

Ellen Graham

(nee Helen Dundas; ux̄or Ellen Clarke)

POLICE NUMBER 257 ¹	LITERACY neither read nor write
TRIAL DATE 22 July 1840	AGE ON EMBARKATION 24
TRIAL PLACE Edinburgh Court of Justiciary	AGE ON ARRIVAL 23
OFFENCE stealing £14.9.6 and previous conviction	HEIGHT 5' ¾"
SENTENCE 7 years	COMPLEXION pale
GAOL REPORT indifferent and imprisoned before, single	HEAD oval
PREVIOUS CONVICTIONS once 6 months for stealing £4.6, again 60 days for stealing gloves	HAIR brown
SURGEON'S REPORT quiet	VISAGE oval
ON THE TOWN 3 years	FOREHEAD medium
MARITAL STATUS married ²	EYEBROWS light brown
CHILDREN 0	EYES blue
FAMILY sisters shipmate Charlotte Dundas (<i>qv</i>), Elizabeth Dundas	NOSE medium
NATIVE PLACE Glasgow, Scotland	MOUTH medium
TRADE ON EMBARKATION	CHIN round
TRADE ON ARRIVAL housemaid, kitchen maid	MARKS deeply pockpitted

c1816 Sister Charlotte Dundas born at Falkirk,³ Edinburgh, Midlothian, Scotland.⁴

c1818 **Born** at Glasgow, Lanarkshire, Scotland.⁵

c1821 Sister Elizabeth Dundas born in Scotland.⁶

20 February 1834 Charged in Scotland for theft.⁷

19 July 1834 Charged at the Police Court, Edinburgh, Midlothian, Scotland with Sophia McLean with theft.⁷

5–12 September 1836 Sisters Charlotte Dundas and Elizabeth Dundas prisoners in the tollbooth at Edinburgh, Midlothian, Scotland awaiting trial.⁸

12 September 1836 Sisters Charlotte Dundas and Elizabeth Dundas tried at the Burgh Court, Edinburgh, Midlothian, Scotland with Georgina Harper and Elizabeth Lawson indicted for theft in stealing on 5 September 1836 2 cotton shirts, 1 silk shawl, 1 yellow vest, and 1 silver buckle from the house or shop of George Clark, spirit dealer, in High Street, Edinburgh; verdict guilty; sentence 60 days imprisonment in the Bridewell, Edinburgh.⁸

26 February 1838 Sister Elizabeth Dundas tried at the Court of Justiciary, Edinburgh, Midlothian, Scotland with with Ann McIntosh⁹ indicted for theft and previous conviction; sentence 12 months imprisonment with hard labour; inmate of the Royal Infirmary, Edinburgh; aged 17, resident of Lyon's Close, High Street, Edinburgh.⁶

9 November 1838 Tried at the Court of Justiciary, Edinburgh, Midlothian, Scotland with sister and shipmate Charlotte Dundas (*qv*) indicted for assault and robbery in assaulting William Gordon, a builder of St Anthony's Place, Edinburgh, on 28 September 1838 in a house in Burt's Close, Grassmarket, Edinburgh and stealing from him 2 £1 notes,

¹ TAHO, CON40/1/4 p.265 No.257 [image 192] (Ellen Graham); TAHO, CON19/1/1 p.204 [image 105] (Ellen Graham); ML, CY 1282 p.148 (Ellen Graham); ML, CY 1197 p.157 (Helen Graham); ML, CY 958 p.444 (Helen Graham)

² Marital status given as single on Embarkation List (ML, CY 1197 p.157 (Helen Graham)).

³ This may refer to Falkirk in Stirlingshire, Scotland, but the description list states Falkirk, Edinburgh.

⁴ TAHO, CON19/1/1 p.195 [image 101] (Charlotte Dundas)

⁵ TAHO, CON19/1/1 p.204 [image 105] (Ellen Graham)

⁶ NAS, JC26/1838/460 (Elizabeth Dundas); NAS, AD14/38/449 (Elizabeth Dundas)).

⁷ NAS, JC26/1840/459 (Helen Graham)

⁸ NAS, JC26/1840/450 (Charlotte Dundas)

⁹ Ann was transported for 7 years on the *Nautilus*.

