

A TOUGH WAY TO GET A NEW START

Just over 180 years ago, my two times great aunt, Jean Blackwood and her two sisters were living on the streets of Edinburgh, 90 kilometres from their Renfrewshire home. Within a year of each other they were convicted and serving time in Australia. Arguably, chances of survival in a big city were greater than a rural town. However, with the economic turmoil and industrialisation there were little opportunities for her agricultural family. Jean and the friends she was arrested with records show many other brushes with the law prior to being arrested and sentenced to transportation.^{1 2}

Jean Blackwood's time in the city of Edinburgh was a litany of brushes with the law and the company she kept were no better. While her convict indent lists her residence as Edinburgh she was originally from the highlands and Mary Matheson from Kilsyth near Glasgow. Jean was arrested with three other friends, Janet McLean, Mary Matheson (or McDonald) and Mary Gillespie (or Ferguson), the first three were found guilty of *robbing one Andrew Ramsay of £9 - half his years wages*.^{3 4}

Benjamin Wilkie's comments in his book *The Scots in Australia, 1788-1938*, observed the recidivous and yet "*petty, opportunistic*" crimes the Scottish convicts were noted for did not match their reputation as "*hardened criminals*".⁵

Opportunistic or a pre-planned scam, these young women varying in age from 16 to 23 must have had this scheme to entice men to part with their wages well in hand, going by their many brushes with the law, until this final event landed them before the High Court of Justiciary in Edinburgh where while Mary Gillespie was freed, the remaining three women were sentenced to 14 years transportation to Van Diemen's Land. Gillespie being listed in court as an older woman, and the

¹ <http://www.electricalscotland.com/history/australia/scotaus3.htm> viewed 23 December 2021.

² Blackwood, Jean. Conduct record CON4012 Page 60.

http://search.archives.tas.gov.au/ImageViewer/image_viewer.htm?CON40-1-2,266,58,F,60 viewed 10 October 2016.

³ Precognition and execution of sentence papers from National Records of Scotland, with permission.

⁴ Anon., High Court of Justiciary, Newspaper coverage of the trial - The Scotsman, 31 January 1838, column 5 on page 3.

⁵ WILKIE, B. (2017) *From Scotland to Australia: Convicts, Free Settlers, and Encounters with Australia in the Scots in Australia, 1788-1938* (NED – New edition, pp. 13-30). Boydell & Brewer.

<http://www.jstor.org/stable/10.772/j.ctt1xcc.7> viewed 30 January 2022.

landlady, may well have been very lucky in this and possibly sending out groups such as these to see what they could bring in.

The opportunity to compare my convict ancestor with the results from the University of Tasmania 2016 class HAA105 Convict Survey has given me the chance to focus on just how typical or atypical they were alongside the 2016 Cohort who entered into the survey questions which were then translated into graphs – (Figures 1 – 14 *Appendix A*).⁶

Delving one level deeper however, I am able to compare Jean's voyage and time in Tasmania with her two friends. From their arrest, their time on board the transport ship, assignment to masters and punishments through to eventual "freedom" in a land on the other side of the globe.

The data available through, the Ship Surgeon, John G Stewart's records for the '*Nautilus (1)*' alongside the data from the *Female Convict Research Centre Inc.*, allowed me to take those comparisons further and view Jean against the 130 convicts who landed with her in 1838 and whilst she is not listed amongst those he attended, he did in fact see Mary Matheson twice, suffering vertigo and catarrh and Janet McLean also twice with dysentery and diarrhea.^{7, 8}

I have focused on five of the variants researched – their crime (Fig 2), when transported (Fig 4), marital status (Fig 8), occupation (Fig 11), and the length of sentence served (Fig 13), to show that Jean and Janet were in the majority of females as single – Mary being listed as married on her shipping indent for a common crime of robbery, a common occupation of housemaid and Mary also shows needlewoman which would perhaps help with assignments, transported in the busiest period between *assignment and probation* periods and finally the minority - serving their full 14 year sentence. So, I would say in balance they are typical of the convicts surveyed.^{9 10 11 12 13}

⁶ Convict Survey, HAA105 Convicts & Their Legacy, University of Tasmania.

⁷ ADM 101/56/1A/1 – 7, Data produced from the Ships Surgeon Folios ADM 101/56/1A/1 – 7.
<http://discovery.nationalarchives.gov.uk/browse/r/h/C11527905> viewed 10 October 2016.

⁸ http://itsfilemaker2.its.utas.edu.au/fmi/webd#Female_Convicts_in_VDL_database Viewed 16-Oct-16.

⁹ Figure 2: What were your convicts transported for?, Convict Survey, 2016 HAA105 *Convicts & Their Legacy*, University of Tasmania.

¹⁰ Figure 4: On what convict ship did they arrive?, Convict Survey, 2016 HAA105 *Convicts & Their Legacy*, University of Tasmania.

¹¹ Figure 8: What was their marital status on arrival?, Convict Survey, 2016 HAA105 *Convicts & Their Legacy*, University of Tasmania.

¹² Figure 11: Female first stated occupation?, Convict Survey, 2016 HAA105 *Convicts & Their Legacy*, University of Tasmania.

¹³ Figure 13: How long did they serve?, Convict Survey, 2016 HAA105 *Convicts & Their Legacy*, University of Tasmania.

