



Maria Courtney

Date of Trial:	24 July 1816
Where Tried:	Berwick upon Tweed Borough Gaol Delivery
Crime:	Coining
Sentence:	Life
Est YOB:	1796
Stated Age on Arrival:	22
Native Place:	Ireland
Occupation:	Servant
Alias/AKA:	
Marital Status (UK):	
Children on Board:	
Surgeon's Remarks:	<i>Tolerably quiet and industrious</i>
Assigned NSW or VDL	NSW

Preamble

Maria Courtney did not face her trial alone. She was one of a group of five prisoners who were tried together on 24 July 1816. The *Berwick Advertiser* published a detailed account of the trial.

BERWICK SESSIONS

At a General Gaol Delivery holden for this Borough, on Wednesday last, before the Rev. Joseph Barnes, Clerk, Mayor, Christopher Cookson, Esq. Recorder, and William Grieve, Esq. John Clunie, Esq. David Stow, Esq. And William Pattison, Esq. Six of his Majesty's Justices of Gaol Delivery for the said Borough, the following Prisoners in the Gaol of this Borough, viz.:- James Moen, Mary Moen, Barnard Duffey, Margaret Duffy [sic], and Maria Courtney, were severally indicted for High Treason, in feloniously and traitorously forging and counterfeiting one piece of false feigned and counterfeit Money and Coin, to the likeness and similitude of the good legal and current Money and Silver Coin of this Realm, called a Sixpence. To this indictment the Prisoners pleaded Not Guilty.

Mr Losh then addressed the Jury on the part of the Crown. After commenting at some length on the importance, in a Country of such vast commercial concerns as this, of preserving the Coin from adulteration, shewing the propriety of vesting the power of issuing the Coin in the Crown, and the antiquity of the provisions of the law for punishing offenders against this branch of the Royal prerogative, he proceeded to detail the material facts of the case. The following witnesses were then examined :-

Wm. White, Plasterer.- On 8th Feb. last, about six in the evening, in consequence of some information he had received that some persons suspected of coining, lodged in Mary Anderson's, in Walkergate Lane, he went in company with Jos. Park into the yard in which the house is situated, and getting on an old wall, a short distance from the window of the room upstairs, where prisoners lodged, he saw prisoners Margaret Duffey, Mary Moen, and Maria Courtney, sitting around a table, upon which there was a candle, close to the window. Margaret Duffey had her back to the window, and was clipping something with a pair of scissars [sic]. Mary Moen and Maria Courtney, were also sitting. Barnard Duffey and James Moen standing behind them with their faces to the window: Duffey holding a cup, Moen a gallipot - James Moen received from Maria Courtney pieces of metal, apparently counterfeit coin, which he dipped into the cup and returned to her, and she rubbed them between her finger and thumb; this was repeated frequently. Mary Moen was engaged in the same way, handing the pieces to Maria Courtney, who handed them to J. Moen. Mary Moen and Maria Courtney examined some of the pieces, and gave them again to Barnard Duffey, who put them in the cup and returned them again. Mary Moen and Maria Courtney then went out; witness followed them. Saw Mary Moen go into the shop of Isabella Johnson, in Castlegate; Maria Courtney remaining on the outside. Witness saw her give to Isabella Johnson in payment of what she bought, two sixpences. On her coming out, witness went in and asked to see the sixpences; found them counterfeits; marked them and returned them to Isabella Johnson. He then went back to the house, where he found Mr Park at the door, who accompanied him to Castlegate, where they found and apprehended Mary Moen and Maria Courtney, and took them to Isabella Johnson, who immediately identified Mary Moen as the person who gave her the sixpences. They were afterwards committed. On searching them there were found



upon them a quantity of bread, sugar, tea, and tobacco.

Joseph Park confirmed Wm. White's testimony so far as he was present. On White seeing prisoners engaged in the room as before stated, witness went to the Mayor, and by his orders got Messrs Wilson, M'Gall, and Hope, constables, and Messrs Alex. Thomson, Wm. Jameson, and Charles Ferguson, to accompany them to the house where prisoners lodged. They all went up stairs but witness and Ferguson. Witness guarded the door. While doing so a man came down stairs and wished to go out. Witness ordered him back. He went into the lower room. Eliz. Simpson was then standing by, and said that he was the head of the gang. Eliz. Ormston was then standing at the door of the lower room, where the man entered. Could not say that it was either of the male prisoners. Shortly after White came for him. He left Ferguson to guard the door, and went with White to Castlegate, where they proceeded as before detailed by him. All the persons who went up stairs were severally called to prove what took place there. The facts stated by them were - that on going in the prisoners were standing, and appeared somewhat confused; they were all delivered into the custody of Hope till their persons and the room were searched. Here were found on Mary Duffey a pair of scissars, a small empty glass phial, a pocket-book with a copper door-plate; and on James Moen a quantity of white powder which he said was starch. - A file, the teeth of which were full of copper, was found on the mantle-piece. There were found in some straw in the room, 3 pieces of copper coloured to the resemblance of sixpences, 9 polished and ready for colouring, 3 cut and rounded, and a cup containing the substance for colouring; another pair of scissars were found on the table, and some clippings of copper on the floor - the edges of the scissars were tinged with copper.

