

"O Lord, it is all over with us now." These words were spoken by Mary Devereux, only about half a mile from the Old Bailey, where six days later she would be before the court.

February 1831 – William IV (fig. 1) was the King, although his coronation wasn't held until September, and Earl Grey (fig. 2) was the Prime Minister. King William and Earl Grey were trying to pass parliamentary reforms to reduce the power of the 'rotten boroughs'; The House of Commons was discussing new taxes on Cotton, Timber and Wine. Charles Darwin had recently taken his final examinations at Cambridge University.



The report from the Old Bailey of the trial on 17th February 1831, goes on to describe the events of the evening of Friday 11th February. Between 7 and 8 p.m., officers William Hall and James Gollocker, accompanied by Richard Myers the local tobacconist, broke through the door at the top of the stairs at 64 Saffron Hill. Sitting around a fire, over which hung an iron pot, were Bridget Swift, Mary Devereux, and Mary's 17 year old daughter, Mary (the younger).

Observing a lump of 'white stuff' on Mary snr's lap, Hall shouted 'There are the moulds!'. As Gollocker seized Mary snr, the small lantern Myers had been carrying went out. The candle the women were using, was also extinguished – quick thinking by Bridget Swift? Myers caught hold of the younger Mary, while Hall grabbed Swift and handed her to Myers, and went looking for another light. A coin rolled out onto the floor during the scuffle and was picked up by Myers, who had to drop it because it was too hot to hold. He could hear Mary jnr shifting coins about and told her it was no use, and she had better be quiet.

Desperately trying to hide the objects she held in her apron, Mary snr threw herself down on the floor in the dark room, but Gollocker held her there, until Hall returned with a candle he obtained from a neighbour. In his testimony Gollocker describe the noise like breaking chalk from under the prisoner as she struggled, and when they managed to move her, found several broken pieces of plaster on the floor, along with six shillings.

Mary jnr was searched and 12 more shillings found amongst her clothing. During the arrest, young Mary repeatedly pleaded with the officers "Let my mother go, and keep us"; "Spare my mother, I don't care what becomes of me".

A further search of the premises revealed a knife on the floor, a file on the mantel piece, and 3 pounds of plaster of Paris dust in a bag in the cupboard. There was also a pan of water to the side of the fire.

These were the tools of the counterfeiting operation which seems to have been the family business. A good shilling was cast in plaster of Paris; a channel made with a piece of metal, scraped out. Using a long stemmed smoking pipe as a ladle, the women filled these moulds, with the molten metal from their iron pot over the fire.



John Field, the inspector of counterfeit coin to the Royal Mint, testified as an expert witness in several coining cases heard at the Old Bailey around the same time. He described how the eighteen coins retrieved by the officers, could be identified as cast from the moulds found at the scene, by the matching of the 'get', or the stub left by the channel after pouring the metal into the mould.

Mr George Barrett, a dealer in Sheffield and Birmingham goods, testified at the trial that the accused had purchased small pieces of silverware from him.

Mary's defence, that she had only recently taken this room, and that the materials found therein were property of the previous tenant, was not convincing enough for the judge. Bridget Swift testified that she had only been on the premises looking for a fellow named Bob Jones, and the officers had arrived while she was there. She also stated that the Devereux women had carried on this trade for some time, and during their time in Clerkenwell prison, between the arrest and the trial, she had heard the younger Mary discussing the coining with another prisoner, and telling her to buy off her sister. Bridget Swift was found not guilty. Mary Devereux and Mary Devereux, guilty. Sentenced to Death.



The two Mary's fates could have been worse. In 1790, women convicted of counterfeiting were strangled or hung and burned at the stake. Their sentences of death for counterfeiting coin, were commuted to Transportation for Life. Just one year later the Coinage Offences Act of 1832 abolished the death penalty for counterfeiting, and downgraded the offence to a felony.

After less than four months wait in Newgate Prison, they boarded the convict transportation vessel, the *Mary* and sailed out of the Thames on 11th June 1831, headed for Van Diemen's Land. On board, accompanying the convicted mother and daughter, was Mary's younger daughter, Margaret, who was ten. Mary's record also noted a son, transported on the *Larkins*, also for coining, but we haven't been able to find a convict of the name Devereux on the *Larkins*, which arrived in VDL in 1831.

Shipmaster on the *Mary* was Alex Jamieson, surgeon Samuel Sinclair. Mary the elder was described by Sinclair as 'Indifferent' while her daughter was described as 'Turbulent'.

The elder Mary gave her native place as Cardenny, County Tipperary, Ireland. Mary jnr gave her native place as St Lukes, Middlesex, near where the arrest took place, so it seems Mary the elder had been in this area of London for some time.

Mary the elder is 49 years of age, described as 5' 1 1/4", brown hair, brown eyes, a widowed Roman Catholic farm servant. Front teeth upper jaw projecting, Scar on right arm one ditto on right hand.

Young Mary is now 18, just 5 feet tall, brown hair, grey eyes and freckles. She has 2 blue spots between thumb and finger of left hand. These dots are believed to be prison tattoos which indicate 1.

entry and 1. release from gaol.