To compare the very different graphs provided by the UTAS 2016 Convict Survey, I have developed a comparative chart taking just Jean Blackwood to the 2016 Cohort, converting the percentages given to numbers and from this showing where she fits into the group. Mary could both read and write and Janet like Jean could only read. (Chart 1) ¹⁴

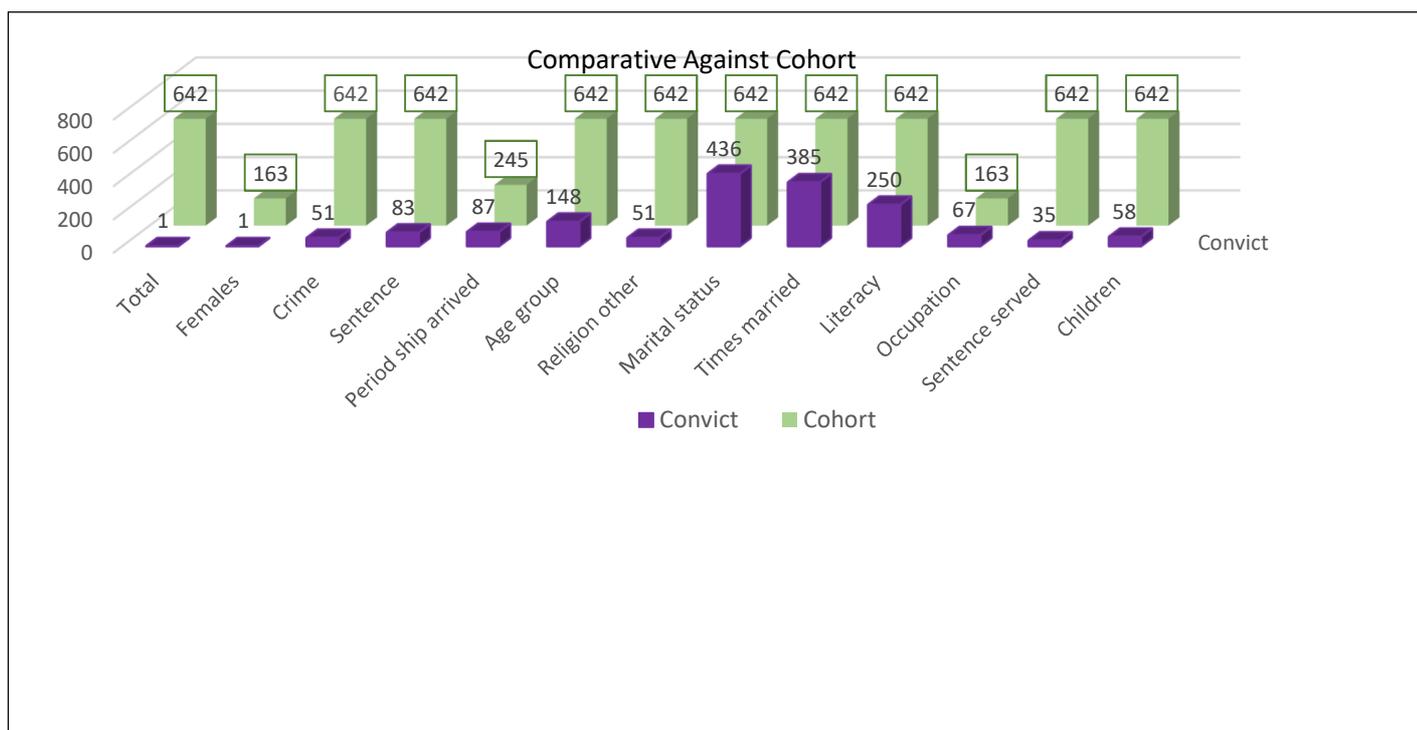


Chart 1 - Jean Blackwood’s comparative data measured against the Cohort: (10)

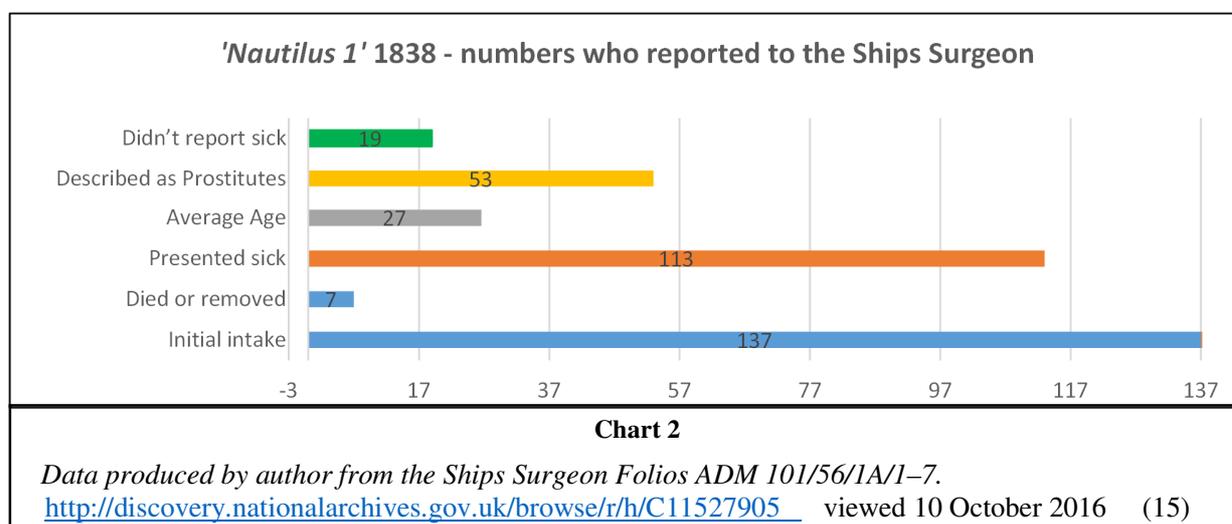
Jean Blackwood was a 19-year-old, single female, convicted of robbery, sentence - 14 years and was listed as a housemaid. She arrived in Van Diemen’s Land in 1838 on the ‘Nautilus 1’, served her entire sentence and married once to a freed by servitude convict. Her religion and literacy were not listed. (Her sisters were Presbyterian and her court records in Scotland stated she could not write). It is unknown if she ever had children. (For the purpose of this data I have used the age shown on arrest, however research and birth records show she was in fact 15-16 years. Scotlands People GROS Data 565/0000200021 viewed 23 August 2016).

