

CONVICT SARAH LEGGATT

(*Providence*, 1824)

by

Don Bradmore

Perhaps the first thing to say about Sarah LEGGATT is that she was only four feet five and a half inches (137.2cms) tall.¹

And perhaps the second thing is that Matthew BURNSIDE, the surgeon-superintendent of the convict ship *Providence* II (2) which brought her to Van Diemens Land (VDL) in 1826, wrote of her in his report: *There is nothing I can advance that is too favourable on her behalf. She is a most inoffensive creature.*²

How, then, did this diminutive, ‘inoffensive creature’ come to be transported as a convict to England’s most distant colony, there to remain for the rest of her days?

The fact of the matter is that Leggatt was not as ‘inoffensive’ as Surgeon Burnside had imagined. The crime for which she was transported was not the first she had committed, and her shortness of stature belied a rebellious spirit and a feisty nature which regularly brought her into conflict with the authorities during the term of her servitude in VDL.

On 27 October 1825, Leggatt was convicted at the Old Bailey, London, of the theft of two sheets, two blankets, two pillows, and a table-cloth - valued in total at about nineteen shillings - from the lodging house at which she was living at the time. The court heard that she had sold the goods to a nearby pawnbroker and then replaced them in her room with cheaper substitutes. When the owner of the boarding house discovered the ruse, the police had been called and Leggatt had been arrested. She was sentenced to transportation for seven years.³

Upon arrival at Hobart on 16 May 1826, Leggatt stated that she had stolen the goods ‘to get bread’. She admitted that she had previously served six months in prison in England for the theft from another lodging house of clothing including a pair of stays, a silk handkerchief and a man’s waistcoat.⁴

She was described as being twenty-eight years old and single. She had brown hair and gray eyes. It is interesting to note that she gave her occupation as ‘school mistress’ because she admitted

¹ CON40-1-5, Image 306.

² Extract from Surgeon Burnside’s report via FCRC database at <https://www.femaleconvicts.org.au/>

³ <https://www.oldbaileyonline.org/browse.jsp?id=t18251027-123>. Her name appears as ‘LEGGETT’ in the trial records.

⁴ CON40-1-5, Image 306.

that she was unable to write. Perhaps the fact that she added ‘also took in needlework’ explains this. Did she only teach needlework?⁵

At first, Leggatt was housed with other female prisoners awaiting assignment in ‘makeshift’ rooms attached to the outside of the men’s gaol in Macquarie Street, Hobart. However, when George ARTHUR arrived in VDL to replace William SORELL as lieutenant-governor in 1824, he found this arrangement most unsatisfactory. The rooms for the females were overcrowded and dilapidated and – even worse, in Arthur’s eyes - they were separated from the men’s quarters by only a brick wall! To remedy this situation, Arthur purchased the rum distillery of T. Y. LOWES & Co. and its twenty acres of land on the outskirts of Hobart with a view to converting the buildings with their high walls into a new female prison. In late December 1828, the first women were transferred to the refurbished distillery site which was soon to become known as the Cascades Female Factory.⁶

At the time of Sarah Leggatt’s arrival in VDL in 1824, only about half of the convict population was able to be assigned to the settler population because of the lack of demand. It is not clear from her convict documents when she was first assigned but it seems to have been soon after the opening of the new Female Factory.⁷

On 8 June 1829, Leggatt, now assigned to a Mr. MOWLES, was taken before a magistrate and charged with ‘not being able to perform the work required of her’. (Was her lack of height the reason?) She was returned to the Female Factory to await assignment elsewhere.⁸

But, it was not long before Leggatt was in trouble with the law again. On 26 August 1829, now assigned to a Mr. BRYANT, she was charged with ‘insolence last night to her mistress’ and again returned to the Female Factory where, as punishment for her offence, she was to be kept in ‘C’ Class – that is, ‘Crime Class’ - for three months before being eligible for re-assignment.⁹

Why had the magistrate specified ‘C’ Class? The ‘C’ Class section of the Female Factory housed an array of violent and thuggish women – murderers, armed robbers, burglars, prostitutes, thieves, arsonists and more. They were the worst of the worst. Had Leggatt’s crime warranted this treatment?

As it happened, the offence of ‘insolence’ was treated very seriously and the magistrate, in sending Leggatt to the ‘Crime Class’, was clearly following the guidelines he had been given.

Shortly after the opening of the new Female Factory, Arthur had issued a set of ‘Rules & Regulations’ to the Principal Superintendent for the management of the facility. One of the rules

⁵ CON40-1-5, Image 306.

⁶[https://femalefactory.org.au/history/;](https://femalefactory.org.au/history/)

https://www.utas.edu.au/library/companion_to_tasmanian_history/F/Female%20factories.htm;

⁷ CON40-1-5, Image 306.

⁸ CON40-1-5, Image 306.

