

## SARAH ROONEY

[*Mexborough*, 1841]

by

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The story of convict Sarah Rooney is a remarkable one.<sup>1</sup> She was twenty-five years old when she arrived in Van Diemen's Land (VDL) on 26 December 1841. Earlier that year, she had been convicted of stealing money in her native Sligo, County Fermanagh, Ireland, and had been sentenced to transportation for seven years. Assigned to free settlers as a house servant upon arrival, she was soon in trouble with the law again. Between February 1842 and November 1846, she was charged with a number of new offences and punished severely for them. In 1847, however, two circumstances changed her life completely. First, she was granted a ticket of leave and, now able to find her own employment, was never charged with an offence again. Second, she married. Although the marriage was not a success – her husband deserted her after ten years – she emerged from it with a new sense of purpose and became a successful businesswoman. By the time she passed away, at the age of sixty-three in 1879, she was a relatively wealthy woman. In her will, she left £550.00, an astonishing sum for one who had arrived as a convict, single, penniless and alone, forty years earlier.

This is her story:

Sarah Rooney was born in Sligo, County Fermanagh, Ireland, about 1816.<sup>2</sup> Nothing is known about her family except that she had a brother, James, to whom she was close.<sup>3</sup>

There is some evidence to suggest that she might have been troublesome as a young adult. Before committing the crime that saw her transported to VDL, she had been charged twice with criminal offences – once for stealing a watch and later for stealing money – but had been acquitted on both occasions.<sup>4</sup>

When charged for a third time, however, Sarah was not as fortunate. Exact details of the crime have not been located but it is believed that the offence occurred in mid-1840 and that, at the time, she had been with a number of her friends – Mary Benson, Betty Blackburn, Biddy Langan and Margaret Murphy. They had stolen £4.15.0 in cash. Benson, Blackburn, Langan and Murphy were tried for the offence on 9 July 1840. All but Murphy, who was acquitted, were convicted and sentenced to transportation for seven years. They had arrived together in VDL aboard *Mary Anne* on 19 March 1841.<sup>5</sup> For some unknown reason, Sarah's trial had been

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<sup>1</sup> Conduct Record: CON40-1-8, image 214; Description List: CON19-1-3, image 78; Police No: 246; FCRC ID: 9234.

<sup>2</sup> Birth year calculated from age on arrival in VDL as per CON40.

<sup>3</sup> Will: Sarah (Rooney) Hawkins, AD960-1-12, Will No. 2201.

<sup>4</sup> CON40-01-8, image 214.

<sup>5</sup> See Benson (FCRC ID 8786), Blackburn (FCRC ID 8787) and Langan (FCRC ID 8852) at [www.femaleconvicts.org.au](http://www.femaleconvicts.org.au); *Mary Anne* details: see <http://members.iinet.net.au/~perthdps/convicts/shipsTAS.html>

delayed – but, on 3 March 1841, she, too, was convicted and sentenced to transportation for seven years.<sup>6</sup>

After her trial, she was kept in an Irish prison for six months before being put aboard *Mexborough* which, with one hundred and forty-five female prisoners, thirty-six of their children and eleven free settlers, sailed from Dublin on 12 August and reached Hobart on 26 December 1841.<sup>7</sup>

The journey had been an uncomfortable one. After rounding the Cape of Good Hope, the vessel had encountered huge seas, heavy rain and almost continuous gales. In his medical report, John S. Hampton, the surgeon-superintendent, described the ship as being ‘very old’ and claimed that it had ‘required the utmost vigilance’ to prevent leakage of water into the prisoners’ quarters. Nevertheless, he was able to report that there had been only two deaths during the voyage and that there was not a single patient under treatment when the ship anchored in the Derwent. Most of those on board ‘were in better health than they had been’ when embarked at Dublin. Sarah had not required medical treatment of any kind and had been ‘well behaved’ during the voyage.<sup>8</sup>

At Hobart, Sarah was described as being twenty-five years old and single. She was five feet and one inch (about 155cms) tall with a ruddy complexion, brown hair and hazel eyes.<sup>9</sup>

