

Stealing an infant of tender years: Rachael Wright

Rachael Wright was born in Glasdrumman, County Down, Ireland, in around 1790¹. In May 1808 she sailed to Scotland and travelled to Glasgow in search of an uncle and aunt who were living there. Her trial documents best describe how her journey would eventually lead to Van Diemen's Land. In court she stated:

that she only remained in Glasgow for about a week, and left it upon Friday last the eighth ... without being able to find out her uncle and aunt, that having happened to go into the house of Michael McMillan spirit dealer in Glasgow, she there met with two women whom she had never seen before, and who had a little child in their arms, and which they gave to the charge of the declarant, along with six pence to purchase bread for it, and after purchasing two pence worth of bread, she set off to Ayr with the child in company with the said two women but who left her on this side of one of the bridges of Glasgow that after getting out of Glasgow a little space she went into a field of cut hay and wrapping herself and the child into a cloak, slept there among the hay till after sunrise next morning.

She also stated that she intended to keep the child and bring it up herself².

Rachael's attempt to return to Ireland with the child failed. She was found near the Prestwick Toll Bar with the child 'upon her back' and she was taken to Ayr where she was charged with 'manstealing ... Flora Amos a child betwixt two and three years of age or thereabouts the daughter of Archibald Amos shoemaker in Glasgow'. The crime was so rare in Scotland, especially in the case of stealing an 'infant of tender years' that, having found her guilty, the Glasgow court found it necessary to refer the matter to the High Court of Justiciary in Edinburgh in order 'to enquire how far any or what pains of law could by the present Law of Scotland be inflicted'. The High Court upheld the guilty verdict and pronounced that she 'be hanged by the neck, by the hands of the common executioner, upon a gibbet, until she be dead'³.

Rachael was saved from the noose when her legal counsel and the child's parents sought royal clemency. In his petition on behalf of Rachael, John Cunninghame, wrote:

But guilty as the Petitioner was, she did not either in the Commission of the Offence, or in her subsequent Conduct exhibit the Artifices of a hackneyed or hardened Offender.

Archibald and Janet Amos were 'deeply interested in the fate of the Prisoner' and their petition expresses sympathy for the 'unfortunate girl':

At the period when the Offence was committed, the Prisoner was young, destitute, and friendless, in a part of the Empire far removed from her own home – She was ignorant, and inexperienced, - equally unable to direct her own Conduct, and to find friends to advise and assist her.

They pointed out that no injury had been done to Flora, and 'that it would give them the most poignant and irreparable distress, if the Prisoners dreadful Sentence were carried unto Execution'. They also suggested that:

'the long Confinement of the Prisoner, under the most painful anxiety and suspense, must of itself, have been a severe punishment'⁴.

Their request was granted and Rachael's sentence was commuted to transportation 'to the Coast of New South Wales or one or other of the Islands adjacent for and during the Term of her natural Life'⁵.

Rachael arrived in Sydney on the ship *Friends* on 10 October 1811⁶, and in July 1812 she was sent to Port Dalrymple on the *Lady Nelson*⁷. In an 1816 muster she is recorded as a hospital nurse⁸. In the following year she was in Hobart and in 1819, like so many female convicts, she was a 'servant to settler'⁹. By 1816 Rachael had formed a relationship with Timothy Quinn. While there is no record of a marriage, her convict records sometimes referred to her as 'Quinn' and 'wife of Quinn', and she was at times assigned to him. There is no indication as to whether or not the two convicts knew each other in Sydney before they were both sent to Van Diemen's Land in 1812. It is also unclear if this was a match born out of love or necessity. If it was the latter, it certainly fits the pattern of many convict women who formed relationships in order to sustain themselves in the colony.

Timothy Quinn, born in about 1780, was found guilty of burglary at the Old Bailey in February 1807 and sentenced to seven years' transportation¹⁰. In July 1808 he left England on the *Admiral Gambier*, arriving in Sydney in December¹¹. He was included in a list of absconders that appeared in the *Sydney Gazette* in January 1810¹², and then in July 1812 permission was given for him to proceed to Port Dalrymple as part of a group of four convicts assigned to James Cox, who had received a large land grant near Port Dalrymple¹³. Cox later built 'Clarendon' at Nile. By 1816 Quinn had left Cox's service and settled on a grant of his own on the North Esk River in what is now St Leonards. It was here that his and Rachael's three children were born: Jane (1816), Frances (1817) and John (1819).

Muster details show that Timothy was actively farming his land, but the success of his efforts was limited. A survey of children requiring education notes that Timothy and Rachael could not afford to send their children to school¹⁴. By 1824, records begin to reveal a pattern of growing debt and conflict. Timothy had ongoing disputes with neighbours and local businessmen, and an encounter with William Field in October 1829 clearly shows how this directly affected Rachael and the children. Field came to their property with three men. One struck Rachael and another knocked her down on Field's orders. Within days of the dispute Timothy was in gaol and, in his own words from an 1831 petition to the governor, 'My poor children were driven upon the mercy of the world without a friend or a home and my wife to utter destruction and placed in the female penitentiary'¹⁵.

