

ANN FITZPATRICK

[*Sea Queen*, 1846]

by

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Ann Fitzpatrick's story is of a life of courage and resilience.¹ She arrived as a convict in Van Diemen's Land (VDL), alone and unsupported, at the tender age of fifteen in 1846 and died in New Zealand, happy and successful, at eighty in 1911. In the intervening years, she gave birth to at least seven children - two of whom died in shockingly tragic circumstances in childhood - and outlived two husbands. After serving her time as a prisoner in VDL, she left the colony and made a new life for herself as the proprietor of a popular boarding house at Invercargill, New Zealand. At the time of her death, she was mourned as a respected pioneer settler of that town and one of its oldest inhabitants. It is unlikely that many, if any, of her friends and acquaintances knew of her convict past.

This is Ann's story:

Ann Fitzpatrick was born at Liverpool, England, on 16 April 1831 and baptized at St. Patrick's Catholic Church the following day. She was one of five children of Tully and Ann (nee More) Fitzpatrick. Her brothers were James, Barnett (Barney) and John. Her sister was Catherine.² It is likely that the family was poor; Ann could read but not write, possibly indicating that she had received little education.³

On 15 December 1845, Ann, then fourteen, and Margaret Bradley, an acquaintance who was about a year older, were charged at the Liverpool Borough Quarter Sessions with the theft of a quantity of flannel. Both were found guilty and sentenced to transportation for ten years.⁴

It was not the first conviction for either of them. Previously, Ann had spent six months in prison for stealing a length of gingham and, later, another month for the theft of some other printed dress material.⁵ Margaret Bradley had had three prior convictions, all for stealing clothes, and

¹ Conduct record: CON41-1-10, image 49; description list: CON19/1/5, image 180; indent: CON15/1/3, image 320.

² Birth year: 'England census, 1841' via 'Ancestry U.K.' per T. Creaney; see FCRC website at www.femaleconvicts.org. Family: CON15/1/3, image 320.

³ CON41-1-10, image 49; CON15/1/3, image 320.

⁴ Margaret Bradley: Conduct record CON41/1/10, image 13; description list CON19/1/5, image 172; indent CON15/1/3, image 312, 313.

⁵ CON41-1-10, image 49.

had also spent time in gaol.⁶ (Obviously, like young women everywhere, they wanted nice things to wear!)

After their trial, both were held for five months in gaol in England waiting for a convict ship to carry them to VDL. Ann's gaol report, as well as stating that she was single and had had previous convictions, noted that she had been 'latterly a prostitute'.⁷ Margaret Bradley's gaol report mentions only that she was single and had had prior convictions.⁸

Eventually, Ann and Margaret were put aboard the convict ship *Sea Queen* which, with 170 female prisoners, sailed from Woolwich on 12 May 1846 and reached Hobart on 29 August that year. In his medical report, the ship's surgeon, Dr. T.W. Jewell, wrote that Ann had been 'indifferent, quarrelsome and irritable' during the passage. He added that she 'requires looking after'. Of Margaret, Jewell's only comment was that she was 'well behaved'.⁹ There is no indication in their convict documents that they had contact with each other after their arrival.

At Hobart, Ann was described as being fifteen years old, five feet and a quarter of an inch (about 153cms) tall, with a fair complexion, brown hair and light blue eyes. She stated that she was a Catholic and a 'nurse girl' by trade.¹⁰ After disembarkation, she was sent to the *Anson*, the hulk of a former naval vessel that had been moored in the Derwent River near Risdon in 1844 to be used to house female convicts in order to alleviate the overcrowding at the Cascades Female Factory. She was to be kept there for a probation period of six months before becoming eligible to be hired into service by settlers.¹¹

Belying the unfavourable opinion formed of her by the ship's surgeon, Ann's behavior in VDL was exemplary. By 1847, she had been assigned as a servant to the Aughey household. There, she was charged with two offences – the first on 24 August 1847 for 'assault' and the second on 18 January 1848 for 'obtaining goods under false pretences' – but both charges were dismissed. She was never in trouble with the law again.¹²

On 24 December 1847, John Tilley, a free settler, applied for permission to marry Ann.¹³ With approval granted, they were wed at the residence of Rev. Joseph Mayson at Swansea, Tasmania,

⁶ CON41/1/10, image 13.

⁷ Gaol report from 'Prison Register' as quoted by T. Creaney, 'Ancestry U.K.' - see FCRC website as per Note 2, above. There is no mention of Ann as a prostitute on her convict documents in VDL.

