

## Women in a man's world

Spring Research Seminar, Female Convicts Research Centre, 10<sup>th</sup> November, 2012

Held at the Junior Medical Officers' Quarters, Port Arthur Historic Site

### **'Murder or Suicide, you decide....' Presented by Hilary Jones**

'A Melancholy death in most mysterious circumstances' ...Eliza Hanslowe (nee Stout) 1819 - 1858

Eliza Hanslowe's body was found in a water hole on the property she shared with her husband Richard in Cambridge on 19<sup>th</sup> November, 1858 by neighbor Mrs. Eliza Kelly and Hanslowe's farm worker Charles Young who lived in a barn on the property.

Neighbors had seen Richard Hanslowe set off toward Kangaroo Point earlier that morning in his cart. No one had seen Eliza. Unable to find his mistress, Charles Young went to see Mrs. Kelly to ask if she knew of Eliza's whereabouts. The pair set off to look for Eliza and found her shawl in wattle bushes near the water-hole where they eventually found Eliza's body. Eliza was fully dressed in clothing she had been seen wearing the previous evening. Other than an abrasion on Eliza's face there did not appear to be any signs of struggle or injury to the body or any disturbance at the location.

Richard Hanslowe's mother, who also lives nearby, arrived at the scene. The Police and Surgeon are sent for, and Richard is found in a public house in Hobart Town. When informed of his wife's death Richard stated, 'it is all that woman in Town's fault', that Eliza had lost a cheque belonging to Richard in Hobart Town a day earlier. Richard also stated Eliza was always drunk, was most definitely drunk the previous day and was always saying she would do herself harm.

Back at the scene Dr. Coverdale attends and removes Eliza's body to an outbuilding on the property. Mrs. Kelly tells the Police and Surgeon that Eliza had spoken often of doing herself harm and that the previous evening Eliza was particularly melancholy stating she would not see Mrs. Kelly again for reasons best kept to herself.

The following morning Eliza's body is transported to Richmond Police building for autopsy.

Word of Eliza's death spreads quickly and several key witnesses to the previous day's events come forward. They describe witnessing a violent assault by Richard on Eliza that occurred the previous day. Richard and Eliza had gone to Hobart Town via Kangaroo Point ferry that day. On their return journey and final approach up the hill toward their Cambridge property, several witnesses heard Eliza's screams and cries of murder.

One of the witnesses Samuel Bailey, of Sorell was travelling from Richmond to Cambridge and saw Hanslowe and Eliza in a wagon that day.

Bailey gave sworn evidence that he saw Richard beating Eliza about the head and shoulders with a stick or whip on two occasions, culminating in Richard throwing Eliza off the back of the wagon. Similar statements from several witnesses support Samuel Bailey's account of those events.

Richard is taken by Kangaroo Point Police Constable Isaac Jackson to Hobart Town and placed in the cells on a charge of the willful murder of his wife.

Richard appears in the Police Courts with Lees, Horne and Graves representing. Richard says he feels ill in the head and is given a chair in court and states 'I did not injure the poor woman; I only hit her with a whip'. Richard spends time in the infirmary and returns to the court proceedings a few days later.

Witnesses James Brown, mate of the Twin Ferry boat and Constable Isaac Jackson confirm they saw Eliza and Richard, crossing the river and during their wagon journey back to Cambridge. Both men gave sworn evidence at the Police Court that Eliza was not drunk, she had no aroma of alcohol on her and appearing completely normal and steady.

Police Constable Isaac Jackson was also the Police Constable who transported Richard Hanslowe to the Police buildings in Hobart at the time of his arrest. Constable Jackson states Richard spoke to him during the journey, asking who would be left in charge of his farm.

Constable Jackson informed Hanslowe that Charles Young was in charge. Richard replied, 'Charley saw my wife before she was put in the hole, and after she was smothered'. Richard Hanslowe denied any knowledge of this conversation in court and his lawyers attempted to discredit Constable Jackson's recollection of events. Isaac Jackson stood by his statement and subsequently resigned from the Police on the 31<sup>st</sup> December, 1858, just one month after Eliza's death.