Immediately upon disembarkation, she was assigned to a free settler as a ‘housemaid’– but, after just six weeks in the colony, she was charged with an offence.<sup>10</sup> On 10 February 1841, while in the service of the Kirk family of Hobart, she was found guilty of being drunk and neglecting her duty. She was punished with seven days solitary confinement at the Cascades Female Factory.<sup>11</sup>

During the next six years, Sarah was charged with offences more than a dozen times. While most of these misdemeanours seem to have been relatively minor in nature, they attracted quite severe punishments. On seven separate occasions she was punished for being ‘absent without leave’: in May 1843 (six months of back-breaking labour at the wash-tubs at the Cascades); in June 1843 (another month at the wash-tubs); in September 1843 (yet another month at the wash-tubs); in December 1843 (six days solitary confinement); in March 1844 (two months with hard labour); in June 1844 (four months with hard labour); and in November 1846 (three months with hard labour). On two other occasions she was punished for ‘insolence and indecent

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<sup>6</sup> *Enniskillen Chronicle and erne Packet*, 25 March 1841, p.4, via FCRC website at [www.femaleconvicts.org.au](http://www.femaleconvicts.org.au)

<sup>7</sup> There is no record of Sarah being at Grangegorman Prison in Dublin; she was probably held at a prison in Sligo for most of this time.

<sup>8</sup> Hampton’s medical report: [https://www.femaleconvicts.org.au/docs/ships/Mexborough1841\\_SJ.pdf](https://www.femaleconvicts.org.au/docs/ships/Mexborough1841_SJ.pdf)

<sup>9</sup> CON19-1-3, image 78.

<sup>10</sup> <https://www.femaleconvicts.org.au/convict-ships/disposal-on-arrival#1840-1843>

<sup>11</sup> CON40-1-8, image 214.

language' – in October 1845 (four months with hard labour); and in October 1846 (one month with hard labour).<sup>12</sup>

Interestingly, two of Sarah's charges occurred at Port Arthur. Although convict women were not sent to that grim prison to serve a 'secondary sentence' – that is, a sentence for an offence committed after their arrival in VDL – it was not unusual for them to be assigned to prison officials there as house-servants. In April 1845, while assigned to a man by the name of William Carte (or Carter) at Port Arthur, Sarah was charged with 'misconduct' in that she had 'a quantity of gooseberry wine in her possession in suspicious circumstances'. Found guilty of the charge, she was returned to the Cascades Female Factory at Hobart to serve three months' imprisonment with hard labour.<sup>13</sup>

But Sarah's most serious offence, perhaps, occurred in June 1847. A notice published in the *Hobart Town Gazette* of 8 June 1847 indicates that earlier that month she had absconded from the service of a Mrs. Whiteman of Melville Street, Hobart, and was missing for almost a week.<sup>14</sup> Whether or not she was punished for this offence is unclear. As it happens, it was at about that time that she met William Hawkins, the man she was to marry. Had she absconded to be with him? Is it possible that the authorities had been uncharacteristically sympathetic to her on this occasion and had decided to overlook her wrongdoing?

On 1 September 1847, William applied for permission to marry her.<sup>15</sup> A former convict, he had arrived in VDL per *Marion* (2) two years earlier. A farm labourer from Guildford, England, he had been convicted at the Surrey Assizes on 27 August 1843 of housebreaking and stealing money. He had been sentenced to transportation for ten years. Twenty-three years old and single on arrival, he was five feet one and a quarter inches (about 155 cms) tall with a sallow complexion, brown hair and whiskers and hazel eyes. He was a Protestant. He could read and write a little.<sup>16</sup>

Before being shipped to the colony, he had served eighteen months' imprisonment on a hulk in England where his behaviour had been described as 'very good'. In VDL, his good behaviour had continued and, on 1 December 1846, he had been granted a ticket of leave. He was charged with an offence only once in the colony - in March 1848 - when he was imprisoned for a month for 'misconduct in harbouring a female convict illegally at large'. For this misdemeanour he was sentenced to a month's imprisonment with hard labour.<sup>17</sup> Was Sarah the 'female convict

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<sup>12</sup> CON40-1-8, image 214.