¹⁴ Chart 1 Created by author to measure Jean Blackwood’s data to the 2016 Cohort.

Viewing Jean, Janet and Mary’s arrival in Van Diemen’s Land in 1838 on the ‘*Nautilus (1)*’, logged as Bateson’s ref BV0576, it appears to be the busiest time of this research - typical of the UTAS 2016 Convict Survey where most are listed as arriving ranged from 1830-1839.^{15 16}

This is also the case when compared to the overall arrivals in Van Diemen’s Land for convicts during that time. This voyage was within the *assignment system* period, and as the changes to transportation laws began to effect arrivals and the *probation system* took force, the graph begins to decline.¹⁷

Jean is listed as a housemaid, the most typical occupation in this UTAS 2016 Convict Survey, however, in a wider assessment Jean was not typical of the convicts on her transport which sailed from Woolwich in April, landing in Van Diemen's Land. It is difficult to use the limited *occupation* information on the Surgeon’s Report as he mainly lists the 113 who reported with ailments as *prostitutes* and very few with a trade. Jean was one of only 19 convicts who did not report sick during the voyage. (*Chart 2*).^{18 19}



¹⁵ Figure 4: On what convict ship did they arrive?

¹⁶ Bateson, Charles Convict Ship Codes, 576 BV0576 1838 29 8 VDL *Nautilus (1)* 29 4 1838 Woolwich
<https://mylo.utas.edu.au/content/enforced/162311->

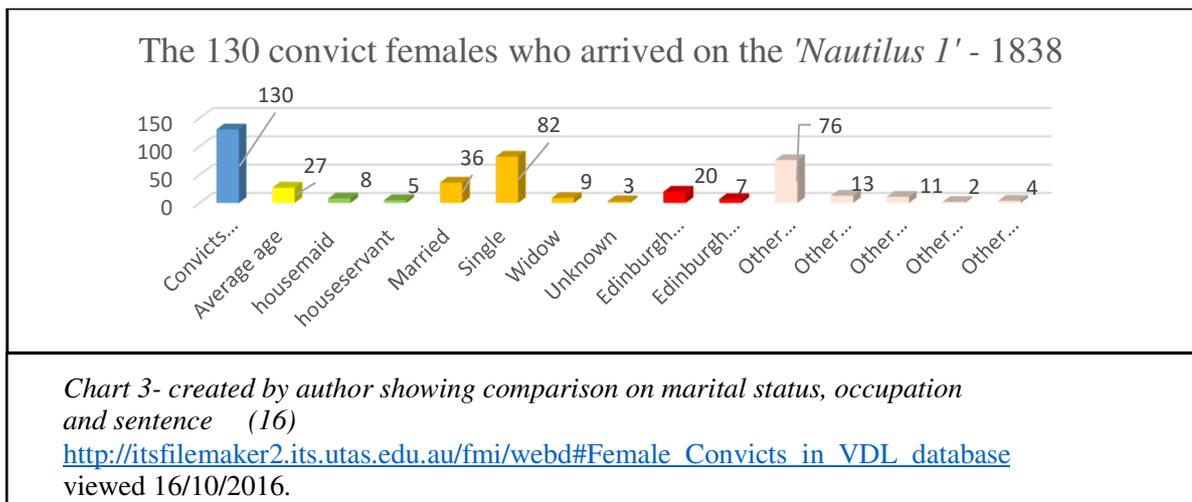
¹⁷ Barst, Julie M. “*The Molesworth Report and the Dissolution of Convict Transportation to Australia, August 1838.*” *BRANCH: Britain, Representation and Nineteenth-Century History*. Ed. Dino Franco Felluga. Extension of *Romanticism and Victorianism on the Net*. Web. 16 October 2016.

¹⁸ Figure 11: Female first stated occupation?

¹⁹ Chart 2 created by author from the *Ships Surgeon Folios ADM 101/56/1A/1-7*.
<http://discovery.nationalarchives.gov.uk/browse/r/h/C11527905> viewed 10 October 2016.

