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From Fallen Women to Founding Mothers:
How Petty Criminals Became Pioneers on the Australian Frontier

1788-1828

A Thesis

Presented to

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Of the University of San Diego

By

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*Alas, poor girl, thy lot is hard
 On straw to rest, from year to year.
 The cheerful sun from thee is barr'd
 Thy only solace is a tear
 Thy prison-seat, a cold, damp stone
 Thy dwelling-place, a murky cave
 Give me, kind fate, a better home.
 That place of rest- a silent grave.¹*

For Mary Rose and other female prisoners held in Britain's late eighteenth-century gaols (jails), death may have seemed preferable to the overcrowded prison ships to which they were confined. Abandoned by her family and with her reputation in ruins, there was little left for her in England. After spending several winter months in a dark, overcrowded prison cell, Mary, the inspiration for a poem about the country's "fallen women" in the local newspaper, declared that she was "very willing to go anywhere sooner than remain in that horrid place."² For Mary and more than 25,000 female criminals sentenced to transportation to "parts beyond the sea" in the late eighteenth and early nineteenth centuries, even the bleak prospect of barren Botany Bay on Australia's southeastern coast was preferable to incarceration in England, and perhaps even preferable to life in London's slums.

Unlike their counterparts in Britain, convict women in Australia's penal colonies had significant opportunities to improve their lives given their unique circumstances. Despite poor conditions, discrimination, and their image as unredeemable "fallen women" among English society, convict women were resourceful, resilient, and able to utilize their unique circumstances, including the gender imbalance in the colonies and relaxed social, moral, and proprietary laws, to carve out a life for themselves that would have otherwise been impossible in traditional English society. While seen as "innately bad" by England's middle class, traditional moral prejudices

¹ *Lincoln, Rutland and Stamford Mercury*, Dec. 26, 1789 in Sian Rees, *The Floating Brothel: The Extraordinary True Story of an Eighteenth-Century Ship and its Cargo of Female Convicts* (New York: Hyerion, 2002), 22.

² *Ibid.*, 29.

that would have otherwise ruined a woman in England were largely ignored in the convict colonies, already full of other “ruined” women. Australia’s colonies needed women, and the gender imbalance provided convict women with opportunities and power they would not have had in England, allowing the founding mothers of Australia to create better futures for themselves and their children. Convict women in Australia found greater agency in the colonies, the capacity of individuals to act independently and to make their own free choices, than they did in Britain. While it is difficult to unearth the voices of convict women in the historical record, instances of these women utilizing their agency can be found in their choices regarding sex, marriage, property, work, and motherhood. This agency allowed convict women to reclaim their image as Britain’s “fallen women” to become the founding mothers of Australia.

Australia’s convict women emerged from a country in transition. The end of the Seven Years’ War in 1763 and the start of the Industrial Revolution around the same time led to a dramatic shift in Britain's urban areas.³ New industrial job opportunities drew both men and women seeking employment from the traditionally agrarian countryside into the country’s manufacturing centers in the cities. Returning soldiers from the Seven Years’ War caused a dramatic rise in unemployment in the city, which, when combined with a rapid rate of urbanization and the migrant workforce from the countryside, led to an increase in petty crime. Trial records from the Old Bailey, London’s central criminal court between 1674 and 1913, reveal a dramatic increase in cases prosecuting theft during the eighteenth and early nineteenth centuries, including a spike immediately following the Seven Years’ War.⁴

³ The Seven Years’ War was a global conflict fought between 1756 and 1763 and involved every European great power and their colonial territories. The conflict ended with a British victory over the French, which cemented Britain's place as the world’s dominant European power.

⁴ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 6.0, 17 April 2011), Tabulating year against all cases involving theft, between 1700 and 1828. Counting by trial.

The rise in petty crime resulted in overcrowding in Britain's prisons, especially as the century progressed and juries and judges favored sentences of imprisonment and transportation over death or corporal punishment.⁵ Overcrowding caused Britain to convert ships from the Seven Years' War into floating prisons on the Thames, which were frequently ravaged by disease and supply shortages. Prison overcrowding grew worse in 1775 with the start of the American Revolution, which caused an indefinite halt of the transportation of convicts to the American colonies. Shortly afterward, Canada began turning away convict ships as well. After a failed attempt to establish a convict colony in West Africa, the British government finally settled on Australia's East Coast, recently explored by Captain James Cook in 1770. Cook and his fellow officers praised Botany Bay, situated on Australia's South East Coast near present-day Sydney, and suggested it as a possible colony for both convicts and free settlers to benefit both "Economy to the Publick, & Humanity to the Individual."⁶ Transportation was seen as both a way to rid Britain of its criminal class while also reflecting the spirit of a more merciful and enlightened society.

From 1787 to 1868, Great Britain sent away more than 160,000 convicts, primarily petty criminals such as thieves, to reduce the number of people in the country's overcrowded prisons and to help establish an English colony in Australia following the loss of the American colonies. Of these, roughly 25,000 were women. The early period of convict settlement in Australia, ranging from initial settlement in 1788 through the 1820s, was characterized by frequent supply shortages and famines due to the remoteness of the colonies and unfamiliarity of the territory. While several of the early settlers were American loyalists resettled in Australia in the hope of

⁵ *Old Bailey Proceedings Online*, Tabulating punishment category against offence category where offence category is theft and verdict category is guilty, between 1763 and 1828. Counting by offence.

⁶ James Matra to Fox, 2 April 1784. *British Library*, Add. Ms 47568; www.nla.gov.au/app/eresources/item/3304

creating another set of profitable colonies, the arid environment and availability of resources was vastly different from that of America, resulting in frequent crop failures and difficulties in establishing a functioning colonial society. The early colonies were also plagued by political and administrative instability and experienced a high turnover rate of commanders. This resulted in a fluctuation of laws and property status in the colonies in addition to spotty record keeping.

Throughout the early colonial period in Australia from 1788 to 1828, the majority of women in the colonies were convicts. An 1828 census revealed that despite free immigration, the majority of women residing in the colony were either convicts or ex-convicts.⁷ Against the backdrop of a changing society in Britain and a remote, chaotic developing colony in Australia, a picture of convict women as industrious and determined women eager to improve their situation emerges from the historical record. However, because there are few surviving sources from the female convicts themselves, the historical record and study of Australia's convict women has centered around the accounts of men. Relying on these sources alone paints a biased picture of the female convict, her role in the early colonies, and power to control her own circumstances.

Until the 1970s, very little research had been conducted on Australia's convict past. Female convicts have traditionally been a footnote in Australian history, vastly outnumbered by their male counterparts, and any mention of convict women is usually studied within the context of victimhood and exploitation. Robert Hughes' *The Fatal Shore* was one of the first attempts to study Australian history from the experiences of the convicts. Hughes attributes this lack of research to the perception that "an unstated bias rooted deep in Australian life seemed to wish that 'real' Australian history had begun with Australian respectability," free settlers rather than

⁷ "The structure of female society, New South Wales 1788-1828" in Portia Robinson, *The First Forty Years, Women and the Law*, (Sydney: J. Mackinoltry and H. Radi, 1979), 207.

convicts, and the desire to wash the “convict stain” from Australian history.⁸ Hughes notes that the “convict stain” was present both during and after initial colonization, and that “respectable” English society in Great Britain as well as free settlers considered convict women taken as wives of sailors to be concubines rather than true wives. While Hughes spends little time focusing on convict women in Australia’s convict past, he notes the relaxed moral standards that existed in the early penal colonies, saying that as “offensive as such pairings [of men and common-law convict wives] were to later middle-class morality, they were simply taken for granted among workers in villages.”⁹ However, among the officers and clergy who oversaw the colonies, prejudice and judgement of the female convict’s moral character remained, therefore dominating much of the literature on female convicts from the time period.

While Hughes admits the bias in the official sources regarding convict women from the time period, he rarely mentions women in his book. Hughes asserts that women were victims of violence and lawlessness during the early convict period and were subject to domestic abuse and sexual exploitation as a result of having few options. Hughes fails to recognize that contemporary sources from men in the colony about convict women are colored with an upper class bias against sexually active unmarried women and fixate on women’s sexual roles within the colony. Because these sources focus on the perceived sexual immorality of convict women, they fail to fairly evaluate all aspects of female convict life. Contemporary sources about convict women only criticize and evaluate convict women’s choices regarding sex, and fail to evaluate other aspects of convict women’s lives, including work, labor, and property ownership. The focus on convict women’s sexual activities in the colonies paints an overly sexualized picture of

⁸ Robert Hughes, *The Fatal Shore: The Epic of Australia’s Founding* (New York: Vintage Books, 1988), xiii.

⁹ *Ibid.*, 251.

convict women that can be interpreted as greater exploitation and fewer opportunities than was the reality.

Part of this “convict stain” proposed by Hughes stems from the perceived moral failings of convict women. In her study of gender in convict society, Kristy Reid asserts that contempt for female convicts both during and after the time period was based on “the idea that the women were originally and even innately bad” and that “the criminal woman was considered the unnatural antithesis of moral femininity.”¹⁰ Ralph Clark, a Lieutenant who escorted both male and female convicts to Australia on the first fleet of ships to make the journey, remarked in his diary that female convicts were “ten thousand times worse than the men convicts,” and continually compared them to his good, virtuous English wife.¹¹ However, in her study of gender relations between convict women and men in the Australian colonies, Reid notes that “the shared experience of transportation, and of forced labour in particular, brought convict men and women together as much as these other practices and forces tended to push them apart.”¹² In doing so, she begins to move away from the victimhood narrative common in most discussions of convict women. Her focus is primarily on how men, marriage, and families helped improve the lives of convict women, rather than how the women worked to transform their lives themselves. Hughes and Reid share a similar focus on convict women in their relation to men in the colony, and not how they could act independently from men or use their influence over men to their advantage. In doing so, both sources present convict women as victims or passive actors without properly exploring all facets of their agency.

¹⁰ Kirsty Reid, *Gender, Crime and Empire: Convicts, Settlers and the State in Early Colonial Australia* (Manchester: Manchester University Press, 2007), 178.

