

A Walthamstow Mugging in 1834 (Part 2)

Last seen in Part 1, the two seventeen year old failed Walthamstow 'muggers' had been sentenced to death and were in Newgate prison awaiting execution. However, I reported that 60% of criminals sentenced to death at that time had their sentences reduced and that I could not find any records of them being executed.

Thanks to *Walthamstow Memories* regular correspondent – Mick Gilbey – I learnt that, not long after, both of them had their death sentences commuted to transportation for life. Charles Fitzpatrick was sent to the prison hulk *Fortitude* moored at Chatham and John Edwards to the prison hulk *Leviathan* moored at Portsmouth.

Prison Hulks

Prison hulks were old ships that were no longer fit to sail, were moored in



river estuaries and harbours and used as floating prisons.

Converting the ships to prison hulks involved removal of the rigging, masts, rudders, and various other features required for sailing. Some hulks retained some of these features, but all were rendered inoperable or unseaworthy in some

The picture above: shows prisoners being rowed out to a prison hulk

way. The internal structure was also reconfigured with various features, including jail cells, in order to accommodate convicted criminals or occasionally prisoners of war.

The hulks, which retained only their ability to float, were typically located in harbours. This made them convenient temporary holding quarters for

convicts awaiting transportation to Australia and other penal colonies within the British Empire. In 1798 the hulks held more than 1400 out of about 1900 people waiting for transportation to Australia.

The prison hulk *Fortitude* had previously been a 74 gun British warship that was launched in 1807 and converted to a prison hulk in 1830.

Similarly, the prison hulk *Leviathan* had been a 74-gun ship of the line launched in 1790 at Chatham. She fought at the Battle of Trafalgar, was used as a prison hulk from 1816 and moored at Portsmouth.

The Appalling Conditions On The Hulks

Conditions on board the floating prisons were appalling. The standards of hygiene were so poor that disease spread quickly. The sick were given little medical attention and were not separated from the healthy.

Two months after the first convicts had been placed on board the hulks, an epidemic of gaol fever (a form of typhus spread by vermin) spread among them. It persisted on and off for more than three years.

Dysentery, caused by drinking brackish water, was also widespread. At first, patients, whatever their state of health, lay on the bare floor. Later they were given straw mattresses and their irons fetters were removed.

Death And Disease

Mortality rates of around 30% were quite common. Between 1776 and 1795, nearly 2000 out of almost 6000 convicts serving their sentence on board the hulks died.

Many of the convicts sent to New South Wales in the early years were already disease ridden when they left the hulks. As a result, there were serious typhoid and cholera epidemics on many of the vessels heading for Australia and Van Diemen's Land.

Life In The Hulks

When the prisoners arrived, they were stripped and washed in large tubs of water. Then, their own clothing was removed and they dressed in a suit of

coarse slop clothing.

A Tough Brutal Life

The living quarters were very bad. The hulks were cramped and the prisoners slept in fetters. The prisoners had to live on one deck that was barely high enough to let a man stand up. The officers lived in cabins in the stern.

The conditions on board were often worse than places like Newgate Prison. Attempts by any prisoners to file away or knock off the chains around their waists and ankles led to frequent floggings, extra irons and solitary confinement in tiny cells with names like the 'Black Hole'.

The Voyage To Van Dieman's Land

The ships were dispatched twice a year, at the beginning of May and the beginning of September in order to avoid the dangerous winters of the southern hemisphere. The prisoners were housed below decks on the prison deck and were confined behind prison bars. They slept on hammocks and at times were allowed up on deck for exercise and fresh air.



A Surgeon Superintendent was employed to care for their well being and a

Religious Instructor attended to their education. Warders kept them in order and in many of the Western Australian voyages they were also supervised by Pensioner Guards.

Charles Fitzpatrick was one of 269 convicts who were put aboard the vessel *Layton II* that set sail to Van Dieman's land on August 26th 1835. The vessel arrived at the town and port of Hobart on 19th December 1835.

Hobart

At the end of 1835, when Charles Fitzpatrick arrived at Van Dieman's land, Hobart was a well laid out and thriving town of over ten thousand people and had become an important Pacific base for the Royal Navy.



The plentiful natural resources of the island proved useful for the Royal Navy,

Left:: A view of Hobart Town by Irish born convict-artist Alan Carswell (1823),

who had soon turned Hobart into a thriving port. The docks were busy as the Navy shipped materials such as timber, flax and rum from Hobart Town. It had become a vital Southern ocean re-supply stop for international shipping and trade, and a major freight hub for the British Empire. Wealth poured into the port on the back of this trade.



