

Nancey Robertson

(*alias Nancy Robison, Agnes Robertson, Nancy Rafferty; uxor Nancy Roberts*)

POLICE NUMBER 234 ¹	LITERACY read only
TRIAL DATE 21 September 1840	AGE ON EMBARKATION 16
TRIAL PLACE Inverness Court of Justiciary	AGE ON ARRIVAL 17
OFFENCE stealing a watch	HEIGHT 4' 8¾"
SENTENCE 7 years	COMPLEXION fresh
GAOL REPORT twice in prison before, bad, single	HEAD oval
PREVIOUS CONVICTIONS twice before, 9 months and 2 months for stealing clothes	HAIR brown
SURGEON'S REPORT quiet	VISAGE oval
ON THE TOWN no	FOREHEAD medium
MARITAL STATUS single	EYEBROWS light brown
CHILDREN 0	EYES dark brown
FAMILY father Hugh Robison, mother, 1 brother, 2 sisters	NOSE medium
NATIVE PLACE Long Town, Cumberland, England	MOUTH mouth
TRADE ON EMBARKATION	CHIN round, slightly dimpled
TRADE ON ARRIVAL house servant	MARKS long scar on left side of mouth

c1824 **Born** at Long Town, Cumberland, England; father Hugh Robison.²

c20 June 1838 Prisoner in the Tolbooth, Stirling, Stirlingshire, Scotland.⁴

22 August 1838 Charged at the Sheriff Court, Stirling, Stirlingshire, Scotland with Janet Millar and Janet Williamson indicted for theft in stealing on 20 June from a garret room tenanted by Alexander Monteath, carrier, Burnhead Lane, Falkirk, by unlocking the door with a key in the lock and obtaining entrance from a chest an Adelaide or blue merino gown or frock, a red and black striped worsted shawl and a pair of pads, the property of Alexander Monteath and his wife Jess Agnes Glen; sentence³ 2 calendar months imprisonment from 22 August.⁴

25 April 1839 Tried at the Spring Circuit Court of Justiciary, Stirling, Stirlingshire, Scotland indicted for theft aggravated by previous conviction; sentence 9 months imprisonment in the Tolbooth, Stirling.⁴

17 April 1840 Prisoner in the Tolbooth, Elgin, Elginshire, Scotland with shipmate Jane Robertson (*qv*).⁴

21 September 1840 Tried at the Circuit Court of Justiciary, Inverness, Inverness-shire, Scotland with shipmate Jane Robertson (*qv*) indicted for theft, habit and repute and previous conviction in stealing on 16 April 1840 from a bothy on a farm at Cotts of Burgie occupied by farmer Alexander McIntosh a silver watch, a black ribbon and 2 brass keys, the property of Hugh Smith, servant to Alexander McIntosh; verdict guilty; sentence⁵ 7 years transportation; no fixed abode.⁶

Statement of defendant Nancy Robison:

Compared Nancy Robison who being admonished and warned. Declares That she travels the Country with her Father whose name is Hugh Robison a licenced Hawker and her mother and the rest of the family which consists of a boy and two girls besides the declarant who is the eldest of the four Declares That the declarant left Forres where her parents were on Thursday morning last about Eleven O'clock in company with another girl called Jane Robertson and

¹ TAHO, CON40/1/8 p.263 No.234 [image 210] (Nancey Robertson); TAHO, CON19/1/1 p.250 [image 128] (Nancy Janet Robertson); ML, CY 1282 p.153 (Nancy Robertson); ML, CY 1197 p.157 (Nancy Robertson); ML, CY 958 p.444 (Nancy Robertson)

² TAHO, CON19/1/1 p.250 [image 128] (Nancy Janet Robertson); NAS, JC26/1840/82 (Nancy Robison alias Robertson)

³ Janet Millar, daughter of Daniel Millar of Cow Wynd, Filkirk, and Janet Williamson sentenced to 4 calendar months imprisonment.

⁴ NAS, JC26/1840/82 (Nancy Robison alias Robertson)

⁵ Jane was also found guilty, in terms of own confession, and sentenced to 7 years transportation; cannot write, no fixed abode.

