

# CATHERINE McCABE

(*Siren*, 1836)

by

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Catherine McCABE was one of the oldest women to have been transported as a convict to Van Diemens Land (VDL) between 1812 and 1853. Her story is a sad one.

Catherine was a sixty-five year old widow when she arrived at Hobart Town on *Siren* which sailed from Sydney on 19 December 1836. Aboard also were seven male prisoners, one of whom was her twenty-year old son, Edward.<sup>1</sup> On 9 November of that year, Edward had been convicted of larceny and Catherine of receiving some of the money he had stolen. Both had been sentenced to transportation for seven years.<sup>2</sup>

There can be no doubt that Catherine was guilty of the crime for which she was convicted but the circumstances of her crime, as reported in newspapers of the day, suggest that the punishment she received was particularly harsh.<sup>3</sup> Today, there is every reason to think that she would have been dealt with more mercifully.

Although there is much about Catherine's early life that is still to be confirmed, it seems certain that she was born in County Cavan, Ireland, about 1772.<sup>4</sup> In 1825, then about fifty-three years of age and the mother of at least three children, she had left Ireland aboard the ship *Thames* in order to re-join her convict husband, Denis McCABE, who had been transported for life to New South Wales (NSW) via *Prince Regent II* (1) in 1821.<sup>5</sup> Accompanying Catherine were two of her younger children - a daughter also named Catherine, about twelve years old, and Edward, who was then about nine.<sup>6</sup>

The arrival of the ship *Thames* at Sydney was the cause of considerable excitement. Even as it was being prepared to leave Ireland, there was some rejoicing in NSW that the women and

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<sup>1</sup> CON40-1-2, Image 163; 'New South Wales Convict Records, 1810-1891 for Catherine McCabe' via 'Ancestry.com'.

<sup>2</sup> *The Sydney Gazette and New South Wales Advertiser*, 10, November 1836, p.3 and 12 November 1836, p.3.

<sup>3</sup> 'New South Wales Convict Records, 1810-1891 for Catherine McCabe' via 'Ancestry.com'.

<sup>4</sup> 'New South Wales Convict Records, 1810-1891 for Catherine McCabe' via 'Ancestry.com'.

<sup>5</sup> Convict Dennis McCabe - see 'NSW Convict Records, 1810-1891' viz 'Ancestry.com'; also 'State Records NSW - Colonial Secretary Index, 1788-1825' at [http://colsec.records.nsw.gov.au/m/F35c\\_maa-macg-05.htm](http://colsec.records.nsw.gov.au/m/F35c_maa-macg-05.htm); also Peter Mayberry, 'Irish Convicts to Australia, 1788-1849' at [http://members.pcug.org.au/~ppmay/cgi-bin/irish/irish.cgi?requestType=Search&ship=Prince%20Regent%20II%20\(1\)%20\[1821\]](http://members.pcug.org.au/~ppmay/cgi-bin/irish/irish.cgi?requestType=Search&ship=Prince%20Regent%20II%20(1)%20[1821])

<sup>6</sup> NSW census, 1828: Catherine, MM0096; daughter Catherine, MM0097; son Edward, MM0074, via <https://www.familytreecircles.com/the-ship-thames-1826-31709.html>

children it was to bring would help in a small way to redress the imbalance of genders which presently existed in that colony. *The Sydney Gazette and New South Wales Advertiser* reported the imminent departure of the vessel in this way:

*The Thames ... [is] on the eve of leaving Ireland with the wives and families of prisoners who are already in this Country. This is not only an excellent, but a most humane stroke of policy in the Parent Government, for which they are entitled to our liveliest thanks. If the same system [can] only be followed up with those prisoners exiled from England, the measure will be complete - if not, only half done.*<sup>7</sup>

And upon arrival, the same paper informed readers that:

*Yesterday arrived the ship Thames, Captain Robert Frazer, with stores for Government. She sailed from Cork the 14th November; from Teneriffe 29th November; and from Pernambuco 11th January last. By this conveyance are forwarded 37 women, the wives of free men and prisoners, who bring along with them 107 children. We are sorry to say that 3 women and 13 children died on the passage.*<sup>8</sup>

