

MARY HORE

[*Duchess of Northumberland* (2), 1853]

by

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The story of Mary Hore – also known as Mary Kennedy, Mary Hoar, Mary Hoare, Margaret Hoare, Margaret Dougherty, Bridget Cosgrove and Bridget Riley – is one of the most remarkable (and in some respects one of the most puzzling) among those of the 13,500 (approx.) women who were transported to Van Diemen’s Land (VDL) as convicts between 1812 and 1853.¹ She had already served two gaol terms for theft in England when, at the Bristol Quarter Sessions in January 1852, she was convicted of stealing a petticoat and sentenced to transportation for seven years. Twenty-six years old, married, and the mother of two boys, she arrived at Hobart aboard *Duchess of Northumberland* (2) - the last ship to bring female prisoners to VDL before the cessation of transportation - on 21 April 1853. A seemingly incorrigible prisoner, she was charged with a number of offences in the colony before absconding after serving only five years of her sentence and – incredibly – making her way back to England. There, she resumed her life of crime but, in January 1861, only a few months after her return, she was convicted of stealing again and sentenced to seven years’ imprisonment. In March 1866, still with twenty months of that sentence to serve, she was released, probably on the grounds of ill-health. A short while later she was gaoled again for a month after being charged with vagrancy. What happened to her after that is unknown. She was then about forty years old.

This is Mary’s story:

Mary, the eldest child of Bryan and Margaret Kennedy, was born in County Limerick, Ireland, in 1827.² She was about fourteen when her parents moved to Bristol, Gloucestershire, England, probably in the early 1840s.³ Nothing is known with certainty of her early life but the fact that she could read and write as an adult suggests that she might have had a little education.

1 Conduct record: CON41/1/37, image 96; description list CON19/1/11, image 139; indent CON15/1/8, image 80; Police no: 968, FCRC ID: 274

2 Birth year calculated from age on arrival in VDL – see con41/1/37, image 96.

3 The 1851 England census shows labourer Bryan Kennedy and wife Margaret living with children James (15 years of age), Thomas (12), Ellen (9) and John (6) at 2 Narrow Lewins Mead, in the parish of St. Michael, Bristol.

In late 1848, Mary, then twenty-one years old, married John Hore, about twenty-six, a mason's labourer.⁴ In the following year, she gave birth to a son, Michael. He was baptised at Clifton, Gloucester, on 14 October 1849.⁵

Soon afterwards, Mary was convicted of the theft of some items of bedding at Bristol. On 4 January 1850, she was sentenced to four months' gaol.⁶ Unfortunately, that prison experience did nothing to deter her from further crime. On 9 April 1851, just twelve months after her release, she was convicted of larceny again. She had stolen an iron pot. She was gaoled again, this time for six months.⁷

It is likely that Mary was pregnant as she started this second term of imprisonment. Towards the end of 1851, she gave birth to a second son, James. Although the exact date of his birth has not been located, the England census of March 1851 shows her living with husband, John, and *one* child, Michael, at 115 Cannon Court, Lewins Mead, in the parish of St. James, Bristol.⁸ It seems, therefore, that James was born after her release from prison in late 1851.⁹

Only two or three months after the birth, Mary was charged with larceny for the third time! At her trial at the Bristol Quarter Sessions on 4 January 1852, she was convicted of the theft of wearing apparel – a flannel petticoat. Although the value of the stolen item was only one shilling and sixpence, she was sentenced to transportation for seven years, her two prior convictions counting heavily against her.¹⁰

After the trial, Mary was held for some weeks at Bristol Gaol before being transferred to Millbank Prison, London, on 3 March 1852, to await transportation to VDL.¹¹ While she was there, her parents forwarded a petition to Sir George Grey, the Home Secretary, humbly begging for mitigation of her sentence. Dated 15 June 1852, their appeal was based on the grounds that the value of the item that Mary had stolen was 'trifling'; that her crime had been committed when she was 'partially inebriated'; that the crime had been instigated by 'badly disposed persons' in whose company she had unfortunately been at that time; that she was 'truly penitent' for what she had

4 'England & Wales Marriages 1837-2005' (Vol. 11, page 241) via FCRC d/base at www.femaleconvicts.org.au.

