

The Mountains of Proctor's Road

Colette McAlpine

James Mountain
married Mary
Reardon - 5 sons 2
daughters

Jane Mountain
married Charles
Smith – 3 sons 2
daughters

Mary Mountain
married Joseph Hill
– 3 sons

Hugh Mountain
died in WA

Robert Urquhart
McGregor married
Jessie

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In 1850, four members of the same family were sentenced on the same day for highway robbery at Kilkenny in Ireland. What could have driven James aged 25, Hugh 22, Mary 27 and young Jane Mountain, aged just 15, to commit such an offence?

Perhaps this letter written in the same town in the same year may explain the situation in which many people found themselves.

Letter from Mrs. Nolan, County Kilkenny, Ireland, to her son Patrick, apparently in Providence, Rhode Island, October 8, 1850

(<http://archiver.rootsweb.ancestry.com/th/read/IRL-CARLOW/2012-05/1337178692>)

Famine and crop failure plagued Kilkenny. People fell behind with their rents and were evicted. Seasonal work dried up when the crops failed. There were too many landless farmers and too few acres to farm for those left on the land. And the rents were rising. Did the Mountain siblings find themselves in such a desperate situation? We will never know, but we do know that on 3 Jan 1850 James and Hugh and Mary and Jane were tried in two separate cases - each for stealing cloth. All received sentences of 15 years' transportation. Interestingly, Bridget Laylor, who arrived on the Duke of Cornwall in 1850, was also tried for Highway Robbery at Kilkenny on the same day. She too received a sentence of 15 years transportation. It seems the Mountains had an accomplice! (In all 13 women were transported to VDL from Kilkenny in 1850.) But back to the Mountains.

Mary and Jane, probably sisters, but possibly cousins, arrived in Tasmania on the *Blackfriar* in January 1851. James arrived on the *Hyderabad* in September 1850, but Hugh, his brother (as stated on James's indent), was sent to Western Australia on the *Robert Small* and not until 1853. A newspaper report from 1875 confirms that Jane Mountain and James Mountain were siblings so we can confirm that at least Hugh, James and Jane were brothers and sister.

Upon arrival Mary, a kitchenmaid was unfit for service, but Jane went into service saying she was a nursemaid. She was just 16. The women stayed in contact, both being in the house of correction in September 1851, at Brickfields in August 1852 and back in the house of correction in September 1852. On 13 September 1852, Mary married Joseph Hill, a blacksmith at St George's in Hobart. A witness at her wedding was Rose Gray, formerly Rose McNally from Drogheda. Rose had arrived on the *Kinnear*, another convict ship, and she was also a witness at young Jane's wedding to 39-year-old Charles Smith, a bootmaker, at St Joseph's Catholic Church in October 1853. In December 1858, James Mountain married Mary Reardon, also at St Joseph's in Hobart. Both Jane and Mary had received their CPs in 1857. All should have been going swimmingly. But in January 1861, the first of the many court appearances for the Mountain family was reported in the newspapers.

Mary Mountain of Forrest Road, charged her sister in law, Jane Smith, with using threatening language. Mary reported that Jane had said she would 'kill her, stick her with a knife and put her in the creek'. Mary claimed to be in fear of Jane. Under cross-examination, Mary did admit that she and her husband had assaulted Jane, but she later retracted this and said that Jane had come to beat her. A witness claimed he saw the defendant lying on the floor at Mountains with her face swelled and crying out murder without any cause. Whatever the truth, relationships were breaking down and Jane was ordered to keep the peace for 6 months.

In 1864, James and Mary Mountain lost their 2-year-old daughter to convulsions - they were living at Proctor's Road. In 1864, Hugh Mountain died in WA aged 35. All was quiet with the Mountains until 1868 when a neighborhood dispute got out of hand. Robert Urquhart McGregor, a farmer of Proctor's Road and Joseph Hill, Mary's husband did not get on. McGregor claimed that the Hill family used threatening language to him and his family and that their cattle strayed onto his property. Sureties to keep the peace were

awarded. But the hostility between the two farmers lasted for many years.

The sister's in law seemed to be getting on a little better, as in 1868 Mary Mountain, wife of James, registered the birth of Jane's daughter Louisa. But relationships with the Macgregor's fouled further. In Feb 1871, Jessie Macgregor prosecuted Mary Hill for assaulting her on Proctor's Road. Jessie's husband and two of her daughters were with her, when Mary accused her of stealing wood from Hill land. The dispute over the right to take wood from the land was disputed for years and the girls corroborated their mother's claims that *Mary Hill hit her on the head with her fist*. In March 1871, relationships with the Macgregor's fell further when Macgregor reported Hill for keeping an illegal still. Macgregor said he lived at Vincent's Gully Proctors Road about 9 ks south of Hobart and that he had already had two court cases with Hill.