⁹ CON40-1-5, Image 306.

about which Arthur was most adamant was that the women were to be classified into three hierarchical classes – First, Second and Third - and that the classes should ‘on no account be suffered to communicate with each other’. The class system regulated the treatment, clothing and daily tasks of the women while in the factory.¹⁰

At the top of the ladder was the First Class or ‘Assignable Class’ which comprised women recently arrived from England who had exhibited good behaviour on the journey and were waiting to be assigned when the appropriate employment could be obtained. Also in this class were those who had previously been assigned in the colony and, at the completion of their term of service, had been returned with good character references. Finally, in this class were women who had originally been classified as ‘Second Class’ but who, by their good behavior, had earned promotion to the First Class. Women in the First Class were sometimes employed within the Female Factory as hospital attendants, cooks, and overseers.

In the Second Class or ‘Probation Class’, were women who had been guilty of minor offences either on the journey to the colony or within the colony. They were not considered ‘assignable’. They were often employed in making and mending clothes and linen for the establishment. Also in this class were those who, by their improved conduct, had merited removal from the Third Class. Second class convicts worked at lighter tasks and enjoyed a better diet than those in the Third Class.

On the bottom rung of the ladder was the ‘Third Class or ‘Crime Class’. It comprised women who had been transported for a second time, those guilty of misconduct on their journey to the colony, those convicted of offences before the Supreme Court, or those who had committed offences within the walls of the establishment. Also in this class were women serving punishment for secondary offences – that is, offences committed in the colony including *insolence*, drunkenness and being absent without leave. Women in this class were often sentenced to the washtub - that is, laundering for the factory, the orphan school and the men’s gaol – or to carding and spinning wool. They were fed a meagre diet.

It is interesting to note that it was *insolence* that saw Leggatt confined for three months within the ‘Crime Class’ at the Female Factory. Clearly, the authorities considered ‘insolence’ a gross offence. Obviously, they put great store in assigned convict women being respectful towards their masters and mistresses, obedient, mild-mannered, polite, dutiful and remorseful of their crimes and misdemeanours.

¹⁰ <https://femalefactory.org.au>; and https://www.utas.edu.au/library/companion_to_tasmanian_history/F/Female%20factories.htm
https://www.utas.edu.au/library/companion_to_tasmanian_history/A/Assignment.htm

And so, it was to the ‘Crime Class’ to which Leggatt had been consigned. Although it is difficult to imagine that being held in ‘Crime Class’ for three months was anything but extremely unpleasant for her, it seems to have done nothing to curb her temper.

On 29 June 1830, less than a year after her trouble at the Bryant residence, she was charged again, this time by a Mr. JAMIESON to whom she was then assigned, with ‘repeated insolence, intemperate language and neglect of duty’. As punishment, it was ordered that she be returned to the Female Factory to spend two weeks in a cell and afterwards to be returned to her service with Jamieson.¹¹

Again, the two weeks she spent confined in a cell did nothing to ameliorate her behavior. Three months later, still in service at the Jamieson residence, she was charged again – this time with ‘insolence and disobedience of orders’. She was punished by being ordered back to the Female Factory to spend another three months in ‘Crime Class’.¹²

As before, this experience appears to have had little effect on Leggatt’s attitude. Nine months later, on 17 June 1831, and now in the service of a Mr. SHACKLOCK, she was charged with ‘making use of abusive language in her service’. Again, she was returned to the Female Factory, this time to be placed in the Second Class. However, it was ordered that when she again became eligible for assignment she be sent to the interior of the colony – presumably because her living and working conditions there would be less comfortable than in Hobart and that that might persuade her to try harder to control her temper and curb her tongue.¹³

It is impossible to say whether or not this last punishment had the desired effect but it might well have done. Leggatt’s conduct record shows that she was assigned only once more – to a Mr. J. GREENS in 1832 – and that there she seems to have avoided further trouble with the law.

On 27 October 1832, Leggatt was a free woman again. Her seven years of convict servitude were up. Certainly, that must have improved her disposition.¹⁴

On 31 October 1832, now 35 years of age, she was given permission to marry convict William HALL, transported for life via *Dromedary* in 1820. They married on 14 January 1833.¹⁵ It appears to have been the first marriage for each of them. Thereafter, they seem to have vanished from the pages of history.

No record of children of the marriage or of the deaths of Sarah or William has been found. Did they leave the colony? Hall appears to have committed no offences in the colony. His conduct record is almost a blank page. There are only two brief notes there. The first reads: ‘Conditional

11 CON40-1-5, Image 306.

12 CON40-1-5, Image 306.

13 CON40-1-5, Image 306.

14 *The Hobart Town Courier*, 26 October 1832, p.2.

15 RGD36/2304/1833, Sorell.

pardon, No.787, 24 Dec., 1835.’ The second reads: ‘Extended to all colonies, 17.11.48’.¹⁶ Does ‘Extended to all colonies, 17.11.48’ suggest that Sarah and William might have left VDL after that date?

¹⁶ CON31-1-8, Image 62.