



Sarah Armstrong

Date of Trial:	21 August 1816
Where Tried:	Cumberland Gaol Delivery
Crime:	Burglary
Sentence:	Life/Death commuted
Est YOB:	1780
Stated Age on Arrival:	38
Native Place:	Workington
Occupation:	Housekeeper
Alias/AKA:	Sarah Donald
Marital Status (UK):	Married – John Donald (de facto?)
Children on Board:	
Surgeon's Remarks:	A thief and liar, filthy
Assigned NSW or VDL	NSW

Readers of the *Carlisle Patriot* of 13 April 1816 would have read a report of 'a most daring burglary' committed in the middle of the night of the previous Monday in the house of Mrs Hudson of Loweswater 'by a gang of four desperate robbers, with blackened faces'. Three of the villains had been apprehended, while the fourth was still on the run. The report also referred to a woman who lived with Pollet [sic] and who had turned King's evidence.¹ Some other reports, such as that in the *Manchester Mercury*, did not make any reference to a woman being involved.²

The *Patriot* 'facts' of the report were not quite correct. The unnamed female was not in a *de facto* relationship with John Pollet [sic]. But she was definitely a party to the crime, and her name was Sarah Armstrong. We turn to the account of the trial for a more accurate account of the events of the night of 8 April.

Sarah Armstrong, together with her partners in crime, was tried on 21 August 1816 at the Cumberland Assizes, Mr Baron Wood presiding. The proceedings were recorded by the *Durham County Advertiser* under the heading 'Burglary at Loweswater'.³ The trial excited great interest, and the court was 'crowded to excess'. Those charged were John Donald, John Pollett and Sarah Donald, alias Armstrong. The fourth accomplice, Andrew Kinghorn, was the person who had turned King's evidence. The charge was that on the night of Monday of 8 April 1816 the accused had 'feloniously and burglariously entered the dwelling-house of Elizabeth Hudson, and carried away therefrom divers bank of England notes, &c. &c'. All three pleaded Not Guilty.

Despite Sarah Armstrong's anonymity in the press reports, it was the opinion of the Prosecutor that she appeared to have been the leader in the affair. After all, some short time previous to the burglary she had called upon Mrs Hudson on the pretext of having some goods for sale. Sarah had been made welcome and had enjoyed some bread and cheese served by the unsuspecting hostess. She took advantage of this hospitality to quiz Mrs Hudson, about the 'strength' of the house, how many people lived there, who her neighbours were, and whether Mrs Hudson was ever away from home overnight – questions that Mrs Hudson answered without giving any thought to the somewhat intrusive nature of the 'inquisition'.

It may be that Sarah Armstrong was a travelling saleswoman who, armed with a basket of attractive haberdashery items, went from house to house calling on potential customers. It may also be that, while she was admiring Mrs Hudson's two-storey farmhouse, it suddenly occurred to her that here was a woman of some means, that there must be money and valuables in the house and, apart from the neighbouring house, the farm was reasonably isolated – an ideal target for a robbery.

Hudson Place Farmhouse⁴Location – Hudson Place Farmhouse⁵

Based on the evidence tendered at the trial such musings can be discounted. Much more plausible is that Sarah's visit was part of the *modus operandi* of an organised gang. It was her role to identify potential premises and, when the robbery took place, to act as look-out. The raid on the Hudson's property may have been opportunistic but it was no spur of the moment deed. It had been planned in advance, and when the gang set off in the late evening of 8 April to commit their crime they were well organised and well equipped. Indeed, John Donald and Sarah Armstrong had even concocted an alibi to account for their being so tired the day after the crime.

They had an iron prong to break open the door with; struck a light; had two lanterns, a chissel, and ropes prepared to tie hands, &c. with; all this they carried in a bag. Wm Wherry had one pistol and Pollett another, both loaded with small ball; they had with them gunpowder, which witness carried, as well as cartridges; these latter were provided before they left Donald's house; and all were engaged in preparing the ropes. An old handkerchief was divided between witness and Wherry for veils; the other two men had crape.

The Hudson household was subjected to a particularly terrifying ordeal during – in which the firearms were used to threaten the victims and, in the case of Mrs. Hudson and her daughter Mary, violently assaulted. As the look-out, Sarah Armstrong did not actually enter the house but, as party to such a violent crime, she rightfully took her place at the Criminal Bar alongside her colleagues. That she was equally culpable was also evidenced by the fact that, despite the suggestion that she receive only £3 from the takings, at the insistence of her partner she should and did receive an equal share of the booty. Further, during his summing up at the end of the lengthy proceedings the Judge observed that Sarah Armstrong 'in consequence of taking an active part in watching, &c.' was as liable to be implicated as the others.



An interesting legal point was also referred to in the summing up. While witnesses had attested to their understanding that Sarah Armstrong and John Donald were a married couple, Sarah herself was ambivalent on this matter. The following was her answer to a direct question as to whether or not she was a married woman.

She replied that the banns had been published twice at Cockermouth, but Donald refused to complete the ceremony; and that she went shortly after into Scotland with him, where, she believed, while they were intoxicated, some sort of ceremony passed between them, but she could give no account when or where, or who was present. On being asked by witness if she considered herself a single woman, she said she did. Sometimes she said she was married and sometimes that she said she was not.

With regard to the outcome of the trial it would have been to her advantage to claim to be a married woman. The legal point raised by the Judge was put to the jury.

