

MARY MARTIN

(*Canada* to Sydney, 1810; *Emu* to VDL 1815)

by

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Of the many fascinating stories of the lives of the 13,500 (approx.) females who were transported to Van Diemens Land (VDL) between 1812 and 1853, that of Mary Agnes MARTIN (nee HALLETT) must surely be one of the most remarkable. In the colony, she had outstanding success as a schoolmistress. Sadly, however, her life ended in misery. She died in poverty at the age of fifty-five in 1831, her achievements largely forgotten.¹

MARY is believed to have been born in Surrey, England, about 1776, the daughter of Henry and Mary HALLETT. Little is known about her early life but it seems obvious that she had received some education.

On 1 June 1797, Mary married Abraham MARTIN who, four years later, was appointed a surgeon in the Royal Navy. As England was at war with France at this time, it is likely that Abraham was at sea for lengthy periods throughout the marriage.² While he was away, Mary seems to have lived in lodgings in London with her younger sister, Maria.³

It may have been during one of Abraham's absences that Mary, her sister Maria and a male acquaintance, Samuel LAMB, were charged with the theft of £22 in banknotes, four rings, an opera-glass and several other trinkets from the London home of Marianne COOKE.⁴

According to a London newspaper, Cooke told the court at the Surrey Assizes on 9 August 1809, that the three accused had been in her house in March of that year. After they had gone, she noticed that a unique ivory box in which she kept the stolen items was missing. She contacted the police immediately. However, it was some weeks before she heard that the ivory box was for sale at a dealer's shop in central London. The dealer was able to give a description of the three people who had sold it to him. Cooke went with the police to search their home. There, she had found part of an ear-ring which she recognised as hers. Mary, Maria and Samuel were arrested.

¹ Death: 10 July 1831, RGD34/2662/1831, Clarence.

² 'London, England, Marriages and Banns, 1754-1921', for Mary Hallett: Tower Hamlets, Bethnal Green, p. 472; Abraham Martin, enlistment as medical officer, 1801, in Great Britain Admiralty (eds.), *The Navy List*, London, 1814, p. 39.

³ Maria's name is shown in a newspaper report of Mary's trial – probably incorrectly - as 'AYLETT' rather than 'HALLETT'.

⁴ Australian Joint Copying Project, Microfilm Roll 87, Class and Piece Number HO11/2, p. 10.

At the trial, Mary confessed to having stolen the box but said that her sister and Lamb had been unaware of her doing so. Both were acquitted but Mary was found guilty. A death sentence was recorded against her but it was later commuted to transportation for life.⁵

On 23 March 1810, Mary left England aboard *Canada* and arrived at Port Jackson (Sydney) on 8 September that year. She was about thirty-three years old. She had brought an infant son, William Joseph Martin, with her. No record of the boy's birth has been found. It is believed that he was born while Mary was awaiting transportation.⁶

A convict muster of New South Wales (NSW) four years later lists Mary as a 'schoolmistress' at Toongabbie, about eleven miles (eighteen kms) west of Parramatta.⁷ There, she had so impressed the Rev. Samuel MARSDEN, the resident chaplain of the district and the person in charge of education in that colony, that when she had requested permission, in mid-1815, to go to Hobart to assist Thomas FITZGERALD, the government schoolmaster, he had strongly supported her application. It is possible that Marsden, who also had responsibility for education in VDL, had suggested the idea to Mary as there is no record of her two having met Fitzgerald in NSW.⁸

Mary arrived at Hobart aboard *Emu* on 30 July 1815 accompanied by her son, William, now a six-year-old.⁹ Interestingly, Mary and Thomas Fitzgerald were married two weeks later.¹⁰ Was it a case of love at first sight? A meeting of the minds, perhaps - or simply a union of convenience? Whatever the case, the marriage produced two more children.¹¹

It was not Thomas's first marriage. In March 1801, he had married Betty Ann CHILTON at Westminster, London. Their son, Henry, was born in July 1801.¹² While Thomas was never to see Chilton again after his transportation, his son was able to join him in VDL twenty-one years later.¹³

4 *Morning Advertiser* (London) , 12 August 1809.

6 Carol Baxter (ed.). *General Muster of New South Wales, 1814*, p. 77.

6 Baxter, p. 77.

7 *Sydney Gazette and New South Wales Advertiser*, 6 June 1812.

8 CSO Reel 6004; 4/3494, p.126

9 Marriage: 14 August 1815, RGD36/1/1, 183/1815, Hobart.

10 Matilda Fitzgerald, baptism, 14 January 1817, 509/1817/RGD32/1/1; Thomas Fitzgerald, baptism, 28 December 1818, RGD32/1/1670/1819.

11 Marriage: Fitzgerald and Chilton, 8 March 1801, St Martin-in-the-Fields in 'England Marriages, 1538-1973' via IGI Family Search; baptism: Henry Thomas Fitzgerald, Metropolitan Archives, St James Clerkenwell, London, Register of Baptisms, Jan. 1785–Dec.1812.

