

Floating Frontiersmen and Illicit Informal Economies in Britain's Antipodean Colonies

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Abstract

In the 1840s, Britain's New Zealand and Vandemonian colonies underwent significant transformations that proved to be turning points in their histories. New Zealand became a crown colony in 1840, while the convict colony of Van Diemen's Land (now Tasmania) was the site of a unique experiment in penal discipline. Against this backdrop, Spanish-born and American-raised black whaler Emanuel Lewis traded oceanic voyaging for a terrestrial-based Antipodean lifestyle. This urban-based floating frontiersman subsequently became embroiled in three court cases. Intimate readings of these cases reveal how several unofficial economies were flourishing at the time in New Zealand and Van Diemen's Land, and link life on the land in the port cities of Auckland and Hobart into a global maritime network within which Lewis functioned as a node.

Introduction

In 1841 Spanish-born Emanuel Lewis signed on as a cook for the 436-ton *Montezuma* whaling ship operating out of New London, Connecticut. At the time, he was described as a 24-year-old resident of Philadelphia who stood 5'10" tall and had "black" hair and skin.¹ Two years later, the *Montezuma* was at the Bay of Islands in New Zealand "with 2700 barrels black and 340 sperm oil" on board.² Shortly thereafter, Lewis left the vessel to forge a new life for himself in the Tasman world. Surviving evidence does not indicate whether he did so legally or illegally. However, his subsequent life course highlights some of the ways in which informal economies operated in the region at the time and illuminates how urban working-class peoples' efforts to sustain themselves could get them into trouble with the law.

As David Haines and Johnathan West explained, New Zealand experienced a surge in its European population from the 1820s onwards as sailors and former convicts engaged in emerging land-based extractive industries. The "crew cultures" of these sea-going men continued to inform the social world of those who gave up their sea-going lives, temporarily or permanently, to engage in land-based labour. I argue that Lewis exemplifies Haines' and West's concept of "floating frontiersmen," former maritime men who in the eyes of the authorities were willing to flout the colony's laws.³ While Haines' and West's floating frontiersmen were typically coastal dwellers who attempted to "resist and elude authority" at the geographical peripheries of Aotearoa New Zealand, I further argue that Lewis's criminality in urban settings extends this descriptor to former seamen who, like him, found situations in port cities.⁴ Lewis, as a cook, readily found work on shore at a hotel in the port city of Auckland.

In both urban and coastal settings, the colonial authorities engaged in "increasingly elaborate efforts ... to control, capture, and constrain" floating frontiersmen, as was demonstrably the case in relation to Lewis.⁵ An encounter with the law in Auckland in 1844 saw Lewis transported to Van Diemen's Land.⁶ As a black convict, Lewis was far from unique in the Australian penal colonies. As early as 1980, V. C. Malherbe identified the presence of Indigenous peoples from the Cape colony within the convict population in the Australian colonies, laying a foundation for a black convict historiography that has since been developed by other historians.⁷ Historians have highlighted how there were three distinct categories of

“black” convict, Indigenous peoples transported from across the British empire within the context of frontier wars whose resistance to colonisation was criminalised and punished, formerly enslaved people who had attracted attention from the police and law courts, and those who had, like Lewis, been born free.

Although Lewis was regularly described in administrative documents and newspaper reports as “black” or “coloured,” I demonstrate how his experiences reveal how such labels were used during his lifetime as identifying descriptors rather than as markers of inherent criminality. Such was the case when Lewis experienced further encounters with the law in Hobart in 1852, one of which saw him appear in court as a witness. This was followed by another case in which Lewis was the defendant and involved seamen who had sought Lewis’s assistance to jump ship. This article uses Lewis’s three encounters with the law to explore networks of socio-economic relationships within which he became enmeshed across the Tasman world, and to illuminate aspects of the illicit informal economies operating within both colonies.

Port cities like Auckland and Hobart, closely linked through trade and travel, lend themselves to an exploration of the illicit informal economies that flourished where the worlds of the urban poor and those who worked on ships overlapped. The descriptor “informal economy” has been popular since the 1970s when the term was used by Keith Hart as “a label for economic activities which take place outside of the framework of official institutions.” Hart explained how informal economies are “of some antiquity” and cited the East End of London in the mid-nineteenth century as a case in point, yet also elaborated how the concept is notoriously difficult to define. It encompasses wide-ranging activities such as “corrupt public finances in Zaire and “do-it-yourself” in a London suburb.” For the purposes of this article, I am utilising “illicit informal economies” in a way that resonates with Hart’s “economy of the streets.”⁸ This phrase evokes a sense of the everyday, often hidden, nature of the transactions that take place within an informal economy between people who are usually materially or financially impoverished. Lewis, in both Auckland and Hobart, was involved in economies of the streets. The informal economy therefore provides a useful conceptual framework through which to read his activities across the Tasman world while acknowledging that only those of his activities that attracted unwanted attention from the colonial authorities and were therefore criminalised have been recorded.

It is also important to note that engaging in an informal economy does not necessarily imply criminality in and of itself. For example, when Lewis arrived in New Zealand, Auckland had recently superseded the Bay of Islands as the capital. The nascent economy was in the early stages of transitioning from the trading relationships on New Zealand’s commercial frontier that typified a “middle ground” as theorised by Vincent O’Malley (following Richard White’s application of this term in the context of the Great Lakes region in North America).⁹ Yet, in the 1840s, Auckland’s colonial citizenry still relied on Māori for a steady supply of fresh produce and, to a lesser extent, temporary housing. In turn, Māori depended on European traders for ongoing access to trade goods such as axes and tobacco.¹⁰ This flourishing informal economy was mutually beneficial, legitimate, and supported lives and livelihoods. The illicit informal economies within which Lewis became embedded in Hobart functioned for similar reasons. Participants sought a livelihood through providing desirable goods or services. Yet some of their chosen activities contravened colonial law, therefore making them illicit. Surviving documentation about these historical actors’ criminalised activities facilitates closer exploration of the shadowy, often overlooked side of informal economies in the Tasman world.

While historians of the Australasian colonies have rediscovered the value of engaging with maritime networks, urban history has arguably suffered from some neglect.¹¹ Ben Schrader has explained how a long-standing lack of engagement with urban history has led to scholars knowing “surprisingly little about ... urban dwellers” such as Lewis.¹² Writing about Van Diemen’s Land, James Boyce highlighted how most newcomers to the colony “had socio-economic and cultural backgrounds radically different from the elite free settlers” yet many of these people’s lives have not been given much scholarly attention. Class too, as Jim McAloon reminded us, has often been ignored in recent Australasian historiography.¹³ Exploring Lewis’s life as an active agent within illicit informal economies helps shed light on the lower-class urban environments within which he was embedded and, particularly in relation to Hobart, illuminates enduring links between terrestrial and maritime colonial worlds.

