

## Chapter 7: Women and Work.

In 1837 Josiah Spode, chief superintendent of convicts in Van Diemen's Land, said the female convicts were "worse in every respect to manage than male convicts ...They all feel they are working under compulsion which renders it almost a continual warfare between their employers and themselves."<sup>1</sup> Spode was one of many officials who were frustrated by not being able to force working class convict women to work submissively, be deferential to their employers, desist from sexual behavior outside of marriage, be sober and use decent language. Many were far more scathing than Spode. Molesworth, in 1838, reported that convict women were "all irreclaimable prostitutes, too often disgusting by the indecency of their language and demeanor."<sup>2</sup>

While some earlier historians accepted the moralistic judgments of the colonial officials and some settlers, others like Sturma have argued that in the wider context of British working class behavior, the behavior of female convicts was less aberrant than portrayed.<sup>3</sup> Within revisionist and feminist histories three questions have dominated the study of female convicts over the last thirty years: Were their chief roles to be either whores or mothers? Were they professional criminals or valuable workers who contributed to the economic growth of the colonies? How much control did they have over their lives or were they the passive victims of a patriarchal administration? Lake argued compellingly that these dichotomies may not be the most useful ways of trying to interpret the behavior of female convicts because these options need not be mutually exclusive. It was possible for women to be caught "in patterns of oppression and exploitation...while at the same time registering the capacities of...initiative, rebellion and judicious negotiation."<sup>4</sup> Damousi later proposed that it is time to move the debate away from these recurring themes and explore the cultural meanings of many of the convicts' actions and the dynamics of

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<sup>1</sup> Josiah Spode, 30 August 1837, CSO5/134/3210, p. 254, AOT.

<sup>2</sup> Great Britain, Parliament, House of Commons, Select Committee on Transportation, *Report from the Select Committee of the House of Commons on Transportation: together with a letter from the Archbishop of Dublin on the same subject: and notes by Sir William Molesworth*. London, Henry Hooper, 1838, p.36.

<sup>3</sup> Michael Sturma, 'Eye of the Beholder: The Stereotype of Women Convicts, 1788-1852', *Labour History*, 34, 1978, p. 3.

<sup>4</sup> Marilyn Lake, 'Convict Women as Objects of Male Vision: An Historical Review', *Bulletin for the Centre for Tasmanian Historical Studies*, Vol.2, No.1, 1988, p. 48.

the relationships they had with each other, with convict men and employers.<sup>5</sup> This is a tempting option, even though many of the meanings of their actions are lost to us, as few convict women wrote of their circumstances.

This chapter will try to locate the 86 assigned convict women within the general structure of the whole female community in the Campbell Town district by proposing a distribution of the settler, emancipist and convict women living in the district in 1835. The demand for their labour will be discussed and their distribution to different groups of employers presented. Most of them had skills as domestic servants and worked in this capacity. The charges brought against them by their employers will be examined as a gauge of their ability to provide reasonable service in their employment. The role of their employers will also be examined, especially their responsibilities to train and supervise their domestic workers. Finally this chapter will also look more obliquely for possible cultural meanings embedded in the colonial master and servant relationship and the ways in which this relationship was changing and affecting the behaviors of both employers and their convict servants.

Although some historians claimed convict women's work was not valued in the colonies, or was only of real value when they married and became wives and mothers, this position has been challenged by those who agree that there was demand for domestic workers and, to a lesser extent, specialized farm workers such as dairymaids.<sup>6</sup> It is more difficult to sustain this argument in New South Wales in the 1830s in rural areas where drought, increased numbers of free immigrant women and the continued placement of women convicts on farms of less than 2000 acres caused some settler families to return their female convicts to the government for economic

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<sup>5</sup> Joy Damousi, 'Beyond the Origins Debate: Theorizing Sexuality and Gender Disorder in Convict Women's History', *Australian Historical Studies*, 106, 1996, p. 62.