Comparing the transcribed indents for each convict on board, Jean, Mary and Janet were three of only eight housemaids – Of course none listed as prostitutes. Many listed wider variants including extra skills such as nursemaid, seamstress etc. Mary in fact added Needlewoman and Janet Ironing and washing. So here, Jean is shown to be atypical in the broader community of her shipmates. (Chart 3).²⁰

Her stated occupation placed her as one of the majority of unskilled females and while this would mean she was easily placed on assignment, her lack of specialist skills would mean she was easily replaced if her behavior was found wanting. Assuming housemaids would have been given lowly, hard work with no modern conveniences, I am uncertain if her rebellion was due to the hard work or the danger of being amongst the minority of females in a male dominated world – maybe being sent back to the Cascades amongst all the other women felt safer despite the backbreaking tasks.^{21 22 23}



²⁰ Chart 3 created by author showing comparison on marital status, occupation and sentence to her shipmates.

²¹ Henriksen, Gay, Curator on 'Women Transported: Myth and reality' <http://www.naa.gov.au/collection/publications/papers-and-podcasts/social-history/women-transported.aspx> viewed 10 October 2016 "In the larger factories – Cascades and the second Parramatta factory – in the 1830s and 1840s, the women were involved in a wider range of work: spinning, straw plaiting, factory duties (housekeeping and working in the hospital), sewing, laundry and weaving. The third class also broke rocks and picked oakum."

²² Figure 11: Female first stated occupation?

²³ Molesworth Bart, Sir William, Chairman of the Committee - Report to the Select Committee of the House of Commons on Transportation together with a letter from the Archbishop of Dublin on the Same Subject: 1838, P11.and Notes Excerpt: *In the words of Sir E. Parry ... "as bad as anything could be conceive anything worse." At times they are excessively ferocious, and the tendency of assignment is to render them still more profligate ; they are all of them, with scarcely an exception, drunken and abandoned prostitutes; and even were any of them inclined to be well-conducted, the disproportion of sexes in the penal colonies is so great, that they are exposed to irresistible temptations; for instance, in a private family, in the interior of either colony, a convict woman, frequently the only one in the service, perhaps in the neighbourhood, is surrounded by a number of depraved characters, to whom she becomes an object of constant pursuit and solicitation;... she seldom remains long in the same place; she either commits some offence, for which she is returned to the Government; or she becomes pregnant, in which case she is sent to the factory, to be there confined at time expense of the Government ; at time expiration of the period of confinement or punishment, she is reassigned, and again goes through the same course ;*

Of the seven of the 27 women tried by the Edinburgh Court of Justiciary on the 'Nautilus (1)' that received the harsh sentence of 14 years to Van Diemen's Land, (*Chart 3*) their crime of robbery was common to many on board, however, not so with the UTAS 2016 Cohort. Robbery was listed as about eight percent compared to the highest crime of larceny at approximately 25 percent.^{24 25}

Single on arrival, Jean and Janet married once near the end of their sentence, Mary listed as married on her indent also married, as was often the case when convicts were not to return to their place of conviction. Jean left Tasmania with her husband travelling to Victoria and finally to New South Wales to join her sisters who had served their seven years in NSW.^{26 27}

[Image removed: *Marriage Certificate of Ann Jean Blackwood and John MacFarlane married 28 February 1848, Tasmanian Archive and Heritage Office, RGD37-1-7p327j2k (22)*]

The UTAS 2016 Convict Survey had single convicts at 68 percent in the period researched outstripping married 20 percent by approximately 48 to 50 percent. In this Jean was typical – the transportation of single women increasing to answer the needs for servants even in our small 2016 Cohort.^{28 29}

As discussed by Dianne Snowden in *Female Convicts*, assignment of convicts was hoped to encourage reformation with tickets of leave etc., as incentives. Jean, Janet and Mary unfortunately did not fit the mould - recidivism saw them serve their whole sentence and so was atypical in the UTAS 2016 Convict Survey with only about 35 of the 642 surveyed serving 14 years. Their transcribed records by the volunteers of the Female Convict Research Centre list absconding, absent

²⁴ www.femaleconvicts.org.au authors review of records of fellow convicts indents, http://itsfilemaker2.its.utas.edu.au/fmi/webd#Female_Convicts_in_VDL_database accessed 7 October 2016.

²⁵ Figure 2: What were your convicts transported for?

²⁶ http://search.archives.tas.gov.au/ImageViewer/image_viewer.htm?CON19-1-14,256,85,F,60 viewed 10 October 2016.

²⁷ Tasmanian Archive and Heritage Office, RGD37-1-7p327j2k, Marriage Certificate of Ann Jean Blackwood and John MacFarlane married 28 February 1848,

²⁸ Figure 8: What was their marital status on arrival?

