

FCRC Spring Seminar, Hobart, 23 October 2016

PROLOGUE: THE STORY BEHIND THE CONVICT STORY – WOMEN’S LIVES BEFORE
TRANSPORTATION

WICKED WOMEN: FEMALES TRANSPORTED TO VAN DIEMEN’S LAND FOR HIGHWAY ROBBERY

Don Bradmore

Offences against Property in England in the 19th Century

There was an enormous emphasis on theft and related crimes in England in the first half of the 19th century. Boyum and Mather (2015) explain this situation in terms of class conflict and class domination. They argue that throughout the 18th century, the landed gentry and the merchant class controlled the legal system and it operated for their benefit. The upper classes worked assiduously to protect what they had and to prevent the rising middle and lower classes from taking it away from them. Thus, it is not surprising to find that 86.1% of the defendants in cases tried in the central criminal courts of London in 1810 were accused of crimes against property.

This situation changed gradually during the 19th century as voting rights were extended and the law became more responsive to middle class interests but, even in 1840, one crime - larceny – accounted for 79.4% of the major prosecutions in London’s metropolitan courts.

This corresponds with Cowley’s (2014) analysis of the crimes of the 12,740 female convicts who were tried outside the Australian colonies and transported directly to VDL. (This represents 93% of the total number in the FCRC database.) Cowley broke the crimes into five groups:

- offences against the person
- offences against property
- forgery and offences against currency
- offences against good order
- all other offences

Cowley’s analysis shows that 92% of the women in her study were convicted of offences against property. In comparison, offences against the person account for 2%; forgery and offences against the currency, 2%; offences against good order, 1%; all other, including unknown, offences, 4%.

Of the ‘offences against property’ in Cowley’s study, the ‘robbery and stealing from the person’ category accounts for approximately 23% of the cases; ‘burglary’ for 1%; ‘housebreaking’, 2%; ‘horse-stealing’, ‘cattle-stealing’ and ‘sheep-stealing’ together, 4%; larceny, 57%; receiving, 6%; fraud and false pretences, 1%; arson, 2%; and malicious damage, less than 1%.

The offence of ‘robbery and stealing from the person’ includes the crime of ‘highway robbery’.

Highway Robbery

There are complexities in defining the term ‘highway robbery’ but the usual elements of the crime include:

- a robbery committed in a public street or road, whether in the countryside or within a city or town
- the robbery is accompanied by violence, or the threat of violence, or some form of intimidation
- the victim is put in considerable fear
- some property is removed from the victim and taken away

The Prevalence of Highway Robbery

Highway robbery was endemic in England throughout the 18th century and its prevalence continued well into the 19th century. No one rode alone without fear of being robbed, and people often joined together in bands or hired armed escorts to travel with them. Many travellers wrote their wills before they left on their journey.

Of course, even during the Middle and Late-Middle Ages, travellers had been at risk of attacks by gangs of outlaws or the retainers of unscrupulous feudal lords. But by the late 17th century the old system of lords and retainers had ceased to exist and there was phenomenal growth in the generation of private wealth. The quest for wealth through trade, together with technological advances, saw a rapid increase in the number of people wanting to travel the roads. As a result, road surfaces improved rapidly and people were able to travel longer distances at greater speeds in horse-drawn coaches.

Not surprisingly, robberies upon the highways became more frequent because it was logical for robbers to assume that no one who could afford to travel by coach would do so without carrying money or something else of value. At the same time, improvements in the reliability of firearms had made it possible for a single person to hold up a stage coach and rob its passengers on the road whereas previously that task might have required a gang of some size.

Travellers on their way to and from London were particularly vulnerable. Even within what we know as the city proper today, there were dangers. In the 17th and early 18th centuries, Chelsea, Kensington, Hyde Park, Hampstead, Soho, Knightsbridge and Greenwich were actually small towns and often separated by heaths, fields and farmlands. Although this had changed by the early decades of the 19th century there were still dangers within the city boundaries.

Adding to the dangers travellers faced was the fact that England had no police force until well into the 19th century and law enforcement was haphazard. Until the passing of Robert Peel's Metropolitan Police Act in 1829, law enforcement was in the hands of magistrates (or justices of the peace), parish constables, nightwatchmen and parish beadles (minor officials appointed by the churches to summon parishioners to church, to assist the vicar and to keep order during the service and in the neighbourhood. These officials were often unpaid and depended upon bail fees, fines and the like for their income. Generally speaking, they were poorly trained and inadequately armed. Many were physically inadequate to deal with trouble-makers. Rarely did they see their task as preventing crime; rather, they were there to arrest law-breakers after the crime had been committed. There was little, if any, co-ordination between parishes, these officials and administrators being confined to their own areas. It was not until the County and Borough Police Act of 1856 that an organised, trained and national force could operate effectively without the restrictions of parish and county boundaries and local laws and customs.