<sup>6</sup> For those who saw their economic value as wives and mothers see Paula Byrne, 'Women and the Criminal Law: Sydney 1810-1821', *Push from the Bush*, No.21, Oct 1985, p. 5; Portia Robinson, *The Women of Botany Bay: a reinterpretation of the role of women in the origins of Australian society*, Ringwood, Victoria, Penguin, 1993 ; Monica Perrott, "A Tolerable Good Success": *Economic Opportunities for Women in New South Wales, 1788-1830*, Sydney, Hale and Iremonger, 1983 and David Kent & Norma Townsend, "'Female Convicts': An Accurate View of Working Class Women?", *Labour History*, 65, Nov 1993, pp. 179-191.

reasons.<sup>7</sup> However in Van Diemen's Land in the 1830s, middle class farmers were consolidating their wealth on large holdings of up to 5000 acres in drought proof areas with their incomes increasing due to the export of wool and grain, and the high prices paid to them for meat and grain by the commissariat store.<sup>8</sup>

The female convicts selected for the colonies were overwhelmingly domestic workers. Although Oxley indicated that her sample included women with over 36 trades listed on their indents, 77% of the women claimed to be domestic servants, the rest being almost equally divided between those who were skilled and unskilled urban workers and unskilled rural workers.<sup>9</sup> Kent and Townsend argued that the domestic workers did not bring immediately useful job skills to the colony, but evidence from Reid supports the view that middle class colonists in Van Diemen's Land, even in rural areas, were desperate for domestic servants and around 90% of female convicts were assigned to settlers within a month of their landing.<sup>10</sup> Despite the high dispersal rates of female arrivals, only about three quarters of the 1900 women still serving their sentences in 1835 were working as assigned servants. Although this was higher than the proportion of male convicts assigned to settlers, the other 25% of female convicts were incarcerated in the Houses of Correction as punishment for offences and a small number were waiting to give birth.<sup>11</sup> There is also anecdotal evidence that the services of female convicts were in demand. The local colonial press frequently urged the administration to immediately reassign the women serving punishment sentences in the Houses of Correction, as even difficult servants were better than none at all. Indeed it was once proposed that all female convicts should be freed on landing as they could immediately be employed as domestic workers.<sup>12</sup> This was a very different situation from New South Wales

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<sup>7</sup> Kristine McCabe, 'Assignment of Female Convicts on the Hunter River, 1831-1840', *Australian Historical Studies*, No 113, Oct 1999, p. 298-299. Also A. Salt, *These Outcast Women: The Parramatta Female Factory 1821 – 1848*, Sydney, Hale & Iremonger, 1984, p. 53.

<sup>8</sup> Sylvia Morrissey, 'The Pastoral Economy, 1821-1850', in James Griffith, (ed), *Essays in Economic History of Australia*, Milton: Queensland, Jacaranda Press, 1967, pp. 75-76. James Ross, *Hobart Town Almanack*, Hobart, 1834, pp. 64-68.

<sup>9</sup> Deborah Oxley, 'Female Convicts', in Stephen Nicholas (ed), *Convict Workers: reinterpreting Australia's past*, Cambridge, Cambridge University Press, 1988, p. 91.

<sup>10</sup> Kirsty Reid, 'Setting Women to Work The Assignment System and Female Convict Labour in VDL, 1820-1839', *Australian Historical Studies*, vol.34, 121, 2003, pp. 4-8.

<sup>11</sup> *General Muster List*, HO 10/49, AOT, 31December 1835.

<sup>12</sup> Reid, 'Setting Women to Work', p. 7.

where, throughout the 1830s, around 500 women waited for assignment in the Female Factory.<sup>13</sup>

Many of the Midlands farmers in the Campbell Town district were building their third residence in the 1830s, usually impressive permanent houses to replace the wooden or small brick dwellings they first occupied. These houses were not as grand as the great houses or mansions typical of the wealthy middle class Americans of this period, with their highly differentiated public spaces of ballroom, drawing room, dining room, parlor, hall and library.<sup>14</sup> However, many had some clearly differentiated public spaces in which to entertain visitors. Although Ellen Viveash privately criticized the Jellicoes for the extravagance of adding a ballroom thirty feet in length, to their home Camelford Cottage, many of the new dwellings constructed in the 1830s had carriage turning circles, ornamental gardens and other trappings of grandeur.<sup>15</sup> In order to function as spaces, these buildings and their surrounds required the input of considerable labour from servants, many of them female.

The supply of female convicts can be seen in Table 7.1 showing the official *Blue Book* estimates of the numbers of women in the Campbell Town Police district. During Arthur's later administration, convict and ticket of leave females in the district accounted for between 14% and 19% of the total female (including female children) population.

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<sup>13</sup> A. Salt, *These Outcast Women: The Parramatta Female Factory 1821 – 1848*, Sydney, Hale & Iremonger, 1984, p. 52. In 1835 around 500 women were resident each month at the Parramatta Female Factory and this increased to 600-700 in the late 1830s.