⁶ NAS, AD14/40/38 (Nancy Robison alias Robertson); NAS, JC26/1840/82 (Nancy Robison alias Robertson)

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declares that they intended to go to Aberdeen to try and get work and that it was the other girl who enticed declarant to leave her parents Declares That when they had gone together for about three or four miles upon the road to Elgin they turned up a road to the right and proceeded to the foot of a hill less than a quarter of a mile from the said Turnpike road and the declarant sat down at the foot of the hill. That Jane Robertson left the declarant there and proceeded onwards towards a farm house about two hundred yards distant Declares That she saw Jane Robertson enter a door at the said farm house and she remained in the house which she entered for about twenty minutes and she then returned to declarant who had remained at the foot of the hill Declares That when Robertson joined the declarant they met a woman who said she lived in the far end of the Gentlemans house at the top of the hill Declares That when the declarant saw Robertson coming down the hill from the house she walked on towards the said Turnpike road and Robertson run after her and just before they came to the turnpike road they were overtaken by a man on horseback who stopped Robertson and asked her where she was going to and she said to Elgin Declares That about five minutes after this Robertson showed the declarant a silver watch having a key and black ribbon attached to it but she did not tell the declarant where she had got it and the declarant told Robertson if she had stolen the watch to take it back and Robertson desired her in reply to go to the devil. Declares that Robertson took the ribbon to tie her hair and she wanted to give the declarant half of the ribbon for a similar purpose Declares That Robertson took the declarant across the said Turnpike road through the country to a farm house the name of which she does not know where they slept on Thursday night Declares That yesterday morning they left the barn in which they had been put to sleep and came round by the Sea towards Elgin Declares That between five and six yesterday afternoon they came to Bishopmill near Elgin and Robertson took the declarant into a shop and Robertson asked the man if he would buy a watch and she took out of her breast the silver watch above mentioned. That Robertson first asked fifteen shillings for the watch but afterwards came down to five shillings but the man would not buy it at that time but desired them to call back in the evening and he would give five shillings for the watch Declares That they accordingly returned to the said shop in the evening and the man advanced half a crown to Robertson on the watch and she said that she would return for something more but declarant did not hear the man say that he would give her any thing more. Declares That after disposing of the watch they returned to Elgin where they were apprehended. Declares That Robertson told the man who bought the watch her father was a soldier and that the watch was his – and these being shown to the declarant a silver watch with a piece of old black ribbon and a brass key Declares That these are the watch ribbon and key above mentioned and a label attached to the said articles is now signed by the Judge Examiner in her presence she having declared that she could not write all which she declares to be truth – and that she cannot write.⁴

- 5 April 1841 Departed Woolwich, England on the *Rajah*.⁷
19 July 1841 Arrived at Hobart on the *Rajah*.⁷
c24 July 1841 Upon arrival at Hobart, sent to Launceston for assignment.⁸
31 December 1841 Mustered in the service of Mr Von Bibra, Launceston.⁹
4 January 1842 Charged at the Police Court, Evandale with neglect of duty in the service of Mr K Murray; plea guilty; sentence 1 month hard labour at Launceston Female Factory, then returned to Government at Launceston for assignment.¹⁰
18 September 1842 Charged with misconduct in the service of Solomon; sentence 6 days in solitary confinement at Launceston Female Factory.¹¹
26 September 1842 Charged at Launceston Female Factory with misconduct; sentence 6 days in solitary confinement at Launceston Female Factory.¹¹
22 March 1843 Application for permission to marry Charles Roberts¹² (*Aurora*) sent to the Muster Master.¹³

⁷ AJCP, ADM 101/63 *Rajah*

⁸ ML, CY 1282 p.142 (Nancy Robertson); ML, CY 1274 p.262 (Nancy Robertson)

⁹ AJCP, HO 10/51 p.391 No.234 (Nancy Robertson)

¹⁰ TAHO, LC137/1/1 (Nancey Robinston)

¹¹ TAHO, CON40/1/8 p.263 No.234 [image 210] (Nancey Robertson)