Over the period in which Lewis encountered New Zealand law, it “was an amalgam of English law and certain acts of the New South Wales legislature” that was developing into “a new local law.”¹⁴ The same can be said for Vandemonian laws which, like the laws of the colony of New South Wales from which Van Diemen’s Land separated in 1825, were also derived and evolved from English laws.¹⁵ Detailed records of Lewis’s criminal activities and court appearances in Auckland have survived through the pages of colonial newspapers, digitised and available through the National Library of New Zealand’s *New Zealand Papers Past* database. Lewis’s life in captivity, like the lives of tens of thousands of convicts in the Australian penal colonies, came under unprecedented scrutiny in Van Diemen’s Land where it became inscribed into a set of administrative records pertaining to convicts since added to UNESCO’s Memory of the World Register. Details of the court cases in Hobart involving Lewis live on through the digitised pages of colonial newspapers accessible through the National Library of Australia’s *Trove* database. The extensive digitization of archives has provided historians with “more and more ability to know the lives of individuals in history, even those who were humble, marginal, and obscure” such as Lewis, particularly when they had encounters with the law, transforming the possibilities for historians writing “little lives” utilising methodologies including microhistory, biographical history, and social biography.¹⁶

Following Helen Rogers’ approach to record linkage, I engage in “‘intimate reading’: the scrutiny of records from multiple sources that permits an exploration of individuals and groups, their interaction with others and their engagement – however unequal – with the record-makers and keepers.” This type of reading enables an “intensive form of investigation and extensive contextualisation.”¹⁷ The records accumulated in relation to Lewis, which I have mined and carefully linked, facilitate my writing a social biography that sheds light on the wider maritime and terrestrial societies within which this floating frontiersman lived, and illuminate some of the intricate workings of illicit informal economies within and beyond port cities in Britain’s Antipodean colonies.

Part 1: Auckland, New Zealand

Extant records do not reveal Lewis’s motivations in leaving his life at sea, although Jari Ojala, Jaako Pehkonen, and Jari Eloranta found that merchant seamen who jumped ship in foreign ports were often younger, single, of a lower rank, and held expectations of higher wages, improved employment conditions, and better prospects in their new surroundings.¹⁸ As an urban dweller, Lewis’s encounters with the law triggered the accumulation of associated records that richly detail his criminal activities, as well as his socio-economic, religious, and familial background. The brief moments in which Lewis contravened the law saw his life described and contextualised more extensively than those of many of his law-abiding contemporaries. Yet these records also reveal something of those whose lives intersected with

Lewis's as part of his wider networks of illicit trade and associations, or as witnesses to his criminality.

From the details that he provided on arrival in Van Diemen's Land on 9 November 1844, we can ascertain that Lewis was born in Cartagena, Spain, before being brought up in North America where his brother Antoine and sisters Henrietta and Elena remained. Lewis's Spanish origins were further borne out by his Catholic faith. His age was initially listed as 36, but then corrected to 26 years old, and his marital status was recorded as "single," meaning that his profile fits well within the parameters detailed by Ojala et al above for those seamen most likely to leave their vessels while in port. When questioned in Hobart, Lewis described how he had arrived in New Zealand "in the American whaler *Montezuma* Capt. Baker about two years ago" and worked as a cook.¹⁹

Reminiscences published in a local newspaper half a century after its establishment demonstrate how Auckland when Lewis arrived in port was a fledgling town, having been surveyed only several years earlier in 1841. A tidal creek ran down the western side of the main road, Queen Street, where the ground was "still a black swamp." Colonists lived in huts, some of which were built for them from raupo by local Māori. Businesses were starting to open, including public-houses, bakeries, and banks. The nascent settlement may have appealed to Lewis in terms of opportunities, with the town also attracting interest from the Australian colonies. Some colonists moved across the Tasman Sea to try their luck in the new colony.²⁰ One such man was William Stewart, a pale-complexioned carpenter from Ireland with red hair and red whiskers, who travelled as a free emigrant to the Port Phillip District of New South Wales (Victoria) in 1841 on the *Marquis of Bute* before relocating to Auckland on the *Isabella Anna*.²¹

Perhaps Auckland's early neighbourhoods bore some of the characteristics described by Graeme Davison who has stated "at its beginning, the typical neighbourhood was a little world of its own, often hidden from the rest of the city to which it was connected."²² Insights into the neighbourhood inhabited by Lewis and Stewart are possible through gleaning information from the newspaper accounts of their trial and the administrative records about the men that accumulated in Van Diemen's Land. Almost a year to the day after the *Montezuma* arrived in New Zealand waters, Lewis, described as "a colored man," appeared in an Auckland police court charged with sheep stealing. He was placed at the bar on Wednesday 14 August 1844 alongside his co-accused, Stewart.²³ The police court was, at the time, one of the lower or inferior courts in the colony. The evidence against the accused was tested before the police court to determine whether it was sufficiently compelling to warrant their being committed to stand trial.

At the time of Lewis's and Stewart's police court hearing, the population of Auckland numbered fewer than 3,500 people.²⁴ According to Davison, "the boundary between public and private was indistinct" in early neighbourhoods, with ideas about domestic privacy yet to mature.²⁵ This is borne out in the testimony provided both by Lewis and by a series of witnesses called to testify against him and Stewart. In his defence, Lewis claimed not to have known Stewart well, stating that he had met the man while Lewis was working as a cook at the Royal Hotel where Stewart was living at the time. He said he knew Stewart only by his first name, William. Yet by the time of their arrest, the men were in business together, running a shop, and sharing a house. It was situated opposite that of Aitcheson [Aitchison] Oliver, who testified against them, as did another of their neighbours, John Doran. An empty house stood adjacent

to the accused men's dwelling.²⁶ The descriptors of the defendants' and witnesses' living and working arrangements reveals their spatial proximity in early colonial Auckland.

Lewis told the court how Stewart had gone up to the Wade (now Silverdale, a village north of Auckland) to purchase some pigs but had instead returned with a sheep that he said he had bought. Lewis claimed that Stewart showed him some papers to support his assertion but said that as he was unable to read nor write he simply "took the paper supposing it was all right." Stewart was observed *en route* with the sheep by a local doctor, Davis. Davis testified to seeing Stewart with a "very fat" Leicester sheep at Mechanics' Bay the previous week. The doctor asked him from where he had got the animal and what he intended to do with it? After Stewart told him that he got it from the Wade and would kill it that evening, the doctor arranged to buy a portion, and did so the following day.²⁷ The doctor's eagerness to purchase part of the animal when he was clearly suspicious about the legitimacy of Stewart's possession of it highlights that fresh meat was sufficiently sought after in the urban centre for Davis to turn a blind eye so that he might share in the spoils.

