

## JANE SMITH

[*Sea Queen*, 1846]

by

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Jane Smith was convicted of theft at Knutsford, Cheshire, England, on 7 January 1846 and sentenced to transportation for seven years.<sup>1</sup> She was a sixty-five-year-old widow with five children. Unwell on arrival at Hobart, she was taken immediately to the hospital and, as a result, very few personal details were entered on her convict records. Of particular relevance to her story is the fact that her native place was never recorded and the lack of this piece of information makes researching her life difficult. Compounding the difficulty are her very common surname and the knowledge that, before she was transported, she is known to have used a number of aliases including ‘Margaret Wallace’, ‘Ann Jones’ and ‘Ann Smith’. It is even possible that ‘Jane Smith’ was not her real name. It had been as ‘Margaret Wallace’ that, four years before the theft that had led to her transportation, she had committed an unusual offence against the Registration Act by falsely registering the deaths of children for monetary gain in the form of sympathetic donations. Sadly, her life in the colony was short. In March 1853, just weeks after the completion of her term of transportation, she passed away at Hobart. She had done nothing out of the ordinary and, apart from occasional episodes of drunkenness, had not troubled the colonial authorities. It is likely, however, that she will be long remembered for the poignancy of her last recorded words, ‘I want to go home’ - a sad lament which was undoubtedly expressed by many of the 13,500 (approx.) other women who were sent as prisoners to Van Diemen’s Land (VDL) between 1812 and 1853. In Jane’s case, regrettably, there is still uncertainty about where ‘home’ was.

This is her story:

On Wednesday 7 January 1846, Jane was convicted of theft at Knutsford, Cheshire, England, and sentenced to seven years’ transportation.<sup>2</sup> On the following Saturday, the *Manchester Times* reported there had been a heavy calendar of cases that day with seventy-two individuals on trial. The report added that ‘none of the cases possessed anything more than ordinary interest’. Jane’s name was not on the list – and nor were any of the aliases that she is known to have used. Perhaps her crime had been too ‘ordinary’ to report in the newspaper on a busy day.<sup>3</sup>

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<sup>1</sup> Conduct record: CON41-1-10, image 133; indent CON15-1-3, image 344; description list CON19-1-5; police No: 800; FCRC ID: 11016.

<sup>2</sup> CON41-1-10, image 133.

<sup>3</sup> *Manchester Times*, 10 January 1846. (British Library Newspapers).

<https://link.gale.com/apps/doc/BC3206361172/GDCS?u=61sItas&sid=GDCS&xid=0f6d9e5d>. Accessed 23 Sept. 2019.

After the trial, Jane was taken to Millbank Prison, London, to await embarkation on a vessel that was to take her to VDL. Her gaol report notes that she had been convicted of stealing two vinegar cruets, that she had had four previous convictions, and that she now ‘appears sorry for what is passed’.<sup>4</sup>

Eventually she was put aboard *Sea Queen* which, with George Wood as master and T.W. Jewell as surgeon-superintendent, 170 female convicts and fifteen children, sailed from Woolwich on 12 May 1846 and reached Hobart on 29 August that year.<sup>5</sup>

In the medical journal that he kept during the voyage, Surgeon-Superintendent Jewell wrote that, in mid-July, Jane had been treated for haematemesis, the vomiting of blood, adding that she had ‘suffered much from sea-sickness’ which had tended to promote ‘an emaciated state of constitution’. Aware that haematemesis is often an indication of alcohol abuse, he had noted that he could not detect that she had been of an intemperate habit and that her appearance did not indicate such. She herself had stated that ‘she had been generally healthy, and active in her occupation as a laundress’ and Jewell considered that her hard work and advanced years were responsible for her condition.<sup>6</sup> Nevertheless, on arrival at Hobart, he had ordered that she be admitted to hospital rather than transferred with the other women to the *Anson*, the hulk of a former British warship which, in 1844, had been moored in the Derwent and refitted for use as a probation station. There, newly-arriving female prisoners were required to spend six months in preparation for assignment as servants to free settlers.<sup>7</sup>

For what length of time Jane was kept in hospital is unclear. Her conduct record shows, however, that after undergoing her probation at the *Anson*, she was in service to the Rodd household in Hobart by early 1848. There, on 11 January of that year, a charge of misconduct was brought against her by her Master and she was ‘dismissed’. Details of the charge were not recorded. She was required to proceed to the Brickfields Hiring Depot at North Hobart to await re-assignment.<sup>8</sup>

Within two weeks she had been assigned to the Rainsford household but was soon back at Brickfields after claiming, on 3 February, that she had been assaulted by her Mistress. Still there on 28 February, she was charged with drunkenness and punished by having to spend six weeks’ imprisonment, with hard labour, at the Cascades Female Factory.<sup>9</sup>

That was to be the first of four gaol terms Jane served for offences she committed in VDL. On 29 March 1849, having been re-hired - somewhat surprisingly – by the Rainsfords, she was charged with being drunk again and ordered to serve another two months locked up at the

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<sup>4</sup> Gaol report: See FCRC d/base, Pre-Transportation, Convict ID 11016.