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NAME,	<i>Devereux Mary</i>	No.	<i>133</i>
Trade	<i>Laundry & No. 1000000</i>		
Height	<i>5' 2 3/4</i>		
Age	<i>49</i>		
Complexion	<i>Sallow</i>		
Head	<i>M. S.</i>		
Hair	<i>Brown</i>		
Whiskers			
Visage	<i>M. S.</i>		
Forehead	<i>Protruding</i>		
Eyebrows	<i>Brown full part</i>		
Eyes	<i>Brown</i>		
Nose	<i>M. S.</i>		
Mouth	<i>Small</i>		
Chin	<i>Small</i>		
Remarks	<i>front teeth upper jaw projecting Scar on rt. arm one do on rt. hand</i>		

*Cardenny
Co. Tipperary
Ireland*

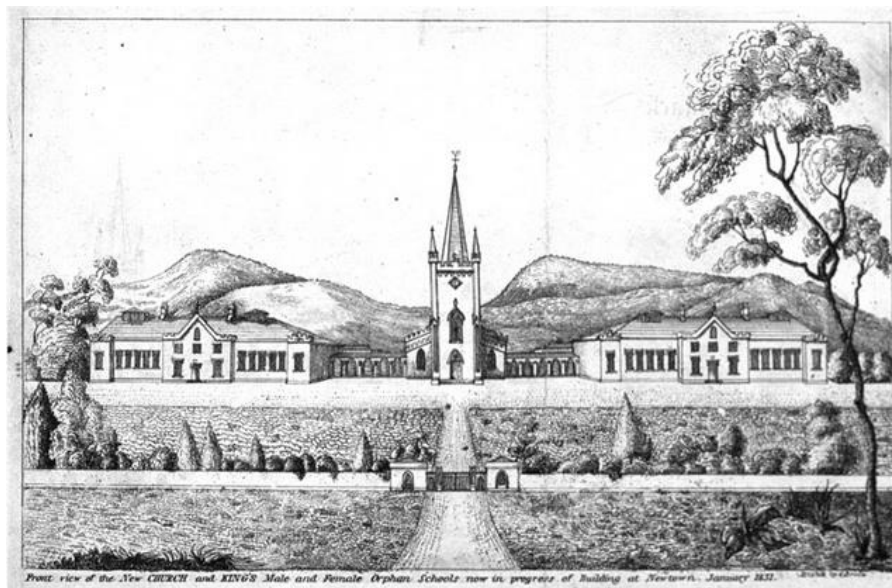
NAME,	<i>Devereux Mary</i>	No.	<i>134</i>
Trade	<i>Laundry maid & No. 1000000</i>		
Height	<i>5' 0"</i>		
Age	<i>18</i>		
Complexion	<i>Freckle</i>		
Head	<i>M. S.</i>		
Hair	<i>Brown</i>		
Whiskers			
Visage	<i>M. S.</i>		
Forehead	<i>Protruding</i>		
Eyebrows	<i>Brown</i>		
Eyes	<i>Grey</i>		
Nose	<i>Small</i>		
Mouth	<i>Small</i>		
Chin	<i>Small</i>		
Remarks	<i>Blue spots between thumb & finger left hand</i>		

*St Lukes
Middlesex*

When they arrived in Hobart Town on the 19th of October, young Margaret, along with her mother and sister, walked to the Cascades Female Factory with the other prisoners.



While her mother and sister were assigned, Margaret stayed in the Female Factory. When Margaret was 12 she was placed in the Queens Orphanage, which wasn't until 9th January 1833, so she had spent almost 15 months resident at the Female Factory.



Young Mary – 18 years of age and described by Surgeon Sinclair as Turbulent, continued to live up to this unfortunate reputation. It was just one month after arrival that young Mary's extensive conduct record began – reprimanded and admonished for being drunk at the Lake Frederick Inn on the 19th November. Lake Frederick Inn is at Oatlands, and her master was Mr Aitcheson. The existing building known as the Lake Frederick Inn was built in 1834, by Mr Aitcheson.



On Boxing Day of 1831 young Mary was again reported by Mr Aitcheson for being 'Frequently intoxicated and using obscene language and being beastly drunk yesterday (Christmas Day) and being in a state of insensibility for many hours'. For this she was sentenced to 3 months Crime Class at the Cascades Female Factory, and to have her hair cut off.

After serving this sentence, Mary was reassigned to Mr Barry. By June 1832 she was back in the factory, for being drunk in the streets of Hobart town, another month in 2nd class.