The process of slaughtering and butchering the animal was described in detail by Peter Crozier, a man whose occupation as "seaman" indicates that Lewis maintained maritime links while in Auckland. Crozier's evidence connected Lewis to the stolen sheep, and both defendants with the death of the animal. Crozier revealed how, on visiting the men's house the previous Wednesday, he "saw a sheep in their bedroom, under the bed." On being asked what it was, Lewis replied "a sheep" while Stewart added that "he need not be ashamed to shew it, as he had bought and paid for it." Lewis killed the sheep in the bedroom in front of Crozier who later described how "the blood ran through a broken board in the floor." Crozier realised that the ewe was "in young." Lewis cut her open, discovering twin lambs in her womb which he then "threw in the water closet." He carefully removed the point of her ear, presumably to remove the V-shaped mark identifying her owner, then put the skin in an outhouse where Crozier later saw a large dog tearing at it.²⁸

Along with Dr Davis, Lewis's and Stewart's neighbour, John Doran, bought some portions of the stolen animal. Doran explained how he had "kept Mr Clarke's sheep ... on the Tamaki" and had seen sheep belonging to Sampson Kempthorne there too. He revealed that on learning that there "was a carcase of a ewe sheep" at his neighbour's house, he had purchased from them "the head and pluck," the latter being the heart, liver, and lungs of the dead animal. Local butcher, Francis Ring, also purchased part of the sheep. He told the court that during the previous week he had seen Stewart carrying a sheep on his back "which I observed was a large Leicester sheep." He testified to seeing "a side of mutton hanging up in the prisoners' shop" the following day from which he had purchased a hind quarter, paying five pence per pound for twenty pounds of the animal.²⁹ Ring not only closed an evidentiary loop through providing expert testimony as to the distinctive breed of the animal, but also unwittingly provided for present day readers some insights into shopkeeping practices and the cost of mutton in the early colony. Through his testimony, he also provided clear evidence of the operation of an illicit informal meat economy in urban Auckland as well as Lewis's and Stewart's illegal act in procuring, slaughtering, and butchering the animal.

Because of the distinctiveness of its breed, the deceased animal's fleece provided significant material evidence against Lewis and Stewart. At the time, only Kempthorne and a Mr W Williams were known to be running flocks of Leicesters in New Zealand. One of Kempthorne's servants, Isaac Wade, testified to seeing Stewart and another man with the Leicester sheep. On challenging them as to whether the ewe belonged to Kempthorne, Stewart's companion

claimed it did not. It is not clear whether that companion was Lewis. Another of their neighbours, Oliver, attested to seeing their mutual neighbour Doran with the fleece, “a remarkable fine one,” which was reclaimed from him by Lewis. Distancing himself from too close a social relationship with the accused, Oliver claimed to know the prisoners only “by sight”; however, he was able to confirm that he thought that the fleece he was shown in court was the same one Lewis had retrieved from Doran. Chief Constable James Smith attested to visiting the defendants’ house the previous week to seek the sheep’s skin only to be told by Lewis that it had been destroyed. Smith found the skin stowed in the empty house next door, following which he arrested Lewis. He later apprehended Stewart the night before the men’s initial court appearance.³⁰

The case against Lewis and Stewart was bookended by testimony from Sampson Kempthorne Esq. who, as the first witness for the prosecution, told the court that after “having received information that some of my sheep were stolen” he had had them rounded up, only to find that one of his distinctive Leicester ewes was gone. He confirmed that the fleece produced in court belonged to one of the Leicester sheep that he had brought out from England.³¹ These distinctive sheep hailed from Kempthorne’s home county.

Records indicate that the sheep had not been long in the fledging colony. It was just the previous year, on 27 May 1843, that Kempthorne, in his capacity as an acting Director of the New Zealand Company, wrote a lengthy letter to the editor of the *Daily Southern Cross* newspaper on the matter of “forming a settlement at the mouth ... of the River Thames or Wai Hou.” He described a need for “scores of practical Farmers with moderate capital” who were “willing to ensure a little roughness for the first six months.” Kempthorne testified to cattle being plentiful and thriving in the district. In contrast, though, he found the local sheep to be “very small” and unadapted for this colony, being “principally merino from New South Wales.” To Kempthorne’s way of thinking, “An importation of good Leicester sheep would be a great advantage.”³² Sometime over the following year, Kempthorne put his money where his mouth was and imported a flock.

The three-lettered abbreviation Esq. after Kempthorne’s name marked him as a landowner, a man of substance in the colony. His baptismal record demonstrates that after having been born to John Kempthorne and Elizabeth Sandys Whish on 14 September 1809, Sampson Kempthorne was baptised at Claybrook in Leicester, England, on 5 November 1809.³³ Careful record linkage has revealed that Kempthorne had, as a young man, trained as an architect. At 26 years old his name was included on the Institute of British Architects’ inaugural list of associates in 1835. At the time, Kempthorne was practising in Carlton Chambers located at 12 Regent Street, a salubrious London address.³⁴ Through his family connections to the Poor Law Commissioner Thomas Frankland Lewis, Kempthorne was commissioned to produce plans for workhouses for the poor, plans that were published in 1835. He gained experience in England in designing churches, school buildings, and other civic structures, a background that saw him employed in an architectural capacity after he emigrated to New Zealand in 1841.³⁵ This, though, was with mixed success. In 1844, for example, Kempthorne designed Bishop Selwyn’s private chapel at Taurarua in Judges Bay at Auckland. However, the stone building’s foundations were inadequate, and the structure collapsed. Kempthorne had not made sufficient allowances for the way in which the site’s clay soil expanded and contracted as seasons changed.³⁶

After Kempthorne attested to one of his ewes being missing, the only other man running the same breed in the colony at the time was called to the stand. Williams explained how his sheep

ran with Kempthorne's. He recognised the fleece as belonging to one of Kempthorne's flock as the man's sheep were distinguished by a "V" shape cut out of the tip of their ears. Interestingly, Williams revealed that one of the accused, Stewart, had previously been employed by him. This accounted for how the prisoner would have been sufficiently familiar with Williams' and Kempthorne's flocks to know what he was stealing, when he might have an opportunity to remove one of the ewes, and how this might best be achieved. Williams did not proffer any explanation as to the circumstances surrounding the termination of Stewart's employment nor whether it was his or his former employee's decision. There is therefore no evidence to imply that the theft, which in any case was of one of Kempthorne's ewes rather than one from Williams' flock, was an act of revenge.³⁷

The proceedings spilled over into the following day, Thursday 15 August 1844, and opened with Mr Kempthorne being called to the stand again and sworn. Now appearing as the final witness for the prosecution, he gave evidence that the ewe of which he had been deprived was valued at £4. Lewis and Stewart were given an opportunity to cross examine any of the witnesses but declined to do so, then were committed to stand trial. Lewis's and Stewart's trial took place on Monday 2 September 1844 in the Supreme Court at Auckland. Both men pleaded not guilty to the charge of sheep stealing before the court was adjourned to the following day. On Tuesday 3 September, they appeared before the Chief Justice to learn their fate. After having been told that they had been found guilty, the Chief Justice reminded the men that "little more than a dozen years ago, the crime you have committed was punishable, and often punished, with death." Sentencing had however become more lenient, and the men were sentenced to be "transported beyond the seas to such place as his Excellency the Governor shall appoint for the term of Ten Years."³⁸ The place to which the prisoners were to be transported was Van Diemen's Land.