A week later, there was another report:

*The women and children landed from the Thames on Saturday last, and were conducted to the Old Orphan School, where they continued until called for by their several relatives and friends. The women, generally, looked hearty enough. As for the boys and girls, they were perfect models of the Hibernian race; they seemed quite at home on their way up George-street, and were as dignified in their step as any emigrant.*<sup>9</sup>

It is unlikely that Catherine was re-united with her husband immediately. Convict records show that, in November 1823, Denis McCabe was assigned to a Mr. J. THERRY and might not have been able to join his wife and children when they first arrived. However, census records of NSW show that husband and wife were together in their home in Clarence Street, Sydney, in 1828. Their daughter, Catherine, now fifteen, was with them also. Their son, Edward, now thirteen and an apprentice, was living – possibly at the home of his employer - in nearby Castlereagh Street.<sup>10</sup>

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<sup>7</sup> *The Sydney Gazette and New South Wales Advertiser*, 22 February 1826, p.2.

<sup>8</sup> *The Sydney Gazette and New South Wales Advertiser*, 12 April 1826, p.2.

<sup>9</sup> *The Sydney Gazette and New South Wales Advertiser*, 19 April 1826, p.3.

<sup>10</sup> NSW census 1828, via 'Ancestry.com'.

Sadly, their time together as a family was to be relatively short-lived. At some time during the next few years, Denis McCabe, whose age is shown as sixty in the 1828 census, passed away.

Catherine was a widow when her trouble with the law started in 1836.<sup>11</sup>

In September of that year, Catherine's son, Edward, then about twenty years of age, was arrested for his part in the breaking and entering of the dwelling house of Mr. Archibald BLAIR at Blackwattle Swamp and the theft of about £400.<sup>12</sup> Arrested with him were two of his friends, William MORTON and Phillip WILD. At the same time, a married couple, John and Catherine CAHILL, who were associates of the three, were charged with being accessories after the fact.

The trial of the five accused took place in the Supreme Court, Sydney, on 9 November 1836, before Mr. Justice BURTON and a civil jury.

Archibald Blair told the court that he was in business as a miller with I. and A. STRUTH at Blackwattle Swamp. William Morton had worked as a clerk for the firm for about twelve months but had left just three days before the theft occurred. Blair said that Morton well knew where the firm's money was kept.<sup>13</sup>

John JONES, an Inspector of Police, testified that, acting on information he had received, he had gone to the home of a man by the name of MARSDEN who lived in Market Street, Sydney, where he had found Morton. After searching both Marsden and Morton and finding a considerable amount of money in their clothing, he had arrested both and taken them to the watch-house. He had then gone back to Marsden's house where he had found McCabe and Wild and had taken them into custody also. Again, a search revealed that both had money on them for which they could not account.

Continuing, Jones said that although he had now recovered some of the stolen money, he wanted to find the rest. Learning that the three accused might have given some of the money to others to mind for them, he went to the house where, before his arrest, Edward McCabe had been living with his mother and the Cahill couple. There, the Cahills admitted to having some of the money and they were taken into custody.

Anne HENERY, an assigned convict, was the next to give evidence. She told the court that she had known Phillip Wild for about two years. On a Sunday night in early September, she had met him on a Sydney street. His friend Edward McCabe was with him. Wild had handed her a parcel, telling her to take great care of it for him. She had taken it to her house but when Wild had not

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<sup>11</sup> Denis McCabe's death does not seem to have been registered; registration of births, deaths and marriages was not compulsory in NSW until 1856.

<sup>12</sup> Blackwattle Swamp is near the suburb of Glebe in inner Sydney.

<sup>13</sup> Trial: *The Sydney Gazette and New South Wales Advertiser*, 10 November 1836, p.3.

come for it by the following Wednesday – obviously because he was in custody - she had opened it. It had contained money but she was unable to say how much. Later, the police had come to her house and taken it from her.

