



Mary Ann(e) Buckley

Date of Trial:	20 January 1817
Where Tried:	Lancaster Quarter Session
Crime:	Larceny
Sentence:	7 years
Est YOB:	1797
Stated Age on Arrival:	21
Native Place:	
Occupation:	Country work
Alias/AKA:	
Marital Status (UK):	
Children on Board:	
Surgeon's Remarks:	<i>A good disposition, but (violent?) & void of reflection</i>
Assigned NSW or VDL	NSW

No account has been found of the trial of Mary Ann Buckley, but the Order Book records the verdict handed down at the January 1817 Lancaster Quarter Session.

Whereas Mary Ann Buckley late of Liverpool in the said County Singlewoman hath at this Session been convicted of Felony This Court doth therefore order and adjudge that the said Mary Ann Buckley be transported to some part beyond the Seas for the Term of Seven Years pursuant to the Statute in such Case made and provided.¹

She may also have been the Mary Ann Buckley who had appeared before the Lancaster court on 18 October 1814.

Mary Ann Buckley appearing in Court in the custody of the Governor of the House of Correction at Preston in the said County and having at this Session been convicted of Felony This Court doth therefore remand her the said Mary Ann Buckley to the said House of Correction the Governor whereof is hereby required to receive and keep her in safe custody and to hard labor for the space of one calendar months for doing which this shall be the Governor's warrant.²

Mary was one of fifteen *Friendship* women who served time at the Lancaster Gaol while awaiting their transfer to the ship. And Mary was one of five of these women whose unruly and insolent behaviour so upset the Governor, as recorded his journal.

April 21

About Noon a Number of the female Convicts under Sentence of Transportation were discovered on the Top of the Dungeon Tower. When the Turnkeys went up they found Ruth Guest, Mary Sharp, M.A. Buckley and S. Robinson on the Roof. They had managed to wrench off three padlocks from the lower and upper Doors and had the Impudence to tell the Turnkeys that they had only forced their way through the Doors to see the fine prospect. Their Intention was to let themselves down from the Turret upon the Wall and then proceed to the Roof of the County Hall, where they might have gone down into the Halls, or have let themselves down by means of the Blankets, on the Terrace. However well inclined I may be to overlook this Transgression, some punishment is absolutely necessary, especially as they seem to boast of the Feat. As I have no means of separating them by solitary confinement, the only resource is Irons, which must be tried until I see some signs of sorrow for the rash Act.³

It must have been with a sense of relief then that the Governor noted in his journal on 19 May 1817 that he had posted off to the Secretary of State the orders of transportation for all fifteen of the women prisoners in his charge. And even more so when, as noted on 27 May, eleven of the women, including Mary Ann Buckley, were removed to Deptford, with the balance being sent down the following day.⁴



19 Sent to the Secretary of State, per Post, the names of female convicts for the following female convicts—

Oliver Simkin	Mary: Sharp
Sarah Marshall	Cath: Welch
Mary Davis	Ann Atkinson
Sarah Godson	North Guest
Sarah Wapell	Jane Jones
Sarah Robinson	Mary Ann Buckley
Ann Popp	Mary Jones
Mary Sharp	

28 Memorandum to Dept for the following female convicts— per Harrison & Donaldson—

Sarah Marshall	Mary Ann Buckley
Mary Davis	Ann Popp
Sarah Godson	Cath: Welch
Sarah Wapell	Mary: Long
Sarah Robinson	Mary Jones
Jane Jones	

28 Utters prayer prisoners yesterday.

Memorandum to the Ship's Friendships at Dept for the following female convicts per Lewis Jackson—

North Guest
Oliver Simkin
Ann Atkinson
Mary Sharp

Interpreting Surgeon Cosgreave's scrawled reports on the *Friendship* women's behaviour on board is challenging, and particularly so as regards Mary Ann Buckley as his comments seem to be so contradictory.⁵

Mary Ann Buckley, 21 years of age, last disembarked of *Friendship*

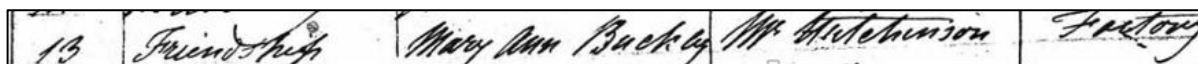
According to the indents, this convict was 21 years of age when she arrived in the colony and apparently had some experience in country work.⁶ Just over a year after disembarking from the *Friendship* Mary Ann Buckley was boarding another vessel. By a letter dated 18 February 1819, Colonial Secretary Campbell advised Captain Morisset that the *Lady Nelson* was now on its way to Newcastle, carrying twenty male and three female convicts who, having reoffended, had been sentenced to transportation at the Newcastle penal settlement.⁷ One of the women prisoners was Mary Anne Buckley who had been convicted by magistrate D'Arcy Wentworth on 8 February and sentenced to transportation for one year. Her offence is not recorded. Incidentally, another *Friendship* woman was also aboard the *Lady Nelson* – Sarah Chandler – who was to serve a two year sentence.⁸