Part 2: Hobart, Van Diemen's Land

The 106-ton schooner *John Pririe* carried Lewis and Stewart from Auckland to Hobart together with young offender and former Parkhurst boy Henry Butler Dowie, convicted of burglary, and Moses Booth, a 45-year-old former convict reconvicted at Auckland for stealing two guns from a warehouse.³⁹ When the *John Pririe*'s human cargo was disembarked in 1844, Hobart had officially been a city for two years. Hobartians were aspiring to overcome the perceived stain of the island colony's convict origins. Hobart's burgeoning population of convicts, whether under sentence, expirées, or emancipists, was of greater concern locally to its reputation than the colonial population's involvement in the genocidal Vandemonian War fought against the island colony's original Indigenous inhabitants a generation earlier.⁴⁰

By the time Hobart became a municipality in 1852 its population had grown to 24,000 people, making it the third largest city in the Australian colonies. Other changes over the half century since its inception had seen many of Hobart's Georgian sandstone buildings constructed, such as the warehouses lining the waterfront along Salamanca Place, the Theatre Royal, and large houses like *Narryna*, that still dominate the city's built environment.⁴¹ The social and political landscape was also changing, and shortly before Lewis and Stewart's sentences began, the system under which convicts were assigned either to government or private service had been replaced by a new probation system. Convicts were sent to a probation station for a specified period of initial labour and reformation prior to becoming a probation passholder. As a passholder, a convict could be hired from a hiring depot and keep the wages earned through their labour.⁴²

Becoming a passholder was still some way in the future, though, for Lewis on his arrival in Van Diemen's Land. As with most of the arrivals from New Zealand (except six Māori convicts), Lewis was questioned very closely by the convict authorities. They required him to provide a full account as to how and why he came to be in the newly proclaimed British colony of New Zealand so soon after its inception as they were suspicious that those transported from the young colony may be absconders from the Australian penal colonies. On investigation, the Vandemonian authorities discovered that at least a few of the men transported from New Zealand were indeed convict absconders from Van Diemen's Land or New South Wales. Some were reconvicted under a false name. As knowledge of these reconvicted absconders spread to New Zealand, it vindicated public opinion in that colony that many of the "vagabonds" convicted in New Zealand's law courts were simply "the refuse from neighbouring colonies" rather than free settlers sent out from Britain and Ireland.⁴³

During his interrogation following his arrival in Hobart, Lewis told the authorities that his sentence to transportation for ten years resulted from his having been found guilty of "stealing one sheep per S Kempthorne." He admitted to being literate, despite having claimed under oath in Auckland that he could neither read nor write. At trial, this plea of illiteracy would have played in his favour as he claimed not to be able to understand the document presented to him by Stewart, his co-accused, whereas in Van Diemen's Land his ability to read and write could potentially lead to more comfortable conditions of employment perhaps as a clerk. All of these details were duly noted on the man's indent.⁴⁴

While he was under sentence in Van Diemen's Land, as with almost all other convicts, the convict authorities recorded certain details about Lewis along with annotations about his conduct and additional punishments incurred. Lewis's conduct record repeated key information from his indent about his trial, sentence, religious affiliation, literacy level, and offence. It also described his appearance, essential information for identifying him should he abscond. The scribe noted that Lewis was a cook aged 26 whose complexion was copper coloured, and whose hair was "black and wooley." His head was "large," his visage "broad," and his forehead and chin "medium." His facial hair, including his eyebrows and whiskers, were "black" with the latter also described as "wooley." Lewis's eyes were "dark hazel," his nose "medium," and his mouth "large" with thick lips. The man's native place was recorded as Spain. Had he absconded, he may well have been identified more clearly by the marks inscribed on his body. He had a burn on his left wrist, perhaps from a cooking accident, as well as a scar on his breast. Overall, the scribe saw Lewis as being "stout made."⁴⁵

After Stewart and Lewis had been closely questioned and physically described in Hobart, their paths diverged. Stewart was sent to the Brown River probation station south of Hobart (at present day Kingston) to serve an initial period of probation of fifteen months, while Lewis was sent to the probation station at Jerusalem (now Colebrook) to serve the initial fifteen months of his sentence.⁴⁶ After receiving a ticket of leave (a forerunner to the present day system of probation for those who have completed part of a custodial sentence) on 15 January 1850, Lewis was permitted to live in Hobart and to engage in paid work to support himself.⁴⁷ Just over two years later, on 2 February 1852, Lewis married Rebecca Wilson, a house maid transported from Ireland who, at the time, was still serving her sentence to fourteen years transportation for receiving stolen money. Although Wilson's religion was given as "protestant" and her status as "married" on her conduct record, she and Lewis were married at St Joseph's Catholic Church in Hobart, with his occupation being noted as "sailor."⁴⁸ Just six months later, Lewis became embroiled in a series of events that saw him appear in court,

initially as a witness in one case, then as the defendant in another loosely connected matter. Both cases provide examples of, and insights into, colonial Hobart's illicit informal economy.

