



A Dissection in Reverse:

Mary McLauchlan, Hobart Town, 1830

Helen MacDonald

We talk about death as though it was the end of everything, but that's only the way we talk ... one doesn't slip out of life as easy as all that.

[Jules Romaines, *The Death of a Nobody*, 1944]

At 8 a.m. on Monday 19 April 1830, a young Scotswoman mounts the high scaffold erected beside the gaol in Hobart Town, Van Diemen's Land. The Colonial Chaplain, William Bedford walks beside her, Bible in hand. He is well practised in these ceremonial executions, though this is the first time he has accompanied a woman to the scaffold. This chaplain is generally also good at persuading those who are about to die to make the kind of public farewell the authorities hope for, which is a full confession of guilt, an acknowledgement that the sentence of death is just, and some exhortation to the crowd to mend their wicked ways. Unexpectedly, this young woman defies him. Though he has spent two days working for her soul, all he has managed to achieve in that time is to persuade her not to name from the scaffold, as she had wished to do, the man who made her pregnant and then abandoned her.

Standing above the large crowd of people who have come to watch her die, Mary McLauchlan refuses a last opportunity to confess to her crime in public, and she begs nobody's forgiveness for taking her bastard child's life. Instead, only Bedford's voice is heard as he reads from the Bible and prays on her behalf while the executioner places the rope around her neck, then draws down the hood to cover her face.

That silence from the scaffold is as powerful as any words Mary McLauchlan might have spoken under such circumstances. All that escapes her when Dogherty kicks the wooden peg, the drop opens beneath her, and she falls, are the words 'Oh, my God'.¹

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This death was a small but controversial episode on the landscape of Tasmania's past, in which Mary McLauchlan was the first woman to be convicted of murder. It was an event of the kind that microhistorians like to explore, one involving a seemingly insignificant person which yet reveals something rich about the society in which it took place.

Such histories offer levels of meaning that may be missed in larger historical overviews that seek to construct a general picture of the past and those who peopled it, such as the economic histories of 'convict women', of which Mary McLauchlan was one. Examining women in categories like that offers valuable demographic material about the women who were exiled to the Australian penal colonies, and has shifted our understanding from earlier negative categorical assessments, to more positive ones that place such women as, for example, 'convict workers' rather than whores.² However something is lost in these histories. In them, individual women make only fleeting appearances, being mostly contained within what James Elkins calls 'informational images', like charts, tables and graphs, and spoken about in anonymous terms, as the 'human capital' and 'building blocks' of a new society.³

Faced with grand surveys of the past, microhistorians reach for their magnifying glasses and reduce the scale of analysis, focusing on the particulars of individual lives to learn how such people lived and died within the webs of relationships that bound them to the broader culture—of which they were an illuminating part. These histories explore the actions, gestures, speaking and silences through which people creatively made their place in their world, in the face of normative structures that sought to contain them.⁴

In her economic history of Australia's convict women, Deborah Oxley introduces to her readers '6,876 convict women' and explains that she has not 'the patience nor the space to greet each Elizabeth and Margaret as individual players on this great stage of history'.⁵ This paper introduces one such woman, Mary McLauchlan, and explores what might happen to history if we do.



During the early decades of the nineteenth century, the ritual of public execution was a common sight in Britain and its colonies. These staged events attracted crowds of spectators from all classes of society.⁶ On the relatively rare occasions when women hanged, an additional frisson was present, as it was when people hanged for murder, for under the British *Act for better preventing the horrid Crime of Murder, 1752*, they also received a secondary, post-mortem form of public punishment. As a 'peculiar mark of Infamy', after the hanging their bodies were either suspended in chains until they rotted, or subjected to dissection by surgeons, who thereby became secondary executioners of the law. In London, these dissections were performed in a house hired by the Royal College of Surgeons, close by the scaffold. The College monopolised these bodies, which were the only legal 'subjects for dissection' made available to medical men until 1832.⁷ It made them prized possessions, not least because those who hanged died suddenly, while they were generally young and healthy, rather than after the debilitating effects of disease and old age.

In the distant penal colony of Van Diemen's Land, there was no Royal College of Surgeons, and so the Colonial Surgeon in charge of the Convict Medical Department stood in its place. James Scott held this position at the time Mary McLauchlan hanged. He jealously guarded his interest in murderers' bodies against less well-connected colonial medical men, controlling who was invited to watch him perform his punitive cutting, which was a multi-layered affair. First, Scott considered it his duty 'to make a Public Exhibition of Dissection of Criminals', before 'such persons as might be disposed to witness' the event, which included medical men and their pupils. Then he conducted further work on these bodies, which was a more private matter. It included a series of 'demonstrations' and surgical operations 'for the instruction of the young and the satisfaction of the old', during which audience members could be closely involved, even touching the bodies if they had his sanction to do so.⁸