On 8 March 1820, thirteen months after her first colonial conviction, Mary Ann Buckley again appeared before Magistrate D. Wentworth Esq. and was sentenced to a year's transportation, to be served again at Newcastle.⁹

8 *Friendship* Mary Ann Buckley D. Wentworth Esq. New Castle

Once more the Colonial Secretary wrote to the now promoted Major Morisset to advise him to prepare for the return of Mary Anne Buckley who, together with seven other prisoners, would be arriving on the *Elizabeth Henrietta* which was to depart from Sydney on 9 March.¹⁰

For much of 1821 Mary Ann was found at the Female Factory, Parramatta. The Sydney Gaol records show that on 13 March she had appeared before the Sydney Bench on a charge brought by William Hutchinson, Principal Superintendent of Convicts, was found guilty of the (unspecified) misdemeanour and dispatched to the Factory.¹¹



According to the Factory records she was still there, or there again, on 29 March.¹² However, by the middle of the next month Mary Ann Buckley was on the run, as notified to the public on 14 April via the standard 'missing persons' notice. But her freedom was short-lived. When William Hutchinson placed his notice in the next week's newspaper Mary Ann Leeson and Catherine Wakely were still missing, but there was no mention of the other Parramatta escapees.¹³

PRINCIPAL SUPERINTENDENT'S OFFICE,
Sydney, April 14, 1821.

THE under-mentioned Prisoners having absented themselves from their respective Employments, and some of them at large with false Certificates, all Constables and others are hereby required to use their utmost Exertions in apprehending and lodging them in Custody.

William Cochrane, from Cornwall's Road Party; William Jackson, from Bristow's ditto; John Tipton, from Gorman's Gang; John Dent, from Keirl's Road Party; John Hartly, James Gallagher, John Robinson, from Grose Farm; James Bird, from Longbottom Farm; Thomas Fitzsimmons, from Sawyers' Gang; Henry Comerford, from Lumber-yard, Sydney; Daniel Tierney, Lewis Collins, James Reid, from Newcastle; Mary Leeson, Mary Ann Buckley, Catherine Wakely, Elizabeth Kermon, Susan Crook, Sarah Martin, all from Parramatta Factory.

Any Persons harbouring, concealing, or maintaining any of the said Absentees, will be prosecuted for the Offence.

WM. HUTCHINSON, Principal Supt.

Two further references place Mary Ann at the Factory in June and August.¹⁴

Mary Ann Buckley, [per] *Friendship* (1818), D. Wentworth Esq., Factory 12 months, 19 June 1821.

Mary Ann Buckley, [per] *Friendship* (1818), D. Wentworth Esq., to be sent to Parramatta to be dealt with by the Magistrate there, 7 August 1821.

Perhaps the authorities thought a change of scenery would benefit the incorrigible Mary Ann Buckley when it was decided to send her to the Government Agricultural Establishment at Emu Plains, located at the foot of the Blue Mountains about 35 miles west of Sydney. Established in 1819, apart from producing additional food for the colony, the convict farm provided employment for an ever-increasing influx of convicts and settlers, and served as a penal settlement for colonial offenders. Mary Ann Buckley was one of thirty-two women who were sent to Emu Plains as an alternative to government employment at the Parramatta Factory. She was there from 1 May 1822 to 23 September 1823 and, as a woman supposedly used to 'country work' and judging from a description of the work undertaken by the female prisoners, the situation should have suited her well.

The women hoed the tobacco and maize crops, weeded flax, pulled and husked the maize and did other light farm work undertaken by women in England.¹⁵

It is surprising therefore to read that Mary Buckley was one of eight women who were returned to the Factory, 'being unable to perform field labour'.¹⁶

It was during her time at Emu Plains that Mary Ann Buckley petitioned the Governor for a mitigation of her sentence. She probably did not write it herself but found someone willing to be her scribe. Given the mistakes, it is more than likely that she was not able to proof read the petition. The petition is not dated, but was most probably sent in 1822.

To His Excellency Sir Thomas Brisbane K.C.B., Captain General and Commander in Chief in and over His Majesty's Territory of New South Wales and its dependencies

The Humble Petition of Mary Buckley

Most Humbly Sheweth

That Your Excellencies Petitioner came to the Country on the fourth day of January 1818 per the Ship French Captain Almond, and was tried at Quarter Session at Wiggan on the ninth day of January 1817 and sentenced to seven years transportation.