Early in July 1852, the *Tasmanian Colonist* reported that two women "of dissolute habits" who lived in Bathurst Street in a house opposite the Temperance Hall had quarrelled while drunk. One of the women, Eliza Raymond, had used a knife to stab the other, Ellen Lyons alias Mary Jane Dogherty, in the neck. The victim was admitted to the Colonial Hospital, and the perpetrator taken into custody. Appreciating that the two were involved in the economy of the streets in every sense of that phrase, a newspaper took advantage of this incident to reflect the moral panic that the presence of so many "dissolute women" (prostitutes) was exciting in Hobart. It reported that the number of such women was "very great," with "many female [convict] absconders harboured in various houses" where they were managing to avoid detection by the police. Others, contrary to the conditions of their tickets-of-leave (an early form of probation) which restricted them to residing in Hobart, had "escaped to Melbourne either clandestinely or openly by boldly standing muster on deck, and stating that they were free."⁴⁹

A decade earlier, in 1843, Lieutenant-Governor John Franklin had blamed the diminishing number of "respectable capitalists" arriving in Van Diemen's Land on the "abandonment of free grants of land." As Christine Leppard has explained, one of the consequences flowing from an apparent lack of "respectable free settlers" was the assignment of some female convicts to serve emancipist households.⁵⁰ This was probably why, at least in part, the system through which female convicts were assigned to masters or mistresses was "condemned as a system of prostitution."⁵¹ Following the completion of their sentences, some women resorted to prostitution to sustain themselves in the colony. This was frowned upon by those colonists aspiring towards respectability as "unbridled female sexuality was seen as symptomatic of the undisciplined nature of working-class life and prostitution as a form of disruptive sexual behaviour."⁵² As Kay Daniels established, "new standards of feminine behaviour were expected of convict women ... and they were discouraged from various forms of public and sexual behaviour when free."⁵³ However, with almost one-third of all female convicts disembarked in Hobart during the assignment period having prior records involving prostitution, it is unsurprising that a number relied on plying their trade post-sentence to ensure their survival.⁵⁴ Raymond and Dogherty were two such women.

Eliza Raymond appeared at the Police Office in Hobart charged by Detective Constable George Edwards "with feloniously, wilfully and maliciously stabbing, on the 2nd July, in Bathurst-street, Jane Dogherty, with intent to kill and murder her." The victim, the court was told, was being cared for by Dr Crooke. Raymond was remanded in custody until Wednesday 7 July, at which time Dogherty, described as "weak and pale," "suffering greatly from the effects of the wound," and "barely able to stand" was nevertheless able to attend Raymond's hearing. As the victim sat nearby in a chair, an unnamed female witness claimed how she had heard Raymond say to Dogherty "You b..... w.....! I'll cut your throat!" and had seen Raymond use a knife to stab her adversary just under the victim's jaw. The following day, Dr Crooke gave evidence that he had found the victim unconscious at a house next to the Kensington Inn. He described the wound in some detail and said that it had been "inflicted with great force." It was miraculous, in the doctor's opinion, that Dogherty had survived.⁵⁵ On Saturday 10 July, Emanuel Lewis, described in local newspapers as "a black man," was called as a witness against Raymond. He testified as to the victim's condition following the attack and was described as the person who had helped to take Dogherty to hospital after her wound was

initially dressed by Dr Crooke. Lewis's evidence was followed by that of Edwards, the constable who had arrested Raymond. The defendant was then committed to stand trial.⁵⁶

Raymond's trial was scheduled to commence in the Supreme Court in Hobart before Chief Justice Sir John Lewes Pedder on 20 July 1852. However, Solicitor General Francis Smith found that one of the witnesses was absent. This witness, orphan Emma Heap, was usually cared for by "Mrs Kelly," former convict Winifred (Winefred) Fitzgerald, the madam of the brothel in which the altercation had taken place. Fitzgerald had arrived on the same convict transport (ship) as Dogherty. As Janet McCalman has observed, sharing a convict voyage "often established relationships that endured long after" with "crime and prostitution networks" with an "origin in servitude" being "quickly formed after release," as evidenced by this case.⁵⁷ Kirsty Reid has observed how, in the colonies, "anxieties about origin and status were inevitably pronounced" with those who arrived free tending to avoid social interactions with those with convict origins.⁵⁸ Such attitudes saw former convicts banding together post-sentence to try to ensure their mutual survival. These emancipists and ex-convicts were also subjected to increased levels of surveillance and exclusion. On the other hand, as Babette Smith has shown, the gentry contended with a convict workforce willing to challenge boundaries. A class camaraderie of sorts developed as convicts challenged the supposedly superior status of their employers and sought improvements to their living and working conditions.⁵⁹ These complex factors saw many convicts, ex-convicts, and emancipists confined to the lower socio-economic classes, although some achieved economic, if not social, mobility. Financial success achieved by former convicts did not necessarily lead to acceptance nor recognition of their aspiring status from the middle and upper classes who arrived, or were born, free in the colonies.⁶⁰

Returning to Raymond's trial, Constable Edwards was sent to retrieve the girl Emma Heap from the brig *Melbourne*. Heap was questioned by Pedder, who found her "to be utterly ignorant of the nature of an oath." The court heard from Dr Crook that "it would be a charity to the child to take her away from her present connections, and place her in the Orphan School, as she was retained in one of the lowest dens of infamy in this town for the trifling services she could render." The girl was taken by a Mr Capon to be admitted to the Orphan School, while Raymond's trial was postponed, and the defendant returned to gaol.⁶¹ The trial resumed on Tuesday 31 August, by which time the victim Dogherty had relocated to the Port Phillip District (later Victoria). After the judge had instructed the jury, the latter returned their verdict that Raymond was guilty only of an assault. The court was then adjourned until the following day.⁶² On 1 September, Raymond was sentenced to two years' imprisonment with hard labour to be served in Her Majesty's Gaol at Hobart Town.⁶³

Lewis's role in the trial was as a secondary character, a witness to the main events. His involvement in helping to convey the victim to hospital raises questions about the relationship that he had with Dogherty and her companions. Perhaps he was simply on friendly terms with them. Maybe he brought them business from time to time. He may have even been a hapless passer-by who was drawn into the drama. Whatever his standing was in relation to these women, the resulting court case highlights the extent to which female convicts and former convicts were becoming involved in prostitution in downtown Hobart and sheds light on the moral panic that ensued. His role as a witness was also to have consequences for Lewis, who soon thereafter found himself back before the courts but in the role of defendant rather than witness.

Later in the same month of the brawl between Raymond and Dogherty, Lewis was "charged by Mr D. C. Simpson with misconduct, as a prisoner of the Crown, for enticing and decoying

a merchant seaman, named Benjamin Chase, from the American ship *Roscoe*” on 20 July, an occurrence that Lewis was to claim originated from his appearance as a witness in Raymond’s trial which had exposed his presence in central Hobart. As in the previous case, Lewis’s urban network into which he drew Chase and his companion comprised lower-class people embedded in an urban environment. Lewis acted as the interlocutor between his land-based network on the streets of Hobart and the sailors whose ship had docked at the port.