In October 1872, Robert Macgregor complained that young Joseph Hill had destroyed vines on his property. The next year Hill took Macgregor to court claiming he committed perjury in relation to this case. The reason for the long running dispute between the two families was apparently a piece of land. How did these two fathers feel when in May 1873 Samuel Hill and Mary Jane Macgregor aged 18 and 19 married in Hobart? It is our own tale of *Romeo and Juliet* set in Hobart Town!

Perhaps Mary did not take the marriage well as Mary Hill was not well! The New Norfolk Asylum patient admission records of September 1874 describe her condition. Mary Mountain or Hill was 48, married, RC and a domestic. She lived on Proctor's Road and was the wife of Hill. She had been admitted to hospital in Hobart as a person of unsound mind. She refused to speak and explain her ailments, and refused to eat believing her food poisoned. She remained in bed, refusing also to get up and any attempt to make her do so or attire herself resulted in bad language and violent behavior. Her husband reported that her condition had been this way for about a month. Mary was admitted suffering from amentia, being emaciated and weak. She was discharged in May 1875 just in time for the next skirmish.

It seems that every one from Ridgeway was in court in November 1875 to hear the case of the brawl between the Smiths and the Mountains. In fact, when the case was called the *Mercury* reported that several individuals crowded into the defendant's bar and struggled to gain possession of the witness box. The court was filled with laughter especially when the Bench was alerted to the fact that the wrong parties were at the bar. Mr. Tarlton, the

judge replied. 'It is no wonder as it is an Irish case.' The plaintiff Mary Mountain (wife of James Mountain) charged Charles Smith and George Smith (her brother in law and nephew) with having assaulted her. Again, the court heard of a long-standing dispute between the families. Mary found her son being beaten by Charles Smith and went to assist, along with her husband. Mrs. Smith (Jane Mountain) hit her brother James over the head with a stick, rendering him insensible. Mr. Sheehy the lawyer for the defence pointed out the absurdity of the whole situation by stating that both the Smith men were small, yet Mrs. Smith (Jane Mountain) was a large woman like her brother, James Mountain, whom she admitted to having knocked to the ground. Young Mountain junior was also a giant. Aptly named.

A witness claimed that the Smiths were walking by the Mountain's house when young Mountain called him obnoxious names much to Smith's annoyance and he retaliated by saying he would thrash him at the first opportunity. Mountain came over the fence and attacked Smith who fell under him. Mountain called for backup and his parents came to the rescue. Mrs. Jane Smith launched into the fray to assist and it seemed the parties were numerically equal, but they were physically unequal. Mrs. Smith tried to pull young Mountain off her husband but was hit. She showed her muscle by hitting Mountain on the head and causing him to retreat.

The Mountains brought several of their children in to assist. Smith the elder, found this too much to deal with apparently having three Mountains on top of him at one stage. Much laughter erupted in court. The judge decided that this squabble was one in which the inhabitants of Ridgeway and its vicinity were wont to indulge. He dismissed the case. Our Joseph Smith of Proctor's Road may have suffered a stroke in Franklin Square in 1878. He spent the whole day there in the pouring rain before anyone from whom he asked assistance came to his aid. The same year young Michael Thomas Mountain aged 17 was shot accidentally and he died at Ridgeway. Joseph Hill died of paralysis in the general hospital in September 1898 - he was 83. He is buried in a pauper grave at Cornelian Bay. James Mountain died in July 1895 at Proctor's Road He was 65, a gardener and he left everything in his will to his wife Mary. In 1904, Mary left everything in her will to her daughter Catherine, including a house and orchard on Proctor's Road. The Mercury reported yet another Mountain vs. Mountain case when Catherine's brother Morris contested the will. He claimed he found the family home in ruins and that his sister was

the cause of all his trouble. The family disputes continued.

But what of Jane and Mary Mountain? Their married names of Hill and Smith make it difficult to prove their deaths. Jane died at her home on Proctor's Road on 5 September 1920. Jane lived through famine, transportation, depressions, a world war and many many family disputes.

Jane's second-eldest son, Charles Smith, died at Lower Proctor's Road, aged 79, on 14 September 1937. The families stayed in the same vicinity. I wonder if the children and grandchildren overcame the family enmity and shared the family stories. The Mountains of Kilkenny went to great lengths committing offences together knowing they would be transported. What a pity the Mountains of Proctor's Road could not get along in the colony.

Post script - if time Bridget Laylor died at Richmond in 1884. Her husband was also transported as Wm Morrissey per *Pestongee Bomangee*. She later married Thomas Gibbons at Longford in 1866.