12 *Hobart Town Gazette (HTG)*, 6 December 1823.

Thomas had arrived in VDL in January 1804. He was then twenty-seven years old. Two years earlier, he had been convicted of embezzlement from his employers and was sentenced to transportation for seven years. He had been one of the three hundred convicts in the party led by Captain David COLLINS who, in 1802, had been charged with establishing a settlement on Port Phillip. However, when that settlement - at Sorrento, about sixty-seven miles (108 kms) south of present day Melbourne - had failed after a few months, Collins had been given approval to move his party across Bass Strait to a site on the Derwent which later become Hobart Town.¹⁴

There, Thomas was made a magistrates' clerk but was also conducting evening classes for young men at his home in Davey Street, Hobart Town. In June 1812, he was appointed government schoolmaster on a salary of £10 a year. By 1815, this had been increased to £25 in remuneration also for his services as clerk.¹⁵

Mary (now Mrs. Mary Fitzgerald, of course) began teaching with her husband soon after their marriage – and was immediately successful. Together, they taught reading, writing, spelling, 'figures', grammar, geography and, perhaps, history at their home. The girls were also taught sewing and needlework. For this, the Fitzgeralds received fees from parents.¹⁶ In 1818, Mary applied to Lieutenant-Governor SORELL for a salary, and he recommended this be paid, telling Governor MACQUARIE at Sydney that she 'pays much attention to the female Scholars'.¹⁷ In 1819, she was receiving a salary of £3.15.0 per quarter.¹⁸ Although Mary was not the first female teacher in VDL, she appears to have been the first to be paid a salary by the government.¹⁹

In June 1817, Sorell dismissed Thomas from his position of magistrates' clerk, claiming to have received 'repeated complaints of his drunkenness and neglect ... his absence continuing for several days'. He was, however, allowed to remain a schoolmaster and his school continued to flourish. An official report in 1820 showed that Thomas had thirty-five scholars and Mary twenty-four. In that same year, the superintendent of schools, Peter MULGRAVE, informed Sorell that he was pleasantly surprised to find that the foundations of education in the colony had been 'so well laid and widely extended'. He reported that, of the 236 children aged between four and seventeen in Hobart Town, two hundred had received some education, many of them by the Fitzgeralds.²⁰

¹³ Marjorie Tipping, *Convicts Unbound*, South Yarra, 1988, pp. 273–4; Historical Records of Australia (HRA) III, 2, p. 24.

¹⁵ Tipping, pp.273-4.

¹⁶ HRA III, 2, pp. 280; Tipping, p. 152.

¹⁷ HRA III, 2, p. 311.

¹⁸ *HTG*, 19 June 1819.

¹⁹ As early as 1806, a woman by the name of Jane Noel was offering classes in Hobart; see Alexander (ed.) *The Companion to Tasmanian History*, Hobart, 2005, p. 113.

²⁰ HRA III, 4, p. 40; Tipping, p. 152.

For the next few years, all went well for the Fitzgeralds. Thomas was widely regarded as the foremost schoolmaster in Hobart and the school he and his wife ran, while expensive, was also considered the best.²¹ Thomas was also supplying the government store with grain and meat, produced on land he leased at the Black Snake about ten miles (16kms) north of Hobart. There, he was leasing two hundred acres (about 81ha.) on which he ran sheep and cattle. Two convict labourers had been allocated to him to tend the property.²²

In April 1824, Mary received her certificate of freedom²³ – but tragedy was about to strike!

In December the previous year, Henry, the infant son that Thomas had had to leave behind when he was transported, arrived in the colony as a free settler. To help the young man get started, Thomas purchased a dilapidated house close to his Black Snake property. His intention was to convert the house, ‘Addington Lodge’, to an inn which his son would manage while he himself continued with his teaching and farming interests.²⁴

However, on 5 September, just weeks before the inn was due to open, Thomas died.²⁵ Unable to keep the school going, Mary struggled financially. Although her husband had left everything to her in his will, significant debts that he had accumulated prior to his death, some of which might have been associated with the renovation of ‘Addington Lodge’, forced her to sell the Davey Street home early in 1825.

The sale did not go smoothly. The problem was that a man by the name of Philip MILLS claimed to hold a mortgage of £200 on the property. Mary disputed this amount, claiming the mortgage to be only £100. How the matter was resolved eventually is unclear but newspaper reports suggest that Mills prevailed after taking the matter to the Supreme Court in 1826.²⁶

Even before she knew the outcome of that court case, Mary had moved to a house in Goulburn Street, Hobart. There, hoping to improve her financial situation, she had applied successfully for a licence to sell wines, spirits and beer. Her new premises were known as ‘The Mermaid’.²⁷ Within a matter of months, however, she had realised that the running an enterprise of that kind was beyond her. She abandoned the business.