Scott was not required to keep any records of these performances, but it is possible to reconstruct how he went about them from contemporary records of British dissections and nineteenth-century dissecting manuals. First, before a general audience, the body was displayed, cut open, and the skin of the chest folded back. Then, before a more select group of medical gentlemen and students, the body was further opened to view and various experiments were carried out. Eventually, what was left of the person was buried, though some parts might be kept for future use—a skeleton perhaps, or some organs to preserve in spirits, though men also took souvenirs. Dissecting murderers was not entirely a scientific matter. One British surgeon tanned a portion of skin, which he used to bind a book; another turned skin into a purse.⁹

These legal dissections, then, were exhibitions which provided the men who performed them with opportunities to enhance their scientific credentials before both a lay and a medical audience, and in the process make authoritative professional identities for themselves.¹⁰



One hour after her execution, Mary McLauchlan's body lies on a wooden table in a room filled with autumn light at Hobart Town's Colonial Hospital. The white gown in which she hanged has been removed and given to the executioner, for it is a hangman's right to make what he can from the sale of such objects.¹¹ The hospital's dissecting room is crowded with James Scott's guests, who have come to witness this first legal anatomisation of a woman's body in Van Diemen's Land. Although no list of those in attendance has been preserved, some educated guesses can be made based on the way such things were done in England and on Scott's links to other well-placed and interested settler-colonists.

Mary McLauchlan is familiar to some of the men who have come to witness Scott dissect her. They are acquainted with the settler, Charles Ross Nairne, to whose home she had been assigned. Scott, for instance, is about to dissect a woman he knows. Both he and Nairne are members of a group of Scotsmen who have been active in establishing a Presbyterian church in this small community.¹² Reverend Bedford's son, Edward, is also present. Until recently, he was one of Scott's pupils. Now, he is the hospital's sub-assistant

surgeon. Representatives of the colony's press have also been invited. One newspaper editor has left a vivid image of a later dissection he witnessed in this room, which he reported was like a 'charnel house' containing left-over pieces of human bodies. He said the room was such an 'awful sight' that he would 'draw a veil' over it.¹³ In addition, the colony's artists are in attendance, for they value the opportunity to learn anatomy in such places: men like colonial auditor, George Boyes, who received private anatomy lessons in London before travelling to Van Diemen's Land; and convict artist Thomas Bock, who makes post-mortem portraits of executed murderers on James Scott's behalf.¹⁴

Scott's students remove the hood that covers Mary McLauchlan's face, knowing what they might find. If her death was quick, rather than a slow strangulation, there will be no bloated purple face nor protruding bloodshot eyes. A quick death will make it less easy for this audience to view this young woman as something other than human. She may still appear, as she did before her execution to newspaper editor James Ross, an 'interesting woman' with a 'pleasing countenance'.¹⁵

Although Mary McLauchlan lies on her back, naked and vulnerable before this audience of men, she retains an ability to unsettle the proceedings. The dead can produce anxiety in those who gather around them in a dissecting room.¹⁶ Medical men learn how to lessen that effect. At first, Mary McLauchlan's eyes are open.¹⁷ She seems to look up towards the faces hovering above her. Eyes open, she has not yet become, in the terminology of the day, a 'thing for the surgeons'.¹⁸ Someone places his fingers on her eyelids and closes them. Though those dissecting murderers are consciously performing for an audience, they have no wish to feel – even for an irrational moment – that those they are about to anatomise look back at them.

Then Scott's demonstrations begin. They probably included the kind of experiments which were occupying London's surgeons at this time. These men were seeking to understand the point at which a person was definitely dead, with no hope of being reanimated. Galvanic apparatus was applied to various parts of people's bodies, with spectacular results. The dead clutched coins and threw them across the room. They beat their hands on the dissecting table, and even raised themselves in ways that terrified onlookers. Other experiments focused on the heart. Ribs were pried open, so the audience could see that a heart continued to move, long after a person had hanged—sometimes for hours.¹⁹

When a woman lay on the dissecting table, there were additional things to investigate. The 'organs of generation' were a focal point, for the reproductive system was still something of a mystery at this time.²⁰ In addition, men necessarily practised their skills on the bodies of dead women, for 'decorum' dictated that when they performed intimate procedures on the bodies of their well-to-do female patients, they must do so 'blind'. Students were instructed that inserting a catheter into a woman's urethra to draw off urine, for example, was something best done 'under the bed cloathes [sic]'.²¹ Men therefore learned to orientate themselves on dead women's bodies.

The human brain was another focus of James Scott's dissections, for the science of phrenology was one of his passions. Tearing off Mary McLauchlan's skull-cap, he could discourse in a learned way on various sites within her brain. This particular dissection provided Scott with a timely opportunity to expound on a recent article in the *Hobart*

Town Courier, which had suggested that the 'organ of destructiveness' may not be as enlarged in murderers as phrenologists had previously believed.²²

Finally, all of his demonstrations and surgical operations completed, Scott passed what was left of Mary McLauchlan's body over to his students for their practice. They kept it for three days, before disposing of what remained.²³ No religious ceremony was performed at this burial, although Reverend Bedford had been present when the remains of other murderers had been interred, and there was an assumption that the body of a penitent murderer would be buried with some form of ceremony.²⁴ This neglect of Mary McLauchlan makes something of a mockery of the hard work Bedford had boasted of putting into reclaiming her soul.