5 Michael: baptism - Clifton, Gloucestershire, 14 October 1849 ('England Births and Baptisms 1538-1975') via FCRC d/base at www.femaleconvicts.org

6 Criminal register: Bristol Quarter Sessions, 4 January 1850. FCRC d/base, via findmypast.co.uk.)

7 Criminal register: Bristol Quarter Sessions, 9 April; 1851. FCRC d/base, via findmypast.co.uk.)

8 1851 England census, ref. H.O. 107/1950, via FCRC, Hobart. The census shows the surname of the couple as 'with surname shown as 'Hoare'.

9 In their petition for mitigation of Mary's sentence, dated 7 June 1852, Mary's parents state that she is the mother of two young children. See Petition Register, Bristol Gaol, Ref: 339/2, via FCRC website.

10 Bristol Times and Mirror, 10 January 1852.

11 Millbank Prison Register shows Mary as prisoner No: 4338, aged 23, arriving from Bristol Gaol on 3 March 1852 and discharged to Duchess of Northumberland on 16 November that year (FCRC d/base); shipping details:

<http://members.iinet.net.au/~perthdps/convicts/shipsTAS.html>

done; and that she was the mother of two children of ‘tender age’. The petition concluded with the plea that Mary be allowed to serve her sentence in England if mitigation of it was not ‘practicable’. The Home Secretary was unmoved by the request. Informed by prison authorities that Mary had been convicted twice before and that her gaol report indicated that her character was ‘bad’, he decided that the sentence of the court should stand.¹²

A few weeks later, Mary was put aboard *Duchess of Northumberland* which, with a total of 219 female prisoners and thirty-four children that they had been given permission to take with them sailed from Woolwich on 28 November 1852 and, after 144 days at sea, reached Hobart on 21 April 1853. One of the children was Mary’s eldest son, Michael, who was then three years old. It is possible that her younger son, James, was also aboard when the ship departed but there is some doubt that that!¹³

At Hobart, Charles Smith, surgeon-superintendent aboard the vessel, noted in his medical journal that three of the women had died during the voyage, two from hepatitis and one from diarrhoea. Eight others were hospitalised as soon as the ship berthed. Most of the women had ‘suffered a good deal’ from sea-sickness. Nevertheless, Smith considered that the number who had been treated for more serious illnesses was ‘unusually small, being altogether sixty-one’. Mary had been one of them. Suffering from a fever, she had reported ill on 12 February 1853. She had been fifteen days on the sick list before making a full recovery.¹⁴

Surgeon Smith wrote nothing in his journal about the children who had accompanied their mothers to VDL other than that ‘several’ of them had died of teething problems. Unfortunately, he seems not to have recorded their names - and that has given rise to doubt about whether Mary had both of her sons with her or only one of them. Her younger boy, James, was not on board when the ship reached Hobart.¹⁵ Had Mary left him in England? Did he die on the voyage out? There is evidence to support both possibilities.¹⁶

An account of the voyage kept by the ship’s purser, Gilbert James Inglis, suggests that Mary had two children with her. On 5 January 1853, he wrote in his diary that:

Mary Hore abused Mrs. Barber, the matron, in sound terms in some unintelligible dialect – a very good job it was for I dare say it was not very complimentary and she was confined in ‘The Box’ [a structure about six feet high by two feet square, erected on the deck of the ship, where prisoners could be confined in isolation as punishment

12 Petition Register, Bristol Gaol, Ref: 339/2, via FCRC website.

13 <http://members.iinet.net.au/~perthdps/convicts/shipsTAS.html>

14 <https://discovery.nationalarchives.gov.uk/details/r/C11542119>, medical journal of *Duchess of Northumberland*, convict ship from 16 November 1852 to 21 April 1853 - Reference: ADM 101/254/1C, accessed 20 July 2020.

