

The Sophia Nightingale Story

Sophia Nightingale was born 17 March 1789 in England, married somebody Graham circa 1809 and then married John Nightingale on 31 August 1818 at St Annes, Liverpool, UK. The marriage record shows Sophia was a widow. On 26 April 1819 Sophia was tried for larceny at Lancaster (Liverpool Borough) Quarter Session, found guilty and sentenced to 7 years transportation. Her police number was 7, she was a housemaid and could not write.

Sophia was transported to Australia aboard the “*Janus*”, a ship of 308 tons and built in New York in 1810. This was the only voyage where the the “*Janus*” was employed as a convict transport. The Master of the ship was Thomas J Mowat and the ship’s Surgeon Superintendent was James Creagh of the Royal Navy. The “*Janus*” sailed from London on 23 October 1819, then left Cork, Ireland on 5 December 1819. Also aboard were a small number of passengers, including two priests, Father Philip Connelly and Father John Joseph Therry, both of whom had volunteered to migrate to New South Wales after the authorities had consented to have Catholic chaplains stationed at Botany Bay.¹ The ship arrived in Rio de Janeiro, Brazil on 7 February 1820 and stayed there a fortnight. The *Janus* was supposed to go to Van Diemen’s Land, but when Dr Creagh died within site of the Van Diemen’s Land coast, Captain Mowat ignored the orders, by-passed the Derwent and sailed to Port Jackson, arriving on 2 May 1820. The arrival was reported in *The Sydney Gazette* and *New South Wales Advertiser*:²

On Tuesday arrived from England and Ireland, the ship *Janus*, Captain Mowall (sic. Mowat), having on board 105 female prisoners, and 26 children. She sailed from the Cove of Cork the 5th of December; entered the harbour of Rio the 7th of February, and delayed a fortnight. Passengers, the Rev. Philip Connelly, and Rev. John Joseph Therry. The death of the Surgeon Superintendent, Dr. Creagh, R. N. is much to be regretted; which lamentable event occurred when the ship had arrived off Van Diemen’s Land.

A week later the paper further reported:³

Having in our last Number had unhappily to report the death of Dr Creagh, of the R. N. on board the *Janus*, we have now considerably to increase the melancholy feeling that will have been excited by our first report, in the afflicting recollection that an amiable wife and four infants have yet to undergo the bitter, agonizing pangs that are to result from the intelligence of this most fatal event to a once happy family.

There were 104 convicts on board; one had died on the voyage. Captain Mowat was criticised by Lieutenant Governor Macquarie for not putting in to port, particularly when the surgeon died. After arrival in the colony it was customary for convicts to be questioned about their treatment during the voyage and all reported that they had been looked after very well. However, within a couple of weeks of arriving, Governor Macquarie was advised that perhaps things had not gone all that well during the voyage.⁴

Mr Nicholas Bayly, a free settler, informed Macquarie by letter that two of the *Janus* women who had been assigned to him as servants were pregnant. One, Mary Long, claimed that it was Mowat who was responsible for her condition. The other, Lydia Esden, revealed that the man responsible for her pregnancy was John Hedges, Mowat’s chief mate. Bayly told Macquarie that the women had freely admitted that they had lived ‘in a state of prostitution’ with the men throughout the voyage.

In response, Macquarie asked the Bench of Magistrates in Sydney to investigate the matter immediately and to report back to him.

Within a week, the Bench - comprising John Wylde (Judge-Advocate, NSW) as President, John Campbell J.P. (Macquarie’s Secretary), William Minchin, J.P. (Superintendent of Police, NSW) and John Piper, J.P. (Naval Officer, NSW) - met to hear testimony from those allegedly involved and other key witnesses.

In his dispatch of 19 July 1820, Macquarie advised Earl Bathurst, Britain’s Secretary of State for the Colonies, of the *Janus* situation, expressing the hope that Bathurst would:

... take such measures as may tend at least to repress as far as possible such flagrant dereliction of duty for the future as that which has been proved against the Master and Officers of the *Janus* and to tell him that he had asked the Bench of Magistrates in Sydney to investigate the matter.

Macquarie enclosed a number of relevant documents, among which were copies of the correspondence he had received from Bayly and a full transcript of the proceedings of the Bench.