The process of reconstruction is like a dissection in reverse.

[John Gurche, Palaeoartist]²⁵

This was the end of Mary McLauchlan, at least so far as James Scott was concerned. Like surgeons, however, historians also go to work on human remains, in the form of documentary evidence of past conversations and actions. So we need not leave Mary McLauchlan here, disintegrating beneath the weight of Scott's words and hands. Instead, we can perform a dissection in reverse.

Mary McLauchlan became entangled in the early nineteenth-century British system of crime and punishment in 1828, at the age of 24, when she was convicted in Glasgow of 'theft by housebreaking'.²⁶ At the time, she was a woman of many parts. During the daylight hours – from dawn, she said, until 'the gloaming' – it was her job to oversee the work of ten children employed to pick at cotton cloth in William Dunlop's Mill in Barrowfield Road.²⁷ After dark, she was a wife to William Sutherland and the mother of two young daughters aged five and three.²⁸ Sutherland was a weaver. He worked in an industry that had been at the forefront of Britain's process of industrialisation, during which weavers had suffered the worst kind of displacements, working conditions and poverty. By 1828, then, Mary McLauchlan and her family may have been in the kind of dire straits that turned so many British working people into criminals, even though both she and her husband had paid employment.

Mary McLauchlan was sentenced to be transported to Van Diemen's Land for fourteen years.²⁹ This was a harsh punishment for a woman who had not previously come to the attention of the law. Its unusual length may have resulted from the fact that she was found guilty of breaking into a house and taking away a 'great number of articles'.³⁰ Too many, indeed, for one woman to carry off. In the records relating to her Scottish trial it seems clear that William Sutherland, not she, was the main suspect, though she refused to name him. Later events in Van Diemen's Land indicate that such personal loyalty may have been a pattern in her life.

After her sentence was handed down on 22 April 1828, Mary McLauchlan was returned to Glasgow's Tolbooth, in the company of the other women who had been

sentenced to periods of transportation. Some, such as Mary Cameron, would soon become her shipmates on board the *Harmony* on the long voyage south to Van Diemen's Land, where they arrived nine months later. Officials boarded the vessel before the women were disembarked. James Gordon, the Principal Superintendent of Convicts, arrived with the Convict Muster Master, Josiah Spode, to inspect the women, each of whom was asked about the main circumstances of her life and conviction. Then Gordon and Spode made physical examinations of the women, which were turned into pictures in words for Lieutenant Governor Arthur's Black Books. Mary McLauchlan appears in Description Number 86. In her bare feet, she was 5 ft 3½ inches tall. Her face was oval, complexion dark, hair brown, and eyes hazel. There was nothing especially noteworthy about her features, most of which were said to be 'medium'. She had lost one front tooth, on her lower jaw. This thin description is the only one we have. It gives us no real sense of Mary McLauchlan's face at all.

Over the following days, many of the women were assigned to settlers and officers who had applied for household servants. Some went to work for men who were, within a year, to be intimately involved in discussing Mary McLauchlan and working on her body and soul. She was assigned to Scottish settler Charles Ross Nairne and his wife Katherine Stirling, who lived in the vale of the Coal River, north-east of Hobart Town. As those requesting convict servants had some choice in the women they obtained, it may have been Mary McLauchlan's Scottishness that appealed to Nairne, who was a merchant who had emigrated from Paisley, just south-west of Glasgow.

The experience of the assignment system was a gendered one.³¹ Convict men were mostly required for outdoor work, but convict women performed the role of domestic servants and, like such servants everywhere, they were placed in a more intimate domestic relationship with those for whom they worked. One effect was that they could be vulnerable to demands for sexual favours. Another, that they were seen as a sexual threat to the family.³² Some no doubt played the game of sexual politics themselves.

Mary McLauchlan was a stranger to domestic service. While as a woman with a family, she knew how to cook and clean and undertake all the other tasks that family life required of working-class women at this time, the ins and outs of living as a domestic servant in a prosperous family were new territory for her. Besides, even those who were familiar with domestic service in Britain would have found such assignments in Van Diemen's Land different, for in this colony they were *convict* servants, members of a despised group. Just see how the settlers spoke of them. Elizabeth Fenton said they were an 'immoral physical force'.³³ John West thought them 'woman deprived of the graces of [their] own sex, and more than invested with the vices of man'.³⁴ Robert Crooke said convict women turned settlers' houses into 'veritable brothels'.³⁵