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- 5 April 1843 Application for permission to marry Charles Roberts sent to the Secretary; in September next if woman's conduct continues good.¹³
- 13 September 1843 Application for permission to marry Charles Roberts (*Aurora*) sent to the Secretary; approved, note His Excellency's approval now attached to this memorial and forwarded to Dr Brown ... vide Gazette 29 September.¹⁴
- 14 September 1843 Notice given of approval for permission to marry Charles Roberts; Nancey in assigned service at Launceston; Charles a ticket-of-leave holder.¹⁵
- 2 October 1843 **Married** Charles Roberts at St John's Anglican Church, Launceston; Nancey aged 18, prisoner, single, illiterate; Charles aged 24, prisoner, single; witnesses Ann Cockell (illiterate) and Isaac Kent (illiterate).¹⁶
- 3 October 1843 Charged at Launceston upon complaint of Richard Davis with felony; witnesses examined Henry D Ley and Richard Davis; discharged.¹⁷
- Newspaper report:
Samuel Hazlehurst, James Winch and Charles Hardment were examined on the charge of housebreaking and remanded.
Henry Simpson, examined on the same charge, was liberated, there appearing to be nothing whatever to implicate him in the transaction.
David Robertson was held to bail in the sum of £40, to appear and give evidence in the above case when called upon.
Nancy Robertson was discharged, and Charles Roberts was ordered to attend tomorrow, supposed to have been concerned in the same case.
*William Jude likewise established his innocence and was in consequence dismissed.*¹⁸
- 11 December 1843 **Son** Joseph Roberts born at Launceston; mother Nancy Robinson; informant father Charles Roberts, butcher.¹⁹
- cDecember 1843 Son Joseph Roberts baptised at St John's Anglican Church, Launceston.¹⁹
- 24 January 1844 Husband Charles Roberts recommended to the Queen for a Conditional Pardon.²⁰
- 10 July 1844 Husband Charles Roberts charged with disturbing the peace; fined 5 shillings; ticket-of-leave holder.²⁰
- 30 October 1844 Husband Charles Roberts charged with assault; discharged; ticket-of-leave holder.²⁰
- 26 December 1844 Charged with using indecent language; admonished.¹¹
- 27 January 1845 Charged with being drunk; sentence 6 days in solitary confinement at Launceston Female Factory.¹¹
- 21 February 1845 Ticket of Leave granted; gazetted 25 February.²¹
- 19 March 1845 Husband Charles Roberts charged with being absent from muster; admonished; ticket-of-leave holder.²⁰
- March 1845 Husband Charles Roberts approved for a Conditional Pardon.²⁰
- 31 March 1845 Charged with disturbing the peace; admonished.²²

¹² Charles Roberts was transported for 14 years on the *Aurora* in 1835, tried at Lancaster (Liverpool) Quarter Sessions on 27 April 1835 for stealing a purse and 35 shillings; single, labourer and blacksmith 6 months, aged 18, Protestant, read and write, 5' 2¼", native place Liverpool, 3 brothers and 2 sisters at native place; Ticket of Leave 11 November 1841, Conditional Pardon March 1845 (TAHO, CON31/1/37 p.177 No.1085 [image 193] (Charles Roberts), TAHO, CON18/1/4 p.120 No.1085 [image 63] (Chas Roberts); TAHO, CON14/1/51 No.1085 [images 40–41] (Charles Roberts)).

¹³ TAHO, CON52/1/2 p.169 (Nancy Robertson & Chas Roberts)

¹⁴ TAHO, CON52/1/2 p.170 (Nancy Robertson & Chas Roberts)

¹⁵ *Hobart Town Gazette*, 15 September 1843 p.1041; 22 September 1843 p.1054; 29 September 1843 p.1075 (Charles Roberts & Nancy Robertson)

¹⁶ TAHO, RGD37/1/3 1843/173 Launceston (Charles Roberts & Nancy Robertson)

¹⁷ TAHO, LC346/1/13 (Nancy Robertson now Roberts); TAHO, CON78/1/3 p.15 (Nancy Robertson)

¹⁸ *Examiner*, 7 October 1843 p.3 (Janet Robertson & Charles Roberts)