The file, 2 pairs of scissars, phial, clippings and pieces of copper and colouring materials, were produced by M'Gall, and identified.

Mary Anderson, widow, keeps a Lodging House in Walkergate Lane. Prisoners Barnard Duffey, Margaret Duffey, and Maria Courtney, came to her house on Sunday 4th February, last, and asked for lodgings she let them two beds in the upper room. On the day following James and Mary Moen, came, they were at first down stairs, they asked whom witness had up stairs, she told them Barnard Duffey, and his family, they did not say that they knew them nor when they afterwards went up stairs to sleep, did it appear so to witness who shewed them the room. They remained in the room up stairs with Duffey, and his family till apprehended. The room contains four beds, prisoners had three, the other bed was during several of the nights the prisoners were there occupied by some other persons, but prisoners had always the room to themselves during the day, witness was not often up, when there never saw any thing like a manufacture of counterfeit coin. Prisoners did not appear to follow any trade, no person making combs or mending umbrellas lodged there at that time.

Thomas Hope, is a Parish Constable; part of his duty is to visit the lodging houses. On the day preceding, that one on which prisoners were apprehended, on going in the evening to Mary Anderson's, he saw prisoner Barnard Duffey, cutting with a pair of scissars a round piece of copper, about the size of a large sixpence out of a piece of thin sheet copper, about half the size of his hand, he seemed much confused on observing witness, and attempted to conceal from him what he was doing, by slipping the articles down by his side, on witness asking what he was doing, he said he was doing nothing, witness said no more but left the room. He also gave evidence as to the search of the house. Prisoners would not have been allowed so long in town, but for the severity of the weather at the time.

Isabella Johnson, keeps a small grocer shop, in Castlegate. On 8th of February last, Prisoner, Mary Moen, came into the witness' shop and asked for some tea, sugar, and bread, which witness sold her, prisoner gave her two sixpences in payment, witness returned her the overplus in copper, shortly after Mary Moen went out, William White, came in and asked to see the sixpences, witness shewed them, he said they were counterfeit, put a mark on them, told her to take care of them and went away. He afterwards came back accompanied by Mr Park, bringing with them Mary Moen, and Maria Courtney. Mary Moen admitted that she paid witness two sixpences but questioned the two produced being the same. Messrs White, and Park, then took the prisoners away. She is positive as to Mary Moen, being the person, and that the sixpences she now produces are those she got from Mary Moen. On first receiving them she put them into a small cup in the counter drawer, in which there was then only one sixpence which was uncommonly small, and from which she could easily distinguish them. On being desired by White to take care of them, she wrapped them up, and has kept them so ever since.

William White on being again called, identified the sixpences produced as the same shewn him by Isabella Johnson, on the 8th February.

Robert Lough, Tinsmith, Berwick. A few days before prisoners were apprehended, Mary Moen and Maria



Courtney, came to witness' shop, and asked for some sheet copper, which they said was for covering the backs of combs, witness sold them some of about the thickness of a shilling, and received 7½d for it. They came back the next day for more, but witness not having any but large sheets would not cut them for so small a quantity, they did not say it was to mend umbrellas.

Elizabeth Simpson, washerwoman, lives in the front house, in Walkergate Lane, in the yard adjoining which Mary Anderson's lodging house is situate, was at home on the 8th February last, when prisoners were apprehended, was during the time in the yard standing near Mr Park, who guarded the door, saw prisoner Barnard Duffey, come down stairs, Mr Park ordered him back, he went back into the house, but witness could not see where, witness told Mr Park, he was the head of the gang.

Elizabeth Ormston, seaman's wife; is a daughter of Mary Anderson, was in the house at the time of the search on the 8th February, was during part of that time, standing at the door of the lower room, while there Barnard Duffey, came down and wished to go out. Park ordered him back, he then went into the lower room, witness heard him say "my God where shall I go," she never saw him after. He could only get out by the window into the back yard, from which he might escape either into Walkergate Lane, or the High Street.

Mr Caleb Edward Powell, from the office of the solicitors to the mint, has had very long experience in conducting prosecutions of this description, and in the course of that time, has had opportunities of becoming acquainted with the implements usually employed by persons in counterfeiting the coin. The implements and colouring matter produced are complete for the purpose, he described the different stages of the pieces produced by Mr M'Gall. The two sixpences produced by Isabella Johnson, witness thought might have imposed on very good judges, and had they not been scratched by Mr White, might still do so.

Mr John Nichol, one of the Moneyers of the Mint, proved these sixpences to be counterfeited, and that they were never issued by the Mint.

The evidence for the prosecution here closed, and the prisoners having no defence to make, the Learned Recorder then proceeded to sum up and comment upon the Evidence, in an able, clear and perspicuous manner, when the Jury retired for a few minutes, and returned with a Verdict of Guilty against all the Prisoners. Mr Recorder then in a most impressive and affecting manner, pronounced Sentence of Death upon each of the unhappy prisoners. A most heart-rending scene now took place, the mutual recriminations of the unhappy culprits, and their frantic appeals for mercy, formed a spectacle much more easy to be conceived than described. And it was not until a considerable degree of force was used by the proper Officers, that the unfortunate Convicts could be removed from the Bar.