15 Indent: CON15/1/8, image 80.

16 Medical journal of Charles Smith: <https://discovery.nationalarchives.gov.uk/details/r/C11542119>

for misdemeanours] *which not being sufficiently strong for the purpose intended, she broke open, upon which it was found necessary to fasten it together with chain right around it. As she had two children to attend to she was allowed to go below at night.*¹⁷

Confusingly, however, Inglis mentioned elsewhere in his diary that many of the children had travelled long distances to join their mothers before the ship left England: ‘*Several children came to the ship ... from different workhouses in the kingdom ... Some of them came from a long way; one from Gloucester and another from Lancashire*’.¹⁸ Surely the ‘one from Gloucester’ was a reference to Mary’s son – but why did Inglis not write ‘two from Gloucester’ if both sons had sailed with her?

More recently, Christine Woods, whose book ‘*The Last Ladies*’ (2004) described the voyage of *Duchess of Northumberland* and the lives of the female convicts who arrived on it in 1853, seemed similarly uncertain about whether Mary had both sons with her. Transcribing purser Inglis’s journal and adding biographical material on the prisoners, Woods includes the passage from Inglis’s diary in which he describes Mary’s punishment in ‘The Box’ but lists Mary as having only one son – Michael - in the biographical notes.¹⁹

At Hobart, the authorities also noted that Mary was a married woman with one son, Michael, who was three years old. She was described as being twenty-six years old, five feet and two inches (about 157 cms) tall, with a fair complexion, a pock-pitted face, dark hair and hazel eyes.²⁰ She was a Catholic. She could read and write. Her convict trade was ‘housemaid’.²¹

On 27 April 1853, just a week after her arrival, Mary admitted Michael to the Queen’s Orphan School (QOS), Hobart.²² It would be interesting to know what impelled her to do that just a week after bringing him - with great difficulty, no doubt – half way around the globe? Was she coerced into doing it? Did she see it as the best way of securing a decent future for both of them, perhaps? In her own case, she might have known that she could obtain a more favourable position as a convict servant if she did not have a child with her; free settlers, who were obliged to house, feed and clothe their assigned servants in return for their unpaid labour, were generally reluctant to employ women with children. In Michael’s case, Mary might have known that he would be provided with basic schooling at the QOS that she would not have been able to give him.

17 Inglis’s diary: <https://trove.nla.gov.au/work/235634472>.

18 Inglis, as quoted by Barry Files in “the Life and times of Eliza Webb Dore, 1829-1875’ at

<https://www.femaleconvicts.org.au/docs/convicts/ElizaDore.pdf>

19 Woods, C. (2004). *The Last Ladies: The Female Convicts Transported from England on the ‘Duchess of Northumberland’, November 1852-April 1853*. Claremont, Tasmania: Published by the Author, p.127 and p.266; see <https://trove.nla.gov.au/work/10620756>.

20 CON41/1/37, image 96.

21 CON15/1/8, image 80.

22 http://www.orphan.school.org.au/showorphan.php?orphan_ID=2600; on the QOS Admission Register Mary’s name is recorded as ‘Margaret Hoare’. Michael’s surname was recorded as ‘Hoare’.

Although conditions at QOS had been improved since its establishment in 1828, it was still an unpleasant place. The rooms were cold. Sanitation was poor, disease was rampant and mortality was high. Discipline was harsh. There were many instances of staff cruelty. Most of the so-called ‘orphans’ were the children of convict parents whose imprisonment and work for the convict system prevented them from caring for their children. Others were the children of the unemployed, destitute, or those that the authorities perceived to be leading immoral lives. It was thought that the best way to prevent the children from inheriting the ‘stain’ of their parents was to remove them, discipline them, and reform them.²³

Two days after Michael’s admission, Mary was assigned as a servant to William Sellars, Elizabeth Street, Hobart.²⁴ A number of quite short assignments followed until August of that year when she committed her first offence in the colony. On 22 August 1853, she was charged with having absconded two weeks earlier from the service of a Mr. Cartwright of New Town. When apprehended, she was sentenced to imprisonment with hard labour for three months at the Female House of Correction (Cascades) at Hobart and ordered to serve an additional three months’ probation before being eligible for assignment again.²⁵ When eventually re-assigned, however, it was not long before she absconded once more. This time, she was absent for only a day or two but she was punished by being sent to the cells at the House of Correction for fourteen days.²⁶