Highwaymen and Highwaywomen in Literature and Film

When we hear of 'highway robbery', most of us think immediately of the much-romanticised 'gentleman' robbers of film and literature whose dash and daring both terrified and enchanted travellers in the 19th century. Who would not be familiar with the mythical exploits of bold Robin HOOD who took from the rich to give to the poor, with those of Dick TURPIN (1705-1739) whose gallant deeds on his horse Black Bess were popularised by William Harrison AINSWORTH in his 1834 novel, *Rookwood*, and with those of Claude DUVALL (1643-1670) whose fashionable clothes and audacious but always-gentlemanly behaviour is said to have won him many admirers, especially among females, in his day.

And who would not be familiar with the hero of the wonderful poem, 'The Highwayman', by Alfred Noyes (1888-1950)?

*He'd a French cocked-hat on his forehead, a bunch of lace at his chin,
A coat of the claret velvet, and breeches of brown doe-skin.
They fitted with never a wrinkle. His boots were up to the thigh.
And he rode with a jewelled twinkle,
His pistol butts a-twinkle,
His rapier hilt a-twinkle, under the jewelled sky.*

While not as numerous, there are highway women whose deeds are well known to most of us, too. The legend of Lady Katherine FERRERS (1634-1660), a young and beautiful English heiress and aristocrat, has fascinated people for generations. By day, she was the genteel mistress of a grand mansion; at night, dressed in men's breeches, wearing a three-cornered hat, a mask, a cloak and a scarf, armed with a brace of pistols and mounted on a fine black

thoroughbred with white flashes on its forelegs, she emerged to terrorise the English county of Hertfordshire as a daring, dashing and ruthless highwaywoman. According to the legend, she was fatally wounded while holding up a stage wagon and died, at 26, soon afterwards. Her story has been popularised in films including the hugely-successful *The Wicked Lady* (1945) with Margaret LOCKWOOD and James MASON in the leading roles and in its 1983 re-make with Faye DUNAWAY and Alan BATES, and in books such as *The Life and Death of the Wicked Lady Skelton* (Magdalen KING-HALL, 1944), *Shadow on the Highway* (Deborah SWIFT, 2014) and *The Silvered Heart* (Katherine CLEMENTS, 2016).

And then there was the notorious, and reputedly riotous, Mary FRITH (1584-1669) who is said to have been almost sixty when she turned highwaywoman during the Civil War in England in the middle of the 17th century. Her most memorable exploit was when she robbed General Sir Thomas Fairfax. She held up his carriage on Hounslow Heath and relieved him of two hundred and fifty gold coins, each worth about 25 shillings. After shooting him in the arm, she killed two horses of his escort so that they could not prevent her escape. Captured eventually, she was sent to Newgate Prison where she avoided the hangman's noose by paying a huge bribe. When she passed away in her 80s she is said to have been mentally unwell.

Of course, romanticised and fictionalised accounts such as these give us an unreal picture of what highwaymen and women were really like. It would have been a most unpleasant, even terrifying, experience to encounter a highwayman or highwaywoman. Although there were well-born and well-mannered highwaymen, they were far outnumbered by those who practiced their trade with brutality. They were ruthless robbers and thieves who went about their business heavily armed. From first-hand accounts, we know that their language was often vile and their deeds even more vile. There are, for instance, well-recorded instances of innocent travellers being killed or wounded whether they handed over their money or not. There are recorded instances of rape and vicious molestation. In the 1720s, the notorious Hawkins gang are reported to have cut out the tongue of a female traveller who threatened to give evidence against them. Another, by the name of Tom Wilmot, is said to have cut off a woman's finger when he had difficulty removing her ring.

Nevertheless, because they operated on horseback, highwaymen and highwaywomen were often referred to as 'gentlemen' and 'ladies', and were seen to be the elite of 18th century banditry. They were certainly considered to be a cut above their loutish counterparts who operated on foot on the roads of the cities and were usually referred to as 'footpads'.

Footpads

The footpad's target was the pedestrian. The attacks of footpads were usually opportunistic rather than planned. Because it was safer to do so, they commonly operated at night. Darkness made escape easier and it diminished the possibility of the attacker being recognised by witnesses. The night also added an extra element of fear.

Often, footpads operated in gangs, their crimes accompanied by violence and in the very worst cases by murder. Commonly, some of the gang members were women, first because females were able to keep an eye out for likely targets without attracting as much attention as a loitering male and, second, because female clothing was often voluminous, it provided good places to conceal money and other items taken from victims, thus allowing gang members to walk away unnoticed from the scene of the crime.