The Death Warrant for their Execution was then Signed and Sealed by the Magistrates there assembled, and delivered over to the Coroner, ordaining him to carry the dreadful Sentence of the Law into Execution, on Saturday the 24th of August next, should the Royal Mercy not intervene.

We are happy however to understand, that the Justices of Gaol Delivery with those feelings of humanity for which our Worshipful Bench of Magistrates have been so long distinguished, and "which becomes even a throned Monarch better than his Crown," have represented the case of the unhappy Convicts to his Royal Highness the Prince Regent, and have recommended the Prisoners to the Royal Mercy.

This Trial which was conducted with much solemnity, occupied the attention of a very crowded Court for nearly seven hours, and appeared to make a most serious impression upon all who were present.¹

At the conclusion of the July sessions a report on what was to become known as 'the Sixpence Trial', was prepared by James Barnes, Mayor of Berwick, Christopher Cookson, Recorder of Berwick, and the sessions' judges and submitted to the Home Office. The report concluded with the justices' recommendation referred to above.

The justices do not think good government of the Borough requires the infliction of the punishment of death being carried into effect. Initial sentence: death. Recommendation: mercy.²

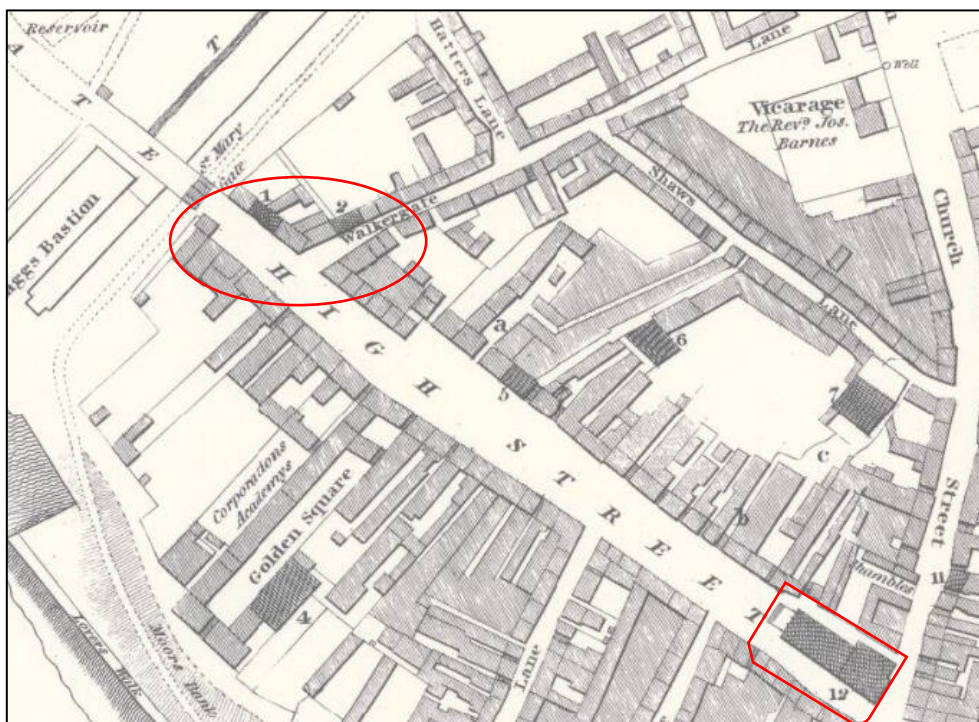
On 5 August 1816 Lord Sidmouth issued a memorandum from Whitehall to the Major of Berwick upon Tweed, the Coroner and others whom it may concern, directing that

... the Execution of the Sentence of Death passed upon James Moen, Mary Moen, Barnard Duffey, Margaret Duffey, and Maria Courtney, now in the Gaol at Berwick upon Tweed, be Respited until further signification of his Royal Highness's Pleasure.

P.S. you will acknowledge the receipt hereof by return of Post.³

The memorandum was followed by another, addressed to 'Our Trusty and Welbeloved, the Mayor, Recorder and Justices' etc. which conveyed the news the prisoners were hoping for.