Within two months of going to serve the Nairnes, Mary McLauchlan had become pregnant. We do not know under what circumstances—whether it was a matter of rape, or sudden mutual desire (though there was nothing mutual about the master-servant relationship), or of sex offered as a gift in the hope of something being received in return. Nor, given Reverend Bedford's persevering over the weekend that preceded her execution, do we know for certain that Nairne was the child's father. All we know is this. Newspaper editors knew the man's name, which was the subject of gossip in Hobart

Town. He was said to be an educated man, much 'above' Mary McLauchlan in station. It was thought he could have influenced her to murder the child. And in reporting on her execution, the editor of the *Tasmanian and Austral-Asiatic Review* named the man to whom she had been assigned when she became pregnant in capital letters, 'C.R. NAIRNE', which was not this newspaper's usual way when reporting that a master's servant had committed a crime.³⁶

Mary McLauchlan was pregnant in the Nairnes' home for five months before there is any sign in the records of something being wrong there. At five months it may be that others in the household noticed the pregnancy. On 10 August 1829, Nairne took her from Coal River to Hobart Town and informed the Principal Superintendent of Convicts, now Josiah Spode, that she had been guilty of an unspecified form of 'misconduct'. It may have been the kind of trumped-up charge masters made when wishing to rid themselves of troublesome servants. Mary McLauchlan thought the charge unfair. She spoke, informing Spode that the Nairnes had not given her the 'proper' amount of clothing. And Spode remanded her to the Female Factory, at the same time informing Nairne that he wished to hear what his wife had to say about the matter. Handing out clothing to servants would have been Katherine Nairne's responsibility.

This directive from Spode meant that Nairne had been ineffective in persuading the Principal Superintendent of the rights and wrongs of the situation and so ridding the family of this servant. Thinking this was the end of the interview, the clerk recording the proceedings closed the record in the usual way, initialling 'P.S.' for Principal Superintendent, at the end of the sentence. Then, however, Mary McLauchlan spoke again, making another charge against her master and mistress. The clerk did not write the details down. He only wrote 'when investigated is found to be witho. any foundation', though the only 'investigating' Spode could have undertaken on this day was to ask Nairne whether or not Mary McLauchlan was telling the truth. The next words written show the result of that. She was charged with leaving Nairne's house without permission on the previous Saturday, and sent to the Female Factory to be placed in a cell on a diet of bread and water for six days, following which she would join the 'C', or criminal class of women – the most serious offenders – before being reassigned far from Hobart Town, into the 'Interior' of the island. P.S.

The severity of this sentence is revealing. This woman had not previously been charged with any form of misconduct in the colony, where first offences were usually treated quite leniently, and it was, in general, only the most unmanageable recidivists who were reassigned into the interior of the island.³⁷ So this was done to keep her quiet. And there was no further talk of hearing from Katherine Nairne.

Mary McLauchlan gave birth to a male infant early in December 1829. Soon afterwards his body was found in one of the Factory's privies. An Inquest was held, but very few words remain of the proceedings. There is just a note on her record which states that magistrate Joseph Hone acted as the Coroner, committing her for trial 'on a charge of Murder'.³⁸

Four months later, on 15 April, that trial took place in the Supreme Court in Hobart Town. Mary McLauchlan had no legal representation, which was not unusual at the time. According to the *Colonial Times*, a 'vast number' of witnesses spoke, and the trial

lasted 'from the morning until late in the evening'.³⁹ The most important witness was probably the Female Factory's medical attendant, James Bryant, for his evidence established in the minds of the jury that the baby had been born alive and murdered. This surgeon probably talked of what he found on the body to indicate an unnatural death. If by strangulation, that would have been a windpipe filled with mucous, a red and livid countenance, a swollen tongue, a red line about the neck. If by suffocation, it would have included distended veins in the baby's head, froth about his mouth, blood in his lungs and the cavities of his heart.⁴⁰ Perhaps the signs of murder were very evident. In addition, the fact that Mary McLauchlan had given birth in a privy would have been viewed with suspicion, for a privy was a private space—the only one, in a prison. In a privy, a murder could be disguised as an accidental death.

Yet Bryant was comparatively lacking in skill in providing evidence in such court cases, and this could also have been important to the outcome of the trial. Determining the precise cause of infants' deaths was a notoriously difficult matter at this time. In Britain, women were usually given the benefit of the doubt. Well-qualified British medical men wrote, with regret, that many in their profession were 'not so conversant with science as the world may think; and some of us are a little disposed to grasp at authority in a public examination, by giving a quick and decided opinion, where it should have been guarded with doubt'.⁴¹ Whatever the definitive piece of evidence in this case, Mary McLauchlan was found guilty of murder and sentenced 'to be hanged by the neck [until] she would be dead on Saturday next the 17th inst. at the usual place [unreadable] and when dead her body to be dissected'.⁴²

