

**In research it is always exciting when the find reveals an interesting history! It wasn't enough that I should uncover a convict and his deportation, but also a family murder!**

Marion Filby 2014

## **Descendants of Richard Filbee Tree T23**

### **Generation 1**

1. **RICHARD<sup>1</sup> FILBEE** was born about 1815 in Hartwell, Buckinghamshire, England. He died on 14 May 1887 in Hobart Town, Tasmania, Australia. He married **MARY ANN CAPENHURST** on 07 Oct 1844 in Hobart Town, Tasmania, Australia. She was born in 1819 in England.

Notes for Richard Filbee:

Hartwell was described in 1806 in "Magna Britannia" as follows:

HARTWELL, in the Hundred of Aylesbury and deanery of Wendover, lies about two miles from Aylesbury, on the road to Thame: it was formerly a hamlet of Stane.

#### **Richard Filbee, Convict - Deported 1837**

The original references are in the Buckinghamshire, England, QS records. Richard Filby born about 1815, had two convictions, the first on 31 December, 1833, and the second on 3 January, 1837 when he was aged 21 and a courier - he was referred to as of bad character and gave comment of indifference.. Both convictions were at Petty Sessions, of which no records exist, so no details of the offences were given as all that happened at the QS was that the conviction was reported. However, the 1837 conviction was his second that was referred to the QS and he was sentenced to be transported for 7 years (QS record 07.12.10 H. Hailey.)

Fortunately, newspaper coverage of his crimes was found:

No 1. 1833: When he was 'of Hartwell' - the theft of a piece of mother of pearl and a penknife, with an accomplice William Davis - and both were sentenced to 6 months.

No 2. 1836/7: The alleged offence, stealing a lead pump, with accomplices John Allen and Edward Mooney in Hartwell.

**Richard Filby was convicted in 1837 and transported to Van Dieman's Land in Tasmania, Australia on the SS Neptune. He was convicted and deported under the surname of FILBY but married under the surname of FILBEE.**

Name: Richard Filbee      Convicted date: Jan, 1837 Bucks. England

Vessel: Neptune              Voyage date 4 Oct 1837

Colony: Van Dieman's Land

Departure 7 Oct 1837 from London – Date of Arrival in Tasmania 18 Jan 1837

From all of the above, it would appear that Richard Filby was transported in the Neptune in 1837, but was married as Richard Filbee in 1844, in Hobart, to Mary Ann Capenhurst. She, it would appear, arrived on the Hindustan, also a convict.

Richard was for a time in the service of Mr J Regan (?) of Hobart. Mary was assigned to Mr James in Hobart. They were given permission to marry in 1844.

#### **Notes for Mary Ann Capenhurst:**

Register of Persons Charged with Indictable Offences - Warwick, England - 1838 Mary

Ann aged 18 was imprisoned for three months for Larceny. Then on 1st January, 1839 - Mary Ann appeared again on a charge of 'Larceny before convicted Felony' and got ten years Transportation.

Name: Mary Ann Capenhurst Place of Conviction: Warwick, England. Piece HO 10/39

Vessel: Hindostan Departure: London 9 May 1839 Arrival Date: Tasmania 12 September 1839

Richard Filbee and Mary Ann Capenhurst had the following children:

2. i. ELIZABETH<sup>2</sup> FILBEE was born on 24 Oct 1845 in Hobart Town, Tasmania, Australia. She married JOHN CARPENTER on 26 Apr 1887 in Glamorgan, Tasmania, Australia. He was born in 1828.
- ii. MARY ANN FILBEE was born on Unknown date. She died in 1847 in Hobart Town, Tasmania, Australia.
3. iii. JOHN FILBEE was born in 1850 in St James, Melbourne, Australia. He died in 1913. He married AGNES GEMMELL on 03 Apr 1872 in Hobart Town, Tasmania, Australia. She was born in 1848 in Glamorgan, Tasmania, Australia. She died on 11 Sep 1927 in Hobart, Tasmania, Australia.
- iv. JANE FILBEE was born on 26 Jun 1852 in Hobart Town, Tasmania, Australia. She died on 17 Feb 1867 in Glamorgan, Tasmania, Australia.
- v. THOMAS FILBEE was born on 03 Jun 1854 in Hobart Town, Tasmania, Australia.
- vi. ANN FILBEE was born on 26 Jul 1861 in Glamorgan, Tasmania, Australia. She died on 18 Dec 1861 in Glamorgan, Tasmania, Australia.

## Generation 2

2. **ELIZABETH<sup>2</sup> FILBEE** (Richard<sup>1</sup>) was born on 24 Oct 1845 in Hobart Town, Tasmania, Australia. She married **JOHN CARPENTER** on 26 Apr 1887 in Glamorgan, Tasmania, Australia. He was born in 1828.

Notes for Elizabeth Filbee:

Her descendants informed me in 2011 that she had an affair with Charles Alex Makepeace and this resulted in the birth of Thomas in 1885. Makepeace was married to Elizabeth Jean Simmons Stephenson on 19th May 1867.