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2 half crowns, 3 shillings, 5 pence and a foot rule; verdict guilty for assault, robbery not proven; sentence 12 months imprisonment with hard labour.¹⁰

Statement of defendant Ellen Graham:

Helen Dundas or Graham presently in custody being brought for Examination. Declares, That she is thirty years of age, and resides in Laurie's close. High Street West Port. Declares. That on the night of Friday last the Twenty eighth of September. The Declarant met William Gordon. Builder near the Royal Exchange, about Ten o'clock, and took him to the house of her sister Charlotte Dundas in Burts close Grassmarket. That there was nobody in the house when they went in but sometime after the prisoner Mary Anderson came in first and then the Declarants sister Charlotte. That there was some whisky drunk before her sister came in for which Anderson went and for which Gordon gave her a shilling. Declares. That about ten minutes or a quarter o an hour after Anderson came in Gordon said he had lost a five shilling piece and charged the Declarant and the others with having taken it. That words ensued and Gordon struck the Declarant on the face and knocked her down, and kicked her when down. That while lying on the floor, her sister came in – she had not been in till then. That Gordon immediately attacked her next. He was all dressed, had on his hat and was ready to go away. That he knocked her down and put out the candle in the scuffle. That neither the Declarant, her Sister nor Anderson attacked or assaulted, or robbed or stole from Gordon, any money. And being shown Two one pound notes, two half crowns, three shilling pieces and five pence halfpenny of coppers, she Declares that she knows nothing about them and never saw them before. And being shown an arm of a chair and a cap torn in two and stained with blood, she Declares that the arm of the chair she knows nothing about, but the cap is her sisters. And being shown a foot rule, she declares that she knows nothing about it. That said money and other articles are labelled as relative hereto. Declares upon this Declaration being read over that she should have said that said silver money is her own property, and she gave it to the watchman when apprehended or rather when she was taken to the Police Office. All which she declares to be truth, and declares she cannot write.¹⁰

Medical report of Alexander Black M.D.:

I hereby certify that I examined Mr William Gordon on the night of Friday the 28th Sept last, and found three severe wounds on his head, they were not dangerous, but were attended with considerable loss of blood appeared to have been inflicted by a blunt instrument, such as the arm of the chair produced by the Officers at the time, upon which I observed fresh marks of blood.¹⁰

20 July 1840

Sister Charlotte Dundas tried at the Court of Justiciary, Edinburgh, Midlothian, Scotland with Agnes Lees and Mary Lees indicted for theft, habit and repute in stealing from Thomas Meldrum junior of Deanfoot, West Linton, Peebles in a house at North Foulis Close, High Street, Edinburgh 13 £1 notes and a £10 note; verdict guilty; sentence¹¹ 7 years' transportation; resident of High Street, Edinburgh.¹²

22 July 1840

Tried at the Court of Justiciary, Edinburgh, Midlothian, Scotland with Sophia McLean indicted for theft, habit and repute in stealing on 29 June 1840 Glasgow 2 £5 notes, 4 £1 notes, 9 shillings, 6 pence at Low Terrace, Leith Street, Edinburgh from Duncan McGowan of Bath Street; verdict guilty; sentence¹³ 7 years transportation, resident of Carrubbers Close, High Street, Edinburgh.¹⁴

Statement of witness Duncan McGowan:

Duncan McGowan Merchant Bath Street Glasgow residing there declares that he is at present lodging in the Black Bull Inn [Calhuun?] Street Edinburgh That last night about half past eleven o'clock the declarant was going home down Leith Street when he turned in to the large Pend of opening about the middle of Leith street Low Terrace to make water. That he was hardly within the Pend when a girl came in after him and asked him to go with her to a house

¹⁰ NAS, JC26/1838/595 (Charlotte Dundas and Helen Graham)

¹¹ Agnes and Mary were found guilty and sentenced to 12 months' imprisonment with hard labour; residents of North and South Foulis Close, High Street, Edinburgh, respectively.

¹² NAS, AD14/40/369 (Charlotte Dundas); NAS, JC26/1840/450 (Charlotte Dundas)

¹³ Sophia was found guilty and sentenced to 9 months' imprisonment with hard labour; she had a previous conviction of theft at Edinburgh Police Court on 19 July 1834; resident of Carrubbers Close, High Street, Edinburgh.

