

The Downie Family

It seems that the spelling should be Downey. Our line as far back as I have gone is:-

Dorothy May Downie - b 1896 Hay, N.S.W. Our Nana

Thomas Michael Downey b 1862 Woodend, Victoria Nana's father

Henry Downey b circa 1816 London, England Nana's grandfather

The earliest Downey, Henry, born circa 1816 but his story is complicated. In Australian records Henry Downey appears when a convict in Tasmania changes his name from Cope to Downey in 1845.

Henry Downey's parentage is unproven; what I have included here is an interpretation of information that has been found to date.

The fact that Henry Downey and Bridget Newell had children including my great grandfather Michael Thomas Downey is proven by records. It is Henry's parentage that is unclear.

A breakthrough came when a Downie family member discovered records of a Tasmanian convict named Henry Cope. Henry was convicted at the old Bailey of stealing a handkerchief valued at 3 shillings. He was sentenced to seven years transportation to Van Diemen's Land (Tasmania) in 1832. Henry was sixteen when convicted, so born around 1816. Records show his native place was Westminster, Middlesex.

After being released with a Freedom Certificate in 1844 Henry changed his name from Cope to Downey. Searching for a Henry Cope or a Henry Downey born or baptised around 1816 in Middlesex came up with a Henry Downey and a Henry Coope and both have links to the name Downey.

Henry Coope, baptised at St Margaret's Westminster, Middlesex on 26 Nov 1815, born 1 Nov 1815 to

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BAPTISMS solemnized in the Parish of *Saint Margaret Westminster*
in the County of *Middlesex* in the Year 18 *15*

When Baptized.	Child's Christian Name.	Parents Name.		Abode.	Quality, Trade, or Profession.	By whom the Ceremony was performed.
		Christian.	Surname.			
26 Nov. 1815 No. 60	Henry Son of	John + Maria	Coope	Palmer's Village	Mason	W. G. Jones

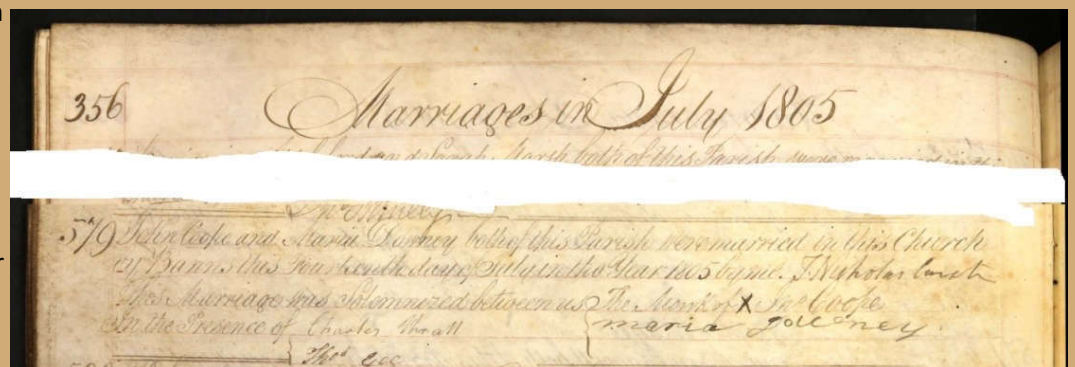
John and Maria Coope. John was recorded as a mason living at Palmer's Village.

A further search came up with a marriage record for a John Coope and Maria Downey. They were married on July fourteenth

1805 at St George,

Hanover Square, London, Westminster, England. John made his mark, Maria signed the record. John's occupation was recorded as mason.

There are several pointers to this being our Henry Cope. Dropping an O in his surname could have been common when the non reading or writing John Coope was giving his name to officialdom. Henry was a mason when first convicted. His father was a mason and it



would not be surprising that his sixteen year old son worked in the same profession. He seems to have changed his name when he went to Adelaide after being granted a Freedom Certificate. A new name for a new start. Choosing his mother's maiden name would seem a choice he may have made. Henry Cope/Downey's native place was always referred to as Westminster in his convict records. There are many Maria Downeys born in Ireland, it may explain why Henry was known as a Roman Catholic in the convict records.