Rachael's earliest recorded offence was on 21 March 1827 when she was admonished for being drunk in the street¹⁶. This was the first of numerous occasions when she was let off with a reprimand for public drunkenness. There may, of course, have also been earlier misdemeanours, but if these did occur, no record of them appears to have survived. At other times Rachael was either fined five shillings or put in the stocks for a number of hours¹⁷. In one instance she was even fined the considerable sum of £10 for 'offending against decency by the Exposure of her Person'¹⁸.

The first of four known terms of imprisonment came in June 1828 when Rachael was charged with being drunk and disorderly and sentenced to 28 days in the House of Correction¹⁹. On 13 September this was followed by a further seven days for 'being drunk and disorderly last night'²⁰. Both of these sentences may have been served at the Launceston Gaol. On 20 April 1830, with her husband in gaol, Rachael was to be 'ret^d to the service of Gov^t & be placed in the Factory at George Town' for being drunk and disorderly in the street again²¹. This is the only conviction that specifically mentions the Female Factory at George Town. Nothing is known of Rachael's actual time in the Factory; we are left to assume that she was either escorted on foot from Launceston to George Town or was lucky enough to be transported there by boat and that she was engaged in prison industries while incarcerated.

Rachael's lot did not improve after Timothy's release at the end of January 1831. On 28 February she was charged with 'insolence and drunkenness' while assigned to W. Fisher, and sent to the Female House of Correction for six weeks²². It is unclear from her conduct record where Rachael was imprisoned. She may have remained in Launceston or returned to the Factory at George Town, a place she was familiar with from the previous year. A register of indulgences for convicts includes a request from Timothy Quinn for his wife to be released from the Female House of Correction and assigned to him²³. The request was dated 29 April 1831, but Rachael appears to have been held long after her sentence expired. On 9 June, Timothy's request was sent to the governor for a second time but a response has not been recorded.

Timothy fared no better than Rachael. He had many convictions for being drunk and disorderly, and it is clear from government documents that he lost the ability to manage his personal life and livelihood. A petition to Governor Arthur in 1830 was entitled 'The humble memorial of Timothy Quinn, a debtor'²⁴ and in October 1835 his daughter Jane accused him of beating her and 'taking liberties with my person'²⁵. Accounts with the Launceston merchants Archer, Gilles and Company attest to the amount of alcohol purchased by Quinn on trips to town²⁶. Mounting debt eventually led to his lands being taken and his house destroyed by a creditor. One particular spell in the Launceston Gaol brought on by financial woes lasted from October 1829 until January 1831. During this time he was among the first recipients of the generosity of the newly founded Charitable Society²⁷. His family appears to have been left without support. At one point his son John hid in the bush and 'had not tasted

any other food than opossum flesh for three weeks'²⁸. When Timothy died in October 1839, the hospital messenger gave the cause of death as 'debilitas'²⁹.

Rachael's records show a final encounter with the authorities in May 1837³⁰ and in 1841, after Timothy's death, she is listed in a muster as married³¹. After 33 years in Van Diemen's Land and 27 offences, she was granted a ticket of leave on 25 February 1845³². It is no small irony that the ticket of leave was granted while she was an inmate at the New Norfolk asylum. Rachael was admitted to the asylum in 1838 suffering from 'mania'. How she came to be admitted is not clear from the records and there is no suggestion, in spite of the 1841 muster listing and the 1845 ticket of leave, that she was ever well enough to leave the asylum. The detailed case books paint a picture of a tortured existence. In July 1846 she was recorded to be:

'complaining bitterly of her situation, and talking incoherently about her husband and children, at the same time threatening vengeance and violence to anybody - has however never been known to commit the smallest act of violence'³³.

By July 1848, Rachael's physical health had begun to deteriorate. Her 'mental state the same as it has been for many years'. She refused to take any medication and suffered 'maniacal excitement, followed by corresponding depression'. She was also indifferent to food, although she did take the wine and milk given to her. On 13 July, her notes read:

'General health failing day by day - looks wretchedly ill - obstinate and would be violent if she had the strength ... from her appearance one would suppose her to be upwards of 60 years of age at least instead of 45 as shewn in the books'.

By the 27th. she was 'very feeble ... uses at times most violent and obscene language'. On 8 August she 'continues in the same note, except that she is getting more feeble day by day - takes but very little nourishment and refuses medicine of any kind'. On the 15th. she was 'still alive, but sinking fast'. She died the following evening between 11 and 11:30 and was buried at St. Matthews, New Norfolk, two days later^{34, 35}.