Adverting to the marriage of Armstrong and Donald, his Lordship observed that if the Jury were satisfied that they were married, it would be their duty to find her not guilty by reason of being wife to the prisoner.

The Jury must have taken Sarah at her word – that she considered herself a single woman – and it took only a few minutes to find all three of the prisoners ‘Guilty – Death’.⁶ Apparently John Donald ‘seemed little concerned at his situation’. Sarah, on the other hand, hung her head dejectedly. Subsequently, in response to a petition for mitigation of the death sentence, forwarded by the Northern Circuit Justices to the powers that be, a Royal Pardon was bestowed on Sarah Armstrong, Singlewoman, and John Pollett and their sentences commuted to transportation for the term of their natural life. Incidentally, at the same time, pardons were granted to Jane Granger, who was to accompany Sarah on the Friendship, and Jane’s husband Thomas.⁷

John Donald’s sentence stood. He was executed ‘at the top of English-street’, at 3 o’clock on Saturday 14 September 1816. The event, and the days leading up to the execution, were recorded in detail in the *Carlisle Patriot*. The event took on something of a carnival atmosphere, watched by ‘an immense concourse of spectators’. To add to the colour and drama, a party of the 13th Light Dragoons had been brought in to guard the scaffold area and to ensure the crowd did not get out of hand. It must have been some comfort to John Donald that his partner was allowed to spend time with him while he awaited the execution day. It was much less of a comfort when, just as he began to say his final words on the scaffold, there was a tremendous din.

The female prisoners in the gaol, and among them Armstrong, (the woman with whom Donald cohabited, and who was also a party in the robbery) by an inadvertence, got to a window almost immediately above the place of execution, and the moment Donald appeared on the scaffold, they all set up the most dreadful cries imaginable. Donald recognising Armstrong’s voice, was sensible affected, and he desired that some person would go and take the women out of his hearing.⁸

It was during his last days in gaol that John Donald at last began to show some remorse. Apart from turning to God and the Bible, he admitted that he had been engaged in more robberies than the one for which he was to hang, and that he had laid plans for further depredations, had the gang not been detected. As for John Pollett and Sarah Armstrong – after the execution the Under-sheriff called on Pollett and explained to him the very narrow escape he had had, as the Judge was in great uncertainty for several hours whether to reprieve or leave him for execution. Pollett replied that he was truly sensible of his narrow escape but with the prospect of transportation for life ‘rendered him as miserable as a man could be’. Sarah Armstrong appeared to be ‘also in a state of mind but a little removed from that of Pollett’.

The account of the execution concluded with a hope both Pollett and Armstrong would ‘avail themselves of the longer life allotted for them, to see the impolicy as well as the criminality of the course they have too long pursued’.⁹

It was after spending nine months at Durham Gaol that Sarah Armstrong, together with one other prisoner, was removed from on Monday 26 May 1817 and started off on the journey south.

Margaret Sellears and Sarah Armstrong, two female convicts, were sent from our gaol on Monday morning, in order to be transported to Botany Bay for life, a ship being about to sail for that settlement.¹⁰

Did Sarah have an opportunity to say farewell to her three children, Jemmy (James), Sarah and Robert, then aged respectively about eight, five and two? What arrangements had been made to care for them now that they had effectively lost not only their father but also their mother? Had Sarah made any attempt to gain permission to take any of them with her? On board the *Friendship* Sarah made an unfavourable impression on Peter Cosgreave who described her as 'A thief and liar, filthy', hardly a promising reference for her prospects as 'housekeeper', her stated occupation. She was included in the list of convicts who had arrived in January 1818 but the next official record located for her is the 1822 muster which finds her as a 'Lodger at Deane's Sydney'. For the 1825 Muster she was listed as a housekeeper at Sydney, and the 1828 Census records her as 47 year old Sarah Armstrong, Householder, Kent Street, Sydney, holding a ticket of leave, and with 38 year labourer Thomas Dwire (Dwyer, per *Minerva* 1819) included in her household.¹¹ In fact, Sarah had been granted a ticket of leave in 1818, which over time had become 'mutilated' to the extent that she applied for and was granted a replacement in April 1829, which in turn was replaced by another in July 1831.

TICKET OF LEAVE.	
No.	<i>31/465</i> <i>16 July 1831</i>
Prisoner's No. —	
Name, —	<i>Sarah Armstrong</i>
Ship, —	<i>Friendship</i>
Master, —	<i>Smith</i>
Year, —	<i>1818</i>
Native Place, —	<i>Worthington</i>
Trade or Calling, —	<i>Housekeeper</i>
Offence, —	
Place of Trial, —	<i>Cumberland J. P.</i>
Date of Trial, —	<i>21 August 1816</i>
Sentence, —	<i>Life</i>
Year of Birth, —	<i>1780</i>
Height, —	<i>5 feet 3 inches</i>
Complexion, —	<i>Dark ruddy</i>
Hair, —	<i>Brown</i>
Eyes, —	<i>Dark</i>
General Remarks, —	
Allowed to remain in the District of	<i>Sydney</i>
On recommendation of	Bench,
Dated	
<i>In lieu of No. 29/42, 24 April 1829 returned mutilated and cancelled</i>	