Over the weekend following the trial, Governor Arthur's Executive Council met to ponder the case, as was usual for capital offences. Four men sat on the Council at this time: Arthur himself, Chief Justice Pedder, Colonial Secretary John Burnett and Colonial Treasurer Jocelyn Thomas. The Council met on both Saturday and Sunday, for hanging a woman for the first time was a controversial matter, especially for a crime such as this one. As one newspaper was soon to note, there was 'something more than ordinarily dreadful' in hanging a woman, especially for such a crime when in Britain most juries returned a verdict 'for the minor offence, that of concealing pregnancy' and even when murder was proved, 'the last extremity of punishment seldom follows'.⁴³ Putting a woman to death for murdering a child, while the man who had impregnated and abandoned her escaped punishment, was thought by many to make the law an unfair 'engine of oppression' and 'instrument of vengeance'.⁴⁴

Newspaper commentary on the case focused on this disparity. The father of Mary McLauchlan's child was accused of being 'the author of her misery'. It was noted that he had not provided her with any assistance during the trial, and that it had even been left to 'the humanity of strangers' to provide her with the clothes in which she would die.⁴⁵ Sentences were sometimes commuted when masters spoke up on their assigned servants' behalf, but Charles Nairne made no move to do so.⁴⁶

This left two men in the Executive Council arguing on Mary McLauchlan's behalf. Thomas and Burnett recommended that her execution be delayed. They wished to find out whether or not the father of the infant had incited Mary McLauchlan's actions, and said they hoped that 'something might come to light extenuating the enormity of the

crime ... which might avert the distressing necessity of the first public execution of a female in this Colony'. Chief Justice Pedder, however, had no doubts about the justice of Mary McLauchlan's conviction. He insisted that he could not agree to delaying the execution, or to any further investigation, saying he 'could not advise the Lieutenant Governor to interfere with the course of the law'. His law, that is, and the sentence he had already pronounced.⁴⁷

In the face of this conflicting advice, Arthur informed Council members that he would respite Mary McLauchlan until Monday. Then he received a letter from the foreman of the jury, begging for mercy on Mary McLauchlan's behalf. The jurors believed she had been 'driven to commit the crime by a sense of degradation and shame, from the fear that the birth of her child would become known to her relations at home', and they said they had been impressed by 'her deportment at the trial [which] was submissive and resigned'.

On receipt of this letter, Arthur sent magistrate Joseph Hone to visit Mary McLauchlan in her cell, asking him 'to take any statement which the prisoner might have to make'.⁴⁸ In this way, through Hone, Mary McLauchlan was being given an opportunity to save her life. However it appears that Hone asked her a specific question, that is whether anybody had influenced her to carry out the murder. He reported back to Arthur that her reply had been to deny that anybody had. I am left wondering how she could have made any other response, for Mary McLauchlan had declared herself not guilty of the murder, and Hone's question assumed her guilt. How could she take this opportunity to shift the blame to the man who had made her pregnant, when to do so would mean admitting she had murdered the child?

In any event, I am not sure we can believe Joseph Hone's version of this conversation. Hone is everywhere in this case. Most worryingly, he was connected to Charles Nairne. These men were two of only seven Directors of the Derwent Steam Navigation Company.⁴⁹ He had also acted as the Coroner at the Inquest on Mary McLauchlan's baby's body, and had sent her to trial for murder. He was present at that trial, in his capacity as Master of the Supreme Court, part of whose role it was to take depositions from witnesses. And now here he was again, given sole responsibility for offering her an opportunity to say something that would enable Arthur to extend her mercy—and save her life.

Everything depended on the way Hone presented this offer, and on whether she understood that that was what it was. Yet apart from all these conflicts of interest, Arthur could hardly have chosen a man less likely to do it well. Hone had so many verbal and physical quirks that Mary McLauchlan could well have misread the opportunity she was being offered. He was notorious for his physical mannerisms, which included pulling grotesque faces.⁵⁰ He also had a strange conversational style. One contemporary noted that 'if brevity and he had ever known one another, they seemed to have parted company ... his style and manner being prolix in the extreme'.⁵¹

Mary McLauchlan was probably also afraid of Joseph Hone. As the Coroner who had sent her for trial, he had already shown his belief in her guilt. And he was not a man who could be trusted, where the vulnerable were concerned. Joseph Hone was quite unlike his brother, William, the English radical reformer who worked hard to expose the

many injustices of the British legal system, especially where women were concerned.⁵² In Van Diemen's Land, Colonial Auditor Boyes was soon to write in his diary of losing 'all faith' 'in Joseph Hone's truth, sincerity, honesty or humanity'. He said 'I have no belief whatever in the goodness of his heart and hold his principles and rules of conduct at a very low price'.⁵³ Unfortunately, Boyes is not specific about the reason for this loss of faith, which happened over the months between Mary McLauchlan's committal to trial and her execution.