However:

There was a Henry Downey born at a similar time and place. There is a baptism record for a Henry Downey, born 14/12/1816 and baptised at St James Church of England, Westminster on 28/12/1816. His parents were Francis and Maria Downey, Francis was a plumber.

This scenario is attractive in that Francis and Maria are names that are found in Henry and Bridget's family in the next generation and further generations. The dates and locality fit the data from convict records.

This scenario has a couple of problems though, Francis was a plumber, and we might expect his young son to follow his profession. Secondly, would a sixteen year old give a false name when arrested for a pickpocketing offence? Also why would he pick the name Cope?

There are other Henry Copes and Henry Downeys, as well as sets of parents, to follow up on but these two are the best possibilities at the moment. The fact that the name Maria is in both families could mean the two families were related. Francis and Maria may have been siblings. I have not found any evidence that this is the case though.

Henry's Convict History

At his arrest of 3 October 1832, Henry Downey was known as Henry Cope. He was convicted for stealing, one handkerchief, value 3 shillings, at Middlesex Gaol Delivery and sentenced to transportation for a term of 7 years on 18 October 1832 at the Old Bailey, London, MSX, ENG. He was transported from England on 31 December 1832 at London, MSX, ENG, on the ship Jupiter. He was granted a Ticket of Freedom in 1844 at Hobart, Tas., AUS. A reference to his free Certificate is found on 1845 Convict Record written when he was transported again To Tasmania from Adelaide in 1845. It contains a summary of his previous record which ends with the words 'Free Certificate No 51 1844.' The image has been left large purposely so the details may be read. He was convicted with six others for coining half crowns and sentenced to transportation for 10 years, on 10 March 1845 at Adelaide, S.A., AUS. In Adelaide his name was changed to Henry Downey first referred to as Henry Downer alias Henry Cope in the report in the Adelaide Advertiser newspaper reports. Name Henry Downey was used for the remainder of his sentence in Hobart.

He obtained a Ticket of Leave on 17 June 1850 at Hobart, Tas., AUS.

On 15 August 1851 he and Bridget Newell, also a convict, obtained permission to marry at Hobart Town, TAS, AUS. No record of the actual marriage has been found but their first child Mary Ann was born around 1852. The date and place of the marriage is recorded on the birth certificate of their son Michael Thomas Downey in 1857. The certificate records the marriage as occurring in September

Page Image

Proceedings of the Old Bailey, 18th October 1832, page 31.

FIRST DAY.)

923

2238. HENRY COPE was indicted for stealing, on the 3rd of October, 1 handkerchief, value 3s., the goods of William Bent, from his person.

WILLIAM BENT. I am a coal-merchant. I was in Cockspur-street on the evening of the 3rd of October—I felt a tug at my pocket; I turned and seized the prisoner: he dropped my handkerchief behind him, from under his coat—there was another person with him, who ran away; this is my handkerchief.

JAMES COMPTON (Police-constable C 67). I took the prisoner; I found another handkerchief on him, which he said was his own, and had no mark on it, but I found it marked with two letters.

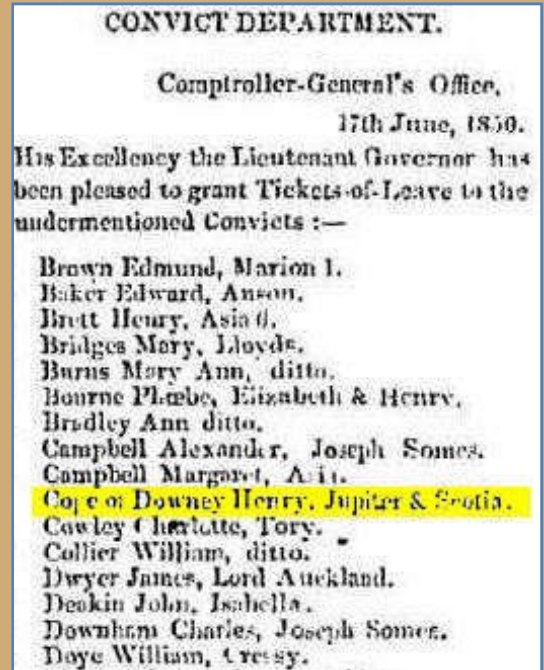
Prisoner. He took hold of another person and then took me, and said I had picked his pocket, which I had not; he said, "I have let several such as you go: I will give you in charge."