Interestingly, the personal details did not change over the years. At 5 feet 3 inches she was of average height, with a ruddy complexion, brown hair and dark eyes. Perhaps a touch of grey might have been expected for a 50 year old woman, and I suspect that the issuing officer merely copied the details from the previously issued tickets.¹² To further acknowledge and reward Sarah Armstrong's good behaviour, she was one of those convicts who, on 16 July 1831 was exempted from being assigned or Government servants.¹³

By February 1832 Sarah Armstrong had been in Sydney for fourteen years – a long time to be apart from her family in England. Under certain circumstances convicts could to apply for free passages to be arranged for members of their family to join them in the colony. Obviously the petitioner had to demonstrate good conduct, but time served was also a factor to be considered. By the early 1830s the rule was that a convict on a seven year sentence had to have completed four years, for fourteen years the minimum was six years, and 'lifers' had to have completed at least eight years. It was on 23 February that she made a move to rectify this situation by petitioning the Governor, completing the pro forma designed for this purpose.¹⁴



THAT your Petitioner is desirous of being re-united to Her Family from which she was separated at the Time of her Transportation and particulars of which are stated on the other side.

That Testimonials are subjoined of Her Ability to Support her said Family and of her having endeavoured, by good Conduct, to merit this Indulgence.

That she humbly prays, therefore, that Your Excellency will be pleased to transmit to the Right Honorable the SECRETARY of STATE, a Recommendation that your Petitioner's said Family may be sent to this Colony at the Expence of the Government.

And your Petitioner will ever pray. *Sarah Armstrong*

Jemima Eager, by whom Sarah had been employed, vouched that Sarah was both able and willing to maintain her family; William Cowper and J. Bowman certified that they were 'not acquainted with any Circumstances' that should would induce them not to sign the petition. On the reverse of the form Sarah provided details of the family – her three children – and the names and residences of three 'Respectable Persons' known to the petitioner's family.

NAMES	AGES	NAMES	RESIDENCES
James Armstrong	Twenty five years	Revd W Howe	Workington
Sarah Armstrong	Nineteen years	Mr. Cragg	Workington
Robert Armstrong	Seventeen years	Mr Faulkin	Workington
Living in the Town of Workington, Cumberland			

The children had all been baptised at the parish of St Michael, Workington – James Armstrong, 7 December 1809; Sarah Donald, 30 November 1812; and Robert Donald, 20 February 1815.¹⁵ Sarah's petition was successful but whether her children ever decided to join her in New South Wales has not been established.

Three newspaper items show that Sarah Armstrong continued to live in Kent Street until at least early 1838. The first, published in November 1830, gives her precise address and also a description of her home.¹⁶

TWO TENEMENTS,
*Situate in Kent-street. Sale under Power
of Attorney from India.*
BY MR. BODENHAM,
Upon the Premises, on Friday, 10th December, now
in the occupation of SARAH ARMSTRONG and
Mr. G. COULTROP, in Kent-street, at 12 o'Clock,
precisely:
MR. BODENHAM respectfully no-
tifies, that he has received positive directions
to sell those two skillings, now in the occupation of
SARAH ARMSTRONG, No. 100, in Kent-street, nearly
facing to FOREMAN'S, Cat and Mutton Inn, with a
rontage to Kent-street, of about 50 feet; and also
hat now occupied by GEORGE COULTROPE, also a
rontage of about 40, by a depth of 50 feet. These
Properties are situate in an active bustling neigh-
hoerhood, and particularly adapted to industrious
tradesmen and others.

The second item, publication date 23 May 1833, is an account from the police reports, and reveals a 'soft' side to Sarah's character. While no doubt annoyed with her assigned servant, Sarah was, unlike the Bench, prepared to be lenient.¹⁷

Hannah M Carthy, prisoner of the crown, assigned to Mrs. Armstrong, of Kent street, was brought forward charged with taking advantage of an hour's leave of absence which had been granted to her, and remaining out all night. She was apprehended in the streets, at a late hour, in a state of intoxication, and taken into custody. Her mistress wished the Bench to look over this offence, in hopes that reformation would follow; she was, however, sent to the 3d class for one month, as a lesson for her future study on her return to service.

From the last item, which appeared in the press on 9 February 1838, it would seem that Sarah Armstrong was running a boarding house.¹⁸

NOTICE.
IF SARAH MOSES does not call and release her Box and Bedding she left with me as security for her Board and Lodging, they will be sold within twenty-one days from this date, to defray the same, and the expenses of this Advertisement.
 SARAH ARMSTRONG.
 Kent street, Feb. 5, 1838.

On 16 August 1830 Sarah Armstrong's name was included in a list of convicts petitioning to receive the indulgence of a pardon. It was noted that she had arrived per *Friendship* in 1818 and was serving a Life sentence for robbery, of which she had already completed twelve years. Supporting her petition were three men of some standing – F. Rossi, Esq. (Superintendent of Police), the Reverend J.D. Lang, and Mr James Harrisson (Wine Merchant of Pitt Street).¹⁹ It was not until 28 February 1834 that Sarah Armstrong was finally granted a conditional pardon – Number 179. Again, according to the description details, she had shown no signs of aging over the previous eight years. It took a while for the paperwork to catch up with the decision.²⁰

I CERTIFY that His MAJESTY'S Gracious Approbation and Allowance of the within
 CONDITIONAL PARDON, granted to *Sarah Armstrong*
 has been signified to me by the Right Honorable the SECRETARY of STATE for the Colonies,
 in his Despatch, No. *19*, dated *5th August 1834*