Social and economic conditions in most urban centres in England in the late 18th and early 19th centuries gave impetus to this sort of crime. Reports tell of the wretched poor living in unsanitary conditions in over-crowded, vermin-infested houses along narrow and filthy streets in districts of extreme poverty and squalor. There was no electricity or gas, so roads were lit, if at all, by feeble oil lamps. At night, the back-streets were filled with the continuous noise of quarrelling and confusion. There was no public transport. Inside their homes, people used a candle or a small wick in a basin of oil for lighting. Usually, there was no running water. While some people were able to catch rainwater from their roofs in open barrels and tubs, most had to draw their drinking water from a well in the street. Most houses had no bath room, and many had no toilet. Under the windows of many houses were open sewers, full of stagnating water, dead fish and discarded refuse of all kinds. Successive outbreaks of cholera meant that the bodies of the dead became a constant problem as churchyard cemeteries filled to overflowing. As the populations of the major cities continued to expand, housing problems worsened. The crowding of cities and factory towns by workers led not only to severe housing shortages but also to the deterioration of existing housing and the growth of slums. The problem was aggravated by the erection of sub-standard housing for workers and by speculators seeking high profits. Behind the rows of small terraces was usually a chaotic network of mews or alleys for the storage of carriages and the stabling of horses. These laneways were a haven for footpads, pimps, prostitutes and urban riff-raff of all kinds.

The Demise of Highway Robbery

Because highway robbery in its various forms interfered with the freedom of people to travel and to conduct business, it was viewed as a particularly serious crime. However, the introduction and growth of paid police forces meant that the heyday of the highway robber, on horseback and on foot, was over by 1850.

The demise began with the establishment of the Horse Patrol around London in 1805, and was furthered by the founding of the Metropolitan Police in 1829. Following improvements also in road transport, banking and credit, the mounted robber virtually disappeared from English roads in the late 1820s. According to records at the Old Bailey, London, the last series of prosecutions for highway robbery heard there were in 1830 and, in the next eighty years only three more cases were tried there; one in 1832, one in 1877, and a final case in 1897.

That is not to say that robbery with violence on public roads had been totally eradicated – far from it! It continued to occur, of course. For instance, Catherine PICTON (*Nautilus*, 1837) and two male accomplices were found guilty at the Old Bailey of ‘violent theft and robbery’ after attacking a man and putting him in fear in Angel Alley, Whitechapel, London, on 23 October 1837. All three were sentenced to transportation for fifteen years. Catherine arrived in VDL on *Nautilus* on 29 August 1838 but her conduct record shows that she was transported for ‘robbery’ rather than for ‘highway robbery’ and so she has not been included in this study. The case of Mary Ann TOY (*Cadet*, 1847) is similar. Mary Ann and two male accomplices were found guilty at their old Bailey trial in June 1846 of beating and striking a man in a public street at Westminster, London, of putting him in fear and of taking from him a watch, a handkerchief and a sum of money. They were all found guilty of ‘assault with violence’ and sentenced to transportation for fifteen years. Mary Ann arrived in VDL on 21 September 1846. The term ‘highway robbery’ does not appear on her convict documents.

However, as the list of women transported to Van Diemen’s Land in Appendix 1 shows, convictions for ‘highway robbery’ continued in other jurisdictions until well after transportation to Van Diemen’s Land came to an end in 1853. For instance, sisters Judith and Mary RYAN were convicted of ‘highway robbery’ at their trial at Tipperary, Ireland, on 7 January 1852. They were sentenced to transportation for seven years and arrived in Van Diemen’s Land together on *Martin Luther* on 1 September 1852. On 24 February 1852, Rose CLARKE was found guilty of ‘highway robbery’ at her trial at Roscommon, Ireland. She was sentenced to transportation for ten years and arrived in Van Diemen’s Land on *Midlothian* on 24 February 1853.

Females Transported to Van Diemen’s Land for Highway Robbery

In this study, sixty-four women whose crime is listed as ‘highway robbery were identified’ in the FCRC database. (See Appendix 1, below.) (Note: There might be more than sixty-four; information about the crimes of the women is not always available, and there is often some ambiguity in the records.)

Although it has not been possible to find reports of the trials of all of these women, none seem to have resembled the stereotypical highwaywoman of the ‘Wicked Lady’, Lady Katherine FERRERS. None performed heroics on horseback, flourished a pistol or cried ‘Stand and Deliver!’ All seem to fit the ‘footpad’ mould more closely.

None were heiresses or aristocrats. In the main, they were house maids and farm servants, plain cooks, nurse girls and laundresses and the like, and between 19 and 25 years of age. Many had faced courts for theft previously and some had already spent time in gaol. One had been charged with highway robbery three times previously. Few of them acted alone when they robbed. Commonly, they were members of a gang - and frequently the wives or girlfriends of the male members. Often, a female member of the gang would engage the target in conversation, sometimes suggesting a sexual liaison, before other members of the

gang appeared from the shadows to bash and rob the victim. Sometimes a woman would operate with a female friend or acquaintance. Typically, their offences took place at night in unlit back streets and alleys into which they disappeared with their stolen loot. At least twenty-two of the women were 'on the town' at the time of their convictions.