Marsden, the man in whose house Morton, Wild and Edward McCabe had been arrested in September, was the next to testify. He stated that Morton had admitted to him that he, Wild and McCabe had done the robbery. They had entered Blair's house through an unlocked window, taken the box which contained the money and left as they had entered. When they thought they had gone a safe distance from the house, they had broken open the box, taken the money and headed off towards Sydney.

In their defence, the accused called character witnesses but, according to the newspaper report of the trial, their evidence was unconvincing – it being 'chiefly of that nature usually brought forward under such circumstances'.

The jury retired for a mere half hour before returning a verdict of 'Guilty' for Morton, Wild and McCabe and a 'Not Guilty' verdict for John and Catherine Cahill. Morton, Wild and McCabe were all sentenced to transportation for seven years.

What happened to Catherine McCabe immediately after the Cahills had been arrested is unclear but it seems that Police Inspector Jones had thought that Catherine was as guilty as they were. She was arrested soon afterwards and was tried on the same day as the others – but in a separate hearing.

On 12 November 1836, this notice appeared in *The Sydney Gazette and New South Wales Advertiser*:

*Catherine McCabe stood indicted for receiving certain monies, the property of Messrs Blair and Struth, she well knowing the same to have been stolen. Prisoner is the mother of McCabe who was convicted on Wednesday along with two others (Morton and Wild) for the robbery at Blackwattle Swamp. The evidence in this case was the same as that given by Inspector Jones on the previous trial and reported in our last number. Guilty. Seven years transportation.*<sup>14</sup>

Shortly afterwards, Catherine, her son Edward and William Morton were embarked on *Siren*.<sup>15</sup> On 27 December 1836, they reached Hobart Town and began to serve their sentences.

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<sup>14</sup> *Sydney Gazette and New South Wales Advertiser*: 12 November 1836, p.3.

<sup>15</sup> Catherine: CON40-1-2, Image 163; for some reason not yet understood, Phillip Wild was sent to Norfolk Island.

Upon arrival, Catherine was described as being sixty-five years of age with dark grey hair and grey eyes. She was five feet four and a half inches (about 165 cms) tall.<sup>16</sup> Her gaol report in Sydney before transportation had described her as ‘stout’.<sup>17</sup>

In VDL, Catherine was extremely well behaved. Her conduct record shows that she committed no new offence of any kind. She does not seem to have been assigned immediately. The only employment recorded for her was in Hamilton in February 1841 –and by that time she had been granted a ticket of leave.<sup>18</sup>

On 2 October 1842, Catherine and Edward McCabe were granted conditional pardons.<sup>19</sup> In 1842, both received their certificates of freedom.<sup>20</sup>

Edward McCabe had committed a serious crime and deserved to be punished for it – but it is impossible not to feel great sympathy for his mother, Catherine. She must have known that Edward had stolen the money. Should she have reported him to the authorities? In not doing so, did she do only what any mother might have done? In the circumstances, did she deserve to be treated so harshly? You be the judge.

As with so many convicts after they had served their time, what happened to Catherine and Edward afterwards is a mystery. Did they leave VDL together? There is no record of their deaths in Tasmania. Did they return to New South Wales? That is possible.<sup>21</sup>

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<sup>16</sup> Indent: CON16-1-1, Image 44/45.

<sup>17</sup> ‘NSW. Australia, Gaol Description and Entrance Books, 1818-1930 for Catherine McCabe’ via ‘Ancestry.com’.

<sup>18</sup> Employment: CON40, via FCRC website; ticket of leave: *Hobart Town Gazette*, 15 January 1841.

<sup>19</sup> Catherine: No. 854; Edward: No. 820.

<sup>20</sup> Catherine: No. 1082; Edward: No. 884.

<sup>21</sup> The death of a Catherine McCabe was registered in Young, NSW, in 1866 and the death of an Edward McCabe in the same town in 1890 - Catherine McCabe: NSW3354/1866, Young; Edward McCabe: NSW14204/1890, Young. The dates sound right – but this information has not been verified.