GIVEN under my Hand, at Government House, SYDNEY, this
seventh Day of *January*
 One thousand eight hundred and *thirty five*

(signed) *Rich^d Burke*

ENTERED upon Record, at Page *359 & 360* No. *2* Register, this
Twentieth Day of *August* One thousand
 eight hundred and *thirty five*

Nothing further has been found for Sarah. She may have been the Sarah Armstrong whose death at 72 was registered in Camperdown in 1849 and who was buried in the Camperdown Cemetery on 22 September.²¹


BURGLARY AT LOWESWATER

JOHN DONALD, aged 32, JOHN POLLETT, aged 43, and SARAH DONALD, alias SARAH ARMSTRONG, aged 30, were put to the bar, charged with having on the night of Monday the 8th day of April last, feloniously and burglariously entered the dwelling-house of Elizabeth Hudson, and carried away therefrom divers bank of England notes, &c. &c. John Pollett when arraigned pleaded guilty at first, but withdrew the plea, and with his fellow prisoners pleaded Not Guilty. Andrew Kinghorn, aged 24, indicted for the same offence, was admitted King's evidence.

Mr Williams, for the Prosecution, described the position of Mrs Hudson's house at Loweswater, and detailed the circumstances of the robbery which appears in the evidence. Mr Williams said, the female prisoner appeared to have been the leader in the affair, as she went to Mrs Hudson's house sometime previous to the burglary, and made enquiries about the strength of the house, how many persons were in it, and other questions, to which answers were inadvertently given. On being apprehended the day after the felony, a book was found in her house (containing £13) and much other property, which she denied to be there when questioned. Her part in the robbery was to keep watch outside the house, and she was the person who gave the signal of alarm to those within by throwing gravel. He could adduce very strong evidence, he observed, against Donald. Pollett's person could not be sworn to; yet there could be no doubt of his guilt, for there were many corroborating circumstances. Pollett handed in a brief, and demanded the aid of Counsel, which was complied with. Donald also obtained the same privilege.

Evidence for the Prosecution

Elizabeth Hudson sworn. She lives at Loweswater, in the parish of St Bees in this county. Her family consists of herself, her son John Hudson, two daughters, and a man and maid servant. They retired to rest about eleven o'clock on the night of Monday the 8th April last; she barred both doors herself, and the windows were fastened securely. Soon after twelve she was alarmed by hearing footsteps on the stairs, and immediately after, two men entered the room; they had a lighted lanthorn with them, and veils over their faces. One of them came to the side of the bed, apparently to stab her daughter Mary, but witness was too much alarmed to tell what he had in his hand; he proceeded to tie Mary's hands. Her daughter Bella on this attempted to ring the bell, but was prevented by one of the men who struck her twice with a stick. Witness then rang the bell herself, and one of the men struck her three times very violently, and she bled much from the blows. A man commanded witness to lay her head down on the pillow and presented a pistol to her head, with the muzzle not more than three fourths of a yard distant. She entreated the man to spare her life; and a voice called out from her son's room "Spare their lives!" The pistol was then withdrawn, and the man tied her hands behind her back; their hands were tied with ropes prepared with nooses which the robbers had brought with them; the hands and feet of Bella were also tied. One of the men had on a drab great coat. Witness was sitting on the bed when she was tied, and her daughters were in the same bed, as the three slept together; the robbers dropped down the curtains to prevent them seeing what they did in the room. One of the men asked the witness where the money was; she replied that it was in a chest in the room; he asked for the key; she told him it was in her pocket. He then took the key from her pocket and opened the chest. There were in the chest in notes and cash between 30 and £40 her own property, consisting of £5 Bank of England notes, 40s notes, and pound and guinea notes. Witness is quite sure there were more than 30 pounds there; the money was all taken. The robbers opened a chest of drawers where linen was kept, and took thence eight silver teaspoons; five of them marked E.F. and the other three B.H. The robbers ransacked other chests, and threw the family linen on the floor. While thus engaged witness heard three distinct sounds against the window, as though gravel or dirt had been thrown, and the men immediately fled the room with precipitation, and were soon followed by two others who also had a lanthorn; witness did not see how they took away what they had stolen; within five minutes after they left the room she heard the clock strike one. Witness recollects the female prisoner at the bar being at her house a week, or more, before the 8th of April; she came and asked the witness if she would purchase any tape &c. which she sold. Prisoner sat down and witness gave her some bread and cheese; prisoner in conversation asked several questions about the strength of the family, and also of the strength of a near neighbour's family; she also asked if witness was ever from home at night, who replied no. Prisoner praised the pleasant situation of the house, and left it praying for the witness's welfare. The morning after the robbery the witness found an iron crow or prong, marked C.C; the back door was broken in three places by being forced open.



Cross-Examined by Donald's Counsel. The usual way of fastening the windows was by screwing them; she was much alarmed by the noise; it was a light night. What the man attempted to stab her daughter with was in appearance shorter than the stick with which she was struck. Witness only distinguished one voice; believes the key was never out of her possession after she saw the money in the chest. The drawer in which the spoons were in was not locked. She had seen the spoons the preceding day, and the chest in which the money was she kept constantly locked.