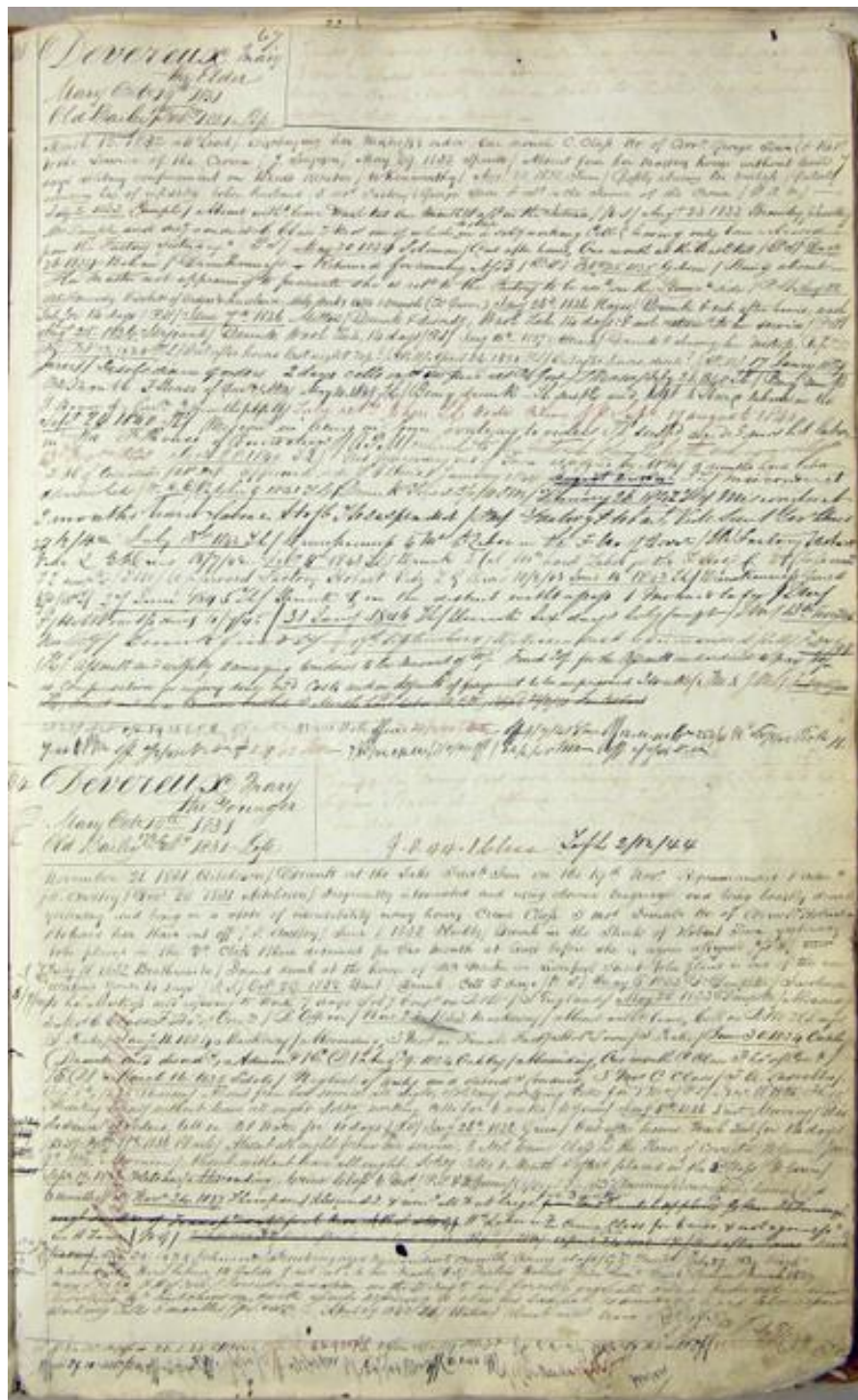
Immediately following this, young Mary is found drunk in the house of Mrs Martin in Liverpool St, and is given 14 days in the new working yards in July 1832. Master Mr Braithwaite.

Mary the elder had been quiet. It may have coincided with her daughter's placement in the orphanage in January, 1832 that she was well behaved up until then. On the 12th March 1832, Mary the elder was reported by her master, Mr McLeod, for disobeying her mistress' order, and was given 1 month in crime class at the House of Correction, George Town, and returned to the service of the Crown. After being reassigned to Mr Spence, she was again in the House of Correction on the 29th May, she was given 7 days solitary confinement on bread & water for being absent from her master's house without leave. It was not long before Mary was back in the Georgetown Female Factory, given another 3 months on the 22nd of August after (c?)rossly abusing her mistress Mrs Finn, and falsely accusing her of infidelity to her husband.

For the musters in 1832, 33 and 35 Mary the elder is listed as being in a House of Correction. She was very often in trouble, and usually for drinking.

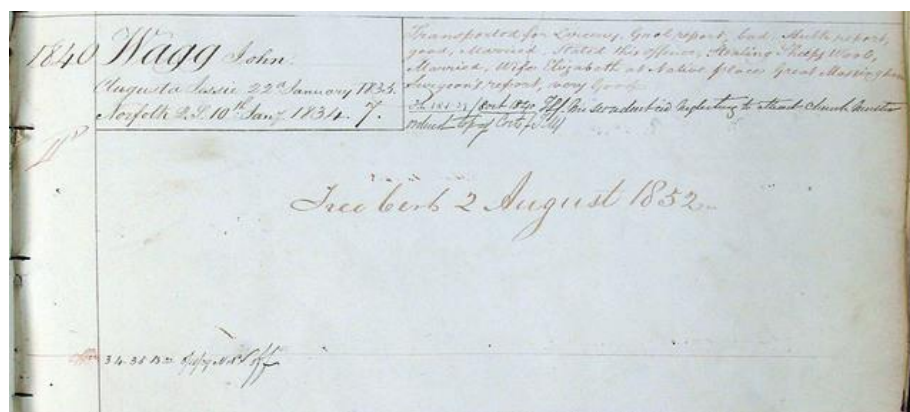
Young Mary had about a dozen masters, and a dozen convictions between 1831 and 1836.

It would take more time than we've got to list ALL the offences that these two were punished for, but on 26 January 1836, there were both charged with being out after hours on the same day, and each sentenced to 14 days at the washtub in the Cascades Female Factory. This seems to indicate that they would have spent time together.



On the 10th November 1836, little Margaret, now aged 15, was released from the Orphan School and returned to the care of her mother. Mary was still in service and it is hard to imagine what sort of life she could have provided for her daughter, but granted a ticket of Leave in 1837, she manages to keep herself out of the factory from 1837 to 1839, with just a couple of reprimands on her record.

Young Mary meanwhile spent almost all of 1837 in the Cascades factory, had just one offence in 1838, but spent most of 1839 and 1840 back in the factory. Her sentences were becoming harsher with 6 and 12 months hard labour, solitary cells, and deemed not to be reassigned in Hobart or Bothwell area. This continued through 1841, 42 and 43. Even while she was in prison Mary couldn't stay out of trouble: there is a report dated 24 March 1842 detailing charges for gross misconduct last



He had arrived on the Augusta Jessie in 1835, only one black mark on his conduct record, fined for failing to attend church muster, and he was granted a ticket of leave in 1839. This permission to marry was not approved.