¹¹ Ralph Clark in Hughes, 249.

¹² Reid, 255.

Recent study has begun to move away from the focus on convict women as victims and has revealed several the steps they took to improve their lives. Sian Rees reiterates the point made by Hughes and Reid that convict women were considered morally damaged by English society. Rees traces the lives of many of the women transported by the convict ship the *Lady Juliana*, before, during, and after transportation. She notes that a common theme among female convicts' past is sexual downfall and loss of chastity, leading to disgrace and a life of crime. Rees reveals that "the frequency with which this plotline is used in everything from chapbooks to the novels of Jane Austen indicates the fascination exerted by sexual downfall," in eighteenth century English society.¹³ This story would have been all too familiar to Mary Rose and fellow convict Sarah Dorset, but for the two ruined girls, there was no Mr. Darcy to save the day, or their reputations, and the pair's sexual downfall led them to theft and eventual conviction and transportation. Rees asserts that these "fallen women," often portrayed as victims in popular English newspapers like the *Lincoln, Rutland and Stamford Mercury*, were far from powerless in the Australian colonies. While "two of the most enduring labels to cling to the female convict experience are those of victimization and abandonment," Rees argues, once in Australia, these women were anything but helpless victims.¹⁴ Her study of the women brought to Australia aboard the convict ship the *Lady Juliana* examines the origins of female convict agency during the eleven month journey. While the focus of her study is primarily on how convict women used their sexuality within the context of the transportation ships' and early Australia's relaxed moral atmosphere, she reveal how women made decisions about their own bodies to improve their lives rather than portray them as victims of sexual exploitation or abuse.

¹³ Rees, 23.

¹⁴ *Ibid.*, 249.

Perry McIntyre also investigates the power dynamics in colonial relationships in her study of convict men and the free wives they left behind in Ireland. While McIntyre rarely mentions female convicts, she presents the interesting argument that because convict men experienced a reduction of power and personal liberty, their free wives gained more power in the relationship and played a greater role advocating for the couple. Convict women who served their seven or fourteen year sentences but married convict men serving life sentences experienced a similar situation. According to McIntyre, the free passage process required women to petition the government in order to keep their families together in Australia, revealing female legal action in the early colonies and the lengths to which women went to preserve their families. Perry McIntyre refutes the myth of convict helplessness, arguing that although “by virtue of being transported, the convicts have been regarded as ‘people without a choice,’... choices were open to convicts once they arrived in the colony and they were not powerless to affect their own lives.”¹⁵ While McIntyre examines the choices and power of male convicts in the colonies and their struggle to reunite their families, her book moves away from the traditional victimhood narrative that surrounds convicts and convict experiences.

Portia Robinson continues this investigation of female convict agency and argues that, in many facets of colonial life, convict women were not helpless victims of circumstance but instead frequently fought for their rights and worked to improve their lives. Robinson approaches the traditional primary sources describing convict women and reads between the lines as well as examines non-traditional sources to paint a more accurate picture of what life was really like for convict women. Robinson explores this bias, saying,

‘Evidence’ from contemporaries, whether official, semi official, or private letters, reports or comments, has been almost exclusively selective, biased, prejudiced by ‘class’

¹⁵ Perry McIntyre, *Free Passage: The Reunion of Irish Convicts and their families in Australia, 1788-1852* (Dublin: Irish Academic Press, 2011), xviii.

attitudes, influenced by the convict origins of New South Wales and almost entirely concerned with the assumed depravity, degradation and infamy of convicts in a convict colony. ... the very real contribution of women, as single women, as working women and as family women, has been completely overshadowed by the concentration on their sexual roles in the colony.¹⁶

Through her investigation of the rights and opportunities on convict women with respect the property and work, Robinson concludes that the hardships of transportation were “incomparably less, in almost all cases, than the punishment suffered by those women who remained in Britain to serve their sentences in the notorious and disease ridden gaols of the old country.”¹⁷ Robinson supports the idea of female convict agency and opportunities in the early colonies, and recounts instances when Britain's “fallen women” became successful farmers, business owners, and prominent members of early Australian society. She argues that virtual elimination of class boundaries and fewer societal prejudices contributed to the increase in agency for convict women, a traditionally disadvantaged group.

The social conditions in Australia’s early colonies that led to greater agency for a minority group have been examined by John Levi in his study of Australia’s early Jewish settlers. Levi details the persecution and discrimination Jews faced in London during the eighteenth century, conditions which he argues led them into a life of crime. Levi argues that for “for the English Jewry the most critical years of the Industrial Revolution were haunted by the Old Bailey, the hangman and the convict hulks.”¹⁸ Levi cites discrimination that kept Jews from joining guilds and conducting business in the city that kept them in poverty and created a large class of Jewish peddlers and beggars, stating that “the guilds of the City of London required that a tradesman take a Christian oath prior to receiving the freedom of the City, thus ensuring no

¹⁶ Portia Robinson, *The Women of Botany Bay* (New South Wales: Macquarie Library, 1988), 208-209.

¹⁷ *Ibid.*, 178.

¹⁸ John S. Levi, *Australian Genesis: Jewish Convicts and Settlers, 1788-1860* (South Carlton, Victoria: Melbourne University Press, 1974), 1.

Jewish merchant could carry on a business there.”¹⁹ However, in the Australian colonies similar regulations did not exist, and many early Jewish settlers and their children rose to prominence in the fledgling colony far above the peddler class to which they were confined in England. Levi asserts that “for countless people in that era of vast social inequalities, crime was a way of life because they had no other way of making a living,” and while Levi applies this concept to the criminality of Jews, it can also be applied to women, who were kept out of most occupations during the period.²⁰

Levi attributes Jewish success in the early colonial period in Australia to the colonies’ relaxed social boundaries that were so rigid in England, and as a result considers the early colonial period in Australia’s history as “the prelude to history’s mildest struggle for Jewish emancipation, and the beginning of a unique Jewish experience.”²¹ Although Levi rarely mentions female convicts in his book, the theme of traditionally subjugated minorities overcoming discrimination within the relaxed atmosphere of Australia’s early colonial period can be applied to women as well as Jews. Like Britain’s Jews, women during the Georgian Era (1714-1837), especially those who deviated from the strict code of behavior engrained in British society, were subject to prejudice and discrimination that kept them out of the workforce and prevented them from “marrying up.” These women who fell outside the moral standard set for Georgian-era women constituted the country’s “fallen women,” a group in which many female convicts found their origins.

In the eyes of Britain’s upper and middle classes, criminality and immorality went hand in hand. The dramatic rise in female crime during the 18th century shocked law-abiding British

¹⁹ Ibid., 2.

²⁰ Ibid., 11.

²¹ Ibid.

society. Newspapers recounted almost daily the acts of theft and robbery committed by gangs of young girls, some only children, and “reported again and again that these wretched females were ‘of the lowest and worst description, the very scum of both the city and the country’.”²² The reputation of convict women as “depraved and dissolute whores...incapable of reformation,” was stronger in Britain than the colonies, and stemmed from “their status as convicted felons...criminals from the lowest orders of society.”²³ For many convict women, this reputation as the worst of society followed them even before conviction, as most came from traditionally stigmatized backgrounds or were forced into non-traditional living situations due to poverty or lack of education.

Convicts transported to the Australian colonies were disproportionately Catholic and Jewish, two traditionally marginalized religious groups in Britain. Historians note that “for countless people in that era of vast social inequalities, crime was a way of life because they had no other way of making a living,” which can explain the overrepresentation of marginalized persons transported to Australia.²⁴ Additionally, most of the women who were convicted and sentenced to transportation had little formal education and many were illiterate. Trial records of women sentenced to transportation reveal judges and prosecutors frequently asking whether they could write their names or just “sign their mark.”²⁵ Poverty and the lack of affordable lodging in urbanizing London also meant that women from the countryside were often forced into non-traditional living situations, including staying with men or in bunk houses with reputations for doubling as brothels. During the 1795 trial of Alice Burroughs and Amelia Evans for theft, the pair were accused of being “women of the town” by the prosecution due to their living in a house

²² Robinson, *The Women of Botany Bay*, 5.

²³ Ibid.

²⁴ Levi, 11.

²⁵ *Old Bailey Proceedings Online*.

where men frequently visited upstairs. During the trial, the accusation is frequently used against the pair as evidence of their moral depravity, and despite several character witnesses and their denial of being prostitutes, the pair are convicted and sentenced to transportation for seven years.²⁶ The circumstances of a woman's living situation, as well as her poverty, are frequently referenced by the prosecution in trial records as evidence of moral depravity and a predisposition as a "fallen woman" in society.

Conditions of "fallen womanhood" were also frequently the result of loss of employment or loss of male guardianship. Trial records indicate that for many women, crime came as a result of the loss of a job, which led to a life of crime, prostitution, or both. For many young women from the countryside who sought employment as domestic servants in the city, dismissal forced those with no family support into the area into non-traditional living situations. The stigma that accompanied the non-traditional living situations often prevented women from finding a new position, which led to crime. Additionally, if a woman lost the support or approval of family members, lack of credible character witnesses almost guaranteed conviction. For young women from broken families like Mary Wade, lack of parental moral guidance implied guilt in the eyes of the judge, who chastised Wade's mother and blamed the family's poverty and Mary's father's absence on her daughter's behavior.