Whereas James Moen, Mary Moen, Barnard Duffey, Margaret Duffey, and Maria Courtney were at a Court of General Gaol Delivery holden at the Tolbooth of the Borough of Berwick upon Tweed in and for the said Borough on Wednesday the 24th day of July last, tried and convicted of having feloniously and traitorously forged, counterfeited and coined one piece of false feigned and counterfeit money and coin to the likeness and similitude of the good, legal and current money of silver coin of this Realm called Sixpence and had Sentence of Death passed upon them for the same. We in consideration of some favourable circumstances humbly represented unto us on their behalf are graciously pleased to Extend Our Grace and Mercy unto them and to Grant them Our Pardon for their said crime on Condition of their being transported to the Coast of New South Wales, or some one or other of the Islands adjacent for and during the Term of their respective natural lives. Our Will and Pleasure therefore is that you do give the necessary Directions accordingly and that they be inserted for their said Crime on the said Condition in the first and next General Pardon that shall come out for the Northern Circuit – And for so doing this shall be your Warrant Given at Our Court at Carlton House the 16th day of August 1816 in the 56th Year of Our Reign.⁴



Extract - Plan of Berwick upon Tweed highlighting Walkergate Lane/High Street/ Castlegate and Tolbooth [12]⁵

The coiners, and particularly the men of the group, could consider themselves lucky. In this case public (and judicial) sentiment reflected a more lenient attitude, but coining was still on the statute books as a treasonable offence. But clearly they had been prepared to take the risk and, indeed, if the weather had been more favourable, they would have quickly moved on, hopefully before their fraudulent dealings were discovered. Theirs' was a typical cottage industry set up, different members of the group being responsible for the various stages involved in creating and then distributing the fake currency. And if Mr Powell, Solicitor to the Mint, is to be believed, to the untrained eye the fake coins were not easy to detect. This group of coiners also fitted the profile identified by one commentator who holds that

The Irish network was quite skilful in how they made profit and got rid of their counterfeit goods.⁶

But once tried and convicted, the women were returned to the Berwick Gaol and the men sent to the hulks. It would be some time before they all met up again.

Apart from being a partner in crime with the Duffeys, Maria is believed to have had even closer ties with them. Born about 1796 in Ireland, it is believed that she was a daughter of Margaret Duffey (aka Margaret Courtney) and that Barnard Duffey was very likely her father.⁷ Maria was no doubt comforted by the fact that she had the company of her mother and four siblings when she boarded the convict vessel *Friendship*. In contrast to the her mother's insolent and indolent conduct, Peter Cosgreave, Surgeon Superintendent, reported that Maria was 'tolerably quiet and industrious' during the voyage.⁸ The convict indent confirmed the date, place and outcome of Maria's trial. Her recorded age on arrival was 22 and she was a servant by calling. She spent the first few years at the Parramatta Factory, but for the 1822 general muster she was listed as having come free (CF – not correct), the wife of D. Hamel at Windsor, and immediately below her entry are entries for two children, name and age not given, but born in the colony, and children to M.C.⁹

Courtney Maria	CF	Friendship	Wife of D. Hamel Windsor
Courtney	be		
Courtney			Children of M.C.

Within a year of arriving at Sydney Maria had met and married Dennis Hamill. It was under the name Hammil that the prospective groom together with his bride-to-be applied on 8 September 1818 for permission to be married. Both were convicts, Dennis having arrived on the *Three Bees*.¹⁰

Dennis Hammil	—	Pris. p. Ship Three Bees, and
Maria Courtney	—	D. p. D. Friendship.

It was on 28 September 1818 that William Cowper, Assistant Chaplain, married the couple, with the event being registered at St. Philip's Church of England (notwithstanding that the groom was a Catholic). Dennis Hammill was recorded as a 26 year old labourer. Maria was a 24 year old spinster. The two witnesses were Bernard and Ann Duffey, probably brother and sister to the bride. None of the wedding party was able to sign their name.¹¹ Six months later, on 22 March 1819, Dennis and Mary Hammill [sic] witnessed the marriage of Ann Duffey and Charles Evans which was also registered at St. Philip's Church. Only Charles was able to sign his name.¹²

Highway robbery was the crime for which Denis Hamill was transported for life. He had been found guilty at the March 1812 Carrickfergus Assizes of 'knocking down R. Hamilton Taylor, in Ferguson's entry, Belfast, last summer, and taking from him a silver watch'. Initially he was sentenced to be hanged on 24 April. On hearing his fate the prisoner 'fell down on his knees and entreated for mercy, saying that he would serve in the army or navy, but his Lordship told him that he would not grace either of these by a man of so bad a character, and exhorted him to prepare for death for that he need not look for mercy'.

In the end the death sentence was respited and Denis was to prepare himself instead for transportation for life. He probably could consider himself lucky as his 1812 appearance was not the first time he had come to the attention of the courts. He and one Mary Taylor were charged with having, in December 1810, assaulted and robbed a James Gibson. At their trial in March 1811 Denis Hamill was found guilty and had compounded his criminal record by escaping from the country jail.¹³

The *Three Bees*, launched at Bridgwater in 1813, was the convict transport which brought Denis Hamill to Port Jackson. Prior to boarding Denis and his fellow 'shipmates' from the northern jails had been conveyed by boat to the Canal Docks at Dublin where they were forced to wait for six weeks in miserable conditions – in irons and with no allocation of clothing or bedding – before, on 20 September, favourable winds allowed them to continue their journey to Cork.¹⁴ Here a further delay occurred before embarkation on the *Three Bees* was completed, and together with another convict ship, the *Catherine*, it was now ready to sail from Cork to Falmouth to join a convoy for the voyage to New South Wales, via South America. But again severe winds and gales delayed the departure as reported in the *London Courier and Evening Gazette* of 20 October 1813.



