

CONVICT ELIZABETH WICKS

(*Brothers*, 1824)

by

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On 25 June 1823, Elizabeth WICKS was convicted at the Old Bailey, London, of stealing 2¾ yards (about 2.5 metres) of bobbin lace, valued at five shillings and sixpence (about \$1.10), from her master, a draper. She was sentenced to transportation for fourteen years. She was 21 years of age, and single.¹ She could both read and write.²

With 88 other female convicts, she was put aboard *Brothers* which sailed from the Downs on 6 December 1823. With 49 others, she was disembarked at Hobart on 15 April 1824. The vessel had then gone on to Port Jackson where the remainder of the women were put ashore on 7 May.³

The voyage of *Brothers* to the colonies had been a particularly troubled one. When the ship eventually reached Sydney, the events that had occurred at sea were the subject of a celebrated series of court actions.⁴ *Brothers* had sailed under the command of Charles MOTLEY. In charge of the health and welfare of the prisoners was Surgeon-Superintendent James HALL – and it was Hall who was at the centre of the trouble that had occurred at sea.⁵

Hall had been highly recommended for the post by the eminent Mrs. Elizabeth FRY (1780-1845) who, since 1816, had been working to improve the conditions under which women, many of whom had their children with them, were kept in English gaols.⁶ In 1817, she had founded the Association for the Reformation of the Female Prisoners in Newgate and had quickly won renown not only as a prison and social reformer but also as an energetic and visionary Christian philanthropist.⁷ In 1823, she had become aware of a small group of women about to be put aboard *Brothers* who were in need of very special care. This group – twelve in all - had been brought to the dockside from a prison in Lancaster ‘iron-hooped around their legs and arms, and chained together’ so that ‘they were not allowed to get up or down from the coach without the

¹ CON40-1-9, Image 249.

² Tardiff, Philip. (1990). *Notorious Strumpets and Dangerous Girls*. Sydney: Harper Collins.

³ ‘Convict Ships to Tasmania’: www.members.iinet.net.au/~perthdps/convicts/shipsTAS.html

⁴ C. Bateson. (1959). *The Convict Ships*. Glasgow: Brown, Son and Ferguson.

⁵ As for Note 1, above.

⁶ For more detail about Mrs. Fry, see Ryder, E. (1883). *Elizabeth Fry: Philanthropist, Preacher and Prison Reformer*. Pawling (N.Y.): P.H. Smith.

⁷ http://en.wikipedia.org/wiki/Elizabeth_Fry

whole being dragged together ... [and] some of them had children to carry'. Needless to say, 'the complaints of these women were very mournful'.⁸

As a consequence, Mrs. Fry was at pains to have a capable and kindly surgeon-superintendent aboard. Her faith in James Hall, however, was sorely misplaced.

Hall had made voyages in charge of convicts previously – on *Agamemnon* in 1820 and *Mary Anne* in 1822 - but he was considered by some to be too much of a 'zealous, meddlesome and litigious individual'.⁹ Not surprisingly, he quickly earned the enmity of the prisoners and a section of the crew on *Brothers*.

The crux of the problem was Hall's clumsy attempts to prevent prostitution on the vessel. In doing so, he was trying to obey orders. For a considerable time, the authorities in London had been concerned about the extent of prostitution on convict ships and they had been urging ships' masters and surgeon-superintendents to be more vigilant in preventing it. But, commonly, the unruliness of the worst of the women and the resistance of the seamen to the orders of the ships' officers had thwarted their attempts.¹⁰

Tensions over this issue came to the surface on *Brothers* after only six days at sea. On 12 December 1823, Hall was set upon by six women as he was treating others in the prison quarters of the ship. His attackers knocked him down, hitting and kicking him. When order was restored, with the help of other officers, the women who had led the affray were locked in the coal-hold of the ship where they were given nothing but bread and water for the next seven days.¹¹

Upon arrival at Sydney, Hall accused the chief mate, James Thompson MEACH, of instigating the assault, claiming that he (Meach) had promised the prisoners alcohol if they would knock him (Hall) down. At the official inquiry into the matter, Captain Motley supported Hall, telling the inquiry that he was aware that Meach had actively encouraged the crew to associate with the women and had used duplicate keys to allow his men access to the women's quarters.