<sup>13</sup> <https://portarthur.org.au/heritage-management/conservation-projects-programs/>; CON40-1-8, image 214. The FCRC database contains the names of at least forty females who were assigned as convict servants to residents of Port Arthur.

<sup>14</sup> *Hobart Town Gazette*, 8 June 1847 and 14 March 1848 as per 'Abscondings' section of Sarah's FCRC website entry – via 'Founders and Survivors'; Hawkins, conduct record: CON33-1-70, image 138.

<sup>15</sup> Permission to marry: CON52/1/2, p.383.

<sup>16</sup> CON33-1-70, image 138; description list: CON18-1-46, image 40; *Marion* (2) reached Hobart on 16 September 1845: see <http://members.iinet.net.au/~perthdps/convicts/shipsTAS.html>

<sup>17</sup> CON33-1-70, image 138.

illegally at large' whom he had harboured? Although the dates of Sarah's absconding and Hawkins's charge do not match precisely, it seems likely that it was.<sup>18</sup>

On 11 October 1847, Sarah and William were married at 'Bethesda' Church of England, St George's Parish, South Hobart. Sarah, described in the marriage register as a 'spinster', was twenty-eight years old. William, described as a 'labourer', was twenty-six.<sup>19</sup>

This must have been a joyful time for both of them. On 22 July 1847, Sarah had been granted a ticket of leave and, early the following year, she received her certificate of freedom. Her seven-year term of transportation had been completed. On 4 September 1849, William was recommended for a conditional pardon and it was granted in early 1850.<sup>20</sup>

For the next eleven years, the pair seem to have lived quietly together, neither of them attracting the attention of the authorities or the law. At some time during those years, they moved to Launceston to live. There is no record of any children of the marriage.

By 1858, however, the marriage had soured and William had decided that his life with Sarah was over. Shipping records in Tasmania reveal that he sailed from Launceston aboard *Yarra Yarra* bound for Melbourne that year<sup>21</sup> He never returned.

In this, William was certainly not alone. According to Alexander (2014), men and women had been leaving VDL in their thousands to go to neighbouring Victoria from the time of first settlement of that colony in the 1830s. Some had gone in search of higher wages, others to escape their convict past. The discovery of gold in the early 1850s had greatly hastened the exodus.<sup>22</sup> According to another authoritative source, more than nineteen thousand men had left VDL to go to the diggings in 1852 alone.<sup>23</sup> Many were in such haste to get to the diggings that they simply walked away from their wives and children, making no provision for their support and leaving the responsibility for their maintenance to the government.<sup>24</sup>

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<sup>18</sup> Sarah's absconding occurred in early June 1847 but it is not clear when she was apprehended; William's charge of harbouring a female convict illegally at large' appears to be dated '16 November 1848'.

<sup>19</sup> Marriage: RGD37/1/6, No. 856, Hobart.

<sup>20</sup> Sarah: certificate of Freedom, 3 March 1848 see CON40-1-8, image 214; William: conditional pardon, see CON33-1-70, image 138.

<sup>21</sup> POL220-1-2, pp. 154 and 155; the FCRC website suggests that William left Launceston for Victoria per *Yarra Yarra* in 1852 but this does not seem to be correct. In her Will, Sarah stated that he had deserted her 'on or about the twenty-second day of December' 1858.

<sup>22</sup> Alexander, A. (2014). *Tasmania's Convicts: How Felons Built a Free Society*. Sydney: Allen & Unwin, pp.166-167; [https://link.springer.com/referenceworkentry/10.0007%2F978-94-007-6179-7\\_51-1](https://link.springer.com/referenceworkentry/10.0007%2F978-94-007-6179-7_51-1)

<sup>23</sup> [https://www.utas.edu.au/library/companion\\_to\\_tasmanian\\_history/G/Gold%20rush.htm](https://www.utas.edu.au/library/companion_to_tasmanian_history/G/Gold%20rush.htm)

<sup>24</sup> See, for instance, *Hobarton Guardian, or True Friend of Tasmania* (Hobart), 22 December 1849, p3 and *The Courier* (Hobart), 22 December 1849, p.2.

