of October next, at eleven o'clock in the forenoon, at the Court of Requests' Room in Hobart Town aforesaid, for a meeting of the creditors of the said insolvent, in order to the proof of their debts, the election of a permanent assignee, the examination of the Insolvent, and for otherwise proceeding in the Insolvency.

Dated this 21st September, 1840.

2559 **THOMAS ADAMS.**

On the same page, the following item appeared under the heading 'by order of the Mortgagee'.

All that Piece or Parcel of Land, situate and being in Murray-street, Hobart Town, together with the weather-boarded messuage or tenement, erections, and buildings, standing and being thereon; which said piece or parcel of land contains in front, on the east side towards Murray-street 67 feet, and in the rear or west side towards land of Joseph Bowden 67 feet, and in depth on the south side thereof towards land now of — 156 feet, and in depth on the north side thereof towards land now in the occupation of — 156 feet, be the said several dimensions a little more or less.

It transpired that in March 1840 Thomas Adams and his wife Ellen had entered into a mortgage agreement with Henry Wilks to the tune of £100, but had subsequently defaulted on paying the interest due. Further details about the property, the vendor, the date and the reason for the sale were notified to the public in October 1840. From the description of the property it would seem that it was the same property which we have noted was, in 1839, owned or occupied by Ellen Reardon. Perhaps, having gained his conditional pardon, and seemingly having set himself up as a carpenter, Thomas decided it was an opportune time to become a man of property.⁴⁶

PURSUANT to the proviso for that purpose contained in a certain Indenture of Release bearing date the twenty-eighth day of March now last past and made or expressed to be made between Thomas Adams of Hobart Town in Van Diemen's Land Cabinet-maker and Ellen his wife of the one part and Henry Wilks of the same place Licensed Victualler of the other part Notice is hereby given that default having been made in the payment of the Interest which on the twenty-eighth day of September now last past accrued due in respect of the Mortgage Debt of One hundred pounds secured by the said Indenture, the Messuage, Land and Premises thereby mortgaged will be sold by public auction by Mr. Thomas Yardley Lowes Auctioneer at his Sale Rooms No. 42 Elizabeth-street Hobart Town aforesaid on Monday the twenty-third day of November now next ensuing at one of the clock in the afternoon and the said premises then to be sold are in the said Indenture of Release described as "All that Messuage or tenement dwelling-house and premises situate lying and being at the corner of Murray and Brisbane Streets Hobart Town aforesaid and bounded in front towards Murray-street ninety-eight links and one half link and on the other front one hundred and twenty-two links and one half link towards Brisbane-street and at the back thereof by premises belonging to Mr. Bowden and on the other side by premises belonging to Mr. Simcoe."

Dated this seventeenth day of October one thousand eight hundred and forty.

BUTLER & SON,
Attorneys for the said Henry Wilks,
2816 4, Harrington-street, Hobarton.

It was Ellen Adams who came, rather dramatically, to the public's notice when, in December 1841, she was charged by Mr. Wilks with having assaulted him with an axe, and was bound over to answer the charge at the Hobart Town Quarter Sessions, held on 3 January 1842.⁴⁷ The *Courier* was one of the newspapers covering the trial.



Ellen Adams stood indicted for an assault on Henry Wilks, of the *Golden Cross*, Murray-street, under the following circumstances: the plaintiff had, some time back, purchased the piece of ground forming one of the corners of Brisbane and Murray-streets, from the defendant's husband; on it was a house, which Wilks had pulled down; and as he proceeded, on the morning in question, to take a survey of the property, he found Mrs. Adams in the act of ordering some workmen to perform some work on the ground. Plaintiff expostulated with her on the impropriety of her conduct, since the land belonged to him. The defendant maintained that the sale had been effected without her concurrence, and that she would not leave. Wilks returned home and fetched a bull dog, which he tied up to the fence, and again requested the defendant to leave the ground. On this she repeatedly threw bricks at him, several of which reached his person, and at last seized a wood axe, with which she made a blow at the plaintiff, but missed, and the instrument was soon taken from her; she, however, shortly obtained possession of a carpenter's hatchet, with which she aimed a blow at Wilks, who, to save his head, received the wound on his left wrist which at the time of the trial presented a large scar.

The old lady, of not the most prepossessing appearance, excited the risibility of the Court by the manner in which she gave vent to her volubility of tongue, without consideration for either time, place or persons; indeed her evident irritability of her temper would not allow of her hearing the opposite party assert anything, without at once refuting the position by some knock down and diametrically opposed response.

Verdict, Guilty; the sentence of the Court being, imprisonment in Her Majesty's gaol for the space of three calendar months, to pay a fine of £10 to the Queen, with imprisonment until it be paid, and to find two sureties in £25 each to keep the peace towards the plaintiff for the next twelve months.⁴⁸

Additional information is found in the *Colonial Times*. Mr. Browne, who represented the defendant, contended that it was Ellen Adams who should be the prosecutor, and Mr. Wilks the defendant, and in support of his case he cited Scottish law – but to no avail.