<sup>14</sup> Jessica Kross, 'Mansion Houses in Colonial America', *Journal of Social History*, Vol. 34, 4, 2001, pp. 925-926.

<sup>15</sup> Pamela Statham (ed), *The Tanner letters: A pioneer saga of Swan River and Tasmania, 1833-1845*, Nedlands: W.A., University of Western Australia Press, 1981, p. 86.

Table 7.1: Estimates of free and convict women in the Campbell Town police district.

	1833	1834	1835
Free females, all ages, includes emancipists.	321	365	400
Convict & ticket of Leave females	53	84	86
Total district females	374	449	486
Convict & ticket of leave females as % Of total female population	14%	19%	18%

Source: *Blue Books*, CSO50/8-12, 1833-1835, AOT.

Table 7.1 provides evidence that female convicts were in short supply in the Campbell Town police district, which is supported by settlers' complaints about the insufficient supply of convict women as domestic servants. While it is difficult to estimate the composition of the free female group in the district until the first census data was collected in 1842, probably around one third of the free female population in Table 7.1 were settlers' wives and adult relatives: the majority of the rest were female children. As well, between 30 and 60 emancipist women, whose numbers increased annually, were also counted in this group of free women. Local records show that some emancipist women were also part of the district's paid domestic labour force and worked for both commercial families in the villages as well as for farming families.

It was within this small community of settlers' wives and their children that the female convicts and ticket of leave women had to work. Around twenty families had commercial businesses in the villages such as shops or inns. Another forty or so had small manufacturing businesses which employed male convicts in grain mills or enterprises producing building supplies. Reid has shown that convict women with trade skills were efficiently distributed to employers such as clothing or footwear manufacturers in Hobart or Launceston.<sup>16</sup> The disparity between the distributions of female convicts across the colony, shown in Table 7.2, suggests that as 71% of all female convicts were assigned to either Hobart or Launceston, where most manufacturing took place, there was little likelihood of female convicts with trade skills being assigned to the Campbell Town district, although it is possible that a few ticket of leave women may have chosen to live in the district and work at their trades.

<sup>16</sup> Reid, 'Setting Women to Work', p. 21.

It was also not uncommon for married working class women to work from home at dressmaking and the millinery trade. The majority of female convicts, however, were assigned to the local estates or commercial premises and worked as domestic servants.

Table 7.2: Estimates of numbers of convict women in different towns and districts in 1835.

	Hobart town	Launceston town	Richmond district	New Norfolk district	Campbell Town district	Remaining rural districts	Totals
Number of assigned convict women	883	335	114	92	86	194	1706*
Percentage of convict women assigned to the area.	51.5	19.5	6.6	5.3	5.1	12	100

Source: Ross, *Almanack*, 1836, p. 46.

Note: (\*) Two different totals for assigned women were presented in 1835. Convict department estimated the total number of female convicts residing in these areas. This estimate appears in their data in Appendix 3 and differs from their other estimates in their Convict Returns for 1835 in Appendix 4. The Convict Department sometimes gave different estimates of the same groups of convicts in data compiled for different purposes.

By the mid 1830s, a pattern of distribution of female convicts had been established across the island, as shown in Table 7.2 that indicated that fewer than 30% of female convicts resided in country areas. Within rural districts, a further pattern of distribution existed for their placement with families, as shown in Table 7.3.

The muster data indicates that most females assigned to the district were placed with respectable large land owners. Some farms and small commercial premises received only one assigned female servant, suggesting that some assigned females worked as a servant of all work, unless additional ticket of leave or free women were also employed. This was far from the majority experience though as over 60 of the female convicts in the district worked on properties where at least one other female convict was present.<sup>17</sup>

<sup>17</sup> The three women, who remained assigned to publicans, in December 1835, had probably been assigned earlier that year. In mid 1835 Arthur stopped assigning women to publicans because too many of the women were being charged with drinking and other offences. Throughout 1835, the

Table 7.3: Distribution of 88 female assigned servants in the Campbell Town police district in December 1835.

Number of female servants assigned to each master.	Local magistrates	Farmers	Ministers & doctors	Shop keepers	Publicans	Total females
One		17		5	3	25
Two	8	6	4	1		38
Three	2	2				12
Four		1				4
Nine		1				9
Total females	22	48	8	7	3	88

Source: *General Muster List*, HO 10/49, AOT, 31 December 1835.