Meach was immediately suspended from duty but Hall was not satisfied with that. He insisted that the chief mate be charged with 'mutiny' and 'attempted murder'. The attorney-general, however, refused to charge Meach with those offences, arguing that 'aggravated assault' and 'conspiracy' appeared to be the only charges of which a court could possibly find him guilty. A disgruntled Hall then decided to take his own action against Meach, charging him in a civil court with 'mutiny' and 'conspiracy of assault'. When he lost the case, Hall was even further angered at being ordered to pay Meach's costs, refusing to do so until a distress warrant had been issued against him.

⁸ As quoted in 'Free Settler of Felon?' http://www.jenwillets.com/convict_ship_brothers_1824.htm The author of the report is not named.

⁹ Bateson, *op. cit.*, p.205.

¹⁰ *Ibid. op. cit.*, p.206.

¹¹ *Ibid.* See Bateson, *op. cit.*, for full details of the inquiry.

When reports of the voyage of *Brothers* and the events which followed reached London, the Colonial Office, in conjunction with the Navy Board, decided that Hall would not be employed in the convict service again.¹² That may not have worried Hall who, by this time had had enough of convict ships. But, shortly afterwards, when Hall expressed the desire to settle permanently in New South Wales, Sir Thomas BRISBANE, the governor at the time, wrote to Earl BATHURST, Britain's secretary of state for the colonies, urging him not to allow Hall to do so because of a doubt about his 'moral character'.¹³

It is interesting to speculate how the trouble aboard *Brothers* on its voyage to VDL affected Elizabeth Wicks. She was *not* one of the women who had attacked James Hall *nor* was she one of the twelve Lancaster prisoners in whom Mrs. Fry had taken a special interest. While her unsettled life in the colony cannot be accounted for solely by the disturbances on *Brothers*, it seems likely that the circumstances surrounding these events would have affected her deeply.

At Hobart, Wicks was frequently brought before a magistrate, usually for offences involving theft or for being drunk and disorderly.¹⁴

In November 1824, just eight months after her arrival at Hobart, Wicks was brought before the Supreme Court charged with stealing clothing and other household items from the home of Dr Edward Foord BROMLEY, to whom she had been assigned as a servant. However, when BROMLEY, a prominent government official, failed to attend the court to testify against her, the case was dismissed. She was returned to the Female Factory to await further assignment.¹⁵

In the following year, she was fortunate to avoid punishment again when, assigned to Anthony Fenn KEMP, a leading Hobart merchant, her service was considered unsatisfactory. She was again returned to the Female Factory.¹⁶

On 16 September 1826, she gave birth to a son, whom she named James Henry LEE. Although the birth registration shows her name as Elizabeth LEE, she was still unmarried. The father is named as 'Henry LEE'. It is thought that he might have been the convict of that name who had arrived at Hobart on *Dromedary* in 1820, but that has not been confirmed.¹⁷

¹² 'Free Settler of Felon?' http://www.jenwillets.com/convict_ship_brothers_1824.htm

¹³ *Historical Records of Australia (HRA)*, Series 1, Vol, XI.

¹⁴ CON40-1-9, Image 249.

¹⁵ *Hobart Town Gazette*, 12 November 1824, p.3. Bromley's non-appearance was probably due to his own problems with the law. In September 1824, he had been accused of the embezzlement of £8,500 of Treasury Funds; see details in *Australian Dictionary of Biography* at <http://adb.anu.edu.au/>. See also 'Research Notes' for Elizabeth Wicks in Female Convict Research Centre database.

¹⁶ CON40-1-9, Image 249.

¹⁷ Son, James Henry LEE, birth – 2136/1827/32. Henry LEE (*Dromedary*, 1820) was granted a certificate of freedom in April 1826 (*Hobart Town Gazette*, 29 April 1826, p.1) but Elizabeth had not yet even been granted a ticket of leave.