As Ojala et al have elaborated, the practice of merchant seamen deserting from their ships was widespread in the nineteenth century and was illegal. Yet many sailors jumped ship seeking better opportunities in foreign ports, and few returned to their ports of origin.⁶⁴ When Lewis was accused of assisting Chase to desert in Hobart, he pleaded not guilty. On being called to testify, Chase said that he had met Lewis in Bathurst Street in central Hobart where Lewis had asked the sailor “if he intended to bolt”? Chase had said yes, if he could find somewhere to hide. The sailor then gave Lewis all his money, around twenty or twenty-one shillings, following which the convict took Chase to a house in Bathurst Street “behind the Theatre.” The woman there, described in the police report as “a black woman named Ann Nutson,” said Lewis turned up at her house with Chase and another man – also a sailor jumping ship, it was later established – to seek lodgings for them. Lewis brought two of his own beds to Nutson’s house and gave her ten shillings. No doubt appreciating the likely consequences of implicating herself as a participant Hobart’s illicit informal economy, Nutson denied that Lewis had explained who the men were, begging ignorance of any knowledge that the two were seamen attempting to jump ship.⁶⁵

The missing seamen were taken into custody at Nutson’s house, and Lewis was arrested at his own residence. The prosecutor, Simpson, told the court that Lewis had offered him “£2 or £3 if he would get him through it.” This did not reflect well on Lewis. Nor did the testimony of two witnesses he called “who,” the newspaper explained, “rather strengthened the case against him than otherwise.” Despite Lewis’s protestations that he had been approached by the seamen at the Supreme Court where he had been a witness in Raymond’s case to ask him to hide them, and that he had simply arranged their lodgings rather than “enticing them away,” the judge found him guilty of misconduct as a prisoner of the crown (convict).⁶⁶

When the seamen from the *Roscoe* appeared, charged by Captain Goram with desertion, the captain withdrew the charges on the proviso that the two would return to their ship and promise not to try to desert again. After the men had made their promises, they were discharged.⁶⁷ Lewis, however, did not get off so lightly. His ticket-of-leave was revoked, and he was sentenced to nine months’ imprisonment with hard labour and ordered not to reside in Hobart or Launceston.⁶⁸ Following his return to penal servitude, Lewis came up on several additional charges, including “being out after hours,” and “misconduct in striking a milkman at Govt. House” where he had been assigned to Lieutenant Governor Sir William Denison, earning him sentences to four months and to three months of hard labour respectively and saw him returned to the prisoners barracks. Lewis eventually received his certificate of freedom on 15 September 1854, almost a decade after arriving in Van Diemen’s Land, following which he seems not to have attracted further attention from law enforcement.⁶⁹ Presumably he continued to participate in the Vandemonian informal economy after this date, but restricted himself to licit activities or managed to avoid detection if any of his transactions happened to be illicit.

Conclusion

As Helen Rogers noted, “an immersive, intimate practice of reading ... can help us reconstruct from abstracted data on individuals, garnered by officialdom, something of the experience and agency of people living in an actual time and place.”⁷⁰ In Lewis’s case, intimate readings of the three trials in which he was involved provide lenses through which we can view some of the finer-grained details of how he and his associates lived their lives on the streets of colonial Auckland and Hobart, two key urban centres and port cities in the Tasman world closely linked by sea, trade, and the mobility between them of their respective populations. The court cases in which Lewis was involved, and the fine-grained details these reveal about the urban settings within which his offending was situated and contextualised, illuminate social networks that had formed in these neighbourhoods and the emergence of illicit informal economies through which food, sex, and concealment were exchanged. His activities, particularly in Hobart, demonstrate the persistence of wider maritime networks on land.

In Auckland, with its colonial population relying on Māori for access to staple foods, the possibility of obtaining mutton was of interest to people from across a range of social classes. The lines between medical doctor and butcher were blurred as both competed, along with others in the immediate neighbourhood, for a share of an illicitly slaughtered animal. The intimacy of neighbourhood relationships was highlighted through the pace at which knowledge of the newly acquired animal spread, and the surveillance under which Lewis’s and Stewart’s neighbours kept the men as they disposed of the fleece. Perhaps Lewis, who was repeatedly described as “black” in the reportage of his trial, and Stewart with his pale complexion and ginger hair, were sufficiently physically distinctive to stand out in colonial Auckland and onlookers’ attention.

Boundaries were fluid between Lewis’s and Stewart’s domestic and professional lives as the men, apparently known to each other solely on a first name basis, shared a dwelling as well as a shopfront located nearby. It was within the intimacy of a bedroom in the pair’s domestic residence that the pregnant ewe was slaughtered following which her unborn twin lambs were ripped from her uterus and discarded. The way in which some customers bought mutton directly from the men’s house and others from their shop further demonstrates a lack of clear distinction between public and private spaces in this fledging urban environment.

Class can be read into the structure of the arraignment of Lewis and Stewart at which the most prominent member of colonial society called to give witness, Sampson Kempthorne, the owner of the stolen ewe, was called to the stand first, then appeared last to give a statement about the value of the asset of which he had been deprived. Putting aside the illegality of Stewart’s act in taking property that did not belong to him, perhaps his biggest mistake was in stealing such a distinctive animal whose ownership could readily be traced. Whether Stewart, following his dismissal by Williams who ran Leicester sheep together with Kempthorne’s, was motivated by revenge in stealing a ewe from the combined flock remains open to speculation.

Class also came into play in colonial Hobart where a thriving economy of the streets was operating around prostitution. In contrast to the more recently established settlement at Auckland where, in the 1840s, hunger blurred the lines between social classes, as Hobart matured it became increasingly difficult for former convicts to transcend class boundaries and find social acceptance beyond the lower classes even if they had achieved substantial economic success. Given the numbers of women who were “on the town” prior to being transported to Van Diemen’s Land, it is unsurprising that many engaged in their former profession post sentence. The case involving Raymond and Dogherty incited moral panic in a city where those

who had arrived freely were aspiring to greater respectability. Colonial attitudes towards prostitution and its physical environs were encapsulated both practically and symbolically in the court's decision to remove for her own wellbeing the young orphan Emma Heap from the care of brothel madam Winifred Fitzgerald to be placed in the orphan school.

Finally, while class, ethnicity, and conviction undoubtedly played their parts, Lewis's status as a former sailor seems to have been the major determinant of the economic opportunities available to him and the social relationships he formed. Lewis was described as "black" in Tasmania's colonial newspapers, as was Ann Nutson who had agreed to shelter the seamen who jumped ship in Hobart. However, it seems to have been Lewis's maritime identity rather than a black identity that was more influential in shaping his experiences in the urban spaces that he inhabited. Whether the seamen trying to desert sought Lewis's assistance, or whether he chose to solicit them, it was through his networks within Hobart's illicit informal economy that this floating frontiersman tried to cut a deal to conceal fellow sailors in a boarding house while taking a cut of the profits. Despite his transition from a sea-based existence to life on land, Lewis demonstrably continued to function as a local contact in an international maritime network.

