

Irish Ancestors

William Butler



Mary Slattery

WILLIAM BUTLER (1798 - 1778) - MARY SLATTERY (1803 - 1854)

Research into the family story of William Butler and Mary Slattery has for many years remained quite challenging.

The death certificate of William Butler was unearthed many years ago, in 1984 at the Boorowa Courthouse.

The death certificate was a surprise discovery as at that time, I was aware that my ancestor was Johanna Butler but had no idea that her father had also migrated to Australia.

The transcript (*typed from notes taken at Boorowa Courthouse*) of William Butler's death certificate provides a starting point for the research into the Butler family.

Death Certificate of William Butler

According to death certificate information, William Butler was born in County Kilkenny, Ireland before the beginning of the 1800's in approximately 1798.

His son-in-law Joseph Barton listed William's age as about 80 years, thus leaving some doubt as to the preciseness of age and hence birthdate.

- ❖ *The precision of Death Certificate information often must be questioned for accuracy because it was on many occasions made under duress by bereaved family members or in this case by a son-in-law Joseph Barton, who may have had difficulty providing information that was both informed and accurate.*

Registration of Births, Deaths and Marriages Act, 1973. D 97825

CERTIFIED COPY

DEATH REGISTERED IN NEW SOUTH WALES, AUSTRALIA

Surname of deceased	BUTLER
Other names	WILLIAM
Occupation	Farmer
Sex and Age	Male about 80 years
Marital status	widower
Date of death	14th March, 1878
Place of death	"Little Plains", Boorowa
Usual residence	"Little Plains Ck", Boorowa
Place of birth	County Kilkenny, Ireland 36 yrs in N.S.W.
Father - Surname	BUTLER
Other names	PATRICK -solicitor
Mother - Maiden surname	DOOLAN
Other names	KATE
Place of marriage	Kilkenny, Ireland
Age at marriage	26 years
To whom married	MARY SLATTERY
Children of marriage	2 females living 3 females deceased
Informant	Joseph Barton Son-in-law "Little Plains"
Cause of death	Natural Causes
By whom certified	
Particulars of burial or cremation	16th March, 1878 Burrowa
Particulars of registration	J.M. 1984
Date	
Number	

I, hereby certify that the above is a true copy of particulars recorded in a register kept by me.

Figure 1: William Butler - Death Certificate 1878

Issued at

The information made available by Joseph Barton and medical personnel stated the following:

- ✓ William Butler died on 14 March 1878 at “Little Plains”, Boorowa *(the property owned by his son-in-law Joseph Barton and daughter Johanna)*
- ✓ He died of natural causes aged **about** 80 years
- ✓ William Butler was a widower living at nearby “Little Plains Creek” near Boorowa
- ✓ William married Mary Slattery in Kilkenny, Ireland when aged 26 years
- ✓ Five daughters came from the marriage, three deceased and two daughters living
- ✓ He was the son of: Patrick Butler a solicitor from County Kilkenny and his wife Kate (nee Doolan) - *[later research has suggested Catherine Dowling]*
- ✓ William Butler had spent 36 years in NSW

NEW SOUTH WALES

REGISTRATION NUMBER
4953/1878

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT 1965

DEATH CERTIFICATE


Date and place of death	Name and occupation	Sex and age	Cause of Death Duration of last illness; medical attendant; when he last saw deceased	Name and occupation of father. Name and maiden surname of mother	Informant
14 March 1878 Little Plains Boorowa	William Butler	Male about 80	(1) Natural Causes (2) broken up by constipation (3) 5 days (4) Mr. P. M. O'Sullivan (5) few days before death	Patrick Butler Solicitor Kilkenny Ireland	Certified by Joseph Barton Solicitor Little Plains

Particulars of Registration	When and where buried name of undertaker	Name and religion of Minister and names of witnesses of burial	Where born and how long in the Australasian Colonies or States	Place of marriage, age, and to whom	Children of marriage
Interment 14 March 1878 Boorowa	16 February 1878 Boorowa R. Harding	Rev. the Rev. C. C. O'Sullivan R. O'Sullivan R. O'Sullivan	16 years Ireland Ireland Ireland	26 years Mary Slattery Kilkenny Ireland	2 females living 3 females deceased

NSW BD&M Death Certificate of William Butler


(per descendant Carl Murphy)

Before accepting copies, sight mothered original. The original has a coloured background.



REGISTRY OF BIRTHS
DEATHS AND MARRIAGES
SYDNEY 26 July 1921

I hereby certify that this is a true copy of particulars recorded in a Register in the State of New South Wales, in the Commonwealth of Australia



Registrar

Figure 2: William Butler - Death Certificate (Carl Murphy)

Trip to Ireland - September 2015 - John & Pam Malone

During a family history trip to Ireland in 2015 and in particular a visit to the city of Kilkenny, there was a brief curiosity visit made to the [Rothe House and Garden](#) shop in the central business area of Kilkenny.

The centre had a section of their shop that related to Family History Research.

A brief chat to the receptionist further emphasised that Family History research into the Butler family in Kilkenny would be extremely difficult as Butler was such a **common name** in Kilkenny County.

Upon returning to Australia, a pamphlet received at Rothe House and Garden, titled “**Irish Family History Foundation Members List**” [below] compiled by **Roots Ireland**, led me to the uncovering of the likely marriage details of William Butler and Mary Slattery.



Figure 3: Rothe House & Garden - Kilkenny

IRISH FAMILY HISTORY FOUNDATION MEMBERS LIST				www.rootsireland.ie
COUNTY	CENTRE NAME	TELEPHONE	ADDRESS	EMAIL ADDRESS
Antrim/Down	Ulster Historical Foundation	+44 (0) 28 9066 1988	49 Malone Road, Belfast, Northern Ireland BT9 6RY	enquiry@uhf.org.uk
Armagh	Armagh Ancestry	+44 (0) 28 3752 1802	The Navan Centre, 81 Killylea Road, Armagh, Northern Ireland, BT60 4LD	researcher@armagh.gov.uk
Carlow	Carlow Library Genealogy Service	(059) 9129709	Tullow Street, Carlow	genealogy@carlowcoco.ie
Cavan	Cavan Genealogy	(049) 4361094	1st Floor, Johnston Central Library, Farnham St., Cavan	cavangenealogy@eircom.net
Clare	Clare Heritage Centre	(065) 6837955	Corofin, Co. Clare	clareheritage@eircom.net
Cork City	Cork City Ancestral Project	(021) 4285648	Cork County Library, Carrigrohane Rd, Cork	corkancestry@corkcoco.ie
Cork North	Mallow Heritage Centre	(022) 50302	27-28 Bank Place, Mallow, Co. Cork	mallowheritagecentre@gmail.com
Cork West	Skibbereen Heritage Centre	(028) 40900	Old Gasworks Building, Upper Street, Skibbereen, Co. Cork	skibbheritage1@gmail.com
Derry	Derry Archive & Genealogy	+44 (0) 28 7137 2411	Tower Museum, Union Hall Place, Derry N. Ireland BT48 6LU	genealogy@derrycity.gov.uk
Donegal	Donegal Ancestry Ltd	(074) 9158285 or (0) 87 9454096	c/o Joan Patton, Millbrook, Rathmullan, Co. Donegal	info@donegalancestry.com
Dublin North	Swords Heritage Centre	(01) 8400080	Carnegie Library, North St., Swords, Co. Dublin	swordsheritage@eircom.net
Dublin South	Dun Laoghaire Heritage & Genealogy	(01) 4954485	Craft Courtyard, Marlay Park, Rathfarnham, Dublin 16	cmalone@dlrcoco.ie
Fermanagh/Tyrone	Irish World Heritage Centre	+44 (0) 28 8774 6065	51 Dungannon Road, Co. Tyrone BT1 4HP	info@irish-world.com
Galway East	East Galway Family History Society	(090) 9749309	Woodford Heritage Centre, Woodford, Loughrea, Co. Galway	galwayroots@eircom.net
Galway West	Galway Family History Society West Ltd	(091) 860464	St. Joseph's Community Centre, Ashe Road, Shantalla, Co. Galway	galwaywestroots@eircom.net
Kerry	No Service			
Kildare	Kildare Genealogy	(045) 448350	Riverbank, Main Street, Newbridge, Co. Kildare	kildaregenealogy@iol.ie
Kilkenny	Rothe House & Garden	(056) 7722893	Rothe House, Parliment Street, Kilkenny	kilkennyfamilyhistory@rothehouse.com

Marriage - At this stage of my research, little was known of William Butler's early life, but according to death certificate information, as above, when aged 26 years in approximately 1824, William Butler took as his bride Mary Slattery, in County Kilkenny, Ireland.



Church Marriage Record

Date of Marriage: 18-Jan-1822

Parish / District: ST. JOHN'S

County: Co. Kilkenny

Husband

Name: William Butler

Address: Tullibryan

Denomination: Roman Catholic

Occupation:

Age: Not Recorded

Status:

Wife

Mary Slatery

Tullibryan

Roman Catholic

Occupation:

Age: Not Recorded

Status:

Husband's Father

Name: Not Recorded Not Recorded

Address:

Denomination:

Occupation:

Wife's Father

Not Recorded Not Recorded

Address:

Denomination:

Occupation:

Husband's Mother

Name: Not Recorded Not Recorded

Address:

Denomination:

Occupation:

Wife's Mother

Not Recorded Not Recorded

Address:

Denomination:

Occupation:

Witness 1

Name: Daniel O Hara

Address:

Witness 2

Sally Murphy

Address:

Notes:

(STIPEND GIVEN AS 1/19/2)

A short-term subscription was taken out to the “[Roots Ireland](#)” Website and very quickly the marriage details were uncovered.

Roots Ireland – Church Marriage Record – William Butler and Mary Slatery

According to the above document, William Butler married Mary Slatery/Slaterry on 18 January 1822 in the Parish of St John’s Catholic Church, Kilkenny.

Witnesses at the marriage ceremony were Daniel O’Hara and Sally Murphy.

Both William Butler and Mary Slaterry listed their address as “Tullibryan”.

This is most likely “[Tullabrin](#)” which is a “[townland](#)” division of St John’s Parish in Kilkenny.

❖ *[Ireland is sub-divided in a unique way, provinces into counties, counties into baronies, baronies into parishes, and parishes into [townlands](#)]*

Obstacles to Family History Research in Ireland

Public Records Office of Ireland – “Fire Ravaged”



The Public Records Office of Ireland, located in the Four Courts Building on the River Liffey in Dublin, housed many genealogical treasures including Irish Census returns, original wills dating to the 16th century, and more than 1,000 Church of Ireland parish registers filled with baptism, marriage and burial records.

Sadly, nearly all were lost during the Irish Civil War on 30 June 1922 when, after a two-day bombardment, an *explosion and fire ravaged the building*.

As well as destroying many irreplaceable genealogical records in the Public Records Office, the interior of the Four Courts was seriously damaged and the central dome collapsed. The buildings have since been restored and the Four Courts sits on the River Liffey as one of the architectural gems of Dublin.

What was lost?	What survived?
<p>Apart from a few fragments, the Irish Censuses of 1821, 1831, 1841, and 1851 were burned in the Public Records Office.</p> <p>So, too, were just over half of all the Anglican Church of Ireland registers deposited there following the dis-establishment of the state church in 1869.</p> <p>In addition, the majority of wills and testamentary records [such as <i>Schedule of Assets and Probate document</i>] that had been proved in Ireland were reduced to ashes (although transcripts of many testamentary records survive).</p> <p>All pre-1900 documents from the legal courts were lost, as were local government records for the same period.</p> <p><i>Source: Irish Genealogy Toolkit</i></p>	<p><i>Here's a quick run-through of the main record collections used by Irish genealogy researchers that either survived the fire or were nowhere near the flames</i></p> <ul style="list-style-type: none"><i>The 1901 and 1911 Irish census returns survive.</i><i>So do all civil registration records.</i><i>So do nearly half of all Church of Ireland parish registers (many clergymen had simply not sent their registers to Dublin).</i><i>Baptism, marriage and burial records for Roman Catholics, Presbyterians and Methodists were not housed at the Public Records Office</i><i>Griffiths Valuation – the primary source of land and property records for the middle of the 19th century is intact.</i><i>Indexes to wills and probate bonds survive.</i><i>So do a good number of local muster rolls, poll tax lists and other records dating back to the very early 1600s.</i>

Catholic Parish Registers of Ireland

Fast forward to 2015 – the public records of Ireland may have been destroyed but the records of the Catholic Churches in Ireland had remained intact in churches.

In Ireland, the launch by the National Library of Ireland of the release of the Catholic Parish Registers took place in July 2015.

The release of these records is of great consequence because of the destruction by fire in Dublin in 1922 of the majority of Ireland's 19th century civil registrations of births, marriages and deaths.