⁸ CON41/1/10, image 13.

⁹ <https://members.iinet.net/~perthdps/convicts/shipsTAS.html>; surgeon's report: CON41-1-10, image 49; CON41/1/10, image 13.

¹⁰ CON15/1/3, image 320.

¹¹ CON41-1-10, image 49; <https://www.femaleconvicts.org.au/convict-institutions/probation-stations/anson>

¹² CON41-1-10, image 49.

¹³ CON52/1/2, Image 208.

on 31 January 1848. The marriage entry shows Ann's age, incorrectly, as twenty-one; Tilley was thirty.¹⁴

Tilley had been in the colony for about twenty years. His mother, Elizabeth Tilley, had brought him to VDL with his brothers and sisters when, in 1829, she had arrived to re-join her husband, Edward Tilley, who had been convicted of horse-stealing in England in 1824 and sentenced to transportation for life.¹⁵ After receiving his conditional pardon in 1838, Edward had become a tenant farmer at Swan Port on the mid east coast of the colony.

Like his father, John Tilley was also a farmer and, at the time of his marriage to Ann, his property was at Spring Bay near Glamorgan. It was there that the couple's first four children were born – John in February 1849, Edward in February 1851, Sabina (or Sabrina) in May 1853 and Amelia in March 1855.¹⁶

In these early years of marriage, things seemed to be going well for Ann. On 1 July 1851 she had been issued with her ticket of leave, on 7 June 1853 her conditional pardon was approved and, on 17 December 1855, she was free by servitude. Her term as a prisoner was up and she was a free woman again.¹⁷

However, John was not having success as a farmer. In April 1855 he had appeared in the Insolvent Court at Hobart where a debt of £20 was proved against him. Although that seems a trifling amount, his insolvency apparently meant that his life as a farmer was finished.¹⁸ Birth certificates reveal that, at the time of the birth of the couple's fifth child, William, in April 1857, he was a 'labourer' at Glamorgan and when Rosina, the sixth child, was born in 1859 he was a 'butcher' at Campbell Town.¹⁹

But it was not only John's farming life that had finished! At about this time, his marriage to Ann had come to an end also!

Around 1855, Ann had met a man by the name of Thomas Courtis. Born at St. Austell, Cornwall, England, about 1818, he had decided to emigrate to New Zealand in 1845. There, he had worked as a carpenter and builder at Dunedin. But, in the early 1850s, as many others did, he had left New Zealand to try his luck on the fabulously-rich goldfields of Victoria, Australia.²⁰ Shipping

¹⁴ RGD37/1/7/1494/1848, Great Swan Port.

¹⁵ Edward Tilley per 'Medway', 1825, CON31-1-42, image 112; Elizabeth Tilley per 'Borneo', November 1828, CSO1/1/344, File 7875, pp.48 and 56.

¹⁶ Births: John, RGD33/1357/1849, Spring Bay; Edward, RGD33/198/1851, Spring Bay; Sabina, 1853, birth not recorded; Amelia, RGD33/319/1855, Spring Bay.

¹⁷ ToL: *Hobart Town Gazette*, 1 July 1851; CP: *Hobart Town Gazette*, 7 June 1853; free by servitude, CON41-1-10, image 49.

¹⁸ *Colonial Times*, 13 April 1855, p.2.

¹⁹ Birth certificates: William, RGD33/602/1857, Glamorgan; Rosina (name not recorded), RGD33/134/1859, Campbell Town.

²⁰ *Southland Times* (New Zealand), 26 February 1894.

records show that he had passed through Launceston in 1855 and it was possibly then that he first met Ann who had now been married for seven years and was the mother of four children.²¹

As it happens, Courtis was married also and had a wife and family in the Yea/Alexandra district of Victoria, an area less well known than the goldfields of Ballarat and Bendigo but one which also produced tons of the precious metal.²² It is likely that, between 1855 and 1860, Courtis travelled back and forth between his family in Victoria and Ann in VDL (or, rather, Tasmania, as it had been named officially on 1 January 1856.)²³

By early 1861, however, Courtis had decided to leave his wife permanently. Having failed to make his fortune as a gold-seeker, he now wanted to return to New Zealand to settle and to get back into the building trade there.

And, not altogether surprisingly, Ann decided to follow him!