The proceedings show that the first person to be interviewed was Mrs Ann Moore, the wife of Corporal Moore of the 48th Regiment. Although she had come out aboard *Janus* as a passenger, she had chosen to share the prison room with the convicts in preference to taking a berth in the sick bay, the only other accommodation available for her. As such, she had been in a good position to observe the behaviour of the prisoners and the conduct of the captain and crew towards them.

Whilst she admitted that it was impossible to see the captain’s cabin from her berth, she was certain that no female convict was ever there for any length of time and that those who did enter that cabin did so briefly, and only for the purpose of obtaining Mowat’s linen to wash and mend and return it afterwards. She added that the prisoners were invariably ordered below decks every evening, that the hatches were then securely fastened, and that the sailors were never down with the women at night.

¹ FCRC web site – notes of Don Bradmore.

² *Sydney Gazette* and *New South Wales Advertiser* 6 May 1820.

³ *Sydney Gazette* and *New South Wales Advertiser* 13 May 1820.

⁴ FCRC web site – notes of Don Bradmore.

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In regard to the prisoner Lydia Edsen specifically, Mrs Moore told the Bench that she had often spoken to her, that she had seen her undress herself and go to her own bed and that she did not know of her leaving the prison room at night or of her being in the Captain's cabin for any length of time.

Mrs Moore told the Bench that the prisoners had been admonished from time to time for 'riotous conduct and swearing' but that this conduct had amounted only to fighting among themselves and card-playing. She had even seen some of them 'tipsy' occasionally. But she had not seen any of the sailors coming into the prison room except when they had legitimate business there. She thought that the captain and his officers were 'kind' and that they 'did everything they could to make the prisoners and everybody on board comfortable'. She added that she was aware that two sailors had been put off the vessel before it had left Cork for speaking to the women and that during the voyage the captain had frequently rebuked the seamen when he saw them speaking to the prisoners.

Father Connolly, the senior of the priests, was the next to be interviewed. He told the Bench that from his first day aboard Janus he had had reason to suspect that some kind of 'improper intercourse' was going on between the female convicts and the sailors'. He had observed women coming from the sailors' berth and believed that it was common for the men to take a 'partner' from the prison room. He was aware that 'two or three women were often, indeed constantly, in the captain's cabin'. He had overheard Captain Mowat and Surgeon Creagh openly discussing this matter and, at the beginning, he had raised the matter frequently with the captain. Later, however, he had ceased to do so because he was convinced that it was useless.

At Rio, Connolly said, a letter had been sent to Commodore Bowles who was in charge there to alert him to 'malpractices' on board. As a consequence of this, Mowat and Creagh had gone ashore to arrange for more bolts and bars to be brought aboard to 'keep the prison secure' and 'to prevent prostitution' but the new bolts were soon removed and the hatches broken open as regularly as they were fastened down. After Rio, 'prostitution seemed to prevail more than before' and 'to a most shameful extent'.

Connolly believed that while Mowat seemed, by his words, to want to stop what was happening his actions spoke otherwise. He was setting such a bad example that the seamen, who 'seemed determined to have the women', were actually encouraged to continue in what they were doing. On the other hand, he believed that Creagh had done everything he could to prevent what was occurring.

But Connolly was adamant that the entire blame for this conduct could not be laid at the feet of the captain and crew. The women, he asserted, 'were as determined to communicate with the sailors as they themselves were' with the women.

Connolly said that when Creagh attempted to punish the women for this he was only laughed at. He was not supported by the captain and officers in the performance of his duty, and he had had 'no assistance from any quarter'. When, after leaving Rio, Creagh told Mowat that if he could not have his support then he himself must accept full responsibility for the prisoners, 'there was an altercation between them'.

Next to be heard by the Bench of Magistrates was Father Therry. Like Connolly, he said that he had quickly become aware of 'the utmost prevalence of vice' aboard Janus. In his view, what was happening on the ship amounted to 'general criminal intercourse between the sailors and the convicts'. It was 'general' and 'widespread'.

He had remonstrated with the captain and officers about the matter 'frequently' but, like Connolly, he had given up when he found that his 'expostulations' were of no use. He, too, thought that Mowat had been insincere in his efforts to prevent communication between the sailors and prisoners. He was aware, however, that the captain had felt that it was very possible that the men would mutiny if he were too severe with them.