That your Excellencies Petitioner during all that long period of time now five years and upwards has conducted herself with the greatest propriety care and attention to the different labours that she has been put to as will appear.

That your Excellencies Petitioner is a hard working person and still remains in the Government employ and stationed at Emu Plains under the Superintendency of Peter Murdoch Esquire but finds her health impaired since she came to this establishment.

May it therefore please your Excellency under the above circumstances herein stated to grant your Petitioner an emancipation for the remainder of her time to enable her to make some provision to take her home to her native Country when her time shall be expired your poor Petitioner as in duty bound shall every pray.

Mary Buckley¹⁷

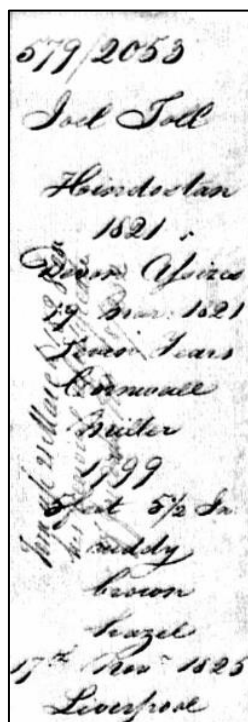
As it was not until March 1824 that Mary Ann Buckley obtained her certificate of freedom we can assume that her petition for mitigation was rejected.¹⁸ I have not found her in the 1825 general muster, but she was the subject of a letter dated 28 December 1825 from the Colonial Secretary to Mrs. Falloon, the Female Factory Superintendent, seeking information as to whom Mary Ann Buckley had been for the last time she had quitted the Factory. As there is no response provided in the online Colonial Secretary's papers, we are none the wiser.¹⁹ However, we can be pretty sure that she was still in Sydney in April 1826. On 24 April an application for permission to marry, which had been submitted on their behalf by the Catholic priest Reverend J.J. Therry, was granted to Joel Toll and Mary A. Buckley.²⁰

	Joel Toll	30	Hindustan	7 years	Bond
63	Mary A. Buckley	24	Friendship	7 years	Bond

Joel Toll was convicted at the Devon Assizes on 19 March 1821 and sentenced to seven years transportation for stealing a plane, &c. He was probably the Joel Toll who, the year before, had spent 4 months in the Devon prison for having stolen lead from a building.²¹ He was one of two men from Devon who embarked on the convict transport *Hindustan*. In all the ship carried 152 male convicts when it departed from England in July 1821 and arrived at Sydney on 24 November.²² Recorded variously with the surname Toll, Towle and Touell, between the time of his disembarkation to the end of 1825 Joel was assigned to George Cribb butcher of Cambridge Street, and then to James Hankinson, auctioneer and publican.²³ He had conducted himself well during his years of assignment, so much so that at the end of November 1825 he was recommended for a ticket of leave, the testimonial being signed by the Resident Magistrate, the Chaplain William Cowper, and James Hankinson, Master.²⁴

We hereby Certify that Joel Towle who came by the Ship *Hindustan* which arrived in the year 1821, has not been convicted of any crime or misdemeanour in this Colony but is to our certain belief an honest, sober and industrious character, having served faithfully Mr. James Hankinson, residing in Sydney from November 1821 to November 1825.

While the ticket of leave restricted Joel Toll to remaining in the Liverpool district, he was now able to earn a living by his trade as a miller.²⁵



So, when the application for the Toll/Buckley marriage was approved, the prospective groom was a ticket-of-leave man and the prospective bride, whose age was understated by a few years, was free by servitude. But did they in fact ever marry? I have found nothing to confirm that they did. While I have found neither of them in the 1828 census, Joel Toll (transcribed as Foll) is found as the recipient of his certificate of freedom issued on 21 March 1828.²⁶ Mary has been sighted at the end of that year as another entry in the Sydney Gaol entrance book. It was as 'Toll or Buckley, Mary, free' that she had been received on 31 December 1828 charged with a breach of the peace. She was bailed on 23 January 1829, and this is the last definite record found for her.²⁷

Toll or Buckley Mary Free ...