There were more disturbing matters where convict women were concerned. This magistrate toadied to those above him in social position to such an extent that injustice resulted. In 1836 he would sit as a magistrate in the trial of an inhabitant of Hobart Town who had 'respectable connections'. This man was accused of assaulting his assigned female servant so badly that she died, though not before naming him as the man who had attacked her. Her evidence, and that of the two surgeons who attended her, was not produced in court. According to the editor of the *True Colonist*, in Hone's charge to the jury he talked of his own intimacy with the accused, to whom he made a 'crying, whining appeal'. The result was that this well-connected murderer was convicted, but received no sentence.⁵⁴

Mary McLauchlan's life lay in Joseph Hone's hands. And he reported back to Governor Arthur that 'the prisoner had declared to him that no person outside the House of Correction had endeavoured in any way to influence her to commit the crime'.⁵⁵

Meanwhile, in the cell close to the place where she would hang, Mary McLauchlan was being 'assiduously attended' by representatives of both the Church of England and the Presbyterian Church. Such reverend gentlemen were a 'vital ingredient in elaborating the ritual of execution'.⁵⁶ William Bedford and Archibald McArthur had much to accomplish before the execution, for Mary McLauchlan had remained silent about many things. She had admitted no guilt, and had held back the name of her friend, Mary Cameron. Bedford in particular worked hard over the weekend to obtain a full confession of her guilt. It was his duty to reclaim her soul, but there were also other interests at stake. From the authorities' point of view, a person who went to the scaffold unrepentant brought forth a problematic response from those crowding to listen and watch. These executions were meant to exhibit the majesty and power of the law, and instil fear in the hearts of their audience, although in Hobart Town, as elsewhere, many attended more for the spectacle.

On the Sunday evening before her execution Bedford finally wrung an admission of guilt from Mary McLauchlan. Then he persuaded her of two things. The first required her silence. She must give up her desire to denounce her seducer from the scaffold with her dying words. Instead, it was agreed she could name him to the Sheriff, in the relative privacy of the prison lobby, on the way to her execution. Nobody recorded what she said. In this way, Bedford protected the 'respectable' man who had abandoned Mary McLauchlan to this fate. As the editor of the *Tasmanian* noted, it was a 'kindness and consideration, most undeserved by him upon whom it was bestowed'.⁵⁷

The second thing Bedford accomplished was to persuade Mary McLauchlan to name the friend who had helped her in the privy of the Female Factory. Until 11 p.m. on

the night preceding her execution, she had refused to do so. Then she succumbed.⁵⁸ In the end, Bedford may have needed to bargain for this success, offering in exchange for Mary Cameron's name, a promise to intervene to ensure that this woman, too, would not hang for the baby's death. On the day after Mary McLauchlan's execution, her friend was discharged by governor's proclamation, and got exceedingly drunk.⁵⁹

And so we return to the point at which we began, with Mary McLauchlan on the scaffold, dressed in her white gown and the specially-made underwear which would ensure that, as she fell to her death, her body would be modestly covered—at least until she arrived on James Scott's dissecting table.

But the final contemporary word on this hanging lies in an annotation on Mary McLauchlan's convict record. Edward Cook, the convict clerk, closed her entry by writing the word 'EXECUTED', in unusually beautiful script. Then he added something that was entirely his own: a rough sketch of the full-skirted body of a woman hanging from Hobart Town's scaffold.



The names of most historical subjects for dissection are unknown, however in being convicted of a crime in Glasgow and sent to Van Diemen's Land as a convict woman, Mary McLauchlan is one whose identity is available to us. Until now, she has only been incorporated into histories in a marginal way, mentioned as the first woman to be executed in this penal colony and so only known by the way she died. Returning to such episodes and re-examining them in a microhistorical way enables us to learn a great deal about the societies in which such events took place. This close reading has revealed the intricate web of relationships within which Mary McLauchlan lived, died and became a subject for dissection. It shines a fresh light on some of the everyday practices through which the British penal colony of Van Diemen's Land was made.

ENDNOTES

- 1 *Hobart Town Courier*, 24 April 1830.
- 2 Convict historiography is a large field of endeavour to which I cannot pay full justice here. Examples of survey histories are C.M.H. Clark, 'The Origins of the Convicts Transported to Eastern Australia, 1787-1852', *Historical Studies: Australia and New Zealand*, vol. 7, no. 26 (1956): 121-135; Lloyd Robson, *The Convict Settlers of Australia: An Enquiry into the Origin and Character of the Convicts Transported to New South Wales and Van Diemen's Land, 1787-1852* (Melbourne: Melbourne University Press, 1965), and Deborah Oxley, *Convict Maids: The Forced Migration of Women to Australia* (Cambridge: Cambridge University Press, 1996). 'Convict workers' is the title of Stephen Nicholas's edited collection, *Convict Workers: Reinterpreting Australia's Past* (Cambridge: Cambridge University Press, 1988). Historians who have paid more attention to individual convict women include Joy Damousi, *Depraved and Disorderly: Female Convicts, Sexuality and Gender in Colonial Australia* (Cambridge: Cambridge University Press, 1997), Kay Daniels, *Convict Women* (Sydney: Allen & Unwin, 1998), and Hamish Maxwell-Stewart and Lucy Frost eds, *Chain Letters: Narrating Convict Lives* (Carlton: Melbourne University Press, 2000). Marilyn Lake provides an overview of the historiography of the representation of convict women in her 'Convict Women as Objects of Male Vision: An Historiographical Review', *Bulletin of the Centre for Tasmanian Historical Studies*, Vol. 2, No. 1, 1988.