134 Wegg. Geo. Geo. } 2 Dec. App. for marriage
Mary Doreen Mary } Th.

134 Wegg Geo Geo } 24 " } " } 10 Jan:
Mary Doreen Mary } Th.

In October 1843, Mary was charged twice with being out after hours and absent without leave, possibly spending time with her beau? – she was sentenced to 3 more months at the wash tub in the Cascades Female Factory.

Mary must have made up her mind to behave herself, knowing that her marriage would not be approved while she continued to get herself into trouble. Her record is clean in 1844, and in Dec 1844 she is granted a TOL, and their second application for permission to marry was approved.

1845 MARRIAGES in the District of Hobart.								
Number	When married, and where	Name and Residence	Age	Rank	Signature and Description of Parties	Name of Chaplain, Officiating Minister, or Deputy Registrar	When registered	Signature of Deputy Registrar or Officiating Minister
1570	March 4	John Wegg	48	Common	John Wegg	William Forrest	March 4 1845	W. Forrest Chaplain
	St Matthews Church, New Norfolk	Mary Doreen	29	2d Class	Mary Doreen			
		This Marriage was solemnized in the United Church of England and Ireland by the Rev. W. Forrest, Chaplain.						
		between us } Mary Doreen } John Wegg } Th.						

The marriage took place in New Norfolk on the 4th March 1845, at St Matthews Church, the bride 29 years of age, and the groom 48.

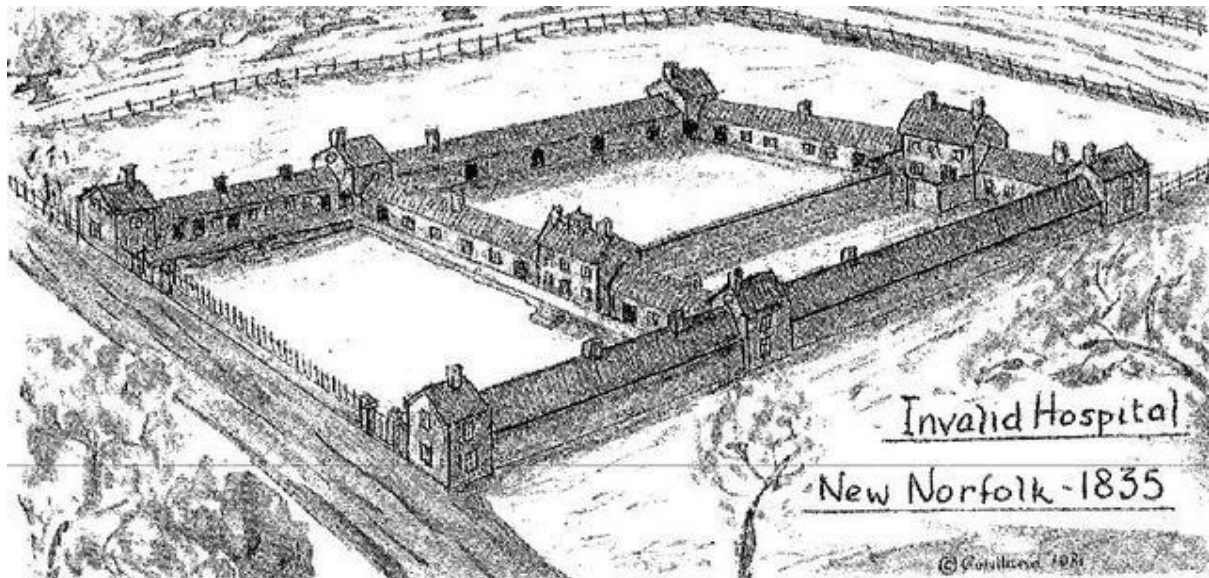


In 1845 both Mary and her mother were in the New Norfolk district, it's nice to think that they may have been able to spend time together. I wonder if the older Mary was able to attend her daughter's wedding.

Archives online records are muddled in with a different Devereux family – taking a bit of unpicking, but I am confident that there were no children to the marriage between young Mary and John Wegg.

Young Mary continued to cross the line with her behaviour and spent 10 days in solitary confinement at Cascades FF in March 1846 for obscene language.

In 1846, when she was 63 years of age, Mary the elder spent 150 days in the New Norfolk Insane Asylum, the record noting her condition as Chronic Rheumatism, and that she was incapable of caring for herself.



In November 1846 young Mary's location is still noted as New Norfolk, perhaps there was contact between mother and daughter at this time, as young Mary has just one charge against her between 1847 and 1850.



In the 1848 Census, John Wegg appears to be living alone.

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VAN DIEMEN'S LAND.

Return to be made, under the 7th VICTORIA, No. 5, Schedule A., on the 1st day of January, 1848, as required by the Act.

Census of the Year 1848.

Parish of— *H. & S.*

Name of Householder— *John Wegg*

Name of Employer of Servants— *do*

Name of Person in charge— *do*

Place of Residence, and (if in a Town) the Name and (if in Hobart Town) the Number of the Street—

Questions to be proposed to every Householder, Employer of Servants, and Proprietor or Occupier of Land in the Island of Van Diemen's Land, by Persons appointed by the Commissioners for taking an Account of the Population under the Act. The Replies to be inserted by the Persons appointed as aforesaid; and any Person refusing to reply to such Questions, or giving false Answers, is by the Act subjected to a Penalty of Fifty Pounds.

1. What is the Name of the Person at the head or in charge of this House or Establishment? *John Wegg*
2. Who is its Proprietor? *Samuel King*
3. Is the Dwelling-house built of Stone, of Brick, or of Wood? *Stone*
4. Is it complete or unfinished? *Complete*
5. Is it inhabited or uninhabited? *Inhabited*
6. How many Persons generally reside in this Establishment besides yourself? *One*
7. How many of these Persons are Free? *One*
8. How many of these Persons were dwelling here on the night of the thirty-first day of December last? *None*
9. What other Person (if any) on that night was dwelling with you? *None*
10. Give me (according to the Form annexed) a Return of these Persons, distinguishing Males and Females, and showing the Number of each Age, Religion, and Calling, as therein specified.

