

HOLIHAM, John

Variations : Hollyhead, Hollyhand, Houlahan, Hoolahan

<b>Ship</b>	<b>Date arrived (Sydney)</b>
Fortune	11 June 1813

Shipping indent(s)

Fiche	Page	Reel	Shelf	Type
	460		4/4004	bound

Trial (place, date)	Prev conv	Offence	Sentence
Middlesex Gaol Delivery 4 Dec 1811		burglary	life
Notes: Source = indent.			

Age	Marr/S	Child'n	Relig	Educ	Native place	Country
20					Co Kilkenny	Ireland
Notes: Source = indent						

Trade or calling	Height	Complexion	Hair	Eyes
stable boy	5' 6hlf	fair	sandy	grey
Notes: Source = indent				
Other arrival info (eg ships musters & papers):				

Assignment

1821 assigned to James Connelly, a settler at Wilberforce. By 1828, with William Eckford, Wallis Plains. By Oct 1837, with James Reid (as convict or ToL??)
With Eales: 1846-47

Freedom (year, details)

T.O.L.	C.P.
<p>ToL 30/600, 31 August 1830, 4/4076 (reel 914), Maitland district "renewed vide no. 34/29 1 February 1834 this being returned mutilated and cancelled". ToL 34/29, 1 February 1834, Maitland district. Year of birth 1794. ToL 42/2283, 28 Sept 1842, 4/4167 (reel 945), Paterson district. "In lieu of 314/2337 dated 31 Jan 1820 <b>cancelled</b>". Altered to Maitland 21 April 1846, 46/2728. TOLPPT 43/353, 21 March 1843, 4/4249 (reel 971) rec by Paterson Bench. Allowed to proceed to the Clarence River in the service of Captain Pike for 12 months. TOLPPT 44/759, 7 November 1844, 4/4255 (reel 973). Allowed to remain in the service of Edw'd D Day Esq New England for 12 months. TOLPPT 46/478, 8 May 1846, 4/4262, allowed to remain in the service of Mr John Eales at Liverpool Plains for 12 months.</p>	

Colonial crime & secondary punishment

Date	Offence	In service of	Punishment
Mar 1818			1 year Newcastle
Nov 1821			2 years Newcastle
Feb 1835			14 days in the cells
Oct 1837	drunk and disorderly	James Reid	50 lashes
Sources: see assignment & TOL above, and Col Sec & 'other' below			

Colonial Secretary's correspondence

<p><b>HOLIHAM, John.</b> Per "Fortune", 1813</p> <p>1821 Nov 7 On list of prisoners transported to Newcastle per "Sally" (Reel 6008; 4/3504A p.31) – convicted by the Sydney Bench 2 Nov 1821, sentenced to 2 years Newcastle, labourer.</p>
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<b>HOLLYHEAD, John.</b> Per "Fortune", 1813	
1818 Mar 13	On list of convicts to be sent to Newcastle per "Lady Nelson" (Reel 6006; 4/3498 p.87) – convicted by D Wentworth 20 Feb 1818, sentenced to one year Newcastle.
1820 Jan	Petition for mitigation of sentence; as Hollyhand (Fiche 3204; 4/1861 p.45) – argued had been constantly in employ of Gov't but few months ago <b>assigned</b> to James Connelly, a settler at Wilberforce, and nearly six and a half years in one gang (Ticket of Leave recommended but not issued [prob when advised of his record]).
1821 Sep 8	Grass boats. On list of all persons victualled from H.M. Magazines (Reel 6016; 4/5781 p.110).
Note: these are the same person, there was only one person on the Fortune 1813 with a name like either of the above.	

NSW Census/musters

1814	convict, on stores, boatman
1822	[as John Hollyhead], C, Fortune, life, Gov't employ, Newcastle
1823-25	[as John Hollyhead], C, Fortune, life, Gov't servant to the pilot, Newcastle
1828	[as John Hollyhead], 40, GS, Fortune 1813, life, prot, labourer, to Wm Eckford, Wallis Plains
1837	not found (holding ToL)

Colonial marriage

Date	Place	To whom	BDM index reference
Permission to marry:			

Death

Date	Place	Age	BDM index reference
26 Jan 1848	Maitland Hospital		as per convict death register

Timeline

Date	Event
1811 Dec	convicted of burglary in London, death sentence commuted to life (transport'n)
1813 Jun	arrived in Sydney on the Exmouth
1814	on the stores as a boatman
1818 Mar	sentenced to 1 year in Newcastle
1820 Jan	Ticket of Leave
1821 Nov	sentenced to 2 years in Newcastle (presumably ticket of leave cancelled)
1823-25	convict assigned to the pilot, Newcastle
1828 Nov	assigned to William Eckford, Wallis Plains (Maitland)
1830 Aug	Ticket of Leave for the Maitland district
1835 Feb	as ToL holder, 14 days in the cells and then returned to district (Maitland)
1837 Oct	<b>assigned</b> to James Reid (ToL cancelled?), 50 lashed for drunk & disorderly
1842 Sept	Ticket of Leave for the Paterson district
1843 Mar	employed by Captain Pike at the Clarence River for 12 months
1844 Nov	continue in employ of Ed. D Day at New England for 12 months
1846 May	ToL passport to work for John Eales at Liverpool Plains for 12 months.
1848 Jan	died in Maitland Hospital