Other young women fell from grace in the eyes of society after being abandoned by their lovers, ruining both their reputations and often depriving them of familial support in a society that valued female honor as vital to a family's social standing. As investigated by Rees, Georgian society's fascination with promiscuity as a source of ruin for young women was evident in newspapers and novels alike. The injustice of young women completely reliant on fickle lovers

²⁶ *Old Bailey Proceedings Online* (www.oldbaileyonline.org, version 8.0, 06 April 2018), May 1795, trial of ALICE BURROUGHS AMELIA EVANS (t17950520-34)..

was not lost on British society, and even naval officers who were generally critical of the moral character of convict women took pity on those abandoned by lovers. One officer noted that in the case of Sarah Dorset, “she had not been protected by the villain that ruined her above six weeks” before “she was forced to want upon the streets and taken up as a disorderly girl.”²⁷ It was in this context of Georgian Britain's rigid society, that frequently ostracized minority groups and well as the poor, uneducated, and morally deviant, that many of the convict women transported to Australia emerged as the country's “fallen women” and the plague of society even before their conviction. In addition to the restrictions and oppression they experienced in Britain due to their religion, ethnicity, class, education, and moral standing, convict women faced oppression and a lack of opportunities simply for being women. Georgian-era society placed even more restrictions on property ownership, female empowerment, and self-representation than early colonial Australia's underdeveloped frontier society.

While women had few rights and protections in Australia's penal colonies, women in Britain faced similar conditions of abuse and exploitation, and when compared to their Australian counterparts, had fewer avenues of employment and agency available to them due to English society's rigid boundaries for female conduct and the existing class hierarchy. Sexual abuse and exploitation, major themes when historians discuss the female convict experience, were also rampant in Georgian society. Pioneering feminist writer Mary Wollstonecraft criticized Georgian men and their objectification of women, saying “not content with this natural pre-eminence [of superior physical strength], men endeavor to sink us still lower, merely to render us alluring objects for a moment.”²⁸ However, one of the major obstacles to studying the lives of poor women before they became convicts is the focus in both contemporary and modern

²⁷ John Nicol, *The life and adventures of John Nicol, mariner* (Edinburgh: William Blackwood, 1822), 115.

²⁸ Mary Wollstonecraft, *A Vindication of the Rights of Woman* (London: Vintage Books, 2014), 2.

literature on middle-class women, a flaw which Mary Wollstonecraft herself admits to making. Similarly, the popularity of Jane Austen novels, which have come to dominate modern perceptions of the Georgian female experience, has made middle class women the center of scholarship, of which very few became convicts transported to Australia.

Despite the underrepresentation of poor and working-class Georgian women in the historical record, there are several basic legal and moral regulations that were prominent in Georgian England that would have prevented women from improving their lives independently from or in spite of men. Women could not own or control property, and in Georgian law “man and wife were considered one person--in effect, of course, the man,” who had total control over the couple’s resources, including her inheritance.²⁹ Additionally and similar to their counterparts in the Australian colonies, women in England had little protection from violence and abuse, and “only if a husband beat his wife so as to endanger her life or denied her necessities” could she take legal action, such as requesting a separation, and even then, “separation discredited a woman, regardless of the circumstances.”³⁰ If a woman did separate from her husband, the stigma of the separation would follow her for the rest of her life.

Women had few economic opportunities in Georgian England and struggled to gain any form of financial independence. Most women were kept economically dependent on the men in their lives, unable to enter the majority of professions due to the “stigma attached to women who worked for money.”³¹ Finally, strict codes of conduct in Georgian England, which defined “virtuous” women through a very narrow lens, kept women tightly controlled and caused women who violated these codes to be ostracized and cast out of society. Feminist historian Katharine

²⁹ Katharine M. Rogers, *Feminism in Eighteenth-Century England* (Chicago: University of Illinois Press, 1982), 7.

³⁰ *Ibid.*, 8, 9.

³¹ *Ibid.*, 17.

Rogers notes that “chastity, narrowly defined, was the all-important factor in determining how a woman was valued, by others and by herself,” and that “once lost, it was assumed to be irrecoverable.”³² While female convicts faced similarly oppressive regulations, the sheer remoteness and frontier spirit that existed in early colonial Australia loosened some of the traditional regulations surrounding moral standards and the social hierarchy that kept their counterparts in chains back in England.

For most of the convict women transported to Australia, life in Britain was plagued by social stigma and discrimination. Minority groups faced discrimination which kept them out of the workplace and further prevented social mobility. Poverty and lack of education frequently pushed women into non-traditional living situations leading to crime and prostitution, which ruined their reputations and prevented them from reentering the workforce or returning to their families. Overall, the conditions of British Georgian society made it difficult for the women who became Australia’s convicts to improve their situation, and for many, Australia presented new opportunities that were unobtainable in Britain.

For many convict women, the stigma surrounding their conviction and ruined reputations was erased almost as soon as they boarded the ships that took them to Australia. Women like nineteen year-old Sarah Dorset, whose downfall stemmed from a loss of virtue in a society that valued female chastity, found that their ruined reputations mattered little in the micro societies of the convict ships. This trend continued into the early Australian colonies, in which almost all single women came from the same “fallen” origins as Sarah Dorset, essentially erasing the past sins that would have followed her throughout her life in Britain. When Sarah first boarded the *Lady Juliana* in 1788, she had already spent nine months in Newgate jail serving her seven year

³² Ibid., 9.

sentence for stealing a man's coat.³³ John Nicol, steward for the *Lady Juliana*, temporarily reunited Sarah with her parents after he encountered them asking around for their "lost child." In his memoirs, Nicol recounts that upon being reunited with her parents on the convict ship, Sarah Dorset fainted, and

in the most heart-rending accents implored their pardon. She was young and pretty, and had not been two years from her father's house at this present time; so short had been her course of folly and sin. She had not been protected by the villain that ruined her above six weeks; then she was forced by want upon the streets, and taken up as a disorderly girl; then sent on board to be transported.³⁴

Sarah's devastation at her fall from grace at the hands of "the villain that ruined her," a lover who did not marry her, and the disappointment of her parents at discovering the condition of their lost daughter reaffirm the stigma that plagued women in Sarah's position. Sarah protested her innocence in court, and appealed her sentence shortly after conviction. Her appeal was denied, and she was dismissed as "a very proper subject for the colony at Botany Bay."³⁵ After spending more than a year in Newgate Prison in London, Sarah was sent to the colonies. Nicol noted that Sarah and many other convict women on the *Lady Juliana*, who entered the ship "demoralized by their 'ruin' - the cycle of poverty, pregnancy and survival by theft or prostitution that formed the plot of a thousand melodramas and ballads simply because it was one of the commonest things that could happen to a girl," perked up considerably once the ship left the Thames.³⁶ When he asked them why they were happy to be on board, Nicol recalls that they answered,

How much more preferable is our present situation to what it has been since we commenced our vicious habits? We have good victuals and a warm bed. We are not ill treated, or at the mercy of every drunken ruffian, as we were before. When we rose in the morning, we knew not where we would lay our heads in the evening, or if we would

³³ *Old Bailey Proceedings Online*, October 24, 1787, trial of Sarah Dorset and Mary Dorset (t17871024-73).

³⁴ Nicol, 115.

³⁵ James Adair in Rees, 107.

³⁶ Hughes, 251.

break our fast in the course of the day. Banishment is a blessing to us. Have we not been banished for a long time, and yet in our native land, the most dreadful of all situations? We dared not go to our relations, whom we had disgraced. Other people would shut their doors in our faces. We were as if a plague were upon us, hated and shunned.³⁷

For Sarah Dorset and the rest of the female convicts, leaving behind their lives in Britain meant leaving behind the stigma and prejudice that followed them most of their lives. Unlike many of the male convicts, most convict women did not have established businesses or other assets that tied them to England. Most were single, and many were estranged from their families, further weakening any bonds they had to Britain. Lieutenant Watkin Tench, an officer aboard the First Fleet ship *Charlotte*, also noticed that the convict's "countenances indicated a high degree of satisfaction" after clearing the Isle of Wight, Britain's southernmost point, and leaving their homeland behind them.³⁸ Tench also notes that the female convicts complained less than the men and that "the pang of being severed, perhaps for ever, from their native land... were more perceptible among the men than the women."³⁹ According to Tench, female convicts were more accepting of their circumstances, and took a more optimistic stance when it came to their fortunes in Australia.

Unlike the male convicts, who Tench claims were kept in chains for the duration of the voyage as a precaution, female convicts were unchained once the ships left Britain and were allowed to roam freely throughout the ship. Unlike the male convicts who were kept in chains over fears of mutiny, female convicts were viewed as "harmless unfortunate creatures" who were "not dangerous or very mischievous," and this freedom meant that female convicts enjoyed infinitely better conditions aboard the convict ships than their male counterparts.⁴⁰ Among the

³⁷ Nicol, 116-117.

³⁸ Watkin Tench, *A Narrative of the Expedition to Botany Bay* (London: J. Debrett, 1789), 5.

³⁹ *Ibid.*

⁴⁰ Nicol, 118, 120.

convict ships comprising the Second Fleet that arrived in Australia in 1790, the *Lady Juliana*, with her 226 female convicts, saw only 5 convict deaths during the voyage, while the *Scarborough*, which carried 253 male convicts, saw 73 deaths during the voyage and another 124 from illness shortly after arriving in Port Jackson, Australia.⁴¹ In a letter from an unnamed female convict on the *Lady Juliana* reprinted in the *Morning Chronicle* newspaper, the convict criticizes the condition the male convicts of the second fleet arrived in, saying “what a difference between us and them. God bless our good agent (I don't mean the captain). We had no reason to complain against him for anything; all our provisions and cloaths (sic) were good.”⁴² At least in terms of conditions on the convict ships, it was better to be a female convict than a male convict.

When discussing the carefree and optimistic attitude of the female convicts, Watkin Tench and other contemporaries often referenced the same few lines from John Milton's epic poem *Paradise Lost*, saying

some natural tears she dropped, but wiped them soon;
the world was all before her, where to choose;
her place of rest, and Providence her guide.⁴³

The lines convey the freedom and optimism convict women felt at the chance to start over in Australia. Without the constraints of the stigma and prejudice that followed them in Britain, convict women were free to restart their lives with a clean slate. On both the convict ships and in the early colonies, their past sins mattered little, and this clean slate allowed them to move freely within Australian society and gave them a fairer shot at improving their lives than they had in Britain.

⁴¹ Hughes, 145-147.

⁴² “EXTRACT from a letter by one of the female convicts transported in the *Lady Juliana*,” *The Morning Chronicle*, London, England, August 4, 1791, 59.