All these Questions are to be answered by the Proprietor, and, as well as those which are made in the Numerical Return which follows, to be taken down in Writing by the Person who by the Act is authorized to propose them.

Mary Devereux the elder died in the Colonial Hospital, Hobart on the 26th November 1849 and was buried in the pauper section of the Roman Catholic Burial Ground.

1849 DEATHS in the District of HOBART									
Number.	When Died.	Name and Residence.	Sex.	Age.	Race or Profession.	Cause of Death.	Signature, Description, and Residence of Informant.	When Registered.	Signature of Deputy Registrar.
9759	November 26	Mary Devereux formerly wife of John Wegg	Female	33	Servant	Paralysed	John Wegg Hobart	December 19 th 1849	John Wegg

February 1850 – young Mary is now about 33 years of age. Charged twice with being absent and in a brothel, perhaps we can safely assume that she is no longer with her husband John Wegg.

9 September 1851 Mary was granted a Conditional Pardon.

Without convict records, we are left with scant newspaper reports to work out Mary's activities and movements after 1851.

The Courier (Hobart, Tas. : 1840 - 1859), Tuesday 14 December 1858, page 3 reports that a complaint made by Mary Devereux against Honora Murphy of Goulbourn St, for assault, was dismissed.

Hobart Town Daily Mercury (Tas. : 1858 - 1860), Saturday 2 April 1859, page 3 reported that Mary Devereux is a witness in the case of Henry and Mary Jones, who were accused of stealing a pair of boots and some jewellery from Mr Baldwin's house. Mary is in Harrington Street, Hobart in service to Mr Richard Baldwin. She and Baldwin's defacto wife, Mary Kenny, had been drinking at 'The Rising Sun' in Bathurst Street, when they met up with the accused and ended up returning to their masters house. This occurred on Wednesday 16th March. Mr Baldwin was a Hawker and had been on a

business trip to the country. The Hobart Town Daily Mercury (Tas. : 1858 - 1860), Saturday 16 April 1859, page 3, shows the sentencing report in the Jones case, which returned a not guilty verdict.

The Mercury (Hobart, Tas. : 1860 - 1954), Monday 2 July 1860, page 3, Mary Devereux was sentenced to 3 months imprisonment for disorderly conduct in the streets.

It seems that being a page 3 girl was a mark of notoriety in those days too.

Monday 28 March 1864, The Mercury (Hobart, Tas. : 1860 - 1954), announced a MURDER.-Edward King was charged by Superintendent Propsting that he did at Hobart Town on the 24th March, wilfully kill and murder one Mary Devereux, of Hobart Town. The prisoner was remanded until the 2nd April.

28th March Mary Devereux found dead Murdered. Mr Jones Coroner 2nd April 1864

[5697] 28 March 1864

An Inquisition indented taken for our Sovereign Lady the Queen at the House of Mr Bell at Hobart Town in the County of Van Diemen's Land within the Island of Tasmania this Twenty-eighth day of March in the fourth year of the Reign of our Sovereign Lady Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen Defender of the Faith before me Algernon Burdett Jones Esquire one of the Coroners of our said Lady the Queen for the said Island and its Dependencies on oath of the Borg of Mary Devereux thought dead at Hobart Town upon the Oaths of William Waterhouse, Charles Taylor, John Minchin, George Middleton, Alfred Brock, James Lloyd, and William Wardley, Jurors good and lawful men of the said Island and duly chosen and who being then and there duly sworn and charged to, enquire for our said Lady the Queen when where how and after what manner the said Mary Devereux came to her death do upon their Oath say THAT Edward King late of Hobart Town in the Island of Van Diemen's Land on the Twenty-fourth day of March in the year aforesaid at Hobart Town aforesaid in the County and Island aforesaid the said Mary Devereux feloniously wilfully and of his malice aforethought did kill and murder against the Peace of our said Lady the Queen the Crown and dignity

IN WITNESS whereof as well the said Coroner as the Jurors aforesaid have to this Inquisition set their Hands and Seals the day and year and place above mentioned.

Algernon Burdett Jones Coroner. William Waterhouse Foreman. Alfred Brock
Charles Taylor
John Minchin
George Middleton
James Lloyd
William Wardley

The inquest was held at the Old Bell Inn, by long serving Coroner, Mr Algernon Burdett Jones.



The evidence presented by witnesses at the inquest hearing was varied, and working out the truth made more difficult, by the fact that the majority of it was circumstantial. There were at least 7 police constables and one detective, and several people from the local neighbourhood, who testified in the case. There were reports that Devereux and King often quarrelled in their relationship, but others who stated that they had never witnessed any.



The death of 45 year old Mary Devereux was extensively reported in the newspapers. She had been in a relationship with Edward King for several years. He was a barber and tailor, they were living behind his shop in Elizabeth Street, just below the corner of Brisbane St, next door to the Old Bell Inn. The night she died, Mary had been drinking with Mary Baldwin (this would appear be the same Mary Anne Kenny mentioned in the 1859 case in which Mary Devereux was a witness).

At about 11 pm on the night in question, the two women were outside Baldwin's house in Murray Street, where they were noticed by Constable Walker and Constable Baldwin, who were passing across Murray Street with the drunkards van. They stated that they heard Devereux and Baldwin quarrelling, and threatened to put them in the watch house if they did not go home. Mrs Baldwin went into her house, and an intoxicated Mary went down Bathurst St towards Elizabeth St, in the middle of the road.



