

Viewpoint

In Search of Margaret Anderson: Scottish Female Convicts Transported to Van Diemen's Land

Lucy Frost

On 3 January 2002 I stood for the first time in front of West Register House on Charlotte Square, Edinburgh, waiting for the doors to open. My bus ride in from the short-term apartment I'd rented in Leith was as straightforward as I'd hoped when I planned the trip from my home in Hobart, leaving a Tasmanian summer when it is light from four in the morning until well after nine at night, and steeling myself for the short winter days of Scotland. My visit was not timed for comfort, but once I ascended the stairs to the Reading Room, that did not matter. I was a Professor of English spending my summer holiday in search of sources for a possible research project which had well and truly captured my imagination.

I wanted to know more about the women transported as convicts to the penal island of Van Diemen's Land, now Tasmania, where I had lived for five years. Ever since I can remember – perhaps because I grew up in the American South during the last days of segregation – I have been alert to the way communities imagine themselves through story. As a female academic influenced by second-wave feminism, I have been sensitive to the stories communities tell about women, and the stories they do not tell. In Tasmania at the turn of the 21st century, the stories of the unfree women transported as convicts were just beginning to be told. The archive of convict records, closed to the general public until 1977, was becoming genuinely accessible as new catalogues made it easier for people to know how to ask for records crucial to understanding their family's past.¹ The 1988 bicentennial celebrating the (European) settlement of Australia changed the dominant narrative about convict transportation. Instead of criminals from the dregs of British society, romantic tales were told of injured victims of a cruel judiciary exiled to the ends of the earth for the theft of a handkerchief or a loaf of bread.

¹ Robyn Eastley, who was a young archivist engaged in the struggle to open the convict archive to the public, has chronicled the experience in 'Using the Records of the Tasmanian Convict Department', *Tasmanian Historical Studies*, 9 (2004), 139–42.

This rosy view of why 13,000 unfree women were shipped to Van Diemen's Land between 1803 and 1853 might, I suspected, be as misguided as the dark version. Who were the women, not as an undifferentiated category, but as individuals with their own unique lives? I was looking for a way to write about the women without shoe-horning them into a moral framework, and had come up with the idea of looking at the female convicts as women travellers for whom a sentence 'to be transported beyond seas' sent them on a journey into the unfamiliar. They were travellers under duress, but they were still travellers. As an immigrant myself (I left the USA for Melbourne, Australia, in 1970), I had experienced the complications of leaving behind a familiar world and making a place for myself in a land I knew only through stereotypes. How much more difficult it must have been for them! How did they negotiate the changes? What did they do while they were serving their sentences in a new colony? Were opportunities open for them, and if so, did they make the most of them? What did they do after they were released from their sentences? And what had they been doing before they were sentenced? Where did their journeys begin?

To find answers, I turned to the archives. I knew that the Australian convict records were rich and extensive (in 2007 they would be included on the UNESCO Memory of the World Register, the equivalent for documents of the World Heritage Register for built sites). In the Archives Office of Tasmania, convict records were available on microfilm, and from the microfilm I could buy photocopies to take home and transcribe into a database.² These records cover every convict disembarked in Van Diemen's Land, and they gave me lots of information about individual women. On the voyage out, the surgeon superintendent kept a journal, entering the names of everyone who went onto the sick list and giving detailed case notes for serious illnesses. Even if a woman was healthy on the long voyage and did not appear in the surgeon's journal, her physical description and place of birth would be recorded into the description lists before she landed in Hobart Town. A form was filled out giving height, colour of hair and eyes, shape of forehead and chin, and any distinguishing marks which might identify this particular convict, helpful to the authorities in an 'open prison' if she should abscond or claim to be someone she was not. Another document had come with the ship, giving her crime, place of trial, sentence, and in later years personal information: marriage status, number of children, literacy, religion, the names of family members.

Once she reached Van Diemen's Land, a 'convict conduct record' would track her movements through a prison system which instead of keeping women in gaol, a fixed place, sent them out to work as unpaid domestic servants. In the right-hand top of the entry was entered the information she provided:

² Today these records are available within seconds to researchers who go to Tasmanian Archives Online (<http://search.archives.tas.gov.au/Default.aspx>). The Tasmanian Names Index (https://talis.ent.sirsidynix.net.au/client/en_AU/names) makes it possible to search for particular persons, going directly to digital images of the original convict records.

her offence stated in her own words, her prior convictions and sentences, her marital status and sometimes the number of her children. The body of the entry was filled in as she moved through her sentence, travelling from place to place. A note was made each time a master charged her with some offence (drunkenness, neglect of work, insolence, absconding – rarely anything under the criminal code). Her punishments were recorded; sometimes the births of children and sometimes a marriage; sometimes the districts in which she was working; and the ‘indulgences’ which marked her progress through the penal system. Unless she had been sentenced to transportation for life, she might theoretically have returned home after serving her sentence, but in reality few women ever had the money to pay for a return passage, even if they longed to go back. So where did she go? What did she do? The potential for tracking the individual lives was alluring.

