

ANN FISHER

[*Mary III*, (3), 1831]

by

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Ann Fisher arrived in Van Diemens Land (VDL) as an impoverished nineteen year-old convict per *Mary III* in October 1831 and died there in 1872. She had been a prisoner of the crown for seventeen years and, even after she had gained her freedom, her life was a continual struggle against hardship and the law. It is impossible to read her story without feeling great sympathy for her.¹

Ann was born in London about 1812 but little is known of her early life except that, apparently, she had been caring for herself from her early teenage years.² Whether she had been orphaned, or abandoned by her parents, or had run away from them, is unknown. What is clear, however, is that she had been a regular recipient of ‘out-door relief’ from a London workhouse before her conviction and transportation.

The term ‘out-door relief’ refers to the assistance given to the poor of England, in the form of money, food, clothing and other goods, without the requirement for them to live in a workhouse. Until the passing of the ‘Poor Law Amendment Act’ in 1834, the workhouses of England, generally speaking, accommodated only the aged, the sick, the feeble and the very young.³ Before that, recipients of assistance such as Ann lived privately and only came to the workhouse for ‘out-door relief’ when they needed it.⁴

At the time of her trial at the Old Bailey, London, on 12 May 1831, Ann was living with at least one other girl at a farm-house in Islington. Was it a brothel? It might have been because, in VDL later, Ann confessed to having been ‘on the town’ – that is, a prostitute – for two years before her conviction.⁵

¹ CON40-1-1, Image 189; Police Number 98; FCRC ID: 8632. Ann’s age is shown in Old Bailey records of her trial as seventeen. In VDL some months later, she stated that she nineteen.

² CON40-1-1, Image 189.

³ The ‘Poor Law Amendment Act 1834’ was aimed at ending ‘out-door relief’ but was only partly successful in doing so; see http://humanities.uwe.ac.uk/bhr/Main/abstract_poorlaw/2.htm

⁴ Term ‘out-door relief’: see <http://www.britannica.com/event/Poor-law>;
<https://historyextra.com/period/victorian/the-rise-and-fall-of-the-workhouse>;
<https://socialwelfare.library.vcu/programs/poor-laws>;
<https://www.nationalarchives.gov.uk/education/resources/1834-poor-law>

⁵ Old Bailey trial: Case t18310512-198 at www.oldbaileyonline.org; ‘on the town’ - CON40-1-1, Image 189.

At her trial, Ann was charged with ‘feloniously uttering a forged order for the delivery of goods’ from the workhouse of the parishes of St. Giles in the Fields and St. George, Bloomsbury, London. Mrs. Sarah Bailey, one of the two principal witnesses, told the court that she was the matron of that workhouse and that, on 30 March 1831, Ann had come to her and presented her with an order for ‘a shift, a petticoat and a pair of shoes’. Believing that it was a genuine order because it had been signed by Thomas Tucker, an assistant overseer of the institution, Bailey had given her the goods. However, a day or two later, Tucker had told Bailey that he had no knowledge of the order and that it had to be a forgery. In court, Tucker swore that the order was not in his handwriting, that he was the only person permitted to sign such orders and that he had never seen it before. In her defence, Ann said she had loaned her clothes to a girl at the farmhouse but she had not returned them. Consequently, she had gone to see Tucker on three consecutive days – 28, 29 and 30 March – to get more clothing and that, while he had refused to sign the order on the first two occasions, he had indeed signed it on the third. The judge did not believe her. She was sentenced to transportation for fourteen years.⁶

Ann was put aboard *Mary III* which sailed from Woolwich with 151 female prisoners on 11 June 1831 and reached Hobart on 19 October. The ship’s surgeon, Samuel Sinclair, reported that Ann had been ‘turbulent’ during the voyage.⁷

Upon arrival in Hobart, Ann was described as being nineteen and single. She was five feet and a quarter of an inch (about 152 cms) tall, with a swarthy, slightly pock-pitted complexion, dark brown hair and blue eyes. She could read but not write. She was a Catholic, and a housemaid by trade. She admitted that she had had a prior conviction in England – for disorderly conduct – and had spent some days in confinement for it.⁸

In the colony, Ann was troublesome. In the seventeen years between her arrival in 1831 and 1848, when she was granted her certificate of freedom, she was charged with offences on twenty-two separate occasions.⁹ Most of these offences were relatively minor. Only one involved violence - and that to a fairly insignificant extent. Nevertheless, she spent more than two years of her sentence behind bars.¹⁰

Ann’s first offence in VDL provided a good indicator of the way the remainder of her term of servitude would go. On 11 November 1831, after just a few months in the colony, she was charged with ‘contumacious conduct’ while assigned to the Monds household.¹¹ The dictionary

⁶ Old Bailey trial: Case t18310512-198 at www.oldbaileyonline.org.

