

**Note: Images have been removed from this paper due to file size. If you wish to receive the complete file (3.4 mb) please email FCRC.**

## **Orphan School to Female Factory**

**ANN MCINTYRE**

**My G3 Grandmother**

**By Geoff Mitchelmore, October 2018.**

### **History:**

According to her criminal record, my Great Great Great Grandmother, Ann McIntyre, was born in Kelsey(?), Argyllshire in 1778.

Her parents were possibly Hugh and Agnes Stuart and if so Ann was born in Glasgow on 05 November 1788, and later in life shown as employed as a 'Farm & Home Servant'.

Ann lived in a period of rapid expansion in Glasgow during the Industrial Revolution where the social divide was increasing. The working class worked long hours in deplorable conditions where smog, dust and other health issues abounded. Water for the Clyde River was untreated and heavily polluted from industry which lead to Cholera followed by many deaths. A great place to grow up!

**[image] Clyde River, Glasgow C 1838**

*Courtesy of Glasgow City Council*

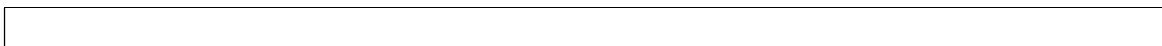
According to prison records, Ann was widowed twice, to a ? Ferns and ? Stewart, and had two girls with Ferns, but Birth, Marriage and Death records for the period showed no registration of these events! With an alias 'Cook', Ann had been through the court system over the years, and had been convicted seven times and incarcerated twice, once for 30 days and the other for 60 days.

On 23 December 1829, Ann was brought before the Glasgow Court of Judiciary and sentenced to be transported to Van Diemen's Land for a period of 14 years.

Her record shows that Ann was anything but a model of an upstanding citizen! But circumstance and social pressure had no doubt influenced her direction!



**[image] Glasgow Court of Judiciary record.**



[image] Glasgow Prison record.

PRISONER NUMBER:	37
NAME:	Ann Mac Intyre or Stewart or Fern
NATIVE PLACE:	Kelsey, Argyllshire
TRADE or CALLING:	Farm & Home Servant
AGE:	43 years
HEIGHT:	5 feet, one & $\frac{3}{4}$ inches
RELIGION:	Protestant
SCHOOLING:	Read but not Write
CRIME:	Receiving Stolen Goods
WHERE CONVICTED:	Glasgow Court of Judiciary
WHEN:	23 <sup>rd</sup> December 1829
TERM:	14 years
RECORD:	7 Times convicted, 60 Days & 30 Days

**Summary Transcription of Records.**

### **Transportation to Van Diemen's Land:**

Ann and her two daughters, Julia (6) and Martha (4), were transported from Glasgow on 17 May 1830 and embarked from Spithead, England, bound for Van Diemen's Land aboard the 424 ton, sailing ship, Mellish, captained by C Cawley, on 27 May 1830. The Calcutta built ship, with 35 crew, had on board 14 Free women with 45 children and 115 female prisoners with 10 children.

**[image] Mellish Ship.**

*Courtesy National Library of Australia.*

The Mellish arrived in Hobart Town on 22 September 1830, 118 days after embarkation, the only report on Ann during the trip was that of indifference and that there were children with her. Records later confirmed the presence of two children accompanying Ann on her transportation to Van Diemen's Land.

**[image} Ship - Character and Behaviour Report.**

When the Mellish arrived in Hobart Town, Ann, was assigned to Mr L Hodgson, Ann being classified as a farm and home servant.

**[image] Assignment Record.**

Within 14 days of arriving in the Colony at the end of 1830, Ann was charged with drunkenness whilst in 'Service' to Collins and received 40 days in the cells in the Cascades Female Factory. This was to be the pattern of her offending for the next six years, in and out of the Court system, before receiving her Ticket of Leave.

**[image] Cascades' Female Factory 1892**

*Courtesy UTas ePrints - University of Tasmania*

## **Punishment in Van Diemen's Land:**

The following is a copy of Ann's charge sheet for the six years from mid-1830 to mid-1836.

