

AT: Welcome to the Infinite Women podcast. I'm your host, Allison Tyra, and today I'm joined by artist and writer Leeza Peters to talk about Elizabeth Woolcock, the only woman ever executed in South Australia, and for a crime that Leeza believes that she is innocent of, and I would say for very good reason that we will get into. So if we could start with her background, what can you tell us about her childhood?

LP: Hi, and thank you. Yes, Elizabeth was actually born to Cornish parents, John and Elizabeth Oliver. They named her Elizabeth Lillian Oliver. She was actually born 20th of April, 1848.

The family lived in Burra Burra, in rural South Australia. In fact, they lived in this little dugout. It was like in the side of a creek bed in Kooringa Creek. It was actually really affordable housing for miners of the area. There was one big downside. In 1851, a huge flood came through the creek bed and washed everything away. So all of the miners, all of the families lost all of their belongings, and including the Oliver family. And like many other families, they moved to Ballarat in search for gold.

It was there in the goldfields where her mother had a breakdown. Elizabeth was about four years old and her mother just wanted to leave, but the father thought he was going to strike it rich and wanted to stay. So her mother was having a breakdown, just up and left her husband and her four-year-old daughter, Elizabeth.

While they were in the goldfields, so there was only Elizabeth and her father. While her father was out mining one morning, a man came to the tent and he asked Elizabeth if her mum or dad was home. And when she said no, he came into the tent, attacked and raped her. She was seven. The man, he was a miner. He was of Indian descent and he was sentenced to death. But there was a new law change and he got 15 years jail. The actual attack was so hideous it left her unable to bear children. Her father died about two years after that and she had to make her own living.

In 1865, she was about 16 years old. She actually heard her mother was alive and living in a rural country town called Moonta. So she actually said, I'd like to have a home like other girls my age. So she gave up her situation and moved to Moonta. It was there she actually became a Sunday school teacher at the Wesleyan church and she actually said she had a good home for a few years. So as a Sunday school teacher, she met a little boy called Tommy, Tommy Woolcock, whose father was actually Thomas Woolcock.

AT: So she's only 19 years old when she meets this widower named Thomas Woolcock in 1867 and anyone who was paying attention to the intro will notice that we called her Elizabeth Woolcock. But can you tell us what happened from there?

LP: Absolutely. Thomas had actually come to Moonta himself as a miner. Moonta was actually a copper mining town. So Thomas Woolcock came to Moota with his wife, Nanny, and two young boys, Francis and Tommy Jr. Moota was actually a place full of disease and dysentery. His wife, Nanny, actually died within six months of being there. Six months later his other son, Francis, died. So he was a widower when Elizabeth met him and she decided to start cleaning house for him. So it was then that she started caring for little Tommy and looking after the house.

Her stepfather, however, knew something about Thomas Woolcock that she didn't and he actually told her not to see him anymore. She actually said, I, being very self-willed, had not been with a man but will go with him now. It was there she said he threatened to cripple her if she continued seeing him.

So she told Thomas what had happened and she was frightened that her stepfather would hurt her and so he actually said, asked her to go and live with his cousin, Beth Snell. And he turned around and found a solution, and that was he asked her to marry him. So they did, they got married the next Sunday morning. The stepfather heard about this and of course her stepfather and mother did not attend the wedding. They were married in the little cottage, in the Woolcock Cottage and the stepfather and mother, within a short time, moved to Melbourne.

So now she's alone with a husband and she actually found out he was fond of drink and was financially abusive, didn't like to part with money. He actually wrote into a newspaper saying he would not be answerable for his wife's debts. So Elizabeth tried to leave him several times but because she didn't have enough money to get away very far he kept finding her and bringing her back home. She tried to then take her own life. She actually didn't succeed but then she convinced her husband to take in a boarder. That started to ease the financial pressure a little bit. Thomas Woolcock changed in front of other people, so he became less abusive. So there was good time there for a little while until one day Thomas believed that Pascoe had the gate open and let the horse out. So it became a big fight and he kicked him out and told him to leave and never return. It was soon after that in July 1873 the pet dog died and Thomas blamed Pascoe for poisoning it. He actually went to Sergeant Bentley and said, if someone were to kill my dog they would surely poison me also. So be on the lookout for a man called Pascoe going around town seeking poison.

