

CONVICT 1023. GEORGE SMITH *m* MARY FLANAGAN

1854

The story of George SMITH, Convict Register Number 1023 is also an account of Henry George Armstead BROWN, (aka H.G.A. BROWN).

(b. George A. SMITH, Middlesex, London 1831

d. Henry George Armstead BROWN, Melbourne 1904).

(b. Mary FLANAGAN c. 1835 d. Mary BROWN 1898).

Descendants of Henry George Armstead BROWN and Mary FLANAGAN rightly suspected a secret history was behind the change of name from SMITH to BROWN.

THE BEGINNING

George SMITH began life in London as the eldest child of John SMITH and Rebecca ARMSTEAD. According to the 1851 Census, John and Rebecca resided with their growing family at Peckham Rye, London. For reasons described below, George was not listed with the family at this Census. At the 1841 Census, when George was age 10, the family lived in Watling Street London, in view of St Paul's Cathedral.

George SMITH was arrested in 1850 for burglary of his ex-employer, Mr Emmanuel. George was 19 years old (not 22 as the arresting Scotland Yard Constables reported). He was literate and had dreams of a future much grander than the contents of his purse. His maternal grandfather George Pitt ARMSTEAD had been a Victualler and George aspired to that profession, and apparently had arranged a contract with a brewer for lease of The Moulder's Arms in Redcross Street, Southwark. George also planned to marry the young lady he was seeing at the time.

On 31 August 1850, the *Berkshire Chronicle* reported the theft of £500 worth of gold and silver jewellery and coins from Mr Emmanuel's jewellery and pawnbroker store in Southampton. In today's money the haul was equal to about \$AU80,000. In Victorian London £500 was 2 years' salary for a post office clerk.

Officers from Scotland Yard collected the evidence required to charge George, who was subsequently found guilty of Larceny at Southampton Court and

sentenced to 10 years imprisonment. He spent the next 15 months at Millbank and Pentonville prisons.

ARRIVAL IN W.A.

On 30 January 1852 George SMITH disembarked from the *Marion* at Fremantle along with 278 other convicts from Pentonville Prison, London.

George's father, John SMITH was a Builder/Carpenter in London and he most likely passed on his trade skills to George. Although the Fremantle Prison Convict Records note George Smith 1023 as a Pawnbroker (this descriptor was on all the official documents since his arrest), George the convict worked as a carpenter and contributed to building the Convict Establishment (later known as the Fremantle Prison) for 18 months before receiving his Ticket of Leave on 23 June 1853.

During George's time as an inmate, he and others were encouraged to attend weekly education lectures at the Convict Establishment. The lectures were designed to improve their future prospects as free men. The science lectures in particular may have influenced George SMITH's professional pathway later in his life.

George's skills as a carpenter were acknowledged by the Comptroller General, EYW Henderson, and upon receiving his Ticket of Leave in mid 1853, George accepted a position as Government Carpenter at Bunbury. Bunbury then had a white population of about 400 and the Aboriginal Noongars used the area as a gathering place. American whalers were regular visitors.

At Bunbury George lived independently of the convict depot, supplying his own meals and removing himself from the mischiefs and drinking habits of the convicts at the depot. His wages were garnished to reimburse the government for the cost of his board and lodging in Fremantle during the transition from Convict to Ticket of Leave status. In Bunbury, George led an honest life as a carpenter and got on well with the Establishment. He spoke with and asked questions of knowledgeable and influential people, and kept abreast of the latest news and conventional views. Comments by the Comptroller General and other bureaucrats recorded in government documents suggest that George was eager to get ahead. His goal was a Pardon and departure from the colony including all traces of his convict past.

MARRIAGE

George SMITH met Mary FLANAGAN sometime in 1853. Mary was an Irish famine orphan who had arrived in April 1853 on the "*Palistine*" with about 30 other girls from Mountbellew Workhouse, County Galway Ireland.