¹ Emanuel Lewis, Whaling Crew List Database, https://www.whalingmuseum.org/online_exhibits/crewlist/search.php?term=Emanuel+Lewis&by_name=on&by_vessel=on

² *Daily Southern Cross*, Auckland, NZ, 12 August 1843, 2.

³ David Haines and Jonathan West, "Crew Cultures in the Tasman World," in *New Zealand and the Sea: Historical Perspectives*, ed. Frances Steel (Wellington: Bridget Williams Books, 2018), 192-93; Emanuel Lewis, Indent, CON16/1/2, Image 156, Tasmanian Archives.

⁴ Haines and West, 183.

⁵ Haines and West, 183.

⁶ Kristyn Harman, *Cleansing the Colony: Transporting Convicts from New Zealand to Van Diemen's Land* (Dunedin: Otago University Press, 2017), 192-93.

⁷ See, in particular, V. C. Malherbe, "David Stuurman: 'Last Chief of the Hottentots'," *African Studies*, 39.1, (1980): 47-64; "Khoikhoi and the Question of Convict Transportation from the Cape Colony, 1820-1842," *South African Historical Journal*, 17 (1985): 19-39; "South African Bushmen to Australia? Some Solider Convicts Investigated," *Journal of Australian Colonial History*, 3.1 (2001): 100-124; "How the Khoekhoen Were Drawn into Dutch and British Defensive Systems to c.1809," *Military History Journal*, 12.3 (2002): 94-99; "The Khoekhoe Soldier at the Cape of Good Hope, Part Two: Life and Times in the Cape Regiment, c.1806-1870," *Military History Journal*, 12.4 (2002): 148-154; Ian Duffield, "Martin Beck and Afro-Blacks in Colonial Australia," *Journal of Australian Studies*, 16 (1985): 3-20; "From Slave Colonies to Penal Colonies: The West Indian Convict Transportees to Australia," *Slavery and Abolition*, 7.1 (1986): 25-45; "The Life and Death of 'Black' John Goff: Aspects of the Black Contribution to Resistance Patterns During the Transportation Era to Australia," *Australian Journal of Politics and History*, 1.33 (1987): 30-44; "Daylight on Convict Lived Experience: The History of a Pious Negro Servant," *Tasmanian Historical Studies*, 6.2 (1999): 29-62; "Billy Blue: Power, Popular Culture and Mimicry in Early Sydney," *Journal of Popular Culture*, 33.1 (1999), 7-22; John Tattersall, *Maoris on Maria Island: Punishment by Exile* (Napier: Hawke's Bay Museum and Art Gallery, 1973); Jeff Hopkins, "'Fighting Those Who Came Against Their Country': Maori Political Transportees to Van Diemen's Land," *THRA P&P*, 44.1 (1997): 49-67; Cassandra Pybus, *Black Founders: The Unknown Story of Australia's First Black Settlers*, (Sydney: UNSW Press, 2006); Kristyn Harman, *Aboriginal Convicts: Australian, Khoisan and Maori Exiles* (Sydney: UNSW Press, 2012).

⁸ Keith Hart, "The Informal Economy," *The Cambridge Journal of Anthropology*, 10.2 (1985): 54-58.

⁹ Vincent O'Malley, *The Meeting Place: Māori and Pākehā Encounters, 1642-1840* (Auckland: Auckland University Press, 2012).

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- ¹⁰ Hazel Petrie, *Chiefs of Industry* (Auckland: Auckland University Press, 2006), see in particular chapters two and three; Ben Schrader, *The Big Smoke* (Wellington: Bridget Williams Books, 2016), 173; Kristyn Harman, “‘Some dozen raupo whares, and a few tents’: Remembering Raupo Houses in Colonial New Zealand,” *The Journal of New Zealand Studies*, 17 (2014): 39-57.
- ¹¹ Recent maritime histories include, for example, Keith Vincent Smith, *Mari Wari: Aboriginal Odysseys* (Sydney: Rosenberg Publishing, 2010); Lynette Russell, *Roving Mariners: Australian Aboriginal Whalers and Sealers in the Southern Oceans, 1790-1870* (New York: SUNY Press, 2012); Julia T. Martinez and Adrian H. Vickers, *The Pearl Frontier: Indonesian Labor and Indigenous Encounters in Australia’s Northern Trading Network* (Hawaii: University of Hawaii Press, 2015).
- ¹² Schrader, *The Big Smoke*, 15.
- ¹³ Jim McAloon, “Class in Colonial New Zealand: Towards a Historiographical Rehabilitation,” *New Zealand Journal of History*, 38.1 (2004): 3-21. McAloon has asserted that “class was central to colonial society and central from the beginning” and can be defined by people’s “place in the economic sphere.”
- ¹⁴ Shaunnagh Dorsett, *Juridical Encounters: Māori and the Colonial Courts 1840-1852* (Auckland: Auckland University Press, 2017), 21.
- ¹⁵ Harman, *Aboriginal Convicts*, 8.
- ¹⁶ Julia Laite, “The Emmet’s Inch: Small History in a Digital Age,” *Journal of Social History* 53:4 (2020): 964; Kristyn Harman, “Multiple Subjectivities: Writing Duall’s Life as Social Biography,” in *Indigenous Biography and Autobiography*, eds. Peter Read, Frances Peters-Little, and Anna Haebich (Canberra: ANU Press, 2008), 47-56.
- ¹⁷ Helen Rogers, “‘A Very Fair Statement of His Past Life’: Transported Convicts, Former Lives and Previous Offences” 1(1): e3 (2015) <http://dx.doi.org/10.16995/olh.27>, 4-5.
- ¹⁸ Jari Ojala, Jaakko Pehkonen, and Jari Eloranta, “Desertions in Nineteenth-Century Shipping: Modelling Quit Behaviour,” *European Review of Economic History* 17 (2013), 123.
- ¹⁹ Emanuel Lewis, Indent, CON16/1/2, Image 156, Tasmanian Archives.
- ²⁰ *New Zealand Herald*, 23 June 1888, 23, 1; Harman, “‘Some dozen raupo whares, and a few tents’, 39-57.
- ²¹ William Stewart, Indent, CON16/1/2, 150, Tasmanian Archives.
- ²² Graeme Davison, “The Suburban Idea and Its Enemies,” *Journal of Urban History* 39:5 (2013): 832.
- ²³ *Auckland Chronicle and New Zealand Colonist*, Auckland, NZ, 22 August 1844, 3.
- ²⁴ “Aboriginal and European Population of New Zealand,” *The New Zealand Journal* VI (London, 1846): 43.
- ²⁵ Davison, “The Suburban Idea and Its Enemies,” 832.
- ²⁶ *Auckland Chronicle and New Zealand Colonist*, Auckland, NZ, 22 August 1844, 3.
- ²⁷ *Ibid.*
- ²⁸ *Ibid.*
- ²⁹ *Ibid.*
- ³⁰ *Ibid.*
- ³¹ *Ibid.* Kempthorne’s evidence contradicts Robert Burnett’s claim that Kempthorne “had even imported ... some Leicester sheep from Hobart.” Robert Burnett, *Penal Transportation: An Episode in New Zealand History*, (Wellington, 1978), 19.
- ³² *Daily Southern Cross*, Auckland, NZ, 27 May 1843, 4.
- ³³ Sampson Kempthorne, *England, Select Births and Christenings, 1538-1975*, Ancestry.com, Provo, UT.
- ³⁴ Kathryn Morrison, *The Workhouse: A Study of Poor Law Buildings in England* (England: English Heritage, 1999), 46-48.
- ³⁵ *Ibid.*
- ³⁶ Chris Honoré, “Rota Waitoa: The First Maori Anglican Minister,” *New Zealand Church Missionary Society*, www.nzcms.org.nz/200-years/wp-content/uploads/Rota-Waitoa.pdf.
- ³⁷ *Auckland Chronicle and New Zealand Colonist*, Auckland, NZ, 22 August 1844, 3.
- ³⁸ *Auckland Chronicle and New Zealand Colonist*, Auckland, NZ, 5 September 1844, 3.
- ³⁹ *The Teetotaller and General Newspaper*, Sydney, NSW, 8 March 1843, 4; Emanuel Lewis, William Stewart, Henry Butler Dowie, Moses Booth, Indents, Tasmanian Archives, CON16/1/2, 150.