It blew a tremendous gale of wind from the S.E. accompanied with heavy rain, during the whole of last night. It still blows with unabated violence. Serious apprehensions are entertained of its fatal effects along the coast ... The Catherine and the Three Bees, convict ships, will sail the first fair wind for Falmouth, to join the convoy for South America.

The two convict ships finally left Cork on 27 October and arrived at Falmouth on 30 October. There were no doubt 'serious apprehensions' held by those men like Dennis who, enduring atrociously cold and wet conditions, had been 'in passage' for about three months without yet having left British shores, and with the prospect still of a long and uncertain voyage to the other side of the world.¹⁵ Having teamed up with the armed frigates *Niger* and *Tagus*, the *Three Bees* and the *Catherine* sailed from Falmouth on 7 December 1813 and arrived at Port Jackson on 6 May 1814. Not only did 9 of the *Three Bees*' convicts die during the voyage, but on arrival 55 of those who had survived the voyage required immediate hospitalisation.¹⁶ Governor Macquarie was much concerned about the state of the convicts' poor health (and presumably mindful that the sick could not be put to useful work but would still be a drain on government rations).

On enquiring into the cause of this mortality and Sickness, it appeared that many of them had been embarked in a bad state of health, and not a few infirm from lameness and old age ... The circumstance of several of those unfortunate men being embarked in a diseased or feeble State will, I trust, shew the necessity for greater attention being paid to the state of the Health of the Convicts, who are to be embarked in future, which I have much reason to believe has not been so fully attended to by the Examining Surgeons as Humanity demands.¹⁷

The *Three Bees* became known as one three 'fever ships' to arrive in 1814. As a direct result of the unacceptably high mortality rate and deplorable level of on-board sickness it was determined that in future a Surgeon-Superintendent would be appointed for all convict ships.¹⁸ Was it an unfortunate accident or, as some may have thought, by an act of sabotage that the *Three Bees* was totally destroyed by fire in Sydney on 20 May 1814?

Meanwhile, on 11 May, by a directive of the Colonial Secretary, 50 convicts were listed for assignment at Parramatta (15), Windsor (20) and Liverpool (10). Denis Hamill was not one of them.¹⁹ Nor was he one of the 55 on the sick list. He, with the balance of convicts, was to be retained in Sydney. According to the convict indent Denis had been tried at Country Antrim. He was 24 years of age, a native of Antrim, and a weaver by trade, perhaps in the linen industry? He was 5' 8¼" tall, with a pale pockmarked complexion, black hair and grey eyes.²⁰

Notwithstanding the variations in the spelling of his surname (including Harrold, Hamilton and Hammond), it is possible to follow Denis through the standard set of convict records.²¹ When he was mustered in November 1814 he was in Sydney, assigned to Mr. Blackert.²² In 1816 and 1817 he was a government labourer in Sydney, and for the 1819 population muster he was a labourer, off stores still in Sydney, and now holding a ticket-of-leave, able to work on his own behalf to support himself and a family. For the 1822 general muster Denis (under the forename Thomas) Hammell was recorded as a land holder at Windsor.²³ Denis is also included in the 1822 population register as the lessee and occupier of a small (10 acre) grant at Windsor of which 8¼ was cleared and on which he had planted 4 acres of wheat, 4 acres of maize, and a small crop of potatoes. He did not own a horse, or run any cattle or sheep on the holding but did have 2 hogs.²⁴ We have already noted that for the 1822 general muster Maria was living at Windsor and had two children. So at some stage after 1819 Maria and Dennis had relocated from Sydney to Windsor. The family probably covered the 34 miles overland journey on foot. Even if travel by wagon was an option, it is unlikely that the Hamills could have afforded such a luxury.²⁵

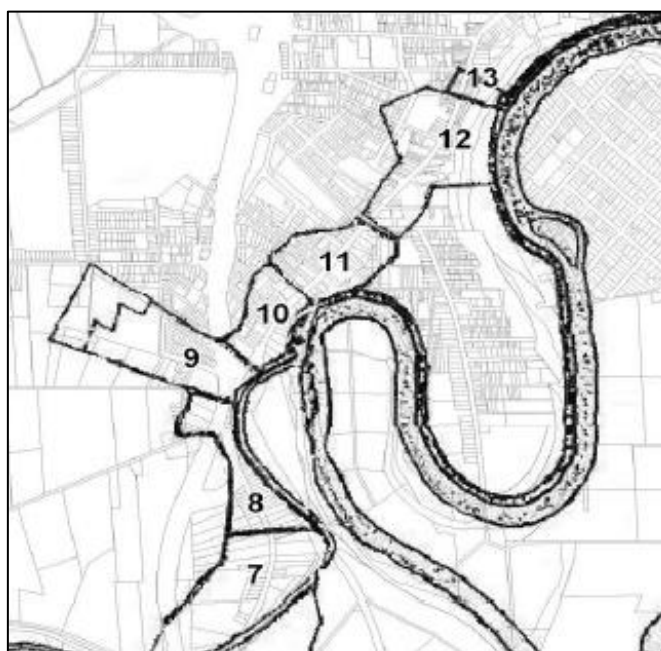
As noted, prior to his trial and transportation Denis Hamill had earned his living as a weaver. The colonial convict records classify him as a labourer, but whether he was engaged in light or heavy labouring is not specified, but hopefully it was sufficiently demanding physical work to prepare him for working a ten acre block, which would need to be cleared before any crops could be planted. Unless he was able to borrow a horse or oxen all this hard work would have been done by hand. And, of course, he would need to provide some form of shelter to accommodate himself, a wife and very young children. It was a relentless hand-to-mouth existence, constantly haunted by the spectre of floods, famine, high prices and debts. By 1824 the Hamills' venture into landholding