Around twenty five households received more than one female convict servant. Those settlers who were assigned two or more probably obtained them as a mark of their elevated position in the community, such as the local magistrates, doctors and ministers or because they had a commercial need for women with particular skills. From this distribution it is apparent that despite the farming wealth of the district only nine farmers, employing between two and four women, were likely to have received some women with specific agricultural skills in addition to domestic skills. Only one local family merited a large allocation of female convicts to help staff an exclusive girls' school that Mrs Clark of Ellenthorpe farm managed, separate from her husband's substantial farm. The convict women had the necessary spread of domestic skills required for a large boarding school. Apart from a head cook, two other women also had cooking skills; another was a dressmaker and two others were needlewomen. A laundry maid and three additional house servants had been supplied and some of the women were capable of being employed at several different tasks.<sup>18</sup> The muster data shows the district situation in late December 1835, so the employment distribution of female convicts may have varied slightly in numbers

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bench book data shows that at least 12 different female convicts had worked for part of the year in local public houses.

<sup>18</sup> Reid, 'Setting Women to Work', p. 19.

throughout the year, although this data is indicative of the general pattern of local assigned female employment.

Reid has estimated that some assigned convict women negotiated wages between £12 and £30 per annum, which was close to the rate paid to free women.<sup>19</sup> In the Midlands it was more likely that employers, who wanted their female convicts to stay, paid a lower amount in cash but added goods in kind that may have increased the total benefit. While there is evidence of wages being paid to ticket of leave and emancipist women who worked in the district in 1835, there is no direct evidence of wages being paid to female convicts. However the necessity for wealthy households to have female domestics and evidence that some farmers paid cash bonuses or wages to some of their convict men, suggests it is likely that some female convicts may also have received wages. The rate of wages paid to female emancipist servants probably serves as a good guide to the maximum that female convicts would have received if they had been paid. Ann Jones took Thomas Tucker a local bricklayer, to court to claim wages he withheld when she broke her contract and left him to work for the Harrisons, one of the large land owning families. She had contracted at the annual rate of £16 to work three months for the Tuckers, until Mrs Tucker was confined. She left after two months when she secured more favorable conditions with the Harrisons. The magistrate ordered Tucker to pay her half of the withheld wages.<sup>20</sup>

One measure of the success or failure of the local female convicts as workers was the number of times they were charged with work related offences in the magistrates courts. During 1835 only thirteen women were charged with offences related to poor work and two more with insolence to their employer. These represent 13 out of a total of 70 charges brought against female convicts by employers. Table 7.4 compares this with the sample of work related offences amalgamated from Reid's study of 1844 charges from bench books across the colony between 1820 and 1840.<sup>21</sup>

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<sup>19</sup> *Ibid*, p. 8.

<sup>20</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Thomas Tucker, 21 January 1835.

<sup>21</sup> Kirsty Reid, '“Contumacious, Ungovernable and Incurable”: Convict Women and Workplace resistance, Van Diemen's Land, 1820-1839', in Duffield Ian and Bradley James, (eds.), *Representing Convicts: New Perspectives on Convict Forced Labour Migration*, London, Leicester Press, 1997, Table 6.1, p. 109.

Table 7.4: Work related charges against convict and free women in the Campbell Town police district (CTPD) in 1835 compared with selected charges from Reid's sample of 1,884 charges in Van Diemen's Land, 1820-1839.

Charges	Number for convict & ToL women CTPD, 1835	Rate of charges for convict & ToL women, CTPD.	Reid, Selected charges in her sample, 1820-39, Table 6.1	Rate of charges in Reid's sample of 1884 charges
Insolence	2	3%	224	12%
Work related	13	18%	*496	26%
Other charges	55	79%	1164	62%
Total charges	70	100%	1884	100%

Source: LC 83/1, Magistrate's Bench book, Campbell Town Police District, 1835, AOT; and Kirsty Reid, "'Contumacious, Ungovernable and Incurable': Convict Women and Workplace Resistance, Van Diemen's Land, 1820-1839", in Ian Duffield and James Bradley, (eds), *Representing Convicts: New Perspectives on Convict Forced Labour Migration*, London, Leicester Press, 1997, Table 6.1, p. 109.