- 3 James Elkins, 'Art History and Images that are not Art', *Art Bulletin*, vol. 77, no. 4 (December 1995): 553-71; Stephen Nicholas and Peter Shergold, 'Convicts as Migrants', in Nicholas, 44; Oxley, 2.
- 4 Giovanni Levy, 'On Microhistory', in *New Perspectives on Historical Writing*, ed. Peter Burke (Cambridge: Polity Press, 1991), 96.
- 5 Oxley, 32.
- 6 V.A.C. Gatrell, *The Hanging Tree: Execution and the English People 1770-1868* (Oxford: Oxford University Press, 1994).
- 7 Helen MacDonald, 'Legal Bodies: Dissecting Murderers at the Royal College of Surgeons, London, 1800-1832', *Traffic: An Interdisciplinary Postgraduate Journal*, no. 2 (2003): 9-30.
- 8 Scott to Arthur, 19 June 1834, Colonial Secretary's Office Records, Correspondence Files, Arthur Period, CSO1/616/14050-14081, Archives Office of Tasmania (hereafter AOT).
- 9 Gatrell, 256-7; the purse was made from William Burke's skin in 1829 (Police Museum, Edinburgh, personal observation).
- 10 Helen MacDonald, *Human Remains: Episodes in Dissection* (Carlton: Melbourne University Press, forthcoming).
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- 12 *Historical Records of Australia*, Resumed Series III, vol. VII, 1828, ed. Peter Chapman (Canberra: Australian Government Printing Service, 1997) (hereafter HRA), 22.
- 13 *Hobart Town Advertiser*, 3 October 1845.
- 14 Peter Chapman ed., *The Diaries and Letters of G.T.W.B. Boyes. Volume 1 1820-1832* (Melbourne: Oxford University Press, 1985), 6. For Bock's portraits, see Paul Paffen, 'The Bushrangers of Van Diemen's Land', in *Heads of the People: A Portrait of Colonial Australia*, eds Tim Bonyhady and Andrew Sayers (Canberra: National Portrait Gallery, 2000), 29-38.
- 15 *Hobart Town Courier*, 24 April 1830.
- 16 As historian Alison Bashford has noted, dissecting involves two bodies – that of the person being dissected, and that of the person dissecting. Alison Bashford, *Purity and Pollution* (Hampshire: Macmillan Press, 1998), 110.
- 17 Many of the sketches made in London by William Clift show subjects with their eyes open. Clift sketched one subject twice (first with her eyes open, then with them closed) (Clift's Heads of Murderers, Box 67.b.13, Royal College of Surgeons of England, London).
- 18 Herbert Cole, *Things for the Surgeon: A History of the Resurrection Men* (London: Heinemann, 1964).
- 19 MacDonald, 'Legal Bodies'.
- 20 Joshua Waddington, Lectures on Midwifery and Diseases of Woman, and Children. Delivered at the Theatre, Guy's Hospital; between 1 November 1816 and 1 March 1817, by John Haighton, M.D., 70, Guy's Hospital, London. Samuel Farr, *Elements of Medical Jurisprudence; or a Succinct and Compendious Designation of such Tokens in the Human Body as are Requisite to Determine the Judgment of a Coroner, and Courts of Law, in Cases of Divorce, Rape, Murder, &c. to which are Added Directions for Preserving the Public Health*, third edition (London: Callow, Medical Bookseller, 1815), 4.
- 21 Joshua Waddington, Lectures on Anatomy; and the Principle [sic] Operations of Surgery: Delivered at the Theatre, St Thomas's Hospital; between 1 January and 1 June, 1816, by Astley Cooper Esq., 3 volumes, Vol. II, 253, Guy's Hospital, London.
- 22 *Hobart Town Courier*, 27 February 1830.
- 23 Register of Burials, Pioneer Index, Registration No. 2177, AOT.
- 24 Archdeacon Bickersteth (1856), cited in David Cooper, *The Lesson of the Scaffold* (London: Allen Lane, 1974), 115.
- 25 Cited in Claudia Casper, *The Reconstruction* (London: Quartet Books, 1997), frontispiece.
- 26 Presentment against Mary McLachlan [sic], 1828, AD14/28/161, Scottish Records Office (hereafter SRO).
- 27 First Declaration of Mary McLachlan [sic], 9 November 1827, p.2, JC26/520, SRO.
- 28 Appropriation List of the Ship *Harmony*, Convict Department Records, MM 33/5, AOT.
- 29 Conduct Registers of Female Convicts, Convict Department Records, CON 40/5, AOT.
- 30 *Glasgow Herald*, 25 April, 1828.
- 31 Daniels; Paula Byrne, 'On Her Own Hands: Women and Criminal Law in New South Wales, 1810-1830', in *A Nation of Rogues? Crime, Law and Punishment in Colonial Australia*, eds David Philips and Susanne