### **[image] Ann McIntyre - Charge Sheet. ANN McINTYRE**

**23/12/1829** **Convicted 14 years**  
**Departed Britain aboard MELISH**  
**23/09/1830** **Arrived Hobart Town VDL aboard MELLISH**

*Date* 07/10/1830  
*Charged by* Collins  
*Charge* Drunk in service  
*Sentence* Cells for 40 days & then to be returned to her Service  
*Prosecutor* Principal Superintendent

*Date* 15/11/1830  
*Charged by* Fitches  
*Charge* Disorderly conduct and taking wine belonging to her mistress  
*Sentence* Cell on bread & water for 6 days and placed in Crime Class.  
*Prosecutor* Principal Superintendent

*Date* 04/06/1831  
*Charged by* Female Orphan School (a stately mansion in Davey Street, Hobart Town??)  
*Charge* Absent from her service last night without leave  
*Sentence* Cell on Bread & Water for 6 days and returned to her Service.  
*Prosecutor* Principal Superintendent

*Date* 16/08/1831  
*Charged by* Female Orphan School  
*Charge* Drunkenness in her service at Orphanage  
*Sentence* Two months in the Crime Class in the Factory  
*Prosecutor* Principal Superintendent

*Date* 24/12/1831  
*Charged by* J E Cox  
*Charge* Drunkenness having recently been released from the Factory  
*Sentence* Cells for 10 days  
*Prosecutor* Principal Superintendent

*Date* 06/02/1832  
*Charged by* Dowsett  
*Charge* Insolent remarks to PS relative to her return to Service  
*Sentence* Cell on bread & water for 10 days  
*Prosecutor* Principal Superintendent

*Date* 06/03/1832  
*Charged by* Harris  
*Charge* Absence from her Service

Sentence	<i>Admonished and returned to service of Harris</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>07/03/1832</i>
Charged by	<i>Harris</i>
Charge	<i>Charged by for drunkenness yesterday afternoon</i>
Sentence	<i>Cells for 6 days and returned to service of Harris</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>29/03/1832</i>
Charged by	<i>Harris</i>
Charge	<i>Drunkenness and AWOL</i>
Sentence	<i>Cell for 3 days &amp; returned to service</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>16/04/1832</i>
Charged by	<i>Solomon</i>
Charge	<i>Reported by of being out after hours</i>
Sentence	<i>Returned to service</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>17/04/1832</i>
Charged by	<i>Solomon</i>
Charge	<i>Charged with insolence to her master, Solomon, and for absenting herself from her service</i>
Sentence	<i>To be placed in the Crime Class in the Factory</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>28/08/1832</i>
Charged by	<i>Rocher?</i>
Charge	<i>Brought before the Principal Superintendent</i>
Sentence	<i>Returned to the Factory as there was no person appointed to prosecute</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>05/11/1832</i>
Charged by	<i>Biggins</i>
Charge	<i>Reported drunkenness</i>
Sentence	<i>Crime Class for 4 months</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>01/03/1833</i>
Charged by	<i>Henry</i>
Charge	<i>Absent Without Leave</i>
Sentence	<i>Cell for 6 days</i>
Prosecutor	<i>J Spode, Principal Superintendent</i>
Date	<i>19/03/1833</i>
Charged by	<i>Presnel</i>
Charge	<i>Charged with Disobedience of Orders</i>
Sentence	<i>One month at the Factory</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>03/04/1833</i>
Charged by	<i>Stone</i>
Charge	<i>Charged by for absenting herself for 4 days without leave</i>
Sentence	<i>Returned to Criminal Class</i>
Prosecutor	<i>Principal Superintendent</i>
Date	<i>25/10/1833</i>
Charged by	<i>Luttrell</i>
Charge	<i>Drunkenness</i>

<i>Sentence</i>	<i>1 month at the wash tub at the Factory</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>29/11/1833</i>
<i>Charged by</i>	<i>Edwards</i>
<i>Charge</i>	<i>Drunkenness</i>
<i>Sentence</i>	<i>6 weeks at the wash tub at the Factory</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>21/01/1834</i>
<i>Charged by</i>	<i>Robinson</i>
<i>Charge</i>	<i>Drunkenness &amp; AWOL</i>
<i>Sentence</i>	<i>4 hours in the Stocks</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>04/02/1834</i>
<i>Charged by</i>	<i>Robinson</i>
<i>Charge</i>	<i>Drunkenness and insolence to her mistress</i>
<i>Sentence</i>	<i>2 months at the Wash Tub and assistance in the interior?</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>26/05/1834</i>
<i>Charged by</i>	<i>O'Connor</i>
<i>Charge</i>	<i>Drunkenness and violence of temper and leaving her service without permission</i>
<i>Sentence</i>	<i>Placed in 2<sup>nd</sup> Class, House of Corrections for Females for 2 calendar months</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>01/09/1834</i>
<i>Charged by</i>	<i>Turner</i>
<i>Charge</i>	<i>Drunkenness</i>
<i>Sentence</i>	<i>Crime Class for 2 months</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>02/02/1835</i>
<i>Charged by</i>	<i>Dixon</i>
<i>Charge</i>	<i>Drunkenness</i>
<i>Sentence</i>	<i>Cells for 6 days</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>05/03/1835</i>
<i>Charged by</i>	<i>Donahoo</i>
<i>Charge</i>	<i>Drunkenness</i>
<i>Sentence</i>	<i>Cell on bread &amp; water for 6 days</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>23/03/1835</i>
<i>Charged by</i>	<i>Athorne</i>
<i>Charge</i>	<i>Drunkenness</i>
<i>Sentence</i>	<i>Crime Class for 2 months</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>25/07/1835</i>
<i>Charged by</i>	<i>Logan</i>
<i>Charge</i>	<i>Absence from her service without leave</i>
<i>Sentence</i>	<i>Reprimanded</i>
<i>Prosecutor</i>	<i>Principal Superintendent</i>
<i>Date</i>	<i>04/08/1835</i>
<i>Charged by</i>	<i>Logan</i>
<i>Charge</i>	<i>Absence from her service without leave</i>
<i>Sentence</i>	<i>Job of working cells for 1 month</i>