Other (source, details)

Newcastle Gaol Entrance Books, 11 February 1835. John Houlahan, Fortune 1813, ToL holder, admitted to Newcastle Gaol from Maitland under sentence of 14 days in the cells and return to district. Returned 3 March.
Newcastle Bench Books, 3 October 1837, John Hoolahan, Fortune 1813, assigned

to James Reid, 50 lashes for drunk and disorderly conduct.

**Keywords**

summary punishment while ToL/Tol withdrawn, lashes, newcastle, Liverpool Plains

*Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 6.0, 29 May 2013), December 1811, trial of JOHN HOLLIHAM (t18111204-43).

**JOHN HOLLIHAM, Theft > burglary, 4th December 1811.**

47. JOHN HOLLIHAM was indicted for burglariously breaking and entering the dwelling house of Samuel Bradshaw, Esq. about the hour of one on the night of the 22d of November, and burglariously stealing there in, four silver tea spoons, value 8 s. a plated tea-pot, value 5 s. three books, value 3 s. the property of Samuel Bradshaw, Esq. a pair of breeches, value 5 s. two pair of gaiters, value 2 s. a brush, value 6 d. and a hat, value 3 s. the property of John Benning.

JOHN BENNING. Q. Did you live with General Bradshaw in November last. - A. Yes, his name is Samuel, his house is No. 5, Market Street, May Fair, in the parish of St. George, Hanover Square.

Q. Do you know the prisoner at the bar at all. - A. I saw him once before at Marlborough Street, I never saw him before it happened. On the 22d of November, I went to bed between ten and eleven, the housekeeper was in the house, General Bradshaw, the maid, and myself.

Q. What time did the General go to bed. - A. He in general goes to bed about eleven, he was gone to bed when I went.

Q. Before you went to bed did you take any notice of the windows and doors of the house. - A. I did not take any particular notice of them. - The maid is here.

Q. Was she gone to bed at the time. - A. No. I got up in the morning and came down between seven and eight o'clock, when I came down I found the kitchen door open.

Q. Does that door open into the area. - A. No, it is an inner door, I found it open and on my proceeding in the kitchen I saw two of the squares broke.

Q. When these two squares of glass were broke was it possible for any person to put their hand in. - A. Yes, it was possible to be done. Any person putting their hand in at these panes might unpin the window and throw the sash up and get in, there were shutters to the window, the maid is not certain whether she fastened it when she went to bed. They were open on the inside. I then thought that somebody had been in the house. I went up to the maid and told her that the house had been robbed.

Q. You were the first up were you. - A. I was the first up. She said is it possible. I opened the area door. I found a man's shoe and a hat. And the things that are missing, when I see them, I can swear to them. There was missing a tea-pot, washed or plated, I am not certain which, five silver tea spoons, one pair of breeches, two pair of gaiters, one hat, and a clothes brush.

Q. What did you do with the hat and shoe. - A. I took them into the kitchen, I shewed them to the general, and he desired me to take care of them until the officer came. Craig the officer came a night or two afterwards to my master's house, the maid delivered them to him.

Q. Did you notice the hat and shoe. - A. I did. I can swear that the same hat and shoe that I saw the maid gave to Craig, were the hat and shoe that I found in the area.

ELIZABETH NELSON. Q. You lived with the general on the 22d of November did you. - A. Yes.

Q. What time did you go to bed that night. - A. Between the hours of ten and eleven.

Q. The general had not then gone to bed had he. - A. No.

Q. Before you went to bed did you fasten the doors and the windows. - A. I fastened the doors, But the shutters of the window I will not answer for, the sashes were all down and screwed down; that I am certain off.

Q. Did you observe the the kitchen window. - A. I am sure the kitchen window was down and the pin was in.

Q. Then in the morning you were a wakened and told the house had been robbed. - A. Yes.

Q. When you went to bed was all safe in the kitchen. - A. The spoons and the pot, and all was safe when I left it.

CHARLES SLADE . I am a watchman, my beat is in Piccadilly, Albemarle Street, and Dover Street. On the 22d of November, I was going to call half past twelve along Piccadilly. I met the prisoner with a blanket rolled up under his arm, just by the New White Horse cellar, between Albemarle Street and Dover Street, he was coming as if from Hyde Park Corner, he had only one shoe on. I stopped him and asked him what he had got in the blanket, he had a hat on, he said they were a parcel of old things, he lived with Captain Warpole. I touched the blanket and a silver spoon tumbled out, and as he was stooping for the silver spoon the tea pot fell out.