According to Makepeace Family History Charles Alexander left Elizabeth Stephenson for Elizabeth Filbee. She had a son to him whose name was Thomas. This is supported BMD records. 'The youngest son was Charles Alexander (b 1837 in Swansea) and married widow Elizabeth Stephenson in 1867. He had 3 daughters & a son before leaving her and living with Elizabeth Filbee, with whom he apparently had a son. Charles ran a hotel in Swansea (not the same one his father ran) and after his death his (legal) wife Elizabeth took over the license.'

Elizabeth Filbee later married John Carpenter. Her illegitimate son, Thomas, was later murdered by his cousin, George Carpenter.

John Carpenter and Elizabeth Filbee had the following children:

- i. THOMAS FILBEE MAKEPEACE<sup>3</sup> CARPENTER was born on 01 Mar

1885 in Glamorgan, Tasmania, Australia. He died on 10 Oct 1922. He married ADA ALICE TUNSTALL on 23 Nov 1910 in St Andrews Presbyterian, Swansea, Tasmania, Australia. She was born on 19 Jul 1890 in Glamorgan, Tasmania, Australia. She died on 30 Dec 1967 in Swansea, Tasmania, Australia.

**Notes for Thomas Filbee Makepeace Carpenter:**

**His father was Charles Alexander Makepeace and Thomas was illegitimate. Thomas was murdered by his cousin George Carpenter, on 10 Oct 1922. Apparently, George also murdered Edward "Deafy" Duncombe, his Uncle, at the same time (well almost).**

**He was tried on Christmas Day, 25 Dec 1922, sentenced on 27 Dec 1922 and duly hanged.**

**THE SWANSEA TRAGEDIES - The Mercury Dec 28, 1922**

George Carpenter, age 27 married, who had previously been convicted of robbery committed 3 murders at Swansea, was convicted and sentenced to death. He remained brazen to the end, ate and slept well. He showed little interest in talks with the prison chaplain and walked silently to his execution. So terrible were the crimes committed by the Swansea murderer, George Carpenter, that even the maudlin opponents of capital punishment, did not even raise their voices to save him from the scaffold. He began with a murder for robbery then followed a murder of hatred and vengeance, and finally a murder to escape arrest. The cool deliberation of the acts is what astonishes. He shot Duncombe as he sat at his table, his object apparently being robbery, as it was known that the old fellow kept money on his place. Next he shot his cousin, Thomas Filbee Makepeace Carpenter in the same cowardly fashion. What happened between them will never be known, but it is clear that the victim was at his work of wattle bark stripping when the murderer shot him in the back of the head. Tom Carpenter's dog must have sensed the tragedy and protested, for it too was shot. The tale was not yet complete. Two murders had been committed, and the murderer in neither had gained his object. He wanted money, and to get it returned to the hut of his first victim, Duncombe, to make another search. There he was met by Trooper Henderson, who attempted an arrest, and became the third victim.

Like all criminals George Carpenter doubtless thought that he was hiding all traces of his dreadful acts and that the murders would remain a mystery, just as many others had done. Fortunately for the community, there is something in human nature that blinds or weakens the criminals, even the most callous and expert in the very act, and causes him to drop clues which the Sherlock Holmes' pick up and follow. In this case George Carpenter forgot about his footprints. When he fled from the scene of the murder of Trooper Henderson he left behind his bag clutched by that brave officer. He must have known that he was the 'wanted' man and prepared himself to fight it out. But for that lucky shot that found a crevice in the hut in which he had sheltered and shattered his arm, it is quite possible he would have taken another life as, according to his own statement, he was seeking a chance to shoot a man named Johns when he was shot. He had taken the lives of three good men and it seemed fitting that he too should die.

Dreadful deeds like those of George Carpenter prove once again that civilization cannot dispense with capital punishment. Life is the thing beyond price. The man that takes life

from base motives has only one dread-the scaffold. Imprisonment means life under restraint but it is still life and not the end of all things. It is something therefore that cannot be tolerated.

THE SWANSEA MURDERS - George Carpenter Captured Wounded  
FINAL STAND IN DESERTED HUT - Opening of the Inquest (BY OUR SPECIAL REPORTER) SWANSEA, October 12 1922.

Immediately day broke the police and volunteers renewed their search for George Carpenter, wanted in connection with the murder of Edward Duncombe, Thomas Carpenter and Trooper Henderson Men armed with guns scoured the surrounding bush. Between 10 and 11 o'clock he was located in a deserted hut and after a fusillade of shots during which a police constable received a bullet shot in the arm he was captured wounded in two places and brought to Swansea where he received medical attention In the afternoon the wounded man against whom a charge of the wilful murder of Frederick Henderson had been preferred was dispatched under escort to Hobart.

Opinion differed widely as to the whereabouts of the fugitive. It was held by some that he had left the district and had probably made through to the Midlands. Many however believed that he was hiding within a few miles of Swansea, and as it turned out they were right. All agreed that he was an expert bushman, knowing every foot of the surrounding country for many miles.