²¹ HRA III, 2, pp. 345, 361–2; HRA III, 3, p. 367.

²² HRA III, 4, p. 40; HRA III, 3, p. 555; HRA III, 3, p. 697; Tipping, pp. 273–4.

²³ *HTG*, 9 April 1824. Mary’s surname is shown as ‘Fitzgerald’.

²⁴ The inn was opened as the Golden Fleece in October 1826. See <https://trove.nla.gov.au/newspaper/article/30094484>

²⁵ RGD34/1/1/849/1824.

²⁶ *HTG*, 22 April 1825; 20 August 1825; 18 February 1826; 25 February 1826; 4 arch 1826; 12 August 1826.

²⁷ *Colonial Times*, 28 October 1825.

In January 1826, Mary wrote to Lieutenant-Governor George ARTHUR, who had replaced Sorell in 1824, telling him that her health was deteriorating and pleading for his help. She told him that she feared for the welfare of her children in the event of her death. In particular, she requested a grant of land for William Joseph, her son, now aged seventeen.²⁸ No record of Arthur's reply has been found – and no land ever seems to have been granted to her children. In 1830, William Joseph married Mary Ann ROBERTS but died in 1840, aged 31.²⁹

Meanwhile, financial pressures were not Mary's only concern. In late 1825, she wrote to magistrate James SCOTT, telling him that she was receiving 'unwanted attention' from a man by the name of KIRBY. She assured Scott that she had done nothing to encourage Kirby's overtures. As she heard no more from Kirby after this, it is likely that Scott took action of some kind of action to deter him from further annoyance.³⁰

However, Mary's financial circumstances were soon to worsen - dramatically!

On 25 September 1826, Henry, Thomas's twenty-five year-old son, was drowned in a boating accident on the Derwent. Shortly after arriving in VDL he had married, and Mary, who still had two young children of her own at home (Matilda, born 1817, and Thomas, born 1818), was obliged to take in Henry's young widow Harriet (nee DOWNEY) and her two infants.³¹

During the next couple of years, with so many people to support, Mary tried to re-establish herself as a schoolmistress. On 24 November 1826, she advertised in Hobart newspapers that she was about to open a day school.³² Unfortunately, the attempt was unsuccessful. Mary's days as a schoolmistress were over!

In late December 1829, now fifty-three, Mary re-married. Her new husband was William NICHOLLES (also seen as NICHOLS and NICHOLLS), a Clarence Plains cabinet-maker and farmer in his mid-to-late sixties.³³

Nicholes, like Thomas Fitzgerald, had arrived in the colony with Collins's party in 1803 but he was a free settler rather than a convict. His wife Fanny and their children had accompanied him. In VDL, he was appointed a superintendent of convicts, responsible for carpenters and builders. At first, the family did well there through land grants and building projects. Nicholes was granted a hundred acres (about 40 ha.) at New Town but, later, the authorities resumed the land

²⁸ Mary Fitzgerald to Lt-Gov Arthur, 9 January 1826, 'Papers of Sir George Arthur', Mitchell Library, Sydney.

²⁹ Marriage, 1542/1830/RGD32, Clarence; death, 552/1840/RGD34, Clarence.

³⁰ Tipping, p. 152.

³¹ *HTG*, 28 October 1826; marriage, Fitzgerald-Downey: RGD36/7481824, Hobart.

³² *Colonial Times* 24 November 1826.

³³ RGD36/1/1 1382/1829, Clarence.

for another purpose. In 1813, Nicholes moved his family to Clarence Plains where Fanny died in 1823.³⁴ By the time of his marriage to Mary, much of his wealth had been lost.

Mary's marriage to Nicholes was to bring little joy to either of them. Within twelve months, both were imprisoned for non-payment of debts which Mary had incurred before the marriage. At their trial in January 1831, both claimed to be 'utterly destitute of pecuniary means'. Solicitor General Alfred STEPHEN urged Chief Justice John Lewes PEDDER to discharge Mary on the grounds of her age and ill-health, and this he did. Nicholes told the court that he had sold his farm at Clarence Plains a year previously and had no property whatsoever except for a few working tools. He was gaoled for a short period.³⁵

Within six months, Mary was dead. She was fifty-five. Regrettably, her death certificate shows her 'quality or profession' only as 'House Builder's Wife'.³⁶

³⁴ Tipping, pp. 97, 123, 153; death, Fanny Nicholls: 23 July 1823, age 53, 721/1823/RGD34, Hobart. Fanny's surname is shown as 'Nichols'.

³⁵ "Decisions of the Nineteenth Century Tasmanian Superior Courts, Peters v. Nicholls [1831], Macquarie Law School, http://www.law.mq.edu.au/research/colonial_case_law/tas/cases/case_index/1831/peters_v_nicholls/

³⁶ RGD34/1/1/2662/1831.