Because I could not possibly follow all 13,000 women, I decided to focus on three ships leaving the Thames at nine-year intervals: the *Harmony* (1829), *Atwick* (1838), and *Elizabeth and Henry* (1847). All three left England in September and arrived at their destination in January. Did the period of the women’s arrival in the colony, I wondered, make any difference to the directions of their lives? The convict system changed over time, and of course life in the colony itself was far more raw in 1829 than it had become by 1847. Also, the women who arrived in 1847 were finishing their sentences in the early 1850s when gold was discovered across Bass Strait in Victoria, enticing many convict emancipists to journey again into unfamiliar territory.

The more I thought about this approach through travel the more confident I became. From the convict records, generated to serve the state and its system of punishment, the itineraries of life narratives might be pieced together. But I would also need to learn more about the beginnings of these journeys. I would need to go back to the places where their lives began and their crimes were committed. As I entered their places of birth and places of trial into my database, I quickly realised that one of the most important places of origin for women on these three ships was Scotland. Of the 421 convicts in my cohort, 157 were tried in Scotland: 27 of the 100 on the *Harmony*, 78 of 151 on the *Atwick*, and 52 of 170 on the *Elizabeth and Henry*. More than a third of these women began their voyage to the other side of the world by a journey from Scotland to the Thames.

This surprised me. While stories were often told of convicts from England (London pickpockets and prostitutes were familiar figures), and much attention had been directed to the Irish, little had been written about the Scots convicted in Scottish courts under Scottish law. Neither in Scotland nor in Australia had these transportees received detailed attention. Was this because the sources simply weren’t there to work with, I wondered? I would need to go to Scotland to find out.

And that was how I found myself at West Register House on a winter’s morning, untying for the first time the ribbon of a Scottish precognition. I had prepared as well as I could to make the most of every minute of my precious

research time. From the records I'd already worked with in the Archives Office of Tasmania, I had an Excel spreadsheet with the name of each woman on the three ships, the crime for which she was transported, the date and place of her trial, and her sentence. From the complete ships' lists, I had extracted lists of the Scottish-trying convicts on each ship, and was ready to start working methodically through them. I began with the earliest ship, the *Harmony*, and first up was Margaret Anderson. From the card catalogue in the Reading Room (this was before the index to precognitions was available online), I copied the number of her file, AD14/28/319, and put in my request.

Carefully I untied the court documents with witness reports recorded in January 1828, exactly 174 years before I began transcribing onto my laptop the witness statements taken to build the case against Margaret Anderson. Alexander McPherson told the Sheriff Substitute of Ayrshire that he was a servant to a Flesher at the head of Stockwell Street, Glasgow, and about three weeks ago had gone 'about the country to purchase cattle'. He was carrying more than £75 in bank notes. When he reached Ayr, 'he had some dinner and drink and about eight o'clock at night he went out to the streets of Wallacetown and he was then a little intoxicated'. There 'he met with a woman on the street whom he never saw before and she asked him into a house and he went with her accordingly'. She took him 'into a room by themselves and he called for two gills of whisky which they drank together'. While he was drinking, the bank notes were 'in a black leather pocket book in a pocket on the left side of his coat'. Eventually, 'overpowered with drink', McPherson 'threw himself down on the bed and fell asleep'. About half an hour later he awoke to find Margaret Anderson 'shuffling his pocket book into his side pocket'. He jumped up, looked into the pocket book, 'and found that £40 of his money was gone'.

Here in simple, vivid detail, a foolish man describes exactly how he was robbed. Unfortunate for him – and far more unfortunate for 25-year-old Margaret Anderson who was arrested along with Mrs Baird, the brothel-keeper, in whose house McPherson was robbed. Both women were well known to the police, as the Sheriff Substitute wrote to the Advocate Sheriff: 'This is the same nest that we have been so often troubled about, something must be done to get quit of them. Anderson is the same person that was tried for the murder of McClure, and has been often in prison for similar robberies'.

As I turned the pages of the precognition, I read more accounts of that fateful evening. A shoemaker and sailor who were in Mrs Baird's 'house' gave their accounts, as did the woman to whom Margaret fled, 'with her clothes all loose and asked for the loan of a plaid and she said that she had stolen a £5 note from a man who had slept with her the night before in Mrs Baird's and that she was afraid the man would go to the Sheriff'. Ten witnesses were questioned, and by the time I had finished transcribing the file, I had fifteen pages on my laptop. I was thrilled! In my search for snippets of story, I had struck gold! On the convict conduct record I had transcribed in the Archives Office of Tasmania, Margaret's crime was listed as 'theft', and asked to state the offence in her own words, she had said 'taking money from a Man'. Not much insight into her

circumstances there. But now I could begin telling her convict story from the moment of the crime, even if I never found anything more about her. I could 'see' her in Scotland before she began her travels across the sea.