⁷ ‘turbulent’ quote, via FCRC website, not located; see Sinclair’s *Mary III* (1831) medical report at www.femaleconvicts.org.

⁸ CON40-1-1, Image 189; description list, CON19/1/1, page 486.

⁹ Certificate of freedom issued 15 May 1848 – *Hobart Town Gazette*, 23 May 1848.

¹⁰ CON40-1-1, Image 189.

¹¹ CON40-1-1, Image 189.

defines ‘contumacious’ as ‘stubbornly rebellious; wilfully and obstinately disobedient’ and this seems to sum up Ann’s attitude at this time well.¹²

Throughout the 1830s and early 1840s, Ann’s rebelliousness and wilful contempt of orders brought her into conflict with the settlers to whom she was assigned – and, of course, the authorities – continually.

In 1834 and 1838 (twice), Ann was charged by her masters and mistresses with ‘insolence’. In 1832, 1837 and 1838, she absented her herself from her assigned service without leave, in 1832, she was charged with ‘neglect of duty’, in 1834, with ‘disorderly conduct’, in 1838 with ‘stealing a piece of flannel, the property of her mistress’, in 1839 with ‘disobedience of orders’ and in 1844 with being ‘out after hours’. For these offences, she was customarily sent to the Cascades Female Factory, sometimes to be confined in a solitary working cell for varying periods while being fed only on bread and water. On one occasion she was required to spend six weeks of back-breaking labour at the washtubs.¹³

But these were only Ann’s relatively minor transgressions. For her more serious offences, she was punished severely. On 17 December 1834, she was charged with ‘gross insubordination in assaulting a woman giving evidence against her [in court] and in abusing the sitting magistrates and calling them names’. For this, her original sentence of transportation – fourteen years - was extended by three years. Two weeks later, and possibly connected to the charge she had faced earlier in the month, she was charged with larceny. Found guilty, she was removed from her place of assignment and returned to the Cascades Female Factory with instructions that she was not to be assigned again without the special permission of the Lieutenant-Governor of the colony and that, if she should be given permission, she was to be assigned well away from any township. In December 1840, she was charged with ‘lying under oath’. For this offence, she was sentenced to another three months detention at the Cascades and, perhaps more significantly, the ticket of leave that had been issued to her on 20 October – just two months earlier – was cancelled. It was not long after her release from this detention that she received her lengthiest gaol term. In November 1841, while in the service of Jackson, she absconded and, when apprehended, was sentenced to twelve months imprisonment with hard labour.¹⁴

Despite the frequency of her court appearances and terms of confinement, Ann seems to have found a little time for romance. In early 1836, after she had been five years in the colony, James Aikman (also seen as Akeman and Oakman), a former convict now free by servitude, applied for permission to marry her. However, while the application was approved, the marriage did not eventuate. Why? The reason for this is not known. Could it have been because Ann, on reflection, considered Aikman too old for her? She was still only about twenty-four; Aikman,

¹² See <https://www.lexico.com/definition/contumacious>

¹³ CON40-1-1, Image 189.

¹⁴ Newspaper or other reports of these cases have not been located; ticket of leave: *Hobart Town Gazette*, 5 October 1840; cancellation of ToL: CON40-1-1, Image 189.

who had been convicted at the Glasgow Court of Justiciary in 1815, had been in the colony since his arrival (*Sir William Bensley* to NSW; *Elizabeth Henrietta* to VDL) in October 1816. Although his age is not known, it is possible that he was twice as old as Ann.¹⁵

As it happened, Ann remained single all her life. Nevertheless, she gave birth to at least one, and possibly two, children in the colony.

Records show that the baptism of a daughter, Sarah Ann Evans, was registered at Launceston on 31 August 1832. The mother's name is shown as 'Ann Fisher' and the father's as 'George Evans'. At the time of the birth, Ann had been in the colony for only ten months. On 22 May 1832, three months before the baptism, she had been charged while assigned to Wright with being 'absent' from her service without permission. As punishment, she had been sentenced to spend three months at the Female Factory at George Town, about thirty miles (fifty kms) north of Launceston. So, she was certainly in the north of the colony at that time. Of George Evans, nothing more is known. There appears to be no indication in newspapers or documents that Ann had contact with a man of that name again.¹⁶

Sadly, on 27 February 1836, Ann admitted little Sarah Ann, then three and a half years old, to the Queens Orphan School at New Town, Hobart. Unmarried, Ann was obviously unable to take care of the child herself. The admission record states that the child's surname was 'Fisher' and that the father's name was unknown. Sarah Ann remained there until discharged nine years later to a Mrs. Martin of Hobart, probably to work as a servant for her.¹⁷