In Therry's opinion, the locks and bars that had been taken on at Rio were of poor quality and easily opened with any key. Some of the locks had been thrown overboard. A number of the boards which separated the men's berths from the women's had large gaps between them and this facilitated easy communication between them.

He added that, to his knowledge, the Catholic prisoners (that is the Irish women) – who comprised about one third of the total – had not entered into 'the illicit intercourse' between the sexes. He concluded his testimony by stating his conviction that if 'a proper system of discipline had been established' by the captain early in the voyage none of the 'illicit intercourse would have prevailed'.

Captain Mowat was then called before the Bench. Strenuously denying that any irregularity had occurred aboard the vessel during its voyage, he asserted that the evidence against him and his crew would soon be shown to be 'vague and inconclusive'.

Mowat urged the Bench to give the utmost weight in their assessment of what had happened to the testimony of Mrs Moore, whom he referred to as a woman of 'good character and unimpeachable morals'. He reminded the Bench that she had distinctly stated that the female prisoners had been ordered down to the prison room regularly every evening, that the hatches had been immediately fastened, and that the two women, Lydia Edsen and Mary Long, whose names had been much adverted to in the proceedings, had slept in berths opposite her and she had seen them undress and go to bed.

He told the Bench that, although he had had to punish some of the women for misbehavior on occasion 'by putting on them a strait waistcoat', he had always treated the prisoners 'kindly and properly'.

In regard to the evidence of Father Connolly, Mowat begged the Bench to take into account that it had been given with 'a peculiar invidiousness'. The priest's main objective, he thought, seemed to have been 'to represent as blameless all those of his own persuasion' and to castigate the rest.

Mowat pointed out that, although the priest had testified that he had 'observed a manner of familiarity between the sailors and the women', he had not named him in that respect. Moreover, he said, Connolly had testified that he had presumed that the sailors had generally each had a 'partner' because he had seen women coming up from the men's berths, but that this was a presumption only.

The captain admitted that he had certainly been aware that some intercourse had taken place between the sailors and the women as a result of the removal of bolts, locks and hatches but denied that he had 'either assisted or connived' in that in any way. He reminded the Bench that the prisoners were under the 'care, management and superintendence' of the surgeon

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during the voyage, and that it was the surgeon's duty to report any irregularity which required attention to him in writing. He had never received such a report.

On the contrary, he said, he had never refused to co-operate with the surgeon and had used his best endeavours to suppress the intercourse between the sailors and the women. At the same time, he maintained, he had had to be mindful that a mutiny might ensue if he was too rigid with the men.

Mowat unequivocally denied the accusation that he had had 'a female named Mary Long as a constant companion' in his cabin. He stressed that it was only because she washed for him during the voyage that she entered his cabin and, in doing so, had done no more than other prisoners – namely, Mary Hoare, Isabella Irvin and Ellen Molloy - who performed the same service for the surgeon and the priests.

Convict Mary Long was then called to the Bench. In a sworn statement, she said that when first put aboard Janus she had been placed in the prison room and that it was locked down after dark. At daylight, the hatches were unlocked and the prisoners were able to come up on deck.

After sailing from Cork, however, the prisoners were not mustered again and, while she was not aware of any woman being taken out of the prison room after lock down time in the evening, she was unable to say whether all of them were actually in the prison room when the lock down took place.

In her own case, she said, while she did not frequently spend the night in Captain Mowat's cabin, she was there when not in the prison room at night. As a result, she was now in her present pregnant condition – and, for this, she said the captain was responsible.

She told the Bench that she knew that Lydia Esden had spent nights in the cabin of the Chief Mate, Mr Hedges. She was unable to say whether other women were down in the sailors' berths but she believed they were, and that this situation continued 'days and nights'. The women, she said, had been treated very well by the sailors and had no complaints about what was happening.

She had heard the surgeon complain of the women's 'disorderly' behaviour but he had urged them to keep what was happening from the priests. He told the women that 'he knew what he was doing'.

Lydia Esden was then sworn in. She stated that shortly after arrival in Sydney she had been assigned as a servant to Mr Nicholas Bayly to whom she had written complaining that she was pregnant to Mr Hedges. She had explained to Bayly that she was aware that Janus, with Hedges aboard, was about to leave Sydney on a whaling expedition and that it was urgent that she be permitted to go into Sydney to speak to him about monetary support.

