

ELEANOR LYONS

(*Blackfriar*, 1851)

by

Don Bradmore

Convict Eleanor LYONS, one of five children of John and Mary LYONS, was born at Waterford, Ireland, around 1827. Her baptismal certificate shows that she was christened as ‘Ellen’ LYONS and it is by that first name that she was always known to family.¹

Little is known about Ellen’s life in Ireland before her transportation to Van Diemens Land (VDL) in 1851 but, as she grew up at a particularly difficult time in Irish history, it is likely that her early years were not easy. The period between 1845 and 1849 was especially arduous for the people of Ireland with the country in the grip of the Great Famine which was responsible for the deaths of a million people and the emigration of about the same number to America, Australia and elsewhere.²

On 9 July 1850, Ellen stood trial in County Wexford, charged with arson. Found guilty, she was sentenced to transportation for fifteen years.³

The circumstances under which Ellen had decided to burn someone’s property are unknown as official transcripts of her trial have not been located. However, family sources have always believed that she and other members of her Catholic family had become involved in some way in the political troubles in Ireland at that time.⁴ *Encyclopedia Britannica* explains this situation by claiming that the Orange Order (popularly called the Orangemen), which had been founded in 1795 to defend the Protestant Ascendancy, were increasingly excluding Catholics from holding favourable properties, forcing them to subsist on poorer lands which had to be subdivided continually to cope with population increase. This situation became even more intolerable when a potato blight hit their crops and a long and devastating famine ensued.⁵

Thus, it is thought that it might well have been as a political act of resistance that Ellen committed her crime.

¹ Birth year calculated from Indent: CON15/1/7, Images 42 and 43; Baptism: Ireland, Catholic Parish Records, 1655-1912 via ‘Ancestry.com’, accessed November 2019.

² <https://www.britannica.com/event/Great-Famine-Irish-history>

³ CON41/1/30, Image 155.

⁴ Personal communication with Evelyn Chrystal, October 2019.

⁵ *Encyclopedia Britannica Online* at <https://www.britannica.com/place/Ireland/Social-economic-and-cultural-life-in-the-17th-and-18th-centuries>

After her trial, Ellen was admitted to the Grangegorman prison in Dublin, a gaol described architecturally as ‘brooding’ and ‘dour’ and as ‘bald an expression of the late Georgian penal code as one is likely to get’, to await transportation. Allocated Prison No. 2532, she was there for three months before being put aboard *Blackfriar* on 31 January 1851 for the voyage to VDL.⁶

At Hobart on 29 May 1851, Ellen was allocated Police No. 494. She was described as being four feet eleven and a half inches (about 123cms) tall, with a pale complexion, brown hair, hazel eyes and a pock-pitted face. She stated that she was twenty-four years old, single, Catholic, a country servant by trade, and that she could neither read nor write. She said that she had one brother, Thomas, and four sisters, Ann, Johannah, Bridget and Mary. She admitted to two previous convictions – the first for stealing turnips, for which she had served a prison sentence of two months, and the second for stealing clothes, for which she had been gaoled for six months. Her conduct record, however, states that she had had *no* previous convictions.⁷

Ellen was not well when she arrived in VDL. Although sent immediately to the probation station at New Town Farm, Hobart, she was admitted to hospital a month later and possibly remained there for a year. Her convict documents seem to show that it was not until 1 April 1852 that she was fit enough for work and sent to the Brickfields Hiring Depot. Three weeks later, she was hired by Mr. ROSMAN of New Town Road but was only in his service for two weeks. She was then hired by Mr. John LLOYD Jnr., of the Huon region, south-east of Hobart, and spent the next six months in his employ.⁸

By early October 1852, Ellen was in the service of Mr. TURNER in the Franklin area, and it was probably there that she met the man who was to become her husband, Charles SLAUGHTER, a former convict whose ticket of leave had been granted earlier that year.

Although permission seems not to have been granted officially to Ellen and Charles until the following October, they were married in the church at Franklin on 7 February 1853. Ellen was then twenty-six. Charles’s age is shown on the marriage entry as thirty-one but that is not correct. He was forty-one.⁹

Eight years earlier, Charles, of Brighton, England, had been found guilty at the Sussex Quarter Sessions, England, of stealing bacon and sentenced to transportation for fifteen years. Put aboard *Mayda*, he had been taken to Norfolk Island to serve his time, arriving there on 8 January 1846. By the time he got there, however, the British government had begun to wind down that

⁶ Grangegorman Depot Register via FCRC database at <https://www.femaleconvicts.org.au/>

⁷ CON41/1/30, Image 155.