GUILTY. Aged 16.—Transported for Seven Years.

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1851 in Sydney. As Henry and Bridget were not in Sydney until 1855 the place of marriage is more likely to have been Hobart Town where they were granted permission to marry in late August 1851.

No registration of the marriage has been found in Hobart or Sydney. Henry Downey was granted a Conditional Pardon on 11 January 1853 at Hobart, Tas., AUS. He and Bridget Newell emigrated on 26 July 1855 from Hobart Town, Tas., AUS, aboard the ship Tasmania bound for Sydney, N.S.W. Henry and Bridget had two children at this time, Mary Ann about two years old and Martin only one. The shipping record I did find had a Henry Downey travelling with a Bridget Newell on the ship "Tasmania" on a voyage from Hobart to Sydney in arriving on the 26th July 1855. There were also two un-named children on the voyage, a girl and a boy which would fit their family at the time. They moved around a lot, but we know they were in Sydney as their third child was registered in Glebe (Sydney) in 1856, then children were registered at East Collingwood 1858, Gisborne 1860, Woodend, 1862.



Henry's death date has not been found but it is thought to be some time after 1869.

Bridget Newell's Story

Bridget was born at Galway, IRE, circa 1829.¹ She was convicted for sheep stealing, at County Galway June sessions 23 June 1848 and sentenced to transportation for a term of 7 years, on 23 June 1848 at Galway, Galway, IRE. Her convict records show her as 19/20 years old and working as a house maid.

After her conviction in Galway Bridget was sent to the Grangegorman Female Prison in Dublin where she remained until she embarked for Van Diemen's Land on the convict ship Maria on May 4, 1849.

When she arrived in Hobart she was appointed to a work gang first but by 1850 was at the Women's factory in Hobart. She and Henry's application for permission to marry was approved on the 26th August 1851. On January 6 1852 she was granted a certificate of freedom. By July 1855 they were able to waive Hobart goodbye and move to Sydney and then ultimately to Bendigo. They travelled to Sydney as Downey and Newell. The marriage entry on Thomas's birth certificate is probably a concoction.

Through the births of their last two children we see that Henry and Bridget moved to Sandhurst (Bendigo) between 1862 and 1863.

Henry and Bridget Downey are frequently mentioned in the Bendigo Advertiser beginning in 1863. In April

120		1851			
Davis	George	free	12 August	Refused	
Mary Sutton		Duke of Cornwall			
Davis	George	Statist	26	Approved	
Cath. Flynn		Duke of Cornwall			
Downey	Henry	Jupiter	"	"	"
Bridget Newell		Maria			

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Bridget Downey summoned another woman for using abusive language towards her, the case was dismissed. In September Henry Downie was charged with wanton destruction of property. It happened to be at a brick making works where he was employed. The case was dismissed. In May 1865 Henry is a Bricklayer and shanty keeper and taken to court for the recovery of money owed for beer. In June he is charged with stealing a pig's head

from a butcher, in court the fact that he had six children was used as consideration for leniency and he was given one months gaol. Thus begins a family living in very difficult circumstances.

Henry Downey's beer shop is in Bernal Street, a street with a notorious reputation for housing beer shanty's and brothels. There are newspaper reports of the community's despair at this street from the 1860s through to at least the 1890s. It has since had a name change but I think it was the present Chapel Street that runs from Bridge Street through to Lyttleton Terrace. The parishioners of St Killian's were amongst those who complained about the street.

On February 6th 1866 Henry Downey is granted a beer seller's licence, on February 26th Bridget is in court with daughter Mary Ann. A man is charged with assaulting Mary Ann Downey with intent to commit, a rape. The case was dismissed but it is the commencement of the break down of the family.