¹⁴ NAS, JC26/1840/459 (Helen Graham); NAS, AD14/40/364 (Helen Graham)

opposite That he told her to go away and that he was not in the habit of going to such places That he had hardly spoken when he felt a hand about his left hand breeches pocket and on his searching it he found that the purse now shewn him being a leather and its contents being two five pound notes, four one pound notes and nine shillings and sixpence in silver were gone That he charged her immediately with the theft – she said “I did not take your purse” and called to another girl who was standing at the mouth of the Entry about three or four steps distant “Helen come here this Gentleman says I have taken his purse” That the other girl came in close to the first and at this moment the declarant stooped to the ground to grope if the purse had been dropped by her – On rising he said “you have taken my purse” and at this instant a policeman with a lantern passed That the declarant called him in and told him that the first girl had taken the purse. She denied. But he immediately began to examine them both and when the second saw she could not get off she took the purse out of her breast and said “Ive got a purse. the little girl gave it to me” That the declarant immediately identified it and the prisoners and purse were taken to the Watch.house – Before the purse was examined the declarant told the Police what was in it. And being shewn the prisoners Sophia McLean and Helen Graham he declares that McLean is the girl who came into the Entry and Graham is the other All which is Truth. From the time he entered the Pend till they moved off to the Watch.house he does not think three minutes was occupied And this is also Truth.

The [??]ns may be described as the Pend, entry in Leith Street Edinburgh or in Low Terrace Leith Street Edinburgh leading to the premises occupied by James Gentleman Metal Merchant and others.¹⁵

Statement of witness James Mulholland:

James Mulholand night Watchman of Police residing in 81 Pleasance in or near Edinburgh declares That last night about half past eleven or a little after it he was going past the Pend or Entry in Low Terrace Leith street No.40 leading to the premises occupied by James Gentleman Ironmonger and others when he was called to by Mr. McGowan the preceding witness – That he was holding the prisoner McLean & the prisoner Graham was close beside her and he cried to the declarant that McLean had stolen his purse and money from his left hand trowsers pocket That he seized McLean and asked her if she had the purse or any money – she denied she had & said she had only one sixpence He then seized Graham and asked her – she finding that she was to be searched as he had searched McLean, answered “Ive plenty of money and a purse too” – The declarant then passed his hand over her breast when she put her hand below her shawl and took out the purse now shewn him saying she had got it from McLean. He then took them to the Office in St James Street where the purse was examined and found to contain two five pound notes of Greenock Bank four one pound notes & nine shillings & sixpences in silver which McGowan before it was opened stated to be the contents. McGowan was quite sober He did not see the prisoners that night before either alone or in company but they acknowledged in the Watch House they had been together and that they lived together all which is Truth. Cant write.⁷

Statement of witness Thomas Linton:

Thomas Linton night Watchhouse Keeper of Police residing in Togabo Street in or near Edinburgh declares That last night about twelve oClock the two prisoners accompanied by the Witness McGowan were brought to the St James Street Station house by the witness James Mulholland That he questioned both prisoners separately – McLean said that she and Graham had been in company – that McGowan had accosted them and taken her into the Pend and then given her the purse and that she had handed it to Graham – Graham said that she and McLean had been in company – that McLean had called her into the Entry and then given her the purse saying that McGowan had given it to her – Declares that Mulholland brought in the purse with him and it was examined in the Station house, but before this was done McGowan told that it contained two five pound notes of the Greenock Bank, four one pound notes and some silver the exact amount of which he did not know but said there were about ten shillings Identifies the purse & money all which is Truth.⁷

Statement of defendant Ellen Graham:

Helen Graham presently in custody being brought for examination Declares that she is about 22 years of age and resides in Carrubbers Close High Street. Declares that last night she

¹⁵ NAS, AD14/40/364 (Helen Graham)

was walking up and down the streets with the prisoner Sophia McLean. That she parted with her or lost sight of her in Leith Street but in a few minutes afterwards as the declarant was passing the large pend or entry in Low Terrace Leith Street McLean called out to her – Helen come here – and on the Declarant going in she handed to her what she thought to be a purse saying the Gentleman gave me that – take care of it. That the Gentleman was Duncan McGowan now shewn her. That she had hardly done so when a policeman passed and McGowan called out to him that he had lost his money – That the Police man came in with his lantern & asked McLean if she had any money to which she said no. He then asked the declarant when she at once took her hand from under her shawl and delivered up to him what she had got from McLean and which upon being taken to the office was found to be the leather purse two five pound bank or bankers notes four one pound bank or bankers notes and nine shillings and sixpence all now shewn her and labelled as relative hereto. That McGowan never said till the Police came that his money had been taken from him. All which she Declares to be truth, and Declares she cannot write.⁷