Of Ann's second child, possibly named Henrietta, thought to be born in 1837, nothing is known. Her name has not been located in records of any kind yet. Did she survive infancy? Who was the father? Further research is warranted.¹⁸

Eventually, however, Ann's long term of servitude – fourteen years plus the extra three by which it had been extended in 1834 – was up. She was free again! The ticket of leave which had been suspended in 1840 had been restored in 1844 and in 1848 she was free by servitude.¹⁹

But that was not the end of Ann's trouble with the law. Throughout the 1840s and 1850s, newspapers of the day carried a number of reports of the appearances of a woman named 'Ann Fisher' in court charged with offences that are not on Ann's conduct record.²⁰ However, as it is known that there was at least one other woman by the name of 'Ann Fisher' in the colony at that

¹⁵ Aikman: CON31-1-1, Image 7; permission to marry: CON52-2-2, Page 2

¹⁶ Sarah Ann: baptism – RGD32/4567/1832, Launceston, via 'Digger: Tasmanian Pioneer Index, 1803-1899; registration of births, deaths and marriages was not compulsory in VDL until 1838.

¹⁷ Orphan Number 1838; see Queens Orphan School records at www.orphanschool.org.au.

¹⁸ Henrietta is named on the FCRC website as Ann's daughter but no verifying documents have been located.

¹⁹ CON40-1-1, Image 189; ticket of leave restored, *Hobart Town Gazette*, 21 June 1844.

²⁰ See, for instance, *The Courier*, 10 December 1845, p.3; *The Hobart Guardian*, 26 July 1848, p.3; *The Hobart Town Daily Mercury*, 20 October 1859, p.2.

time, it would be unjust to attribute all of these sightings to the Ann Fisher who had arrived in VDL on *Mary III* in 1831.²¹

Nevertheless, records show that only one ‘Ann Fisher’ was ever transported to VDL as a convict²² – and one particular newspaper report, published in *The Cornwall Chronicle* in March 1845, *does* indeed seem to refer to the ‘Ann Fisher’ of *Mary III*. And it is possibly a very important one for an understanding of Ann’s nature and behavior. It read:

The elegant Miss Ann Fisher, with a face as red as a carrot, and with a corporation which would not have disgraced 'Daniel Lambert', in answer to a question from the clerk as to her position in the colony, replied, 'she was an emigrant to be sure, what did he think her?'

Clerk— I don't know, but from your frequent visits here I thought you were one of Lord Stanley's importations, but no matter, how do you plead to the charge of making use of language highly indelicate when under the influence of strong waters?

Defendant— I dare say I am guilty, but can't help it— it is a way I have got.

*Magistrate— Oh, it is a way you have got, is it young woman, very well, pay 10s., and try and keep from coming this way again.*²³

The clerk’s reference to Lord Stanley, the British Secretary of War and Colonies in 1833 and 1834, makes it clear that he thought that this Ann Fisher was a convict. On this occasion she had been charged with drunkenness and ‘indelicate’ language and was fined ten shillings.

The clerk’s references to Miss Fisher’s florid complexion and her ‘corporation’ (that is, her bulk) - and his allusion to ‘Daniel Lambert’ - are also interesting. Daniel Lambert (1770-1809) was a prominent English gaol-keeper, well-known for the enormous size of his girth. He was fat!! In 1805, he was said to have weighed fifty stone (about 320 kgs) and was reputed to be the heaviest authenticated person in recorded history to that time. So, was Ann also *grossly* overweight? Could her attitude to life be explained – partly, at least – by her highly-flushed appearance and excessive weight? Was it this that made her defensive, irritable and rebellious, perhaps?²⁴

Ann’s conduct record reveals that her last two ‘official’ offences both occurred in 1865, seventeen years after she had been granted her certificate of freedom and more than ten years after the transportation of convicts to VDL had come to an end. Both of these charges were for

²¹ See ‘Ann Fisher’ in ‘Digger – Tasmanian Pioneer Index, 1803-1899’.

²² See FCRC database at www.femaleconvicts.org.

²³ *The Cornwall Chronicle*, 29 March 1845, p.2.

²⁴ Lambert: <https://www.natioalgalleries.org/art-and-artists/33506/daniel-lambert-1770-1809-son-daniel-lambert-keeper-leicester-gaol-fat-man>; see also <https://www.wikipedia.org/>

'larceny'. For the first offence, she was sent to the Female Factory for three months and, for the second, six months. She was then in her early-mid fifties.²⁵

Nothing is known of Ann in the last five years of her life. She passed away at the General Hospital, Hobart, on 22 May 1870. She was about sixty years old. The cause of death was cancer of the colon.²⁶

²⁵ CON40-1-1, Image 189. The last offences on Ann's conduct record are in February 1865 and September 1865; no details of the charges have been located.

²⁶ Death: RGD35/9289/1870, Hobart.