

A Lucky Escape – Mary Ann Haldane

On Thursday 28 June 1827, Mary Ann Haldane was arrested for housebreaking and stealing at the property of Dr Thatcher in Elder Street, Edinburgh. At her trial on 9 November 1827 at the High Court of Justiciary, Edinburgh she was sentenced to fourteen years transportation.

Historically, transportation has been seen as a harsh punishment. Families were torn apart, never to see each other again. But for Mary it may have been an escape from a worse fate.

Mary was born to Elizabeth Haldane about 1810 in Glasgow, father is unknown nor is it known why or when they moved to Edinburgh.

Mary's mother, Elizabeth (or Betty), and sister, Margaret (or Peggy), became victims of the notorious Edinburgh murderers (also known as West Port murderers), Burke and Hare. William Burke and William Hare were Irish immigrants, and their accomplices, Burke's defacto, Helen (or Nell) McDougal, and Hare's wife, Margaret, were responsible for at least 16 murders between November 1927 and 31 October 1828. The victims were to provide cadavers for dissection by Dr Robert Knox, a lecturer on anatomy at Edinburgh Medical College.

Sometime in the Spring of 1828 Elizabeth Haldane sought lodgings in Margaret Hare's house in Tanner's Close. It was there that Burke and Hare suffocated her while she slept off the effects of drink in Hare's stable. Some months later, in the summer of 1828, Margaret Haldane was

murdered by Burke's own hand. Burke was said to have remarked, "she was like her mother, of idle habits, and much given to drinking." The pair received £8 for her body.

One version of how Burke and Hare were captured states that the pair were finally brought to justice when an anonymous tip-off led the police to Dr Knox's classroom where they found the body of the last victim, Marjory Docherty. William Burke, Helen (or Nell) McDougal, William and Margaret Hare were arrested and their twelve months murder spree ended.



WILLIAM BURKE

WILLIAM HARE

Another account purports that Burke and Hare were arrested following the discovery of a body under the bed of William Burke. A bribe of £10 per week was offered in an attempt to keep the witness quiet but was refused. A less well known version is that some of the medical students recognised one of the bodies and reported the murder to police.

Whatever the circumstances that lead to their arrest, Hare turned king's evidence and was offered immunity from prosecution in exchange for his testimony against Burke. Burke and McDougal were brought to trial on 24 December 1828. Burke was found guilty and executed on the Lawnmarket, Edinburgh on 29 January 1829. Helen McDougal never received any punishment for her part in the crimes. Margaret Hare escaped prosecution, and William Hare was released from imprisonment in February 1829. Knox kept silent about his dealings with Burke and Hare and was still employing body-snatchers until the government passed the Anatomy Act in 1832.

The Anatomy Act provided that anyone intending to practise anatomy must obtain a licence from the Home Secretary and bodies had to have been donated for dissecting by doctors, teachers or medical students. The Bill was in part a reaction to the fear aroused by the recent Burke and Hare murders.

By the age of 17 years of age, Mary Ann Haldane was considered to be living on the 'margin of society' in Edinburgh, and already had a criminal record. She gave her address as Canongate. This is the famous street where Tollbooth building served as a council meeting house, courthouse and prison. Today it houses 'The People's Story' museum.

On Saturday 24 February 1827, Mary stole from the downstairs servants' rooms at 18 Northumberland Street, Edinburgh, a gown, a muslin hat, and half-pound box of tea from the laundry, property of Janet Finlay and Margaret Nicol. Several of the servants saw her coming out of the downstairs rooms. They gave chase, detained her, brought her back to the house and called the police. The Police Officer, George Foulis recognised her straight away as a 'repeat offender'.



"Tollbooth", Canongate

The stolen property was never recovered and because of this the judge

instructed the jury to return a verdict of not proven. Mary was set free on Monday 28 May 1827.

Theft was often an act carried out by two people, one to take the goods and the other to act as a lookout and hide the stolen property if anyone was to give chase. Mary's partner in crime was a Margaret Finlayson, the daughter of Roderick Finlayson, a weaver from West Port.

In a previous robbery, their roles had been reversed and Margaret had stolen three coats from a property at 24 Dublin Street, New Town. She was found with the coats in her possession and was sentenced to sixty days prison. Mary's charge was dismissed as no stolen property was found in her possession. Thus Mary had a second lucky escape.

Margaret's luck was to run out, she had been arrested for housebreaking and theft at house the of William Alexander Martin, and Jean Brown, Melville Street, Edinburgh. She was tried at the High Court of Justiciary, Edinburgh and sentenced to fourteen years transportation, on Thursday 12 July 1827.