Bella Hudson sworn. She is the eldest daughter of the last witness. On the night of the 8th April she went to bed about eleven o'clock with her mother and sister; in about an hour heard a noise on the stairs. One of the robbers had on a drab top-coat, and both had crape over their faces; they pulled down the bed clothes, and, in appearance, attempted to stab, but she cannot say with what instrument. On her attempting to ring the bell one of the men struck her twice on the head. Her mother then rang the bell, and was also struck 3 times by one of the men; one man said to her mother, if she made any resistance he would blow all their brains out, and ordered her to lay her head on the pillow. A voice out of her brother's room said "Spare their Lives!" [Witness corroborated the tying of their hands and the delivery of the keys.] Witness could perceive a man at the drawers taking out of a purse a crown piece with her name on it, a 7s piece, and other money in silver, which he put into his pocket; this was done by the man who had on the top-coat; he was not tall. She heard sand thrown three time against the window and the man immediately fled. Four men were in the room when the sand was thrown. Cross-Examined. Does not know whether the man who had the stick attempted to stab or not; she had seen the purse and the money less than a week before.

Mary Hudson called; she came forward in tears and was much agitated. Sworn and examined. She is the youngest daughter of Mrs Hudson. On the night in question she was awakened by the cries of her mother. One man appeared as if he was about to kill witness; he tied the cords very tight about her hands and feet; the cords left marks on her wrist. She corroborated other particulars, the noise against the window, and the striking of the clock. A book was produced much singed by fire which witness knows to be her own by different marks. She had been at school in the morning and left the book there; she came home at five o'clock in the afternoon. Cross-examined. Knows the book well. It had a cloth back over the leather when left at school, but which is now off.

John Hudson sworn. Is the son of Mrs Hudson. Went to bed on the night of the 8th April a little before eleven, but was disturbed within half an hour after he went to sleep b three men who were in his room. When he first discovered the men one of them had him by the arms; one man held in his hands a lanthorn and a pistol, and was dressed in a sailor's shabby jacket; one of them had a loose drab coat; two of them were disguised with dark veils over their faces. One of the men held witness by the hands, another tied them, and a third held the muzzle of a pistol close to witness's breast, and told him he would shoot him if he made the least resistance. On this, witness said he would be still; but one of the men remarked that witness would not be still. The man who had on the drab coat was Pollett, and he who held the pistol was Donald; witness recognised them at the bar. After his hands were tied the prisoners asked him where were his feet which they seized and tied also. Witness when bound was asked by the prisoners if any more men were in the house; he told him there were two. Prisoners said they must go and secure them; they enquired where they were; witness told them they were downstairs where they staid a little time, and witness afterwards heard them go upstairs and enter his mother's room. Soon after witness heard the voice of Pollett, the same man who bound him, ask his mother where the money was; she answered, in the chest; he then asked for the key. The same man who bound witness came again into his room and took up his breeches, from one of the pockets of which he took 13s 6d; he took up his waistcoat, shook it, and a few halfpence fell out of the pocket. The prisoner then said, "Young man, where is your watch?" Witness replied, "It is on the cornice of the chimney." Prisoner took it, left the room, and went downstairs; he was the only one who came into the room the second time; the others were in his mother's room. In about a quarter of an hour witness's mother came into his room and let him loose. Two of the men and the woman at the bar were taken the next evening, when witness recognised Donald to be the man who had the lanthorn. After having some conversation with Pollett witness knew him to be the other by his voice and appearance. On the Tuesday following they went before Mr. Satterthwaite, the Magistrate. Cross-examined. Witness could see the features of Donald through the veil he wore, and is certain of Pollett being the man who spoke in the room.

John Smale sworn. He is servant to Mrs E. Hudson. Was disturbed on the night in question by his mistress's bell; got out of bed, and put on his breeches and waistcoat. One man came in before witness got out of the room,



and a scuffle ensued in consequence of the man attempting to take witness by the waistcoat; there was then no light in the room. In half a minute another man entered with a lanthorn in one hand and a pistol in the other; he held the pistol to witness's breast, and the first man said if witness made any resistance they would shoot him in a moment. Witness was obliged to submit to be tied hands and feet, and was set on the bed-side, one of the robbers telling him if he sat quiet they would not molest him in the least. The lanthorn gave a very clear light. The first man had on a light coloured or drab coat. The lanthorn was held som much before the witness's face that he could not see the face of the man in the coat. Witness cannot exactly swear to the voice but thinks he should know it when he hears it. He heard Pollett speak on the following evening and asked him why he did not change his voice when he came into the room. Pollett replied, "I did not alter my speech," and at the same time admitted that he was the person who had been in witness's room – witness does not know that either threats or promises were used to induce this confession. Witness knows Donald to be the person who had the crape and pistol. Cross-examined. Witness took particular notice of the man who was in the room so as to know him again; saw him very plain by the light of the lanthorn. Cannot swear what sort of lanthorn it was, but knows there was a small candle in it. Witness struck the first man who came into the room, and took particular notice of the man with the lanthorn; thinks he never saw him before.