Among the 370,000 digital images released to family history researchers all over the world, is the marriage of William Butler and Mary Slattery (Slattery).

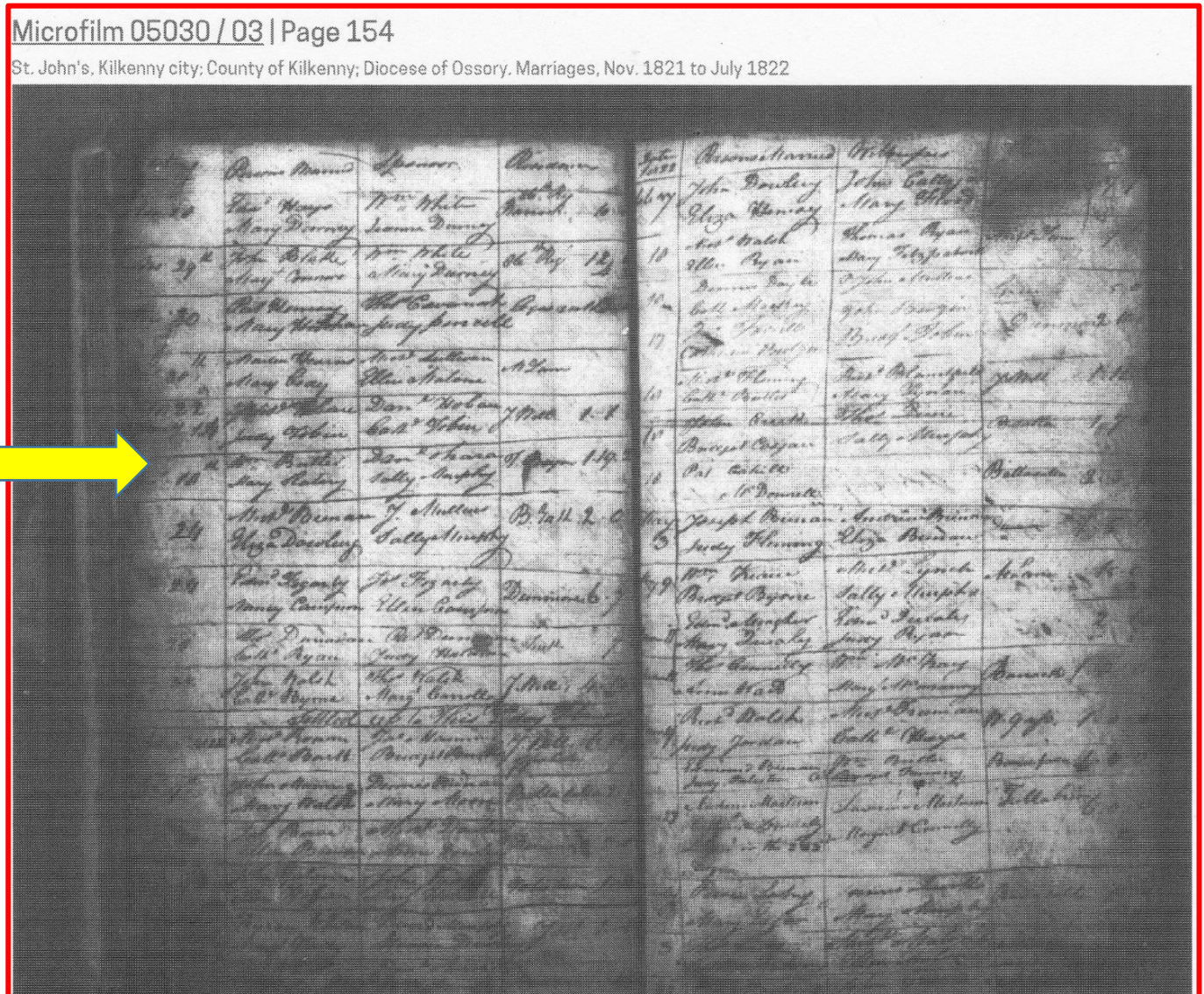


Figure 4: Copy of Original Marriage Certificate - William Butler & Mary Slattery

Family of William Butler and Mary Slattery


According to Death Certificate information, when William Butler died in 1878, he was a widower.

His marriage to Mary Slattery had apparently produced 5 children, all females:

- 2 living females
- 3 deceased females

Research using the [Roots Ireland Website](http://RootsIreland.com) uncovered the following baptisms of children whose parents were William Butler and Mary Slattery.

■ Margaret Butler



Church Baptism Record

Name:	Margaret Butler	Date of Birth:	
		Date of Baptism:	27-Jun-1822
Address:	Johns Well	Parish/District:	ST. JOHN'S
Gender:	Female	County:	Co. Kilkenny
		Denomination:	Roman Catholic
Father:	William Butler	Mother:	Mary Slattery
Occupation:			
Sponsor 1 / Informant 1:	William Lawler	Sponsor 2 / Informant 2:	Mary Butler
Notes:			
(STIPEND GIVEN AS 2/6)			

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Year	Child	Parents	Sponsors	Residence
1822	Margaret	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1823	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1824	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1825	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1826	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1827	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1828	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1829	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1830	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1831	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1832	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1833	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1834	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1835	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1836	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1837	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1838	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1839	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1840	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1841	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1842	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1843	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1844	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1845	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1846	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1847	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1848	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1849	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1850	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1851	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1852	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1853	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1854	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1855	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1856	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1857	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1858	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1859	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1860	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1861	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1862	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1863	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1864	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1865	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1866	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1867	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1868	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1869	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1870	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1871	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1872	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1873	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1874	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1875	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1876	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1877	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1878	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1879	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1880	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1881	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1882	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1883	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1884	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1885	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1886	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1887	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1888	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1889	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1890	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1891	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1892	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1893	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1894	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1895	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1896	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1897	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1898	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1899	John	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well
1900	Mary	William Butler & Mary Slattery	John Lawler & Mary Butler	Johns Well

Margaret Butler was baptised on 27 June 1822 which was 5 months after the marriage of William Butler and Mary Slattery, so it is presumed that Margaret was the first member of the family born.

When Margaret was baptised, her parents William and Mary listed their address as **Johnswell**, a small village community about 8km from the centre of Kilkenny, along Johnswell Road (sign pictured).



❖ Bridget Butler


Bridget Butler was baptised on 2 February 1825 in St John's Parish, Kilkenny.

William and Mary Butler were residing at Tullabyrne (most likely **Tullabrin**, Kilkenny).

Witnesses were James Gordon and **Mary Slattery** (most likely a relative).

William Butler & Mary Slattery

■ Judith Butler

		<h3>Church Baptism Record</h3>	
Name:	Judith Butler	Date of Birth:	
		Date of Baptism:	20-Mar-1831
Address:	Johns Well	Parish/District:	ST. JOHN'S
Gender:	Female	County:	Co. Kilkenny
		Denomination:	Roman Catholic
Father:	William Butler	Mother:	Mary Slattery
Occupation:			
Sponsor 1 / Informant 1:	John Curran	Sponsor 2 / Informant 2:	Mary Slattery
Notes:			
[STIPEND 3/0]			
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Judith Butler was baptised on 20 March 1831 in the Parish of St John, County Kilkenny.

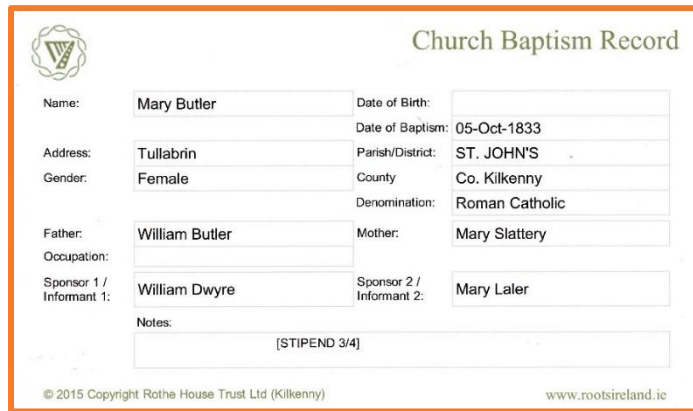
William and Mary Butler were residing at **Johnswell**, County Kilkenny.

Witnesses were John Curran and Mary Slattery (most likely a relative).

- *The name **Judith Butler***
- *is of significant importance as will be unfolded **later** in this document!*

Family of William Butler and Mary Slattery *(continued)*

■ Mary Butler



Church Baptism Record

Name:	Mary Butler	Date of Birth:	
		Date of Baptism:	05-Oct-1833
Address:	Tullabrin	Parish/District:	ST. JOHN'S
Gender:	Female	County:	Co. Kilkenny
		Denomination:	Roman Catholic
Father:	William Butler	Mother:	Mary Slattery
Occupation:			
Sponsor 1 / Informant 1:	William Dwyre	Sponsor 2 / Informant 2:	Mary Laler
Notes:	[STIPEND 3/4]		

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Mary Butler was baptised on 5 October 1833 at St John's Parish, Kilkenny.

William and Mary Butler were residing at Tullabrin, Kilkenny).

Tullabrin was a "hundred" division in the Parish of St John, Kilkenny.

Baptism sponsors were William Dwyre (probably Dwyer) and Mary Laler (probably Lalor).

Early research had appeared to identify 4 of a possible 5 female children.

Previous Knowledge – 2 Living Butler Children

Early research (over 40 years ago) and family history knowledge from my mother's family had indicated that:

❖ **Johanna Butler**, along with her sister **Mary Ann Butler** arrived as immigrants to the Colony of New South Wales and had married soon after arrival

1 **Johanna Butler** (wife of **Henry Evans** and then **Joseph Barton**)

and

2 **Mary Ann Butler** (wife of **Andrew Burns/Byrne**).

Tracing the Footsteps of William Butler in Ireland

Living in Kilkenny (William and Mary Butler)

The Tithe Applotment Books for Kilkenny give us some insight into the early life of William and Mary Butler.

The Tithe Applotment Books:

Tithes were a tax on agricultural produce which was payable by the occupiers of agricultural land.

They were the main source of income for the parish clergy of the Church of Ireland (the largest Protestant church and the church established by law).

However, in many parishes a large part of the tithes were 'appropriate', which meant that they were payable to a bishop, cathedral chapter or other ecclesiastical recipient, or were 'impropriate', which generally meant that they were payable to a local landowner.

The parishes used in the Tithe Applotment Books are civil or **Church of Ireland parishes**, which often **differ** in name and territory from **Catholic parishes**.

Acts of Parliament of 1823 and 1832 provided for the conversion of tithes into a fixed charge on land and specified the average price of wheat or oats in the parish in the seven years before 1821 as the basis on which the tithes would be calculated. They also extended the application of tithes to pasture, where previously they had been levied only on tillage.

This change in the law resulted in the valuation of individual holdings in almost all parishes containing agricultural land, in order to assess the portion of the tithes for which each occupier of land would be liable.

The Tithe Applotment Books are an important source of information for a wide variety of researchers of pre-Famine Ireland. They provide the first surviving national list of the occupiers of land and are used by genealogists as a partial substitute for returns of the 1821 and 1831 censuses of population, which were destroyed in 1922. They also record information on the quality of land, and provide information on pre-Ordnance Survey territorial divisions, some of which were not recognised after the 1840s.

Living in Kilkenny (William and Mary Butler) - continued

There are many William Butler's mentioned in the Kilkenny Tithe Applotment Books of 1833, but the William Butler mentioned below was living in the Townland of **Tullabrin** where our William Butler and his wife Mary lived and where their children were baptised.

William was a **tenant farmer** living on the land owned by Arthur William Thomas Esquire.

