

Well-Travelled Convicts

Margaret Jones

Over the many years of researching my family and convicts lives of the women of the *Emma Eugenia* (1842) I have met many brick walls, like us all. Having now looked at over 60 female convicts off the *Emma Eugenia* I have started to see a common theme when I hit such barriers. What is emerging from all this research is the amount of travel that emigrants and convicts to Australia have been involved in and the need to explore all possible beginnings and destinations of these people.

The convicts have in common the journey on a transport ship from the UK to Australia. Some have travelled before their conviction, for example from Ireland to England or Scotland.

Mary Edwards was convicted in Liverpool Quarter Sessions, Lancashire England in 1841 of Stealing money from the person. Her native place is listed on her indent as Drogheda, Ireland and she had committed the crime in Wales. Mary was sentenced to 15 years transportation and arrived in Hobart Town in 1842. She married in Westbury, Tasmania in 1848 to Thomas STEWART.

Thomas is a good example of a well-travelled convict before his arrival in Tasmania. His Convict Conduct Record (Tasmania Archives and Heritage Office: Convict Conduct Record CON31/1/41; image 114) states that he was Court Martialled in 1838 in Montreal, Lower Canada as a soldier, for desertion. His convict description states that he was a native of Worcestershire, England, aged 23 (born about 1815) and received a sentence of 14 years transportation. The first stage of his transportation was to be placed on a troopship, the *Atholl* at Quebec in November 1838 and taken as a prisoner to England. The *Hampshire Telegraph* (British Newspaper Archive:3 December 1838, page 4) reports the ship sailed from Quebec 3 November but due to thick fog & heavy gales, was stranded in the Lawrence River for a week. It took 19 days to sail from the mouth of the St Lawrence to Portsmouth, England and carried 37 convicts back to face their sentences. On 30 November Thomas STEWART was taken onto the prison hulk *Leviathan* at Portsmouth, England until 3 July 1839 when he was "disposed to Van Diemens Land". He was transported on the *Layton* and arrived at Hobart 6 December 1839 to serve a sentence of 14 years. He received a Ticket of Leave in 1846 and married Mary Edwards. However, in 1851 he deserted Mary and departed Launceston per the *Shamrock* for Geelong, Victoria. Nothing more was to be found regarding Thomas, but Mary married William GLAZEBROOK in Sorell, Tasmania in 1853. Mary was described as a widow. Thomas had travelled from Worcestershire England to Lower Canada, from Montreal and Quebec to Portsmouth, England, from Portsmouth to Hobart Tasmania and Launceston to Geelong, Victoria, and perhaps further afield.

For many the transportation sentence was just the beginning of their travels. Emma CAREY was convicted in Bath Quarter Sessions, Somerset, England in 1841 for stealing a dress in Bath. She was 17 years old (born about 1825), received a sentence of 10 years transportation and arrived in Hobart in 1842 aboard the "Emma Eugenia". In 1843 Emma married James SULLIVAN in Hobart, Tasmania (Tasmania Archives and Heritage Office: Marriages in the District of Hobart 1843: RGD37/1/3 no. 569). In December 1844 they had a daughter, Emily SULLIVAN, at Hobart.

On Emma's Convict Conduct Record (Tasmania Archives and Heritage Office: Convict Conduct Record CON40/1/2; image 220) written in faint pencil, is this entry: *1st April 1845 Travelled to Norfolk Island in the service of Wm Foster Esquire*. Not having found any information about Emma's time on Norfolk Island, I widened out my search to look for Emily. Emma was found in Fitzroy, Victoria in 1862, giving permission for her daughter Emily to marry Jacob Gartside WHITTAKER. There is no mention of James Sullivan but in later documents Emma is described as a widow, so it is assumed that James died prior to 1862 either on Norfolk Island or in Victoria.

From this time on Emma appears to have lived with her daughter and son in law in two more international places. Emma SULLIVAN is listed in the 1900 United States Federal Census in Los Angeles, California living with Jacob G and Emilie WHITTAKER, aged 72 years, born England in March 1828 and mother in law to Jacob. Emilie is described aged 56 years, born in Australia in December 1844 and as being married 38 years. Jacob aged 69 years, born June 1830 in Ohio USA, a foundry man. Emma does not appear in the 1910 Census with Emilie and Jacob and it seems she died between 1900 and 1910 in California. Before arriving in the United States of America the family was living in New Zealand between 1864 and 1880. Four of their children's births are registered in Auckland, NZ and the family is listed on the ship *SS Zealandia* departing Auckland in December 1880 for Honolulu and San Francisco. Emma certainly saw her way almost around the world, Wiltshire, England to Los Angeles, USA via Tasmania, Norfolk Island, Victoria and New Zealand.