Had Ann and John Tilley already separated? That is not clear. And how things were settled between the couple is, of course, not known. What is certain, however, is that, by January 1863, Ann had joined Courtis in New Zealand.²⁴

Ann had taken two of her children with her – Sabina, who was then about nine years old, and her youngest child, Rosina, about three. She had left behind her sons John, Edward and William and her daughter Amelia, presumably in the care of her husband or their employers.²⁵

Ann and her two girls are believed to have sailed from Launceston on the steamer *Mayflower* bound for Invercargill, New Zealand, in December 1862. In her later years, Ann was to recount the story of that voyage, a dreadfully rough passage across the Tasman Sea which took an incredible six weeks.²⁶

No record of a marriage of Ann and Thomas Courtis has been located and it is thought that their relationship was always a *de facto* one. In New Zealand, they settled at Invercargill and, in 1865, Ann gave birth to a son, Arthur Courtis.²⁷

The following year, however, Ann must have been devastated to hear of the shocking death of Amelia, the daughter she had left behind in Tasmania. On 7 November 1866, Amelia had drowned while trying to rescue a little boy who had been left in her care. According to a report of

²¹ Courtis: Listed as a passenger from Victoria to Launceston, 1855: 'Australia, Victoria, Outward Passenger Lists (VPRS 948) via FCRC website.

²² <https://sites.google.com/site/alexandrahistoricalociety/gold-era>

²³ VDL renamed: www.historychannel.com.au

²⁴ See Note 26, below.

²⁵ See Note 25, below.

²⁶ *Southland Times* (New Zealand), 22 March 1911; *The Cornwall Chronicle*, 20 December 1862, notes that *Mayflower* left Launceston on 17 December 1862, arrived off Invercargill on 26 December but, because of a gale and heavy seas on the bar at that port, was forced to hove up for some time at Dunedin.

²⁷ Birth: Arthur Courtis, Reg. No: 1865/22857, New Zealand.

the tragedy in *The Cornwall Chronicle* (Launceston), Amelia was employed as a ‘nurse girl’ of a Mr. Fletcher of Craighalsie near Campbell Town and had taken some children to play near a water-filled gravel hole. While throwing stones into the water, one little fellow had fallen in and was soon disappearing below the surface. Amelia had plunged in immediately to save him. Two men, who were working nearby, were alerted to the incident by the other children and managed to grab the boy by the hair and pull him out. Recognising that he was close to death, they had carried him off quickly to get attention for him but had completely ignored Amelia who was still struggling in the water. When they returned a short time later, they had discovered Amelia’s lifeless body. The newspaper described the men’s actions as cowardly, commenting that, although the water was only about four feet deep, they seem to have been afraid to enter it to help the girl.²⁸

An inquest into Amelia’s death was held on 12 November 1866. A report in *The Launceston Examiner* of 12 November 1886 mentions that the workmen pulled the girl’s body from the water with ‘a spar and a rake’ but makes no mention of any sanctions taken against them for cowardice. The conclusion of the inquest was that ‘Amelia Tilley was accidentally drowned whilst endeavouring to save the life of her master’s son’.²⁹

It is interesting to note, however, that the official registration of Amelia’s death and newspaper reports of the tragedy give her age as ‘fourteen’.³⁰ Was that simply an error in reporting or transcription? Born in 1855, she must only have been eleven years old when she died. Why was she thought to be fourteen? A possible explanation is that her parents had deliberately put her age up so that she could get paid employment at a time when they were struggling financially. Could that have been the case? It is only speculation.

Ann could not have recovered from the shock of Amelia’s death when another, perhaps even more devastating, tragedy occurred. On 23 December 1868, the *Southland Times* (New Zealand) carried the death notice of Rosina, Ann’s sixth child, the younger of the two daughters she had taken to New Zealand with her. On 16 December 1868, Rosina, aged ten, had died of ‘burns, accidentally received’. Her surname was given as ‘Courtis’ in the notice. She was named as ‘the second daughter of Mr. Thomas Courtis’.³¹ Details of this shocking accident have not been found.

²⁸ *The Cornwall Chronicle*, 10 November 1866, p.10; Death, Amelia: RGD35/78/1866, Campbell Town; see also https://librariestas.ent.sirsidynix.net.au/client/en_AU/names/search/results?qu=NI_NAME%3DAmelia&qu=NI_NAME%3DTilley. Resource RGD35/1/35, image 43 – Amelia is described here as ‘butcher’s child’. Her age is given, incorrectly, as fourteen.

²⁹ Official details of the inquest have not been located. A brief report of it was published in *The Launceston Examiner*, 12 November 1886, p.3.

³⁰ Age fourteen: see death, Amelia: RGD35/78/1866, Campbell Town; see also *The Cornwall Chronicle*, 10 November 1866, p.10.