Q. What sort of a tea-pot. - A. It is plated or washed, I cannot tell which; at the time I thought it silver. I saw there was a gaiter or two hanging out, by that I took him by the collar and sprang my rattle, and then he chucked the blanket and the whole of the things down. I held him by the collar till I had a partner come up, then we picked up the things and the blanket.

Q. Some of your partners came up. - A. Yes, one man came, his name is William Gentleman . We picked up the things and took them to the watch-house and the prisoner.

Q. Who carried the blanket and the things. - A. My partner, and at the watch-house my partner delivered the things to Mr. Fell, the constable of the night.

Q. Are you sure that he delivered the very same blanket that fell from the prisoner. - A Yes.

Q. Did the prisoner say any thing. - A. He said they belonged to Captain Walpole , he was going to take them to Stephens's hotel, he was going to sea with his master.

WILLIAM FELL . Q. You were the constable of the night. - A. Yes, I was.

Q. On the 22d of November do you remember Slade and Gentleman bringing you that parcel.

- A. I do and the prisoner. I have had it in my possession ever since. The parcel was opened in my presence, and I then tied it up in a parcel.

JOHN RANDLE . On the 22d of November the prisoner came to my house at half after eleven o'clock and called for half a pint of beer. I am a publican. I live in Chappel Street, May Fair. I was in the act of shutting up my house, I told him to drink his beer and withdraw, he asked me whether General Bradshaw had a servant, he appeared to me to be a little in liquor, my wife told him that she did not know I then said why do you ask that question, he said he had a particular reason for asking that question, then said I, go to General Bradshaw's house and make the enquiry, I had no information to give him.

Q. Had he any bundle with him. - A. None.

Q. How far is your house from General Bradshaw's. - A. Next door, the house adjoins to it. I shut the door upon him, and saw no more of him that night.

Prisoner. Q. I believe I asked you a bed the same night. - A. I don't recollect that; I stood by all the time.

THOMAS FOY . Q. You are one of the police officers. - A. Yes. In consequence of the general's applying at the office, I was directed by the magistrate to go with Craig and look at the place. On the next morning the 23d we found the window broken as the servant has described it.

Q. Can you take upon yourself to say that after breaking the squares of glass a person might put their hand in and unpin the window and throw the sash up - A. Yes, they might very easy, and afterwards shut it down again. I have no doubt they got in at that window. The servant informed us there was a shoe and a hat found in the area of that house, we desired to look at it, one of the female servants there, said she was sure the hat belonged to one of the servants that did live with the general.

Q. When you looked at the hat and the shoe did you compare the shoe with the prisoner's shoe. - A. I did afterwards. The man servant said that he had taken his hat and left his own.

On Friday night the robbery was committed, on Saturday he was committed, on the Monday morning we went to the prisoner and examined the shoe that he had on. He had sold the hat when in prison to a fellow prisoner, he delivered up the hat, and the prisoner did not deny it.

Q. He gave you that hat. - A. Yes, the prisoner told me who he had sold it so, and I called the man he gave me the hat in the prisoner's presence. The hat has been in my possession and Craig's ever since. I marked the hat before ever I gave it out of my possession. I can safely swear that this is the hat the prisoner said he had sold, which the servant said was his. This is the shoe I took off the prisoner's foot, the other shoe was given me by the other young woman in the kitchen and she put her mark on it. I have compared the shoes, they are fellows.

- BENNING. This is my hat. I know it by a crack on the outside, and it has been slightly cleaned once. I know the hat by having it in constant wear. It is the hat I left in the kitchen the night before.

- CRAIG. Q. You have heard Foy's account. - A. Yes, it is true, I kept this hat a little time. It is the same hat.

Prisoner's Defence. I have lived along with different gentlemen in that neighbourhood for seven years. I went to General Bradshaw and left him at my own option. I went over to Ireland and came back, I was very bad and I went into the Lock Hospital. I came out one evening and got rather in drink, stopped out late, as I turned back I went into different houses to get a lodging, I was disappointed. I went down into this area, I saw the window shutter open, I shoved the sash up. I thought to lay there for the night, down the sash came, the glass broke, I will own it.

Q. (to Benning.) Look at these things. - A. That is the general's tea-pot, the cloths brush is my own.

FELL. That cloaths brush I took out of his pocket.

BENNING. That book is my own. I can swear to the spoon, we missed five, we have only one; and I can swear to the gaiter, both pair of gaiters are mine; and the breeches are mine.

GUILTY - DEATH , aged 20.

Second Middlesex jury, before Mr. Baron Graham.

### General information

This document is part of research undertaken by Brian Walsh on the convicts assigned to John Eales and the ticket-of-leave holders who worked for him. Please do not email or upload/post this document online without acknowledgement. For further information and contact details see:

[www.patersonriver.com.au/ealesconvicts](http://www.patersonriver.com.au/ealesconvicts)

A book on John Eales' convicts titled '*Toil and Trouble from Maitland to Moreton Bay*' is available from Paterson Historical Society, see:

[www.patersonhistory.org.au](http://www.patersonhistory.org.au)