⁴³ Tench, 5.

Despite contemporary sources that frequently denounced convict women as immoral and lamented the state of sexual immorality in the colonies, historians tend to agree that the attitudes of officers, early settlers, and convicts did not reflect those of the elite who frequently described the moral conditions in the colonies. In Britain, women who cohabitated with men were considered concubines, and among the middle and upper classes “respectable people in London ... saw little moral difference between prostitution and cohabitation.”⁴⁴ These attitudes are frequently discussed in accounts from visiting upper-class merchants and itinerant clergymen who visited the Australian colonies without spending a significant amount of time living there. Reverend Samuel Marsden, a priest in the Church of England, who was one of the voices that decried the immoral state of the colonies, famously took a list of the marital status of the women in the colonies, which registered that nearly three quarters of the women in the colonies in 1806 were “concubines.”⁴⁵ Marsden’s registry leads the reader to believe that the Australian colonies were a place of few marriages, an institution that usually provided women some degree of protection and security, and instead forced its female population into sexual exploitation and vulnerability. However, Marsden’s reputation as a fire and brimstone minister and clearly expressed anti-Catholic sentiments reveal the bias in his registry. Marsden only recognized marriages in the Church of England and labeled women married in Catholic or Jewish ceremonies as “concubines,” even if they had been married for decades. His list also included “common-law wives whose relationship with their men, however durable, went unsanctified by Anglican rite.”⁴⁶ Of the nearly three quarters of women labeled as “concubines” on Marsden’s list, the majority may very well have been treated more like wives.

⁴⁴ Hughes, 246.

⁴⁵ Ibid, 247.

⁴⁶ Ibid.

Additionally, sources such as letters written to family in England often paint a similarly skewed picture of female convict morality in the colonies. For Lieutenant Ralph Clark, an officer on the ship *Friendship* in the First Fleet of convict ships bound for Australia, his letters home were primarily meant for his parents and wife. The vast majority of Ralph Clark's letters discuss his homesickness, how much he misses his family and most of all his wife. In his letters, Clark addresses his "dear good woman" and compares her to the female convicts aboard the ship. He calls them the "most abandoned wenches in England" and describes them as "ten thousand times worse than the male convicts," saying that he "would rather have a hundred more men than have a single woman [convict]" aboard the ship.⁴⁷ Clark's depictions of the female convicts were exactly what everyone in England expected. His letters praising his wife and criticizing the female convicts aboard the *Friendship* were meant to convince his family, and himself, of his faithfulness.

However, when it came to romantic relationships and respectability in Australia, historians notes that "the bleeding hearts in the English shires did not understand the conditions on the ground."⁴⁸ Despite Ralph Clark's letters home that perpetuated the myth of female convict immorality, his experiences in the colony, though never mentioned in his letters or journals, paint a more accurate picture of the attitudes surrounding romantic relationships in the colonies. During his time in the colonies, Clark, who served as quartermaster general in charge of keeping the supplies, began a relationship with Mary Branham, a female convict. Although she had already had a child with another officer, Clark did not seem to mind Mary's reputation when he took her under his wing. In 1791 on Norfolk Island, Mary Branham gave birth to Ralph Clark's

⁴⁷ Ibid., 249.

⁴⁸ Rees, 138.

daughter, who “at Clark’s insistence, had been christened Alicia” after his wife in England.⁴⁹

Mary and her children accompanied Clark as he moved around the colonies before he eventually went back to England. The discrepancy in Clark’s attitudes toward female convicts in his journals and interactions with them in the colonies reveal the discrepancies between the attitudes regarding female convicts and their morality in England as opposed to colonial Australia.

Throughout the early period of convict settlement in Australia, there are women who had respectable romantic relationships with men like Clark who would have been deemed “concubines” by Marsden, but not treated as such by either their partner or colonial society as a whole. With the stigma as a “fallen woman” virtually erased as soon as the convict ships left the Thames, many convict women embraced their newfound romantic freedom and used it to their advantage by pairing up with officers. Aligning oneself romantically with officers during the voyage had the benefit of ensuring protection from the unwanted advances of other crewmembers, better conditions in the crew's quarters than in the convict quarters, and better access to resources aboard the ship. For Sarah Whitlam, the relaxed romantic setting led her to become the “wife” of John Nicol, who in his memoirs noted that “every man on board took a wife from among the convicts.”⁵⁰ Nicol reminisces that he “courted” Sarah for more than a week before inviting her to join him in his cabin and that he “would have married her on the spot, had there been a clergyman on board.”⁵¹ Nicol’s romantic feelings for Sarah contradict claims that convict women were simply sexually exploited by men on board the convict ships, although this was certainly sometimes the case, and did form genuine romantic connections. Forming romantic relationships with officers was also the first introduction to the upper classes for many

⁴⁹ Hughes, 250.

⁵⁰ Nicol, 119.

⁵¹ Ibid.

of the female convicts, giving them a window into the top of the social ladder. The historian Rees notes that Sarah “had certainly never left England and it is unlikely that she had ever left her county of birth before she was shackled to the coach which took her south to London. It was from John Nicol that she gained her knowledge of how the world fitted together.”⁵² During the eleven month voyage to Australia, John Nicol treated Sarah with all the privileges and respect of a wife, going far beyond her official title as a “concubine.”

Furthermore, evidence indicates that this respect for unmarried women in romantic relationships extended beyond the ships and persisted in Australia during the early colonial period. Ann Horn, for example, was convicted of burglary with Edward Smith, her romantic partner to whom she was not married. The two were sentenced to life and transported to New South Wales, where they were eventually assigned together. The fact that the pair were not separated meant that the colonial authorities took their relationship into consideration and made a point to keep them together, even though they were not married. For the eight years that the two worked in the convict town of Parramatta, there is no record of them ever officially marrying. However, when Edward Smith died and Ann Horn petitioned to be released from her life sentence to travel back to Britain, her employer served as a character witness, claiming that he had “found her uniformly honest, sober, and *very industrious* having supported her sick husband Edward Smith during his indisposition of eighteen months and defrayed the cost of a genteel funeral.”⁵³ Her employer James Bradley refers to Edward Smith as her husband, without any qualifiers, despite his recognition of their differing last names. Although he knew of their marital status, Bradley still referred to Smith as Ann Horn’s husband, and commended her commitment

⁵² Rees, 136.

⁵³ James Bradley, *petition re ticket-of-leave*, 13 September 1824 in Robinson, 176.

to him as a wife. Although officially still a “concubine,” the stigma that accompanied the title did not appear to have affected Ann Horn in the colonies.

In colonial Australia’s relaxed societal attitudes regarding relationships outside of marriage, the wifely privileges afforded to unmarried convict women extended to the children they had out of wedlock. Like Ralph Clark and Mary Branham, there are many examples of men who fathered children with convict women staying with them throughout their pregnancies, caring for their children after they were born, and even officially recognizing their illegitimate children as their own and raising them as such. Esther Abrahams, a convict woman who forged a relationship with an officer awarded land in Australia, spent twenty years as the common-law wife to George Johnston. During that period, she gave birth to seven of his children. Johnston recognized all seven of his children immediately after their birth, and afforded them the privileges of officer’s children. As their mother, Esther also enjoyed many of the privileges of an officer’s wife. Her relationship with Johnston, despite its lack of legal legitimacy, elevated her to a position of status in the colonies, and “as the mother of an officer’s child, Esther was not to be included among the convict establishment.”⁵⁴ Johnston even cared for Esther’s fatherless daughter born in England, Rosanna Abrahams. For Esther Abrahams, having a child out of wedlock, which brought her shame and condemnation in Britain, actually elevated her position in the colonies. Like many other convict women, the things that brought shame and misfortune in Britain either mattered little or even helped their position in Australia.

Finally, there is evidence that even after death, convict women who were officially “concubines” by traditional British standards found the respectability of official matrimony. Sarah Wise arrived in Australia’s Norfolk Island Colony in 1795, where she met and began a

⁵⁴ Levi, 28.

relationship with John Roberts, an officer. Although there is no record of them ever marrying, Sarah's movements around the colonies mirror Roberts' as she accompanied him to his various posts in Australia. Like Esther Abrahams, he recognized their children together, who took his last name rather than hers. When Sarah Wise died in 1850 at the age of eighty, she was buried with her daughter-in-law, Sophia Charlotte Roberts. Sarah's gravestone read "Mrs. Sarah Roberts" rather than Sarah Wise, so that "in death 'concubine' Sarah Wise gained the respectability of a married family woman," a role that she played in life, although just like countless other convict women, a title she probably did not need in convict Australia.⁵⁵

For Sarah Dorset, the abandonment by a lover that ruined her in England affected her little when it happened in Australia. Almost as soon as the *Lady Juliana* lost sight of Britain, Sarah became the convict "wife" of another officer on the ship, Edward Powell. During the voyage, Sarah Dorset gave birth to Powell's son, the first baby born on the *Lady Juliana*.⁵⁶ Despite their almost year-long romance, Powell was sent back to Britain almost as soon as the ship arrived in Sydney, leaving Sarah an unmarried young woman with an illegitimate child. Although the circumstances surrounding the situation were eerily similar to her "ruin" in Britain, abandoned by a lover with her virtue in tatters, the results were vastly different. Rather than labeled a "fallen woman" in the colonies due to her relationship with Powell, Sarah lived as any other woman in the colonies, many of whom were in similar situations. The stigma that kept her out of the workforce in Britain did not affect her movements or access to resources in the colonies.

Instead, Sarah Dorset lived a life in Australia that, while extremely unconventional by traditional British standards, was perfectly acceptable by colonial ones. Sarah and her baby

⁵⁵ Robinson, 206.