Diocese of Ossory		Parish of Rathcoole		TITHEABLE.						County of Kilkenny					
TOWNLAND.	NAMES OF OCCUPIERS.	Quantities in Detail.	Quality.	Total Quantity in Holding.	Total Quantity in Townland.	Rents paid.	Realisable Value.	Quantities in Holding.	Quantities in Townland.	Quality.	Amount of Cere. payable for Tithe in Holding.	Amount of Cere. payable for Tithe in Townland.	OBSERVATIONS.		
Tullabrin	Stephen Butler	10 0 0	Acres				1 10 0								
		3 1 3 33	Acres	11 1 33			1 0 0				8 2 0		2 3		
St. Peter's	Michael Butler	5 0 0	Acres				1 10 0								
		6 1 6	Acres	21 1 6			1 0 0	2 0			2 2 0		2 4		
Arthur W. Thomas Esq.	William Butler	8 0 0	Acres				1 10 0								
		4 0 0	Acres	12 0 0			1 0 0	2 0					2 0		
	Michael Butler	10 0 0	Acres				1 10 0								
		20 0 0	Acres				1 0 0								
		2 2 0	Acres	12 2 0			0 0				2 0 0		2 0		
	John Butler	13 0 0	Acres				1 10 0								
		22 0 0	Acres				1 0 0								
		7 0 0	Acres	19 0 0			1 10 0				3 2 0		2 0		
	Michael Butler	1 0 0	Acres				1 10 0								
		11 0 0	Acres	12 0 0			1 0 0				2 0 0		2 0		
	Thomas Butler	20 0 0	Acres				1 10 0								
		30 0 0	Acres	50 0 0			1 0 0								
	Edmund Butler	10 0 0	Acres				1 0 0								
		1 2 2	Acres	1 2 2			1 0 0	35					1 0		
	William Butler	1 0 0	Acres	1 0 0			1 0 0								
	Robert Butler	15 0 0	Acres				1 10 0								
		2 0 25	Acres	17 0 25			1 0 0				2 2 8		2 2		
	John Butler	10 0 0	Acres				1 10 0								
		5 0 0	Acres				1 0 0								
		1 0 22	Acres	1 0 22			1 0 0	2 2			1 0 0		1 0		
	William Butler	1 0 0	Acres				1 0 0								
		2 0 0	Acres	2 0 0			1 0 0	2 2					1 0		

William Butler - Tithe Applotment Book
Tullabrin Townland, Kilkenny - 1833

The above document is hard to decipher but can be partly translated as follows:

<u>Townland</u>	<u>Occupier</u>	<u>Quantities</u> <i>Acres, roods, perches</i>			<u>Quality</u>	<u>Total Quantity in Holding</u>			<u>Real Acreable Value</u>	<u>Amount of Composition of Tithe in Holding</u>
Tullabrin <i>The property of Arthur William Thomas Esquire</i>	William Butler	8 acres 4 acres	0 roods 0 roods	0 perches 10 perches	Second Third	12 acres	0 roods	10 perches	£1 10s 0d	£1 4s 5 ¹/₂d (unclear)

In summary, William Butler was the tenant farmer on 12 acres and 10 perches of land and the tithe payment due to collectors was £1 4 shilling and 5 1/2 pence.

(a football field is generally equivalent to an acre)

❖ Included on the list of tenant farmers in Tullabrin in 1833 were neighbours **Michael Butler, John Butler, Richard Butler and Thomas Butler** – were they close relatives?

WILLIAM BUTLER – TITHE DEFAULTER

*Paying tithes, like all other taxes, was always **resented**, especially by Catholics, who didn't see why they should have to pay for the upkeep of the established Protestant church.*

*In addition, from 1735 to 1823 tithes were not due on pastureland: **graziers were exempt**.*

*This left the burden of tithes on the **smaller landholders** of each parish.*

Because some parishes were almost entirely made up of pasture, the injustice was even more keenly felt by the tithe-payers, who between them might hold only a few hundred acres of tillage.

When increasing numbers of tithe-payers refused to pay during 1830 and 1831, many Church of Ireland clergymen found themselves in financial trouble.

In order to alleviate their difficulties, the Clergy Relief Fund, 1831 Act was passed.

The total funds amounted to £60,000.

It had '1831' in its title because only arrears for that year could be claimed. To obtain relief, the clergyman had to swear an affidavit before a law officer, stating the methods he had used to collect his tithes and the arrears due.

*He also had to attach to this affidavit a schedule or **list of all those who owed him tithes**.*

Affidavits and schedules were then dispatched to Dublin Castle in June, July, August 1832.

*Our ancestor William Butler was listed as one of the **tithe defaulters**!*

The 1831 Tithe Defaulters Transcription

First name(s) William
Last name Butler
Occupation farmer
Residence Tullowburu
Defaulter's parish Rathcoole
Barony Gowran
County Kilkenny
Parish(es) Rathcoole
surveyed
Number of occupied houses 224

Affidavit That Memorialist has been unable for above a year to procure a Process Server to serve the requisite legal orders for the recovery of his Tithes-He made in 1831 Application to the Assistance Barrister on the subject of proper Process Servers who would be willing to execute the Duties assigned to them. He also applied in January last to the Under Secretary of State upon the same Subject. On the Representation of Memorialist the Bishop of the Diocese applied to the Chief Secretary on the same subject. But nothing has been done by which it has become possible to take any of the legal steps requisite for obliging the Defaulters to pay Tithes. That Memorialist's Agent & Viewer was prevented from viewing the crops of 1831, by the Chapel Bell being rung, on his entrance into the Parish, for the purpose of collecting the Peasantry to drive him out of the Parish; from whence on being timely warned, he was obliged to escape with all haste; & Memorialist dare not for the past year take or send any Person into the Parish to transact any business connected with Tithes. Memorialist made a Report to the Chief Secretary in January 1831 of the Assemblage & Seditious conduct of Persons from this Parish- calling themselves Hurlers, when visiting Memorialist at his Residence at the above period.

Record set The 1831 Tithe Defaulters

According to the above document, at Tullabrin, the Memorialist (*the Church of England Clergyman*) has been unable to procure a "Process Server" to serve the legal documents for the recovery of tithes within the townland.

The "Agent" designated to view crops and collect tithes was prevented from entering the townland to do his inspections.

The local **chapel bell** was rung warning the villagers of the "Agents" approach. The villagers in turn would then drive the "Agent" out of the townland, often in fear of his own life.



Figure 5: 'Tithe Agent' being driven out of a townland by irate villagers!

Tracing the Footsteps of William Butler Arrival in the Colony of New South Wales

Did William Butler arrive in the Colony of New South Wales as a **free settler** or as a **convict**?

The most common methods of arrival in the 1840's were:

- *Convict*
- *Assisted Immigrant*
- *Unassisted Immigrant*

According to William Butler's death certificate, he had spent 36yrs in NSW which brings his arrival in the Colony of NSW back to approximately **1842**.

(These figures were not necessarily always accurate, and families of convicts sometimes disguised their convict ancestor's arrival date)

William Butler's arrival in Australia, had remained very much a speculative issue, but after searching for many, many years a possible breakthrough was finally made in November 2015.

Was William a Convict?

There were many convicts named **William Butler** who arrived in the Colony of New South Wales and the list above gives some basic details regarding their arrival:

1. Ship and Year of Arrival
2. Ticket of Leave and Certificate of Freedom

Surname	Firstname	Vessel	Year	No	Date	RecordType	
BUTLER	William	-		52/126		Ticket of Leave	District: Maitland; Born in colony (Windsor); Tried: Brisbane CC
BUTLER	William	-		54/138		Ticket of Leave	District: Cassilis; Born in colony (NSW); Tried: Col Bris 1850
BUTLER	William	Royal Admiral	1800	28/0909	25 Oct 1828	Certificate of Freedom	in lieu of CF 100/555; renewed CF 31/1146
BUTLER	William	Royal Admiral	1800	31/1146	23 Nov 1831	Certificate of Freedom	in lieu of CF 28/909
BUTLER	William	Marquis of Wellington	1815	28/239		Ticket of Leave	
BUTLER	William	Marquis of Wellington	1815		15 Aug 1835	Recommended Conditional Pardon	
BUTLER	William	Marquis of Wellington	1815	-	-	Conditional Pardon	
BUTLER	William	Adamant	1821	30/0338	21 May 1830	Certificate of Freedom	TL 443/1917
BUTLER	William	Adamant	1821	25/443		Ticket of Leave	District: Richmond; Born: Berks 1788; Trade: Labourer; Tried: Surrey Qs 1821
BUTLER	William	John	1829	47/20		Bank Warrant	Condition: Ticket of Leave
BUTLER	William	John	1829	47/447	26 May 1847	Ticket of Leave	District: Yass; Tried: Warwick
BUTLER	William	Norfolk	1829	39/507		Ticket of Leave	
BUTLER	William	Norfolk (2)	1829		1845	Recommended Conditional Pardon	
BUTLER	William	Roslyn Castle	1833	40/0342	20 Feb 1840	Certificate of Freedom	
BUTLER	William	Royal Admiral	1833	44/1453	1 Oct 1844	Certificate of Freedom	TL 38/1482
BUTLER	William	Royal Admiral	1833	38/1482	28 Aug 1838	Ticket of Leave	
BUTLER	William	Surrey	1834	42/0149	1 Feb 1842	Ticket of Leave Passport	Ticket of Leave 40/2480; On the recommendation of Captain King
BUTLER	William	Surrey	1834	43/207	25 Feb 1843	Ticket of Leave Passport	Ticket of Leave 40/2480; On the application of Mr King, Commissioner of Crown Lands
BUTLER	William	Surrey	1834	41/0583	11 May 1841	Certificate of Freedom	TL 38/1884
BUTLER	William	Surrey	1834	40/2480		Ticket of Leave	Convicted Middlesex
BUTLER	William	Surrey	1834	38/1884		Ticket of Leave	Tried Middlesex
BUTLER	William	Forth	1835	43/692	16 Jun 1843	Ticket of Leave Passport	Ticket of Leave 43/0628; On the recommendation of Queanbeyan Bench
BUTLER	William	Forth	1835	45/0103	3 Feb 1845	Ticket of Leave Passport	Ticket of Leave 43/0628; On the recommendation of Queanbeyan Bench
BUTLER	William	Forth	1835	43/628		Ticket of Leave	District: Queanbeyan; Tried: Kilkenny
BUTLER	William	Forth (3)	1835		-	Recommended Conditional Pardon	
BUTLER	William	Prince George	1837	41/1676		Ticket of Leave	
BUTLER	William	Earl Grey	1838	43/120		Ticket of Leave	District: Braidwood; Tried: Kent QS
BUTLER	William	Gaillardon	1838	46/0286	16 Mar 1846	Certificate of Freedom	TL 41/2517
BUTLER	William	Gaillardon	1838	41/2517		Ticket of Leave	District: Campbelltown; Tried: Messut CM

William Butler - Convict Record

Tracing the Footsteps of William Butler

Arrival in the Colony of New South Wales (continued)

As well as convicts who arrived in the Colony of New South Wales there were also several Assisted Immigrants who also arrived in the Colony. Research into the shipping lists pertaining to Assisted Immigrants does not appear to provide any real concrete link to our ancestor William Butler.

William Butler – Assisted and Other Immigrants

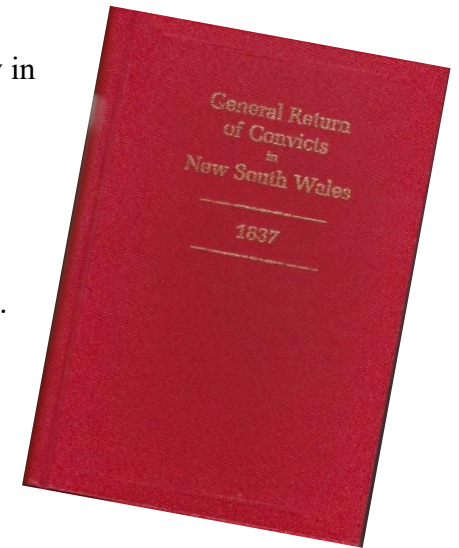
<u>Surname</u>	<u>First Name</u>	<u>Age</u>	<u>Ship</u>	<u>Year</u>	<u>Arriving</u>	<u>Remarks</u>
BUTLER	William	36	Hastings	1857	Moreton Bay	and family
BUTLER	William	13	Hastings	1857	Moreton Bay	and family
BUTLER	William	43	Cambodia	1855	Moreton Bay	and family
BUTLER	William	14	Cambodia	1855	Moreton Bay	and brother
BUTLER	William	4	Artemisia	1848	Moreton Bay	and family
BUTLER	William	-	Agricola	1841	Port Phillip	and Ellen
BUTLER	William	-	Strathfieldsaye	1841	Port Phillip	
BUTLER	William	7	Samuel Plimsoll	1883	Sydney	and family
BUTLER	William	5	Corona	1879	Sydney	and family
BUTLER	William	28	Blair Athole	1879	Sydney	and family
BUTLER	William	8	Norval	1880	Sydney	and family
BUTLER	William	34	Mary Anne	1857	Sydney and/or Newcastle	and husband
BUTLER	William	29	Irene	1852	Sydney and/or Newcastle	and family
BUTLER	William	7	Irene	1852	Sydney and/or Newcastle	and family
BUTLER	William	20	John Bright	1849	Sydney and/or Newcastle	
BUTLER	William	42	Julindur	1849	Sydney and/or Newcastle	and son
BUTLER	William	25	Parsee	1859	Sydney and/or Newcastle	and family
BUTLER	William	17	Cornwall	1839		Unmarried farm labourer
BUTLER	William	20	James Pattison	1840		Unmarried labourer

Tracing the Footsteps of William Butler

Arrival in the Colony of New South Wales (continued)

To commence the **process of elimination**, there are a couple of basic facts that appear:

- Our William Butler and his daughter Johanna appear to have originated from **Kilkenny, Ireland**, so this assists greatly in the elimination process.
- William Butler's death certificate states he died in 1878 and was **about 80 years**, so this provides a basic **date of birth frame** which also assists in the elimination process.
- ❖ There were several convicts named William Butler that are mentioned in the "General Return of Convicts in NSW 1837".