Reid's data suggests that during the period 1820 to 1839 work related and insolence offences made up about 26% of all offences listed in the surviving bench books across the colony. The 496 work related charges in Reid's data include the separate charges of neglect of duty, disorderly conduct, misconduct, refusing to work, verbally abusing her employers, refusing to return to service, dispute with fellow servants, insubordination, threatening to leave service, feigning illness, idleness, threatening her employer, violent and outrageous conduct, refusing to go to her service. Comparable charges from the Campbell Town bench book for one year show a much lower rate of 18%. This lower rate may be more representative of a rural district where employers were characteristically large estate owners. Insolence was almost always included in Campbell Town as a component of other work related charges and only rarely listed as a single offence.

An average of only one work-related charge a month was referred to the Campbell Town courts. In this community of 85 - 90 female convict workers, more than

seventy women were not charged with unsatisfactory work outputs during the year. This is not meant to imply that the women's work was uniformly excellent, but it does indicate that the standard of their work was sufficiently satisfactory not to warrant the inconvenience of bringing them before a magistrate. This appears to be an unusual outcome considering the harsh official criticisms often voiced about female convicts' poor work and their frequent quarrels with their mistresses. However, the low level of work related charges could also suggest that during the late assignment period, a rural police district with an increasingly prosperous farming community may have developed better than average working relationships between the convict female workforce and their employers.

Reid argued that in Van Diemen's Land female convict domestics, being in short supply, could negotiate reasonable working conditions for themselves bargaining for cash wages, extra rations, clothes, specific working hours and, even in some cases, their own room.<sup>22</sup> McCabe noticed that large land owners in the Hunter Valley of New South Wales kept their female servants longer than small land holders did. She conjectured that large land owners' wives may have had better skills managing the women and the time to spend training and disciplining them.<sup>23</sup> George Allen, the master of Toxteth Park, managed his convict servants in the 1830s by endeavoring to make them comfortable, not being overbearingly demanding and being fair.<sup>24</sup> It is also possible that the distance from the bench may have acted as a dissuading influence on some masters whose farms were remote.

Masters had to adjust to the assertive working class behavior of convicts and emancipists if they wished to hold on to their services. In a climate characterized by a shortage of supply, tact and negotiation may have proved better management strategies than coercion. Lieutenant-Colonel Mundy wrote droll letters about the new types of colonial relationships that existed between masters and servants that grew out of the convict experience. Servants were nonchalant about the prospect of being

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<sup>22</sup> Reid, *Representing Convicts*, p. 118.

<sup>23</sup> Kristine McCabe, 'Assignment of Female Convicts on the Hunter River, 1831-1840', *Australian Historical Studies*, No 113, Oct 1999, pp. 300-301.

<sup>24</sup> Barrie Dyster, *Servant and Master: Building and Running the Grand Houses of Sydney 1788-1850*, New South Wales University Press, Sydney, 1989, pp. 64-69.

sacked or not getting references because they could immediately be hired by neighbors desperate for their services. They took a week or a month off if they wanted to go visiting and preferred to be hired by the week as it gave them greater flexibility. They were in constant discussions with Mundy's neighbors and would go over to them as soon as they negotiated a better employment offer.<sup>25</sup> While Spode complained about the inability of convict women to adjust to their masters' work demands, he failed to perceive the lesson learnt by masters like Allen and Mundy. Employers needed to make as many adjustments to their new type of servants as the convicts did to them. Many of the cases that came before the Campbell Town bench and other courts were often examples of negotiations that had broken down between the master and servant, sometimes over a protracted length of time.

Efficient mistresses, who could negotiate with their domestic servants, train them if needed and be strong enough to exert reasonable control over household management, had positive experiences with their convict domestics. Ellen Viveash wife of a local justice of the peace, was keen to employ a female servant in the house, but wanted to ensure that she could get a satisfactory one. She asked James Simpson, the former police magistrate at Campbell Town then residing in Hobart, to look out for a suitable woman for her, either free or convict.<sup>26</sup> He arranged the assignment of a convict woman and by June 1834, Ellen was writing to her sister:

The female servant is come, she is respectable looking and her behavior is so likewise. I am agreeably surprized with what I have yet seen. She goes about her work very willingly, and does things better than is usual here. She is an excellent washer and not slow. Her washing will earn her keep and cloaths. She tries much to oblige not officiously, but by doing things well, and instantly doing something useful without waiting to be told. I have remarked many things that auger well...She says she can cook in a plain way...sew in a plain way and does not dislike working on the whole. I hope to keep her some time as she can scarcely hope to get an easier place, nor I a better servant<sup>27</sup>

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<sup>25</sup> Dyster, *Servant and Master*, pp. 71-72.