At half past midnight, Constable Walker was on his beat, heading back up Elizabeth St, when he saw the barber's door wide open and the gas burning full. Nobody answered his knock, so he went in and found the woman lying on the floor, in the middle room, she appeared to be asleep, breathing freely and no signs of injury. He left and pulled the door closed. He walked by again a short time later, and saw the barber (King) and two women at the door of King's place. He ordered the women to be off, King tried to call them back but Constable Walker told him he would lock them up if they came back. He then saw the barber go into his house, and continued his patrol.

Not long after this, a young boy ran to the policeman stating that the barber's wife was dying, and he quickly returned to the shop. He found King in a foul mood, cursing and swearing, "Here is a sight for a man. Take her to the Watch House", and declaring that 'she ought to be gibbeted' for the state she had arrived home in. Walker saw Mary Devereux, she was lying in the same location in the middle room, but with her clothing in disarray, and he saw blood on the floor and on her face.

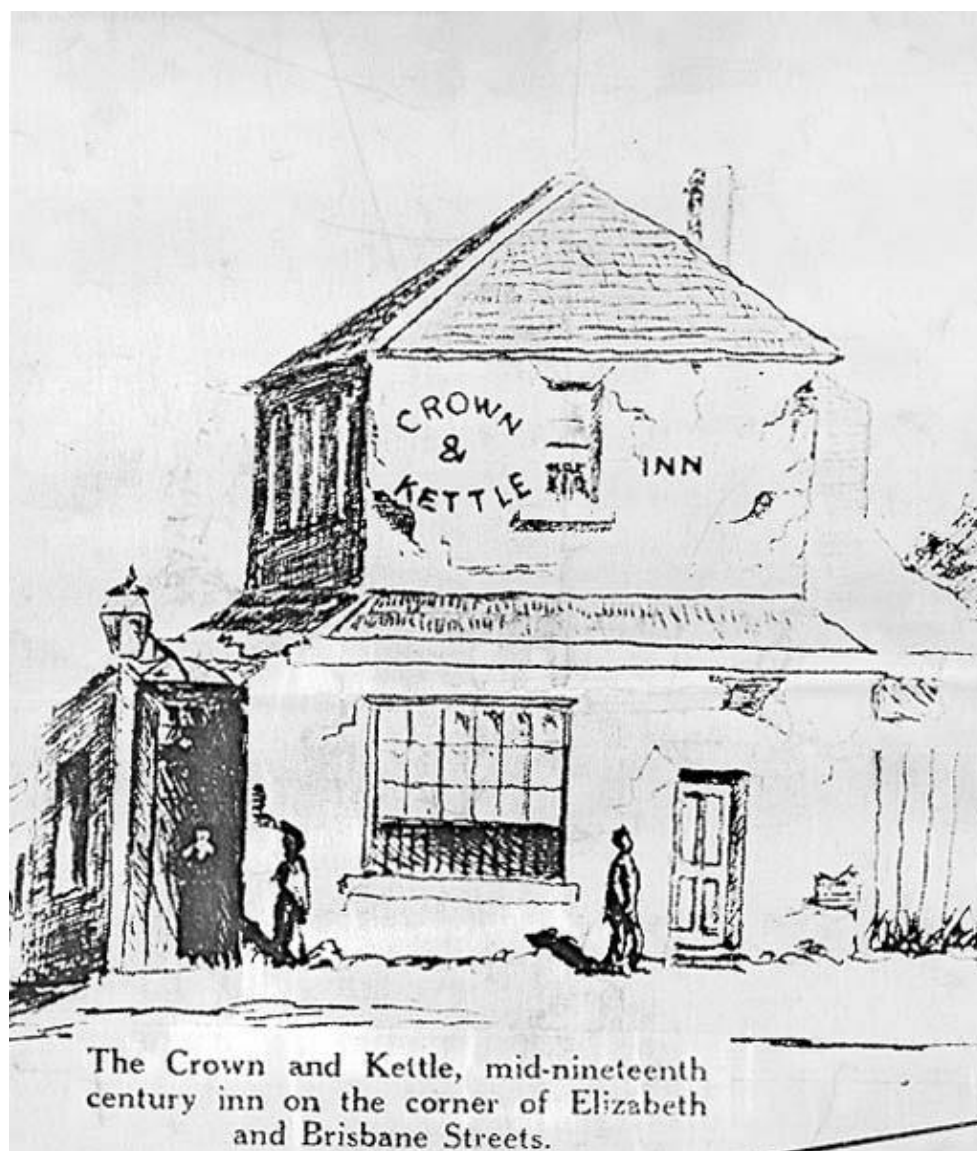
Constable Walker suggested that King should send for a doctor. "I'll give her doctor!" he exclaimed, and he dragged her by the hair and threw her into the shop. King was still cursing, and Walker warned him that he would lock him up. King walked out on the footpath swearing, and Walker arrested him for using bad language in the street. King became violent and Walker had to whistle for assistance. Constable Lucas arrived and they handcuffed King and took him to the watch house. King continued

his foul language and accusations about Mary's drinking, saying that when he got out of the lock up, he would throw her out of his house.

The two police officers returned to the barber shop with a stretcher. They conveyed Mary to the hospital.

Another witness. Alfred Marshall, was called on the second day of the inquest. Marshall stated that he had gone to King's shop to see him about a tailoring order, at about 11 p.m., there was nobody there, but after about ¼ of an hour the deceased came in staggering drunk. Waiting for King, Marshall sat reading a newspaper, when the woman fell to the floor. He lifted her up onto the bench and she put her hands to her head and said 'Oh my poor head, my poor head'. Marshall told her she should go to bed, but when she got up, she fell again, backwards, into the corner of the wall, and slid down. Marshall again told her she should go to bed, and then he left.