Of the 64 women in this present study:

- Native place: England, 44 (incl. 10 from London); Ireland, 13; Scotland, 1; Wales, 1; Sydney, 2; unstated, 3.
- Average age: 24 (oldest 38, youngest 15).
- Trade or occupation: general servant, 12; house maid, 13; kitchen maid 6; nurse maid, 4; farm servant, 7; laundry maid, 3; plain cook, 1; net-maker, 1; stay-maker 1; button-maker, 1; silk weaver 2; fruit seller, 1; unstated 12.
- Marital status: single, 33; married (inc. de facto and widowed), 19; unstated 12.
- Literacy: read and write, 7; read only, 26; neither, 11; unstated 18.
- Sentence: life, 32; 15 years, 8; 14 years, 5; 10 years, 8; 7 years, 9.
- Previous convictions: 26 had at least one previous conviction.
- 'On the Town': 22 were on the town at the time of their conviction.

(The figures above are as accurate as gaps and ambiguities in some records allow.)

Appendix 1:

FEMALES TRANSPORTED TO VDL FOR HIGHWAY ROBBERY

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| 1 | Ashton, Jane (<i>Garland Grove</i> , 1843) | 32 | Mountain, Mary (<i>Blackfriars</i> , 1851) |
| 2 | Baker, Ann (<i>Cadet</i> , 1849) | 33 | Neale, Anne (<i>New Grove</i> , 1835) |
| 3 | Barker, Hannah (<i>Morley</i> , 1820) | 34 | Newman, Sarah (<i>Jane</i> , 1833) |
| 4 | Barry, Catherine (<i>St Vincent</i> , 1850) | 35 | Nicholson, Mary (<i>Woodbridge</i> , 1843) |
| 5 | Brown, Mary (<i>Sovereign</i> , 1827) | 36 | O'Neale, Mary (<i>Hindustan</i> , 1839) |
| 6 | Burke, Honora (<i>Lord Auckland</i> , 1849) | 37 | Oswin, Mary (<i>Tasmania</i> , 1844) |
| 7 | Campbell, Mary (<i>Morley</i> , 1820) | 38 | Oxenham, Eliz. (<i>Garland Grove</i> , 1843) |
| 8 | Clarke, Rose (<i>Midlothian</i> , 1853) | 39 | Parry, Susannah (<i>D. Northum'd</i> , 1853) |
| 9 | Davis, Jane (<i>Providence</i> , 1826) | 40 | Peckitt, Margaret (<i>Edward</i> , 1834) |
| 10 | Davis, Sarah (<i>William Bryan</i> , 1833) | 41 | Piggott, Bridget (<i>Blackfriars</i> , 1851) |
| 11 | Dearman, Martha (<i>Sovereign</i> , 1827) | 42 | Reilly, Mary (<i>Gilbert Henderson</i> , 1852) |
| 12 | Devign, Mary (<i>Mermaid</i> , 1828) | 43 | Robins, Susan (<i>Lord Sidmouth</i> , 1823) |
| 13 | Dowling, Cathrine (<i>D. of Cornwall</i> , 1850) | 44 | Robinson, Mary (<i>Mary Anne</i> , 1822) |
| 14 | Eyles, Hester (<i>Providence</i> , 1826) | 45 | Robson, Jane (<i>Henry</i> , 1825) |
| 15 | Fox, Charlotte (<i>Midas</i> , 1825) | 46 | Russell, Elizabeth (<i>Henry</i> , 1825) |
| 16 | Green, Ann (<i>Edward</i> , 1834) | 47 | Rutkins, Eliza (<i>Garland Grove</i> , 1841) |
| 17 | Hill, Mary (<i>Providence</i> , 1821) | 48 | Ryan, Judith (<i>Martin Luther</i> , 1852) |
| 18 | Jones, Eliza (<i>Atwick</i> , 1838) | 49 | Ryan, Mary (<i>Martin Luther</i> , 1852) |
| 19 | Kelly, Judy (<i>Borneo</i> , 1828) | 50 | Shaw, Margaret (<i>America</i> , 1831) |
| 20 | King, Martha (<i>Midas</i> , 1825) | 51 | Sibley, Frances (<i>D. of Wellington</i> , 1818) |
| 21 | Lawrence, Hannah (<i>St Vincent</i> , 1850) | 52 | Smith, Elizabeth (<i>Morley</i> , 1820) |
| 22 | Laylor, Bridget (<i>D. of Cornwall</i> , 1850) | 53 | Stannaway, Mary (<i>Sir Chas. Forbes</i> , 1827) |
| 23 | Lefevre, Elizabeth (<i>Providence</i> , 1826) | 54 | Storer, Mary (<i>Providence</i> , 1821) |
| 24 | Lestrangle, Bridget (<i>Providence</i> , 1821) | 55 | Tilling, Ann (<i>D. of Wellington</i> , 1818) |
| 25 | Lewis, Jane (<i>Borneo</i> , 1828) | 56 | Wafer, Alice (<i>Elizabeth Henrietta</i> , 1818) |
| 26 | Lindsay, Eliza (<i>Waverley</i> , 1847) | 57 | Wildon, Ann (<i>D. of Wellington</i> , 1818) |
| 27 | Lowry, Margaret (<i>Sovereign</i> , 1827) | 58 | Wilkinson, Sarah (<i>Persian</i> , 1827) |
| 28 | Loy, Mary (<i>Lord Sidmouth</i> , 1823) | 59 | Williams, Ann (<i>Garland Grove</i> , 1843) |
| 29 | McGill, Sarah (<i>Sovereign</i> , 1827) | 60 | Wood, Ann (<i>Harmony</i> , 1829) |
| 30 | Moran, Bridget (<i>Midlothian</i> , 1853) | 61 | Wynne, Elizabeth (<i>P. Charlotte</i> , 1820) |
| 31 | Mountain, Jane (<i>Blackfriars</i> , 1851) | 62 | Ward, Mary (<i>Emu</i> , 1816) |