It is thought that Mary FLANAGAN (b. ca. 1835) was orphaned at about age 10 during the Great Famine. She was possibly taken in by relatives and later entered a Workhouse, perhaps Ballinasloe first and later transferred to Mountbellew. In 1852 she was 18 and passed the health and fitness tests to be selected for free passage to Fremantle, on the "*Palistine*". The ships which transported the orphan girls from Ireland to the colonies are contemporarily referred to as Bride Ships.

If the orphan girls weren't betrothed soon after their arrival, they were employed as servants to families. Mary was one of the girls from the "*Palistine*" who travelled to Bunbury where she met George.

In December the same year, George sought permission to marry from the Governor, and it was granted on 28 December 1853. On 10 January 1854 George A SMITH and Mary FLANNAGAN (sic) were married in Bunbury before the District Chaplain, Henry William Brown. They had a second marriage ceremony at St Patrick's Catholic Church, Bunbury on 27 January 1854.

The witnesses to each ceremony were different. At the Church of England marriage George's friend, James John Henry HISLOP (Convict register 530, arrived on the "*Pyrenees*" in 1851) was witness along with Maria LOWE, Mary's friend from Mountbellew Workhouse. At the Catholic ceremony, John COSTELLO, Pensioner Guard and M Noonan were the witnesses.

There was much work in Bunbury for a Government Carpenter and George was fully employed and his contracts extended. On 29 August 1856 baby Emma was born to Mary and George SMITH. The family lived at The Swamp and the couple looked forward to the day that George would be released from the shackle of convict 1023 and be free to choose his own future.

DEPARTURE FROM W.A.

Two weeks after Emma's first birthday Governor Arthur Edward Kennedy granted George SMITH 1023 a conditional pardon. The celebratory date was

11th September 1857 and soon the family of three was on the move east to Adelaide and further afield. From WA, ocean transport was the only choice for the family and it is possible the family walked 35 miles (60km) from Bunbury to Vasse and bought tickets as steerage passengers on the “*Estrella do Norte*”, which was loaded with timber destined for Adelaide.

Although George had received his conditional pardon (meaning he could travel anywhere but not back to England), he was cautious. Some ships’ captains were on the lookout for runaways. There were high penalties for any ship’s captain found harbouring prohibited persons. Any status of convict (conditional pardon, pardon or expirée) was not welcome in the Colony of South Australia as it had been established as a free settlement using considerable investment from English capitalists. The settled elite could afford their own servants and labourers and there was no need for convicts. For his family’s security, George possibly kept a low profile on the ship and when the small family arrived at Port Adelaide, they either sailed on to Melbourne or found other means to migrate to the Victorian goldfields where they could ‘do well’ or ‘get rich’. It is well known that the Chinese gold seekers walked from South Australia to the Victorian goldfields, but that track was further south, beginning at Robe. There was also a bullock cart route, and the family may have been given a ride for some or all of the way. Whichever way was chosen, the journey from Bunbury to the Victorian goldfields was no doubt long, gruelling and fearful.

VICTORIA

The goldfields offered George and Mary freedom and opportunities. George worked as a carpenter and probably tried his luck mining or panning for gold. A second child, Arthur William SMITH was born to Mary in May 1859, at Indigo in the Central goldfields. Carpentry skills were in high demand in the goldfield settlements, with public buildings and stores needing construction. As a carpenter-joiner George may have manufactured water sluices, wooden derricks, windless towers, rocker boxes (cradles), ripple boards, all made of timber.

As the growing family moved about the goldfields in search of a permanent abode, George and Mary became joint conspirators to forget the circumstances that had brought them together. The fear of being exposed as an ex-convict wasn’t far from George’s mind. He read about unwanted expirées arriving in the Colony of Victoria from Tasmania and Western

Australia. It was the period of bushrangers, many of them ex or escaped convicts. Public Notices appeared in the newspapers calling for subscribers to the movement "Return of British Expiere Convicts to the United Kingdom".