Page 85 of the Index lists the following:

Convicts' Names	Age	Ship	Year	Where Tried	Master	District	Remarks	Page
3529 Butler Mary	25	Numa	1834		Butler John	Sydney		69
3530 Butler Michael	21	Parmelia	1833	Tipperary	Hayes William	Bathurst		21
3531 Butler Michael	28	Forth	1835	Mayo	Aust Agric Co	Port Stephens		36
3532 Butler Patrick	21	Dunvegan Castle	1832	Queens County	Campbell A	Bathurst		26
3533 Butler Peter	27	Lady Mcnaughton	1835	Westmeath	Government	Bathurst		32
3534 Butler Reuben	30	Prince Regent	1827	Oxford		Patricks Plains	T of L	59
3535 Butler Richard	27	Royal Admiral	1833		Iron Gang	Woolloomooloo		88
3536 Butler Richard	54	Earl St Vincent	1820			Patricks Plains	T of L	111
3537 Butler Samuel	30	Lady Faversham	1830	Chelmsford	Payton Nathaniel	Parramatta	T of L	63
3538 Butler Stephen	33	Earl Grey	1836	Cork	Hawden John	St Vincent		75
3539 Butler Stephen	33	Earl Grey	1837		Hawdon John	St Vincent		110
3540 Butler Thomas Bonner	50	Moffatt	1836	Jamaica	Government	Sydney		93
3541 Butler Thomas	14	Lady Nugent	1835	Bristol	Palmer W H	Vale of Clywdd		51
3542 Butler Thomas	42	Indefatigable	1815			Illawarra	T of L	66
3543 Butler Thomas*	43	Morley	1818	Middlesex		Sydney	T of L	23
3544 Butler Thomas	60	John Barry	1821			Cassilis	T of L	98
3545 Butler William	19	Prince George	1837		Felstone Thomas	Brisbane Grove		109
3546 Butler William	21	Surry	1834		Mcfarlane J	Goulburn		92
3547 Butler William	22	Surry	1834		Wiseman R A	Maitland		89
3548 Butler William	24	Fanny	1833		Aust Agric Co	Peel River		39
3549 Butler William	25	Royal Admiral	1830	Maidenhead	Government	Port Macquarie		47
3550 Butler William	28	Roslyn Castle	1833		Norton Nathaniel	Penrith		67
3551 Butler William	32	John	1829	Warwick	Gaol	Newcastle		50
3552 Butler William	33	Albion	1834		Rossi F A	Goulburn		113
3553 Butler William	40	Roslyn Castle	1833	Queens County	Marsden S Rev	Parramatta		41



Tracing the Footsteps of William Butler
Arrival in the Colony of New South Wales (continued)

If William Butler was indeed a convict, there is some circumstantial evidence matching him as a possible candidate for being our particular ancestor:



<u>Convict's Name</u>	<u>Age</u>	<u>Ship</u>	<u>Year</u>	<u>Master</u>	<u>District</u>
Butler William	33	Albion	1834	Rossi FA	Goulburn

William Butler was assigned as a convict to Francis Rossi at Goulburn, the Rossi family being owners of the property "Rossiville" at Goulburn.

Another convict known to have worked with the Rossi family at Goulburn was Henry Evans.

Henry Evans was to later marry Johanna Evans, daughter of William Butler.

The connection with the Rossi family may be only circumstantial, but certainly worth consideration.

The ship's record for the "Albion" arriving in Australia in 1834 appears to be missing which makes it extremely difficult to link our William Butler with this particular ship.

Tracing the Footsteps of William Butler Arrival in the Colony of New South Wales (continued)

However, the Convict Muster listed below reiterates the arrival of William Butler on the “*Albion*” in 1834.

General Return of Convicts - 1837

William Butler “Albion” 1834

General Muster of Male & Female Convicts in the Colony of

Convicts Names		Name of the Ship in which they Arrived	When Arrived
Byrne Thomas	16	Trabuloe	1836
Brown Patrick	20	"	"
Brownman Patrick	24	"	"
Brown John	18	"	"
Butler John	24	"	"
Byham Michael	25	"	"
Byry James	18	"	"
Byrne Thomas	24	Anna	1834
Butler William	13	Albion	1834
Burnett Thomas	20	Harriet	1834
Blackwell James	22	"	"
Butty Joseph	20	Isabella	1830
Bullard James	23	Isaac	1836
Burke John	28	Layton	1829
Burke William	20	Loyal Company	1833
Butler William	20	Isabella	1832
Burns James	28	York	1834
Burke Patrick	20	Trabuloe	1833
Burnham Stephen	1	Larry	1834
Butler James	16	Isaac	1833
Baldwin James	24	Royal	1836
Baldwin Thomas	18	Thames	1833
Bentley William	20	Isaac	1830
Brown Patrick	24	"	"
Baldwin Martin	18	Isaac	1830
Blake John	24	Isaac	1834
Brown Thomas	24	Isaac	1832
Bullen John	20	Isaac	1834
Bull William	24	Isaac	1834
Byrne John	18	Isaac	"
Burns Patrick	20	Isaac	"
Burns William	24	Isaac	1834

Tracing the Footsteps of William Butler

Arrival in the Colony of New South Wales (continued)

Upon arrival, William's age is listed as 33 years which gives his birthdate as close to 1801 (his death certificate provided in 1878 says **about** 80 years, giving a birthdate c1898)

The missing ship's record for the "Albion" arriving in Australia in 1834 has always been a huge concern.

Research has indicated that the ship Albion:

- ✓ *Was built in 1813 in Bristol, England*
- ✓ *Voyage 1: Departed Spithead, England with 202 male convicts on 20 May 1823 and sailed to Hobart Town, Van Diemen's Land (Tasmania), arriving on 21 October 1823.*
- ✓ *Voyage 2: Departed Plymouth on 4 October 1826 with 192 male convicts and arrived at Sydney Cove on 14 February 1827.*
- ✓ *Voyage 3: Departed Sheerness on 1 June 1828 transporting 192 male convicts, arriving in Sydney Cove on 3 November 1828*

 *There was no journey of the ship Albion in 1834*

In the 1837 Census, the wording "Albion" was most likely a clerical error or possibly a red herring given by a mischievous or disgruntled convict – we will never know!

Tracing the Footsteps of William Butler (continued)

The only ship arrival that appeared to tick all the boxes was the ship “**Forth (3)**” that arrived in Sydney Cove on 3 February 1835.

Convict Indent – Page 1

(28)														NEW SOUTH	
LIST of MALE CONVICTS by the Ship FORTH (3), HENRY HUTTON, Master.															
Standing No. of Convict	Indent No.	Name.	Age.	Education		Religion.	Single, Married, or Widowed.	Children		Native Place.	Trade or Calling.	Offence.	Tried.		
				R Reads.	W Writes.			Male.	Female.				Where.	When.	
35-804	84	William Russell	18	R & W		Roman Catholic	Single	..	..	Dublin	Coachsmith, three years and a half	Stealing plate	Dublin City	2 September, 1834
35-805	85	William Donohoe	20	R & W		Roman Catholic	Single	..	..	Dublin	Tailor's boy, stable-boy	Stealing plate	Dublin City	2 September, 1834
35-806	86	John Gallagher	25	R		Roman Catholic	Single	..	..	County Antrim	Stableman	Stealing parcel	Antrim	January, 1831
35-807	87	Henry Kilpatrick	47	None		Roman Catholic	Married	..	..	County Tyrone	Shoemaker, tolerable	Forged notes	Antrim	16 March, 1834
35-808	88	Lawrence Nowlan	27	R & W		Roman Catholic	Single	..	..	County Carlow	Farm-servant	Assault	Carlow	20 March, 1834
35-809	89	John Kells	21	None		Roman Catholic	Single	..	..	New Orleans, America	Groom and in-door-servant	Stealing clothes	Dublin City	1 May, 1834
35-810	90	Michael Kelly	15	R & W		Roman Catholic	Single	..	..	Dublin	Errand-boy, hump-backed	Stealing watch	Dublin City	12 April, 1834
35-811	91	William Wax	23	R & W		Protestant	Single	..	..	Boyle, County Roscommon	Farming-man	Stealing a pig	Kildare	29 March, 1834
35-812	92	John Coltis	19	None		Roman Catholic	Single	..	..	Dublin	Labourer	Stealing watches	Dublin City	1 June, 1834
35-813	93	John Lalor	26	R & W		Roman Catholic	Single	..	..	Queen's County	Public-house keeper	Stealing fire arms	Queen's County	15 July, 1833
35-814	94	Matthew Kenny	30	R		Roman Catholic	Married	..	2	County Meath	Farm-servant	Horse stealing	Dublin City	28 June, 1834	
	95	Michael Kennedy.—Died at Sea.													
35-815	96	William Walsh	30	R		Roman Catholic	Single	..	..	Dublin	Shoemaker, indifferent	Picking pockets	City Dublin	8 July, 1834
35-816	97	John Farrell.—Died in General Hospital, Sydney, February 13, 1835.													
35-817	98	Laurence Cantwell	19	R		Roman Catholic	Single	..	..	County Kilkenny	Farmer's boy	Assaulting habitation	Kilkenny	15 March, 1834
35-818	99	Michael Delany	29	R		Roman Catholic	Single	..	..	County Kilkenny	Farm-labourer	Assaulting habitation	Kilkenny	15 March, 1834
35-819	100	Thomas Lukeman	19	R & W		Roman Catholic	Single	..	..	County Carlow	Carpenter's boy	Stealing money	Kilkenny	15 March, 1834
35-820	101	William Butler	30	None		Roman Catholic	Married	..	5	County Kilkenny	Farm-labourer	Fire arms	Kilkenny	13 March, 1834	



The convict indent for **William Butler** on the ship **Forth (3)** listed the following:

<u>Name</u>	<u>Age</u>	<u>Reads / Writes</u>	<u>Religion</u>	<u>Single / Married</u>	<u>Children</u>
William Butler	30	None	Roman Catholic	Married	5 females
<u>Native Place</u>	<u>Trade / Calling</u>	<u>Offence</u>	<u>Tried: Where</u>	<u>Tried: When</u>	<u>Sentence</u>
County Kilkenny	Farm labourer	Firearms	Kilkenny	13 March 1834	Life

Convict Indent – Page 2

WALES, 1835.

(49)

THOMAS ROBERTSON, Surgeon-Superintendent, arrived from IRELAND 3rd February, 1835.

Indent No.	Sentence	Former Conviction.	Height.		Complexion.	Colour of		Particular Marks or Scars.	Colonial History.				
			Feet	In.		Hair.	Eyes.		Colonial Sentence.	Ticket of Exemption. { Leave.	Conditional Pardon. { Absolute. { Colonial.	Certificate of Freedom.	Dead or Left the Colony.
84	7 Years	None	5	6½	Dark ruddy	Dark brown	Dark hazel	{ Scar left side of upper part of nose, scar left side of forehead, scar bell of left ear, another under it, scar on each knuckle of left hand, two scars back of forefinger of same, three small moles upper right arm, scar knuckle of fourth and little fingers of right hand, scar above cap of right knee.					
85	7 Years	None	5	6½	Ruddy	Brown	Grey	{ Nose large, brown spot back of upper left arm, several dots inside lower left arm.					
86	7 Years	None	5	3½	Ruddy and freckled	Brown	Brown	{ Two small raised moles left side of neck, scar betwixt the breast, nose large.					
87	14 Years	1 year	6	1½	Dark sallow	Dark brown mixed with grey	Brown	{ Lost one front tooth left side of upper jaw, slight cast in right eye, two scars top of left side of forehead, mark of a bile back of lower left arm, scar back of forefinger of left hand.—Wife, Elizabeth Kilpatrick, eight years ago.					
88	7 Years	None	5	9½	Ruddy and freckled	Light sandy brown	Blue to grey	Red whiskers, scar right cheek, nearly bald in front of head.					
89	Life	None	5	5½	Black	Black and woolly	Black	{ Scar on forehead, two scars left cheek bone, nose pugged; half moon, seven stars, on upper, mermaid's head, two women, inside lower left arm; scar inside left wrist, ears pierced with rings: Fame, woman, half moon, and seven stars, lower right arm; thick lips, man of colour.					
90	Life	3 months	4	6½	Pale and pockpitted	Brown	Grey	{ Head much marked by the small-pox, breast prominent, being broken; scar below calf of left leg.					
91	7 Years	None	5	4½	Ruddy, freckled, and pockpitted	Brown	Hazel	{ Blind of left eye, scar on front of head, indented scar top of right shoulder, scar right cheek bone, scar right side of cheek, scar back of little finger of right hand, scar back of forefinger of right hand.					
92	7 Years	6 months	5	3	Dark, ruddy, and pockpitted	Black	Grey	{ Marks of scrofula right jaw, scar on underlip on right side, scar back of forefinger of left hand, mark of a burn back of right hand, nail of little finger of right hand disfigured, idiotic.					
93	Life	None	5	9½	Ruddy and freckled	Red	Grey	{ Scar left side of forehead, scar left wrist, large scar back of little finger of left hand, red whiskers.					
94	Life	None	5	6	Dark and a little pockpitted	Dark brown	Blue	{ Scar back of left jaw, hollow-eyed, breast and arms hairy, two scars back of middle finger of left hand, fourth finger of right hand contracted.					
95													
96	7 Years	7 months	5	4½	Ruddy	Dark brown	Hazel	{ Scar right collar bone, small scar back of fourth finger of left hand.					
97													
98	Life	None	5	5½	Ruddy	Light brown	Grey	{ Eyebrows meeting, mark from a blister between the breasts, scar knuckles of fourth and little fingers of left hand.					
99	7 Years	None	5	6½	Dark, ruddy, and pockpitted	Brown	Grey	{ Scar left side of upper lip, scar back of right wrist, scar below left knee.					
100	7 Years	None	5	2½	Ruddy and freckled	Dark brown	Grey	None.					
101	Life	None	5	3	Ruddy and much freckled	Brown	Blue	{ Long chin, dark red whiskers, two blue dots back of left hand, scar heel of left hand, three scars back of forefinger of same.					