AT: And in a lovely bit of foreshadowing this brings us to the alleged crime. Now first off, do you think that Pascoe actually had anything to do with the dog's death?

LP: Certainly not, no. In fact it's interesting because Thomas himself was actually sick in June and he was getting treatment from a doctor, Dr Bull, who was treating him for a sore throat. He was giving him pills that contained mercury and Thomas actually said it made his teeth sore and made him sick. So after that, they got another doctor, Dr Dickie, who actually treated him for gastric fever. He actually thought Dr Bull was following the case so he actually decided not to come back. So Dr Dickie didn't return, there was no Dr Bull. So they found a third doctor, Dr Herbert, and he started treating on the 1st of August for mercury poisoning. In fact he said, who's been giving you mercury to such large doses that it's making you sick? And Woolcock actually responded by saying, well Dr Bull's medicine has almost killed me. So he treated Thomas for about 13 days and in that 13 days Thomas was actually feeling much better. In fact he said he was feeling great and he didn't need Dr Herbert's medication anymore. So Dr Herbert actually was charging a fee whereas the other two doctors, Dr Bull and Dickie, treated miners free of charge. So Thomas decided to go back to Dr Dickie's medication and treatment. Dr Herbert said, if I leave I will not return. So Dr Dickie came back on the scene and started treating for gastric fever again even though Dr Herbert was treating for mercury poisoning. And he continued treating until Thomas died, what he thought was of pure

exhaustion.

Dr Dickie was about to sign the death certificate when his cousin, Beth Snell, claimed that she'd heard rumours that Pascoe and Elizabeth were hanging around with one another and so not to sign the death certificate. So they held an inquest and there was a JP and 14 men came to the little cottage to basically interrogate Elizabeth. So a post-mortem was held soon after that when they dug into the intestines and sent the, Thomas's intestines off to Adelaide for examination. So soon after that they thought there was enough evidence to take this to a trial in the Moonta courthouse. It was there that Elizabeth claimed, I did not kill him, it would be of no benefit to me because anything he had had been left to his son.

AT: And so then her case actually went to the Supreme Court of South Australia which seems unusual by modern standards but I don't know if that was sort of normal for the time that a murder case that was kind of high profile, and I'm guessing in the news, would have just gone straight to the Supreme Court?

LP: Absolutely, yeah. I think there was so much buzz or so much hype around this at the time that it was everywhere. It was in the newspapers, everyone was talking about it, there was gossip everywhere. So they wanted to get down to it and they took it to the Supreme Court. It was there she was given a lawyer by the name of Dr Kaufman. So he was a defence lawyer. He'd actually only been in Adelaide for less than a year and he'd only really dealt with petty theft and property disputes. He actually called no witnesses. He was fairly inexperienced and he was actually fresh from the bar in London and he actually came from Guyana so had a very strange accent that people couldn't understand him. But he did take on the case free of charge. He was actually up against Richard Bullock Andrews QC. Now Richard Bullock Andrews was actually a counsellor for Yatala and Sturt and he'd actually been an Attorney General. So he actually called 32 witnesses to try and convince the jury that Elizabeth was slowly and maliciously poisoning her husband. And in fact he claimed that she poisoned the dog as an experiment and changed doctors to hide the fact that she was poisoning her husband. And also that she wanted to run away with her lover, being Pascoe.

AT: Did he actually call Pascoe? Like was there any actual substantiation that there was anything between him and Elizabeth?

LP: People claim that they saw Pascoe and Elizabeth hanging around the town together or what they said was larking around town. Yeah, so that was cause for rumors at the time. Being a little country town that's pretty much how it started.

AT: So she was seen in public with a man boarding at her house and that was enough for them to try and claim this as a motive.

LP: Yes, correct. Crazy, I know. And then the rumors started that people had seen Elizabeth or her stepson going into chemists seeking poisons. So again the gossip continued. So they got all the chemists to come too as witnesses and then some witnesses claimed that they saw

Elizabeth giving Thomas poison, throughout the whole trial, which took three days from the 2nd to the 4th of December. The jury men went away for 20 minutes. So all male jury went away and they reached a guilty verdict but recommended mercy on account of her youth because she was only 25 years old. So Justice William Waring handed down the death sentence, which did happen to fall on Christmas Day.

AT: Sorry, so the jury is saying show her mercy but the Chief Justice of the Supreme Court of South Australia said no we're going to kill her instead. Which I have to assume the sentencing of an execution for a woman would have been controversial at the time I'm guessing?