Finally, there is Mary DOUGAL, whose travels were easily tracked by her numerous court appearances along the way from Scotland to Tasmania, Victoria & New Zealand. As I research the convicts of the ship *Emma Eugenia*, New Zealand is emerging as a popular final destination for many.

Mary was born in Perth, Scotland in 1819. She was convicted at Perth Court of Justiciary in 1841 of stealing a handkerchief. Her sentence of 7 years transportation seems to be a little harsh until you read through her court history. Between 1838 and 1841 Mary received four sentences of imprisonment all for stealing. In the *Perthshire Advertiser*, 23 September 1841, a full description of her convictions shows that she was well known especially for her drinking and street behaviour.

William WOOD, a policeman said in his witness statement "...[Mary] does some work at times and then goes a drinking and stealing. If I saw her in the street the worse of liquor and apparently carrying anything I would apprehend her and question and search her. She associates with thieves and dissolute persons...." (Perthshire Advertiser, 23/09/1841, The British Newspaper Archive, The British Library)

Mary was transported per the *Emma Eugenia* to Hobart, Tasmania in 1842 and married Philip HORTON in 1845 at Carrick, Tasmania. Philip was a free by servitude farmer aged 32 and Mary was 23 years old. She seemed to have settled into a quiet life and they had three children in Tasmania between 1846 and 1851. In April 1851 They departed from Launceston aboard the *City of Sydney* in steerage bound for Portland, Victoria. Philip established himself as a butcher in Bendigo, the family living at Irish Town near Castlemaine. However, from 1854 Mary established herself in quite a different way. There are a number of regular court convictions including for stealing and being drunk between 1854 and 1861 reported in the newspapers. She regularly received heavy fines or imprisonment sentences. In 1856 she was charged with disorderly and disgusting behaviour in the public streets.

1856: Bendigo Advertiser (Vic: 1855-1918), Thursday 13 March 1856, Page 3: Court of Petty Sessions

COURT OF PETTY SESSIONS.

Tuesday 11th March.

(Before the Stipendiary Magistrate.)

ILLEGALLY AT LARGE. Mary Horton was brought up on this charge.

This ill-favoured specimen of humanity has frequently favoured this Court with her presence. The immediate cause of her appearance on this occasion was, her having conducted herself in the most disorderly and disgusting manner in the public streets. Her husband who was present, confessed that she had been before the court on four former occasions, but said she was out of her mind. She was remanded for three days.

(TROVE: The National Library of Australia)

By 1861 it seems that Philip had had enough of Mary's antics and decided to sell up and move away to start afresh. Mary, Philip and their surviving child, Philip junior (aged 10), are listed as departing from

Victoria, Australia aboard the *Atrevida* bound for Otago, New Zealand. (Public Records Office Victoria: Outward Passenger Lists: 1861). They lived in Invercargill, Southland, New Zealand. Between 1863 and 1866 there are ten reports of Mary coming before the Magistrate's Court in Invercargill usually charged with being a drunkard and often described as *an old offender* and *an habitual drunkard*. In August 1866 Philip junior died in a boating accident at Port Chalmers where he was an apprentice. When this occurred, Mary was finishing a 6 weeks imprisonment with hard labour sentence for stealing a decanter containing whiskey from a hotel. Nothing more is found about Mary or Phillip until their deaths in Invercargill in 1871. They are buried in public land used as a graveyard outside Invercargill. Mary's travels from the top of the world, Scotland to the bottom of the world Invercargill New Zealand, is unfortunately mapped out by her offences, court appearances and sentences.

Tracking the travels of these people has been made easier by many resources especially newspapers, archives and local libraries. Making contact with the Research Librarian at Invercargill City Library, New Zealand proved invaluable. The research Librarian was very keen to look for Mary and Philip Horton and managed to locate their death and burial place and has added their story to the library's local history. I also find the Archives and Public records of the many countries and states are very enthusiastic to help. For these travellers I was able to use the help of archivists in Canada, Scotland, Tasmania, Victoria and New Zealand. A simple email always gets an interested response, offer of help and valuable information and images.

Margaret Jones, 2018.

References:

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Archway: Archives of New Zealand: <https://www.archway.archives.govt.nz/>

Invercargill City Library: New Zealand: <http://ilibrary.co.nz/>

Scotland National Records: <https://www.nrscotland.gov.uk/>

Ancestry: www.ancestry.com and FindMyPast: <https://www.findmypast.com.au/>

Victorian Public Records Office: <https://www.prov.vic.gov.au/>