*The convict indent for **William Butler** on the ship **Forth** (3) listed the following:*

<u>Former Conviction</u>	<u>Height</u>	<u>Complexion</u>	<u>Hair</u>	<u>Eyes</u>	<u>Particular Marks or Scars / Remarks</u>
None	5ft 3in	Ruddy much freckled	Brown	Blue	Long chin, dark red whiskers, two blue dots back of left hand, scar heel of left hand, three scars back of forefinger of the same

Tracing the Footsteps of William Butler (continued)

It appears that William Butler had moved from:

- *Tithe Defaulter in 1831 to much more serious **rebellion!***

Conviction – Firearms !

The **convict indent** relating to William Butler lists a court appearance in Kilkenny on 13 March 1834, the offence **FIREARMS**.

William Butler was found guilty of the offence and sentenced to life imprisonment in the form of transportation to the Colony of New South Wales.

Details of the court case are not available, but we can possibly surmise the background to the court appearance and sentence.

Irish Convicts to New South Wales 1788-1849

Provided by **Peter Mayberry**

[Primary Sources](#) | [Secondary Sources](#)

Displaying 1 to 2 of 2 records

In the Rebel field **R** denotes Rebel (generic activity); **D** denotes Defender; **RE** denotes Emmet Rebel (1803); **RS** denotes Rebel Soldier (Minerva) and **WB** denotes Whiteboy.

Surname	First Name	Age	Reb	Ship	Tried	Trial Place	Term	DOB	Native Place	Crime	Marital Status	Trade or Calling	Remarks	Died	Death Place
Butler	William	30	WB	Forth (3) [1835]	1834	Kilkenny	Life	1805	Kilkenny Co	Firearms	Married 5 female children	Labourer farm			

In the accompanying document of Irish Convicts to New South Wales, compiled by Peter Mayberry, there is a [Column Header](#) “**Reb**” short for “Rebel”.

William Butler is listed with the Code “**WB**”, denoting “**Whiteboy**”.

Whiteboys

The Whiteboys were a secret Irish agrarian organisation in 18th-century Ireland [and continued into the 1800's] which defended tenant-farmer land-rights for subsistence farming.

Their name derives from the white smocks that members wore in their nighttime raids.

Because they levelled fences at night, they were usually called "Levellers" by the authorities, and by themselves.

They sought to address rack-rents [extortionate or very high tenant rents], tithe-collection, excessive priests' dues, evictions, and other oppressive acts. As a result, they targeted landlords and tithe collectors.

Over time, Whiteboyism became a general term for rural violence connected to secret societies.

Tithe War (1830–1838)

The Tithe War, was a campaign of nonviolent civil disobedience, punctuated by sporadic violent episodes, in Ireland between 1830-36 in reaction to the enforcement of Tithes on subsistence farmers and others for the upkeep of the established state church - the Church of Ireland.

Tithes were payable in cash or kind and payment was compulsory, irrespective of an individual's religious adherence.

The tithe system whereby a tenth (or tithe) of the annual produce of land went to the maintenance of church or clergy,

Ever since the sixteenth century when Henry VIII transferred the ownership of tithes from Catholic priests and monasteries to the reformed Protestant clergymen and laymen, the Catholics of Ireland—the overwhelming majority of the population—were left in the unusual position of having to finance a church to which they did not belong and which was in fact hostile to them.

Tracing the Footsteps of William Butler *(continued)*

William Butler - A Tithe War Rebel !



The exact nature of William Butler's arrest with firearms won't ever be known, but we know that on the Convict Ship "Forth 3" there were 7 convicts convicted with a "Firearms" offence that were being transported to the Colony of New South Wales.

On the same ship 33 convicts were listed as **"Whiteboys"**.

Among their convictions were crimes most likely

connected to the Tithe War such as:

• **Abduction**

• **Stealing Guns**

• **Assaulting Habitation**

Journey of the Ship “Forth 3”

The convict ship Forth was built in 1826 at the seaside port of Leith in Scotland.

One hundred and ninety-six men were embarked on the ‘Forth’ from the **Irish port of Cork**.

The convicts came from Counties and cities throughout Ireland – Tipperary, Limerick, Mayo, Belfast, Dublin Waterford, Westmeath, Galway, Kilkenny, Wexford, Meath, Queens, Kerry, Roscommon, Clare, Donegal Kings, Carlow, Wicklow, Tyrone, Antrim, Leitrim, Sligo and Cork.

Their crimes ranged from picking pockets, stealing items and livestock to manslaughter and murder. Some, like our ancestor William Butler, were convicted of **whiteboy crimes** – firearms offences, abductions and assaulting habitation.

The ship “Forth”, under the command of Henry Hutton and surgeon Thomas Robertson, set sail from Cork on **21 October 1834** and after a voyage of 105 days, arrived at Port Jackson on **3 February 1835**.

The Military Guard consisted of 29 soldiers of the 50th Regiment of Foot under the command of Captain Turner of the 50th Regiment and Ensign Anderson of the 41st Regiment. Accompanying the military were eight soldier wives and eleven children.

During the voyage when scurvy appeared, the prisoners were given an additional allowance of wine, lime juice, with preserved meats which caused the scorbutic eruptions to disappear.

Tragic Return Journey of the Ship “Forth 3”

The return trip to London for the ship “Forth” was catastrophic. After departing Manila in the Philippines on 17 July 1835, heading for London, the ship disappeared without a trace and was presumed to have foundered with the loss of all hands. *(Source: Wikipedia)*

Pathway to Solving the Puzzle

The puzzle relating to the arrival of William Butler has been an obstacle for well over 35-40 years.

The link with Henry Evans / William Butler and the Rossi family had always appeared a likely scenario, but the listing of the non-existent convict ship “**Albion**” was a complete mystery.

The General Return of Convicts in New South Wales 1837 matched up:

- William Butler (a convict)
- Convict assigned to **Francis Rossi** at Goulburn
- Ship listed as “**Albion**” – *but the “Albion” didn’t come to the Colony of New South Wales in the early 1840’s*

Other convict ships don’t appear to match the correct conditions to match our William Butler:

William Butler per: **Convict Ship**

<u>Ship</u>	<u>Date of Arrival</u>	<u>Elimination Fact</u>
Earl Grey	22 November 1838	Native of Kent, England
Gaillardon	30 March 1838	Native of Wicklow, Ireland
Prince George	8 May 1837	Convicted at Nottingham Quarter Sessions, England
Surry	17 August 1834	Trial – Middlesex, England
Royal Admiral	20 October 1833	
Roslin Castle	15 September 1834	Native of Hertfordshire, England

Or Was William Butler Possibly an Assisted or Unassisted Immigrant?

There doesn’t appear to be any strong leads as to the arrival of William Butler in Australia as either an assisted or unassisted immigrant.

William Butler per: **Immigrant Ship**

<u>Ship</u>	<u>Date of Arrival</u>	<u>Elimination Fact</u>
James Pattison	8 Feb 1840	Listed as a single man from Benenden (England)
Agricola	1841	Arrived Port Phillip – wife Ellen
Strathfieldsaye	1841	Arrived Port Phillip

Pathway to Solving the Puzzle (continued)

It was initially thought that William Butler's daughters Johanna (Evans / Barton) and Mary Ann (Byrne / Burns) were born in approximately 1835 and 1836, which leaves no window of opportunity for conception and birth if the above William Butler has gone to **trial on 13 March 1834**.

Recent findings indicate that Johanna's birth was **c1831** and her sister Mary Butler's birth was in fact **c1833** which fits in more comfortably with a Trial Date of her father as March **1834**.

The convict indent relating to William Butler (per ship “Forth”) states that William Butler was married with 5 female children, which corresponds with information contained on his death certificate.

In 2015, after travelling through Ireland, including Kilkenny, my interest in the Butler Family became reignited.

While trawling through convict records on Saturday 21 November 2015, the lightbulb moment arrived.

This document was the **Absolute Pardon** for what I believe is our Convict Ancestor, William Butler.

[illegible]

<u><i>Butler William</i></u>	<u><i>Forth (3)</i></u>	<u><i>Captain Rossi</i></u>
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❖ *This was the link that, to my mind, that would go a long way to completing the Butler jigsaw.*

William Butler – Early Days in the Colony of New South Wales

Convicts became the source of free labour in the Colony of New South Wales.

William Butler was assigned to the colourful character **Francis Nicholas Rossi** of **Goulburn**.

Captain Rossi's story is outlined in Stephen J. Tazewell's publication "Grand Goulburn":

The Rossi Family

Francis Nicholas Rossi was born on the island of Corsica in 1776 (*Island south of Italy*).



He was the descendant of an Italian nobleman's family who had enjoyed high status in Corsica for several centuries.

Rossi was only a young man when the Corsicans rose in rebellion against the new order of Revolutionary France.

In the uprising they were assisted by the British at which period Rossi became acquainted with them. At 18 he was granted a commission in a British former regiment of Corsican patriots.

On the failure of the revolt Rossi chose to leave Corsica with the evacuating British rather than face the wrath of the French. It has been claimed that Napoleon Bonaparte's father had once been employed by the Rossi family in a lesser position.

Rossi reached no degree of prominence during the next couple of decades, but in this period, he had become a British Officer and was known to have served in many far-flung segments of the empire.

It is known that when stationed in Gibraltar he was sent on important dispatch missions which established for him many useful friends of high army posts.

The Rossi Family (continued)

He was in Mauritius as an aide to the Governor, about 1811. His later career from this point shows him as performing little disposed 'secret services' for the British Government.

It has been suggested from sometime later that he had been sent to Europe to spy on the Prince Regent wife, Princess Caroline, whom George (later George IV) was most anxious to divorce.

When the regent succeeded to the throne in 1820, he refused to allow Caroline to be crowned queen, much to the disgust of many of his subjects. Caroline was then placed on trial in the House of Lords, with every detail of her intimate but indiscreet life thrown open to the nation -- much to George's delight. A witness of some considerable mystery was one 'Theodore Majocchi' or 'Majorca' who in no uncertain manner totally stripped Caroline of her reputation.

It has been repeatedly asserted, and without some foundation that this character and Nicholas Rossi were one and the same. It remains an unsolved mystery.

Captain Rossi was back in Mauritius in 1823, where he established a useful connection with the acting Governor Ralph Darling later to become the Governor of New South Wales.

After his return to England in 1824, Captain Rossi was, in 1825, appointed Police Superintendent for NSW on a salary of 600 pounds per year. Many interpret his appointment as a reward for his supposed services in connection with the king's divorce.

Rossi arrived in Sydney early in 1825, and soon was seeking an increase in pay, as he stated the cost of living was 'far above that of his homeland'. At the end of 1825, Governor Brisbane was succeeded by Sir Ralph Darling, and Capt. Rossi's appeal was more sympathetically received though not for some time satisfied.

Meanwhile now well established he set out to **reorganise the entire NSW Police Force.**

The city of Sydney was rife with serious crime. He increased the size of the force, had the men placed in uniforms, official badges, and armed. He also set about obtaining discipline and enlisted a more desirable type of man.

Apart from all forms of lawlessness, the depredations of bushrangers had reached the very doorstep of the city. No traveller was considered safe on the road from Sydney to Parramatta.