Is it possible that when Mary found out the Margaret was to be transported she committed the same crime so she would be transported in order to be with her friend? We will never know.

On the 18 April, both Mary and Margaret left Edinburgh for London to be transported aboard the convict ship "*Borneo*". Partners in crime now became 'ship mates' with 71 other convict women heading for Van Diemen's Land and a life they never expected.

The ship set sail on 11 May 1828. with Ships Master, Captain Richard M. Whichelo and Doctor Oliver Sproule as Surgeon. They arrived in Hobart Town on 8 October 1828 with seventy women on board due to three women dying on the voyage.

On arrival Mary and Margaret were separated. Mary was assigned to Mr Alexander McPherson in Derwent Valley. Margaret was assigned to William Kermode, who was the owner of the property, Mona Vale, near Ross.

Margaret Finlayson has no colonial convictions recorded and received a Conditional Pardon 20 January 1838. Margaret's first offer of marriage came from Samuel Robinson in January 1831, a life convict from Chester, England. It was not approved. Edward Kay, a convict from Chester arrived in Hobart Town on the *Lord Lyndoch*, 18 November 1831. He applied to marry Margaret 13 December 1834, approval was granted 24 December. In my research I have not found a marriage of Margaret and Edward. Edward was also assigned to William Kermode. He had been transported to 14 years for burglary. Received his Ticket of Leave 8 December 1837 and Conditional Pardon 28 May 1840. Like Margaret, he also had no colonial convictions recorded. However Mary Ann Haldane's colonial experience was more problematic.

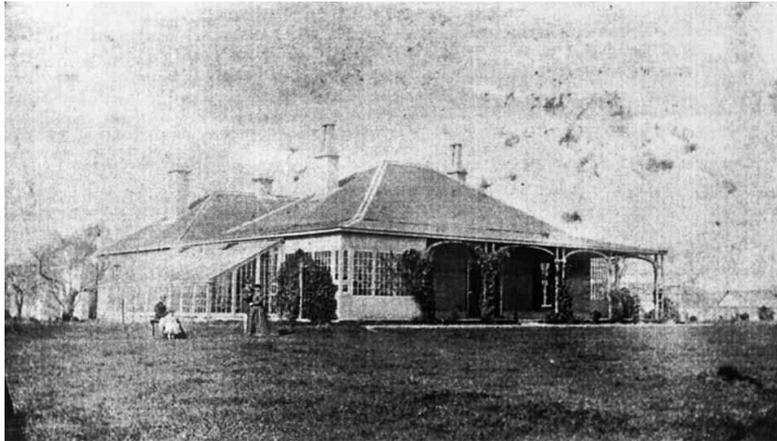
Mary's first visit to the Female House of Correction was 5 January 1830, when she was pregnant with her first child and in the service of Mr A. McPherson. She was placed in the Crime Class after the child was weaned. Although no time was recorded for the sentence, normally it was six months. The child could have been John Auton's, who she married at Mt Matthew's, New Norfolk on Tuesday 3 May 1831, as he was assigned to Mr McPherson.

John Auton was a convict who arrived in Hobart Town on 14 September 1825 on the *Medina* from Sheerness Downs. He was transported for life, for burglary, after being tried at the Spring

Assizes in York, 20 March 1824. He left behind a wife, Margaret and two young sons, Leonard and John junior. It was not uncommon for convicts who left wives' to remarry, especially if there was no way of them returning to England, or the wife and family coming out to the colonies.

John and Mary had three children, one a daughter, who could have been the child born at the Cascade Female Factory in 1830, named Mary Ann, who was sadly burnt to death in a hut fire in 1 May 1839 at the Lower Settlement, Pittwater (near Sorell). There were two sons, John, born 1832, and James, born 1833.

Mary's next visit to the House of Correction was five and half years after the first. On 27 June 1835 she was sent there for disobedience of orders. This seems to have been instigated by her husband John. It is nearly four and half years before Mary falls foul of the Magistrate again. In the 1835 muster record she registered as being in Swan Port and possible assigned to Captain Michael Vicary, who had a properties on the east coast of Tasmania.



"Somercoates" at Ross – Horton Family Home

On the 12 November 1839 she overstays her pass and receives fourteen day solitary confinement on bread and water from the Acting Police Magistrate. By this time she is assigned to Captain Samuel Horton, 'Somercoates' property near Ross.