<sup>26</sup> Pamela Statham (ed), *The Tanner Letters: A Pioneer Saga of Swan River and Tasmania*, University of Western Australia Press, 1981, pp. 92-93.

<sup>27</sup> *Ibid*, pp. 97-97.

Louisa Meredith who farmed at Swan Port in the 1830s, wrote about the varying quality of the convict servants she had employed. The best was “a short, clever, brisk, good tempered Yorkshire woman,...who stayed with us a year and a half, and then married comfortably” and she acknowledged, that after some initial problems, she had “never since detected any act of dishonesty in one of our (female) servants, though all have been prisoners”.<sup>28</sup> She did report, however, that she had had earlier less satisfactory experiences when convict servants had got hold of liquor.

Drinking, and the lack of a mistress to set tasks and supervise, had created a shambles of disorder and idleness amongst the convict servants at Elizabeth Fenton’s Derwent Valley farm before she arrived in 1830. She calculated that the convict woman had opened a keg of rum and been the cause of the disastrous domestic scene she saw. But it only took this experienced home maker less than a month to turn round this situation, by organizing the “scouring, dusting, whitewashing, and general correcting of abuses” so that she sat down in a clean apartment, with neat floor mats, shelves for her books, windows cleaned and curtained and the rubbish removed from the verandah.<sup>29</sup>

Both Meredith and Fenton could handle the occasional drinking bouts and strong language they encountered in some convict women. Both, on the whole, found their female prisoner servants competent, willing to work and honest. By contrast, less forceful and energized mistresses, such as Mrs Barker in her fine new farmhouse and French silk gowns, reigned over the chaos of a hall used as part scullery and barn, broken furniture, dirty crockery, servants and children in dirty and torn clothes and pigs wallowing in mud and filth that led up to the front doors.<sup>30</sup> The Clarks of Ellinthorpe farm, who were the largest employers of female convict labour in the district, brought no charges against any of the nine female convict servants assigned to them in 1835. This was in contrast to the six charges that they brought against some of their male convict farm servants. Most other Campbell Town district

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<sup>28</sup> Louisa Meredith, *My Home in Tasmania*, (1852), Adelaide, Sullivans Cove edition, 1979, pp. 63-64.

<sup>29</sup> H.W. Lawrence (ed), *The Journal of Mrs Fenton*, London, Arnold, 1901, pp. 384 – 390.

<sup>30</sup> *Ibid*, pp. 379–382.

farmers' wives, who only managed one or two female convicts, also found it unnecessary to use the magistrates' courts to discipline their female servants over work issues.

Not all farming families were able to manage their female servants well, but only six charged them with unsatisfactory work during 1835. The charge notes were generally brief and often no other information was recorded. The severity of the punishment took into account information presented by the employer about the lack of cooperation of the worker and the number of times they had previously been before the magistrate. George Allison brought Sara Weston back to the magistrate, as she had recently arrived at his place and claimed to be unable to stand and work because of illness; she told him she was able to do needlework. The magistrate had the district surgeon examine her and dismissed the case when the surgeon said she had rheumatism.<sup>31</sup> Weston was reassigned to a local publican in Campbell Town, a position probably more congenial to her, where later she was charged with both insolence and conducting an improper relationship with a man.<sup>32</sup> Liz Baker was merely admonished for her refusal to work when charged by Hezekial Harrison.<sup>33</sup> Two local magistrates Richard Willis and his son-in-law Capt. Serjeantson both charged women with refusal to work and insubordination. Neither of these men tolerated poor work from their convicts and very probably both were unprepared to negotiate about work or conditions. Mary Davis received three days in solitary before being returned to Serjeantson, but Elizabeth Lovett got six months in crime class at the House of Correction as other issues apart from work were presented to the magistrate.<sup>34</sup> David Murray, a farmer who also had a brewery, charged Martha Galloway with being drunk while performing her duties and refusing to hand the baby over.<sup>35</sup> Some employers, like Murray, built up a charge with a series of

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<sup>31</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Sara Weston, 20 January 1835.

<sup>32</sup> LC 81/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Sara Weston, 18 May 1835.