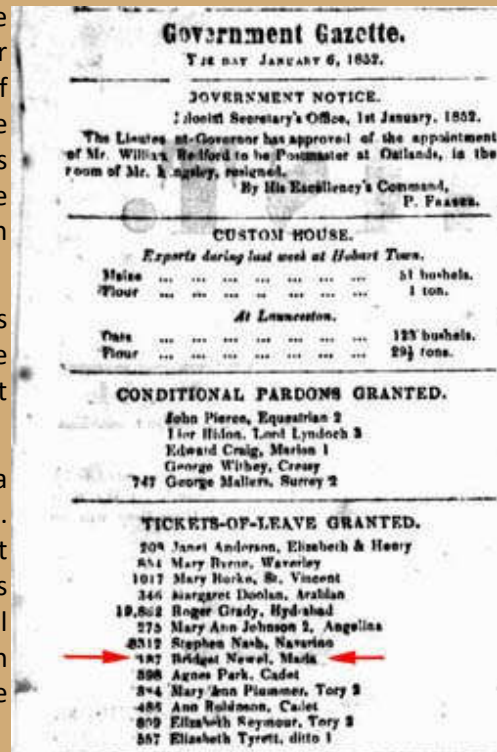
In November 1866 Bridget Downey was charged with stealing a shawl. In the subsequent court case Bridget claims that she was married to Henry Downey 16 years previously in Hobart Town. Bridget was convicted and sentenced to three months jail on this charge. It turns out that Henry provided most of the evidence against her and that she had been jailed previously for three months. No mention is made of the Downey's children. There were seven and would have ranged in age from 2 to 14. From another court appearance the next year (Bridget was just a witness this time) we learn she was living with someone else at the time.

In March 1867 Henry Downey was fined for selling beer illegally from Bernal Street, the licence he had been given in 1865 must have expired. Bridget was in court again in July when another woman is charged with stealing clothes from her. Mention is made in the court that she has been in jail twice.

In January 1868 Bridget is charged with assaulting another woman but the charge is dismissed. In April 1868 Bridget is running the beer shop in Bernal Street when a policeman is seriously wounded trying to investigate a robbery at the premises. A man claimed he was robbed of \$40 by a girl in the house; the policeman was attacked by a man at the house (not Henry Downey). This man is charged but as the occupier of the premises Bridget is charged with "keeping a house frequented by thieves and prostitutes."

The court is told of the problems caused by the business and that Bridget Downey has allowed her own daughter to be a street walker. Found guilty, a plea is made that she has six children to support but the Bench rejects this plea.

"The Bench, looking at the frightful example set by the mother—an example already followed by the eldest girl—thought the children would be much better without the protection of such a mother. She was sentenced to six months imprisonment, and the police directed to look after the younger children."



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Bendigo Advertiser Friday 22 May 1868

The next day all of the children are before the court and it is reported thus.

Neglected Children.—At the Town "Hall Police Court yesterday seven young children, ranging in ages from three to thirteen years, were brought before the Bench as neglected children. The children belonged to a woman named Downey, committed on the previous day to gaol for six months as the keeper of a low brothel in Bernal-street. The children were sent to the Industrial School for various terms, according to their ages.

Bendigo Advertiser Saturday 23 May 1868

The records of children's admissions to state care show that six children were admitted to the Industrial School. There is no record of the eldest child Mary Ann being admitted. The length of term given to them varied from between four and seven years depending on their age.

No. 2938		Name Michael Thomas Downey		Sex Male																																																																																													
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Michael Thomas Downey's file shows he stayed within the system until discharged. Most of his siblings were licensed out, that is they were sent to live with people, presumably to work for them. Michael's behaviour (shown in the second to last column) varies between bad and indifferent until he was close to being discharged. Which appears to be in July 1873 two years before his term was to expire on 22 May 1875.