³¹ Death, Rosina Tilley/Courtis: Reg. No: 1868/11218, New Zealand at <https://www.bdmhistoricalrecords.dia.govt.nz/>; death notice: *Southland Times* (New Zealand), 23 December 1868.

For the next eleven years, all seemed to go well for Ann and Thomas. The year 1879, however, brought mixed news.

Ann, now forty-eight, was probably very pleased to attend the wedding of her eldest but only surviving daughter, Sabina, then about twenty-five, who married in New Zealand. Referred to in the registration of the marriage as ‘Seabeina Constance Tilley’, Sabina’s husband was James Pollock Holmes. After her marriage, Sabina seems to have remained in close contact with her mother and to have supported her in her declining years.³²

Less happy news, however, had come from Australia in 1879. On 11 April, the *Alexandra and Yea Standard, Gobur, Thornton and Acheron Express* (Victoria) reported that seventeen year-old Mary Courtis, the ‘beloved’ daughter of Thomas Courtis of Invercargill, New Zealand, had died at Alexandra, Victoria, four days earlier.³³

There can be little doubt that Mary Courtis was Thomas’s daughter but the announcement poses several dilemmas. If it is correct that Mary was seventeen years old, it means that she was born in 1861 or 1862 – but it is thought that by 1861 Thomas was back in New Zealand. Of course, she might have been conceived before he left but why, then, was she referred to as his ‘beloved’ daughter? Could he have known her? Whether or not he had returned to Victoria since he left in 1861 is not known but, of course, he might have done so – more than once! Or, perhaps, Mary had travelled to New Zealand to spend time with him and Ann? There are no solutions to these problems yet but future research might be able to resolve them.

Also of some sadness to Ann in 1879 might have been the news that her former husband, John Tilley, the father of six of her children, had passed away at the Brickfields Pauper Establishment, Hobart. Tilley, it seems, had never recovered from his insolvency and the loss of his farm – and, of course, the breakdown of his marriage to Ann – in the mid-1850s.³⁴

Thomas Courtis might have felt some sympathy for Tilley when he himself filed for bankruptcy in New Zealand in 1880 - and it was probably Thomas’s insolvency that impelled Ann to begin taking in boarders at her Invercargill home.³⁵ An advertisement in the *Southland Times* of 25 June 1880 announced that ‘Mrs. Courtis, Tweed Street, second house from Bluff Road’ was prepared to offer accommodation to boarders ‘or to let rooms, furnished or unfurnished’.³⁶

Ann’s venture into the business world seems to have been very successful and before long she and Thomas had acquired a larger residence, ‘Belgrave House’, at the corner of Nith and Tyne

³² Holmes/Tilley marriage: Reg. No: 1879/2650, New Zealand; see also Note 37, below.

³³ *Alexandra and Yea Standard, Gobur, Thornton and Acheron Express*, 11 April 1879, p.2.

³⁴ John Tilley, death: Tilley Family Tree at <http://www.gsb.id.au/gen/TilleyEdward.htm>; registration of death not located.

³⁵ Courtis insolvent: *Southland Times* (New Zealand), 14 April, 1880.

³⁶ *Southland Times* (New Zealand), 25 June 1880.

Streets, Invercargill, which they ran together, advertising it as a 'first class' boarding establishment.³⁷

Thomas passed away there at the age of seventy-six in 1894. A local newspaper paid tribute to him as an undemonstrative man, one 'who was best known by those who were here in the early days when men were drawn closer together by the necessities of common difficulties that do not exist now.'³⁸

After Thomas's death, Ann carried on the business alone but, when that was beyond her, she went to live with her daughter, Sabina Holmes, at Leet Street, Invercargill. It was there that she died, as Annie Courtis, in 1911.³⁹

A brief obituary, published in the *Southland Times* on 22 March 1911, remembered Ann as 'one of the 'fast diminishing band of pioneers', noting that she had been born in Liverpool, England and had travelled to New Zealand where she had settled at Invercargill's in the town's early days. No mention was made of the fifteen long and difficult years she had spent in Tasmania.⁴⁰

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³⁷ See, for instance, *Southland Times* (New Zealand), 26 February 1894; 14 June 1896.

³⁸ Thomas Courtis, death: NZ Reg. No: 1894/220.

³⁹ Ann (Fitzpatrick/Tilley) Courtis, death: NZ Reg. No: 1911/3493.

⁴⁰ Brief obituary: *Southland Times* (New Zealand), 22 March 1911.