<sup>5</sup> <http://members.iinet.au/~perthdps/convicts/shipsTAS.html>

<sup>6</sup> [https://www.femaleconvicts.org.au/docs2/ships/SurgeonsJournal\\_SeaQueen1846.pdf](https://www.femaleconvicts.org.au/docs2/ships/SurgeonsJournal_SeaQueen1846.pdf) at [www.femaleconvicts.org.au](http://www.femaleconvicts.org.au)

<sup>7</sup> <https://www.femaleconvicts.org.au/convict-institutions/probation-stations/anson>

<sup>8</sup> CON41-1-10, image 133.

<sup>9</sup> CON41-1-10, image 133.

Cascades. On 15 June of that year, now in the service of the Dundridge household, she was charged with the same offence and spent another two months in prison.<sup>10</sup>

What Jane did after her release from that gaol term is unclear. No further assignments are listed on her conduct record. She was now close to seventy years of age. Was she considered unemployable by this time?

On 11 March 1850, six months after her last recorded offence whilst in service, Jane was granted a ticket of leave.<sup>11</sup> For most prisoners, the ticket of leave was a blessing. While they were still under the strict control of the convict authorities and had to remain within a defined district, they were able to find their own accommodation and employment.<sup>12</sup> Whether Jane would have seen it as much of a blessing is unlikely. Where would she live? Where would she find work?

Little is known about how she lived at that time. There is no record of her ever being institutionalised as a pauper. However, on 17 July 1852, as a ticket-of-leave holder, she was charged again with being drunk and sentenced to a months' gaol at the Cascades.<sup>13</sup>

Sadly, within a short time of serving out that sentence, she was dead.<sup>14</sup>

On 3 March 1853, the *Courier* (Hobart) carried this brief report:

*SUDDEN DEATH - A woman named Jane Smith fell down dead in the house of Mr. Campbell, Murray-street, yesterday morning.*<sup>15</sup>

The death certificate gave Jane's age as seventy-three and the cause of her death as 'excessive drinking'.<sup>16</sup>

At an inquest into the death on 7 March 1853, a doctor who had conducted the post-mortem described Jane as an old person with a broken-down constitution. Richard Thompson, an engineer in Bathurst Street, Hobart, who had employed Jane for some time but had dismissed her for stealing tobacco a week before she died, described her as a woman who was fond of alcohol, stating that 'she would get drunk whenever she had any money'.<sup>17</sup>

Another witness, Sarah Campbell, the *de facto* wife of William Campbell at whose house Jane had died, gave testimony that revealed a good deal more about Jane's earlier life than had been recorded on her convict documents. Sarah, a former convict, had arrived in VDL as Sarah MacKenzie on *Angelina* in August 1844.<sup>18</sup> In 1847, she had married bootmaker Matthew Mann

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<sup>10</sup> CON41-1-10, image 133.

<sup>11</sup> CON41-1-10, image 133.

<sup>12</sup> Ticket of Leave: <https://www.nla.gov.au/research-guides/convicts/tickets-of-leave>

<sup>13</sup> CON41-1-10, image 133.

<sup>14</sup> Death: RGD35/1/3, No. 2328.

<sup>15</sup> *Courier* (Hobart), 3 March 1853, p.2.

<sup>16</sup> RGD35/1/3, No. 2328.

<sup>17</sup> Inquest: SC195/1/32, No: 2953.

<sup>18</sup> Sarah Mackenzie: CON41/1/3, Image 111, Police No: 523; FCRC ID: 1573.

but, after his death two years later, she had co-habited with Campbell.<sup>19</sup> In England, she had lived at Liverpool, only thirty-two miles (about 55 kms) from Knutsford where Jane had been convicted, and the women had known each other for many years before either of them had been transported.<sup>20</sup> Sarah stated:

*I knew the deceased in England 16 years ago but had only seen her once in eight years until Wednesday last. She had been living in service with Mr. Thomson now present – when she came to me on Wednesday last. She said that she had had a difference with her Master, and I then engaged her to come and live with me.*<sup>21</sup>

In view of the fact that Sarah knew Jane well enough to offer her a roof over her head and employment in her home, it is interesting to speculate whether she knew of Jane's troubles with the law before the crime that had led to her conviction and transportation. Did she know of the several aliases that Jane had used in England in perpetrating her various crimes? Jane's aliases and previous crimes were not mentioned at the inquest but it is possible that she had spoken about them to Sarah. In particular, could Sarah have been aware of a most unusual crime – one that Jane had committed more than once - of falsely registering the death of a child for monetary gain?