LP: It would have been, yes. She was the only woman that had been charged and found guilty of poisoning her husband. So the death sentence had to be handed down. However the mercy, a recommendation for mercy had to go to the Governor. So yeah the prerogative mercy means that it goes to the Governor, the Attorney General, Premier and Treasurer. They meet as an Executive Council to decide whether she could be guilty or not guilty. So they could overturn that verdict of the death sentence.

AT: And obviously they chose not to because as we said in the intro she is the only woman to have been executed in the state.

LP: Absolutely. So in between that time, so she was to be hanged 30th of December but at the same time there was one analytical chemist who had been following trial. He had actually attended all of the court and read so much, of course he's a metals specialist so he wanted to know if there could have been more than just mercury in the system. He actually wrote to the Attorney General saying 26 reasons why she should not be hanged. 26 reasons. And Dad's actually got a copy of this letter. And the Governor arranged for a Dr Edward Willis Way to respond to that letter. So 26 reasons against that letter. And so it was only three days after that the Executive Council, as I said, Governor, Attorney General, Premier and Treasurer met to discuss whether they should go ahead. They actually voted and they voted three to one still for execution. It was actually the Treasurer, Lavington Glyde, that actually thought she may be not guilty. The Governor, Governor Musgrave, was actually known for not wanting to shake confidence in the justice system and it was believed at the time that they wanted to use her as an example and a warning to other women. So Elizabeth was hanged 30th of December 1873. She actually wrote a final statement before her death which was to be read by her Reverend, Reverend Bickford.

AT: And so in this letter she recounts her early life and her marriage saying, "I was not married long before I found out what sort of a man I had got and that my poor stepfather had advised me for my own good but it was too late then so I had to make the best of it. I tried to do my duty to him and the children but the more I tried the worse he got. He was fond of drink but he did not like to part with his money for anything else and God only knows how he ill treated me. I put up with it for three years. During that time my parents went to Melbourne and then he was worse than ever. I thought I would rather die than live so I tried to put an end to

myself in several different ways but thank the Lord I did not succeed in doing so as he did not treat me any better and I could not live like that. I thought I would leave him and get my own living. So I left him but he would not leave me alone. He came and fetched me home and then I stopped with him 12 months and I left him again with the intention of going to my mother. I only took six pounds with me when I came down to Adelaide and I stopped with my sister. I was here in Adelaide six weeks when he came and fetched me back again but he did not behave no better to me. I tried my best to please him but I could not. There is no foundation at all for the story about the young man called Pascoe. He was nothing to me nor I did not give the poor dog any poison for I knew what power the poison had as I took it myself for some months and I was so ill treated that I was quite out of my mind and in an evil hour I yielded to the temptation he was taken ill at the mine and came home and quarreled with me and Satan tempted me and I gave him what I ought not but thought at the time that if I gave him time to prepare to meet his God I should not do any great crime to send him out of the world but I see my mistake now I thank God he had time to make his peace with his maker and I hope I shall meet him in heaven for I feel that God has pardoned all my sins he has forgiven me and washed me white in the precious blood of Jesus."

One of the things that's really fascinating about this whole situation is that it certainly wasn't an airtight case by any means. Like I think people may have guessed from the information that's led up to this point that it's not even definitely certain that he even was poisoned, much less by Elizabeth.

LP: Correct. In fact if you actually take all of the records from the newspaper and put it all together and analyze the case you can actually tell. So I've actually gone through all of the documentation and put it in chronological order and what I find was Elizabeth did not request or even purchase any of the powders that they said that she was out seeking. And in fact she only received, so she was only after morphine or morphia they called it and she actually only received a couple of grains of morphia and some laudanum, which laudanum was used for everything from headaches to period pain at the time and a little bit of oxalic acid which she said was for a stain in her skirt. So that's all she actually received prior to the 1st of August which is when Dr Herbert was treating for mercury poisoning.

AT: And given that she was living with an abusive controlling alcoholic, I would guess that that morphia and laudanum was shall we say a bit of pain relief for her own personal use.

LP: Absolutely it's what everyone related to yeah at the time. They, it would have been for personal use definitely.

AT: And with the post-mortem, did they actually definitively find "okay, this is what led to his death, it was caused by this kind of poison"? Like did they actually have anything conclusive or was it just that the post-mortem didn't rule out natural causes?