and farming had failed. In October 1824 Denis was issued with a replacement ticket of leave, by which he was to be restricted to the district of Sydney.²⁶

NAME, _____	<i>Denis Hamill</i>
VESSEL, _____	<i>Three Bees</i>
YEAR ARRIVED, _____	<i>1814</i>
WHERE CONVICTED, -	<i>C. Auburn</i>
WHEN CONVICTED, -	<i>March 1812</i>
TERM, _____	<i>Life</i>
NATIVE PLACE, _____	<i>Ardara</i>
CALLING, _____	<i>Maicer</i>
YEAR OF BIRTH, -	<i>1796</i>
HEIGHT, _____	<i>5 feet 5 inches</i>
COMPLEXION, _____	<i>Sallow & Speckmarked</i>
HAIR, _____	<i>Black</i>
EYES, _____	<i>Hazel</i>
DATE OF TICKET, -	<i>14 October 1824</i>
DISTRICT, _____	<i>Sydney</i>
GENERAL REMARKS.	<i>Replaces in consequence of his name being entered in a list dated 1812 & is from the same list of 1812</i>

Notwithstanding the conditions of the ticket of leave, the 1825 general muster of the following year finds Denis at Newcastle, one of a number of men employed by Patrick Maloney. Irish born Patrick had arrived in the colony in 1802 on board the *Atlas* having been sentenced to transportation for life. By 1822 he had been granted a conditional pardon and a grant of land at Wallis Plains [now East Maitland].²⁷

<i>Hamill Denis</i>	<i>H</i>	<i>W</i>	<i>Life</i>	<i>Emp^d by P Maloney 1824</i>
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Section of Wallis Plains, 1823, overlaid on current map – Maloney’s grant was No.12²⁸

Meanwhile for the same muster Maria Courtney is found at Richmond with her two children whose names we now know are Maria, aged 6, and Ann, aged 4. To confuse matters she is listed separately as Maria Hammel, at Newcastle, wife of D. Hammel. But for the second listing she is recorded as having come free, and daughter Maria is not included. The second listing does, however, include son John, born 1825.²⁹

Courtney Maria	6	of	Friendship	1817	7	Denis Hamill Richmond
Courtney Maria	6	do	.	.	.	Daughter of Maria Courtney Esq
Courtney Ann	4	do do

Hammel Maria	7	of	Friendship			Wife of D Hammel Esq
Hammel Nancy	4	.	do	.	.	Children of the above
Hammel John	3	.	do	.	.	

It would be more logical for Maria and her children to have either accompanied, or followed Denis Hamill to Wallis Plains – another arduous trek with two children and, depending on when they relocated, possibly also with baby John, who was born in 1823, in tow.³⁰ It is not clear where John was born, but it was most likely in Windsor.³¹ A second son, Barnabas, completed the family, and he was born at Wallis Plains in December 1825.³²

The Hamill family was still at Wallis Plains for the 1828 census where we find Denis (Hamet), with his four children – Margaret (Mary) (9), Nancy (Ann) (7), John (4) and Barnett (Barnabas/Bernard) (2). Notably absent was wife and mother Maria.³³

11	Hamet	denis	37	3	Bs	1813	do	Cath Laborer	Wallis Plains
12	do	Mary	9	do	Bs		do		
13	do	Nancy	7	do	Bs		do		
14	do	John	4	do	Bs		do		
15	do	Barnet	2	do	Bs		do		

Maria Hamill of Wallis Plains died in February 1828 and was buried on 26 February, as recorded in the register of the Church of England Parish of Christ Church, Northumberland.³⁴ According to the register entry she was just 28 when she died, but she was in fact about ten years older than that. It is of note, and probably at Denis Hamill's insistence, that the funeral service was performed by an unnamed Roman Catholic. As noted in the register, another unnamed person lodged an objection. It is rather ironic that Maria commenced her journey to the colony from Northumberland and it was at Northumberland that her journey ended.