²⁹ Reid K, *Gender, Crime and Empire*, P.138

Kirsty Reid draws our attention to the call to transport more single females shown by her comment "...while nearly 45 percent of female convicts still under sentence were married in 1822, the proportion dropped to a little over seven percent in the decade 1832-42."

without leave, drunkenness, insolence and even forging a certificate of character for condition of pardon to name a few.^{30 31 32}

Perhaps as proposed by Dr Trudy Cowley, convicts like Jean found the Factory punishments less of a burden, with all three spending many times at hard labour in the Cascades.³³

While Mary and Janet went through from Ticket of Leave to Conditional Pardon to Certificate of Freedom once their term was served, Jean's first ticket of leave was revoked in July 1847, 15 months after its award. The Assignment System did not "tame her", nor reform her. Committing at least 24 infringements, spending four years three months in punishments, in 1852 she was made *Free by Servitude* then received a *Certificate of Freedom* at the expiration of her sentence.^{34 35}

She was in many of the areas viewed, very typical of the single, unskilled young women shipped out of overcrowded towns in Scotland and United Kingdom to ease the pressures there. I seriously doubt she had any housemaid skills given she had been four years on the town when arrested at either 15 or 16 and she was dossing down with three other women in a passage of a house in a disreputable area of the Grassmarket in the city of Edinburgh. (*Excerpt 1*).³⁶

[Image removed: *National Court Records of Scotland AD14_38_422_11 - Excerpt 1 - from Jean Blackwood's arrest records (33)*]

Jean used several names— her married name Ann McFarlane (not Jean) , a common enough practice by fellow prisoners who adopted aliases. Even her records switch between Jean and Jane. Whether

³⁰ Figure 13: How long did they serve?

³¹ Snowden, DM, *Female Convicts*, The Companion to Tasmanian History, A Alexander (ed), Hobart, pp. 131 (2005)

³² www.femaleconvicts.org.au viewed October 2016 and December 2021

³³ Cowley, Dr Trudy. Female Factory Research Group, Female Factories of Van Diemen's Land in Women Transported http://tradecoastcentralheritagepark.com.au/dbase_upl/women_transport.pdf P58 viewed 10 October 2016

A case in point – Some time ago, a resident in the country a few miles from town, found it necessary to the peace and comfort of his family that one of his female assigned servants should be brought up to town, before the Police bench. The sitting magistrate sentenced her to six months' confinement in the factory. Upon her return from thence, when she was reproved for some misconduct, she replied: "Oh send me to the factory! I had much rather be there than here! Plenty there to eat, and very little to do." According to the representation of some of our correspondents, the women are partly employed in washing, mending, and making clothes for the George Town gentlefolks, J.P.'s, &c.210 The Independent, 25 May 1831 p.2 col.4

³⁴ HTG 27/7/1847; Jean Blackwood, Conduct Record, Ticket of Leave revoked, Tasmanian Archives and Heritage Office, HTG 27/7/1847, CON32/1/5.

³⁵ HTG 9-3-1852;CON32/1/5

³⁶ Court Records, National Court of Scotland, Arrest papers Jean Blackwood, 1837 – copyright permission granted. <http://www.nrscotland.gov.uk/research/family-history> researched 18 September 2016.

to distance herself from the '*descriptors*' of *Name, Ship and Sentence* that had labelled her since 1838 ... or just a whim, we may never know but a generation later the '*taint*' was hidden.³⁷

After spending over half of her life in servitude, Jean was both typical and atypical which has been demonstrated by my use of data available from both the UTAS 2016 Convict Survey, the Surgeon's report and various references online and in libraries. Importantly the 'atypical' service of her entire sentence would have affected her the most.

³⁷ Marriage transcript for Ann (Jean) Blackwood and John McFarlane married 28 February 1848, Tasmanian Archive and Heritage Office RGD37/1/7 Registration No. 2191.

Appendix A UTAS 2016 Convict Survey, HAA105 Convicts & Their Legacy, University of Tasmania

I have only included the Figures I have chosen in the essay

HAA105 Survey results

We had 642 responses (some of you kindly entered more than one convict which was great as it boosted numbers). Just over a quarter of the convicts you are following are women. The break down of sexes is as follows.

Figure 1: What sex was your convict/s?

Sex	Number of respondents	%
Male	479	74.61
Female	163	25.39
Total	642	100.00

Here are the results for the rest of the survey

Figure 2: What were your convicts transported for?