She told the Bench that she had passed much of her time in Hedges's cabin during the voyage. She had also seen other women going down to the sailors' berths during the day. Although she couldn't be certain, she believed that they had also spent nights there.

She agreed with Mary Long that the Surgeon Creagh knew what was happening but had not ordered her or the other women back to the prison room. He had simply urged them to be 'more circumspect' and to keep it from the priests because his living depended on his good character. In fact, she said, she and many other women had heard him say that he too would have a woman in his cabin if it were not for the priests.

None of the women had complained about the way they were being treated by the sailors and she was sure that there had been no cause for complaint.

A few days later the Bench reported to Macquarie that:

[We]... are of the opinion that Prostitution did prevail on board the said Ship throughout the Voyage from England to this Territory; that due exertions were not made on the part of the Captain and officers to prevent the same; and that the matter of Charge, as against the Captain and Officers of the said Ship individually in that respect, is true and well founded in fact.

Despite this finding, Mowat and Hedges as well as the other officers and crew of Janus all appear to have escaped penalty. With Mowat as master, the ship left Sydney on 26 July 1820 and, after thirteen weeks at sea, arrived at the Bay of Islands, New Zealand. There it remained, engaged in whaling, until 27 October. In the following year it visited the Bay of Islands twice again. On 9 November 1821, still under Mowat's command, it departed New Zealand for England. There is no record of Mowat ever returning to Sydney.

After arriving in Sydney, Sophia and sixty of the other convicts were transferred to the "*Princess Charlotte*" for the trip to Van Diemen's Land.

The "*Princess Charlotte*" left Sydney on 17 May 1820 carrying stores and 61 female convicts. This was reported in The Sydney Gazette and New South Wales Advertiser Saturday:⁵

.....sailed for Hobart Town, the Government colonial brig Princess Charlotte, Captain Devine. She has on board to convey to that Settlement, most of the female prisoners that arrived by the ship Janus.

The Hobart Town Gazette and Southern Reporter reported the arrival in Van Diemen's Land waters:⁶

His Majesty's colonial brig Princess Charlotte has arrived at Port Dalrymple with female prisoners for the two Settlements, transhipped from the Janus. After landing 25 at Port Dalrymple, she was immediately to proceed on her voyage to this port.

Port Dalrymple is the historic name for Launceston.

⁵ The Sydney Gazette and New South Wales Advertiser Saturday on 20 May 1820.

⁶ Hobart Town Gazette and Southern Reporter 10 June 1820.

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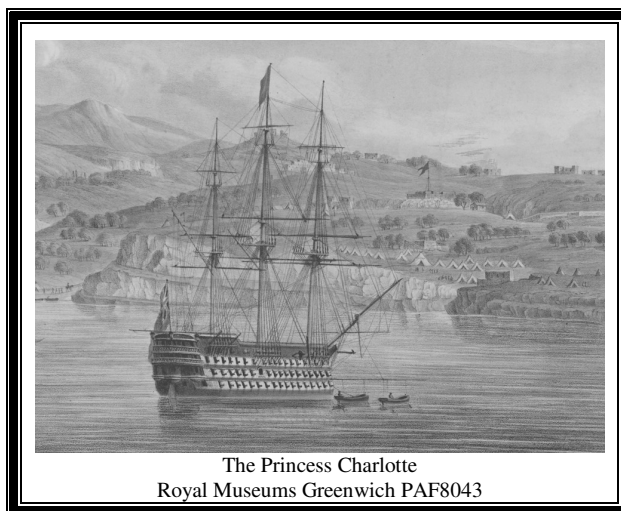
The “*Princess Charlotte*” arrived in Hobart Town on 22 June 1820:⁷

On Thursday arrived from Sydney, via Port Dalrymple, His Majesty's colonial brig *Princess Charlotte*, Mr. Devine, Commander, with 41 female prisoners, 27 having been landed at the other Settlement. She will, it is expected, sail for Sydney about the latter end of next week.

Remain in the harbour and river, His Majesty's brigs *Prince Leopold* and *Princess Charlotte*; the ships *Prince Regent* and *Regalia*; and the brigs *Robert Quayle*, *Active*, *Jupiter*, and *Sophia*.