⁸ As per convict documents via FCRC database.

⁹ Permission: *Hobarton Guardian, or, True Friend of Tasmania (Hobart)*, **22 January 1853**, p.3; Marriage: RGD37/944/1853, Hobart; Slaughter’s age as per his death certificate: RGD35/3092/1861.

settlement, and in May 1847, he was transferred to VDL per *Pestongee Bomangee*.¹⁰ His indent shows that he was thirty-six years old upon arrival, five feet eight inches (about 177cms) tall, with a sallow complexion. He was clean-shaven, but had very little hair on his head.¹¹

Before his marriage to Ellen, Charles had been punished three times for relatively minor offences in VDL. On 5 June 1847, he was charged with having tobacco in his possession and spent six days in gaol in solitary confinement. On 7 July of the same year, he was reprimanded for disobedience to orders. On 20 June 1849, he was charged with being drunk and disorderly and with creating a nuisance in a public place. He served another month in prison for that offence.¹²

After their marriage, Charles and Ellen remained in the Huon/Franklin area and for the next few years all seemed to go well.

About twelve months after the wedding, Ellen gave birth to a son, whom she named Charles SLAUGHTER after her husband.¹³ On 1 August 1854, she was granted a ticket of leave and later that month her husband received his conditional pardon. Ellen's conditional pardon was granted on 18 April 1856.¹⁴

On 30 March 1857, Ellen gave birth to her second child, a daughter, but as the name of the child was never recorded it is thought that she might have died at birth or soon afterwards.¹⁵

Then, however, things took a turn for the worse!

At some time during the mid to late 1850s, Charles seems to have been able to acquire – perhaps to lease or rent – a small farm in the Huon region on which he was able to run cows and grow a little food for the table. In 1858, he had brought a young aboriginal boy - Francis BURROWS - to the farm to assist him with herding the cows. But, Charles treated the boy very harshly and when, in mid-August 1860, that fact was brought to the attention of the police, he was charged with assault.

However, when the assault charge came to court on 1 October, Charles escaped without penalty because the boy himself had not appeared to give evidence. But, just as Charles was leaving the court, the Police Magistrate, Mr. TARLETON, who had heard the case, received word that the boy was now in hospital and in grave danger of dying. Charles was re-arrested immediately and remanded in gaol, pending the boy's ability to attend the court.¹⁶

¹⁰ CON33/1/79, Image148; Slaughter's trial: 20 May 1845; Norfolk Island penal settlement: [https://en.wikipedia.org/wiki/Norfolk_Island#Second_penal_settlement_\(1824%E2%80%931856\)](https://en.wikipedia.org/wiki/Norfolk_Island#Second_penal_settlement_(1824%E2%80%931856)).

¹¹ Indent: CON 17/1/2, Page 182.

¹² CON33/1/79, Image148.

¹³ Birth not recorded; the boy's birth year is calculated from Orphan School records.

¹⁴ Ellen: CON41/1/30, Image 155; Charles: CON33/1/79, Image 148.

¹⁵ Birth of unnamed daughter: RGD33/447/1857, Franklin; birth of Ellen SLAUGHTER: RGD33/1066/1860, Franklin.

¹⁶ *Hobart Town Daily Mercury*, 16 August 1859, p.3.

Sadly, the boy's condition continued to worsen and, on 28 October 1859, when it had become obvious that he was close to death, the Police Magistrate went to the hospital to take a bedside deposition from him. The boy never recovered and passed away two weeks later. He was eleven years old.¹⁷

At the inquest into the death of young Francis Burrows on 19 November 1859, the coroner was given shocking details of the treatment the boy had received at Charles Slaughter's farm. In the boy's own deposition which was read to the court, he stated that Charles had beaten him two or three times a week with a poker and a strap, that he had broken a wattle stick over him, and that he had turned him out from the house, stark naked, for a half an hour or more when it was cold and frosty. He said that his feet had become 'bad' by running barefooted after the cows but that Charles had kicked him with his heavy boots many times and had beaten him because he could not run fast enough to keep the herd away from the potato patch.¹⁸

In his deposition, Burrows had revealed that Ellen, Charles's wife, had also maltreated him. He said that the large sore on his head had been caused by Ellen. Further, he stated, one night when Charles was away in town, Ellen had beaten him with a stick and had put him out of the house before taking herself off to bed. He had been forced to spend the night across the road, lying on stones in a hollow tree. The next morning, Ellen had kicked him 'almost as hard as she could'. Two or three days later, he said, he had run away.