Add #63 Bennett, Sarah (*America*, 1831)

Plus:

| | | |
|----------|---|--------------|
| 1 | Burnsides, Ann (<i>Currency Lass</i> , 1834) | Tried in NSW |
| 2 | Carroll, Ann (<i>Abercrombie</i> , 1840) | Tried in NSW |

Appendix 11

FCRC Spring Seminar, Hobart, 26 October 2016

PROLOGUE: THE STORY BEHIND THE CONVICT STORY – WOMEN’S LIVES BEFORE
TRANSPORTATION

WICKED WOMEN: FEMALES TRANSPORTED TO VAN DIEMEN’S LAND FOR HIGHWAY ROBBERY

ANN GREEN (*Edward*, 1834)

Ann GREEN was just 18 when she appeared at the Kent Western Assizes in December 1833 in company with Robert SLOCOMBE, 26, Nicholas GOODHEW, 31, and Harriett WALLIS, 28, charged with assaulting and wounding a man on the King’s Highway at Dartford, Kent, England, on 1 September 1833 and taking from him his silver watch and £1.7s.0d in coins.

The victim told the court that Ann Green had approached him on the road, put her arms around him and asked him where he was going. He had told her to be off, but Slocombe then came up and knocked him down. While he was on the ground, the gang members had rifled his pockets and escaped with his property. Later, police searched the premises which all four shared and found his watch hidden in the thatch of an outhouse. All were found guilty and a sentence of death recorded, later commuted to transportation for life in each case.

Slocombe, whom Wallis said later was the ringleader of the gang, was sent to New South Wales, arriving there on *Henry Tanner* in October 1834. Green, Wallis and Goodhew were sent to Van Diemen’s Land, the women arriving together on *Edward* in September 1834, Goodhew on *John Barry* a month earlier.

Interestingly, before they were shipped off, Lord MELBOURNE, Secretary of State for the Home Department, received a petition signed by more than forty leading citizens of the village of Isleworth, London, pleading that all four prisoners, and especially Slocombe, be spared from transportation. The petition stated that Slocombe had received a good education, had been well brought up and well known to all the signatories since infancy. Ann Green received no such commendation but the fact that this was her first known offence was mentioned.

SARAH NEWMAN (*Jane*, 1833)

On 6 September 1832, Sarah NEWMAN and an acquaintance, Samuel AUSTIN, appeared in the Old Bailey, London, charged with ‘feloniously assaulting Henry PETTY, a police constable, putting him in fear of his life, and taking from him against his will a handkerchief, value four shillings’. Sarah was 17 years old.

Petty testified that he was walking his beat at Shoreditch, London, at a little past midnight on 20 August 1832 when he heard loud cries of 'Police! Murder!' Then, he saw a man running towards him. Thinking that this man might have been involved in some crime, he stopped him to question him. At that moment, however, a gang consisting of four men and three women ran up and began to strike the man violently. Petty tried to prevent them from harming him but in the confused struggle which followed, the man managed to free himself and run away. The gang then attacked Petty, punched him to the ground, kicked him repeatedly and robbed him of his handkerchief. Then, they ran down the road, singing and dancing merrily as they went.

When Petty had recovered sufficiently he sounded his rattle and soon was joined by some fellow officers. From the description he was able to give, other officers thought they could identify Sarah Newman and Samuel Austin. A week later, Petty and his sergeant visited the house in which Sarah lived with her mother. There, they found a pawn-broker's docket, indicating that Sarah had received money for a man's handkerchief a couple of days earlier. She was arrested and taken to gaol.

In court, Sarah denied that she had been present when Petty was assaulted and claimed that the co-accused, Austin, had given her the pawn-broker's docket to mind for him. The jury did not believe her. She was found guilty as charged and sentenced to death, later commuted to transportation for life.

JANE DAVIS (*Providence*, 1826)

On 30 June 1825, Jane DAVIS was tried at the Old Bailey, London, for 'feloniously assaulting James MARSH, a clerk, on the King's highway at Whitechapel, London, putting him in fear, and stealing against his will eight sovereigns, four half-sovereigns, a bank note for £30, a bank note for £5, as well as his purse, value three pence.