Mrs Cousins, from the Crown and Kettle, Mrs Pratt a lodging house keeper, and a servant, watched King being taken away in handcuffs by the police. They then went into King's house and saw Devereux on the floor.



Another witness, Elizabeth Stone, stated that she had been at King's house earlier on the evening in question – King and Devereux, and Mary Baldwin, were all there. King was sober, Baldwin and Devereux were quite drunk. She left the house shortly before 9.30, when Baldwin and Devereux left, to go to Baldwin's house.

Mr Charlton, a resident at the Crown and Kettle, said that he saw King come into the bar about 9.45 that night, and asked for change of a £1 note. The accused had stated that Mary had gone to see Mrs Baldwin home, and that he appeared sober.

Detective Constable William Vickers had been on duty at the main station when King was brought in for using obscene language. The detective went to the house, where he saw Mary's body, and returned to the station to inform King that he would have to charge him with assault with intent to kill and murder Mary Devereux. Vickers and Morley returned to the house with King, and they examined the scene. In the bedroom close to the door, they found a brickbat – a piece of brick alleged to be the weapon. On King's waistcoat there were blood spots. King explained these as happening when he opened the door with a nail. There was a pool of fresh blood on the floor, and near the blood, and earring.

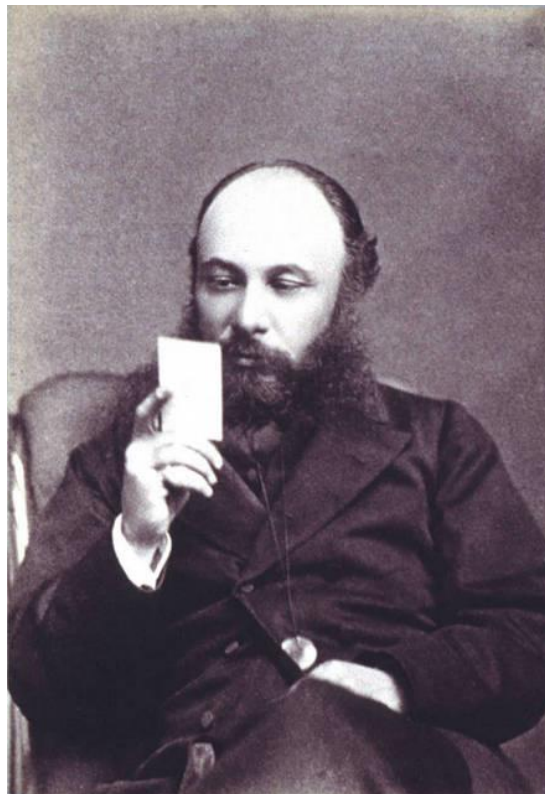
Hospital staff gave further evidence to Mary Devereux's injuries and clothing. An earring was produced which matched the one found at the scene.

King's explanation of the evenings events were that he had arrived home and found Mary lying on the floor. He had been delivering some trousers to a customer, and called at the Crown and Kettle to ask the landlady for change of a pound. He went to the Old Bell to get a nail to open his front door, and had come in to find the woman insensible. Assuming she was highly intoxicated, he was angry with her when he told the police 'she ought to be gibbeted' for the state in which she had come home.

At the end of the inquest, King was charged with wilful murder.

On Friday the 8th April, in the second court, Edward King was indicted in the Supreme Court for having, on the 24th March last, wilfully killed and murdered one Mary Wagg, alias Devereux. King, defended by Mr Moriarty, pleaded Not Guilty.

The trial was presided over by Sir Francis Smith, a former premier and attorney general of Tasmania.



Mrs Baldwin, Mrs Cousins, Constables Badnor, Walker, Evans and detective Vickers gave evidence, along with Mr Marshall, Dr Butler and Dr Turnley

Mr Moriarty argued strongly against the charge of murder for King, stating that there was not one particle of direct evidence. He warned the jury of the disastrous consequences of returning a wrong verdict, and stated that he would argue that the death was caused by the falls, as described by Mr Marshall.

He produced evidence from Dr Hall – Dr Edward Swarbreck Hall – an eminent physician, and advocate for public health and welfare. Hall gave expert testimony on the fracture sustained by the deceased, and the likelihood of it having occurred during a fall such as described by Mr Marshall. Using a plan or diagram of Hall's premises, he showed how the fall could have caused the skull fracture, despite being argued by Dr Butler that it could not have.



Sir Francis responded that he felt Dr Hall had come with a foregone conclusion, stating it was difficult to get unanimity between fellows of the medical profession, but concurred that a strong chain of circumstantial evidence had been produced against the prisoner. He cautioned the jury not to be swayed by Moriarty's warning, but to consider whether the woman's was caused by an accident, or was at the hands of the prisoner King.

The jury took 2 hours to deliver a verdict of guilty of manslaughter. King's response was that he was innocent, that he did not know how the woman came by her death, and continued to reiterate his version of events on the night.

Sir Francis told King he had had a very narrow escape with his life. King replied "I would have been ready to die, My Lord, for I assure you that I am as innocent as a babe unborn"

The judge assured King that he had heard what he had to say, and that he had been acquitted of any malice in killing the woman, but he had to consider the brutality of the prisoner's conduct towards the woman, and sentenced him to 10 years in prison.

Launceston Examiner (Tas. : 1842 - 1899), Tuesday 12 April 1864, page 3

Before his honor the Puisne Judge: Edward King,
charged with the murder of his paramour,
Mary Wagg alias Devereux, was convicted of
man-slaughter, and received a sentence of ten
years' imprisonment;

Just when we think the Mary story has now come to a close, there is an article published in the Mercury, on Saturday the 23rd April, 1864.