And then, on 19 June 1855 - in another most puzzling facet of Mary’s story – she gave birth at the House of Correction to a daughter whom she named Ellen. The circumstances in which the child was conceived is not known. The name of the father was not recorded. After the birth, Mary was assigned to the QOS as a servant but there is no evidence of her having the child with her or of it being admitted to the school. Had the child survived? Was she given up for adoption at birth? There are no answers to these questions yet.²⁷

On 25 March 1856, while still employed at QOS, Mary was charged with disobedience of orders and sentenced to ten days’ solitary confinement at the House of Correction. Afterwards, it was ordered, she was to serve another twelve months’ probation before being eligible for another assignment.²⁸

23 <http://www.orphanschool.org>

24 CON41/1/37, image 96.

25 Absconding: *Hobart Town Gazette*, 30 August 1853; apprehension: *Hobart Town Gazette*, 9 September 1853; see also CON41/1/37, image 96.

26 CON41/1/37, image 96. See also, Woods, *op.cit.*, p.127.

27 CON41/1/37, image 96; Ellen, birth: RGD33/1/6, No. 293, Hobart, 1856; mother’s name shown on register as ‘Mary Hoare’.

28 CON41/1/37, image 96.

On 15 July 1856, Mary was granted a ticket of leave – but even this failed to modify her attitude to authority. Just three days after the issuing of the ticket, she was charged with misconduct and ordered to serve another three months’ imprisonment with hard labour.²⁹ On 1 December 1856 – now in the employ of a Mr. Pybus - she absconded again but was apprehended after only a short absence. For that offence, she was sentenced to three days’ gaol with hard labour – and, not surprisingly, her ticket of leave was revoked. On 7 December 1857, now assigned in the Kingston district south of Hobart, she was charged with assault. Fortunate to escape further punishment, she was merely admonished for the incident. Apparently, the admonishment fell on deaf ears. On 27 December 1857, while still in the Kingston area – she was charged with creating a disturbance and sent to gaol for another fourteen days, to be served with hard labour.³⁰

It was now almost six years since the conviction in England which had seen Mary transported to VDL but, despite the hardships and punishments she had endured, she was still far from willing to cooperate with her gaolers.

In fact, her most remarkable act of defiance was still to come!

On 6 January 1857, Mary absconded from the service of Mrs. Reynolds, Harrington Street, Hobart. It was her fourth absconding since her arrival in VDL.³¹ On each of the earlier occasions she had been apprehended fairly quickly but this time – incredibly - she managed to avoid capture, to escape from the colony and to return to England!

How she did it remains a complete mystery!

Adding to the mystery is the question of what Mary did with the children. If alive, baby Ellen would have been eighteen months old at this time. And what about Michael who would now have been about seven? Had Mary made a conscious decision to abandon him?

Evidence suggests that, by June 1860, Mary was back in England. Intriguingly, however, QOS records show that, on 7 November 1860, almost three years after Mary had absconded from the service of Mrs. Reynolds, Michael was ‘discharged to his mother’! A note in the QOS register adds: ‘Mother now free’.³² But could it possibly be correct that Michael was discharged to his mother? It seems not!

Documents at Salop County Prison, England, show that in June 1860, a woman calling herself ‘Margaret Dougherty’, who was known to have already served a seven-year sentence for the theft

29 Ticket of leave: *Hobart Town Gazette*, 15 July 1856.

30 CON41/1/37, image 96.

31 CON41/1/37, image 96.

32 www.orphanschool.org.au/showorphan.php?orphan_ID=2600

of apparel at Bristol in 1852, was gaoled for twenty-one days for vagrancy. In July 1860, she was gaoled for two months on another vagrancy charge. And in September 1860, she was gaoled for twenty days after being arrested for assaulting police.³³

These documents leave no doubt that this ‘Margaret Dougherty’ was, in fact, Mary Hore.