Dennis, left with the care of four young children all under the age of ten, probably relied not only on his elder daughter to help out but also on what assistance the Duffey relatives might be able to offer, particularly on those occasions when Dennis found himself in before the Bench, albeit it for minor offences. For instance, in February 1830 he was charged with drunkenness for which he was admonished.³⁵

71	Mr Maryman James Cor & an	Hardy a Pres ^t of the Crown	Tuesday	February 16 th	James McDowell & J. Cook Esq	J. Rosse
72	Dennis Hamill, Wm Small	Drunkenness			Admonished & Dismissed	J. Rosse

Six years later the following item appeared in *The Sydney Gazette*. By his own admission, Dennis was no stranger to the Bench.³⁶

Dennis Hammell, a weather-beaten old man, was charged yesterday with stealing grass, from the paddock of Mr. Davis, Darlinghurst. He was detected in the fact by one of Mr. Davis's assigned servants, to whom he proposed that they should sell the grass, and drink the proceeds; to this arrangement the servant declined acceding, and took Dennis to his master, who ordered him into the custody of the Police. Prisoner pleaded in defence that he had been twenty years in the colony, and although frequently before the Bench, never had been convicted of any crime. Guilty—One month to Carters' Barracks.

Exactly how Denis earned his living after the death of his wife is not known. But it is likely that, as a labourer, he took work where and when he could. If he was the Dennis Hamel mentioned in the following 1852 notice he may have been employed by a Mr. Griffith of Brickfield Hill at the time.

£1 REWARD.—Stolen or strayed from the Premises of Mr. SAMUEL DAVIS, Liverpool Road, a bay mare, branded OL, star on forehead, both hind fetlocks white, broken in to saddle. Whoever can give information to Mr. DENNIS HAMEL, at Mr. Griffith's, Brickfield Hill, will receive the above reward. 3652

Widower Denis Hamill never remarried. He died on 17 September 1860, a 69 year old labourer, at the home of his elder daughter Margaret at Cooper Street, Glebe. The death was registered at Sydney under the name Denis Hammell.³⁷ And it was under the name Hannwell that friends were requested to attend his funeral which was to move from his late residence on 19 September.³⁸

Denis lived to see three of his children married.³⁹ Margaret was 22 when she married widower Benjamin Hodgson at the Scots Presbyterian Church in 1841. (She would subsequently marry John Clark in 1865). Nine years later, in 1850 at the age of 29, Ann married Patrick James Keogh, celebrated with two services – one Catholic and the other Presbyterian. Elder son John married Jane McCann in 1853 at St. Mary's Roman Catholic Cathedral.⁴⁰ Younger son Bernard did not marry until 1861 when he and widowed Ann Holdington also chose St Mary's Cathedral for their wedding on 3 June at St Mary's Cathedral, Sydney, witnessed by Patrick and Ann Keogh.⁴¹

Before he died Denis also welcomed the births of three Hodgson granddaughters – Mary Jane, Elizabeth and Ann. On a sad note he would also have mourned with son John and daughter-in-law Jane the death, just before her first birthday, of baby Catherine Hamill.⁴²

Her early death robbed these grandchildren, and those born to Barnard and Ann, of getting to meet their grandmother Margaret Hamill (née Courtney). But hopefully through family folklore her memory lived on.

NOTES

¹ *Berwick Advertiser*, 27 Jul 1816. Cited in 'Sixpence', Sid Hammell, <http://users.tpg.com.au/shammell/sixpence.htm>.

² Reports on criminals: correspondence, Reference HO 47/55/8, Catalogue description, The National Archives, Kew.

³ Findmypast, (FMP), England & Wales, Crime, Prisons & Punishment, 1770-1935, Correspondence and Warrants, HO 13/28/340, Folios 58-65, <https://discovery.nationalarchives.gov.uk/details/r/C10005413>.