Painting of Hobart, Tasmania, Australia, in 1832 by John Glover.

In the twenty years immediately after settlement, Hobart Town became a base for the Southern Ocean whaling and sealing industries. Hobart Town's shipyards built many of the whalers, and were kept busy with maintenance and repairs.

Economic Success

Whale oil soon became a major export, and was used to light the street lamps of London, and the wool industry had also established itself as a major export from Hobart Town's docks. In 1816, there were 20,000 sheep, and by 1818, 12,000 horned cattle. Merino and other flocks were established in the now expanding Midlands district, and at Clarendon, Perth, Longford, Esk Vale, Jericho, Simmonds and elsewhere. Soon merino stud rams were being sold for high prices, and Van Diemen's Land became noted throughout the empire for its fine wool.

Wheat crops were produced in such abundance that it was being exported to Sydney to subsidise their less successful crops. The Van Diemen's Land Company was formed in 1825 to raise sheep in the colony to provide wool for British cloth manufacturers who were then buying wool from Spain and Germany, as sheep bred in Britain were largely meat breeds.

Charles Fitzpatrick Is Set To Work

Much of Hobart's success was based on an infrastructure of roads and other facilities created by the work of the convicts. Shortly after arriving the convicts were set to work.

Male convicts served their sentences as assigned labour to free settlers or in gangs assigned to public works. Only the most difficult convicts (mostly re-offenders) were sent to the Tasman Peninsula prison known as Port Arthur. Female convicts were assigned as servants in free settler households or sent to a female factory (women's workhouse prison). There were five female factories in Van Diemen's Land.



A small percentage of convicts were worked directly by the Government in the road gangs and the building gangs of the public works, or were deployed in isolated government outstations. From the early 1820s penal stations and chain gangs provided an avenue down which to channel the incorrigible elements.

The working parties and establishments were all funded by the Home Government and formed the focus of British and colonial approaches to labour management in these formative decades.

According to the Tasmanian official records; Convict 23622- *Charles Fitzpatrick* - age 19 years, height 5ft 2½", a Carpenter, was allocated to a Public Work party.

Convict Life In Van Dieman's Land

Charles Fitzpatrick was a lucky young man. He had got one of the better jobs and wasn't put to work on a chain gang. He presumably 'kept his nose clean' and avoided being sent to any of the notorious penal colonies for repeat offenders. His life working on public works would have been very hard and the work back-breaking but that was nothing compared to the brutality and cruelty of work in a chain gang or in a penal colony where grinding punishment and terror became the instruments of threat and retribution for repeat offenders. Some of the verses of the well known song '*Van Dieman's Land*' graphically tell what it was like:

***'Oh when we sailed from England we landed at the bay
We had rotten straw for bedding we dared not to say nay
Our cots were fenced with fire we slumber when we can
To drive away the wolves and tigers upon Van Diemen's Land***

***Oh when that we were landed upon that fatal bay
The planters they came flocking round full twenty score or more
They ranked us up like horses and sold us out of hand
They yoked us up to the plough my boys to plough Van Diemen's Land'***

A Royal Pardon

We don't know what happened in the twelve years from 1835 when *Charles Fitzpatrick* arrived at Van Dieman's Land and 1847. However, thanks to some good research by *Mick Gilbey*, we know that in 1847, along with many others, *Charles Fitzpatrick* received a Royal Pardon with the condition that he would never return to England.

Charles was now nearly thirty years old. At the age of seventeen, he and another, lad had snatched a young woman's bag at Walthamstow. They had been apprehended within a few hours and sentenced to death. The sentence had been commuted to transportation for life. He had been put on a convict