What, if any, provision had William made for Sarah's support? Had she been able to earn money and manage her own financial affairs during the years of the marriage – or had she, like most married women at that time, been obliged to rely on her husband to support her? Was she left penniless and homeless as many wives and children had been at that time?

By the beginning of the nineteenth century, the idea that a woman should depend on her husband to support her during marriage was well-entrenched in common-law. Known as 'coverture', the concept meant that, prior to marriage, a woman could freely execute a will, enter into contracts, sue or be sued in her own name, and sell or give away her real estate or personal property as she wished. However, once she married, her legal existence as an individual was suspended under 'marital unity'. Husband and wife were considered a single entity. In practice, this meant that the husband exercised almost exclusive power over his wife's money and property. Only in very rare circumstances did he have to consult her to make decisions about such matters.<sup>25</sup> Unless some prior specific provision separating a woman's property from her husband's had been made, the woman was stripped of all control over real and personal property.<sup>26</sup>

From the financial point of view, Sarah might not have been concerned by her husband's desertion. As events were soon to prove, she knew how to support herself and was adept at managing her own affairs. In fact, it was probably William's departure that led to her blossoming as a businesswoman.

Her success, however, was not instantaneous. It was to be 1870 - twelve years after William had deserted her - before the success that she was having became evident. By that time, she had set herself up a 'general dealer' in busy Patterson Street in central Launceston and, as a newspaper report of a burglary at her premises in 1870 reveals, she was now a wealthy woman:

*Thomas Owens alias George Damper was charged by the Superintendent of Police with having on the 6<sup>th</sup> inst. feloniously broken into the premises of Mrs. Sarah Hawkins and with stealing therefrom six gold rings, a gold chain, a gold fish, a gold brooch, 15 shillings and 6 pence in coin, a counterpane, quilt, a pair of blankets and a single blanket, the property of Sarah Hawkins.*<sup>27</sup>

Gold rings, gold chains, gold brooches, valuable ornaments, cash and fine furnishings - and all the property of a woman who had arrived in the colony as a convict, alone and poor, thirty years earlier! She had certainly done very well!

And she was no fool when it came to holding on to what she had earned!

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<sup>25</sup> Harvard Business School explanation of 'coverture': [www.library.hbs.edu/hc/wes/collections/women\\_law/](http://www.library.hbs.edu/hc/wes/collections/women_law/)

<sup>26</sup> [https://www.library.hbs.edu/hc/wes/collections/women\\_finance\\_investment/](https://www.library.hbs.edu/hc/wes/collections/women_finance_investment/); and [https://en.wikipedia.org/wiki/Women\\_in\\_the\\_Victorian\\_era](https://en.wikipedia.org/wiki/Women_in_the_Victorian_era)

<sup>27</sup> *Launceston Examiner*, 24 March 1870, p.3; see also *The Cornwall Chronicle*, 25 May 1870, p.2.

Aware, and perhaps fearful, that her husband might return at any time, Sarah had taken steps to safeguard her assets. In 1864, she had sought and obtained a court order protecting the earnings and property that she had acquired in the six years since William had departed. In her Will, prepared years later, she explained what she had done:

*This is the Last Will and Testament of me, Sarah Hawkins, of Launceston in Tasmania, General Dealer, the wife of William Hawkins, late of Launceston aforesaid but now in parts beyond the seas. Whereas my said husband deserted me on or about the twenty-second day of December one thousand eight hundred and fifty-eight and in consequence of such desertion and of the same continuing, I applied to and obtained from William Gunn and Francis Evans, Esquires, two of Her Majesty's Justices of the Peace in and for the Island of Tasmania and its Dependencies ... on the thirtieth day of September one thousand eight hundred and sixty four, their order that the earnings and property of me, the said Sarah Hawkins, acquired since the commencement of such desertion by my husband as aforesaid, should be protected from my said husband and all creditors and persons claiming under him and such earnings and property should belong to me as if I were a 'feme sole'.<sup>28</sup>*

The term 'feme sole' is an interesting one. Its meaning in law is 'a single woman, whether spinster, widow or divorced' or 'a woman in the unmarried state' or 'a woman whose marriage has been annulled or is otherwise independent of her spouse, as by owning her own property'.