ORIGINAL CORRESPONDENCE

(We do not identify our opinions with those of our correspondents.)

'MEDICAL EVIDENCE ON THE TRIAL OF EDWARD KING.

To The Editor of the Mercury

Sir, - your leader on Monday last demands some remarks from me. ..Fortunately for the triumph of scientific truth, humanity and justice, the most eminent specialists in every branch of the profession, are in the constant practice of appearing as witnesses, where the evidence of medical practitioners for the prosecution may tend to produce a judicial murder; and thus many an innocent person has been saved from an ignominious death. I hope too that in this community there never will be anting experienced medical practitioners ready to give testimony, where rash statements on grounds at variance with scientific truth and actual facts, peril the life or liberty of the humblest person in it.'

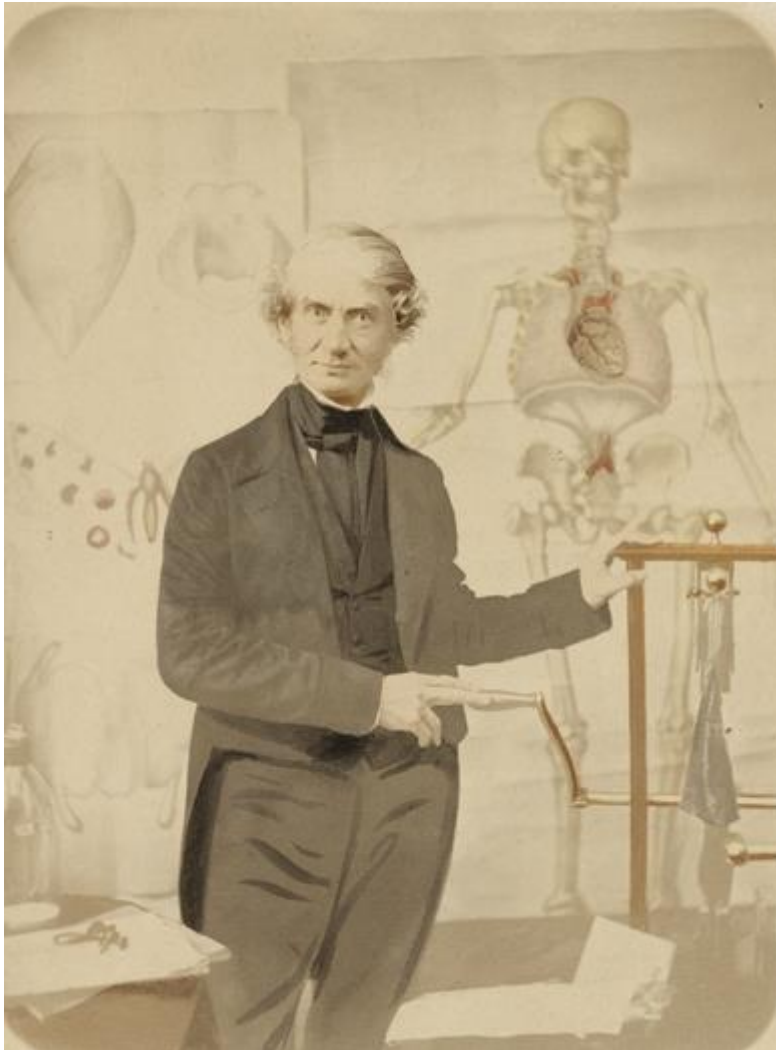
The writer goes on to discuss the death of Mary Devereux and the trial of Edward King. He cites two previous cases where very similar mortal injuries, which were attributed to falls, causing skull fractures, and death from bleeding of the brain. Subsequent inquests had led to a verdict of accidental death, while in the case of King, the defendant was charged with murder, and jailed for manslaughter. The writer goes on to assert his considerable medical experience, with a surgical diploma dating 16 years before Dr Butlers and 31 years before Dr Turnley's, and that this pair should be more guarded and less dogmatic in their assertions, when their opinions involve the probability of an ignominious death to a fellow being.

Although the writer did not question the accuracy of the post mortem by Butler and Turnley, he was not satisfied with the conclusions that were based on the 'loose, unscientific and doubtful' evidence produced in the trial.

The writer – Dr E. Swarbreck Hall (1804-1881). Dr Hall had taken quite an interest in this case. During his 30 year medical career in Hobart, he also advocated for public sanitation, vaccination against smallpox, and an interest in astronomy and meteorology. He attracted criticism for his outspoken views on convict welfare. He was appalled by the infant mortality rate at Cascades Female Factory and wrote critical articles to the newspaper about this. He was the medical officer at Cascades Female Factory in 1854. Within a month he had asked for fires in the nurseries, extra food, and warm cloaks to be provided for the children, and had all the mothers and children transferred to the Infirmary, where they would be under the jurisdiction of the Medical department, rather than the Convict department. Less than a year later the authorities attempted to have him posted to Norfolk Island and he was forced to resign. Following this, the mothers and children were returned to the Brickfields Hiring Depot, where more than a quarter of those children died within 8 weeks. Hall also heavily criticised the conditions at the Queen's Orphan Schools, in an article published in the

Australian Medical Journal in 1857. A subsequent Commission of Enquiry was set up in 1859, but the outcome was tainted by the fact that two of the members of the commission were involved in the running of the school. The commission did result in an improvements to the children's diet and accommodation.

In 1861, after initially being rejected, Dr Hall was appointed to the Board of the Orphan School. In 1862, no deaths were recorded at the Orphan School for the first time.



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Special thanks to Lucy Frost for sharing her research notes – See MaryDevereux, Jack of Spades in “A Pack of Thieves”.

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