

# Maria Louisa Swinchatt

transported for life to Van Diemen's Land in 1831

by

Suzan A. L. Swinchatt

On 12<sup>th</sup> May 1831, a 15-year-old girl calling herself Maria Williams<sup>1</sup> was standing in the dock at the Old Bailey accused of stealing a dress worth seven shillings, from a pawnbroker's shop in Old Street Road, Shoreditch in the East End of London. The case was just one of hundreds during a regular four-day session with each hearing lasted only a matter of minutes. William Bird is called as a witness. *"I am in the employ of Mr. John Burgess, a pawnbroker, in Old Street. I was behind the counter on the 9th of April - I came round and saw the prisoner... putting this gown into her apron".* Now Maria's version of events. *"I met my sister; we were both at the door and my sister took this gown and looked at it; when she saw him coming, she threw it on my arm and ran away".* Then a man named George Osterman stands up and tells the court *"I have a certificate of the conviction of Maria Swinchatt, on the 8<sup>th</sup> of July last. I attended and know the prisoner is the person who was convicted by that name."*

The verdict was 'Guilty'. This being her second offence, Maria Swinchatt recorded under her alias "Maria Williams" became the youngest woman that year to be sentenced to transportation for life at the Old Bailey.

## Family Background

Maria Louisa Swinchatt's family had fallen on hard times since the death of her father, Thomas Helier Swinchatt in 1825. His ancestors were from Shropshire, but Thomas had grown up in a small house in St Catherine's Lane, beside the Tower of London, with his widowed mother, Hannah (née Cossham). He served in the Royal Navy from the age of 14 and by 1805 was an Able Seaman serving aboard HMS Caroline, receiving six shillings a day. As was customary for single men away at sea, his pay<sup>2</sup> was sent every few months to his mother. During 1806/1807 HMS Caroline was among a number of British ships skirmishing with the Dutch in the East Indies. In 1811 the ship took part in the Invasion of Java and Thomas Swinchatt was among those wounded. His wife Susannah, a Dorset girl, was pregnant with their sixth child when Thomas died, aged 38. Baby Robert Swinchatt was baptised on Christmas Day 1825 in St Mary's Church, Lambeth. The address Susannah gave was Gerrard's Cottage, Lambeth Walk, the home Mary Ann Swinchatt, her late husband's cousin. This cottage had been left to Mary Ann by her uncle, Job Swinchatt who was also known as 'Thomas Gerrard' (his dead brother's forenames.)

At the end of 1827, Maria's mother was admitted to the Hackney Workhouse where she gave birth to a boy, who does not seem to have lived long. In 1829 she had another child, a daughter Eliza, who used the name Swinchatt. By 1830 Susannah was living in Whitechapel with the man who was to become her second husband, John Shayler. He worked as a baker's assistant, so his wages would have been barely sufficient to support Maria and her siblings.

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<sup>1</sup> Old Bailey, case nos. t18310512-151 and t18300708-182

<sup>2</sup> Royal Navy Allotment Declarations 1795-1824

### **First Offence**

In July 1830, Maria was found guilty of pick-pocketing. She had taken a bead necklace belonging to the young daughter of a neighbour and was fortunate on that occasion when two witnesses spoke up on her behalf, telling of her previous good character. Instead of a prison term, she was to spend six months at the Hackney Refuge for the Destitute. This place had been set up to help first offenders avoid falling into further criminality. A note in the margin of the Minute Book states she had run away.

### **Voyage to Van Diemen's Land**

Maria was among 151 convicted women from all over England who sailed on the ship *Mary* from Woolwich on 9<sup>th</sup> June 1831. They were accompanied by nine other women going to join their husbands and 35 children. They encountered a good deal of rough weather and the ship's surgeon was kept very busy dealing with effects of prolonged sea sickness. The voyage lasted one hundred and thirty days, arriving in Hobart on 19<sup>th</sup> October, having sailed non-stop and taken on no fresh food supplies. Despite the steps taken by the surgeon to avoid scurvy, fifteen cases were reported. Two women and six children died during the long journey.