Statement of defendant Sophia McLean:

Sophia McLean presently in custody being brought for examination Declares that she is ~~about~~ 15 years of age and resides in Carrubbers Close High Street with the prisoner Helen Graham. Declares that last night between 11 and 12 she was walking in the Streets with the said Helen Graham. That she observed Duncan McGowan Glasgow now shewn her go into the large pend or entry in Low Terrace Leith Street. and she followed him in while Graham stood at the mouth of the entry. That she stole from him in said entry a purse which she handed immediately to Graham. That McGowan called the Police and they were both taken into custody Graham having first delivered up to the watchman the purse which she said she had got from the declarant and which upon being taken to the office was found to be the leather purse now shewn her and to contain the two five pound bank or bankers notes four one pound bank or bankers notes and nine shillings and six pence also now shewn ~~to~~ her and labelled as relative hereto – all which she Declares to be truth, and Declares she cannot write.⁷

- 5 April 1841 Departed Woolwich, England on the *Rajah*.¹⁶
- 19 July 1841 Arrived at Hobart on the *Rajah*.¹⁶
- c24 July 1841 Upon arrival at Hobart, assigned to Miss Kerr, Cottage Green, Battery Point.¹⁷
- 1 November 1841 Charged with being out after hours from the service of O'Boyle; reprimanded and returned to her service.¹⁸
- 3 December 1841 Charged with being absent without leave from the service of O'Boyle; sentence 3 months at the wash tub at Cascades Female Factory, Hobart.¹⁸
- 31 December 1841 Mustered at Cascades Female Factory, Hobart.¹⁹
- 16 March 1842 Absconded from the service of Mr Wright, Battery Point.²⁰
- 20 July 1842 Charged at the Police Court, Hobart on the complaint of Constable Innis with misconduct in being out after hours at 10 o'clock last night from the service of Mr Whitton; plea guilty; reprimanded and discharged.²¹
- 9 August 1842 Charged at the Police Court, Hobart on the complaint of Constable Innis with being out after hours from her service and representing herself to be free; in the service of Mr Whitton, Argyle Street, Hobart; sentence²² 1 month at the wash tub at Cascades Female Factory, Hobart.²³
- 10 September 1842 Charged at the Police Court, Hobart on complaint of Constable Ross²⁴ with misconduct in being absent all night without leave from the service of Mr Whitton,

¹⁶ AJCP, ADM 101/63 *Rajah*

¹⁷ ML, CY 1274 p.257 (Ellen Graham)

¹⁸ TAHO, CON40/1/4 p.265 No.257 [image 192] (Ellen Graham)

¹⁹ AJCP, HO 10/51 p.366 No.257 (Ellen Graham)

²⁰ *Hobart Town Gazette* 25 March 1842 p.293 (Ellen Graham); personal communication, Eileen Graham, 8 October 2006

²¹ TAHO, AC480/1/1, 20 July 1842 (Ellen Graham)

²² Sentence given as reprimanded on AC480/1/1.

²³ TAHO, AC480/1/1, 9 August 1842 (Ellen Graham)

²⁴ This name is difficult to decipher and so may not be Ross.