Andrew Kinghorn, one of the robbers, turned King's evidence, sworn. Mr Baron Wood charged him to speak nothing but the truth. – Kinghorn said he was one of the party. He went to Donald's house by his invitation for some days, about three weeks before the robbery; it was 12 miles distant from where he lived. Donald told him he had something important to say, which he would not entrust everyone with. He then told witness that he and Armstrong (the woman at the bar) had been at Loweswater where they learnt there was a house with some money in it. Donald said it was Mrs Hudson's house. He and witness held this conversation between themselves only. Witness agreed to go with Donald, and met on the 4th April at Workington, where he found John Pollett, William Wherry, and Armstrong the female prisoner. The party agreed to go on the expedition the Saturday night following; accordingly they went to Loweswater, where they arrived about twelve o'clock, but the family were not gone to bed, so they loitered about till morning, returned to Workington, and witness staid at Donald's from Saturday till Monday, in the interval of which he was never out of the house. They agreed to go again on that evening. About four o'clock in the afternoon the woman at the bar went away for Loweswater, to learn the strength of Mrs Hudson's family. Donald and witness left Workington about 8 o'clock; at half-past ten they joined the female prisoner, at a school-house, about one mile from Mrs Hudson's house. John Pollett and William Wherry came up to the school-house about eleven. In less than half an hour they proceeded for Mrs Hudson's five in company. They had an iron prong to break open the door with; struck a light; had two lanthorns, a chissel, and ropes prepared to tie hands, &c. with; all this they carried in a bag. Wm Wherry had one pistol and Pollett another, both loaded with small ball; they had with them gunpowder, which witness carried, as well as cartridges; these latter were provided before they left Donald's house; and all were engaged in preparing the ropes. An old handkerchief was divided between witness and Wherry* for veils; the other two men had crape. There is a house about nine or ten yards from Mrs Hudson's, the door of which they fastened in order to binder the people from coming out, should there be an alarm. Wherry and witness broken open the door of Mrs Hudson's house, and Pollett and Donald stood close beside them; Armstrong, the woman, was left on the watch. Witness had a lanthorn and stick; Wherry and Pollett and Donald came also. They tied Mrs H and daughters; Pollett carried away the money in his pocket. As a signal of alarm was thrown against the window by Armstrong they all decamped. Armstrong was close to the door, and told them that a man had gone out of the window, who would spread an alarm, so they ran off towards Workington; they left the house about one o'clock. On the road it was said that £3 would be enough for Armstrong's share, but Donald said she had a right to a full share. William Wherry went into a house, got a light and they divided the money in a plantation. There were 27 notes and some silver, but witness does not know the value of the notes. The whole were divided into five parts; witness got five notes and some silver; Armstrong had an equal share; she stated before they left Workington that she had been at the house of Mrs Hudson some time before. It was witness who tied Mrs H's hands, and Wherry who struck her and daughter; the other two were not in the room at that time. Pollett called out from the other room that witness and Wherry were not to ill-use the family. Cross-Examined. Does not know that Wherry was in the servant's room; does not think that a person could know another very well through the pieces of handkerchief. The lanthorn had only one horn light and the candle was small. Witness was bred and born in Edinburgh, but has been five or more years in this neighbourhood. He was brought up in the coal trade and was acquainted



with Donald a short time previous to the burglary. Witness will not say that he has not been concerned in other crimes of this nature, nor will he dissemble that he has been promised some reward for coming forward with his testimony. Donald had on a short jacket when he went to Mrs Hudson's house.

The Prisoner Donald here wished to ask Kinghorn how long since it was committed the last robbery of £75, but the Judge would not permit it. The prisoner said then he could bring other men forward who are not culprits to prove this.

Hannah Wear sworn. Lives in a house adjoining Donald's. One the night of the robbery she saw a woman nursing Sarah Armstrong's child, which was not usual; saw Pollett pass her house, and observed Donald with a dark coat, and a stick. In his hand; she saw Sarah Armstrong that day, but did not see her go away. On Tuesday morning about 4 o'clock she heard three knocks at Donald's door, which was opened on a person's calling out 'Jemmy.' Sarah Armstrong came into witness's house between four and five the same morning to borrow some bread. Witness asked the prisoner where she was going; she replied, "we have been sitting up all night to let aunt have the bed to sleep in." Sarah Armstrong went by the name of Sarah Donald; witness always took her to be Donald's wife.

Rev. E. Stanley sworn. He resides at Plumbland, about 12 miles from Loweswater. Soon after the robbery he went to Cockermouth, and thence to Workington with Mr Steel. Found Donald and the female prisoner on the Tuesday evening after the robbery between 7 and 8 o'clock. He enquired why they were in bed so early? and received for answer that they had given up their bed the night before for their aunt to sleep in, and in consequence they had been up all the preceding night. Witness then went to Pollett's house, but he was not there, so he returned to that of Donald. On going upstairs, there was a strong smell of burning, and found a book in flames which he extinguished. [The book shewn, which Mr S. identified.] Donald's clothes were by the bed-side, and witness found 5 pistol cartridges in the pocket of the jacket; there were 4 balls in the cartridges, and one loose; witness also found a piece of black crape in Donald's pantaloons. Mr Stanley afterwards searched some clothes belonging to Pollett; he found in a waistcoat pocket two knives, a seven shilling piece with some loose grains of powder; in the window there was a shot-bag containing pieces of lead, with Pollett said were for shooting sea-gulls. Witness asked Armstrong if she was a married woman. She replied that the banns had been published twice at Cockermouth, but Donald refused to complete the ceremony; and that she went shortly after into Scotland with him, where, she believed, while they were intoxicated, some sort of ceremony passed between them, but she could give no account when or where, or who was present. On being asked by witness if she considered herself a single woman, she said she did. Sometimes she said she was married and sometimes that she said she was not. Donald and her were in Scotland at one time about two years. They were reputed to have been man and wife; three children were in the home.