### **Convict Records**

Thanks to the extensive record keeping insisted upon by Sir George Arthur, then Governor of the island, information on Maria's life can be found in the ledgers of the Cascades Female Factory. On arrival at this converted distillery, the women were divided into three "classes", 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> (Criminal), depending on their conduct and what type of offence they had committed. The conditions were said to be very unsanitary, even though the place had only been open a couple of years. Maria was placed in the 1<sup>st</sup> Class and 'assigned' to domestic duties with a succession of settler families.

Detailed records of the physical characteristics of every convict were noted; at 4ft 9ins in height Maria was tiny by today's standards. She had brown hair and dark grey eyes. Her complexion was described as swarthy, her face small and she had a scar on her upper lip. She was assigned first to the household of William Page Ashburner who had come to Tasmania from India and settled at Carrick in 1827. Her second assignment in 1834 with Mr & Mrs Tolman ended abruptly when she is sent back to the factory for three months with a complaint from her mistress of "*gross, improper and indecent conduct.*" She had several other brief periods of assignment and her conduct record shows she was frequently considered insolent and punished for disobeying orders. But glancing through other women's records it seems this was by no means unusual. She was noted several times as being out after hours, but unlike many others she was never found to be drunk and disorderly. On one occasion Maria was returned to the factory because her mistress had allowed improper transactions to take place in her house. Sir George Arthur expected everyone, not just convicts, to observe his very strict moral code!

### **Marriage**

Maria sought permission to marry a George Powell in April 1832, but was not given leave to do so. Three years later she again asked if she could marry, this time to Daniel Sullivan, a former convict living at New Norfolk. Despite his name, he was London born and had worked as a violin-string maker before being convicted of stealing two rolls of silk at the age of 15. They married in September 1835. The local newspaper reported Sullivan being found guilty of assaulting his wife in January 1838. By November 1842 the couple had parted company for good. He placed a small announcement in the Launceston Examiner warning the public not to extend credit to Maria as he will no longer be responsible for her

debts. Three months later she seems to have received approval to move to Oatlands, an area about 80km further inland.

### **Conditional Pardon**

Those serving a life sentence could apply after 8 years for a '*Ticket of Leave*'. This was a probationary period prior to a pardon, during which time Maria was permitted to find her own employment. Her conditional pardon was approved in January 1843 and extended to the whole colony on 15<sup>th</sup> July 1845, meaning she was free to remain within Australia but would never be allowed to return to England.

### **Second Marriage**

In 1847, this time using her real name, Maria married again. The ceremony took place at Holy Trinity Church, Launceston conducted by Rev. Thomas Reibey the first Anglican vicar to have been born in Tasmania. Her new husband, John Bowater, had arrived in Hobart as a convict in 1833 and given his pardon after six years. Born in 1810, John was from Birmingham where he had worked as a brass caster. He was one of five members of his family on the island; records confirm that between 1819 and 1838 an uncle Daniel, plus his brothers Benjamin, Daniel and Isaac also arrived in the colony as convicts.

### **The Bowater brothers and "Moll" Smith**

Records suggest the Bowater brothers were related by marriage to another early resident of Tasmania, Mrs. Mary "Moll" Smith of Bowthorpe Homestead. Born Mary Bagley in Rowley Regis, Staffordshire, her first husband had been George Bowater of Dudley. In 1802 by a circuitous route, she had ended up in Tasmania as one of the colony's first female convicts. She had set up home with Tom Smith and after his death had carried on running the farm, bred horses and become much respected in the male dominated horse-racing circles. John's brother Isaac, who never married, was part of Moll's household and in charge of the other workers, according to the census of 1842. Life must have gone badly for him; he committed suicide by hanging himself in early September 1847<sup>3</sup>. Two years later when Moll herself died it was Daniel Bowater<sup>4</sup> who informed the authorities. Daniel had acquired land in Longford adjoining Moll Smith's, and he too bred race horses. Daniel was a bit of a lad - he married four times and had six children. The last marriage shortly before his death at age 83, was to a 19-year-old! His descendants still live in Tasmania. The youngest brother, Benjamin is known to have purchased parcels of land in and around Melbourne. When he died in 1875, he left the substantial sum of £7000 to Daniel Bowater's children.