So intense were the operations of the bushrangers, that Rossi was charged to clear up the menace His competence in this degree was aptly demonstrated in February 1826, when he established the ringleaders met at Haslam's Inn on the Parramatta Road. Surrounding the inn with his armed men, he waited well into the night and secured the surrender of the leaders after a short encounter of firearms and hand weapons.

Brought to trial, they were convicted and hanged in George Street, Sydney on March 7, 1826. Nine other farmers and accomplices were convicted and sent to Norfolk Island.

The most successful coup was not without reward. Governor Darling sent a most praiseworthy report of the proceedings. In 1828, Captain Rossi received a grant of 2560 acres of land at Goulburn. At this period he appears to have suffered from bad health, and he complained again of his low pay. On the ground of ill health, Governor Darling removed him from his post of Police Superintendent. The British Colonial Office did not approve and ordered the Governor to return Rossi to his Police post at his old pay.

However, despite his complaints of poor pay, Rossi seems to have lived very well, and both his Sydney home and his growing mansion at 'Rossiville', Goulburn developed an air of considerable substance. On June 26, 1827, Capt. Rossi was appointed magistrate, which no doubt considerably increased his social standing. His zeal and efficiency in his police work was such that by 1830, his force had grown to 103 men.

With the growth of Sydney and his force, Rossi requested assistance, and in 1831 Charles Windeyer a name now well-known was appointed assistant superintendent and magistrate.

Further favour followed Rossi in October, 1832 when he received a grant of 6.5 acres 'on the new road to the Valley of Rushcutter'. A year later he sold this for 200 pounds. However he was far from well received in many quarters.

His peculiar foreign accent, particularly in court proceedings, made him the butt of his enemies -- particularly the newspapers of the day. His association with Governor Darling, who was in no way popular, also raised hackles.

When Darling was recalled in 1832, many considered Rossi might lose his position but, with the advent of Governor Bourke, he was found to be both dedicated and efficient.

When Capt. Rossi retired in 1835, he established in less than 10 years a “disciplined well-trained police force” and had earned the esteem and respect of a large majority of Sydney's citizens.

Captain Rossi spent the remaining 16 years of his life on his Goulburn estate of 'Rossiville'. His hospitality to visitors became a byword to all ranks.

Francis Nicholas Rossi died at 'Rossiville' at the age of 75 years on 26 November 1851 most highly esteemed and respected. He is buried in the Rossi vault in old St. Saviours Cemetery, Goulburn.

William Butler – Ticket of Leave

Although receiving a sentence of Transportation for **Life**, William Butler received his **Ticket-of-Love** Number 628, on **4 March 1843**, just 9 years since he went to trial in Kilkenny.

This meant that he could leave his master Captain Francis Rossi and work for himself.

He was allowed to remain in the District of Queanbeyan, (which would have included Goulburn) but had to report to authorities at regular intervals.

Other information has been added to the Ticket-of-Love but remains undecipherable.

TICKET-OF-LEAVE	
No. <i>628</i>	<i>4 March</i> 184 <i>3</i>
Prisoner's No.	<i>37820</i>
Name.....	<i>William Butler</i>
Ship	<i>North</i>
Master	<i>Hutton</i>
Year	<i>1835</i>
Native Place.....	<i>P. D. 12 mo</i>
Trade or Calling	<i>Sept 1843</i>
Offence	<i>Kilkenny</i>
Place of Trial.....	<i>25th March 1834</i>
Date of Trial.....	<i>Life</i>
Sentence	<i>P. D. 12 mo</i>
Year of Birth	<i>June 1843</i>
Height	<i>P. D. 12 mo</i>
Complexion	<i>45/496</i>
Hair	<i>1843</i>
Eyes.....	<i>1843</i>
General Remarks	<i>1843</i>
Allowed to remain in the District of	<i>Queanbeyan</i>
On recommendation of	<i>Queanbeyan Bench.</i>
Dated	<i>Nov. 1842</i>
3000	

William Butler – Conditional Pardon

William Butler on the ship “**Forth (3)**” was granted Conditional Pardon dated 31 December 1847

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NEW SOUTH WALES.

CONDITIONAL PARDON.

DESCRIPTION.

NAME..... *William Butler*

SHIP..... *Forth 3*

MASTER..... *Hutton*

YEAR OF ARRIVAL..... *1835*

NATIVE PLACE..... *Co. Wick, Ireland*

TRADE OR CALLING..... *Laborer*

OFFENCE..... *Fire Arms*

PLACE OF TRIAL..... *Wick, Ireland*

DATE OF TRIAL..... *13th March 1834*

SENTENCE..... *Life*

YEAR OF BIRTH..... *1805*

HEIGHT..... *5 feet 3 inches*

COMPLEXION..... *Ruddy and freckled*

HAIR..... *Brown*

EYES..... *Blue*

GENERAL REMARKS..... *Long chin - Red whiskers -
Two Blue dots back of left
hand near heel of left hand
3 scars back of left forefinger -*

Wm. Butler

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NEW SOUTH WALES.

CONDITIONAL PARDON.

SEAL.

As witness

By His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Hanoverian Guelphic Order, Captain-General and Governor-in-Chief in and over Her Majesty's Territory of New South Wales, and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS, by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the Sixth Year of the Reign of Her Majesty Queen Victoria, intituled, "An Act to amend the Law affecting Transported Convicts, with respect to Pardons and Tickets of Leave," it was amongst other things enacted, that, after the taking effect of the said recited Act, in any place to which Felons and Offenders had been or might be transported by Law, the Governor or Lieutenant-Governor should, from time to time, by an Instrument in Writing, under his Hand, recommend such Felons or other Offenders as he should think fit to be recommended, to Her Majesty, for an Absolute or Conditional Pardon; and in case Her Majesty should, through one of Her Principal Secretaries of State, signify Her approval of any such recommendation, it should be lawful for the Governor or Lieutenant-Governor to grant an Absolute or Conditional Pardon, pursuant to such Instructions as should be sent to him by the Secretary of State, by an Instrument in writing, under the Seal of his Government, which should be decreed from the Day of the Date thereof, to have within such Place or Places, as should be specified in such Pardon, but not elsewhere, the same effect in the Law, to all intents and purposes, as if a General, Absolute, or Conditional Pardon, had passed on that Day, under the Great Seal of the United Kingdom: And whereas the said recited Act has taken effect in the said Colony of New South Wales; And Whereas *William Butler* has been indicted and convicted at *Wick, Ireland*, on the *thirtieth* day of *March*, One thousand eight hundred and *thirty-four*, of the Crime of *Fire Arms* - was, in pursuance of the said Conviction, sentenced to Transportation, and was accordingly Transported to the said Colony, for the period of *his natural life*; And Whereas, in consideration of the good conduct of the said *William Butler* since his arrival in the said Colony, *Sir Charles Augustus Fitz Roy* as Governor of New South Wales, recommended the said *William Butler* to Her Majesty for a pardon, to take effect in all parts of the World, except *the United Kingdom of Great Britain and Ireland*; And Whereas Her Majesty has been graciously pleased to signify Her approval of such recommendation, through Her Principal Secretary of State for the Colonies: NOW KNOW YE, that I, SIR CHARLES AUGUSTUS FITZ ROY, in pursuance of the Power and Authority so in me vested by the said recited Act, and of Her Majesty's gracious approval so signified, and of the instructions of the said Secretary of State in this behalf, do hereby grant unto the said *William Butler*, a Pardon for the Offence, in respect of which such Sentence of Transportation was passed as aforesaid, which shall take effect in all parts of the World, except *the United Kingdom of Great Britain and Ireland*; PROVIDED ALWAYS, and it is hereby expressly declared to be a Condition of this Pardon, that if the said *William Butler*, shall, at any time during the continuance of the term of his said Sentence, go to, or be in, any part of *the United Kingdom of Great Britain and Ireland*, then this Pardon shall thenceforth be void and of no effect, as by Her Majesty's Commands expressly limited and directed: And all Her Majesty's Officers and Ministers of Justice, and all other, Her Majesty's Subjects, are hereby required to take notice accordingly.

IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and to be Sealed with the Seal of the said Territory.

GIVEN under my Hand at Government House, Sydney, this *thirtieth* day of *December* in the *Eleventh* Year of the Reign of Her Majesty, and in the Year of Our Lord One thousand eight hundred and forty *eight*.

(Signed) CHAS. A. FITZ ROY.

ENTERED upon Record at Pages *245* and *246* Register No. *24* this *first* day of *February* One thousand eight hundred and forty *eight*.

Wm. Butler
Colonial Secretary and Registrar.

Mary Butler (wife of William Butler) – Ireland

William Butler was now a free man – but what had happened his wife back in Ireland?

Griffiths Valuation of the Townland of **Johnswell**, County Kilkenny (published 8 July 1853) possibly gives a clue to her whereabouts.

JOHNSWELL									
1	John Purcell, .	Michael Cahill, Esq. .	House and land, .	11	2	28	8	5	0
2	Pierce Purcell, .	Michael Cahill, Esq. .	House, offices, and land, .	11	1	27	8	3	0
3	Pierce Purcell, .	Thomas Manning, .	Land, .	2	2	20	1	10	0
4 A B C	Thomas Manning, .	Michael Cahill, Esq. .	House, offices, and land, .	133	1	17	100	0	0
- A a	National School, .	Michael Cahill, Esq. .	House and yard, .	0	0	20	0	2	0
- b	Patrick Heffernan, .	Mary Butler, .	House, .	—	—	—	0	8	0
- c	Edmund Butler, .	Mary Butler, .	House, .	—	—	—	0	13	0
- d	Mary Butler, .	Thomas Manning, .	House, office, and land, .	0	0	30	0	5	0
5	William Byrne, .	Michael Cahill, Esq. .	House, offices, and land, .	25	3	29	18	5	0
6 a	William Manning, .	Michael Cahill, Esq. .	House, offices, and land, .	29	3	27	23	0	0
- b	Anastasia Shaughnessy, .	William Manning, .	House, .	—	—	—	0	10	0
7 a {	Thomas Nolan, .	Mrs. Margt. McEvoy, {	Land, .	3	3	7	{	5	0
- b	Nicholas Purcell, .		House and land, .						
- { a	Eleanor Sweeny, .	Thomas Nolan, .	House, .	—	—	—	{	1	0
8 { b	Thomas Nolan, .		House, office, & land, .						
- {	Patrick Nolan, .	Mrs. Margt. McEvoy, {	House, office, & land, .	9	1	22	{	3	0
9	Patrick Blake, .		House, offices, and land, .						
10	William Bridget, .	Mrs. Margaret McEvoy, .	House and land, .	33	0	9	18	0	0
11	Edmund Dwyer (Wm.) .	W. Knarborough, Esq. .	House, offices, and land, .	56	2	30	30	5	0
12	John Dwyer, .	W. Knarborough, Esq. .	House, offices, and land, .	20	0	33	12	5	0
13	Richard Bigley, .	Mrs. Margaret McEvoy, .	House and land, .	1	2	6	1	5	0
14 A B	William Manning, .	W. Knarborough, Esq. .	Land, .	18	0	25	11	10	0
15	W. Knarborough, Esq. .	In fee, .	Land (plantation), .	7	1	22	1	15	0
16	Mary Brennan, .	W. Knarborough, Esq. .	Land, .	2	2	28	1	15	0
17	John Conran, .	W. Knarborough, Esq. .	House, office, and land, .	7	2	18	4	15	0
18	Kieran Slattery, .	W. Knarborough, Esq. .	House and land, .	5	1	33	2	12	0
19	Edmund Butler, .	W. Knarborough, Esq. .	Land, .	9	1	34	5	0	0
20	Thomas Manning, .	W. Knarborough, Esq. .	Land, .	12	1	37	6	0	0
- a	John Tracey, .	Thomas Manning, .	House, .	—	—	—	0	8	0
21	Richard Burke, .	Thomas Manning, .	House and land, .	1	3	38	1	8	0

Most property tenants listed are males. On the listing above Mary Butler is mentioned, as well as a Mary Brennan.

Mary Butler is listed as a **tenant** on a very small parcel of land, an area of just 30 perches.

The land is owned by the landlord Thomas Manning who has a few small parcels of land and in turn he is the lessee of the largest block in the townland of just over 133 acres.

Mary Butler is also listed as a landlord, leasing out 2 small, low-quality houses (*incurring minimum tithe value*).

Tenants on the properties were Patrick Heffernan and Edmund Butler (*possibly Edmund had a family connection*).

Owning property, no matter how small, would have generated a small amount of income for Mary Butler who obviously would have had to struggle to hold her family together without a bread-winner husband who had been banished as a convict from Ireland.

Deposit Journal – The Arrival of Family Members in Australia

A deposit journal entry of 20 May 1853 is of great interest:

Deposit journals record money deposited in the Colony by persons wishing to sponsor the immigration of a nominated person or group of persons, frequently members of their own family or persons they wished to employ.