<sup>33</sup> LC 81/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Elizabeth Baker, 11 December 1835.

<sup>34</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Mary Davis, 8 August 1835 and Elizabeth Lovett, 2 November 1835.

<sup>35</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Martha Galloway, 28 February 1835.

complaints to demonstrate how difficult they found the person. Galloway also received a sentence to Crime Class in the House of Correction.

The type of assignment that female convicts were given often affected their ability to cooperate with their employer and stay out of trouble. Convict women knew this themselves. Eliza Churchill commented that “Most of the women prefer being assigned in the towns, but some who wish to keep out of mischief prefer being in the country. All the women behave better in the country than in the towns, as they are not so exposed to temptations.”<sup>36</sup> Yet even within this rural region, placements could matter. Farmers, merchants and publicans placed different expectations on their female servants and within these different settings, the type of work and temptations differed.

The villages offered similar opportunities to Hobart for some women to get into trouble. It was a simple matter to slip away for a while and liquor was easy to obtain. There were more opportunities to meet men or steal and deal with receivers. It was the custom to assign the most respectable female convicts to respectable families who were mostly colonial officials and large land owners, while women judged less respectable were assigned to publicans and families running commercial premises.<sup>37</sup> Some women assigned to families who owned pubs and shops may have had a heavier work load than women working in private homes and there is some evidence that convict servants felt less need to show respect to families engaged in commerce. Three publicans brought charges against their female convicts charging them with neglect of duties and disobeying or refusing orders. In two cases the women were also drunk and abusive. Jane Jones spent twenty four hours in solitary as a result while Jane Lowig got the unpopular sentence of three months at the wash tubs at the House of Correction.<sup>38</sup> However, Elizabeth Walker appeared to have her charge withdrawn after she counter attacked in court and accused publican Richard Heaney

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<sup>36</sup> Lucy Frost, ‘Eliza Churchill tells’, Lucy Frost & Hamish Maxwell Stewart (eds), *Chain Letters: narrating convict lives*, Carlton South, Victoria: Melbourne University Press, 2001, p. 80.

<sup>37</sup> C80/50, *Female Prison Discipline Report*, Hobart, 13 December 1841, AOT, pp. 135-136, Qu.171 to Mr. Spode, Principal Superintendent of Convicts. Spode had held the position of muster master since 1828 and was promoted to principal superintendent of convicts in 1832.

<sup>38</sup> LC 83/1, Return of Cases Heard, Magistrate’s Court, Campbell Town, 1835, AOT, Trial of Jane Jones, 12 August & 24 August 1835. Trial of Jane Lowig, 6 October 1835.

of being likely to sexually harass her when her mistress was away for the evening.<sup>39</sup> James Thompson, a local storekeeper, returned Maria Woodcock to government service for disobeying orders and being insolent, as well as having spent the previous evening drunk.<sup>40</sup> Elizabeth Harvey had to spend one month at the wash tubs in Launceston for disobeying orders and being insolent to storekeeper James Hume.<sup>41</sup> Insolence and drinking were often part of the problem of work performance and maintaining a reasonable working relationship between master and servant.

The scarcity of female servants in Van Diemen's Land created many domestic difficulties for farming and commercial households who had been used to domestic help in Britain. Because some district farming and commercial families received only one female convict domestic servant, if any, the wife and daughters were likely to have to work alongside their female servant to complete the labour intensive household and child care duties in a large family. Finding a woman to do the laundry work was particularly difficult and expensive. Colonial letters sent home to startled relatives revealed that brothers and husbands sometimes had to share the heavy laundry work with their sisters and wives until a laundry woman could be persuaded to put them on her list.<sup>42</sup> The women in the Gatenby and Parramore farming families laboured with farm work until the families became well established. Surveyor Wedge noted with approval that Gatenby had "a large family who are not too proud or lazy to work, the Wife and Daughters, milk the cows, make butter and cheese, the Sons plough, drive, saw timber for the Mill etc., and consequently they are becoming more wealthy, comfortable and independent every day."<sup>43</sup> The Parramore men laboured beside their two male convict servants for the first two years, building huts, setting up a vegetable garden and establishing fences for the cows and sheep. Mrs Parramore and her daughter had charge of the domestic livestock and vegetable and fruit

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<sup>39</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Elizabeth Walker, 4 September 1835.

<sup>40</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Mary-Ann Woodcock, 28 August 1835.