On 4 December 1839, she is again sent to the House of Correction for one month on hard labour for the misconduct of being out after hours. Is she out for summer night assignations with John, who at this time in assigned to a road gang in the district? Or had she met up

with Margaret Finlayson who was at Mona Vale, Ross, which was only about 3 kilometres from Somercoates. We will never know.

Two and half years later she is again sent to the House of Correction, Hobart. On 2 March 1841 she is given the sentence of six months for being in a public house drinking and her Ticket of Leave is suspended. John Auton was also fined 5/- on 19 March for being drunk. What a coincidence. Mary's ticket is returned to her on the 29 March 1841, viva a memo of the Police Superintendent. At this time she and family seem to be living at Norfolk Plans (Longford) and John is still on the road gang.

On 23 June 1844 her ticket is again suspended and she is returned to the House of Correction for misconduct and given 4 months hard labour by the Acting Police Magistrate.

One wonders who was looking after James and John junior during these times of her incarceration. Hopefully John senior was caring for his sons as they grew up, but he also runs into conflict with the authorities. In December 1834 he was accused of robbing a Richard Jenkins of wearing apparel, watch and money. The case was discharged by magistrate, Malcolm Laing Smith.

In June 1835, when employed as a Ticket of Leave overseer to Mr William Roadknight of Woodbridge, New Norfolk he was twice accused of stealing wheat and grain. This resulted in being assigned to the Oatlands District on the decision of the Lieutenant Governor on 2 July 1835 and Ticket of Leave withdrawn. Although his wife Mary appears to be assigned to Somercoates, at this time, John is assigned to a chain gang, where on 24 April 1837 he received 18 days solitary confinement on bread and water for trafficking.

Mary received her Free Certificate 9 November 1841, and John received his final Ticket of Leave on 3 March 1841. They moved back to the Hobart area. John took up his old trade as a Ploughman and advertised in *Colonial Times*,

*Ploughing done on the most reasonable terms,
either in Town, New Town, or Sandy Bay.
Apply to John Auton, near Mr. E. Hodgson's, Cascade.
August 16, 1841.*

By the mid 1850's the family is living in Bridgewater where John is employed as a Limeburner, along with his sons John junior and James. It was a dangerous occupation, but a necessary one. The quicklime produced after heating the limestone was used in its own right as a strong oxidising agent and disinfectant, and to form the light emitting elements in gas lights (hence the "limelight"). When water was added it produced slack lime for use in mortar.

John Auton senior met with horrible death in September 1858. While he was in the basement taproom of the Bridgewater Hotel, his clothing caught alight. He was taken to Her Majesty's General Hospital, Hobart where he died after lingering for three days on 9 September . An inquest was held on 13 September with the verdict, that he died of mortal burns as the result of an accident. The inquest record misspelt his name as Anton. Three years earlier, on 29 July 1854, John junior died of cancer in New Norfolk.

On 11 February 1861 Mary Ann (Haldane) Auton (misspelling of last name, Autin) married John Cushion at the manse of the Church of Scotland Church minister at Tolosa, near Glenorchy. At the date of the marriage Mary was 51 years of age and John 58. John may have been a friend of the family as he was a witness to the marriage of son, James on 3 September 1860.

Very little is known of Mary after this marriage although she is in the Police Gazette, Return of Paupers from Invalid Depots, Tasmania. Again there is a misspelling of last name, Cushion. She was admitted to the Charitable Institution, Hobart 24 October 1881 and discharged 8 November 1881, with remarks 'With the Approval of the Administrator of Charitable Grants. Able to Work'.



Warden, John Auton, (1866-1919)

At this stage in her life it would seem that Mary, who was approximately aged 70 years was now on her own. One wonders what work she was capable of. John Cushion died at the New Town Pauper Establishment, 5 July 1879 and is buried in the Pauper Section of Cornelian Bay Cemetery.

Mary's life had its tragedies with the murder of her mother and sister of which she quite possibly never knew of. Deaths of a daughter and first husband as the result of terrible fires, and death of an eldest son at aged 22.

We don't know if she would have seen any of her eleven grandchildren who were born at Bridgewater before they moved to east coast tin mining are of Ringarooma. Her son James, in 1882 became mine manager of Golden Age and Native Youth Mines, Branxholm, a position he held until his death in 1911 age 77 years of age. Eldest grandson, also named John, became the manager of Ruby Flats Tin Mining Company at Branxholm in 1904, Warden of Ringarooma in 1917 and a very prominent citizen of the area.

Thus it was Mary's descendants who ultimately reaped the benefits and the opportunities of a new life.

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