LP: The post-mortem, it's interesting because there was an analyst George Francis and he actually was the one that you know basically analysed the whole intestines and he said that

there was an excessive amount of mercury found in the body. However we also know that Dr Dickie was actually treating with lead right at the end of when he was sick. So yeah, Dr Dickie was treating with lead but there was no lead found in the body. So there you could assume that they've put all of the metals as one, being mercury.

AT: Even apart from the possibility that some of what they were calling mercury was actually lead, they didn't say how much there was they just said there was an excess of it. So it's actually impossible to determine now whether that amount was actually fatal or indeed if it was even all mercury as you said.

Speaking of the doctors, you mentioned that the prosecutor tried to present it as though Elizabeth was the cause of this carousel of different... I don't want to say medical professionals because they sound awful. I'm hesitant to call them medical professionals at this point except for Herbert seemed to have known what he was doing but he was too expensive - which as an American I relate to that deep in my soul.

But you were saying that you know there was a sort of accusation that Elizabeth was the one orchestrating the doctors coming and going so that no one could consistently see what she was doing like she's some sort of mastermind.

LP: Absolutely yeah.

AT: But is there any actual indication that she was even communicating with the doctors because I think we've established her husband was a pretty difficult human being to engage with in any way.

LP: Absolutely yeah I don't think she had much say in in that it was her husband that was the one controlling the money and he didn't want the treatment that was actually working for him. He was getting better under Herbert's watch basically, if he continued with Herbert he would he could have stayed alive. But he wanted to save money, he went back to Dr Dickie, it was Dr Dickie that disregarded Dr Herbert's treatment and continued treating for gastric fever. Really bizarre. The other very interesting fact is Dr Bull was actually a drug addict himself and being treated by Dr Dickie. And the interesting thing is Dr Bull actually under oath said that he took the medication away that made his made the patient sick and then under cross examination he turns around and says said I did not take it away, I recoloured the tablets because my patient needed them, in fact I did it to humour him. And then it was soon after that Dr Bull went to the lunatic asylum and that is the place that where people went to detox themselves. Dr Bull's wife and children actually left him around that time. There's a lot to be said there.

AT: And he actually took his own life only a few months after the trial.

LP: He did. He took his own life six months after Elizabeth was executed. He was also into spiritualism. Some people say that he was self-medicating to bring on the illusion of seeing spirits.

AT: And I believe you also mentioned that witnesses claimed that they saw her give Thomas poison but if we're assuming the mercury killed him and Dr Bull is the one that provided the mercury, including disguising the mercury to get him to keep taking it which just seems insane. So how could anyone have said they saw her giving him poison specifically?

LP: Exactly. They may have seen her Elizabeth give Thomas something but that would have been what Dr Dickie prescribed. So it would have been around the time Dr Dickie was actually giving medication to Thomas. So whatever she was giving him was probably prescribed by Dr Dickie. The people that came around to actually help her were the ones saying that that's what they saw and sometimes it was just like sugar in the water or something. It was found that she did look after him because there were no bedsores on Thomas. So that's a very interesting one. So that sort of proves she was caring for him. She was cleaning him. So it goes against maliciously poisoning day after day.

AT: Because he would have been incapacitated by that point. Like he wouldn't have been able to take care of himself.

LP: Yeah, absolutely. He was very sick in the later stages and bedridden so Elizabeth was making sure that he was cleaned and fed and looking after him. She did say that she did not give the poor dog any poison. She said that I knew what power the poison had, for I had taken it myself.

So because she said that, it's like she wanted to kill, more likely poison herself, more than anybody else. So if she had anything she would poison herself. And she does actually say in the statement that she was quite out of her mind. She said, "I was quite out of my mind and in an evil hour yielded to the temptation and he was taken ill at the mine and came home and quarrelled and Satan tempted me and I gave him what I ought not." Now that might sound like a confession. A lot of people say that that's a confession but in my way of thinking that says that she gave him one thing. What she was executed for was for slowly and maliciously poisoning over a period of time. So whatever she gave him that couldn't have been what killed him anyway. So everyone that sees this as a confession, they take that one moment. It fascinates me that she might have given him something but it wasn't enough to kill him.