Regardless of what happened to Mary Buckley (Toll?), in 1832 Joel Toll again applied for permission to marry, approval for which was granted on 24 August of that year. This time the marriage definitely took place.²⁸ His bride was 28 year old Bridget Tierney (aka Turney), a convict who had arrived on the *Hooghley* in 1831. She was recorded as being assigned to Joel Toll in December 1837 by which time the couple had a son, Edmund John Toll, born at Woolloomooloo and baptised at St. James, Sydney, on 12 March 1837.²⁹

The name Mary Buckley and/or Mary Ann Buckley is cited in a number of TROVE newspaper items and in the Criminal Court records, but without any contextual information that could definitely tie these to the Mary Ann Buckley who arrived on the *Friendship* in 1818. For instance, was she the Mary Buckley charged on 16 February 1830 with being 'Drunk in the Street' and on 14 March 1831 with 'Drunkenness? There is also a reference to a Mary Toll appearing at the Sydney Police Office, charge with drunkenness, on 23 May 1831.³⁰

On a more hopeful note, had she been able to acquire the wherewithal to take her 'home to her native Country'?

NOTES

¹ Ancestry, Lancashire, England, Quarter Session Records and Petitions, 1648-1908, Lancashire, Order Books, 1817.



- ² Ancestry, Lancashire, England, Quarter Session Records and Petitions, 1648-1908, Lancashire, Order Books, 1814.
- ³ Findmypast (FMP), England & Wales, Crime, Prisons, & Punishment, 1770-1935, Lancaster Gaol: Governor's Journals.
- ⁴ FMP, England & Wales, Crime, Prisons, & Punishment, 1770-1935, Lancaster Gaol: Governor's Journals.
- ⁵ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 897*; Reel or Fiche Numbers: *Reels 6041-6064, 6071-6072*, pp.55-67.
- ⁶ Ancestry, New South Wales, Australia, Convict Indents, 1788-1842.
- ⁷ James Thomas Morisset was the military commandant at the Newcastle secondary penal settlement from 1818 to 1823.
- ⁸ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 937*; Reel or Fiche Numbers: *Reels 6004-6016*, p.325.
- ⁹ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books, 1818-1930.
- ¹⁰ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 937*; Reel or Fiche Numbers: *Reels 6004-6016*, p.293.
- ¹¹ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books, 1818-1930, Entrance Book, Sydney, 1819-1833.
- ¹² Female Factory Online, <https://femalefactoryonline.org/>.
- ¹³ *The Sydney Gazette and New South Wales Advertiser*, 14 Apr 1821, p.1 and 21 Apr 1821, p.1.
- ¹⁴ Female Factory Online.
- ¹⁵ Parramatta Heritage Centre and University of Western Sydney, Women Transported – Life in Australia's Convict Female Factories project, p.46.
- ¹⁶ *The Australian*, 21 Apr 1825, p.3.
- ¹⁷ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 900*; Reel or Fiche Numbers: *Reels 3163-3253*, pp.45-45a.
- ¹⁸ *The Sydney Gazette and New South Wales Advertiser*, 1 Apr 1824, p.1.
- ¹⁹ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 937*; Reel or Fiche Numbers: *Reels 6004-6016*, p.254.
- ²⁰ Ancestry, New South Wales, Australia, Register of Convicts' Applications to Marry, 1826-1851.
- ²¹ *Taunton Courier, and Western Advertiser*, 4 Apr 1821, p.5. Ancestry, England & Wales, Criminal Registers, 1791-1892, England, Devon, 1820 and 1821.
- ²² Ancestry, Australian Convict Transportation Registers – Other Fleets & Ships, 1791-1868. Biographical Database of Australia (BDA), Biographical report for Joel Toll. Free Settler of Felon? Convict Ship Hindostan 1821, https://www.jenwilletts.com/hindostan_convicts.htm.
- ²³ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 898*; Reel or Fiche Numbers: *Reels 6020-6040, 6070; Fiche 3260-3312*.
- ²⁴ Ancestry, New South Wales, Australia, Colonial Secretary's Papers, 1788-1856, Series: *NRS 898*; Reel or Fiche Numbers: *Reels 6020-6040, 6070; Fiche 3260-3312*, pp.213-5.
- ²⁵ Ancestry, New South Wales, Australia, Tickets of Leave, 1810-1869, Register of tickets of leave, 1824-1827 (NRS 12200).
- ²⁶ Ancestry, New South Wales, Australia, Certificates of Freedom, 1810-1814, 1827-1867, (NRS12210) Butts of Certificates of Freedom, 1828, March, All Records.
- ²⁷ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books, 1818-1930, Entrance Book, Sydney, 1825-1832.
- ²⁸ Ancestry, Australia, Marriage Index, 1788-1950.
- ²⁹ Ancestry, New South Wales, Australia, Registers of Convicts' Applications to Marry, 1826-1851, Granted 1832. BDA, Biographical reports for Bridget Turney and Edmund John Toll. Ancestry, Australia, Births and Baptisms, 1792-1981.
- ³⁰ Ancestry, New South Wales, Australia, Criminal Court Records, 1830-1945, Bench of Magistrates, Sydney: Punishment Book, 1830-1831.



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