- Argyle Street, Hobart; sentence 10 days' solitary confinement at Cascades Female Factory, Hobart.²⁵
- 29 May 1843 Application for permission to marry James Wishart (free) sent to the Muster Master.²⁶
- 8 June 1843 Application for permission to marry James Wishart sent to the Secretary; cancelled vide records 16 June in consequence of forged letter.²⁶
- 17 June 1843 Charged at the Police Court, Hobart on the complaint of Constable Anderson with misconduct in attempting to pass at the Principal Superintendent's Office a forged letter purporting that her husband was dead; in the service of Mrs Spurling; severely reprimanded in consequence of having come forward against the writer of the letter.²⁷
- 11 April 1844 Classified as a 1st class probation pass-holder; gazetted 12 April.²⁸
- 24 May 1844 Classified as a 3rd class probation pass-holder; gazetted 24 May.²⁹
- 20 June 1844 Hired in private service as a probation pass-holder to Jessy Spurling, Hobart.³⁰
- 10 July 1844 Ticket of Leave granted; gazetted 12 July.³¹
- 3 March 1845 Application for permission to marry Stephen Clarke³² (*Marquis of Hastings*, 3rd class probation pass-holder) sent to the Secretary; detained for Mr Barnard's guarantee etc.³³
- 17 March 1845 Application for permission to marry Stephen Clarke sent to the Secretary; approved if clergyman is satisfied.³³
- Notice given of approval for permission to marry Stephen Clarke; Ellen a ticket-of-leave holder, resident of Hobart; Stephen in private service at Hobart.³⁴
- 9 April 1845 **Married** Stephen Clarke at St George's Anglican Church, Battery Point; Ellen aged 25, spinster; Stephen aged 26, printer; witnesses Robert Wilson and Roseanna Jones.³⁵
- 6 January 1846 Husband Stephen Clarke granted a Ticket of Leave.³⁶
- 22 July 1847 Free by servitude; Certificate of Freedom may be obtained upon application at the Comptroller General's Office, Hobart or from a Police Magistrate in the interior; gazetted 6 July.³⁷
- 6 April 1868 Husband Stephen Clarke admitted to the General Hospital, Hobart; aged 46, Protestant, labourer, free by servitude, ship to colony *Marquis of Hastings*, 32 years in Tasmania.³⁸
- 11 April 1868 Husband Stephen Clarke died of pneumonia at the General Hospital, Hobart; aged 46, labourer; informant C Seager, house steward, General Hospital.^{38,39}

Notes

- Ellen may be the Ellen Clark who died of dropsy at Hobart on 12 October 1856; aged 34, labourer's wife; informant friend A Clark, resident of Collins Street, Hobart.⁴⁰

²⁵ TAHO, AC480/1/1, 10 September 1842 (Ellen Graham)

²⁶ TAHO, CON52/1/2 p.226 (Ellen Graham & James Wishart)

²⁷ TAHO, AC480/1/1, 17 June 1843 (Ellen Graham)

²⁸ *Hobart Town Gazette*, 12 April 1844 p.427 (Ellen Graham)

²⁹ *Hobart Town Gazette*, 24 May 1844 p.575 (Ellen Graham)

³⁰ *Hobart Town Gazette*, 28 June 1844 p.720 (Ellen Graham)

³¹ *Hobart Town Gazette*, 12 July 1844 p.801 (Ellen Graham)

³² Stephen Clarke was transported for 14 years on the *Marquis of Hastings* in 1839, tried at Edinburgh Court of Justiciary on 8 November 1838 for stealing a cloth cap; single, printer, aged 21, native place Edinburgh; Ticket of Leave 6 January 1846; recommended for a Conditional Pardon 17 November 1846 (TAHO, CON31/1/8 p.83 No.2479 [image 52] (Stephen Clarke), TAHO, CON18/1/16 [image 109] (Stephen Clarke)).

³³ TAHO, CON52/1/2 p.293 (Stephen Clarke & Ellen Graham)

³⁴ *Hobart Town Gazette*, 18 March 1845 p.370; 25 March 1845 p.414; 1 April 1845 p.441 (Stephen Clarke & Ellen Graham)

³⁵ TAHO, RGD37/1/4 1845/1596 Hobart (Helen Graham & Stephen Clarke)

³⁶ TAHO, CON31/1/8 p.83 No.2479 [image 52] (Stephen Clarke)

³⁷ *Hobart Town Gazette*, 6 July 1847 p.649 (Ellen Graham); personal communication, Eileen Graham, 8 October 2006

³⁸ Purtscher, *Deaths at General Hospital Hobart* (Stephen Clarke)

³⁹ TAHO, RGD35/1/7 1868/7285 Hobart (Stephen Clarke)

⁴⁰ TAHO, RGD35/1/5 1856/1009 Hobart (Ellen Clark)

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Ellen Graham

- Ellen may be the Ellen Hamilton, ship to colony *Rajah*, who was admitted to New Town Charitable Institution, Hobart on 28 June 1882 from Hobart; discharged 19 February 1883 to go hop picking.⁴¹

⁴¹ *Tasmanian Police Gazette*, 23 February 1883 No.1231 p.32 (Ellen Hamilton)

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