AT: The way I read it, which obviously you've studied this much more than I have, it's not even that she necessarily gave him like physically dosed him with something because it could have just been, you know, I gave him a piece of my mind. I gave him a good slap. "I gave him what I ought not." That could have meant any number of things. But as you said, she was accused of doing this over a long period of time and she's talking about one instance in the heat of the moment. Maybe he was drunk and raging and she gave him some laudanum so that he wouldn't hit her. There's any number of potential interpretations there.

LP: Absolutely, and that's how I take it too. Yeah, it could have been like I was thinking it was laudanum too.

AT: Well, not least because laudanum is the only substance that we know for sure that she bought and would have had readily available in the home. Now, her story is obviously something that you're very interested in and passionate about and that's actually something that you share with your father.

LP: Dad actually heard about Elizabeth from his nana who lived in Moonta, in fact lived just down the road from the Woolcock College. He was a little boy when he first heard about it. He went back to Moonta years later to study his family tree and he came across the story again and he thought that was way more interesting than our family tree. So he continued researching and I was about 12 years old at the time. It was in the '80s and I was typing his very first manuscript on a manual typewriter. Yeah, it was that long ago and in fact his first manuscript became his self-published book, *No Monument of Stone*, which was the first biography based on the story. I was actually in theatre at the time and in 1995 and he said, Dad turned to me and he said, oh, why don't you write this into a play? And you know, I was only 20 and something and I thought you can't just write a play and then being a little bit like Dad, I thought why not take on the challenge and I did. I started writing and produced a play with 30 performers and that was called *A Hanging Conclusion*. That was actually performed at the Adelaide Gaol and we actually had a couple of busloads from Moonta come and see the play and in fact it was, the Mayor of Moonta said that they wanted to see that at the Kernewek Cornish Festival, which was in Moonta in '97. So I thought I'm not going to take a cast of 30. So I had to rewrite the whole thing for a cast of 10 and I called this one *Shadows of Death*. It was performed to a sell-out season in Moonta, which was really exciting and then a couple of years later I was actually studying visual arts to become a visual artist, and my final year I had to make something really significant. So I dug deep and got into the Elizabeth story and created what we call *A Monument for Elizabeth* and the monument is a two-metre high cage with the statement that she wrote, I'd written in copper wire all the way around the big cage. So you actually have to walk around the cage 25 times to read the whole statement and it's actually on show at the jail. Anytime you visit the Adelaide Gaol, you can see this statement in this cage. In 2004, a funny thing happened. During Law Week they were doing a mock trial for Elizabeth Woolcock and that was with law students and a retired judge and the judge, they came up with, they listened to the whole trial as it was back then. The interesting thing that happened was the girl that was about to perform as Elizabeth called in sick so I tried to find another actress to perform as Elizabeth. Couldn't find anyone so I performed as Elizabeth myself which was really quite creepy. You know, feeling the presence at the jail. So soon after that my dad actually had a publisher on board and he actually republished the book and called it *Dead Woman Walking* which is available through Bass Publishing. Believed that she was hanged innocent and that she was given an unfair trial.

So we actually got together a posthumous pardon to take to the Governor and we had the statement from William Eyre and bundled all of this up and gave it to the Governor and we met with him over a cup of tea and explained this posthumous pardon. Hadn't heard back for about a year and finally in 2012 we got a letter back saying that the pardon was declined and yeah it was amazing. Just a decline because that was so long ago.



AT: Well, governors today who are “not wanting to shake the confidence in the justice system.”

LP: Correct, yeah. Yes, absolutely. There is the possibility of going for wrongly convicted, taking it down another path and that is going to trial again but you know that would be very costly so that's another way to go. Taking it to the Court of Appeal I believe is a way to go.

AT: What is it about her story that has kept your father's interest and your interest for, I mean, 40 years now?

LP: Because we believe that she was hanged an innocent woman and I believe that she just didn't have a voice. She was a victim of, you know, an experienced lawyer. The government provided no support to her. The government believing, you know, using her as a warning to other women. It was misogynistic times and she never had a voice. I think that's what I'm trying to always get across is it was unfair times. It was unjust and something, you know, should have been done. I always have this statement that I swear by which is her tragic childhood Elizabeth was a victim of domestic violence, malicious gossip, negligent doctors, a biased legal system, obstinate government and ultimately paid the price with her life for a crime she did not commit.

AT: Join us next time on the infinite women podcast and remember well-behaved women rarely make history.