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- 33 Sir Henry Lawrence, Bart. ed., *The Journal of Mrs. Fenton. A Narrative of her Life in India, the Isle of France (Mauritius), and Tasmania During the Years 1826-1830* (London: Edward Arnold, 1901), 354.
- 34 John West, *The History of Tasmania with Copious Information Respecting the Colonies of New South Wales Victoria South Australia &c., &c., &c.* (London: Angus & Robertson Publishers, 1852), 509.
- 35 Cited in H.S. Payne, 'A Statistical Study of Female Convicts in Tasmania, 1843-53', *Papers and Proceedings of the Tasmanian Historical Research Association*, vol. 9, no. 2 (1961): 56.
- 36 23 April, 1830. This newspaper's editor, Robert Lathrop Murray, was sympathetic to convict women (Morris E. Miller, *Pressmen and Governors: Australian Editors and Writers in Early Tasmania* (Sydney: Sydney University Press, 1974), 17).
- 37 Convict women were constantly absenting themselves from their places, and even those individuals who made a practice of doing so did not receive such a severe sentence. The punishment women received for becoming pregnant while assigned was six months imprisonment in the crime class (Damousi, 125).
- 38 Chief Justice's Reports, Supreme Court, Vol. 6, 1823-1831, p.599, Add554/296, Dixson Library, State Library of New South Wales.
- 39 *Colonial Times*, 20 April 1830.
- 40 In contrast, a stillbirth was indicated by a dissection that revealed a brain that 'appears fluid like water', thick coagulated blood in the heart and other blood vessels, soft and flabby skin which was red or scarlet throughout; putrifaction, an umbilical cord devoid of humours, and relatively soft bones of the skull (Farr, 59-62).
- 41 William Hunter, *On the Uncertainty of the Signs of Murder in the Case of Bastard Children* (London: J. Callow, Medical Bookseller, 1812).
- 42 Register of Prisoners Tried in Criminal Proceedings, Sixth Session, Supreme Court Records of Tasmania, SC41/3, AOT.
- 43 *Tasmanian and Austral-Asiatic Review*, 23 April 1830.
- 44 Cited in Gatrell, 366.
- 45 *Tasmanian and Austral-Asiatic Review*, 23 April 1830.
- 46 At this meeting, a few were pardoned due to their masters speaking on their behalf (though none of them had received death sentences) (Minutes of Meetings, December 1826 – 10 June 1833, Executive Office Records, EC4/1, 2, 3, AOT). Masters also influenced the criminal justice system in Britain in this way (H. Perkin, 'The Old Society', in *The Origins of Modern English Society 1780-1880*, ed. H. Perkin (London: Routledge, 1969), 50).
- 47 Minutes of Meetings, 16 April 1830, Executive Office Records, EC4/1, 2, AOT. In other cases Pedder did condone interference with the law, as when he doubted the jury's decision that a man was guilty, or when he took into consideration some particularly worthy aspect of a convicted man (Minutes of Meetings, 6 May 1830, Executive Office Records, EC4/1, 2, 3, AOT).
- 48 Minutes of Meetings, 17 April 1830, Executive Office Records, EC4/1, 2, AOT.
- 49 Arthur to Huskisson, 23 June 1828, Despatch No. 42, HRA, 353.
- 50 Chapman, *Boyes' Diaries and Letters*, 22.
- 51 Henry Savery, *The Hermit in Van Diemen's Land*, first published in the *Colonial Times*, 1829 (St Lucia: University of Queensland Press, 1964), 110-1.
- 52 Gatrell, 369.
- 53 Chapman, *Boyes' Diaries and Letters*, 430.
- 54 *True Colonist*, 5 February 1836.
- 55 Minutes of Meetings, Executive Council, Arthur Period, EC4/1,2, AOT.
- 56 J.A. Sharpe, *Judicial Punishment in England* (London: Faber and Faber, 1990), 33.
- 57 *Tasmanian and Austral-Asiatic Review*, 23 April 1830.
- 58 *Hobart Town Courier*, 24 April 1830.
- 59 Phillip Tardif, *Notorious Strumpets and Dangerous Girls: Convict Women in Van Diemen's Land 1803-1829* (North Ryde, NSW: Angus & Robertson, 1990), No. 1544.

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Title:

A dissection in reverse: Mary McLauchlan, Hobart Town, 1830

Date:

2004

Citation:

MacDonald, H. (2004). A dissection in reverse: Mary McLauchlan, Hobart Town, 1830. *Lilith: a Feminist History Journal*, (13), 12-24.

Publication Status:

Published

Persistent Link:

<http://hdl.handle.net/11343/34149>

File Description:

A dissection in reverse: Mary McLauchlan, Hobart Town, 1830

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