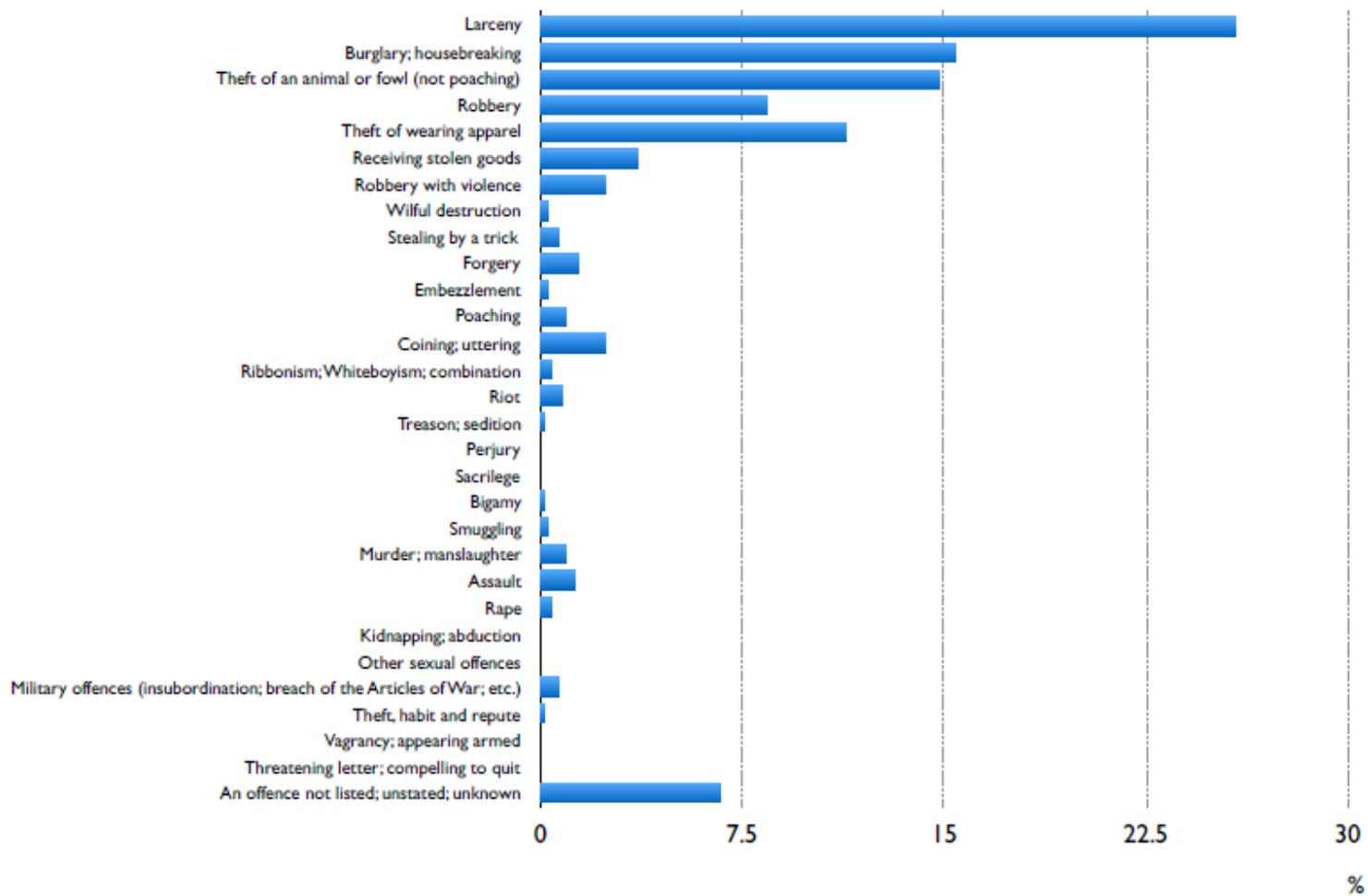
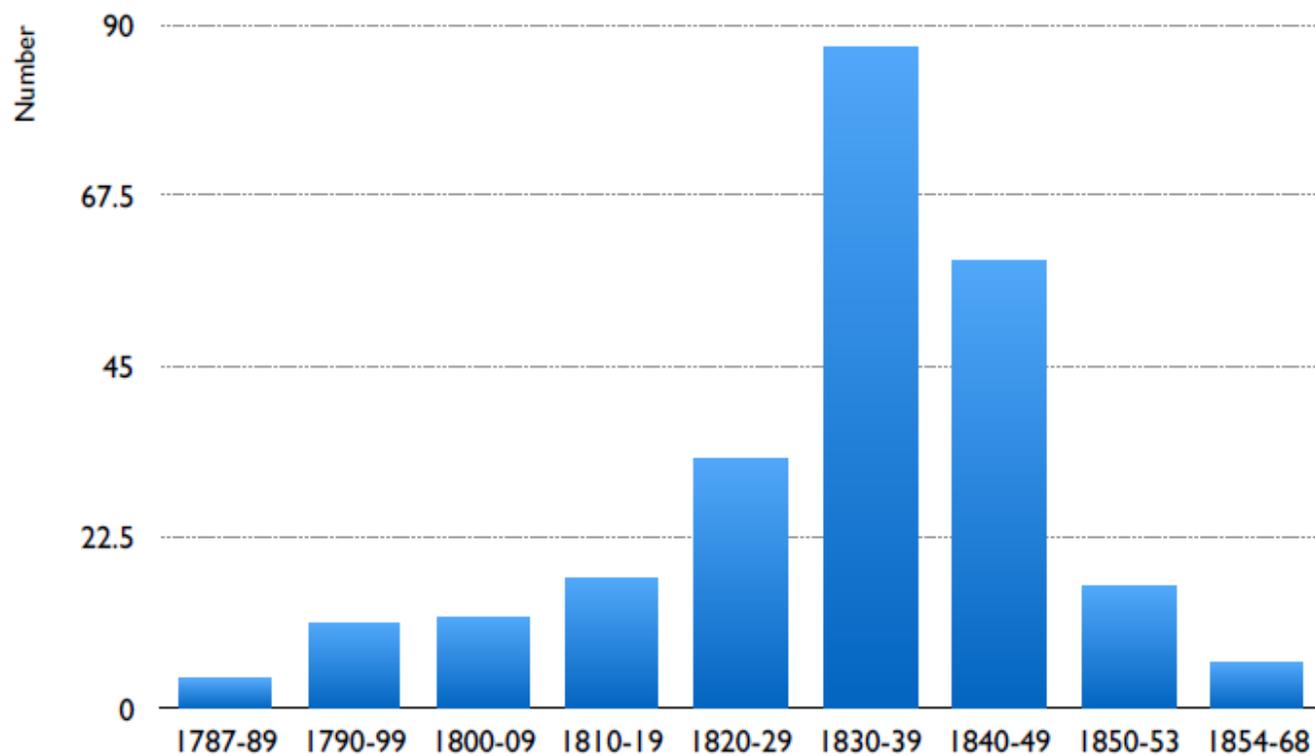


Figure 4: On what convict ship did they arrive?