*Prosecutor*                      *Principal Superintendent*

*Date*                              *26/03/1836*  
*Charged by*                      *Bonnier*  
*Charge*                              *Drunkenness*  
*Sentence*                        *Cells for 1 weeks on bread & water and return her to the Factory*  
*Prosecutor*                      *Principal Superintendent*

*Date*                              *13/04/1836*  
*Charged by*                      *Brown*  
*Charge*                              *Drunkenness*  
*Sentence*                        *Cell on bread & water for 14 days*  
*Prosecutor*                      *Principal Superintendent*

*Date*                              *20/05/1836*  
*Charged by*                      *Dodds*  
*Charge*                              *Being in town without a pass and AWOL*  
*Sentence*                        *Cell on bread & water for 14 days*  
*Prosecutor*                      *W Champ*

*Date*                              *23/06/1836*  
*Charged by*                      *Wright*  
*Charge*                              *Drunkenness*  
*Sentence*                        *Cell on bread & water for 6 days & for refusing to go back to her Master when desired by Principal Superintendent, an extra 1 Month in Crime Class*  
*Prosecutor*                      *Principal Superintendent*

### **TICKET OF LEAVE GRANTED - JULY 1836**

*Date*                              *15/08/1836*  
*Charged by*                      *Ticket of Leave*  
*Charge*                              *Drunkenness*  
*Sentence*                        *Admonished*  
*Prosecutor*                      *C Driscoll*

*Date*                              *23/01/1837*  
*Charged by*                      *Ticket of Leave*  
*Charge*                              *Leaving her hired service before the expiration of her contract*  
*Sentence*                        *Case dismissed*  
*Prosecutor*                      *F Roper*

*Date*                              *16/12/1837*  
*Charged by*                      *Ticket of Leave*  
*Charge*                              *Drunkenness*  
*Sentence*                        *3 days in solitary cells*  
*Prosecutor*                      *W H B*

*Date*                              *10/09/1839*  
*Charged by*                      *Ticket of Leave*  
*Charge*                              *Drunkenness*  
*Sentence*                        *1-month hard labour, Female House of Corrections*  
*Ticket of Leave suspended - Vide Lieu Gov Decision 13/09/1839*  
*Prosecutor*                      *W H B*

### **FREE BY SERVITUDE - DECEMBER 1843**

**Ann McIntyre - Transcribed Charge Sheet**



**ANN McINTYRE**  
**RECORD SUMMARY**  
**Van Diemen's Land**

Appearances in Court	31 times
'Service' with different Masters	25 times
'Service' duration	
1 - 30 days	22 times
3 – 6 months	6 times
Time in 'Service'	<320 days
Time in Female Factory	>1700 days

CHARGES	Drunkenness
	Absence Without Leave
	Abuse of Master or Judge

SENTENCES	Wash Tub
	Bread & Water
	Stocks
	Cells
	Crime Class (+ Second Class)
	Second Class (Minimum 3 months)

Maybe, Ann's reluctance to stay in 'Service' early on was initially because of her desire to return to her children in the Factory. However, it doesn't explain Ann's continued desire to remain in the Factory for the ensuing years after her children had been removed to the Orphanages but revelations from other Factory inmates infer that a group of women prisoners chose to be there rather than in 'Service'.

### **What was it about being in 'Service' that made the women choose the Factory!**

The record seems to show Ann was an alcoholic. Or was she? Or did she use this as a means to remain in the Factory rather than being open to sexual and other abuse in 'Service'?