Initially, these volumes show certificate number; particulars re Colonial Treasurer's report; name of depositors; amounts deposited towards cost of passage and of outfit; and name and age of sponsored migrant. Later, their form changes, and they then show certificate number; deposit number; name of depositor or sponsor; date of deposit; particulars of name, age, calling and address (in the United Kingdom) of the sponsored migrant; name and address (in the United Kingdom) of referee; amount paid towards cost of passage and outfit; nationality (English, Scotch, Irish, Foreigner) of sponsored migrant; ship and date of arrival; and, if necessary, date of refund of deposit on account of the non-arrival of the nominee.

Many months would usually pass between the deposit of the money and the arrival of the immigrant.

Colonial Treasurer's Report			Amount Deposited			Particulars of the Deposit		
No.	Date	Name of Depositor	Amount	For	Total	Name	Age	
149	May 11	James Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. James	30	
150	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	38	
151	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	17	
152	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	18	
153	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	30	
154	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	16	
155	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	39	
156	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	31	
157	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	38	
158	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	35	
159	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	37	
160	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	36	
161	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	35	
162	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	34	
163	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	33	
164	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	32	
165	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	31	
166	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	30	
167	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	29	
168	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	28	
169	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	27	
170	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	26	
171	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	25	
172	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	24	
173	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	23	
174	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	22	
175	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	21	
176	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	20	
177	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	19	
178	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	18	
179	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	17	
180	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	16	
181	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	15	
182	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	14	
183	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	13	
184	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	12	
185	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	11	
186	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	10	
187	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	9	
188	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	8	
189	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	7	
190	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	6	
191	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	5	
192	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	4	
193	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	3	
194	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	2	
195	"	William Butler	12.0.0	3.0.0	15.0.0	Butler, Mr. William	1	
196	"	Mary Butler	12.0.0	3.0.0	15.0.0	Butler, Mrs. Mary	0	

Entry 148 shows a -

William Butler as the sponsor for:

Mary Butler aged 38yrs

Judith Butler aged 19yrs

Mary Butler aged 17yrs

A payment of £12 was made for Mary Butler while a payment of £18 (£9 each) was made for the two young women.

Was this some of the family of William Butler - his wife and daughters?

Wife - Mary Butler aged 38 could have been his wife, Mary nee Slattery.

Note: In a later shipping document Mary Butler's age was listed as **50yrs** which would be more precise.

With many Deposit Journals there appeared to be a little bit of “sleight of hand” going on regarding the listing of ages. Was this to do with the amount of payment due for payment to the government for passage payment?

Often ages were understated as was the case with Charles Bradman (grandfather of Australian cricket legend Don Bradman. Charles was 22/23 years of age but stated he was only 20 years of age.

If the Deposit Journal relates to the family of William Butler, then there has also been leeway given regarding the statement of age.

Daughters:

- *Judith was born c1831 (more precise age should be 22yrs) – stated age 19 years*
- *Mary was born c1833 (more precise age should be 20yrs) – stated age 17years*

Family hearsay has long since indicated that Johanna Butler and Mary Butler came out together on the same ship.

Did Judith Butler change her name to Johanna Butler?

The arrival of the ship “Switzerland” on 20 June 1854 a deposit journal (Schedule ‘A’) entry also of great interest:

LIST of Immigrants per Ship		Switzerland		Arrived on the		Switzerland		day of		1854								
NAME	AGE	SEX	MARRIED	AGE										CALLED	NATIVE PLACE AND COUNTY	RELIGION	READ OR WRIT.	REMARKS
				14 years and under		15 and under 16 years		17 and under 18 years		19 and under 20 years		21 and under 22 years						
				M	F	M	F	M	F	M	F	M	F					
Dame	Budget	19	20	10	7	10	15	24	3	2	1	2	1					
Hennery	Catherine																	
	Patrick																	
	Catherine																	
	Richard																	
	Michael																	
McGrath	Elizabeth																	
	Jane																	
	Jane																	
	John																	
	Edward																	
Mear	Ellen																	
Murphy	Eliza																	
Newton	Mary B																	
Preston	Mary																	
Rutherford	Catherine																	
	Isabella																	
	(Daniel)																	
Wives and families of persons residing in the colony																		
Butler	Mary																	
	Justith																	
	Mary																	
Canoll	Catherine																	
Malcolm	Mary																	
	Mary																	
	Janet																	
	(Johanna)																	
	Alexander																	
	Jane																	
	William																	
		19	20	15	24	14	17	5	4	3	1	2	1					

<u>Name</u>		<u>Age</u>	<u>Calling</u>	<u>Native Place</u>	<u>Religion</u>	<u>Read or Write</u>
Butler	Mary	38	Farm Servant	Johnswell, Co Kilkenny	Church of Rome	Neither
Butler	Judith	20	Farm Servant	Johnswell, Co Kilkenny	Church of Rome	Read
Butler	Mary	18	Farm Servant	Johnswell, Co Kilkenny	Church of Rome	Read

In this document there are certainly **huge changes with some ages**.

Mary Butler has suddenly listed her age as **38 years** as opposed to **50 years** in the earlier Deposit journal, a huge discrepancy. Many people significantly lowered their ages, younger people being considered more “employable” in the Colony of New South Wales.

The ages listed for Judith 22 to 20yrs and Mary 20 to 18yrs are each two years lower than the previous document.

The fact that a depositor may pay more for a 21-year-old may have contributed to the differing listing of age.

Judith Butler / Johanna Butler

Judith / Johanna - According to Patrick Woulfe, author of the "Book Irish Names and Surnames", **Johanna and Judy** are variations of the Gaelic name Siobán.

Sioban, Joan, Johanna, Hannah, (Julia, July Judith, Judy, Jude, Susanna, Susan, Nonie); the feminine form of Joannes, or John (variation Eoin and Sean), which became common in France in the 12th century as Jahanne and Jeanne, and in England as Joan; brought into Ireland by the Anglo-Normans, where it has ever since been one of the most popular of woman's names. Latin - Joanna.

This would suggest that Johanna and Judy are derivations of the feminine form of the Gaelic for John. It was quite common in Irish families, for a person to have an official name and then to have a "pet" name which was used within the family, with the official and "pet" names having a common Gaelic root.

The arrival of the Immigrant Ship "Switzerland" was well documented, and the Butler family members are documented in an article in the [Sydney Morning Herald](#) dated Monday 19 June 1854 as below:

IMMIGRANTS PER SWITZERLAND. — Notice
is hereby given that the undermentioned persons, for whom passages were provided to this colony in pursuance of deposits made in the Treasury here, under the Remittance Regulations, have arrived in the ship *Switzerland*, and that they will be prepared to join their friends on Wednesday next, the 1st instant, at noon.

Name of Immigrant.	Name of Depositor.
Berrie, Janet	David Berrie
Bradley, Kether	Samuel Pearse
Briggs, James	John Briggs
Richard	Ditto
Brophy, Henry	Mrs. Anne Parke
Bridget	Ditto
Michael	Ditto
Ellen	Ditto
Brown, Thomas	John Brown
Bunnage, George	Joseph Bunnage
Burke, John	John Conlon
Butler, Mary	William Butler
Judith	Ditto
Mary	Ditto
Byrne, William	Catherine Devlin
Mary	Ditto
Mary A.	Ditto
Edward	Ditto
Eliza	Ditto
William	Ditto
Carroll, Catherine	John Carroll
Cavanagh, Patrick	John Hellier
Cherry, Bridget	Thomas O'Connor
Coffey, Margaret	Peter Coffey
Sarah	Ditto
Conway, Thomas	
Margaret and Infant	
Coonan, Bridget	John Deegan
Elizabeth	Ditto
Crawford, Henry	William Crawford
Creed, Terence	P. John Doyle
Ellen	Ditto
James	Ditto
Crow, Margaret	Catherine Brinsley
Catherine	Ditto
John	Ditto
Anne	Ditto
James	Ditto
Curry, James	John Curry
Dineen, Catherine	Mary Dineen
Doran, James	John Doran
Margaret	Ditto
James	Ditto
Bridget	Ditto
Hannah	Ditto
Margaret	Ditto
Dunn (or Darcy), Mary	William Welch
Bridget	Ditto
Fahy, John	Jeremiah Tully
Mary	Ditto
Bridget	Ditto
Michael	Ditto
Peter	Ditto
Fitzgerald John	Mary Fitzgerald

Shipping intelligence published in the [Maitland Mercury](#), dated 21 June 1854, shows the ship "Switzerland", upon arrival, was placed into quarantine with six children and an adult dying on the voyage from measles.

The *Switzerland*, from Liverpool, is out 106 days: she brings 136 male and 106 female immigrants, together with a cargo of slates, coals, and general merchandise. Six children and one adult died during the passage from measles; she has therefore been placed in quarantine. The *Mitaka* left Liverpool for Sydney three days previous to the *Switzerland*.

So, what happened to William Butler's wife Mary, a passenger on the "Switzerland"?

Tragedy at the Emigrant Barracks

William Butler and his wife Mary (nee Slattery), along with daughters Judith (Johanna) Butler and Mary Ann, had now been separated for **19 years**.

Mary Butler and her two daughters had reached the **Hyde Park Emigrant Barracks** in Sydney.

New South Wales

Births, Deaths and Marriages Registration Act 1995

BURIALS

Number	513 Vol 143
Name	Mary BUTLER
Abode	Emigrant Barracks
Age	39 years
Quality or profession	Not stated
When died	Not stated
When buried	18 July 1854
Where ceremony performed	St. Mary's Cathedral, Parish of St. James, County of Cumberland
By whom the ceremony was performed	Not stated Roman Catholic

Before accepting copies, sight unaltered original. The original has a coloured background.

REGISTRY OF BIRTHS
DEATHS AND MARRIAGES

SYDNEY 13 Mar 2012

I hereby certify that this is a true copy of particulars recorded in a Register in the State of New South Wales, in the Commonwealth of Australia

Greg Curry
Registrar



Figure 6: Hyde Park Barracks - Sydney

The tragedy of the situations may be explained by the following death certificate relating to the **burial** of Mary Butler.

This **Mary Butler**, residing at the **emigrant barracks**, was most likely a recent arrival matching in with the arrival of the ship "Switzerland" on 20 June 1854.

Her age now 39, matches her arrival documentation, but for her to match our Mary Butler (nee Slattery), her real age would match the **earlier documentation** of **50 years of age**.

Her death would have taken place less than a month after the ship's arrival.

Roman Catholic Baptisms in the parish of *St. James*
in the County of *Cumberland* from the *15th* day of *July*
1854 to the *22nd* day of *July* 1854

No.	Age	Sex	When Bred	Ship Name	Quality or Profession	By whom the Ceremony was performed.
323	7 months	Male	15 th July			Rev John P. Chasman
324	68 years	Female	15 th			"
325	not known	Female	"			"
326	3 days	Female	"			"
327	39 years	Female	18 th			"
328	26 years	Female	"			"
329	24 years	Female	"			"
330	46 years	Female	19 th			"
331	34 years	Female	21 st			"
332	86 years	Female	22 nd			"
333	48 years	Male	"			"
334	not known	Female	"			"

I Certify the above to be a true Return of all Baptisms performed by me, within the time above specified.

John P. Chasman

The long-awaited reunion of Mary Butler and her husband William Butler most likely never took place. Daughters Judith (Johanna) and Mary Ann Butler were finally able to get together with their father to make up for lost years.

Daughter Judith (Johanna) Butler

After the loss of their mother Mary Butler (nee Slattery) at the Emigrant Barracks in Sydney, the two daughter Judith (Johanna) and Mary Ann Butler most likely headed inland to be reunited with their father William Butler.

Within 18-24 months upon arrival, the two girls Johanna and Mary Ann were to be married:

❖ **Johanna Butler** married **Henry Evans** at King's Plains (near Blayney) on 20 January 1856 (*no source document to check date*)

Henry Evans, a native of Gloucester, Gloucestershire, England, was an ex-convict per who arrived in the Colony of New South Wales per the ship “Lloyds” on 17 July 1837.

He was assigned to Samuel Blackman at Cobbity and later worked for Francis Rossi at “Rossiville” Goulburn (*convict William Butler was also assigned to Captain Francis Rossi*).

Before arriving in the Colony, he had married Harriet Perrins at St Mary’s Church, Kidderminster near Gloucester.

Henry Evans, after being initially refused by authorities presumably because of his earlier marriage, was finally given permission to marry Eliza Croker Browning in the Parish of St Saviour, County of Argyle (Goulburn) on 3 November 1843.

Henry Evans and Eliza Croker Browning had 6 children, the first 3 born in the Fish River area and the last 3 children at Little Plains Creek.