Dr. TURNLEY of the General Hospital, Hobart, told the coroner that the boy had been admitted on 4 August 1859 in a weak and emaciated condition. On his trunk and arms were cuts and scars, seemingly caused while the boy was slightly clothed or naked. Ulcerated sores were visible at the base of his spinal column and on the back of his head. Despite being given a nourishing diet, he had passed away on 13 November.

However, Turnley concluded his evidence by saying that a post-mortem examination of the boy's body confirmed that he had been suffering from a serious medical condition known as scrofula – the most common form of tuberculosis infection that occurs outside the lungs – for some time and that, in his opinion, death would have been accelerated *only slightly* by the treatment the boy had received at the Slaughter farm.¹⁹

Notwithstanding Turnley's opinion, the coroner's verdict was that Charles was guilty of manslaughter, the jury stating that 'the disease was so accelerated by the diverse assaults ... that Charles Slaughter did, in a manner and by the means aforesaid, feloniously, willfully and unlawfully, kill and slay Francis Burrows.'

Charles was taken into custody by the police to stand trial at a later date. Ellen was not charged with any offence.

¹⁷ Death of Burrows: RGD35/1824/1859, Hobart.

¹⁸ Report of inquest: *Launceston Examiner*, 19 November 1859, p.2.

¹⁹ Scrofula: <https://www.healthline.com/health/scrofula>; Inquest:

On 6 December 1860, in the Supreme Court at Hobart, Charles was indicted for assaulting the dead boy and the deposition the boy had given while in hospital in late October was read to the court. After hearing all of the evidence, as well as testimony tendered on Charles's behalf by his counsel, Mr. LEES, the jury retired. After five hours of deliberation, it returned a 'Not guilty' verdict, but added 'that it wished to express condemnation of the practice of chastising boys in the manner adopted by the prisoner.' The judge then discharged Charles, 'telling him that he had had a very narrow escape, for many a man had been tried for his life on less evidence.'²⁰

Whatever joy Charles might have felt at avoiding a gaol term for his involvement in Burrows's death did not last long. On 27 December 1861, just twelve months after the 'not guilty' verdict, he himself passed away. Although he was only fifty-three years old when first accused of assaulting the boy, newspaper reports had described him as 'an elderly man'. It is likely that the Burrows case and his difficult earlier life had aged him prematurely.²¹

On 16 February 1860, just months prior to Charles's appearance in the Supreme Court, Ellen had given birth to another daughter, whom she had named Ellen SLAUGHTER, and after Charles's death she had obviously struggled to maintain herself and her two children. On 6 January 1862, probably desperate, she had her son Charles, admitted to the Queen's Orphan School, Hobart. The school's Admissions Register says: 'Father dead, mother in prison' but, as there is no record of Ellen ever having been in prison, it is thought that this is an error.²²

Ellen's address at that time is shown in the Orphan School records as 'Barrack Street, Hobart, near the Dog and Partridge.' It seems clear that she left the farm at Franklin when Charles passed away.

On 19 October 1862, less than a year after Charles's death, Ellen married Daniel DAVIS, about whom nothing is known with certainty.²³ And what happened to the couple after the marriage also remains a mystery. They appear to have simply vanished from the pages of history. Did they leave the colony?

Similarly, nothing has yet been discovered about Ellen's eldest child, Charles. The Queen's Orphan School records do not reveal when he was discharged – if at all – or to whom. Did Ellen and Daniel Davis take him away from the school? Did he leave the colony with them? It is to be hoped that further research will find answers to all of these questions.

²⁰ *Launceston Examiner*, 8 December 1859, p.2.

²¹ Death: RGD35/3092/1861, Hobart; description: *Hobart Town Daily Mercury*, 16 August 1859, p.3.

²² <http://www.orphanschool.org.au/index.php>

²³ RGD37/326/1862, Hobart.