### **Living in Launceston**

In 1853 John Bowater was in a position to take on the license of the Golden Lion Hotel in William Street, Launceston, (the building is now part of Boag's Brewery). John nearly lost the license in 1855 after complaints, but following improvements the pub was then said to offer excellent accommodation. That same year John and Maria are on the list of those contributing to the Patriotic Fund for widows and orphans of men fighting in the Crimea against Russia<sup>5</sup>. John's name appeared on

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<sup>3</sup> Launceston Examiner, 11<sup>th</sup> September 1847

<sup>4</sup> Irene Schaffer, "*A most Remarkable Women - Mary Bowater*"

<sup>5</sup> Launceston Examiner 21 April 1855

the Electoral Register the following year, so life was clearly going well. Various newspaper reports indicate John regularly spent time away from Launceston on the mainland in Melbourne and took a trip to Adelaide in early 1849. John became an active member of the Turf Club and raced a chestnut mare by the name of *Miss Madeline*. Over two seasons she won a good few guineas for him at the Carrick Races and the Launceston Turf Club. But his luck turned and in early 1861 the horse lost several races on the trot. This was not the worst of his problems; in December that year John was declared insolvent. He tried in vain to rent out the Golden Lion, but by September had been forced to sell the lease, with all the furniture, fixtures and fittings, including 6000 feet of new floorboards. The sale failed to raise enough to pay off all the debts and John departed for Melbourne, leaving Maria in Launceston with their friends Mr. and Mrs. George Griffiths. It seems likely John's financial difficulties were as a result of the severe economic depression affecting Tasmania. The Golden Lion was by no means the only hotel to close or be sold that year.

### **The move to Melbourne**

In March 1863 other property and land belonging to John Bowater was auctioned off in Launceston by the Cohen Brothers, yet less than two months later John applied for the license of the Cross Keys pub in York Street in Launceston, only to be turned down. John sent a lengthy letter to the Editor of the Cornwall Chronicle complaining bitterly about the ignorance and vindictiveness of the Police Magistrate, William Gunn, in blocking John's application. Maria and John left for Melbourne and found employment at the Vincent Hotel in Collingwood, one of the oldest suburbs in the city. All seems well until The Melbourne Argus, dated 7<sup>th</sup> October 1865 reports the following: "*Maria Bowater summoned her husband, John Bowater, for maintenance. The couple had been married some eighteen years, but latterly the husband had become dissatisfied with his wife's conduct, and he now refused to keep her. .... he had recently discovered that the woman was married to a man named Sullivan, who was still living, before he married her. ...she admitted that she had lived for some seven or eight years with Sullivan, but denied he was her husband.*" The court ordered John to pay her ten shillings until the facts could be established, one way or the other.

So, Maria's past had finally caught up with her and she was staring at a bleak future if John abandons her. It appears he did just that as just six weeks later the Argus reported that Maria and another woman had been charged with stealing £11, the property of their employer at the Council Club Hotel. In the end Maria was sentenced to six months hard labour for receiving stolen money, but was found not guilty of theft. On 7<sup>th</sup> April 1866 the Argus newspaper printed the following rather desperate notice: "*I, Maria Louisa Bowater, do hereby protest against any person or persons purchasing any lands or houses in the name of John Bowater, as all belongs in that name to me by deed of gift, signed over to me in the year 1840, February 13*". John died in 1871 (from cancer of the tongue) and in left all his estate to his sister Hannah Ravenhall and a nephew, with not a mention of Maria.

### **Accidental Drowning**

Her next eight years are unaccounted for until her death is reported in the Victorian Government Gazette 'on or about' 9<sup>th</sup> October 1874, leaving an estate of £4 19s 1d. She died in Dargo Flat, a small very remote gold-mining township about two hundred miles east of Melbourne in the mountainous area of Gippsland. Her death certificate, where her name was recorded as Louisa Boater, has the cause of death as accidental drowning.