⁵⁶ Rees, 47.

elected to travel to Norfolk Island, a remote colony run by the eccentric Major Robert Ross. Ross “had his own idea of colonial development based on the pig,” and believed that the best way to develop the colony was to get convicts to produce their own food and become self-sufficient.⁵⁷ Ross’s methods were not uncommon during the time period, and historians note that “initially at least, convicts were trusted to run their own households and thus experience the ‘transforming’ power of the domestic sphere... in a relatively independent fashion.”⁵⁸ While his methods required convicts to rigorously engage in farming activities and labor, his approach was generally more hands-off when it came to managing details of the convicts’ lives, a move that was unpopular with his contemporaries.⁵⁹

Unfortunately for Ross, there were not enough pigs on the island for each of the convicts to raise their own, or even enough for them to raise them in pairs. Instead, one pig was assigned to every three convicts, creating “a bizarre society of *menages a trois*, each based around the household pig.”⁶⁰ This situation compounded with the lack of a clergyman on the island, making it difficult for historians to distinguish between legitimate romantic couples and pig owners. For Sarah Dorset, this meant living with two unmarried male convicts, with whom she raised her pig and child. During this period, Sarah gave birth to another child, presumably with one of her two fellow pig owners, but no record exists of her ever recognizing a father to her child. However, unlike in Britain, Sarah’s child born out of wedlock did not affect her position in Norfolk Island society. The birth of the child is noted, Sarah’s household is allocated more resources, and she is allowed to continue with her life. Additionally, the stigma of single motherhood does not follow

⁵⁷ Ibid., 327.

⁵⁸ Reid, 255.

⁵⁹ David S. Macmillan, “Ross, Robert (1740–1794),” *Australian Dictionary of Biography* (National Centre of Biography, Australian National University, 1967)

⁶⁰ Rees, 327.

Sarah around the colonies. In 1794 Sarah returned to mainland Australia “with two children and no husband.”⁶¹ The stigma that would have prevented a “decent” marriage in Britain did not prevent Sarah from eventually settling down and marrying a butcher in Sydney in 1800.⁶² Those who practiced trades in the early colonies were generally more successful than general laborers, and Sarah’s marriage to a butcher would have helped to establish her as a respectable woman within society, despite her origins as a “fallen woman,” years of extramarital affairs, two illegitimate children, and several unconventional living situations. For Sarah, the stigma that would have prevented a normal and respectable life in Britain did not stop her from eventually settling down and leading a normal, respectable life in Australia. While traditional prejudices held firm in the official capacity in England, in the remote colonies with few women and an abundance of “fallen women,” when it came right down to it, the things that mattered in Britain did not seem to matter in Australia.

The same can be said for the relaxed attitudes surrounding marriage and alliance within Australian society. For many women, including Esther Abrahams, transportation to Australia presented opportunities to “marry up” in Britain’s rigid class hierarchy and secure a better future for themselves and their children. In Britain, Esther had almost everything working against her to prevent a “respectable” marriage. Esther was Jewish, and from Eastern European origins, which were viewed as “generally a set of cheats, and the lower order... found lurking in every street, lane, and alley,” in eighteenth-century Britain.⁶³ Jews were generally prevented from learning trades or serving in public office, and were generally separated from “respectable society” to ward off their “baneful and immoral effects upon society.”⁶⁴ Esther had been arrested for theft

⁶¹ Ibid., 331.

⁶² Ibid.

⁶³ Knaff and Bald, *Newgate Calendar*, vol. III, pp. 284ff in Levi, 8.

⁶⁴ *Essay on the Commercial Habits of Jews*, 1809 in Levi, 10.

and sentenced to seven years' transportation at fifteen in 1786, and soon after discovered she was pregnant. No mention exists of the father of Esther's child. Esther petitioned to remain in Britain due to her pregnancy, but by the time James Adair, the same judge who had denied Sarah Dorset's petition, got around to reviewing her petition in 1788, Esther had already been in the colonies for six months.⁶⁵ Before finally being transported on the First Fleet of ships to Australia, Esther spent almost a year, and gave birth, in the notorious Newgate prison. A contemporary newspaper article on Newgate described the female section of the prison, and its prisoners, as

Disorderly women of the very lowest and most wretched class of human beings, almost naked, with only a few filthy rags alive with vermin, their bodies rotting with bad distemper, and covered with itch, scorbutic and venereal ulcers...are drove in shoals to the gaols...in the morning...the different wards...are more like the Black Hole of Calcutta than places of confinement.⁶⁶

For Esther, the stigma of her crime and life in the prisons, combined with her Jewish heritage and infant daughter, made the prospect of any respectable marriage elusive. Her situation was not unlike Sarah Dorset, who also arrived in Australia with an illegitimate child. However, like Sarah, Esther was able to overcome the stigma she faced in Britain, eventually becoming one of the most prominent women in the colonies through marriage and alliance.

The same factors that helped women like Sarah Dorset escape the stigma of their ruined reputations also helped women like Esther Abrahams form marriages and alliances that would not have been possible in Britain. Factors such as class, reputation, and even religion that factored heavily into choices of marriage partners in Britain mattered little in Australia. These conditions were due to the severe gender imbalance in the colonies as well as the relaxed social stigma stemming from the convict background of almost all single women in the early colonies.

⁶⁵ Rees, 97.

⁶⁶ *London Gazetteer*, 11 January 1776, in Levi. 14.

With many fewer women in the colonies than men and all with ruined reputations and from traditionally poor and disadvantaged backgrounds, women who had been cast off as potential marriage partners in Britain were suddenly able to “marry up” far above their class of birth.

The gender ratio in the early Australian colonies was one of the most distinguishing factors of the time period. Between 1778 and 1828, the gender ratio of men to women hovered between 3:1 and 5:1. The gender gap closed slightly during the lull in transportation caused by the Napoleonic Wars before widening again as transportation increased during the post-War period.⁶⁷ The difference in the gender ratios meant that convict women could be choosier with the spouses, and conversely that men looking for wives frequently overlooked the convict women’s faults because there were very few wives to go around. While the colonies almost constantly requested more women during this period, the rates at which men and women were convicted and sentenced to transportation kept the colonies’ initial gender imbalance stable well into the 19th century.

Marriage in Britain during the Georgian Era was heavily influenced by class and social hierarchy. Despite the prevalence of the theme of middle-class women “marrying up” in contemporary literature by authors such as Jane Austen, this occurrence was relatively rare, and major social mobility between two distant classes through marriage was almost non-existent. When such marriages did occur, it usually resulted in the person of the higher class falling to the level of the person in the lower class, rather than raising the person of the lower class into the upper class. Additionally, the pre-industrial world ruled by landed elites made it difficult for individuals in the lower classes to work their way into the upper classes. More often than not, the class an individual was born in was the class they married and died in.

⁶⁷ Robinson, 206.

Class distinctions, regulations, and differences, which were vitally important in traditional British society, mattered little in Australia because virtually all single women in the colonies were from the same class. The vast majority were poor, raised in either the growing cities or in Britain's sprawling countryside, and most were illiterate. Additionally, the convicts were often viewed as a single, monolithic class, so undesirable in Britain that the convict colonies in Australia had been established in part "to dispose of the dispossessed and disobedient criminal class."⁶⁸ However, this did not mean that Australia was a classless society or that it was universally poor or uneducated. The different classes of single men in the colonies included convicts, free settlers, members of the navy, and naval officers, so "while there was a good deal of social stratification" in the single men of colonies, "the female population continued to be predominantly composed of women who had arrived as convicts."⁶⁹ Historians note that this meant that convict women, outnumbered and part of a monolithic female class, had the unique opportunity to rise in the social hierarchy of Australia. Out of necessity, even well-to-do men could not afford to reject potential wives on the basis of class, criminality, or virtue.

This phenomenon extends into arranged marriages within the colonies, which occasionally occurred between young convict women and older, more established men in the colonies. Oftentimes, well-behaved female convicts would spark the interest of the households they were assigned to as domestic servants. When this occurred, the officers, or more often their wives, would recommend the convict woman serving their household to an older, single man in the colony, who was either well established or had a promising future. Letters of recommendation were short given the lack of importance of a woman's family, virtue, or class, and usually consisted of the convict woman's only qualifications listed as "not pregnant" and "a

⁶⁸ Levi, 17.

⁶⁹ Robinson, 206.

nice girl.”⁷⁰ In the colonies, that was all it took to secure an advantageous marriage; the colonial conditions had erased traditional Georgian Era restrictions on “marrying up.”

Mary Rose was one of the convicts who secured an arranged marriage through her employer. Mary had become a convict much the same way as Sarah Dorset, having been abandoned unmarried by a lover and then fired from her job. After spending three years in Britain’s horrendous prisons, Mary declared that she would have rather gone anywhere than remain there, and was eventually transported on the *Lady Juliana*. When Mary arrived in the colonies she was assigned as a domestic servant to Governor Arthur Phillip. Phillip took a special interest in Mary, partially because her case had attracted the interest of newspapers in Britain, and partially because he considered her to be polite and well behaved, having had a reputation aboard the *Lady Juliana* as one of the few women who reject advances from crew members.⁷¹ Phillip set Mary up with John Trace, “one of the best men in the colony,” a man twenty years her senior with a promising future in agriculture.⁷² Although not romantic, Mary’s arranged marriage with a prominent man in society helped to secure her future in the colony.

Many of Mary’s shipmates from the *Lady Juliana* also engaged in arranged marriages and marriages for security. Mary’s best friend, Sarah Whitlam, after a year-long romance with John Nicol and the birth of his child, married another man the same day of Nicol’s departure from the colonies despite his promise to return and marry her.⁷³ While Sarah’s choice was not romantic, and may even appear heartless, her decision to marry immediately reveals her choice to secure her position in the colony and take control of her life. Sarah and her new husband, John Coen Walsh, sailed to Norfolk Island the day they were married, along with many of Sarah’s

⁷⁰ Reid, 256.

⁷¹ Rees, 92.

⁷² Arthur Phillip in Rees, 312.

⁷³ Rees, 321.

shipmates. While some historians interpret the hasty marriages in the colonies as convict women being used as rewards for successful men, others like Sian Rees note that “the granting of favours to men is not the only possible inference; another, equally likely, is that the *Lady Juliana* women were setting up the most advantageous unions for themselves.”⁷⁴ Despite the unromantic circumstances, women “married up” because they could, allowing them to gain social and economic positions that were otherwise unobtainable in Britain.