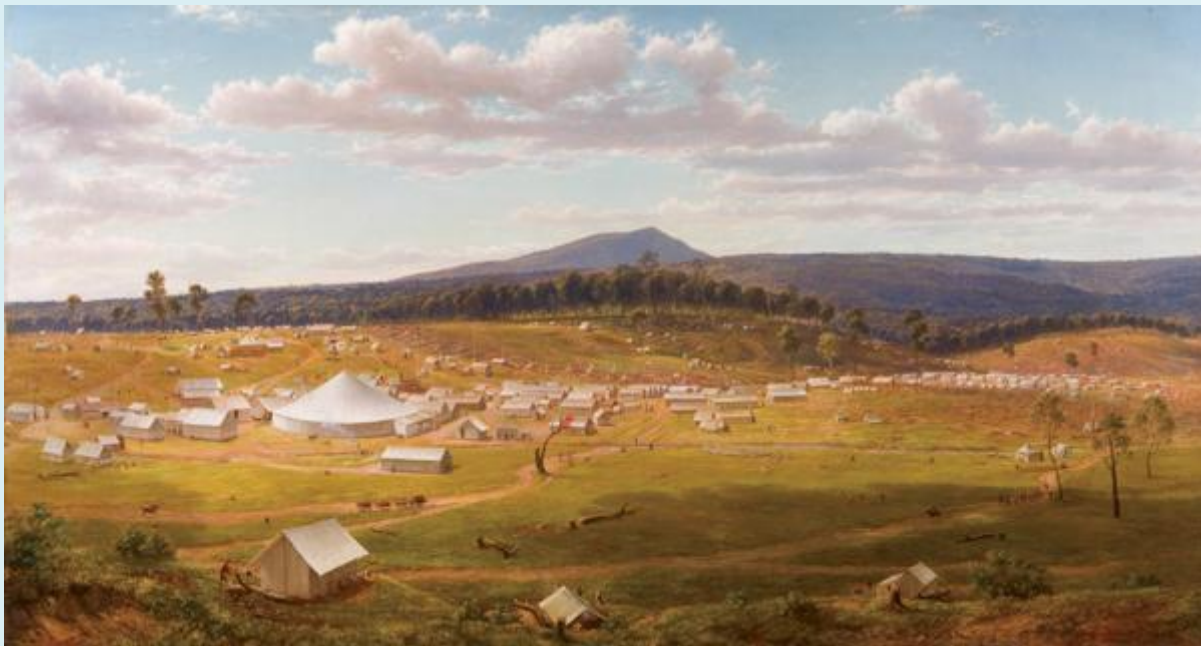
ship and transported nearly eleven thousand miles away to a foreign country and had been a convict for fourteen years. Now he was a free man but could never return home.

Australia & Marriage

Like most freed convicts, at the earliest opportunity, *Charles Fitzpatrick* took ship to Australia. Again by courtesy of *Mick Gilbey*, we learn that he moved to Geelong, Victoria where he married *Jane Neilson*, who was a Paisley born Scots woman immigrant in 1849 and they had eight children.

Gold Rush & The Goldfields

On the 1856 Australian Electoral Roll, *Charles Fitzpatrick* is listed, along with a number of others as a 'Gold Digger'. This reflects the fact that, in 1851, at a isolated place called Ballarat in the Yarrowee valley, gold was discovered.



Above: Ballarat tent city in the summer of 1853-4 from an original sketch by Eugene von Guerard

The nearest port to Ballarat was Geelong and the population of Geelong quickly grew to 23,000 people in the early 1850's. Unlike many other places where gold was discovered the yield from the Ballarat mines remained high for several decades and Ballarat became a successful boomtown.

The Eureka Stockade

I don't know whether *Charles Fitzpatrick* took part but in Ballarat in 1854 there began the only armed rebellion in Australia in Australian history.

The Eureka Rebellion of year was a historically significant organised rebellion of the gold miners of Ballarat, Victoria, Australia, who revolted against the colonial authority of the United Kingdom. The Battle of the Eureka Stockade (by which the rebellion is popularly known) was fought



between miners and the Colonial forces of Australia on 3 December 1854 at Eureka Lead and was named for the stockade structure erected by miners during the conflict. Resulting in the deaths of at least 27 people, the majority of whom were rebels, it was the most significant conflict in the colonial history of Victoria.

Above; The Eureka Stockade Riot. J. B. Henderson (1854)

Charles Fitzpatrick Death

Charles Fitzpatrick died in 1882 at Avenal in Victoria. Interestingly, Avenal was the hometown of Ned Kelly and he and his family went to school.

Edward 'Ned' Kelly (1854-1880) was an Irish Australian bushranger. Some consider him to be a murderous villain, while others view him as a folk hero and Australia's equivalent of Robin Hood. It would be interesting to know what the failed Walthamstow 'mugger' thought of him.

Bill Bayliss

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Acknowledgements

All the pictures used in this article are from the internet.

My grateful thanks go to regular *Walthamstow Memories* correspondent – **Mick Gilbey** – who unlocked the basic information that allowed me to go on and write this piece.