¹⁹ TAHO, RGD33/1/23 1843/1796 Launceston (Joseph Roberts)

²⁰ TAHO, CON31/1/37 p.177 No.1085 [image 193] (Charles Roberts)

²¹ *Hobart Town Gazette*, 25 February 1845 p.234 (Nancy Robinson)

²² TAHO, CON78/1/3 p.15 (Nancy Robertson)

- 10 November 1845 **Daughter** Elizabeth Ruth Roberts born at Launceston; father Charles Roberts, butcher; informant mother Nancy Robertson, illiterate, resident of Charles Street, Launceston.²³
- cNovember 1845 Daughter Elizabeth Ruth Roberts baptised at St John's Anglican Church, Launceston.²³
- 4 May 1846 Charged with using obscene language; fined 5 shillings.²⁴
- 24 August 1846 Charged with being drunk and out after hours; sentence 1 month hard labour at Launceston Female Factory.²⁵
- 2 September 1846 At Launceston.¹¹
- 29 September 1846 Husband Charles Roberts' Conditional Pardon extended to Australian Colonies.²⁰
- 13 November 1846 Husband Charles Roberts departed Launceston as a cabin passenger on the *Shamrock* bound for Port Phillip; ship to colony *Aurora*.²⁶
- December 1846 At Launceston Female Factory, resident of the Campbell Town district, holding Ticket of Leave.²⁷
- 11 December 1846 Charged with being out after hours; reprimanded.¹¹
- 25 December 1846 Charged with being drunk; sentence 1 month hard labour at Launceston Female Factory.¹¹
- 8 March 1847 Charged at the Police Court, Launceston upon complaint of Constable Denham with misconduct in being out after hours on Saturday night last; plea guilty; verdict guilty; admonished.²⁸
- Robert Robinson (*Layton*), William Ryan (*Asia*), John Giffin (*Neptune*) and George Thomas (*Triton*) charged with the same offence, same sentence.²⁸
- 13 March 1847 Departed Launceston with husband Charles Roberts and two children on the *Shamrock* bound for Port Phillip; Nancey a stowaway; Charles a cabin passenger, ship to colony *Aurora*.²⁹
- Died** of suffocation on board the *Shamrock*.³⁰

Newspaper report:

THE LATE MELANCHOLY CASE ON BOARD THE "SHAMROCK."

(From the Port Phillip Patriot, March 18.)

Yesterday afternoon at two o'clock, his Worship the Mayor, and Messrs. Westby and Heape, proceeded to enquire into the circumstances of the melancholy death of Nancy Robinson Roberts, on board the *Shamrock*, on the passage from Launceston to Melbourne. The husband of the deceased, Charles Roberts, was placed in the dock, charged with being an accessory in removing a convict clandestinely from Van Diemen's Land, and also with being an accessory to the death of the said convict, Nancy Robinson Roberts, on board the *Shamrock*. Capt. Gilmore of the *Shamrock* stated, that the vessel left George Town, at seven o'clock in the morning, on the following Monday, prior to which the clearing officer came on board, and mustered the passengers and crew; after leaving George Town, a most offensive smell was observed in the after cabin, and in consequence of some information which he received, he desired the chief officer to search the after-hold of the vessel, to ascertain if that information were correct; a trunk was brought up from the after hold, and opened in the presence of the passengers, and was found to contain the dead body of a female in a dreadful state of decomposition – the body was quite black. The prisoner said that the body was that of his wife, and that she was a prisoner of the Crown – he said that the object of secreting her was to bring her from Van Diemen's Land, and that she was carried on board at the wharf, immediately previous to leaving Launceston; after the box was brought upon deck a bottle was taken out by

²³ TAHO, RGD33/1/23 1845/1064 Launceston (Elizabeth Ruth Roberts)

²⁴ TAHO, CON78/1/3 p.15 (Nancy Robertson)

²⁵ TAHO, CON78/1/3 p.15 (Nancy Robertson)

²⁶ TAHO, POL459/1/2 p.88 (Charles Roberts)

²⁷ TAHO, POL47/1/2 (Nancy Robertson)