Convict women in colonial Australia also used marriage and alliance to escape or shorten their sentences. While colonial authorities generally kept male convicts on a tight leash, restricting their freedom of movement within the colonies for fear of a mutiny and the need to control their labor, women were primarily valued for their role as wives and mothers in the colony. As a result, convict women were allowed, and often encouraged, to marry while still serving their sentences, and once they were married, were more often allowed to pursue their own livelihoods outside of the penal system. Many convict women were “assigned” to free men in the colony who were also listed as their husbands. Although these women were technically still convicts because official pardons were rarely given to women during the early colonial period, “it... [was] assumed by the authorities that their married state equated with a pardon, or at least a ticket of leave.”⁷⁵ For many women, marriage meant a de facto end to their sentences because they were no longer required report to colonial authorities or serve on “assignments.”

One of these women was Esther Abrahams, who was not only released from the remainder of her sentence through marriage, but also elevated herself to one of the most prominent positions in the colonies. Shortly after leaving Britain on the First Fleet, Esther, a poor Jewish girl with an illegitimate child, began a relationship with Lieutenant George Johnston, a

⁷⁴ Ibid., 313.

⁷⁵ Robinson, 179.

marine officer with a promising future in the colonies. Johnston's relationship with Esther flourished during the voyage, a direct violation of Johnston's policies aimed at keeping convict women and sailors apart.⁷⁶ Despite these illicit beginnings, Esther and Johnston's relationship continued openly once in the colonies. Johnston, who was designated as one of the officers to remain in the colonies, was awarded a large portion of land to build an estate. Shortly after her arrival in Australia, Esther gave birth to George Johnston's son, also named George Johnston. Despite the fact that Esther still had four years of her seven year sentence left to serve, once she had given birth, Esther was unofficially excused from the remainder of her sentence and was "not to be included among the convict establishment;" she was permitted to live with him on his estate, far from the reach of the penal authorities.⁷⁷ For Esther, even though she was not officially married to Johnston, her association with him freed her from the convict system, and she readily accepted the duties that came with becoming the colonial "mistress" of Lieutenant Johnston."⁷⁸

Although Esther and Johnston did not marry for the first twenty years of their relationship, Esther played the role of a wife rather than a mistress on his estate. Esther gave birth to seven of George Johnston's children, which he recognized as his own. Additionally, Johnston ensured that Esther's daughter born in Britain, Rosanna, was cared for while in the colonies, acting almost like a father to her. During this period, Esther and Rosanna assumed the last name "Julian," after a prominent Jewish family in Britain. Ester frequently went by "Mrs. Julian," possibly as a way of explaining why she was not officially married to Johnston.⁷⁹ Despite this, Esther was said to have "bore the brunt of the administration of Annandale,"

⁷⁶ Levi, 28.

⁷⁷ Ibid.

⁷⁸ Ibid., 27-28.

⁷⁹ Ibid., 33.

Johnston's sprawling estate, and even oversaw the employment of dozens of convicts while serving as the "mistress" of the household.⁸⁰ In fact, near the end of her life, Esther Isaacs, another Jewish convict exiled to the colonies, remembered her friend, saying Esther Abrahams "had accumulated her property by hard struggling, that it was not the red jacket who got the money."⁸¹ Isaac's statement suggest that, while still retaining all the privileges and influence as Johnston's wife, Esther, an astute administrator, used her position to attain property and resources for herself rather than for Johnston.

In 1808, George Johnston participated in the Rum Rebellion, a coup that temporarily placed Johnston in charge of the colonies. With Johnston serving as acting Lieutenant Governor, Esther Abrahams was Australia's common-law First Lady. That Esther, a poor Jewish girl with an illegitimate child from the streets London, could become the First Lady of the colonies, is a testament to how far convict women could rise in colonial Australian society. However, Johnston's tenure as Governor was short-lived, and six months later he was sent to Britain to face trial for his role in the Rebellion. It was during this period that Esther went to work, securing her position and that of her children independently from Johnston. Esther, assuming the role of "Mrs. Julian," a now ex-convict woman without a husband in the colonies, "made a hasty application for a grant of land. Faced with the very real possibility of her protector's conviction and disgrace, accompanied by the withdrawal of his land grants, 'Mrs Julian' was moving to safeguard her family."⁸² Because Esther was not officially married to Johnston, she was legally allowed to own property in her own right. If she had been married to Johnston, all property the couple owned would have been assumed his, and possibly confiscated if he was convicted.

⁸⁰ Ibid.

⁸¹ Esther Isaacs in Levi, 37.

⁸² Levi, 33.

Esther's plan was successful, when on 30 June 1809, and official land grant from Lieutenant Governor William Paterson deeded "Mrs Esther Julian" 570 acres of land, Johnston's Annandale estate, which the couple continued to operate on Johnston's return despite his conviction for his role in the Rebellion.⁸³

Esther's rags-to-riches story in the colonies is punctuated by the utilization of her relationship with George Johnston. Esther's relationship with Johnston not only provided her with protection and security during the voyage to Australia, but also extended such privileges into her colonial life. While acting as Johnston's common-law wife, a position that, due to the relaxed attitudes regarding sexual relationships in the colonies was perfectly acceptable, she also utilized the fact that she was not officially married to him to secure property when it was threatened. Esther's common-law marriage to Johnston reveals how convict women in the Australian colonies could use marriage or alliances with powerful men to avoid the remainders of their sentences, secure their economic futures, and guarantee resources and positions for their children. Esther's case is unique in that she expertly navigated her common-law marriage to give herself the most power possible in the relationship. While she still served as the mistress of Johnston's household and ran the estate as a wife, because she was not officially married to Johnston she was able to own property outright, which helped the couple keep their lands when they were threatened. Esther played both sides of the common-law marriage coin, securing her position in the colonies as the wife of one of the leading officers as well as a single woman who could own and control property.

Like Esther, many other convict women utilized the unique power dynamics in their relationships and their rights to property ownership that existed in the Australian colonies. For

⁸³ Ibid.

many convict women, success in the colonies required them to fight for their rights by overcoming their convict status and taking control in their relationships. Mary McMahon, an Irish convict, was one of these women. After arriving the colonies, Mary married fellow convict John Hogan. Although Mary completed her seven year sentence, John Hogan was serving a life sentence and remained in the convict system. Like many other convicts, the couple settled on an unclaimed patch of land, and worked for several years to clear the land for agriculture before building a successful family homestead, during which time Mary had four children. However, because the couple settled on the land without officially receiving ownership of it, the colonial government threatened to confiscate it and sell it to the increasing number of free settlers moving into the area, a common occurrence. In a letter to the colonial Governor Lachlan Macquarie, Mary described the injustice she felt at being “obliged to take twenty acres of standing timber for five years clearing” just for another settler family to reap the rewards of the improved land.⁸⁴ Despite her status as an ex-convict and her husband’s life sentence, Mary exercised her power as the “free person” of the couple to advocate on their behalf. Like Mary, many convict women in Australia had more power in their relationships when it came to fighting for their rights than they did in Britain. This was primarily a result of the reduction of power of their husbands as well as the confusion created in Australia’s early government due to the revolving door of leadership in the colonies during the early colonial period.

Frequently, convict women married convict men who were serving life sentences. While many convict women were officially sentenced to life sentences, colonial authorities were less concerned about closely monitoring, controlling, or enforcing the life sentences of female convicts because their labor was not as important to the colonies as male labor, and because they

⁸⁴ McMahon in Robinson, 185.

did not fear a convict uprising among the female convicts like they did the men. Unlike when female convicts married free men, it was a difficult process and required an official document for a convict man to be “released” to the care of his free wife, and convict men’s sentences were almost never forgiven upon marriage. As a result, in a marriage between an ex-convict woman and a convict man, the woman usually had more control over the couple’s affairs. Because convict men saw a reduction of power, agency, and position in society due to their convict status, their free wives shouldered some of that lost power, placing them on more even footing with their husbands in what was normally a male-dominated relationship.

Rachel Tounkes is an example of one of the women who utilized this agency. Shortly before finishing her seven year sentence, Rachel married fellow convict John Liquorish, who received a conditional pardon upon their marriage which allowed the couple to start their own farm.⁸⁵ The pardon was granted on the basis of Rachel’s impending freedom, but still tied Liquorish, who was serving a life sentence, to the penal system and required him and Rachel to continue to report to the colonial authorities. Years later, Rachel petitioned for additional land, saying that “by the help of God with her industry & care & her husbands (sic) has procured them a very comfortable living.”⁸⁶ Rachel begins her plea by describing her own resourcefulness and efficiency before naming her husband as an afterthought. Because her husband could not own land due to his status as a convict, Rachel asks that the land to be granted to herself. Additionally, Rachel had been tasked with providing her husband with moral guidance and closely monitoring his behavior as part of his conditional pardon. She notes that, through her industry, the pair had never required any additional help from the government and that “nor her

⁸⁵ Ibid., 184

⁸⁶ Rachel Tounkes in Robinson, 184.

husband [had] ever been troublesome.”⁸⁷ Although Rachel’s request was denied because Governor Macquarie found it “contrary to the Governors to give land to...a woman,” which reveals the uncertainty and volatile policies toward convict women that existed due to the high turnover rate of leadership in the colonies, other women in Rachel’s position were more successful with previous governors.⁸⁸ Rachel’s attempt to acquire more land for the couple was only possible if done in her name due to the convict status of her husband, and her wording reveals the power she had in their relationship.

Like Rachel, many convict women fought for additional rights and privileges in the colonies on the grounds of good behavior and the belief that they and their husbands were reformed, upstanding colonists rather than habitual criminals. Convict women attempted to portray themselves as wholesome colonists, deserving of land in the colonies as its founders. One of these women was Hannah Taylor, who was one of the women lucky enough to submit her request before Governor Macquarie adopted a more traditional approach to property ownership in the colonies and decided that women were “ineligible to apply for land.”⁸⁹ Hannah, whose husband had died, received her land as a single woman, and petitioned on the grounds that her land would “secure herself of a home for the remainder of her life.”⁹⁰ Hannah’s good behavior during her years as a convict ensured her an honorable living as a single woman, and she spent the remainder of her life living an honest, industrious life independent from a man, an uncommon occurrence during the era.