The convict system had one final irony in store when, in October 1853 five years after her death, her ticket of leave was revoked because she failed to report to the police³⁶. The fate of her children Jane and John is yet to be established. John was still attempting to assert his claim on his father's land in 1841³⁷ and Jane may be the Jane Quinn who died in the Hobart Hospital on 23 December 1844³⁸.

Frances seems to have prospered better than her parents. George Hobler, owner of 'Killafaddy' and builder of the first Hobler's Bridge, took pity on her and in May 1829 he wrote in his journal:

Little Fanny Quin, taken into the house a few days ago her father being in jail and her mother drinking about as usual, leaving the girl to the wide world—behaves herself very well, far more so than cd. be expected³⁹.

Shortly after Frances was taken in by Hobler, the farm was attacked by the bushranger Bevan and his gang. Bevan confronted Hobler in his sitting room and threatened to shoot him. Hobler's wife Ann entered the room carrying her baby in her arms. She rushed to push the musket away from her husband just as Bevan fired it. It hit the wall of the room and Bevan retreated. Ann cut her little finger on the musket's bayonet—'an honourable wound she will bear the scar for life, but to it I certainly owe mine'⁴⁰. The baby went into convulsions at the discharging of the musket and died in his father's arms a week later.

An entry in Hobler's diary from March 1830 sheds more light on Frances's family's circumstances than her own:

she is friendless, her father being in jail for debt, and nothing but ruin before her, without a home, and 14 years of age only—she returned with him rather sulky; but I am glad she is once more so far saved from the streets; her sister and brother are two as depraved urchins as can be found; her conduct has been quiet and steady, although apparently almost reckless what is her fate⁴¹.

A week later we read:

After dinner today, Fanny marched off again without the least ceremony; this time she may go altogether; her sister came to see her yesterday, and has, I suspect, decoyed her away, and will soon make her as worthless as herself⁴².

Frances was living with her family again in June 1832, and in March 1834 she married John Jordan. She gave birth to seventeen children and cannot have led an easy life. As an obituary for her husband stated, 'Mr Jordan had, perhaps, more than the usual share of the ups and downs of colonial life'⁴³. Frances died at the age of 80 in October 1897 at her residence in Sandhill, Launceston and was buried in the Charles Street Cemetery⁴⁴.

Two hundred years after her arrival in Van Diemen's Land we have no clues as to why Rachael left her home to travel to Glasgow in search of her aunt and uncle, and we will never understand what made her kidnap Flora and attempt to head back to Ireland with the child. Although we have a wealth of information on her life, Rachael's own voice has been lost. In the end she may have been saved from the gibbet, but the story the official records tells is one of a woman who in no way enjoyed the fruits of a new life in the colonies that was the lot of so many emancipated convicts.