Mary felt the shame of being a famine orphan. As they departed the workhouse to begin the journey to Western Australia, Mary and her companions were encouraged to look ahead to a new and far better life, to forget the past. During the 20th C the famine was almost lost to history in Ireland as it was rarely discussed, the Irish not wanting to open the wounds of loss. Mary was one of thousands of women and girls who were assisted to migrate from the Irish workhouses to a new life in Australia. Mary's children believed that she was born in the largely Protestant north of Ireland. This was quite believable as George and Mary's children were reared as non-Catholics. Mary is buried with George in the Church of England section of the Ballarat New Cemetery. Mary's life and the lives of all victims of An Gorta Mor (The Great Hunger) is commemorated at The Irish Famine Memorial in Subiaco, Perth. A duplicate monument in a memorial garden is being developed in Mountbellew, Co Galway, Ireland.

The desire to forget the past and live untainted by it did eventually lead to a change of surname, but not immediately. It was not until after the fourth child was born as SMITH that the change to BROWN occurred. The first four children were registered as SMITH, which led to difficulty tracing them in the Victorian BDM. Eventually their birth details were found by searching under Mary FLANAGAN (also FLANNIGAN, FLANNAGAN). The registration of all the children except first born Emma, state that the marriage of George and Mary took place in Adelaide or Port Adelaide. This lie led early family researchers up the garden path, and was a falsehood devised by George to keep Western Australia out of the picture altogether.

In 1861 Edwin John SMITH was born at Wooragee, about 9km north of Beechworth. The birth was registered by George Armstead SMITH, the father. ARMSTEAD was George's mother's maiden name. Edwin was baby brother to Emma and Arthur for a mere 9 months, tragically dying from bilious diarrhoea. He was buried at Beechworth in May 1862. A third boy was born in March the following year, and was given the same name as his father - George Armstead SMITH.

NEW NAME

From 1863 – 1864 George Armstead SMITH worked as a Carpenter under the surname BROWN *i.e.*, *George Armstead BROWN*. Children born after 1864 were registered with the surname BROWN.

From 1863/64 George and Mary were known as George and Mary BROWN. Their children were Emma, Arthur, Edwin (deceased) and George SMITH. Future children were registered with the surname BROWN.

On 2 September 1864 the "*Bendigo Advertiser*" reported police concern over the number of Western Australian expirees "of the criminal class" entering the Colony. At the time there were about 30 of these expirees requiring constant police surveillance.

The reports and talk about expirees continued to make George and Mary quite uneasy. By changing the family surname from SMITH to BROWN George was keeping the anonymity of a common surname. Remembering the lectures at the Convict Establishment he also wished to better himself and his future prospects. Around this time, he applied for a teaching post with the Victorian Common School Board. His name on the application was Henry George Armstead BROWN. Henry was a further embellishment to his name, and H.G.A. elevated the status of BROWN.

Around this time his carpentry business in Beechworth became insolvent and between December 1864 until January 1865, Insolvency notices appeared in the Melbourne, Beechworth and other regional newspapers. Undoubtedly it was a very difficult period for the family, with no income from carpentry while waiting to hear of the teacher application.

Good news arrived in March 1865 when Henry George Armstead BROWN (H.G.A. BROWN) was appointed a division 2 Common school teacher, in receipt of a government salary. Between 1865 and 1869, H.G.A. BROWN was the teacher at Common School No. 37, Belvoir (Wodonga). Following this he was transferred to Common School No. 821, Brown's Plains (near Rutherglen), and taught there until 1877. During this period H.G.A. BROWN was promoted to a Division 1 teacher.

Over the next 9 years, H.G.A. BROWN taught at Kalkallo, Garvoc, and Stanley (near Beechworth). He resigned as a Head Teacher in 1886, at age 56.

During the Common school teaching period more children were born. Albert John BROWN was born in November 1865, but died tragically in 1866 by falling into boiling water. H.G.A. and Mary now bore the sadness and pain of another child's death.

Charles Henry BROWN was born in January 1868.

At Brown's Plains Mary gave birth to a further 3 children, Julia Mary BROWN (1870), Alice Louisa BROWN (1872), Frederick Ernest BROWN (1876).

Francis Albert Patrick BROWN (1877) and Horace Walter Thomas BROWN (1879) were both born at Kalkallo.