The Gippsland Times reported the story, but more details came to light in the Coroner's report. Maria had apparently been staying with a man named Ellis. The two of them went to visit his Croatian neighbour, Nicolas Lasich, some miles down-stream. Ellis set out to return home but Maria decided to follow later and he made her promise not to cross the river at the ford until he is there to see her safely over. Her horse being quiet and well used to the crossing, Maria decided to return alone and was last seen riding towards the river. A riderless horse was soon noticed and a search immediately made by the local Constable and others. Maria's battered body was found amongst some dead timber a few hundred yards below the crossing. There was no sign of foul play. A sudden snowmelt had caused the river to run very high and fast; the inquest decided she must have fallen from her horse and been swept away by the strong current and drowned. The report in the newspaper notes that she was the third person to be drowned at that spot in the fifteen months. Maria died within a week or so of her fifty-ninth birthday. It is unlikely her family in London would have ever known what became of her.

### **What happened to Maria's family in London?**

Barely two weeks after Maria was put on the convict ship for Australia, her older sister Ann had a brush with the law but was only sentenced to one month's imprisonment for stealing four handkerchiefs. Ann married twice but had no surviving children. Her little brother Thomas John Swinchatt had died in February 1831 at the age of just eight, in the Shoreditch Poorhouse. Another sister, Hannah, disappeared from the records. Eliza, whose father is unknown, married and had a daughter. Maria's mother had four more children with John Shayler while they were living in Kingsland Road, Hackney.

Grandmother Hannah, who survived to the ripe old age of eighty-four, died at 3, Nova Scotia Gardens on 15th February 1841. She had been living there with Maria's mother and her husband, John Shayler and four of the children. The house was one of three, thought to have been built in the 1770's for silk weavers. There was a small parlour and a vestibule giving access to two more rooms upstairs. A wash-house was attached at the back and there was a privy and a well in the garden. Nova Scotia Gardens was described at the time as *'having a vast number of vile dwellings with a huge mountain of refuse to one side and a total lack of drainage'*, so the stench must have been absolutely appalling and disease rampant.