²⁸ TAHO, LC346/1/9 (Nancy Robinson ux Robsert)

²⁹ TAHO, POL459/12 p.96 (Charles Roberts)

³⁰ *Australian Journal*, 27 March 1847 p.4 (Nancy Robinson Roberts)

the prisoner; no person named Nancy Robinson Roberts was cleared out by the vessel. During Saturday, Sunday, and part of Monday, the after hold was closed with hatches – when the hatches were closed, and a person confined in a trunk deposited in the after hold, suffocation must speedily ensue; the arm of the deceased was raised as if she had endeavoured to force open the lid; the body was buried at sea, and burial service read over it, it being impossible to keep it any longer. Two or three gentlemen in the commission of the peace were on board, who recommended its being buried. Henry Moor, Esq., deposed to having been a passenger by the Shamrock, and to observing the dreadful effluvia referred to by the previous witness. On the body being discovered, the prisoner came forward to identify it as his wife, an oath was administered to the prisoner, who stated that the deceased was his wife, that she was a prisoner of the Crown, and that the authorities had refused to allow her to leave Van Diemen's Land, in consequence of which she resorted to the expedient of purchasing the trunk in which she was found, and in which she was brought on board. The prisoner said he was accessory to her being brought but there were others concerned in it, whose names he refused to give up, stating that he would take the responsibility upon himself. After the prisoner had made this deposition, he was asked to sign it, or put his mark to it, but this he positively refused. William Wells, chief officer of the Shamrock, deposed, that on Monday afternoon the prisoner came to him and told him that there was a box below containing his wife, who was dead; I ordered him on deck to come with me to shew me where she was, and he went to the after hold with me; we took the hatch off and went into the hold, and on removing a truss of hay, beneath which was a box, the prisoner said that was it; the box was on some flour close to the bulk head, one side was lying against the side of the ship, and the other side could be seen; between the lid and the top of the box there was a space sufficiently large for you to put your fingers in; there was no other air holes; the after hold had been opened on the morning of Monday to get some hay out; the box came on board as personal luggage, and wheeled on board on a wheelbarrow. Richard Hatherley, a seaman on board the vessel, stated that on Saturday evening, when the vessel anchored at George Town, two boxes came on board, which he was desired to stow below in the after hold, and on taking the hatch off he heard a faint cry, but thinking that it was one of the children in the cabin he took no notice of it; this witness stated it to be his opinion that the deceased must have died on Saturday night, as he felt assured that no person shut up in a box could live the night through in the after hold, owing to the intense heat of the boilers. Henry Smith, a passenger by the vessel, stated that he had known the prisoner and his wife for some years; on Friday last he saw Roberts and his wife in George-street, Launceston, and spoke to them both; he saw the body when it was discovered on board, but from its decomposed state, it was utterly impossible to identify it; the prisoner and his wife always lived happily together. This was the whole of the evidence, and the prisoner who appeared deeply affected, sobbing bitterly throughout the examination, and alternately kissing his two young children, by whom he was attended, was remanded until this morning, in order that the depositions might be laid before the Crown Prosecutor, for that officer to deal with them as he might think proper. Prior to the discovery of the body, the poor fellow was observed to be in a dreadfully nervous and disordered condition on board. The box in which the unfortunate deceased was placed, was not more than three feet in length, and two feet six inches in height; singular to say no evidence has yet been brought forward to shew by whom the box was stowed.³⁰

THE MELANCHOLY OCCURRENCE ON BOARD THE "SHAMROCK." – Yesterday, Charles Roberts who had been remanded from the previous day on a charge of being accessory to the death of his wife on board the Shamrock steamer, the distressing particulars of which appeared at length in our previous publication, was brought before the sitting magistrate Charles Payne, Esq., and was again remanded until Monday next, the magistrate informing him that it would be necessary to communicate with the Launceston authorities prior to determining what course should be pursued towards him. The poor fellow appeared in an extremely dejected state; his children have most humanely been taken charge of by a member of the police force. – P. P. Patriot, March 19.³⁰