On 21 February 1845, the *Liverpool Mercury* had reported that 'a decent-looking female, named Margaret Wallace' had been charged with having falsely obtained certificates of deaths which had never taken place. She had gone to the Registrar of Births and Deaths for the Liverpool district in which she was then living, and using the name 'Ann Jones' had registered the death of her son. Afterwards, she had fraudulently solicited charity from a Mr. James Eckersley and other gentlemen of the town. Later, the registrar had discovered that no person of such name lived at the address she had given. Foolishly, Jane had gone back to the registrar later on the same day, this time using the name 'Ann Smith', and had wanted to register the death of another child. She was immediately arrested and committed for trial.<sup>22</sup> On 29 March 1845, the *Manchester Times* reported Margaret Wallace, sixty-five-years-old, had been sentenced to three months' imprisonment.<sup>23</sup>

Three years earlier there had been an almost identical conviction of a young woman named Mary Hall for registering the deaths of children to gain money from the parish. Describing her as 'a wretched looking female', the *Liverpool Mercury* of 16 December 1842 had reported that, on 8 August of that year, calling herself Mary Wallace, she had registered the death of eight-year-old Margaret Wallace, stating that she had died of measles. Then, on 22 October, she had registered the death of three-year-old Elizabeth Wallace, giving the cause of death as consumption. Three weeks later, on 4 November, and giving her name as Mary Craven, she had registered the death of a child named Matilda Craven who had supposedly died of typhus

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<sup>19</sup> Marriage: Mackenzie-Mann – RGD37/1/6, No. 744, 1847, Hobart.

<sup>20</sup> Inquest: SC195/1/32, No: 2953.

<sup>21</sup> Inquest: SC195/1/32, No: 2953.

<sup>22</sup> "POLICE." *Liverpool Mercury*, 21 Feb. 1845. *British Library Newspapers*, <https://link.gale.com/apps/doc/BC3203962436/GDCS?u=61sltas&sid=GDCS&xid=c9dd63e0>. Accessed 4 Sept. 2019.

<sup>23</sup> *Manchester Times*, 29 March 1845.

fever. This time, however, the registrar, thinking that he recognised the woman from previous visits, ordered inquiries to be made and found that no such deaths had occurred. The woman was arrested. The registrar told the newspaper that, on the first two occasions, the woman had given him such a pitiable story that he had given her a shilling and that he had no doubt that this was the reason she had kept on returning. In her defence, the woman said that another female had told her to do so, for the purpose of getting a shilling. The young woman was fully committed to trial for a misdemeanour.<sup>24</sup> On 1 April 1843, the *Manchester Courier and Lancashire General Advertiser* reported that Mary Hall, aged twenty-nine, had pleaded guilty to having wilfully made a false statement regarding the death of a child named Margaret Wallace and was sentenced to one month's imprisonment.<sup>25</sup>

Mary Hall was twenty-nine when charged while using the names Mary Wallace and Mary Craven. Her offences and those of Margaret Wallace were very similar; the purpose to gain sympathy and thus charity. Jane Smith was about sixty-two at that time and Mary Hall was young enough to be Jane Smith's daughter or daughter-in-law. Jane Smith was living in the Liverpool district for at least eight years before she was transported. Was she the 'woman' who had told Mary Hall to do it?

The 1841 census of England and Wales reveals that at least thirty women by the name 'Jane Smith', and of her approximate age, were living in Lancashire at that time.<sup>26</sup> But, was Jane Smith the real name of the convict who was transported on *Sea Queen* in 1846? Rather, was it really Margaret Wallace or Ann Jones or Ann Smith or none of these?

At the inquest into Jane's death in 1853, it was William Campbell who had attested to her poignant final words, 'I want to go home, I want to go home'.<sup>27</sup> Her five children could not have known that their mother's last thoughts were of home.

But where was her home – and who was she really?

*The volunteers at the Female Convict Research Centre research the lives of over 13,500 female convicts who were transported to Van Diemen's Land. In many cases, like that of Jane Smith, there is very little to go on, but every convict is important. This story is an example of how the researchers work together to find threads that can be joined together to gain an insight into convict lives. Many times, the researchers end up with more questions than answers. With thanks to the many volunteer researchers and transcribers of FCRC who have worked on Jane Smith's story.*

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<sup>24</sup> *Liverpool Mercury*, 16 December 1842, *British Library Newspapers*, <https://link.gale.com/apps/doc/BC3203958366/GDCS?u=61sltas&sid=GDCS&xid=9c1daf76>. Accessed 4 Sept. 2019.

<sup>25</sup> South Lancashire Assizes." *Manchester Courier and Lancashire General Advertiser*, 1 Apr. 1843, p. 8. *British Library Newspapers*, <https://link.gale.com/apps/doc/EN3216584968/GDCS?u=61sltas&sid=GDCS&xid=9e575713>. Accessed 9 Sept. 2019.

<sup>26</sup> Census England 1841 - <https://www.archives.com/uk>

<sup>27</sup> Inquest: SC195/1/32, No: 2953.