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- ¹ In her statement made in July 1808, Rachael declared that she was 'upwards of eighteen years' and born in 'Glas Drumond in the county of Armagh'. 'Armagh' has been crossed out and 'Down' written above it in the same hand. The edit is confirmed and witnessed at the end of the statement (National Archives of Scotland: JC 26/337 High Court of Justiciary processes main series). In the petitions written by her legal counsel and Archibald and Janet Amos, she is referred to as coming from Armagh (The National Archives of the UK (TNA): HO 47/43/1 Reports on criminals: correspondence). There are Glasdrumman/Glassdrummond townlands in both counties.
- ² National Archives of Scotland: JC26/337 High Court of Justiciary processes main series
- ³ All details of Rachael's case can be found in National Archives of Scotland: JC 4/4 Book of Adjournal and JC 26/337 High Court of Justiciary processes main series. A National Archives of Scotland summary of JC4/4 reads: Date of trial: 17 Sep 1808, Verdict: Guilty, Verdict Comments: Guilty in terms of own confession, Sentence: Death - hanging by public executioner, Petition: Remission of sentence granted at Edinburgh, 20 March 1809 (see JC4/4, f.406r). The case was remitted to High Court for sentencing; the case continued at Edinburgh on 23 November 1808 (see JC4/4, f.266r) but was postponed until further information was gathered. The diet continued again in January 1809 (see JC4/4, f.307v) when lengthy legal argument followed; sentence was finally passed on 25 January 1809 (see JC4/4, f.395v).
- ⁴ The National Archives of the UK (TNA): HO 47/43/1 Reports on criminals: correspondence
- ⁵ National Archives of Scotland: JC26/337 High Court of Justiciary processes main series
- ⁶ TNA: HO 11/2/27, Transportation register of convicts bound for New South Wales on the convict ships Admiral Gambier, and Friends
- ⁷ Tasmanian Archive and Heritage Office (TAHO): Convict Department, CON 13/1/28, Assignment lists and associated papers
- ⁸ TNA: HO 10/4 Home Office: Settlers and Convicts, New South Wales and Tasmania: Records: Female: 1816
- ⁹ The settler to whom she was assigned was presumably Timothy Quinn. TNA: HO 10/9 Home Office: Settlers and Convicts, New South Wales and Tasmania: Records: Female: 1817; TNA: HO 10/2 Home Office: Settlers and Convicts, New South Wales and Tasmania: Records: Female: 1788-1819
- ¹⁰ The Proceedings of the Old Bailey, 1674-1913, www.oldbaileyonline.org, reference number t18070218-4; TNA: HO 13/18 Criminal entry books; TAHO: Convict Department, CON 13/1/1 p25, Assignment lists and associated papers
- ¹¹ TNA: HO 11/1/405 Transportation register of convicts bound for New South Wales on the convict ships Admiral Gambier, and Eolus
- ¹² *The Sydney Gazette and New South Wales Advertiser*, 28 January 1810, p2 c3
- ¹³ State Records of New South Wales, Colonial Secretary's papers, 1788-1825, reel 6003; 4/3492 p138-40
- ¹⁴ McKay, T 1994, *Juveniles requiring education in Van Diemen's Land c1821-1822*, NI and VDL Interest Group, New Town, Tas.
- ¹⁵ TAHO: Launceston Magistrates Court, LC 347/1/7, Informations and depositions taken before Justices of the Peace; TAHO: Colonial Secretary's Office, CSO 1/517 11273, General correspondence
- ¹⁶ TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System; TAHO: Launceston Magistrates Court, LC 346/1/1, Record of cases heard in petty sessions
- ¹⁷ The longest period Rachael spent in the stocks was 4 hours in April 1829 (TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System).
- ¹⁸ TAHO: Convict Department, CON 78 Northern Tasmania - alphabetical conduct registers of convicts living in Northern Tasmania
- ¹⁹ TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System; TAHO: Police Department, POL 452/1/2, Launceston Police - alphabetical registers of persons charged at the Police Office
- ²⁰ TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System
- ²¹ TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System
- ²² TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System
- ²³ TAHO: Convict Department, CON 45/1/1 p141, Alphabetical register of applications for indulgences
- ²⁴ TAHO: Colonial Secretary's Office, CSO 1/452 10047 General correspondence
- ²⁵ TAHO: Launceston Magistrates Court, LC 347/1/13, Informations and depositions taken before Justices of the Peace
- ²⁶ TAHO: NS 3945/1/1, Day book of an unidentified store 1821-22
- ²⁷ *Launceston Advertiser*, 25 October 1830, p1 c4
- ²⁸ TAHO: Colonial Secretary's Office, CSO 1/1/517 11273, General correspondence
- ²⁹ Tasmanian Registry of Births, Deaths and Marriages: 1839, 182
- ³⁰ 'Being drunk', TAHO: Launceston Magistrates Court, LC 347/1/17, Informations and depositions taken before Justices of the Peace
- ³¹ This muster is dated 31 December 1841. Rachael's asylum records clearly show that she was at New Norfolk at this time. Other inmates, but by no means all, are listed in the muster as 'Hospital, New Norfolk', TNA: HO 10/51 Home Office: Settlers and Convicts, New South Wales and Tasmania: Records: List of convicts (incomplete): 1841
- ³² TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System
- ³³ TAHO: Royal Derwent Hospital, HSD 246/1/2, p89 Patient records - case books (all patients)
- ³⁴ TAHO: Royal Derwent Hospital, HSD 246/1/5, p144 Patient records - case books (all patients)
- ³⁵ TAHO: NS489/1/7, St Matthew's, New Norfolk: Burials
- ³⁶ TAHO: Convict Department, CON 40/9/259, Conduct registers of female convicts arriving in the period of the Assignment System
- ³⁷ TAHO: Lands and Surveys Department, LSD 1/1/15 48, General correspondence, Series A, B and other; *Hobart Town Gazette*, 20 August 1841 p983f
- ³⁸ Tasmanian Registry of Births, Deaths and Marriages: 1845 467
- ³⁹ Mitchell Library (NSW), Journal of George Hobler, 1825-1871, volume 1, p140
- ⁴⁰ Mitchell Library (NSW), Journal of George Hobler, 1825-1871, volume 1, p145
- ⁴¹ Mitchell Library (NSW), Journal of George Hobler, 1825-1871, volume 1, p173
- ⁴² Mitchell Library (NSW), Journal of George Hobler, 1825-1871, volume 1, p174
- ⁴³ *Examiner*, 1 September 1879, p3 c6
- ⁴⁴ TAHO: Charles Street Cemetery, AF190/1/1, Register, Section A, row 6, plot 419