... for it had been shown, that Mr. Wilks had brought with him a most ferocious dog, named Caesar, and, it was in self defence from the attacks of this frightful monster, that Mrs. Ellen Adams had hurled the axe at Mr. Wilks. To support the law of this particular matter, the learned counsel cited several cases, and, amongst others, a quotation from the Scotch law, which he earnestly urged was conclusive on the point, and calling for the jury not to countenance, by their verdict, the interference of bloodhounds, in settling disputes about property, he confidently left the case in their hands, imploring them, however, to bear in mind that Mr. Wilks was the aggressor and Mrs. Ellen Adams the injured party.⁴⁹

The violent attack of the accused, and her demeanour during her trial, bring to mind the tempestuous behaviour of Helen Stewart during her trial at Inverness in 1817. There is no reference to Ellen Adams hailing from Scotland, but is there any significance that, in her defence, Fielding Browne made specific reference to Scottish law?

Nothing further has conclusively been found at this stage for Thomas Adams – there were a number of convicts of that name in Tasmania. None of the deaths listed in the Tasmanian Names Index match, or approximate a birth year of 1790 – and he may well have been one of the many who left Tasmania. He would have been free to do so from June 1847 when his conditional pardon was extended, the only condition of which was that he 'shall not return or be found within the United Kingdom of Britain and Ireland'.⁵⁰

A few references to women by the name of Ellen Adams have been located and are provided below. However, they cannot be conclusively linked to the woman who married Thomas Adams, who, in turn, may or may not have been the woman who married William Reardon and who, as Helen Stewart, was the 25 year old Scottish woman Helen Stewart who arrived on the *Friendship* in 1818.

'Another Lunatic' was the heading for a case heard in May 1856, as reported in the *Colonial Times*.

Dr. Brock yesterday attended to give the necessary evidence against Ellen Adams, an elderly woman of unsound mind. The unfortunate creature had been under Dr. Brock's observation at her Majesty's general hospital, and Messrs. Burgess and Bateman made the usual order for her detention pending the Governor's order for her disposal. She said she wanted her liberty that she might get her own living.⁵¹

According to the 1856 case notes [barely legible] Ellen Adams, aged 54, was admitted to the New Norfolk Asylum

from the General Hospital by Governor's Warrant on 14 May 1856. There was no information or history of her case provided except that she has been in the General Hospital since the 10 September 1855. A week later she was reported to be quietly behaved, in tolerable health, taking her food, and making herself useful. However, she maintained that her mind was sound and she should not be kept there. But she was still there, with no change in her circumstances, when the last entry for the year was made Christmas Day. The medical reports for 1857 continue to indicate no change and that she was 'always pleading for her release.'⁵² Case notes are also available online for 1867. Suffering from amentia, Ellen Adams is still an inmate. The entries commence on 29 May with the comment 'The same weakly woman she has been for years'. She is unchanged for the 30 January 1868 entry and continues more or less in the same condition until early November when she went into a paralytic coma. By the end of the month she was 'fast sinking'. She hung on until 22 December when she died at three o'clock in the morning.⁵³

The death of this Ellen Adams was registered at New Norfolk by the Asylum's Surgeon Superintendent.⁵⁴

| | | | | | | | |
|---------------|-------------|-----------|--------|-----------------------------------|--|------------------|------------------------|
| Admitted 1856 | Ellen Adams | Female 66 | Pauper | Disease of the Brain Paralytic | G. F. Houston Surgeon Superintendent General Hospital New Norfolk | 5th January 1868 | Prosser Deputy Reg. |
|---------------|-------------|-----------|--------|-----------------------------------|--|------------------|------------------------|

Even allowing for the capricious recording of ages, the New Norfolk Asylum records for Ellen Adams – 54 on admission in 1856 (and probably the same age when admitted to the Colonial Hospital the year before) and 66 on death in 1868 – indicate that this woman was born about 1801/02, some nine years later than the estimated 1793 year of birth for Helen Stewart.

On 25 June 1857 the *Colonial Times* reported on a charge of assault preferred by Ellen Adams on one Margaret Black.⁵⁵

Mrs. Adams deposed that the defendant came to her house in Argyle-street between six and seven o'clock on the 17th instant, and then and there, without any provocation given, struck her, knocked her down on the floor, and pulled her by the hair of her head. Had not say anything to the defendant, who came to her house the worse for drink. In answer to the defendant complainant said she had not been drinking; was out all afternoon ... The Bench considered the case proved, and fined defendant £1 and costs.