NEW CAREERS

H.G.A. was an opportunist, with a determination to get ahead. As Common school teacher he was well respected. He was a family man, and alongside Mary, nurtured his many children. During this period, he joined the Masons and was a member of the Templars, a Society that encouraged temperance or non-drinking of alcohol. He was also a spokesperson for the Victorian Teachers Union.

Upon retirement from teaching, around 1880 H.G.A. was offered a position as Inspector with the Public Works Department. He was proud to accept, as it was "the first transfer of its kind under the Public Service Act". To take up this new Government job, the family moved to Ballarat, a richly cultural city with employment and educational opportunities for the children.

By the mid 1880's H.G.A. and Mary had progressed considerably both financially, socially and culturally from Convict 1023 and Famine Orphan. After 30 years of living in temporary dwellings on the goldfields and renting teacher's accommodation adjacent to the State Schools, they purchased a large 4-bedroom home with all conveniences, at 253 Victoria Street, Ballarat East. Mary and H.G.A. dressed their home with fine additions like a German made piano, an organ and a library of books.

After H.G.A. retired from the Department of Works, he kept up his academic interests by teaching classes in Carpentry at The Ballarat School of Mines, Industries and Science (then an off-shoot of the University of Melbourne).

On 1 February 1898 Mary, H.G.A.'s faithful wife and devoted mother of 11 children, passed away at home after suffering from Enteritis. She was about

63 years old and her secret of being a famine orphan from Mountbellew, County Galway remained undisclosed.

Mary had experienced great tragedy in her early life in Ireland, losing both parents and being separated from her siblings. Migrating to WA, marriage and family gave her purpose and happiness. There were further adversities with the 2 infant deaths and much later the manslaughter of her eldest son in 1892. Police Constable Arthur William BROWN was killed by a one-punch hit outside the Shamrock Hotel in Bendigo. It was another devastating loss for the family, another for Mary to bear. Arthur left a wife and 2 children to also grieve his untimely death.

Mary FLANAGAN, born Irish Catholic, paid a significant price for secrecy. Other than a Catholic marriage a few weeks after the Church of England one, there are no signs that she publicly practised her Catholic faith. The suffocation of Mary and H.G.A.'s early lives and their ancestry hindered efforts by descendants to find the truth. There are no stories to pass on of their lives as children, nor stories of their parents and siblings. There are just snippets in documents and newspaper clippings that give an idea of their personal lives. Secrecy was the price they paid to ensure theirs and their family's freedom.

Not long after the family arrived in Victoria after the long journey from Western Australia, Mary placed a Public Notice in the Melbourne newspaper *The Argus*. It was an ad in search of her brother Patrick, and sister Ann. It's assumed that Mary did not receive any legitimate replies. However, news of Patrick FLANNIGAN (sic.) was discovered 160 years later (2018) through a DNA connection between the author and author's 4th cousin in USA. Patrick had sailed from Ireland to Boston, supported by the Franciscan Brothers in Roscommon. His descendants in the US believe that Ann migrated to the California goldfields.

Understandably H.G.A. missed his soul-mate Mary, and after a period working as a Clerk of Works for the hospital in Maryborough Victoria, he moved to Fitzroy, Melbourne to be closer to his children and their families.

UNTIMELY DEATH

Accompanied by his spinster daughter Julia, H.G.A. enjoyed an evening at the Opera on 16 April 1904. The show finished quite late and H.G.A boarded the Clifton Hill tram to take him close to his home in Fitzroy. As he alighted at his

stop, a horse and buggy moving at speed knocked him to the ground. Though H.G.A. was taken to the Melbourne Hospital he died on Monday 18 April, 1904.

H.G.A.'s coffin was transferred from Melbourne to Ballarat by train. The funeral cortege of family, friends and colleagues proceeded from the railway station to the Ballarat New Cemetery where his body was interred with Mary. The secrets of their past were buried with them for more than 150 years.

Aleysha McGrath née BROWN
Great Granddaughter of H.G.A. BROWN and Mary FLANAGAN.

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