The female prisoners per the *Princess Charlotte* were landed yesterday morning, and afterwards assigned to the service of the inhabitants and settlers. They were landed generally healthy, especially considering their long voyage.

By the arrival of His Majesty's brig *Princess Charlotte*, we learn that the ship *Actaeon*, Capt. Mackey, was to have sailed from Sydney for this port on the 25th ult.; and as it was known that the *Princess Charlotte* would not come to Hobart Town direct, the *Sydney Gazette* may be expected daily by that vessel's arrival.



And reported the death of Dr. Creagh:⁸

Dr. Creagh, R.N. Surgeon Superintendent of the *Janus* female convict ship, died before the vessel arrived at Sydney. The lamentable event occurred off our coast while the ship was on her passage from England; and is much to be regretted; the more so as an amiable wife and four infants have yet to meet the painful tidings of their loss.

Sophia was one of the very early female convicts to have arrived in Hobart Town. The population in 1810 was about 1,300 and this had grown to about 10,000 by 1823.

Sophia's convict number was 52959, she was 30 years of age and is recorded as having a child with her. The child is *Mary Ann Nightingale*, born 10 August 1819 whilst *Sophia* was in prison in England. *Mary* would probably have been conceived in late 1818, prior to *Sophia*'s arrest and trial in April 1819. *Mary Ann*'s father would have been *John Nightingale*. *Mary Ann*'s baptism record on 21 August 1821 in Hobart gives her date of birth as 10 August, but no year. As *Sophia* is recorded as having a child when she arrived in Hobart Town in June 1820, *Mary Ann*'s birth year would have to be 1819. On *Mary*'s baptism record, *Sophia*'s “Quality or Profession” is given as “unmarried”. For young children, the voyage to Australia was a great cause of suffering, with many of them being prematurely weaned and the food they were then given was not really fit for any young infant. *Mary Ann* possibly died 23 May 1824 in Hobart and buried on 25 May 1824 – the burial record gives her name as “*Ann Nightingale*”, not “*Mary Ann*”; and gives her age as 18 months, rather than 4 years. The burial record also gives the mother's “quality or profession” as “free”. This *Ann Nightingale* was buried in *St David's* cemetery, Hobart.

Whilst within the penal system the various Muster records show *Sophia*:

- 1820 - assigned to the Government, Hobart Town.
- 1821 - assigned to Allan, constable, Hobart Town.
- 1823 - servant to W. Hellings, Hobart Town.

On 5 April 1826 *Sophia*'s Certificate of Freedom was issued.⁹

Sophia possibly had another child, *Maria Nightingale*, born circa April 1826 and was buried 26 July 1826 in Hobart, aged 3 months – the burial record gives the “quality or profession” as “*Labouring Woman's Child*”.

⁷ Hobart Town Gazette and Southern Reporter 24 June 1820.

⁸ Hobart Town Gazette and Southern Reporter 1 July 1820.

⁹ Hobart Town Gazette 8 April 1826.

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On 15 January 1828 Sophia had a son, John (Walker). This information came from John's baptismal record on 10 February 1833 as a birth record cannot be located.

We don't know a lot about Sophia after her release from the penal system, but her police record shows:

- 20 June 1828 - Drunk and disorderly at the police office yesterday. Fined 5 shillings.
- 13 August 1828 - Drunk and disorderly in the streets of Hobart Town. Dismissed no prosecutor.
- 21 September 1828 - Drunk and disorderly. Fined 5 shillings.
- 13 December 1828 - Obtaining goods by false pretences of Israel Hyam. Dismissed, no proof.
- 4 February 1829 - Riotous conduct towards **John Hellings**. Dismissed.
- 31 July 1829 - Drunk and disorderly. Admonished.

The reference to John Hellings on 4 February 1829 is particularly interesting.