Back I went to the card catalogue and put in a request for the second name on my list of women transported on the *Harmony*, Janet Bisset. This time an unwieldy bundle of papers was delivered to my desk. On the outside of a 205-page document was written 'Aberdeen / Precognition against Janet Bisset &c / Spring 1828'.³ The '&c' turned out to be a list of co-accused: Jean McDonald, Charles McDonald, Elizabeth Henderson, Catherine Edwards, Catherine Fraser, and Helen Stewart, for the crimes of theft and reset of theft. As I began transcribing I realised that I had come upon a far more complicated story, not just in terms of the numbers of the accused but also of the crime itself. In many ways the Margaret Anderson story fitted the popular notions of convict women as prostitutes, women who had been 'on the town' to use the common phrase in the convict records. She was clearly a prostitute, though the crime for which she was transported was theft – and this too fits expectations: women were not transported because they were prostitutes but because as prostitutes they stole from their clients.

Janet Bisset was not a prostitute, and her theft was far more complex than 'taking money from a Man'. Janet was part of an industrial conspiracy. Accusations against these thieves were levelled by Joseph Craig, 'Manager of the Manufactory of Alexander Hadden and Sons, Woollen manufacturers in the Green of Aberdeen'. For about nine months, Craig had 'suspected that some of the company's worsted had been stolen from time to time', and had come to the conclusion that the theft must be occurring at the level of bobbins. He was right. When the police pounced on the thieves and the weavers to whom the bobbins were sold, 'nine empty Bobbins belonging to the said Company were found concealed under the bedding or bedclothes in different places in the said Janet Bisset's bed'.

I transcribed Craig's accusation, and wanted to keep going through the entire file, but I knew that if I did so, I would be spending all day and maybe the next on this case alone. The two precognitions I had seen convinced me that these legal documents would give me the beginnings of my travellers' tales, but how many of the precognitions from my three ships would I have to go on? Resisting the temptation to immerse myself in the conspiracy of bobbin-thieves, I turned instead to a boring but necessary task. For hours I stood in front of the card catalogue, and carefully entered precognition numbers into my Excel spreadsheets.⁴ Because the catalogue was alphabetical by name, I

³ National Records of Scotland, AD14/28/265, Precognition against Janet Ainslie or Bisset, Jean McDonald, Charles McDonald, Elizabeth Henderson, Catherine Edwards, Catherine Fraser, Helen Stewart, for the crimes of theft and reset of theft, 1828.

⁴ A researcher today could do this from home, searching the online catalogue of the National Records of Scotland: <http://catalogue.nrscotland.gov.uk/nrsonlinecatalogue/search.aspx>.

discovered that some of the women had appeared before the High Court of Justiciary more than once before they were actually transported. Almost all the precognitions had survived. Now I needed the time to sit in the Reading Room transcribing. The time, and the money.

Home I came to Hobart and spent the rest of my summer holiday writing a grant application to the Australian Research Council. Then I turned my attention to my students and my university obligations, and tried not to think about the stories waiting in the National Archives of Scotland (now the National Records of Scotland). At last in November I learned that my application was successful, and for the next three years, I could spend weeks in West Register House, arriving with my laptop when the doors opened, and barely moving until they closed each afternoon. At the same time I was researching the other women on the ships, those whose trials in London were published in the Sessions Papers of the Old Bailey (not then online),⁵ and those from other courts whose trials sometimes were mentioned in the newspapers I could read in the British Library's newspaper collection in the gloomy premises at Colindale.⁶ But it was the Scottish convicts who filled my imagination, and although I wrote articles and book chapters based on my original project, when I came to write a book, the focus was on the Scottish women.⁷ Even then, I decided to make a difficult choice and tell the stories of women from only one of my three ships, the *Atwick*, because on this ship more than half the women were tried in Scotland. And so I left behind Margaret Anderson and Janet Bisset, but their stories still fascinate me, and one day I may return to them again.

⁵ A searchable online edition of the Proceedings of the Old Bailey, 1674–1913, is now accessible at <https://www.oldbaileyonline.org>.

⁶ In November 2013 the British Library Newspaper Library at Colindale closed, and since then the collection has been increasingly digitised see: <http://www.britishnewspaperarchive.co.uk>.

⁷ L. Frost, *Abandoned Women: Scottish Convicts Exiled Beyond the Seas* (Sydney, 2012), currently available either as paperback or in electronic format.