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- ⁴⁰ See, in particular, Tom Lawson, *The Last Man: A British Genocide in Tasmania* (London: I B Tauris, 2014); Nick Brodie, *Vandemonian War: The Secret History of Britain's Tasmanian Invasion* (Melbourne: Hardie Grant Books, 2017); and Nicholas Dean Brodie, "The Vandemonian War as Genocidal Moment: Historiographical Refrains and Archival Secrets," *Journal of Genocide Research* 20:3 (2018): 472-481.
- ⁴¹ Alison Alexander and Stefan Petrow, "Hobart," *The Companion to Tasmanian History*, ed. Alison Alexander (Hobart: Centre for Tasmanian Historical Studies, University of Tasmania, 2006), 176-177.
- ⁴² See, in particular, Ian Brand, *The Convict Probation System: Van Diemen's Land 1839-1854* (Hobart: Blubber Head Press, 1990).
- ⁴³ Harman, *Cleansing the Colony*, 60, 62, 72, 185; *New Zealand Gazette and Wellington Spectator*, 14 October 1843, 2.
- ⁴⁴ Emanuel Lewis, Indent, CON16 1/2, 150, Tasmanian Archives.
- ⁴⁵ Emanuel Lewis, Conduct Record, CON37/1/2, 392; Description List CON20/1/2, Tasmanian Archives.
- ⁴⁶ William Stewart, Conduct Record, CON37/1/2, 391; Emanuel Lewis, Conduct Record, CON37/1/2, 392, Tasmanian Archives. William Stewart received a ticket of leave on 30/4/1850 and his conditional pardon was approved on July 13, 1852.
- ⁴⁷ Emanuel Lewis, Conduct Record, CON37/1/2, 392, Tasmanian Archives.
- ⁴⁸ Rebecca Wilson, Conduct Record, CON40/1/26, 851, Tasmanian Archives; Archdiocese of Hobart Archives and Heritage Collection, STJ4, 201.
- ⁴⁹ *Tasmanian Colonist*, Hobart, Tas, 5 July 1852, 3.
- ⁵⁰ Sir John Franklin, *A Confidential Despatch from Sir John Franklin on Female Convicts, Van Diemen's Land M DCCC XLI11 Addressed to the Secretary of State, Lord Stanley, 4 June 1843*, 18-19, cited in Christine Jessie Leppard, "*The Unfortunates*": *Prostitutes Transported to Van Diemen's Land 1822-1843*, unpublished doctoral thesis (Hobart: University of Tasmania, 2013), 248.
- ⁵¹ Kirsty Reid, *Gender, Crime and Empire: Convicts, Settlers and the State in Early Colonial Australia* (Manchester: Manchester University Press, 2012), 178.
- ⁵² Leppard, "*The Unfortunates*," 13.
- ⁵³ Kay Daniels, *Convict Women* (St Leonards: Allen & Unwin, 1998), 162-163.
- ⁵⁴ Leppard, "*The Unfortunates*," 307-308.
- ⁵⁵ *Hobart Guardian, or, True Friend of Tasmania*, Hobart, Tas, 10 July 1852, 3.
- ⁵⁶ *Tasmanian Colonist*, Hobart, Tas, 12 July 1852, 2.
- ⁵⁷ Janet McCalman, *Vandemonians: The Repressed History of Colonial Victory* (Melbourne: Melbourne University Press, 2021), 60-61.
- ⁵⁸ Reid, *Gender, Crime and Empire*, 57-58.
- ⁵⁹ Babette Smith, *Defiant Voices: How Australia's Female Convicts Challenged Authority* (Canberra: National Library of Australia, 2021), 116-117.
- ⁶⁰ See, for example, Dianne Snowden, "Lord, Maria (1780-1859)," *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <https://adb.anu.edu.au/biography/lord-maria-13052/text23601>, accessed online 5 November 2021.
- ⁶¹ *Tasmanian Colonist*, Hobart, Tas, 22 July 1852, 2-3; *Colonial Times*, Hobart, Tas, 27 July 1852, 2.
- ⁶² *Colonial Times*, Hobart, Tas, 3 September 1852, 3.
- ⁶³ *Tasmanian Colonist*, Hobart, Tas, 6 September 1852, 2; *Courier*, Hobart, Tas, 8 September 1852, 4.
- ⁶⁴ Ojala, Pehkonen and Eloranta, "Desertions in Nineteenth-Century Shipping," 122.
- ⁶⁵ *Hobart Guardian, or, True Friend of Tasmania*, Hobart, Tas, 28 July 1852, 3; *Tasmanian Colonist*, Hobart, Tas, 26 July 1852, 2.
- ⁶⁶ *Hobart Guardian, or, True Friend of Tasmania*, Hobart, Tas, 28 July 1852, 3.
- ⁶⁷ *Tasmanian Colonist*, Hobart, Tas, 26 July 1852, 2.
- ⁶⁸ *Hobart Guardian, or, True Friend of Tasmania*, Hobart, Tas, 28 July 1852, 3.
- ⁶⁹ Emanuel Lewis, Conduct Record, CON37/1/2, 392, Tasmanian Archives.
- ⁷⁰ Rogers, "A Very Fair Statement of His Past Life," 34.