Ann Kennedy requested land for herself and her common-law convict husband on similar grounds of good behavior. In her request, Ann recounted that during her time in the colonies,

⁸⁷ Ibid.

⁸⁸ Macquarie in Robinson, 184.

⁸⁹ Robinson, 184.

⁹⁰ Hannah Taylor in Robinson, 184.

“the Lieutenant-Governor gave her leave to obtain her livelihood on her own which she has done with Thomas O’Neale in an honest and industrious way...She has a child and is now on a small farm two miles from Sydney.”⁹¹ Ann’s request indicates that she was not assigned to a family as a domestic servant or to an organized labor position for convicts in the colonies, and was instead allowed to find her own livelihood. This was a common occurrence in the colonies, as there were not enough government assigned positions for all the female convicts, whose primary purpose was marriage and childbirth. By emphasizing that Ann made her living “in an honest and industrious way,” she reveals that she followed the traditional settler path by settling down and starting a family on a farm, rather than falling into prostitution or crime to make her living in the colonies. Additionally, Ann’s petition acknowledges that she and Thomas O’Neal, a convict, were not officially married. The phrasing of her petition and the casual mention of their child suggests, as already investigated, that common-law marriages were acceptable and even respectable living situations in colonial Australia. Impressed by Ann’s honest livelihood, Macquarie granted Ann’s request, just like he did Hannah’s.

Finally, convict women generally had more agency in their marriages in Australia when they were married to convict men, who faced restrictions on property ownership and freedom of movement within the colonies. Because male convicts were more heavily controlled than female convicts, male convicts still serving sentences who hoped to be allowed to farm were required to be “released” to the care of their freed (or assumed freed) wives. Just as many female convicts were recorded as “assigned” to husbands as a way to negate the remaining years on their sentences, husband could be released to the care of their wives, who took responsibility for their husbands’ behavior, although this required an official petition and release. One such woman was

⁹¹ Ann Kennedy in Robinson. 185.

Sophia Tull, who after living free in the colony for more than a decade married a man just beginning his seven year sentence. Already a successful farmer in her own right, Sophia requested that her husband be “released” into her care so that he could help her with the farm, arguing that she was an upstanding settler who could vouch for his character. In her request, Sophia swore to her husband’s character “on her honour,” saying, “he is a very practical, very industrious indeed he is a man blest with rectitude of conduct, I am confident will always meet the approbation of His Excellency.”⁹² If her husband, Richard Reed, was released into her care, it would mean that Sophia would have been responsible for him, watching over him and reporting on his behavior. Sophia promising to keep ensure her husband’s good behavior reveals her position as the leader in the relationship. Like Ann Kennedy and Mary McMahan, as an ex-convict married to a convict man, she was the leader in the marriage and handled the couple’s official affairs, including property management, a reversal of traditional gender roles.

When Mary protested their removal from the land, she argued that despite her status as a former convict and her husband’s life sentence, the couple were responsible and well-behaved settlers who deserved the land they had worked so hard to improve for agriculture. After her initial request for the twenty acres she and her husband originally cleared, Mary tenaciously followed up her request with a second “to grant Petitooner (sic) sixty acres of forest land for a residence for Petitoners husband and four children.”⁹³ Mary’s fight did not stop there. After that request was also granted, Mary then followed up her second land petition by adding that she “hopes and prays that you will be graciously pleased to free John Hogan the father of her children at the first opportunity.”⁹⁴ Mary’s final request went far beyond her original two, asking

⁹² Sophia Tull in Robinson, 186.

⁹³ Mary McMahan in Robinson, 185.

⁹⁴ Mary McMahan in Robinson, 186.

that her husband, who was serving a life sentence, be unconditionally pardoned and released from his sentence entirely, rather than just released into her care. This highly unusual petition, which was successful, “was certainly not written by a woman who was reluctant to stand up for her rights, nor did she consider that she was in any way a ‘victim’ of society except that the labor of herself and her husband in clearing timberland should be for their own benefit.”⁹⁵ Historians note that except for Mary’s spelling and grammar, the self-assuredness and steadfast belief in her rights as a citizen replicate the requests of free citizens during the time period. Property ownership was especially radical for convict women because in Britain, where aristocratic families owned the majority of the country’s land and leased it to poor families, it was extremely difficult for non-elite families to purchase property. The convict women who fought for their rights to their property and requested land in their own names “were those who had scarcely owned the very clothes they wore when committed for trial in Britain.”⁹⁶ Mary pushed the boundaries of the rights and privileges convict women in the colony could pursue, like many other women arguing that her labor and role as one of the founding members of the colonies entitled her to her land and the benefits of her labor despite her status as a convict.

Labor in the colonies for convict women required resourcefulness. Although the penal system presented few options regarding monitored labor for convict women, Australia’s abundant land and developing society presented a variety of avenues for women to pursue work and use their labor to their own advantage, many more options than were available in Britain. However, upon arrival this was not outwardly visible. For fifteen year-old convict Mary Reibey, her first impression of the Australian colonies was that they offered few economic opportunities. Mary had been convicted of stealing a horse at thirteen, which she claimed had been a prank.

⁹⁵ Robinson, 186.

⁹⁶ Ibid., 187.

When she arrived in Australia in 1792, before departing her ship docked in Botany Bay, Mary wrote a letter to her aunt, expressing her shame at her condition and what she had done and her pessimistic views for the future. Mary wrote, “the Governor told [told] me I was but for 7 years wick Grives [grieves] me very much to think of it but I will watch every oppertunity to get away in too or 3 years,” adding that she would “make my self as happy as I Can In my Present and unhappy situation,” and that she was “well and hearty as ever I was in my life.”⁹⁷ Mary’s expression of fear at the possibility of a life sentence reveals her belief that there was little economic future for her in the colonies. Despite this, Mary showed a willingness to make the best of the situation, adding that she was in good health to do so.

For many convict women, good health was all they had going for them when they landed in the colonies. Despite the shortage of women for marriage and reproduction, the early colonies had little need for organized female labor, meaning that women who were not assigned to the few positions in female factories or as domestic servants were left to fend for themselves. Although this did not offer a safety net, the remote and developing nature of Australian society allowed women to fill jobs in the colonies that were traditionally off-limits to women in Britain. Many convict women did much better economically when left to fend for themselves in the colonies, not only surviving but thriving and becoming successful business owners.

Although female work was rarely discussed or recognized in contemporary sources, evidence exists of female convicts’ industriousness and self-reliance, as well as the colonies’ relaxed attitudes toward women and property ownership, to make a life for themselves. Mary Gotham, a single convict woman, requested the title to a house “having by her industry built

⁹⁷ Mary Reibey, *letter to Penelope Hope*, Sydney, New South Wales, Oct. 8, 1972, *State Library of New South Wales*.

herself” in an “honest and industrious manner,” implying that it was not by prostitution.⁹⁸ How a single woman came to obtain the resources to build a house is unknown, but the fact that Mary Gotham could even build and own a house through honest work is an indication of the opportunities for economic advancement available to both single and married ex-convict women that did not involve men.⁹⁹

Many convict women found employment and work in the running of taverns, inns, public houses, and breweries. Difficult and expensive to import, alcohol in the colonies had to be produced on sight, and the increasing numbers of convicts and single male settlers created a high demand for it. Because of colonial Australia’s growing reputation as a haven for drunks, all licenses to brew, distill, and sell alcohol had to be approved by the Governor. In the case of ex-convict woman Hannah Speke, her request to renew her license to sell was denied on the basis that her convict husband Joseph Morley was a drunk. Hannah appealed the decision on the basis that “she had just erected a house suitable for a public house” and that without her license she and her six children would be thrown into poverty.¹⁰⁰ Hannah’s license was granted on the condition that her husband be barred from the premises, leaving her to own and run their business. It was Hannah’s business and Hannah’s labor that was to support her family. However, Governor Macquarie only extended Hannah’s license ten years, assuming that after her husband’s fourteen year sentence expired, he would take over the business. This qualification reveals that convict women had more agency during the earlier years of penal transportation, and once more free men and free citizens moved to the colonies, female convict agency began to decline.

⁹⁸ Mary Gotham in Robinson, 188, 187.

⁹⁹ Robinson, 188.

¹⁰⁰ Hannah Speke in Robinson, 188.

In addition to employment in the urban areas of the colonies, a much more common source of work for convict women was the establishment of small homestead farms. Many convict women settled with men, either free or convict, and began farming in the vast area of unclaimed land surrounding Sydney. Many of these convict women were eventually able to own this land, an impossible thought in Britain where land was leased to poor farmers by elites. One woman, Mary Oliver, became so successful that she attempted to convince her daughter who remained in Britain that she would be more successful in Australia. Twenty years after her conviction, having amassed a large and successful farm, Mary wrote to the daughter she had left with relatives in Britain fearing her daughter would not have a future in Australia. In her letter, Mary described Australia as “the most healthful country in all the globe” with “fruit no country can equal.”¹⁰¹ Along with the letter, Mary sent her daughter ten pounds, a gold ring, and a necklace. Mary’s letter and gifts emphasized the economic opportunities in the colonies, ones worth paying for the voyage and starting over for.