Hannah Wear recalled. She had known Donald and Sarah Armstrong about 6 weeks; they are reputed to be man and wife; the eldest child goes by the name of "Jemmy Armstrong", and the other two by the name of Donald; the oldest was born before any marriage took place.

Mr John Steel, Solicitor of Cockermouth, sworn. He went to Workington on the Tuesday afternoon after the robbery. Asked Armstrong if she had any money in the house, who said 'No'. Witness found a pocket containing a pocket-book in which were a £5 Bank of England note, three one pound notes, and two guinea notes. Before witness went to Donald's house he saw a man running in the street without coat, waistcoat, shoes or hat who, on apprehended, proved to be Donald.

The Judge asked the prisoners if they had anything to say in their defence. Pollett begged for the mercy of the Court; the others were silent.

His Lordship in summing up the evidence cautioned the Jury against giving too much weight to Kinghorn's testimony where he was not born out by other circumstances. He observed that though the female prisoner was never in the house, still she was as liable to be implicated as the others, in consequence of taking an active part in watching, &c. He had little doubt but the persons at the bar were those who committed the robbery. Adverting to the marriage of Armstrong and Donald, his Lordship observed that if the Jury were satisfied that they were married, it would be their duty to find her not guilty by reason of being wife to the prisoner.

The Jury consulted a few minutes, and found all three of the prisoners Guilty – Death.

Donald during the whole of the trial seemed very little concerned at his situation, and frequently spoke to Pollett,



the woman, his counsel, and to other persons standing boldly forward and looking around him. Pollett was more affected, and Armstrong hung her head in very deep dejection. The trial excited great interest, and the Court was crowded to excess. The perusal of this will caution persons against receiving strangers into their house and giving them information.

[* Wherry was never apprehended; he is supposed to have effected his escape out of the kingdom.]

EXECUTION

John Donald, aged 32, convicted at our late Assizes of committing a burglary at Loweswater under aggravated circumstances, suffered the sentence of the law, at the top of English-street, on Saturday last about three o'clock in the afternoon, in the presence of an immense concourse of spectators.

Donald displayed great audacity and want of feeling on the trial, and he continued in a state of mind very inapplicable to a man in his awful situation, till within five or six days before his execution, notwithstanding every exertion was used by the chaplain of the gaol, other clergymen, and several dissenting ministers, to bring before his eyes the dreadful precipice on which he was so blindly standing. About the time mentioned, however, he was prevailed upon to peruse an admonitory address, and to listen to the warning voice of those kind friends who were anxious for his eternal welfare; and having listened, and reflected, a complete change took place, which happily continued to the moment of his being launched into eternity. The wickedness of his past life, the justice of his sentence, the state of his soul, all burst on his mind like a clap of thunder, and he set about his work of salvation with an earnestness, which, we are taught to believe, cannot be otherwise than acceptable to God.

The night before his execution some persons sat up with him, and lost no opportunity of exhorting him to sincere repentance, nor of inspiring him with fortitude to meet the trials of the coming day. He took a small quantity of refreshment and slept a little, fervently expressing his confidence in the mercy of his Maker, and the belief that Jesus Christ, who died for all, would not fail to save him, however late he sought salvation at his hands. As the hour of execution approached he became more calm and resigned, and he joined in prayer and singing of hymns with a fervour that marked him sincere. He left the cell accompanied by his spiritual instructors, and as he passed on to the place of execution he nodded a last farewell to Pollett, who was very much affected. Arrived at the gallows, a hymn was sung, and Donald mounted the ladder with a firm step; he looked around on the immense concourse of spectators and exhorted them to take a salutary warning by his untimely fate. Just as he began to speak an occurrence took place calculated to unman the stoutest heart in the situation that Donald was placed in. The female prisoners in the gaol, and among them Armstrong, (the woman with whom Donald cohabited, and who was also a party in the robbery) by an inadvertence, got to a window almost immediately above the place of execution, and the moment Donald appeared on the scaffold, they all set up the most dreadful cries imaginable. Donald recognising Armstrong's voice, was sensible affected, and he desired that some person would go and take the women out of his hearing. After the executioner had placed the cap on his head, and the rope around his neck, Donald, in a very audible manner, said to those nearest him, "God bless you all; may the lord bless you. I die convinced that God my Saviour will deliver my soul." Mr Cockburn then offered up a short prayer, in which he was followed by Donald, at the conclusion of which the drop board fell, and he died without a struggle. The magistrates had taken the laudable precaution of having a party of the 13th Light Dragoons, in attendance, formed round the place of execution; but the populace behaved with the greatest decorum. After hanging one hour, the usual time, the body was cut down, placed in a decent coffin, and borne to St Cuthbert's Church, where Mr Briggs, by permission of the Bishop, performed the regular rites of Christian burial, according to a promise which he made to the unfortunate man while in the condemned cell, and the corpse was interred in the Church-yard, in the presence of a great number of spectators.