Eliza Croker Evans (nee Browning) died c1855 and Henry Evans was to take a new partner Johanna Butler (*a date of 20 January 1856 at Kings Plains*) was noted many years ago but I can’t locate any source document.

Henry Evans and Johanna Butler had a separate family of 9 children.

There were tragic losses – died at birth – drowning accident – fall from a tree that obviously took its toll and Henry suicided by cutting his throat in 1869 aged just 55 years of age.



Daughter Mary Ann Butler

A couple of months after Johanna Butler married, her sister Mary Ann was also to marry.

- ❖ **Mary Ann Butler** married **Andrew Byrnes (Burns)** on 26 May 1856 - (dwelling house Hovells Creek - nearly 30km from Reids Flat)

Andrew Byrnes (Burns) was also an ex-convict from Dublin, Ireland who arrived in the Colony of New South Wales per the ship "**Calcutta**" on 4 August 1837.

Mary Ann Butler and Andrew Byrnes (Burns) had a large family of **10 children**, mostly all born at Phils Creek near Frogmore.

NEW SOUTH WALES

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT 1995

REGISTRATION NUMBER
1281/1856

MARRIAGE CERTIFICATE

Date and place of marriage		Names and surnames of parties		Conjugal status	Birthplace
5	26 May 1856	Andrew Byrnes	Mary Butler	Bachelor	-
	Dwelling house Hovells Creek			Spinster	

I do hereby declare that
(Insert Church, Religious Society, or Denomination as the case may be)


Member of

Married in the

Usual occupation	Age	Usual place of residence	Father's name mother's name and maiden surname	Father's occupation
Labourer		Gunning Flat	Gunning Flat	
Domestic servant		Gunning Flat	Gunning Flat	

Marriage was solemnized between us, *Andrew Byrnes* and *Mary Butler* in the presence of, *John Scott* and *Bartholomew Taylor*

By (or before) me, *B. Murphy* Official Minister, or District Registrar



REGISTRY OF BIRTHS
DEATHS AND MARRIAGES
SYDNEY 26 July 2021

Before accepting copies, sight unaltered original. The original has a coloured background.

I hereby certify that this is a true copy of particulars recorded in a Register in the State of New South Wales, in the Commonwealth of Australia

[Signature] Registrar

Figure 7: Marriage Certificate Mary Butler & Andrew Byrnes

Henry Evans Estate - Land Sale

After the death of Henry Evans (Johanna's husband), at Little Plains Creek, Boorowa, in 1869, financial difficulties beset Henry's family.

Henry's personal estate was insufficient to discharge his personal probate debts and so his two parcels of land;

- 1) Little Plains Creek
- 2) Boorowa town lot

were sold to William Butler, the purchase price being £71/18/6.

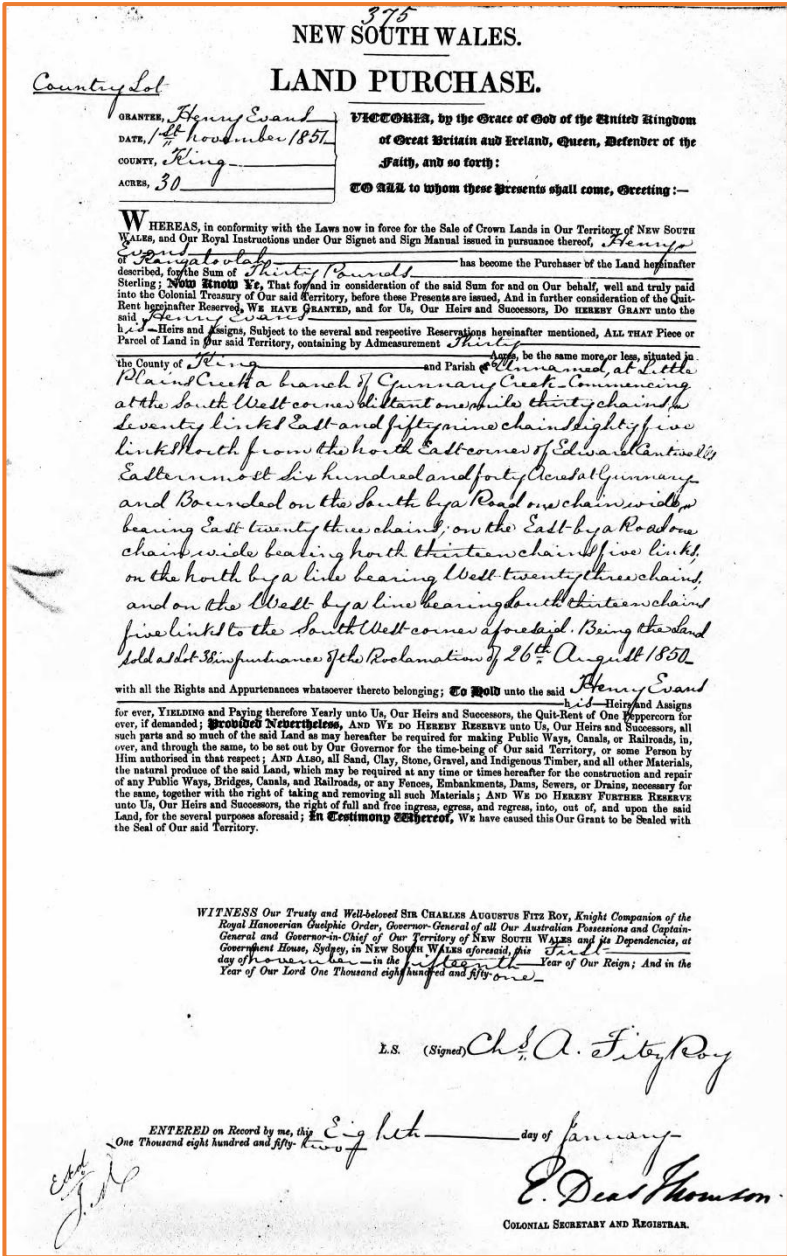


Figure 8: Henry Evans - Land Purchase 1 Nov 1851 - "Little Plains Creek"

Johanna Evans (nee Butler) – marriage to Joseph Barton



Johanna Evans (widow of Henry Evans) married Joseph Barton on 4 February 1871 at St Peter and St Paul's Catholic Church at Goulburn.

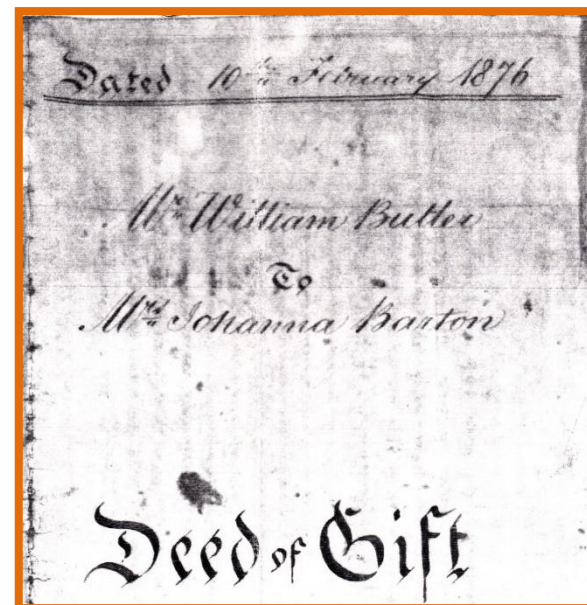
Joseph Barton (a native of Poslingford, Suffolk), arrived as a free settler in the Colony of New South Wales per the ship “Golcanda” on 15 May 1857.

After marriage, Johanna and Joseph Barton became the parents of 3 male children:

Joseph James Barton – Walter Thomas Barton – George Francis Barton

Land Transfer – Deed of Gift

In a legal document dated 10 February 1876 the property owned by William Butler was to be transferred to his daughter Johanna Barton [formerly Evans, nee Butler], as a “Deed of Gift”.



The “*Deed of Gift*”

included the following parcels of land:

William listed his place of residence as being Little Plains Creek, which is near Phils Creek.

<u>Lot Number</u>	<u>County</u>	<u>Parish</u>	<u>Area</u>	<u>Notes</u>	<u>Date</u>
<u>Lot 53</u> Little Plains Creek	King	Bala	29 acres, 2 roods, 16 perches	Selected by Henry Evans	25 Aug 1854
<u>Lot 38</u> Little Plains Creek (a branch of Gunnary Ck)	King	Bala	30 acres		26 Aug 1850
Lot 1, Section 14 Farm and Queen St, Boorowa	King	Town of Boorowa	1 acre		6 May 1857
Together with any houses and improvements erected on the properties					

Land Conveyance (William Butler to daughter Johanna Barton) No 961 Book 156

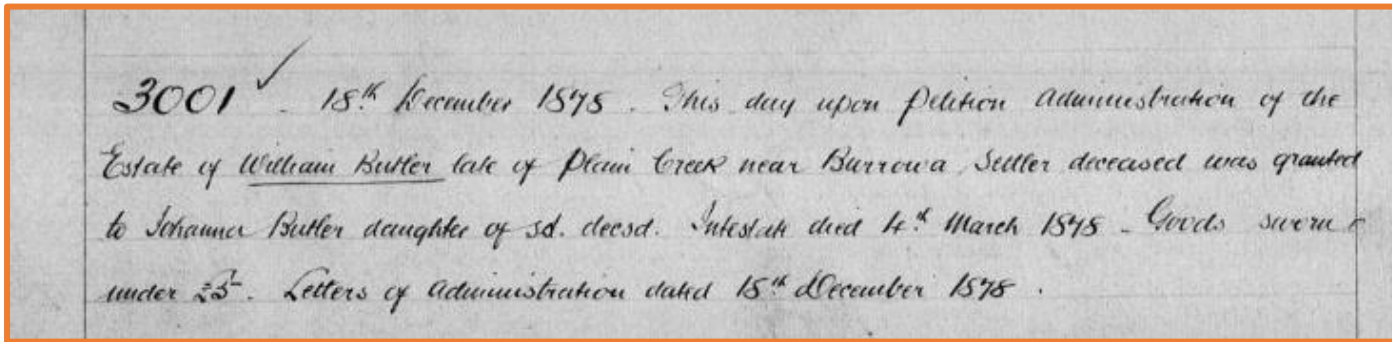
Death of William Butler

William Butler - Post Convict Era

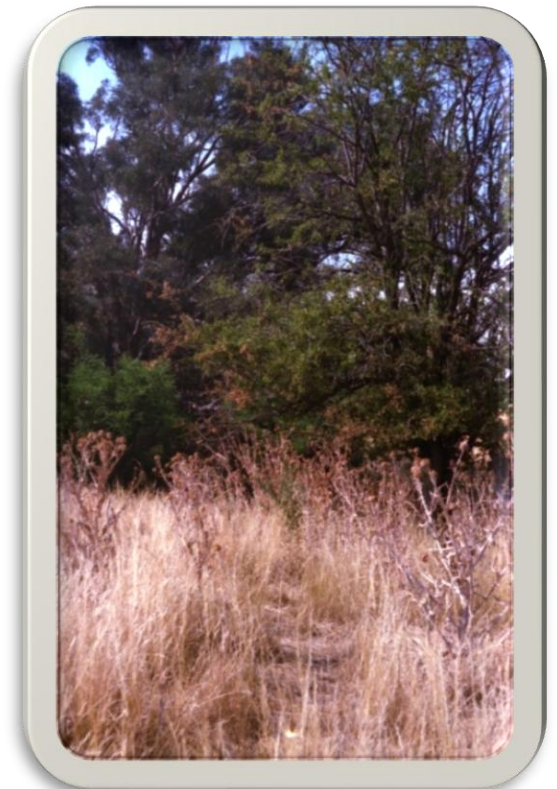
There appears to be **no documentation** relating to the whereabouts of William Butler during the period of being issued with a:

- Ticket of Leave 4 March 1843 (to remain in the District of Queanbeyan)
- Conditional Pardon 31 December 1847
- Absolute Pardon unknown date

William Butler died of natural causes at "Little Plains", the property of his daughter Johanna and son-in-law Joseph Barton, on 14 March 1878. He was listed as a widower aged **about 80** years.



Many years ago, a cousin, Robert Barton indicated that the **general area** shown in the photograph was where **William Butler** had lived on Little Plains Creek.



Further Research

Further research is required in order to establish the life story of:

- *Daughter - Margaret Butler*
- *Daughter - Bridget Butler*
- *Daughter – Unnamed Butler*

DNA Research

*DNA test results have most likely uncovered the following **siblings** of William Butler: Some **possibilities** include:*

- *Mary Butler married Edmund Kavanagh*
- *Elizabeth Butler married Garrett Byrne*
- *Michael Butler married Catherine Donnelly*

It is quite evident that many Butler relatives migrated to the Victorian Goldfields but research is only in its infancy.

Research continues. Who knows where this research may lead to!