- ⁴ FMP, England & Wales, Crime, Prisons & Punishment, 1770-1935, Correspondence and Warrants, HO 13/28/396-397. Carlton House was the London town residence of the Prince Regent.
- ⁵ National Library of Australia, Plan of the town of Berwick upon Tweed from actual survey by John Wood, Edinr., 1822; engd. By T. Clerk. Ellon, Scotland. Reprinted by Caledonian Books, 1992, nla.obj-442935011.
- ⁶ Robert Rock, Coins, Crime and History – a Numismatic and Social History of Counterfeiting, <https://crimeandcoins.wordpress.com/>.
- ⁷ The Duffey family has attracted the interest of other researchers who have made their findings available online. I particularly acknowledge the research of Sid Hammell - <http://users.tpg.com.au/shammell/> - and the administrators of the online Ancestry Hammell/Histon Family tree - <https://www.ancestry.co.uk/family-tree/person/tree/41804565/person/19680603259/facts>.
- ⁸ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: NRS 897; Reel or Fiche Numbers: Reels 6041-6064, 6071-6072, p.66.
- ⁹ Ancestry, New South Wales, Australia, Settler and Convict Lists, 1787-1834, 1820, 1821. Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849, New South Wales, General Muster, 1822.
- ¹⁰ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: NRS 937; Reel or Fiche Numbers: Reels 6004-6016, p.34. As with so many names the surname 'Hamill' assumed numerous variations in the records. Unless referring to a specific record, the spelling 'Denis Hamill' has been adopted.
- ¹¹ Biographical Database of Australia (BDA), Biographical report for Maria Courtney, Person ID: U#30003103902. New South Wales Registry of Births Deaths & Marriages (NSW BDM), 1818 Marriage registration, Number 327, Vol: 7.
- ¹² BDA, Biographical report for Ann Duffy, Person ID: L#30003107102.
- ¹³ Extracts from *Belfast Newsletter*, cited in Sid Hamill's 'Denis Hamill of the *Three Bees*', <http://users.tpg.com.au/shammell/threebee.htm>. It was open to the authorities of the time to recommend that convicts join the army or navy in lieu of transportation, but this was only considered for 'deserving' cases. *Saunders News-Letter*, 27 Mar 1811, p.2.
- ¹⁴ Findmypast (FMP), Irish Prison Registers 1790-1924, Dublin-Kilmainham Prison General Register for 1798-1814.
- ¹⁵ Free Settler or Felon? Convict Ship Three Bees 1814, https://www.jenwillets.com/convict_ship_three_bees_1814.htm. As the two convict ships sailed from England during the Napoleonic Wars it was necessary that they had armed cover, which was to be provided in this instance by frigates *Niger* and *Tagus*. The *Three Bees* and the *Catherine* were themselves also armed.
- ¹⁶ *Lloyd's List*, 10 Dec 1813, p.2. Note, Free Settler or Felon? gives the departure date as 8 December.
- ¹⁷ Governor Macquarie to Under Secretary Goulburn, Despatch, 17 May 1814, Historical Records of Australia, Vol VIII, pp. 253-254, The Library Committee of the Commonwealth Parliament, 1916.
- ¹⁸ The two other ships were the *General Hewitt* and the *Surrey*.
- ¹⁹ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: NRS 937; Reel or Fiche Numbers: Reels 6004-6016, p.34.
- ²⁰ Ancestry, New South Wales, Australia, Convict Indents, 1788-1842, Bound Indentures, 1801-1814.
- ²¹ Refer to Sid Hamill's 'Denis Hamill and Maria Courtney', <http://users.tpg.com.au/shammell/together.htm>.
- ²² BDA, Biographical Report for Blackert, Person ID: L#11031530702. His first name is not known, but Mr. Blackert was the master of approximately 10 assigned convicts in November 1814.
- ²³ Ancestry, New South Wales Australia, Settler and Convict Lists, 1787-1834, New South Wales, Female, 1816, 1817. Ancestry, New South Wales, Census and Population Books, 1811-1825, Population Muster, 1819. Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849, New South Wales, General Muster, 1822.
- ²⁴ Ancestry, New South Wales, Census and Population Books, 1811-1825, Sydney Population, Land and Stock, 1822.
- ²⁵ Sid Hamill, "Denis Hamill and Maria Courtney".
- ²⁶ Ancestry, New South Wales, Australia, Tickets of Leave, 1810-1869, Register of tickets of leave, 1824-1827 (NRS 12200).
- ²⁷ Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849, New South Wales, General Muster A-L, 1825. BDA, Biographical report for Patrick Maloney, Person ID: B#10011983101.
- ²⁸ Maitland City Council, Early Settlers of Wallis Plains, 2015, Allotments at Morpeth 1823, p.47.
- ²⁹ Ancestry, New South Wales and Tasmania, Australia Convict Musters, 1806-1849, New South Wales, General Muster A-L, 1825.
- ³⁰ Ancestry, Australia Birth Index, 1788-1922, V1823890 128.
- ³¹ A John Hammell aged 41 and born at Windsor was admitted to the Darlinghurst Gaol in September 1864 – Ancestry, New South Wales, Australia, Gaol Description and Entrance Books, 1818-1930, Description Book, Darlinghurst, 1864-1866.
- ³² Ancestry, Australia Birth Index, 1788-1922, V1825875 127.
- ³³ Ancestry, 1828 New South Wales, Australia Census (TNA Copy), New South Wales, Census E-H, 1828.
- ³⁴ NSW BDM, Death registration, 1292/1828 V18281292 12. FMP, New South Wales Parish Registers, Christ Church Cathedral Newcastle.
- ³⁵ Ancestry, New South Wales, Australia, Criminal Court Records, 1830-1945, Bench of Magistrates, Sydney: Punishment Book, 1830-1831.
- ³⁶ *The Sydney Gazette and New South Wales Advertiser*, 23 Jul 1836. p.3.
- ³⁷ NSW BDM, Death registration, 1860/1445.
- ³⁸ *The Sydney Morning Herald*, 19 Sep 1860, p.8.
- ³⁹ Refer to Sid Hamill, 'The Road to Mudgee' for details of this Hamill generation, <http://users.tpg.com.au/shammell/mudgee.htm>.
- ⁴⁰ NSW BDM, Marriage registrations 647/1841 V1841647 73A & 659/1865; 95/1850 V185095 138 & 431/1850 V1850431 96; 209/1853 V1853209 99.



⁴¹ Certified copy of Marriage Certificate, 37/1861 – copy provided by Sid Hammell.

⁴² Online Ancestry Hammell/Histon Family Tree.



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