Stories emerge of Richard's attempted bribery of an acquaintance, Mr. Elkin, who had a farm a couple of miles from Hanslowe's property. Elkin produces a gold fob watch at court and states Richard gave it to him insisting that Elkin informs the court Eliza was a heavy drinker and in the habit of having affairs, including a recent affair with Elkin himself. It is unclear if Elkin came forward as a consequence of his conscience or fear of being accused of Eliza's murder. Either way Elkin's testimony demonstrates the lengths to which Richard would go in his attempt to discredit his wife.

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**Autopsy:**

The autopsy was held at Richmond Police buildings and attended by several witnesses, Police and the Coroner.

Severe bruising and abrasions on both upper arms

Extensive and severe circular bruising across the upper back and shoulders most likely made by the butt handle of a whip

Abrasion on the cheek bone below left eye

Bruising and swelling on the side of head

Severe and extensive burns scarring to entire lower left leg

Stomach contents: tea and small amount of pond water

Liver: minor effects of alcohol consumption in the past. Left Lung shows early signs of disease.

Brain: extensive bleeding in the brain, two places; no fractures visible

Beating and/or heavy fall during the beating could have caused injury to brain

Eliza did not die as a result of drowning

Eliza did not die as a direct result of being beaten or thrown from the cart

Coroner states death caused by Apoplexy

The Coroner describes Eliza as 'a stout woman with apoplexic tendencies'. This statement seems to shift the blame for Eliza's death away from the violent beating Eliza received at the hands of her husband, Richard Hanslowe, and toward Eliza's bad health and a pre-disposition to apoplexy. Eliza's 'apoplexic tendencies' is more likely evidence of regular and sustained beatings, particularly around her head, inflicted by Richard Hanslowe during the ten years of their marriage.

**Supreme Court Verdict**

Not guilty of murder

Guilty of common assault

**Sentence**

3 years hard labour at Port Arthur

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Conclusion:

On the 27<sup>th</sup> January, 1859 the Mercury Newspaper published an article discussing the trial of Richard Hanslowe for the willful murder of his wife, Eliza. Chief Justice, Sir Valentine Fleming identifies 'the unmanly but prevalent practice of wife beating', as a significant problem in the Colony and supports the adoption of new English laws to be introduced 'in order to act as a check upon the brutal passions of men who either would not or could not restrain those passions'. Chief Justice Sir Valentine Fleming and the author of the article express views that correspond with contemporary examples of our understanding of domestic violence and the effect on women, both physical and emotional.

'The blood boil with indignation at the tales of long endured suffering to which at last we are compelled to listen. Many a wife is hurried into her grave by the brutal treatment she receives at the hands of her husband, a treatment which the law does refuse to recognize as murder because it has accomplished its purpose by slow degrees.....When all hopes of earthly happiness have been abandoned the mind ceases to struggle for life and the body falls easy victim to cruelty habitually practiced. In the case of Hanslowe we have an instance of this. It could not be proved that his brutal treatment of his wife was the immediate cause of death, although death followed from apoplexy immediately after he had so mercilessly beaten her'.

Eliza's life story provides an insight into convict women's lives as wives and homemakers in a man's world. Eliza's isolation and the vulnerability of her position as wife of Richard Hanslowe, is likely repeated similarly in convict women's lives across the Colony. Coinciding with the cessation of convict transportation to Van Deimen's Land, the Hanslowe case highlighted the need for legal reform as the post convict Colony begins to create a new more wholesome identity.

Sir Valentine Fleming's views and the subsequent comments in the Mercury newspaper article are evidence of societies shift in attitude toward convict women and the plight of woman who fall victim to domestic violence at the hands of their husband. The events that led to Eliza's death and Richard Hanslowe's trial and conviction became a catalyst for change and contributed to the passing of the 1863 Violence Against the Person Act in Tasmania.

Eliza Stout the 23 year old lass from County Cavan in Ireland who arrived in Hobart Town on board the ship 'Hope' on 17<sup>th</sup> August, 1842 was never to become a mother and has no living descendants that I could find in Australia. It was unlikely the story of Eliza's life and death in Tasmania would have been uncovered had it not been for my visit to a farm property, on top of the hill, in Cambridge a few months ago. I was viewing a rental flat attached to a large colonial house and could see the house was convict built. The owner told me the house was built in approx 1832 by one of the Hanslowe family, possibly named Richard, and several family members lived in the area back then. The owner went on to tell me that there is an local story she was told about the wife of Richard Hanslowe, who it is rumored

committed suicide on the property in the mid 1800's. Intrigued, I just could not resist digging  
around.....

Hilary Jones