Donald was rather under size, a native of the county of Down, in Ireland, and had been bred up in the Presbyterian religion. He confessed, we understand, while in the condemned cell, that he had been engaged in more robberies than the one for which he suffered; and the confession of Kinghorn, developed the plans they had laid for further depredations, had the gang not been detected. An incident occurred a few days before the execution, which strongly marked the sincerity of Donald's repentance. Mr Heslop, of Carlisle, paid him a visit of consolation in the cell, gave him two shillings, and at parting put a bible into his hands. Immediately after Mr Heslop retired, Donald opened the bible, and between the leaves found a guinea note; he desired that Mr Heslop might be called back; he came, and Donald returned the note to the owner. It did not appear whether the note was put in the bible by accident or design; but we imaging the circumstance was unknown to the owner.²²



After the execution the Under-sheriff called on Pollett and explained to him the very narrow escape he had had, as the Judge was in great uncertainty for several hours whether to reprieve or leave him for execution. Pollett replied that he was truly sensible of his narrow escape, that it would be a warning to him; but at the same time he thought that no situation could be worse than his was; being under sentence of transportation for life, and his wife had broken her heart with the shock, combined with other circumstances, the whole of which rendered him as miserable as a man could be. The woman, Armstrong, is also in a state of mind but a little removed from that of Pollett. It is to be hoped that both will avail themselves of the longer life allotted for them, to see the impolicy as well as the criminality of the course they have too long pursued.

NOTES

¹ *Carlisle Patriot*, 6 Apr 1816, p.5. Loweswater is a village located in the English Lake District and is situated on the lake of the same name. It is about 12 miles south west of Workington, Sarah Armstrong's 'native place'.

² *Manchester Mercury*, 30 Apr 1816, p.3.

³ *Durham County Advertiser*, 7 Sep 1816, p.4. A full transcription of the newspaper account is appended to Sarah Armstrong's profile.

⁴ Today the farmhouse, now named 'Hudson's Place Farmhouse' is a Grade II Listed heritage building. The coat-of-arms is dated 1741. British Listed Buildings, <http://www.britishlistedbuildings.co.uk/101146467-hudson-place-farmhouse-loweswater#.WaYiYwUmWg>.

⁵ Historic England, Hudson Place Farmhouse, Location, <https://historicengland.org.uk/listing/the-list/list-entry/1146467>.

⁶ This legal nicety was based on the principle that a wife could not be found guilty of certain (generally lesser) crimes if she acted under the 'coercion of the husband' - which included his command, encouragement, his presence or proximity, or his complicity. Exceptions included treason and murder.

⁷ Findmypast (FMP), England and Wales, Crime, Prisons and Punishment, 1770-1935, Prison Registers, Correspondence and Warrants.

⁸ *Carlisle Patriot*, 21 Sep 1816, p.4. A full transcript is appended to Sarah Armstrong's profile.

⁹ John Pollett, Lancashire born, aged 44 and a joiner/cabinet maker by trade, arrived at Sydney in September 1817 on the *Lord Eldon*. He was given a Ticket of Leave in 1821 conditional on his living in the Bathurst district. He was granted some land for farming and was included (modestly) in the 1824 returns of grains for the District of Bathurst. In 1826, aged 53, married 40 year old Sarah Bayley (*Brothers*). He was granted a conditional pardon in 1828. Ancestry, All Australian Convict Collection. Biographical Database of Australia (BDA), Biographical Report for John Pollett.

¹⁰ *Carlisle Patriot*, 31 May 1817, p.3.

¹¹ Ancestry, Australian Convict Transportation Registers – Other Fleets & Ships, 1791-1868. BDA, Biographical Report for Sarah Armstrong. Ancestry, 1828 New South Wales, Australia Census (TNA Copy).

¹² Ancestry, New South Wales, Australia, Tickets of Leave, 1819-1869.

¹³ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Title: *Government Labour Exemption Register, 1830-1832*; Volume: 4/4062.

¹⁴ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Title: *Wives and Families of Convicts on Bounty Ships, 1832-1834*; Volume: 4/2188.

¹⁵ Ancestry, England, Select Births and Christenings, 1538-1975.

¹⁶ *The Sydney Gazette and New South Wales Advertiser*, 23 Nov 1830, p.1. The other occupant was probably George Coultrip who had arrived per Morley in 1815 – BDA, Biographical report for George Coultrip.

¹⁷ *The Sydney Gazette and New South Wales Advertiser*, 23 May 1833, p.2

¹⁸ *The Australian*, 9 Feb 1838, p.3. Incidentally, Sarah Moses was also a cause for concern for another person – her husband had placed a notice in *The Sydney Monitor* of 25 Jan 1837 cautioning the public against trusting his wife.

¹⁹ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, *Card Index to Letters Received, Colonial Secretary*; Reel Number: 798; Roll Number: 1250. James Harrisson was the J.S. Harrisson who advertised his selection of Summer Wines in *The Sydney Monitor*, 15 Nov 1828, p.7.

²⁰ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, *Card Index to Letters Received, Colonial Secretary*; Reel Number: 797; Roll Number: 1250.

²¹ New South Wales Registry of Births Deaths & Marriages (NSW BDM) Death registration 487/1849 V1849487 34B. Find a Grave, <https://www.findagrave.com>, memorial page for Sarah Armstrong (1777–22 Sep 1849), Find A Grave Memorial no. 187960004.

²² In a letter to the Editor, dated 21 Sep 1816, Mr Heslop clarified the matter. Contrary to rumours, he had not placed the guinea note in the bible with the design of tempting John Donald. The note was a payment he had received and which he had placed in the bible. He had forgotten it was there when he handed the bible to the prisoner. Not only was Heslop pleased to have the note returned, he also regarded the gesture as proof of Donald's repentance. *Carlisle Patriot*, 28 Sep 1816, p.4.



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TROVE

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