In court, Marsh swore that he was walking alone along a road in Spitalfields, London, when he was approached by Davis who asked him to accompany her to her lodgings. When he refused and walked away, she followed him, begging him to buy her something to drink. Again, he refused. At that point, the co-accused, Ferris, came up, abusing him in foul language for not acceding to Davis's requests. Together, Davis and Ferris pushed him to the ground, tearing at his clothes and thrusting their hands into his pockets in search of valuables. After finding his purse, the coins and the bank notes, they ran off into the night. He searched for them but was unable to find them. In response, Davis had nothing to say except that she could prove Ferris was at home during the time in question. The jury did not believe her and found both women guilty. A sentence of death was recorded in both cases, later commuted to transportation for life.

MARGARET PECKITT (*Edward*, 1834)

Margaret PECKITT was born at Arbroath, Angus, Scotland, c1811. It is believed that her maiden name was SMITH and that she was the daughter of Thomas and Isabel (KINNEAR) SMITH but that has not been confirmed. On 14 February 1829, she married Richard PECKITT at Kilburn, Yorkshire, England. Later, she was to tell authorities in Van Diemen's Land that she had been separated from her husband since the marriage because she had discovered then that he was already married. Nevertheless, when she faced court at the Yorkshire Lent Assizes on 14 February 1834, she was the mother of two children.

Peckitt's case is another strange one. It is not clear why her offence was considered 'highway robbery'. There were no threats, violence, or intimidation. No one was injured. No one was put in fear. No one else was directly involved. The offence did, however, taking place on a public road.

She was charged with having robbed the stage wagon of Messrs, HORNSBY and WILSON of a parcel containing £80. Witnesses told the court that the parcel was put aboard the wagon at Malton in the north of Yorkshire to be delivered to a house at Hull in the south. Peckitt, a dairy maid, who was a passenger that day, had opened a hamper and abstracted the parcel containing the money. When apprehended, she confessed to taking it. Found guilty by a jury, she was sentenced 'to be transported beyond the seas for a term of fourteen years'.

Before sentence was passed, the court heard that Peckitt had been convicted of a felony once before. A brief report of her trial in the *Hull Advertiser and Exchange Gazette* of 4 April 1834 mentioned that she had escaped from prison twice. Later, in Van Diemen's Land, where she arrived on 4 September 1834, she stated that she had been gaoled previously for six months for stealing money.

ANN WILLIAMS (*Garland Grove*, 1843)

Ann WILLIAMS, 29, was charged at the Norfolk Quarter Sessions on 9 March 1842 with stealing a sovereign and five shillings from the person of William GANT.

On oath, Gant testified that at night on 16 December 1841 he was returning on horseback from Dereham Market when he stopped opposite the George Inn to tighten the saddle girths. While he was doing this, Williams came up to him asking for money. At that point he heard footsteps behind him and he turned his head to see who was coming. Meanwhile, two men approached from another direction, took his hat off and threw it away, and gave him a blow to his head. He fell to the ground and immediately felt Williams' hand in his trouser pocket. In attempting to pull her away, he dragged off her cloak and was able to get a good look at her face. She and her companions – one of whom was her husband, William WILLIAMS, who was thought to have been the leader of the gang - then ran off, taking his money with them but leaving her cloak still in his hands. Several witnesses at the trial were able swear that the cloak belonged to Ann Williams. Without hesitation the jury found her guilty and she was sentenced to transportation for ten years.

She arrived in Van Diemen's Land on 20 January 1843. There, she stated that she was a house and dairy maid by trade. She also told the authorities that she had been charged with highway robbery four times previously but on three of those occasions the charge had been dismissed.

Interestingly, the report of the surgeon-superintendent aboard *Garland Grove* gave Williams an outstanding commendation. In his report he wrote: "This woman was of great assistance to me as nurse in the hospital and conducted herself with great propriety, was kind to the sick, most attentive by night and day, and an excellent worker."

SUSANNAH PARRY (*Duchess of Northumberland*, 1853)

The case of Susannah PARRY is an interesting one because her convict documents state that she was transported for 'theft with violence' and yet she herself stated upon arrival that she had been transported for 'highway robbery'. A shoe-binder by trade, she was a 24 year-old mother of two when tried at the Gloucester Assizes in August 1851. Charged with her was Thomas WEAVER, 22, a shoemaker. They had been living together as husband and wife at a lodging house near the Westgate Bridge in Gloucester for a week or so before the night in question.

In court, a Mr. McNAMARA, testified that he was crossing the bridge on the night of 25 July when Parry approached him, and endeavoured to detain him by holding his coat. When she asked him where he was going and he had told her to get about her business. While he was talking to Parry, another man, whom he now knew to be Thomas Weaver, passed them without speaking. When he eventually broke free from Parry, he walked on but Parry continued to follow him asking for money. A short way on, he noticed Weaver crouching down in the darkness under a wall. Suddenly, Weaver jumped up and pressed his knuckles into his throat. In the struggle which followed, McNamara said that he felt nearly strangled. He was knocked down and had blood running from his mouth. Eventually, he was able to call loudly for the police and Weaver and Parry had run off together. When they had gone, he noticed that the pockets of his trousers had been turned inside out and that the money he was carrying - £1.17s.6d - was missing. .