Later, in December of the same year, a John Blake was charged and found guilty of stealing a scarf shawl and a child's cape, total value 3 shillings, the property of Ellen Adams.⁵⁶

NOTES

¹ Perhaps an oblique reference to social & political restiveness?

² *Caledonian Mercury*, 5 May 1817, p.3.

³ Ben Wilkie, Scottish Convicts in Australia, <https://thescottishaustralian.wordpress.com/2011/09/01/scottish-convicts-in-australia/>.

⁴ The other two were mother and daughter, Jean Lang senior and Jean Lang junior, tried and convicted at Glasgow.

⁵ Biographical Database of Australia (BDA), Biographical report for Thomas Peters.

⁶ TAHO, Conduct Record, CON40/1/9 p.2.

⁷ TAHO, Hobart marriages 1818, RGD36/1/1 no289.

⁸ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 19 July 2018), September 1816, trial of WILLIAM RIORDAM (t18160918-18). Note – the account of the trial gives William Riordan's age as 41.

⁹ *Windsor and Eton Express*, 29 Sep 1816, p.3.

¹⁰ Ancestry, UK, Prison Hulk Registers and Letter Books, 1802-1849, Retribution, Register, 1802-1834.

¹¹ Free Settler or Felon? Convict Ship Almorah 1817, https://www.jenwilletts.com/convict_ship_almorah_1817.htm.

¹² Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849, Tasmania, List of Convicts (incomplete) 1817-1821. Community Contributions, Convict Records, notes provided by Neil Murphy, <https://convictrecords.com.au/convicts/riordan/william/49818>. TAHO, Assignment List, CON13/1/1 image 95.

¹³ TAHO, Conduct Register, CON31/1/34 image 239.

¹⁴ Ancestry, New South Wales, Census and Population Books, 1811-1825, Hobart Town Population Muster, 1820.



- ¹⁵ TAHO, Hobart deaths 1820, RGD34/1/1 no 387.
- ¹⁶ Ancestry, New South Wales, Census and Population Books, 1811-1825, Hobart Town Population Muster, 1821.
- ¹⁷ BDA, Biographical report for James Hooper.
- ¹⁸ Ancestry, New South Wales, Australia, Settler and Convict Lists, 1787-1834, New South Wales, Male and Female, 1822.
- ¹⁹ Ancestry, New South Wales and Tasmania, Australian Convict Musters, 1806-1849, Tasmania, List of Convicts (incomplete), 1823.
- ²⁰ BDA, Biographical report for Janet Anderson.
- ²¹ TAHO, Conduct Record, CON40/1/9 p.2.
- ²² *The Hobart Town Gazette and Van Diemen's Land Advertiser*, 7 May 1824, p.1.
- ²³ *Hobart Town Courier*, 28 Aug 1830, p.2.
- ²⁴ *Hobart Town Courier*, 28 Aug 1830, p.3
- ²⁵ *Colonial Times*, 12 Nov 1830, p.1.
- ²⁶ *The Tasmanian*, 31 Dec 1831, p.7.
- ²⁷ TAHO, Hobart marriages 1812, RGD36/1/1 no 96.
- ²⁸ Robert Cox, *A Compulsion to Kill: The Surprising Story of Australia's First Serial Killers*, Glass House Books, Carindale, 2014, p.94.
- ²⁹ TAHO, Convict Records, CON31/1/34 p.188; CON22/1/1 p.315. He had been implicated in a number of serious offences, including the murder in 1826 of one Mr. Simpson of Pittwater and others, but had agreed to turn King's evidence – *Colonial Times*, 20 Feb 1829, p.3. He was one of the prisoners sent to Macquarie Island per the Government brig Tamar – *The Hobart Town Courier*, 27 Aug 1831, p.2.
- ³⁰ *The Mercury*, 29 Jun 1866, p.1. Elizabeth Reardon died at her home at the Green Hills aged 86 on 14 July 1878 – TAHO, Sorell deaths 1878, RGD35/1/47 no 630. She outlived her husband by almost thirty years, his death, at the age of 57, having been registered on 1 January 1849 – TAHO, Sorell deaths 1849, RGD35/1/19 no 6.
- ³¹ *The Hobart Town Courier and Van Diemen's Land Gazette*, 9 Aug 1839, p.2.
- ³² TAHO, Hobart marriages 1836, RGD36/1/3 no 3310.
- ³³ TAHO, Marriage Permissions, CON52/1/1 p.002.
- ³⁴ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 17 July 2018), February 1825, trial of THOMAS ADAMS (t18250217-71).
- ³⁵ *Morning Post*, 21 February 1825, p.4.
- ³⁶ Findmypast (FMP), England & Wales, Crime, Prisons & Punishment, 1770-1935, Prison Register. *Globe*, 24 Mar 1825, p.4, The Recorder's Report.
- ³⁷ Ancestry, UK Prison Hulk Registers and Letter Books, 1802-1849, Retribution, Register, 1802-1834. History Australia, Convict Stockade, Convicts on the transport ship Medway – 1825, <http://www.historyaustralia.org.au/twconvic/Medway+1825>.
- ³⁸ TAHO, Convict Description, CON23/1/1 A191-222.
- ³⁹ A brief history of 38th Regiment of Foot (1st Staffordshire), [https://en.wikipedia.org/wiki/38th_\(1st_Staffordshire\)_Regiment_of_Foot](https://en.wikipedia.org/wiki/38th_(1st_Staffordshire)_Regiment_of_Foot).
- ⁴⁰ TAHO, Conduct Record, CON31/1/1 p.55.
- ⁴¹ *The Tasmanian*, 3 Oct 1828, p.3.
- ⁴² *The Hobart Town Courier*, 9 May 1829, p.3.
- ⁴³ TAHO, Court, SC32/1/1 image 372.
- ⁴⁴ TAHO, Conduct Record, CON31/1/1 p.55. *The Cornwall Chronicle*, 28 Sep 1839, p.4.
- ⁴⁵ TAHO, Court, SC32/1/1 Image 372. *Tasmanian Weekly Dispatch*, 25 Sep 1840, p.8.
- ⁴⁶ *The Austral-Asiatic Review, Tasmanian and Australian Advertiser*, 20 Oct 1840, p.3.
- ⁴⁷ *Colonial Times*, 14 Dec 1841, p.3.
- ⁴⁸ *The Courier*, 7 Jan 1842, p.3.
- ⁴⁹ *Colonial Times*, 4 Jan 1842, p.3. Fielding Browne arrived at Hobart Town on 14 February 1839 and on 17 May he was admitted as a legal practitioner by the Supreme Court of Van Diemen's Land. In 1845 he was appointed judge at Norfolk Island - John V. Barry, 'Browne, Fielding (1789–1871)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/browne-fielding-1836/text2117>, published first in hardcopy 1966, accessed online 30 July 2018.
- ⁵⁰ *Launceston Examiner*, 19 Jun 1847, p.8.
- ⁵¹ *Colonial Times*, 7 May 1856, p.3.
- ⁵² TAHO, Royal Derwent Hospital, Patient Records – Case Books (Female) (Vol No 14) HSD52/1/1, p.117 and 171.
- ⁵³ TAHO, Royal Derwent Hospital, Patient Records – Case Books (Female) (Vol No 16) HSD52/1/2, p.181.
- ⁵⁴ TAHO, New Norfolk deaths 1869, RGD35/1/38 no 325.
- ⁵⁵ *Colonial Times*, 25 Jun 1857, p.2.
- ⁵⁶ *The Hobart Town Mercury*, 14 Dec 1857, p.2.