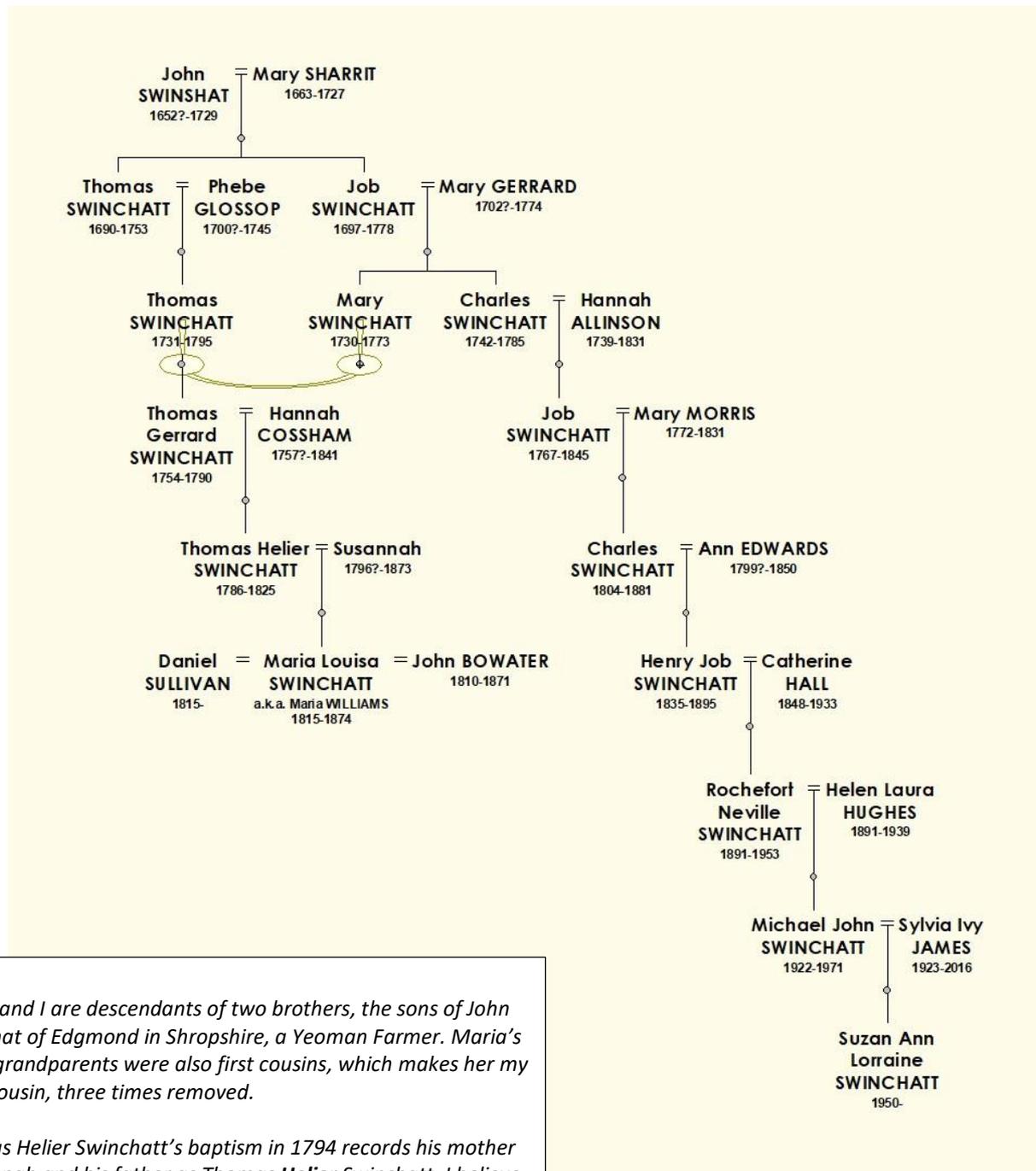
A great deal is known about this particular house because it was the setting for several gruesome murders<sup>6</sup>. In December 1831 three men were found guilty of drowning their drugged victims in the well at the bottom of the garden, but only two hanged. The third had his sentence commuted to transportation for life. So, by a strange coincidence Maria Louisa Swinchatt who stole because she was desperately poor and the body-snatcher James May both ended up in Tasmania within six months of each other; both serving life sentences. James May died in Port Arthur in 1824.

Maria's brother Job Cosham Swinchatt (1820-1891) became a cordwainer (shoemaker). He married Ann Burdge and in 1841 was living about a mile away from his mother in Collingwood Street, Hoxton. His younger brother Robert married Elizabeth Burdge, Ann's sister but that marriage did not last. He

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<sup>6</sup> *The Italian Boy – Murder and Grave Robbery in 1830s London*, Sarah Wise, published by Jonathan Cape 2004.

lived for many years with Charlotte Cook, with whom he had thirteen children. They eventually married when he was 72 and she, 66. Robert lived to the great age of eighty-eight, dying in 1913. Their mother Susannah died at the age of seventy-six whilst living with her son Job and his family in Hackney. Job's son Job Robert Edward Swinchatt became a furniture manufacturer and his son Frank Swinchatt was born in 1906. Frank retired to Highcliffe near my home town of Bournemouth (Dorset) where he died in 1992. We never met, but I telephoned him once, many years ago to ask if we might be related and he kindly sent me some information about his immediate family, but nothing that led me to believe I would one day find this story about my distant cousin, Maria.



**Notes**  
 Maria and I are descendants of two brothers, the sons of John Swinshat of Edmond in Shropshire, a Yeoman Farmer. Maria's great grandparents were also first cousins, which makes her my third cousin, three times removed.

Thomas Helier Swinchatt's baptism in 1794 records his mother as Hannah and his father as Thomas **Helier** Swinchatt. I believe this was an error and his father was Thomas **Gerrard** Swinchatt b1754 in Moreton Say, Shropshire.