Last night Chief Detective Inspector Oakes and Inspectors Hughes and Hutton had met a number of those residents who had been assisting the police to draw up plans for the active prosecution of the search. At this conference special parties of police and civilians were detailed to scour various localities where it was thought likely that the suspect might be found.

Between four and five o'clock three motor-cars each loaded with police and expert bush men, all armed moved off on the perilous expedition. Before departure the civilians were formally enrolled as special constables. At 9.30 nothing further had been heard of them in the township. About this time another party went off in a motor-car with the intention of visiting the lonely hut- home of the murdered man Duncombe, deserted since the murder of Trooper Henderson, either to take photographs or make investigations. Each man was armed with a double barrelled shot gun. For about three miles the car crept slowly over a rough bush track, stopping here and there so that the driver might answer questions and reassure anxious-eyed women and children.

About a mile from the objective a wait was made for a couple of men on bicycles who were to join the party. At this stage one of the guns was accidentally discharged. As the cyclists did not put in an appearance, it was decided after 15 minutes wait, to push on. During the last mile of deserted country, which afforded every opportunity for perfect ambush, members of the party were able to realise and appreciate the courage of the police and residents who had taken their lives in their hands in the task of searching for the wanted man. At last the gates of Duncombe's property were reached. Was the suspect sheltering securely inside, or had he totally left the district?

With guns cocked, a cautious advance was made to the verandah of the house, and entrance was gained without mishap. A thorough search of the house and adjoining hut, in which old 'Deafy' died, and other outbuildings, was made. The search had just been completed, and the desired photographs were being secured, when a sudden shout broke the silence of the bush "They have got him!" Then a messenger, almost out of breath, broke the news that Carpenter had been taken alive in another deserted hut a few miles distant.

#### STORY OF THE CAPTURE

The party which effected the capture was made up of plain clothes Constables Smith, Dodd, Marshall, Boon, and Messrs M. Lewis, C. S. Arnold, L. A. Johns, and H. Johns. The scene was on a property belonging to Mr H Johns, about eight miles from Swansea.

It was after the party had been out about a couple of hours that Mr. Johns suggested that a search should be made of a hut on his land. The advance was made through very rough country to the top of a slight hill, from which the hut could be plainly seen. It was noted that the door was not barred. "Why it should be locked," exclaimed Mr Johns.

It was suggested that the party should lie low for a time and watch, and then, if nothing occurred, two men should creep slowly up and try the lock. As they did so a sound was heard within the hut "as though someone had turned over in bed."

#### DEMAND TO SURRENDER.

Believing the occupant to be a dangerous maniac the two men turned back and took cover. The hut was then surrounded. At a distance of about 200 yards from the entrance they called out "Come out!" There was no reply and the search was then advanced to within shorter range of the hut.

The ugly gleam of a gun barrel emerging from a crack in the hut near the chimney was the sudden reply to another call to surrender which went unheeded.

Then a fusillade of shots rang out and a cry was heard from within, 'My God, I'm done for!' 'Still another call to come out and surrender brought the answer, "I am wounded. " A minute later the door opened stealthily and an almost doubled up figure, covered in blood, with shaggy hair and a growth of whisker more like a brown bear faced his pursuers - it was George Carpenter!

When the shots were fired one .303 police bullet ricochet, from a tree and struck Constable Dodd in the left arm near the elbow. The wound is not serious, but the doctor says his escape was miraculous. A few mere inches to the right, and the bullet would have entered his heart.

It was found that Carpenter was in a serious condition. There was an ugly wound in his right wrist and another near the left elbow. These were ligatured and a despatch was carried to Swansea and was met after travelling Johns. The search party with their capture on a stretcher proceeded back to Swansea and were met after travelling about three miles over very rough country by a party from Swansea, including Dr. Parker, Mr. Oakes, and Sergeant Linegar. First by dray and for the last few miles by motor car, Carpenter was brought to Swansea.

## ENTERING THE TOWNSHIP

The news that Carpenter had been captured and was being brought to Swansea reached the township shortly before noon and almost immediately crowds of people began to line the streets. Many hours of waiting were in store for most of the onlookers, but despite the inclement weather conditions, they stuck it out. At last, at 2.20 p.m. to be precise, a motel car was seen to be approaching along the Campbell Town-Swansea road. In the back seat of the car were seen two armed men with Carpenter between them. With several weeks' growth of hair on both head and face he was a pitiable spectacle.

After recovering from the momentary silence while witnessing the progress of the car, the people set out in one solid mass to the doctor's residence, where the car had pulled up. When they arrived there, all doors were closed against them and their cries of "Bring out the murderer," "Let us have Carpenter," were without avail. In the meantime, the injured man was having his wounds dressed and was so weak from loss of blood, that he could give little attention to indignant cries outside. After an interval of nearly an hour, it became apparent that the prisoner was about to be brought forth again to the car to be conveyed to Hobart.

At this stage, Chief Detective Inspector Oakes was put to it to convince the crowd that it was outside their right to interfere with the prisoner, and it was only his assurance that he was executing his duty in protecting the man, that Carpenter was got away safely.