SOURCES

Genealogy Websites

Ancestry

New South Wales and Tasmania, Australian Convict Musters, 1806-1849

New South Wales, Australia, Settler and Convict Lists, 1787-1834

New South Wales, Census and Population Books, 1811-1825

Online Family Trees

UK, Prison Hulk Registers and Letter Books, 1802-1849

Findmypast

England & Wales, Crime, Prisons & Punishment, 1770-1935

Other Websites

Australian Dictionary of Biography, <http://adb.anu.edu.au/biography/>

Ben Wilkie, Scottish Convicts in Australia, <https://thescottishaustralian.wordpress.com/>

Biographical Database of Australia (BDA), <http://www.bda-online.org.au/>

Convict Records, <https://convictrecords.com.au/>

Female Convicts Research Centre, <https://www.femaleconvicts.org.au/>

Free Settler or Felon? <https://www.jenwillets.com/>

History Australia, <http://www.historyaustralia.org.au/>

LINC Tasmania, <https://www.linc.tas.gov.au/>

Old Bailey Proceedings online, <http://www.oldbaileyonline.org/>

Tasmanian Archives and Heritage Office, <https://www.libraries.tas.gov.au/archive-heritage/>

Wikipedia, <https://en.wikipedia.org/>

Online Newspapers

British Newspapers (Findmypast)

Caledonian Mercury

Globe

Morning Post

Windsor and Eton Express

TROVE

Colonial Times

Launceston Examiner

Tasmanian Weekly Dispatch

The Austral-Asiatic Review, Tasmanian and Australian Advertiser

The Cornwall Chronicle

The Courier

The Hobart Town Courier

The Hobart Town Courier and Van Diemen's Land Gazette

The Hobart Town Mercury

The Mercury

The Tasmanian

Publications

Cox, Robert, A Compulsion to Kill: The Surprising Story of Australia's First Serial Killers, Glass House Books, Carindale, 2014

© Leonie Fretwell, 2019