Like Mary Oliver, Mary Reibey found unexpected economic opportunities in the colonies. A year after arriving in the colonies she married Thomas Reibey, a junior officer who worked on a store ship. The pair started a successful farm and later a shipping business, which they expanded to include several ships with routes to China and India. When Thomas Reibey died relatively young in 1811, Mary assumed sole responsibility for their business enterprises, having frequently managed his affairs in his absence. Mary proved to be an astute businesswoman, expanding the shipping empire and acquiring a great amount of land and property. She also frequently used the law to settle with those who owed a debt to her, and courts

¹⁰¹ Mary Oliver in Robinson, 182.

usually ruled in her favor.¹⁰² In 1820, Mary returned to Britain for the first time since her transportation to visit relatives and recover her birth records. In her journal entries from the trip, Mary recounted that she had been “fully requited” by her cousin “with all the affection and love of a sister.”¹⁰³ Mary’s homecoming featured none of the shame Mary felt upon arrival in the colonies. Mary had been sending money home to her relatives, and they greeted Mary, a “fallen woman” by British standards, with pride and respect. Mary, through her own labor and the financial opportunities offered by life in the colonies, had far exceeded her family’s modest background. Her trading empire filled a need in during the colonies’ period of rapid growth, allowing Mary to become vastly wealthy. During her lifetime she was respected as a businesswoman in the colonies, and Australia later recognized her contributions to the country’s economy when she was featured on its \$20 bill in 1994.

By securing her financial future, Mary Reibey also helped to secure a future for her children, who were similarly prosperous in the colonies. Mary’s industry inspired her children, who continued her trading empire after she retired. During the early years of the Australian penal colonies, many contemporaries worried about the influence convict mothers would have on their children. Even though convict women were brought to Australia with the purpose of becoming the first European mothers in the colonies, fear that convict criminality would spread from mother to child featured heavily in British society. For Mary Wade, one of the youngest convicts sent to Australia, this debate surrounded her during her trial. Mary was tried for theft at age ten and transported at eleven. During her trial, Mary’s mother was called to the stand and berated by the judge, who claimed she was “as much in fault” as Mary “by not taking proper care of her,

¹⁰² Documents from “Mary Reibey - convict and businesswoman,” *New South Wales State Archives and Records*, <https://www.records.nsw.gov.au/archives/magazine/galleries/mary-reibey>.

¹⁰³ *Journal of Mary Reibey*, June 20, 1820, *State Library of New South Wales*.

and ... letting her run about the streets.”¹⁰⁴ The judge blamed Mary’s frequently absent father and Mary’s mother’s raising too many children in poverty, warning that she should take “better care of the rest [of her children], or else they will all come to the gallows,” before sentencing Mary to death.¹⁰⁵ Mary’s sentence was later reduced to transportation for life.

The blame the judge placed on Mary’s mother for the problems caused by Mary and her siblings reflects a common fear during the time period that the immorality of a mother would influence her children. During a visit to Australia, the Catholic Bishop William Ullathorne criticized convict mothers, saying “their children are cradled in vice, are nursed at the bosom of profanity, and fed with the poison of ungodly lips, and that they drink in iniquity from their parent’s example.”¹⁰⁶ Ullathorne’s view was shared by many in British society, especially those who viewed the transportation system as a way to rid Britain of its criminals rather than establish a successful colony. However, the cycle of moral decay and lawlessness that Ullathorne feared did not come to pass, and the children of convict mothers became generally successful individuals, rising beyond their humble origins to prominent positions within the developing colonies.

For example, the children of Esther Abrahams fared well in the colonies. Despite their Jewish heritage and the unmarried status of their parents, George Johnston recognized all seven of the children he had with Esther and raised them as he would his own legitimate children. Esther’s son George amassed a considerable estate in his own right, while her son Robert was the first Australian-born person to join the British Royal Navy. In addition to her children by George Johnston, Esther’s illegitimate daughter Rosanna, born in Newgate prison, became successful in

¹⁰⁴ *Old Bailey Proceedings Online*, October 14, 1789, trial of Mary Wade, Jane Whiting (t17890114-58).

¹⁰⁵ *Ibid.*

¹⁰⁶ William Ullathorne, *The Catholic Mission in Australia* in Robinson, 180.

the colonies. Under the guidance of George Johnston, Rosanna married Isaac Nichols, an ex-convict who worked on Esther's estate and who would later become the first postmaster in the colonies. Rosanna and her husband would later serve as witnesses when Esther and George Johnston finally married in 1814.¹⁰⁷ Additionally, Rosanna's children would eventually become prominent lawyers and politicians in the colonies, who advocated for Jewish rights. Despite prejudice stemming from her criminal background and Jewish heritage, Esther's children flourished in the colonies, following their mother's example by becoming prominent citizens. Esther's youngest daughter, Blanche, even lived long enough to see Australia become a nation in 1901 and Australian women gain the right to vote in 1902 before dying in 1904 at the age of 94.¹⁰⁸

For many convict women, their ultimate goals in the colonies were to secure a future for themselves and their children, and many did whatever it took to do so. For Sarah Whitlam, it meant marrying a man the day after the father of her child sailed back to England. For Hannah Speke, it meant taking over her husband's brewing business when he was too drunk to run it. For Mary Wade, ensuring a future for her children meant frequent movement throughout the colonies, as well as back and forth relationships with several men.

While it is difficult to trace Mary's movements in Australia, as many of her convict records were destroyed in a fire in 1936, historians generally believe she first settled on Norfolk Island.¹⁰⁹ Here records indicate that Mary gave birth to a daughter named Sarah Wade, labeled a "convict child" on September 27, 1793. There is no mention of the father's name, although it is

¹⁰⁷ Levi, 38.

¹⁰⁸ Ibid.

¹⁰⁹ Marjorie Morrow, *Mary Wade to Us: A Family History 1778-1986*, (Sydney: The Mary Wade History Association, 1986), 29.

believed to be either Jonathan Brooker or Teague Haragan.¹¹⁰ It would appear that Mary had another child with Brooker on Norfolk Island before living with Haragan on the mainland and having two more children with him. However, after Haragan left for a fishing trip and never returned, Mary reunited with Brooker, with whom she had the remainder of her children. Mary's movements between the two men are additional indicators of the relaxed attitudes regarding sexual relationships in the colonies. They also reveal Mary's desire to stay with the man who offered her the best future, although Mary did later attempt to claim that all of her children were Brooker's after Haragan left Mary's life for good. Mary and Brooker eventually settled in the Hawkesbury River area, not far from Mary Reibey and her children, and made their living as farmers. Farming proved a difficult, fickle task for Mary and her family, with historians noting that "early Hawkesbury settlers met considerable difficulties before mastering their land. Preparing their land for planting with primitive tools was exhausting. Crops could be lost entirely with one flood, and any stock they had was at risk at flood time."¹¹¹ The family suffered financial ruin after a fire, and were forced to ask the government for aid before rebuilding a sizable farm. While not extraordinarily successful, Mary's story is remembered through the legacy of her children. While only seven of Mary's twenty-one children went on to have children of their own, a testament to the harsh conditions on the Australian frontier, Mary, who lived to the age of 82, had more than 300 descendants when she died in 1859. Today, her descendants number more than 10,000, and include former Australian Prime Minister Kevin Rudd.

Despite the judge's misgivings about Mary and her family at her trial, Mary's descendants became successful individuals in the colonies. The children of convict women were the first native born people of Australia, and by the early nineteenth century were beginning to

¹¹⁰ Ibid.

¹¹¹ Ibid., 30.

be recognized and honored as such, despite criticism from individuals like William Ullathorne. At a picnic honoring the establishment of the first convict colony in Australia, “the native born were asked...to attach light-blue ribbons to their left breast, in order to mark them out for special admiration and appreciation.”¹¹² Despite their origins, the children of convicts were recognized and honored for their role in establishing the colony, which had become quite successful by the mid nineteenth century. Contrary to the fears of their contemporaries, convict women had become the mothers of successful, hardworking children as well as the mothers of a successful nation.

The experiences of convict women in Australia were unique because the early colonial period provided convict women with greater agency than rigid British society, allowing them to develop and thrive in ways that would have likely been impossible in Britain. Although transportation separated convict women from their families and uprooted their lives in Britain, it also presented them with new opportunities in the colonies. The need for women in all positions of society in Australia, as wives, mothers, servants, businesswomen, farmers, shopkeepers, and even First Ladies, allowed convict women to fulfill the country’s needs despite their humble origins. As a result, Britain's “fallen women,” helped to build Australian society from the ground up and became the founders of Australia.

The contributions of convict women were rarely recognized by their contemporaries, and as the colonies grew in size and complexity, a more structured social hierarchy that mirrored its parent state began to develop. Newly arrived convict women found it increasingly difficult to overcome the stigma of their criminal pasts in the growing society of free settlers, and many freed women attempted to hide their pasts in order to free themselves from some of the stigma.

¹¹²*Launceston Examiner*, 16 August 1853, in Reid, 256-257.

However, rare glimpses of recognition for the contributions of convict women in early Australia by their contemporaries reveal that despite their image as irredeemable “fallen women,” many considered the convict women to be reformed citizens and the foundation of the colonies.

Richard Diaper, a travelling merchant from Britain, commented in a letter the *The Australian* newspaper than the former convict women in Sydney’s Thursday markets were

Hale and jocular looking butter and egg women - probably persons who have passed through every gradation of vice and misery - but now transformed into careful purse keeping housewives:- the women have made the money here, at least, laid the foundation for all that followed.¹¹³

Diaper’s modest praise directed at farm women selling their wares acknowledges both the agency of convict women and their foundational role in Australian history. Although he fails to recognize full achievements of convict women that went beyond farm life, his statement also recognizes the transition of British women filled with “vice and misery” to “careful, purse keeping housewives,” as women who overcame the stigma as Britain’s “fallen women.”

The lasting impact of convict women and evidence of their agency can be found elsewhere in Australian society. In 1902, only a year after becoming an independent nation, Australian women gained the right to vote and run for office, eighteen years before their British counterparts and earlier than any country in Europe. Women in Australia’s inland frontier regions who owned property could vote as early as the mid-nineteenth century, with female property ownership in Australia stemming from agency of convict women. Women like Sarah Dorset, Esther Abrahams, Mary McMahan, Mary Reibey, and Mary Wade not only utilized the agency in the colonies for their own benefit, but also “laid the foundations for all that followed.”

¹¹³ Richard Diaper, “To the Editor of *the Australian*,” *The Australian* (Sydney, New South Wales), Apr. 21, 1825, 2.

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