On 16 March 1832, Ann was up on a charge because of absence from 'Service' but was only admonished. On her return to her master's home, she got herself drunk and placed on another charge followed by three other charges over the ensuing four weeks such that by mid-April 1832, she was returned to the Female Factory into the Crime Class.

From here it was a continuing placement into 'Service' with 25 different people and then promptly back into Court to be prosecuted, 22 of these placements lasted from 1 day to less than one month.

From Ann's arrival in Van Diemen's Land until the granting of her Ticket of Leave six years later, she faced the Principal Superintendent in Court on 31 occasions.

All thirty-one charges related to either drunkenness, AWOL or insolence in her 'Service'.

During this six years, Ann was incarcerated at least 80 percent or 1700 days in the Cascades Female Factory

She received sentences that included time in the cells, bread and water only, in stocks, in the Crime Class and in the 2nd class for periods up to 180 days.

Interestingly, for the next twenty-five years, except for two further drinking skirmishes with the law shortly after receiving her Ticket of Leave in Jul 1836, until her death on 16 June 1861, Ann was never again seen in a Court.

**Where were  
Ann's children  
during this time?**

## JULIA AND ANN FERNS

### Early Days:

After arriving on the ship from England in 1830, as it appears the practice, Julia and Ann would have been housed in the infant nurseries in the Female Factory whilst their mother placed in her 'Service' in the community. After two drink related issues in 'Service' immediately after arrival from England, each period of 'Service' lasting less than a couple of days, Ann was punished with eight months in the Female Factory. *The reason for the transgressions may well have been so that she could be placed back with her two girls!*

[image] Female Factory, Cascades.

### Orphanage Homes:

In 1828, temporary homes for the orphaned, destitute and neglected children of the colony were established. Children admitted were either destitute, had one parent living, or had parents who could not afford their education. Most came from convict backgrounds, with parents more likely to be in gaol, unemployed or perceived by the authorities as leading immoral lives. The orphan schools were an integral part of the convict system, with the same mechanisms, regimentation, discipline, punishment and control. Boys were placed in a converted distillery on New Town rivulet with the girls being placed in a private house in Davey Street, Hobart Town.

When Ann had served her sentence in the Crime Class at the Female Factory for these convictions, she was transferred to the King's Orphan School, in Davey Street, Hobart Town, most likely to allow Julia and Martha to live with their mother in a school environment. This may well have been done to keep the family together, the two girls as orphans in the school with their mother in 'Service' at the orphanage. This arrangement succeeded for around six months. *This was one of Ann's longest stints outside the Female Factory over the six years before she finally received her Ticket of Leave.*

But it didn't last as, on 16 August 1831, Ann was back in Court and charged with being drunk in 'Service' at the orphanage. This led to a sentence of at least five months in the Female Factory at the Cascades. Martha returned with her mother to the infant nurseries at the Factory, but it is unclear whether Julia also accompanied her or was left behind in the Davey Street orphanage.

### Julia Ferns:

On 25 February 1832, Julia, aged 8 years, was admitted to the King's Orphanage in Davey Street, Hobart Town, her name registered as Julia Fair or Farrance. - # 33 in the Kings Orphanage School Register for Girls.

	Ann Bullock	4	Jan 12	1832	
	Margaret Morgan	3	"	"	Mother a Prisoner
	Ann Haines	7	Feb 1	"	Ann a Prisoner
	Julia Fairclough	8	"	25	Prisoner's Prisoner
34	John Archer	6	March 22	"	John a Prisoner

**King's Orphanage School Register for Girls.**

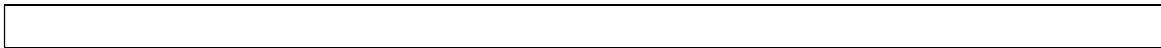
**St John's Orphan School, Newtown:**

The temporary orphanage establishments were superseded by a new orphan school building, part of St John's Church, which still stands at the top of St John's Avenue, Newtown.

The orphanage, designed by John Lee Archer is part of St John's Church and was completed in 1832, the girls occupying the building to the right of the church, in December 1832, and the boys to the left, in October 1833.

The Church part of the establishment catered for the religious needs of the orphans along with local convicts and the Newtown congregation. The ground floor was for the general public, with four fireplaces, one in each corner, to help to warm the winter congregation. The Governor was allocated a private box right next to one of these fireplaces.

The orphans mounted stairs to an elevated gallery on the eastern side of the church via the clock tower whilst the convicts occupied the western gallery facing the children. Sometime after Martha left the orphanage, a curtain was hung to separate the convicts from the orphans so that the orphans could avoid the lewd stares and not be tainted by the convicts.