The Downies continued to make the papers; in 1869 Henry Downey is charged with horse stealing. Martin absconds from the Industrial school in Sunbury with two other boys and they walk along the railway line to Sandhurst (Bendigo). They are apprehended, face the court and are sent back to the school. In court Martin made a statement that "The reason that they had left the schools was that

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they had been beaten for nothing and also because they did not get enough to eat. While they were at the schools they had three meals a day; bread and tea morning and evening, and potatoes and meat for their dinner."

In 1871 Bridget is charged again with keeping a disorderly house. Mary Ann faces court on an abusive language charge but the case is dismissed when the other party fails to appear. In 1875 Mary Ann, now labelled a prostitute by the news report is up on another abusive language charge but is let off with a caution as it is her first offence. Appearance in court for various reasons (none of which she is the defendant) occur in 1876, and 1877, 1882, 1884.

I have found no more reports of the Downies in the Bendigo paper and I have not found any other records of them. The state care records show Martin was licensed out to a bootmaker in Sunbury. The children stayed in these positions until their terms had expired or the licensee gave them up, then they were returned to the institution. Maria was licensed out four times during her stay. Henry was apprenticed to a tailor in Bourke street Melbourne. The others, the youngest, John, Michael and Bridget were not licensed out but they were discharged before their allotted time had expired. There is no explanation for this on their records.

I am still trying to find out where they went after leaving the institutions. There was a Martin Downey working in Bendigo after 1900 but I have not proof that it was our Martin. Two of the children, Thomas Michael and an older brother Harry lived in N.S.W. Lloyd Irvine, grandson of Thomas Michael Downey, knew this part of the family and kept in touch with them, most lived in Queensland in later years.

There the Downey story ends for now, except for Michael Thomas who was our great grandfather. Michael Thomas Downey married Elizabeth Webster in Deniliquin, N.S.W. in 1883. He actually uses the name Thomas Michael Downey on the certificate. The marriage certificate shows that they were married at the house of John Rudd, John Rudd's wife Jane, Elizabeth's sister, witnessed the marriage. Michael Thomas was 21, Elizabeth was 16^{1/2}.

Michael Thomas Downie's (the spelling changed) death registration gives his father as Martin Downie, mother Bridget Muir. His father on his Birth Certificate was Henry Downey. It is possible that Michael's brother Martin looked after him after he left the Industrial School and his daughter Liz who would have provided the information on his death certificate may have thought Martin was his father. Martyn was Nana's brother Les's second name. The death notice also gives his mother as Bridget Muir, probably a corruption of Bridget Newell which was his mother's name on his birth certificate. Birth certificates are more reliable than death certificates usually. People giving information for a death certificate have usually acquired knowledge of a person from indirect sources that may have forgotten details over time. Births are usually recorded by the participants, that is, the parents.



Thomas Michael Downey (hands in pockets) and Carl Irvine.

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Little is known of Michael Thomas Downie. He sometimes used Thomas as his first name. His grandson Lloyd Irvine gave me the photograph of him with Lloyd's father Carl Irvine. Lloyd said that Downie was known as Mick and was reputed to have carried a gun and to have been a hard man. Plenty of mystery here and knowing something of the Downies early life it is not hard to imagine this story to have some truth in it.

Michael Thomas Downie died in 1919; the death notice in the Melbourne newspaper is strange because it only records three of his children. At the time, there were four other children alive including our Nana. They were probably not living in Melbourne but that did not stop Liz Irvine, who I presume put the notice in the paper, listing his sons from Deniliquin and Queensland.



Our Nana was the last child registered with the father's name included. It may be that the marriage broke down about the time of Nana's birth. The question is whether Thomas Michael fathered any of the younger children. Perhaps Liz was only listing the actual children of Thomas Michael. We are pretty sure that the youngest, Bill Downie, was the son of William Sheppard. Maybe William Sheppard fathered more of them. At the time divorce was very costly and

slow. This part of the story still needs to be unravelled, perhaps we will never know.

DOWNIE - On the 21st May, 1919, at the Melbourne Hospital, Thomas (Mick) Downie, loved father of Elizabeth, Mrs. Irvine, Arthur Downie (Queensland), Harry Downie (Deniliquin).

Rest in peace.