Remember we asked you to fill in the voyage code. These are the results by decade of arrival. Those of you that could not find a code for your ship were kind enough to supply a name and date of arrival. In almost all cases this meant we could find it.

Figure 8: What was their marital status on arrival?

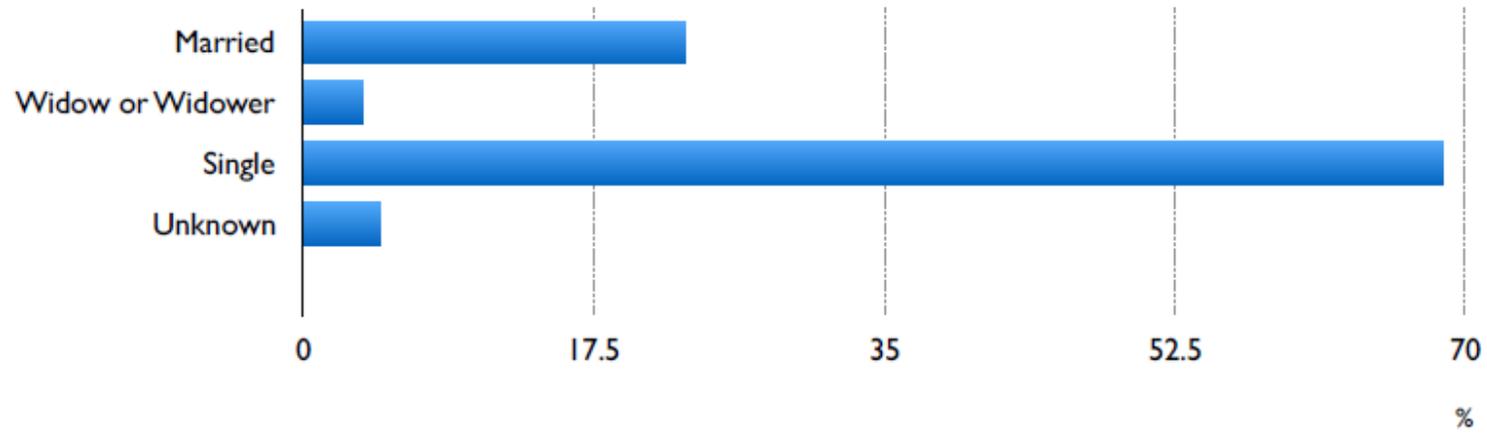


Figure 11: Female first stated occupation

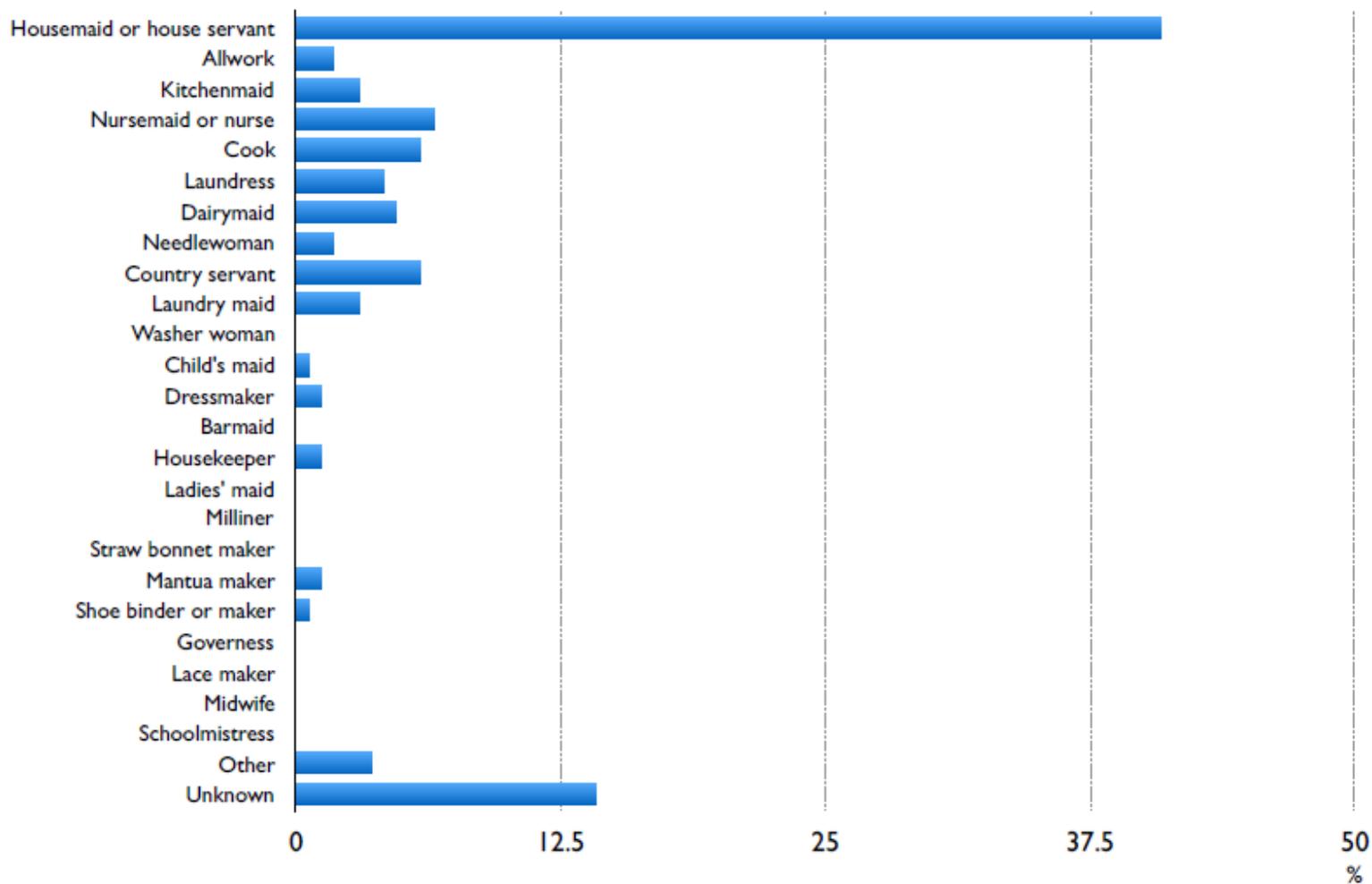
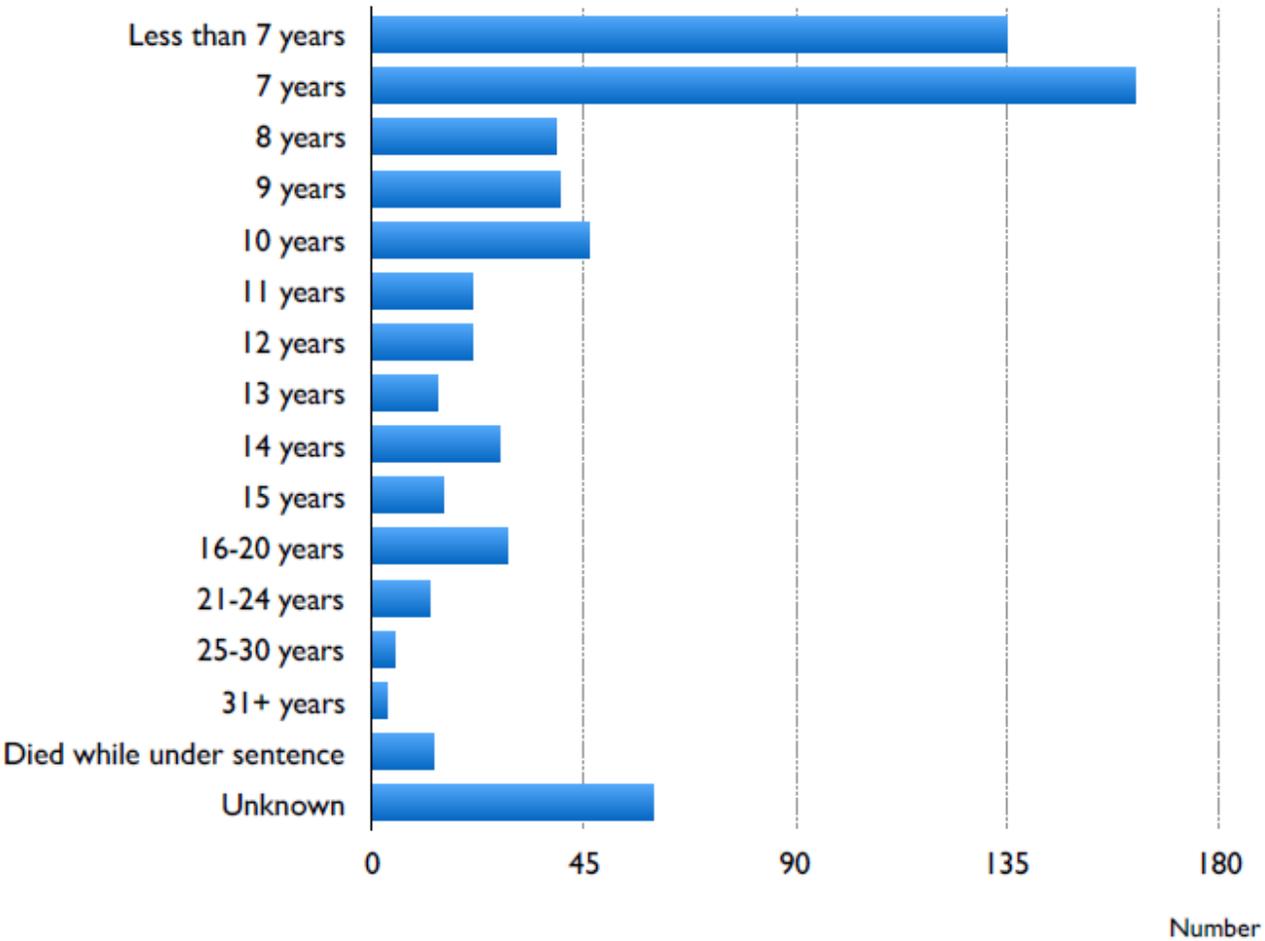


Figure 13: How long did they serve?



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