Parry was sentenced to transportation for seven years, Weaver for fourteen. Parry, who had an infant in her arms at her trial, arrived at Hobart with a child on 21 April 1853. For some reason, Weaver did not leave England until 2 February 1855. He was sent as a convict to Western Australia, arriving there on *Stag* on 23 May 1855.

ELIZABETH LEFEVRE (*Providence*, 1826)

On 17 February 1825, Elizabeth LEFEVRE stood before Mr. Justice BROUGH and a jury at the Old Bailey, London, charged with feloniously assaulting a young girl on the King's Highway at Norton Falgate in inner London on 20 January, putting her in fear, and taking

from her person and against her will the shawl she was wearing (value 7 shillings) as well as a basket (value 4 pence) she was carrying containing a number of items of clothing (value 4 shillings).

The girl, Sarah PAGE, told the court that her mother had asked her to take a basket of clothes to a relative who lived close by. Before she left the house at about five o'clock in the evening, her mother had pinned a shawl around her shoulders. As she walked down Shoreditch, she noticed two women, one of whom she now knew to be the prisoner, standing together near a water-pump. As she approached them, the second woman, came up to her and, holding her firmly about the waist, unpinned her shawl and took it off. The prisoner then snatched the basket out of her hands and both women ran off.

A few days later, a law officer, acting on information he had been given that one of the women involved had a cast in her eye, apprehended Lefevre and Sarah Page was able to identify her positively as one of those who had assaulted and robbed her.

In her defence Lefevre said that she had not been out of doors at any time on the day in question but the jury did not believe her. She was found guilty and a sentence of death was recorded, later commuted to transportation for life. She arrived in Van Diemen's Land on 16 May 1825. She was 19 years of age. She could neither read nor write. She was a silk-weaver by trade.

HANNAH BARKER (*Morley*, 1820)

Hannah BARKER was convicted of violent theft and robbery when she appeared at the Old Bailey, London, on 1 December 1819. Twenty-two years old, she was one of a gang of five tried together that day. The other members of the gang were James MILLER, 35, William HOWARD, 22, Mary CAMPBELL, 23, and Elizabeth SMITH, 24. All had been indicted for feloniously assaulting Robert ARNOTT on 13 November 1819, putting him in fear, and taking from his person and against his will, two handkerchiefs (value 4 shillings) and some 18 shillings in coins.

Arnott told the court that he was walking along The Strand, London, when he was approached by Hannah Barker who persuaded him to go with her to a parlour in Vine Street. There, she led him into a room and locked the door behind them. She then asked him to buy her a drink and when he refused she let out a loud cry of 'Murder!' At that, the other four members of the gang forced their way into the room and began to assault him. While the three women held him, one of the men punched him in the mouth. The other struck him violently on the head. They then rifled his pockets taking the money and a handkerchief. Before running off, they forcefully removed another handkerchief from his neck.

After they had gone, Arnott, bleeding from the mouth, called a watchman who signalled for other watchmen in the locality to come to his aid. After a brief search, the watchmen discovered the gang hiding together in an upstairs room of the house and arrested them.

Questioned, Arnott said that he was positive that it was Hannah Barker who had led him into the room and locked the door but admitted that she had not been as active as the other women, Campbell and Smith, in the assault. Regardless, the jury found all five members of the gang equally guilty. A sentence of death was recorded for each but later commuted to transportation for life.

It was not Hannah Barker's first offence. Her gaol report reveals that she was known at Newgate prison for a previous offence. A general servant by trade, she could both read and write.

Barker, Elizabeth Smith and Mary Campbell arrived together in Van Diemen's Land on 29 August 1820. James Miller was sent to New South Wales arriving there on *Shiple* on 26 September 1820. William Howard was also transported on *Shiple* but after reaching Sydney was sent to Hobart.

ALICE WAFER (*Maria* to NSW, 1818; *Elizabeth Henrietta* to VDL, 1818)

Alice WAFER was born at Liverpool, England, c1800. Little is known about her early life. On 22 March 1817, she was tried at Lancaster Assizes for having assaulted a Mr. T. ROBINSON at Manchester on 10 October 1816 and taking from his person a pocket-book containing a bill of exchange for £30, a Bank of England note for £5 and eight £1 notes, his property.

Indicted with her were five other members of the gang of highway robbers with which she was involved: Joseph BRATT, John ROBINSON, William ROBERTS, Margaret TAYLOR and Sarah PLATT.

Referring to the crime as 'the outrage of a gang of those desperadoes who have become so formidable in this county but more partially in the neighbourhood of Manchester', the *Lancaster Gazette* of 16 April 1817 said that one of the gang, Margaret Taylor, had given evidence against her associates at the trial. She was acquitted as were Sarah Platt and William Roberts. Alice Wafer, however, who was 17 years old, was found guilty, as were Joseph Bratt and John Robinson, both of whom were nineteen. All three were sentenced to death, later commuted to transportation for life.