<sup>41</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 1835, AOT, Trial of Elizabeth Harvey, 2 February 1835.

<sup>42</sup> Maggie Weidenhofer (ed), *Colonial Ladies*, South Yarra :Victoria, Currey O'Neil Ross Pty Ltd, 1985, pp. 98-99.

<sup>43</sup> Anne McKay (ed), *Journals of the Land Commissioners for Van Diemen's Land 1826 – 1828*, Hobart, University of Tasmania, 1962, p. 22.

gardens and had no female convict domestic help during the early years.<sup>44</sup> This was probably not an unusual situation in many of the first settler families who later became successful large land owners. The sharing of domestic labour between the family women and their domestic servant broke down, or at least blurred and confused, some of the class barriers between some middle class settler women and their working class convict servants during this period. When some settler women withdrew their labour and gained a more leisured life in the 1830s and attempted to separate themselves from the sphere of work, their servants still knew they were working for people who were self made, a point that convicts were often quick to make. Convict servants had no illusions that their masters were gentry folks, despite the nostalgic references to successful land owners as gentry that started to circulate on the island.

This was especially so with middle class settlers who had small commercial businesses. Some convicts saw masters and mistresses who worked along side of them, as barely better than themselves socially, especially as they observed that some of the more successful emancipists also chose small business or farming as a step towards security after they were freed. There were plenty of examples of this in Campbell Town and Ross. Convict policemen and emancipists like the Englebert brothers and the Solomon brothers established butchers shops and small stores employing their wives within the business. Emancipist builders like Fry, Rew and Tucker, and many emancipist tradesmen established their own local businesses to service the building boom of the 1830s. Between 1835 and 1850, a significant social shift occurred in the social status of the licensees of local public houses, who changed from farmers like Thomas Fleming and John Connell, or free settlers like John Dickenson, William Saddler, John Broad, and Prudeaux Watson, to aspiring emancipists. Former convicts Thomas Tucker, David Solomon, Thomas Hughes, Charles Englebert and John Duxberry all became licensees of local inns in this period.<sup>45</sup>

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<sup>44</sup> D.C. Shelton (ed), *The Parramore letters: letters from William Thomas Parramore, sometime private secretary to Lieutenant Governor Arthur of Van Diemen's Land 1823-1825*, Epping, Privately published, 1993, pp. 23-34.

<sup>45</sup> TRE47, AC848/1, LC47, AOT.

The social status of small free-arrived traders became more doubtful as a result. Consequently some convict servants felt sufficiently empowered to challenge the social status and moral superiority of their masters. James Thompson, a storekeeper, had trouble supervising his newly arrived female convict servant Mary-Ann Woodcock who had formed a relationship with John Beckett, another of his convict employees. After seeing them both drunk in the street one afternoon, he ordered them home and complained to the magistrate that Beckett “shook his fist in my wife's face and said he did not care a damn for any of us. He said he could get 20 pounds while I was getting 20 farthings.” Thompson was sure that “an improper connection” had started between Beckett and Woodcock who had only recently been assigned to him because Beckett bought the woman clothes. Thompson was also sure the man was running an illegal business of some sort on the side as he once “threw down a handful of notes” and was “in the habit of getting drunk and abusive.” At his wits end, Thompson admitted to the magistrate that “the woman put me in such a position last night that I believe I called her a bitch.”<sup>46</sup>

Gavin Hogg, a publican in Campbell Town, also felt aggrieved that Jane Lowig, despite being drunk and abusive, had challenged the social status of his family. Lowig had been drunk and staggering and fell over a saucepan. When challenged by his wife she said “she had not come here she'd been sent here and a great deal more, she told my wife she was a d---- infernal liar - She swore she would not do anything and wouldn't stop in the house, and declared she was a great deal better brought up than any person in the house.”<sup>47</sup>

These types of exchanges between masters and their convict servants suggest that the institution of transportation did more than just create a colonial working class. Many working class convicts were just as ambitious as their employers and were confident enough to assert their skills and challenge class boundaries; the balance of power

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<sup>46</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 28/8/35. Trials of Mary Ann Woodcock and John Beckett.

<sup>47</sup> LC 83/1, Return of Cases Heard, Magistrate's Court, Campbell Town, 6/10/35. Trial of Jane Lowig. Lowig received 3 months at the washtubs at the House of Correction for the outburst.

between masters and servants was constantly being challenged in an under supplied market that gave an advantage to female domestic servants.