John Hellings was also a convict, departing the UK on 22 December 1817 aboard the "*Lady Castlereagh*" and arriving in Hobart Town on 11 June 1818. John Hellings' convict record shows the following:

- July 10 1818 - Absent from muster – to work for Government in his own time 7 days (AWHH) *Aldous WH Humphrey, the sentencing magistrate.*
- May 8 1821 - TL (*ticket of leave*) / Neglect of duty as a constable representative (AWHH).
- Sept 10 1822 - Disobedience of the order of the Chief Constable – to forfeit his ticket of leave and be dismissed from his office of constable (AWHH).
- Aug 9 1823 - PH/ Drunk and disorderly 25 lashes – extra labor one month ().
- April 21 1827 - FS (*free by servitude*) Is bound over to keep the peace towards G H Robinson for 3 months (RBK) - *the sentencing magistrate.*
- May 21 1827 - FS Is bound over to keep the peace for 3 months towards John Martin (TAL) – *the sentencing magistrate.*
- Aug 2 1827 - FS Assaulting Thomas Southall complaint dismissed (GHP) - *the sentencing magistrate.*
- Jan 3 1828 - FS Bound over to keep the peace for 6 months towards **Sophia Nightingale** (TAL).
- Jan 22 1828 - FS Committed for trial for assaulting Miles Gallagher (TAL).
- Oct 17 1828 - FS Riding in his cart without reins or person to guide the horse – complaint dismissed (Josiah Spode) – *the sentencing magistrate.*

So John and Sophia had had some sort of altercation in early January 1828 (remember that John Walker was born at the end of January 1828) and then they had another altercation in February 1829. How long they had known each other and how long had this unsteady relationship been going on? Might John and Sophia have known each other early in 1827? If so, might John Hellings be the father of John Walker? Was John Walker named after John Nightingale or John Hellings or both? As birth records for John Walker cannot be located, these questions will probably go unanswered. And what happened to John Hellings? Another unanswered question.

After another five years Sophia Nightingale married Thomas Walker on 10 February 1833 at Brighton, Tasmania. The marriage record shows Thomas was a bachelor, living in the Parish of Black Brush and Sophia was a spinster (no she wasn't!), living in the Parish of Brighton. Sophia could not write as she made her mark on the marriage record. The witnesses were Alfred Thrupp (the Parish Clerk) and Hannah Wadle.

It was quite common for a convict (male or female) to marry in Van Diemen's Land even though they were still legally married to someone else in the UK or Ireland. The clergy tended not to question people's marital status too deeply and seemed to prefer people to be married rather than simply living together. Many convicts also thought that a life sentence to the other side of the world effectively voided any marriage they might have previously had.

Sophia was fined five shillings for being drunk in 1835¹⁰ and fined the same amount in 1840 for again being drunk¹¹. The latter charge was reported a little more descriptively in another newspaper:¹²

Sophia Walker, an old stager, was charged with being drunk and fined 5s., but being unable to pay it she was sent to the House of Correction for seven days.

The 1842 Census identifies a Thomas Walker living alone at Green Ponds aged between 45 and 60 and there is a burial record for a Thomas Walker at Green Ponds on 30 October 1845, aged 59. This is very likely the same person.

John Walker's baptism was registered at Green Ponds, so we know there is a connection to this village. The death records for Green Ponds might have contained more information, but they have not survived. The Thomas who died in 1845 was 59 years of age, thus making his birth year 1786. Sophia was born circa 1790, so this would make them a

¹⁰ Colonial Times 18 August 1835.

¹¹ The Hobart Town Courier and Van Diemen's Land Gazette 7 February 1840.

¹² Colonial Times 11 February 1840.

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similar age. But there is nothing to create an identifiable link between this Thomas Walker and our Sophia Nightingale. It seems that Sophia and Thomas are further relatives who simply “disappeared”?

Little has been written about the female convicts who came to Van Diemen’s Land, but we do know that most of them were restricted to the role of wife, mother, housekeeper or whore. Whilst the word “prostitution” is mentioned quite a lot in the writings about convict women, we must appreciate that the meaning of prostitution in the 19th century is quite different to our “modern” understanding. For example, the surgeon-superintendents aboard the convict ships often described the female convicts as prostitutes simply because they cohabited with the crew. So a prostitute was thought by many to be any woman who lived with a man outside of marriage.

But whatever their role in their new country, Phillip Tardiff observes:

Each woman emerges as a unique and distinctly identifiable individual, clearly marked from her fellows by her experiences and her reactions to the restrictions and opportunities offered by the penal system of Van Diemen's Land.

Document written by Geoffrey A Court.