On 15 December 1860, just two weeks after Michael’s supposed discharge to his mother in Hobart, this report appeared in the *Staffordshire Advertiser* (England):

*A man and woman who gave their names as John Hore and Margaret Dougherty were committed for trial at the next Shropshire QS for picking the pocket of Martha, the wife of John Lawrence, of a purse and money whilst in the market at Drayton on the 5th inst.*³⁴

At the General Quarter Sessions of the Peace at Shrewsbury, Salop County, England, on 31 December 1860, the court heard that Margaret Dougherty was also known as ‘Bridget Cosgrove’ and ‘Mary Hore’. Found guilty of the theft at the Drayton market, she was sentenced to seven years’ imprisonment. John Hore was sentenced to four years’ gaol for his part in the crime.³⁵

In its report of the court hearing on 5 January 1861, the *Wellington Journal and Shrewsbury News* gave further details of the crime and explained why John Hore had received a lesser sentence:

*Joseph Hore (27) was charged with stealing a purse containing 1s 10d [one shilling and ten pence], the property of John Lawrence, at Drayton-in-Hales, or of receiving the same with a guilty knowledge. Margaret Dougherty alias Bridget Cosgrove alias Riley pleaded guilty to this charge. Previous convictions against both prisoners were proved, the female having been several times imprisoned and once transported for seven years. Dougherty received a sentence of seven years and Hore four years’ penal servitude.*³⁶

Reference in the report to ‘Margaret Dougherty’ having been ‘once transported for seven years’ provides further evidence that Margaret Dougherty and Mary Hore were one and the same person.

33 File No. 339/2, Criminal Register, Salop County, via FCRC researchers Eileen Ball and Colette McAlpine. ‘Salop’ is an abbreviation for ‘Shropshire’ but used only in writing.

34 *Staffordshire Advertiser*, 15 December 1860, via notes per FCRC researchers Eileen Ball and Colette McAlpine.

35 Criminal Register, Salop County, via FCRC researchers Eileen Ball and Colette McAlpine. ‘Salop’ is an abbreviation for ‘Shropshire’ but used only in writing.

36 *Wellington Journal, Shrewsbury News* (Wellington, Shropshire, England), 5 January 1861 via Eileen Ball and Colette McAlpine, FCRC researchers.

The report named John Hore as ‘*Joseph Hoare*’ and gave his age as twenty-seven. Both details are obviously incorrect. He had been named correctly as ‘John’ in the *Staffordshire Advertiser* of 15 December. He was released from prison in late 1863 after serving all but a month or so of his four-year sentence. His early release was granted because of a permanent injury – a rupture of the groin – he had suffered in prison while labouring on public works. Nothing more is known of him.

At some time during 1861 – the first year of her seven-year sentence – Margaret Dougherty/Mary Hore forwarded a petition to prison authorities stating that she was suffering from ill-health, that her strength was rapidly decaying, and that she feared that if she were in prison much longer she would be unfit for any kind of work when liberated. However, a note appended to her petition later by a doctor who had examined her at that time confirmed that she was indeed suffering from a slight disability but one that was not severe enough to provide grounds for her release. Her petition was rejected. Nevertheless, she was released from prison, still with a year and eight months to serve, in March 1866. It is likely that she was in ill-health.³⁷

In June 1866, three months after her eventual release, Mary was convicted once again – this time on a charge of vagrancy. She was sentenced to a months’ imprisonment.³⁸ That, gladly, was her last recorded offence – and the last sighting of her in the pages of history. She was still only forty years old.

Mary’s story is a remarkable one but it is frustrating that there are so many unanswered questions in it.

Why, for instance, did Mary, the daughter of parents who, from the little that is known of them, seem like good and loving people, make such a mess of her life? Was she herself solely to blame for the troubles in her life or can some of the blame be laid elsewhere?

How did Mary manage to get back to England.? Very few of those who had been transported to VDL – male or female – managed to escape the colony and return home. Even those who had served their time and had been issued with a Certificate of Freedom – and were permitted, therefore, to return if they wished - were generally unable to do so because they could not afford the fare.

What became of Mary’s children – Michael, James and Ellen? Who was Ellen’s father?

And, most particularly, what became of Mary herself eventually?

It is to be hoped that further research will provide answers to these questions.

37 File 339/2: Prison register, Bristol, per FCRC researchers Eileen Ball and Colette McAlpine, July 2020.

38 339/2, as above.