**[image] Concept sketch St John's Orphan School.**

**Photo St Johns Orphan School in Newtown.**

**[image] Orphan School Dormitory.**



**[image] Ground Floor Plan**



**[image] Dormitory and School Wing Plan**

Julia was transferred from the Queens Orphanage in Davey Street Hobart Town to the Newtown orphan school and reunited with her sister Martha although it is not clear whether Julia was admitted before or after Martha's admission.

12 year old Julia died in the Orphan School Hospital on 20 February 1835, one of eighteen other deaths in the Orphanage in 1835 – an appalling statistic! The incidence of death was four to five times that of the normal population in Van Diemen's Land at that time!

Julia 'Farrel' was buried as an orphan child in Parish Trinity, County of Buckingham, on 24 February 1835, aged 12 years.

*The Authorities in charge of Julia's welfare did not even know her surname; perhaps did not know that she had a sister also in the orphanage and may be knew nothing of her mother.*

[image]

## Martha Ferns:

Martha remained in the Female Factory until 9 January 1833 when, at six years old, she along with 40 other children aged between three and twelve years from the factory nurseries, were transferred to the Newtown orphanage. *In later years, children in the convict nurseries, at the age of three years, were sent to the Orphan School.*

The transfer was noted through a minute of the Committee of Management of the Orphan School.

### *KING'S ORPHAN SCHOOL*

#### *MINUTES OF THE COMMITTEE OF MANAGEMENT*

*Committee Room*

*10<sup>th</sup> January 1833*

*Present. Revd. W Bedford, Mr Moodie, Mr Yeoland*

*The Secretary reported that he had late on the previous day between the hours of four and five o'clock received an intimation from the Master of the Female Orphan School that 41 boys and girls in four carts with some bedding had arrived at the school from the Female Factory and that he wished to know if he was to admit them and that he (the Acting Secretary) had by a note requested the master to receive them as they must have been sent by some authority however irregular.*

*The Committee regret that the management of this affair had not been entrusted to them more particularly as such a large increase required corresponding arrangement and accommodation especially at the commencement of a new era in reference to the Establishment at New Town.*

*The Committee would remark that in reference to this proceeding the children were detained in the carts at the building for several hours, the master not conceiving himself justified in receiving them in the absence of higher authority without the usual order of admission from the Committee of Management. The Committee requested His Excellency's sanction for the retention of these children and in which case that the Committee may be furnished with a statement of the names, ages of other necessary particulars respecting these children in order that they may be registered in conformity with the regulations.*

*12 January 1833.*

Martha was admitted to the new orphanage from the Female Factory as is shown in the admittance book for the orphanage sourced in the Tasmanian Archives. Her mother, Ann, was serving a 4-month sentence in the Crime Class for drunkenness in the Female Factory at this time.

**[image] Martha: King's Orphan Register**

Martha was released from the orphanage on 2 July 1840 at age fourteen years, possibly on her birthday! Martha, unable to read and write after eight years in the orphanage, was apprenticed to T. Smith, at Ross, where she would have been forced to work for no money until eighteen and at the mercy of her master regarding food, clothing and housing.

*How is it that Martha could not Read n Write after eight Years in the Queen's Orphanage?*

*Why didn't Ann remove Martha from the orphanage once she had her Ticket of Leave or at least once she had her full pardon?*

<b>Queen's Orphan School Register</b>	
NUMBER	47
NAME	Martha Ferns
AGE:	6 years
ADMITTED	9 <sup>th</sup> January 1833
PARENTS NAMES	From House of Correction
TIME OF REMOVAL	2 <sup>nd</sup> July 1840
RELIGION:	Protestant
REMARKS:	From Female House of Correction Apprenticed to T Smith, Ross

**Martha Removal: King's Orphan Register.**

On 5 April 1842, a six-month pregnant 15-year-old Martha (claimed to be 17) married Uriah Martin, a 29-year-old prisoner (claimed to be 27) who had been transported to Van Diemen's Land for life for highway robbery. Neither Uriah nor Martha could write their name as was evidenced on the marriage certificate when they notarised the document with their mark or cross.

They were married by Rev. William Bedford in Ross at the original St John's Church adjacent to the Ross settler's cemetery.



**[image] Uriah and Martha wedding certificate.**

**[image] Original St. John's Church Ross**

**On a better note, Martha and Uriah and their seven children left Tasmania in 1852 and set up home in the Victorian goldfields.**

**The family were at last away from this horrible island that had been a prison to them for a frivolous reason and who had treated them as if they had been thoroughly corrupt and a menace to the English and Van Diemen's Land community!**



Geoffrey W. Martin. OAM