Although no application for permission to marry seems to have been made, Elizabeth married Henry LEE at Hobart on 12 May 1828.¹⁸ A second child, Charles LEE, was born to the couple a month after the wedding but died in infancy. A third child, Elizabeth LEE, was born on 1 April 1830 and a fourth, Thomas LEE in 1831.¹⁹

There is reason to think that the marriage might not have been a happy one. On 11 May 1830, Elizabeth was charged with ‘being on her own hands’ and ordered ‘to be placed under the surveillance of the police until the pleasure of his Excellency, the Lieutenant-Governor, be known’. Six months later, however, she was granted a ticket-of-leave.²⁰

On 11 May 1836, she was charged with being ‘drunk’ and ‘out after hours’. Admonished, her ticket-of-leave was revoked – and not restored for some months.²¹

But worse was to come! On 11 August 1836, she was found guilty of stealing a quantity of wood. This time, not only was her ticket of leave revoked but her existing term of transportation was extended by a year. She was returned to the Female Factory.²²

Records show that in early September 1836, Wicks’s third and fourth children, Elizabeth LEE, aged 7, and Thomas LEE, 5, were admitted to the Queen’s Orphan School at Hobart. Wicks admitted them using her maiden name but named their father as Henry Lee who, the admission record states, was then in prison.²³ The children remained at the Orphan School until 1844, when, in August of that year, Elizabeth, then 15, was discharged (presumably as an apprentice or house servant) to a Mr. MILNE of the Comptroller’s Department. In the following December, Thomas, then 13, was discharged to his mother.²⁴

In June 1837, Wicks’s ticket-of-leave was again restored – but that did her little good. In 1839, she was charged with stealing a leg of mutton that was hanging from a hook outside a butcher’s shop in Argyle Street, Hobart. Found guilty, she was sentenced to two years imprisonment with hard labour. It was obvious from the report of her trial in the *Colonial Times* that the authorities had lost patience with her. The report ridiculed her, describing her as a ‘troublesome pest to Argyle Street’ and ‘a nuisance to the community’. She had become a laughing stock in her locality.²⁵

¹⁸ Marriage – 1114/1828/36.

¹⁹ Charles LEE – birth: 20 June 1828 (2696/1828/32) but died in infancy: 28 November 1828 (1776/1828/34); Elizabeth LEE – birth: 1 April 1830 (3347/1830/32); Thomas LEE’s birth was not registered.

²⁰ Ticket of Leave; 15 October 1830, *Hobart Town Gazette*, 18 September 1830, p.1.

²¹ CON40-1-9, Image 249.

²² CON40-1-9, Image 249.

²³ It is possible that Henry LEE died in 1869 (RGD35/9050/1869, Hobart) but this has not been confirmed.

²⁴ <http://www.orphanschool.org.au/searchorphans.php>

²⁵ CON40-1-9, Image 249; *Colonial Times*, 12 November 1839, p.6.

On 29 June 1839, Wicks's was released from gaol, the Lieutenant-Governor announcing that he was pleased to remit the unexpired portion of her sentence.²⁶ Now 36, she had been a convict in the colony for fifteen years.

Very little more is known about Wicks after she was given her freedom but she seems to have managed to stay out of serious trouble. Although the name 'Elizabeth Lee' appears from time to time in police reports published in Hobart newspapers – often in regard to an arrest and fine for drunkenness and/or disorderly conduct – it cannot be certain that any of these references are to the Elizabeth Wicks who had arrived on *Brothers* in 1824.²⁷

What is known, however, is that convict Elizabeth (Wicks) Lee died in poverty on 30 April 1871 at the Cascade Pauper Establishment at Hobart. The cause of her death is shown as 'debilitas', a term which is commonly defined as a weakness or infirmity of body and mind.²⁸ Her life in VDL had been as troubled as her voyage to the colony nearly fifty years earlier.

²⁶ CON40-1-9, Image 249.

²⁷ See, for instance, *Hobart Town Daily Mercury*, 30 March 1860, p.2.

²⁸ Death: RGD35/363/1871, Hobart; 'debilitas': <https://latin-dictionary.net/definition/15697/debilitas-debilitatis>