Thus, as a woman whose legal subordination to her husband had been invalidated by a judicial decision on 13 September 1864, Sarah was now a 'feme sole'. She was legally able to manage her own business affairs independent of her husband.<sup>29</sup>

Throughout the 1870s, Sarah, referred to variously as a 'furniture trader', 'general dealer' or 'broker', was a prominent and successful businesswoman in Launceston. She lived quietly and was never in trouble with the law again. She never remarried.

By 1877, however, she was probably in poor health. In May and June of that year, the *Launceston Examiner* carried notices that the 'old-established' business of Mrs. Hawkins was for sale.<sup>30</sup>

Eighteen months later, 1879, she passed away at the home of a friend, Mrs. Dean, of Balfour Street, Launceston. She was sixty-six years old. Her death certificate shows the cause as 'heart disease'.<sup>31</sup>

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<sup>28</sup> Will: AD960-1-2, Will No. 2201 at

[https://www.librariestas.ent.sirsidynix.net.au/client/en\\_AU/names/search/results?qu=NI\\_NAME%3DSarah&g\\_u=NI\\_NAME%3DHawkins](https://www.librariestas.ent.sirsidynix.net.au/client/en_AU/names/search/results?qu=NI_NAME%3DSarah&g_u=NI_NAME%3DHawkins)

<sup>29</sup> See 'feme sole' at <https://www.thefreedictionary.com/>; also <https://www.britannica.com/topic/feme-sole>

<sup>30</sup> *Launceston Examiner*, 29 May 1877, p.1; and 14 June 1877, p.1.

<sup>31</sup> Death: 22 January 1897 (RGD35/1/48, No. 442, Launceston); death notices: *Launceston Examiner*, 19 February 1879, p. 1; *The Cornwall Chronicle* (Launceston), 23 January 1879, p.2

In her Will Sarah left assets to the value of £550.00, directing that, after settlement of all outstanding debts (if any), the executors should effect the following legacies: £100 to the Very Reverend Dean Butler, senior Roman Catholic clergyman of Launceston, for the building fund of the Church of the Apostles; £30 to the Reverend Mother, Sisters of Charity, Hobart, for any purpose she sees fit; £40 to her friend, Mrs. Mary Dean, Launceston; £20 to her god-child, Edward Edwards, Launceston; £20 to Reverend Father Gleeson, Roman Catholic clergyman, Launceston; £20 to Reverend Father Woods, Roman Catholic clergyman, Hobart Town; £30 to Reverend Father Feehan, Roman Catholic clergyman, Oatlands; £30 to Reverend father McKernan, Longford; £20 to the Treasurer, Benevolent Society, Launceston; and the remainder be held in trust, in equal shares, for the children of her brother, James, in Ireland.<sup>32</sup>

It is interesting, but not surprising in view of her bequests to the priests and nun, that Sarah referred to herself in the Will as ‘the wife of William Hawkins, late of Launceston but now in parts beyond the seas.’ It is clear that she held the view that divorce was against the teaching of the Catholic Church and that although her husband had been absent for many years, she still considered herself to be ‘married’.<sup>33</sup>

Sarah’s story is quite remarkable. Who could have imagined that the young woman who arrived in VDL in 1841 as a troublesome and disruptive convict would have passed away forty years later as a respected, successful and wealthy businesswoman? Incredibly, her first ten years in the colony had given no indication of what was to come. She had been a difficult prisoner and frequently punished for offences ranging from insolence and neglect of duty to drunkenness and absconding. Having regained her freedom, however, an amazing transformation had taken place. She was never in trouble with the law again. But what was responsible for the change? Was it simply the fact that she was free again? Was it her marriage, coinciding as it did with the completion of her sentence? Was it the desertion by her husband after ten years of marriage and the necessity to work hard to support herself? The best answer, perhaps, is that it was all of these in combination with the natural talent she possessed and the opportunity that existed for her in VDL to exercise it.

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<sup>32</sup> AD960-1-2, Will No. 2201; James lived at Lisnaskea in County Fermanagh.

<sup>33</sup> AD960-1-2, Will No. 2201.