A servant by trade, Wafer was 19 when she arrived at Port Dalrymple, Van Diemen's Land, on 11 October 1818.

ANN WOOD (*Harmony*, 1829)

On 13 March 1828, Ann WOOD and a male accomplice, John SIMPSON, stood trial on a charge of highway robbery at the Lent session of the Stafford Assizes.

The prosecutor, described by the *Staffordshire Advertiser* of 22 March 1828 as a 'defenceless old man' admitted that he was not quite sober when returning home from a nearby market on the night of 23 August 1827. He had only gone about a quarter of a mile from the market when a woman came up to him, took his arm, and began to address him with 'loose discourse'. As this was happening, her male companion came up and struck him violently on the head two or three times. The woman then took his shoes and jacket as well as his knife and half a sovereign and ran off together. He then returned to the market where he told a constable about the incident. Four hours later, the constable found Wood and Simpson in bed together with the stolen jacket lying on the bed and the knife in one of the pockets.

The court was told that Wood and Simpson had been out together that night and had not returned to their lodgings until after midnight. The jury found both guilty and a sentence of death was recorded in each case. Ann arrived in Van Diemen's Land on 13 September 1829.

ANN BURNSIDES (*Currency Lass*, 1834)

Born at Parramatta, New South Wales, in 1819, Ann Burnsidess was only 15 when transported to Van Diemen's Land from Sydney after being found guilty of highway robbery in 1834.

The daughter of convict Sarah Burnsidess (*Ann*, 1810), Ann had been sent to the Orphan School at Parramatta at the age of eight in August 1827 following the death of her father and a statement by her mother that she was unable to look after the child.

It is believed that she was still at the Orphan School when charged with her crime. At her trial in the Supreme Court, Sydney, on 17 May 1834, the jury heard that Ann and a man by the name of Noble FOSTER were accused of the highway robbery of one John CLIFFORD. It was claimed that Ann had met Clifford at the Female Factory at Parramatta when he had gone there to look for a suitable female convict to marry. There, he was preyed upon by Ann who offered to live with him. Later, she lured him to a place where Foster was waiting in ambush. Brandishing a pistol, Foster threatened to 'blow Clifford's brains out' unless he handed over his money.

Before passing sentence, the judge, Sir William Westbrooke BURTON, stated that, in his opinion, the 'aggravated nature' of the crime and the peculiar circumstances under which Foster and Burnsidess had committed it were such that they should both receive 'the extreme punishment of the law', execution. But, after consulting with his fellow judges, he directed that, although sentences of death be recorded for both prisoners, these be commuted to transportation for life.

ANN CARROLL (*Abercrombie*, 1840)

On 7 November 1840, Ann CARROLL was brought before the Supreme Court of New South Wales, Sydney to answer two charges: assault with intent to murder, and assault with intent

to do grievous bodily harm. Found guilty of the second charge, she was sentenced to transportation to VDL for 15 years. She arrived at Hobart on *Abercrombie* on 12 December 1840. She was 20 years old. She was accompanied by a infant daughter.

Little is known with certainty about her life before her conviction. At her trial, she was said to have been born in the colony. In 1837, at 17, she married Joseph CARROLL. The marriage certificate names her as Ann BLAKE, a widow, which means that Blake was probably not her maiden name. (NSW BDM has a record of the marriage of a Robert BLAKE and Ann ASHTON in 1834. Was that Ann? However, there is no record in NSW of the death of a Robert Blake between 1834 and 1837.)

At Ann's trial, the court heard that on the evening of 20 June 1840 she had been drinking with a group of men in the 'Robin Hood', a hotel near Cambelltown in outer Sydney, when she got into a heated argument with a 60 year-old man by the name of James HOYLE whom she accused of being the cause of one of her men friends' being punished. When Hoyle left the hotel shortly afterwards, Ann followed him in the dark, tripped him over, took from him the bottle of rum he was carrying, and beat him with it violently over the head. She then left him, unconscious and bleeding profusely from more than a dozen wounds, on the side of the road. The next morning, Hoyle managed to drag himself back to the hotel where he was treated by a doctor.

In her defence, Ann stated that she had gone to the hotel for a drink with a woman friend and that when she left alone some time later Hoyle had followed her. Overtaking her on the road, he had asked her to go into the bush with him and that, if she refused, he would make her suffer for it. He then produced a bottle of rum and tried to make her drink some. She had then taken the bottle from him, and when he laid hands on her again, she struck him several times on the head with it.

The judge told the jury that he did not think Ann could be found guilty of attempting to murder Hoyle but that they would have to make up their own minds about whether she had assaulted him with intent to do grievous bodily harm. He said that it was for them to decide whether she was justified in inflicting the wounds she had. The jury had little trouble in reaching its verdict.

Her conduct record states that she was transported for highway robbery.

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