THE "SHAMROCK CASE." – Charles Roberts, the man in custody for aiding and abetting the escape of his wife, a prisoner of the crown, whose horrible fate has been already detailed, has been further remanded until Thursday; and will no doubt be subjected to similar detentions,

as nothing definite can be done in the matter until the bench shall be in possession of official information from Van Diemen's Land. – Herald, March 23.³¹

THE LATE DISTRESSING CASE ON BOARD THE "SHAMROCK." – Charles Roberts, the husband of Nancy Robinson Roberts, whose melancholy death, resulting from suffocation on board the Shamrock steamer, has already been fully referred to, was again brought before the magistrates yesterday, and remanded to gaol for one week, by which period it is anticipated that a reply will be received to a communication which has been despatched upon the subject to the Launceston authorities. If the past may be regarded as an index of the future, it is not very probable the Launceston authorities will give themselves much trouble about the matter, as it is not very long since they refused point blank to incur the expense of transmitting from this a man who had committed a daring burglary in Launceston, and had brought the stolen property over here, some of which was clearly traced to his possession; the fellow consequently escaped. – Patriot, March 23.³²

"DREADFUL DEATH. – Shortly after the Shamrock left George Town, Captain Gilmore smelt something extremely offensive issue from the hold, and about the same time observed a man, well known as 'Jemie' the Flying Pieman, who went into the hold, and putting his hand into a large case, said, 'it's all right now, Nancy, come up.' No answer being returned, the case was opened and the body of a woman named Nancy Robertson, wife to the pieman and a prisoner of the crown, was discovered in a dreadful state, – the eyes protruded from the sockets and the tongue was out of the mouth, and altogether shewing symptoms that deceased met her death by suffocation, caused by the great heat of the hold, and owing to several trusses of hay having been placed over the case, which had been perforated to admit the air. The wretched woman, it would appear, had devised this means of escape to join her husband, although she would have been free in a couple of months. The body was thrown overboard, and the pieman given into custody. He was brought up before the bench yesterday, and remanded till to day. IN the case was found a bottle of gin untouched, and we are told that at the time the deceased went into the case she was in a state of intoxication. Charles Roberts, the man in custody for aiding and abetting the escape of his wife, a prisoner of the crown, whose horrible fate has been already detailed, has been further remanded; and will no doubt be subjected to similar detentions, as nothing definite can be done in the matter until the bench shall be in possession of official information from Van Diemen's Land."³³

THE LONG PENDING "SHAMROCK" CASE. – Charles Roberts, who, it will be recollected, has for some time past been in custody, charged with being an accessory to the death of his wife on board the "Shamrock," was yesterday again brought before the Mayor, when his Worship stated that he had received a communication from the Van Diemen's Land authorities, by which it appeared that an investigation into the circumstances of the case was going on there, but as no warrant had been sent over for the apprehension or detention of Roberts, he did not feel justified in detaining him any longer, and should therefore release him, upon his entering into recognizances for £40, with two sureties of £20 each, to answer any charge which might be preferred against him. The necessary recognizances were immediately entered into. – "Patriot," April 20.³⁴

15 March 1847 Buried at sea, off George Town.^{30,35}

21 September 1847 Free by servitude; Certificate of Freedom available for collection.³⁶

Notes

- Nancey's husband may be the Charles Roberts who departed Melbourne for Hobart in April 1852 on the *Gold Seeker*; aged 29.³⁷

³¹ *Australian*, 1 April 1847 p.3 (Charles Roberts)

³² *Maitland Mercury*, 3 April 1847 p.4 (Charles Roberts)

³³ *Examiner*, 14 April 1847 p.4 (Nancy Robertson & Charles Roberts)

³⁴ *Maitland Mercury*, 1 May 1847 p.3 (Charles Roberts)

³⁵ *Argus*, 19 March 1847 p.2 (Charles Roberts)

³⁶ *Hobart Town Gazette*, 7 September 1847 p.894 (Nancy Robertson)

³⁷ PROV, 'Online Indexes: Index to Outward Passengers to Interstate, UK, NZ and Foreign Ports 1852–1923' April 1852 p.1 (Chas Roberts)