

## **'WISHED TO GET OUT TO OUR MOTHER': CONVICT TRANSPORTATION AS FAMILY EXPERIENCE**

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In January 1829 two sisters born in Belfast and convicted in Glasgow stood on the deck of the female convict ship *Harmony* and stated their offences. Mary MacWilliams gave her age as 19, and Dorothy as 17. The clerk recorded in each of the otherwise differently worded accounts the same striking phrase: 'Wished to get out to our mother'.<sup>1</sup> Both named their mother as Jean Jarvis, using her maiden name as was customary among married women in Scotland. Jean Jarvis, sentenced to 14 years' transportation, had sailed on the *Mary Anne* in December 1821. When they last saw their mother more than seven years earlier, Mary would have been about 12, and Dorothy 10. Young girls who lost their mother, and got themselves transported to find her, 'wished to get out to our mother'. It sounds a touching story.

But in the National Archives of Scotland in Edinburgh are records from which emerges a far less sentimental and more intriguing tale. Jean Jarvis was the matriarch of a seriously criminal family. Jean, her husband John MacWilliams, and all five of their daughters appear in the bundles of legal documents called 'precognitions'. These written reports for the Lord Advocate's Department were gathered to prepare cases for trial before the High Court of Justiciary, the supreme criminal court in Scotland. Generally, a precognition begins with a statement from the victim, and then continues with statements from witnesses, from the police, and from the accused person, called a 'pannel' in the Scottish legal system, which was different from the English and Welsh. Sometimes the case file includes other correspondence and miscellaneous loose papers. Precognitions rarely contain fewer than forty pages, and often run to more than a hundred. This documentation offers a rich source for understanding the daily life of families crowded into Glasgow's high-rise tenements. By reading an interconnected set of precognitions, together with newspaper accounts of trials, it becomes possible to track a crucial moment within one family's saga, from 1819 when the MacWilliams parents and daughters first appeared in the precognitions, until late 1821 when Jean Jarvis led the way in what would become an unlikely family migration.

Dorothy, the youngest MacWilliams daughter, told the muster master on the *Harmony* that she had been born in Belfast (about 1811 since she gives her age as 17 in January 1829) and brought up in Glasgow. Exactly when the family emigrated to Scotland is unclear, but they were already well known to the police when mother, father, and their eldest daughter were accused of re-set (receiving stolen goods) and brought in for questioning on 6 November 1819. The circumstances of the crime are tinged with farce.

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1. Convict Conduct Register, CON 40/9 Archives Office of Tasmania.

An industrious 17 year-old weaver named James Moffat arrived at his father's loom-shop about a quarter to five one Sunday morning, intending to finish the piece of cotton shirting he was weaving 'before twelve midday as it is the preachings Sunday'.<sup>2</sup> He found the cloth torn or cut from his loom, and also from his sister's. Seeing his neighbour's door open, he went in and discovered another loom with its web gone. Immediately he rushed out into the dark winter's street, which must have been almost deserted. Just past the new Jail, he came upon Daniel Boyle crossing the street 'with a pack on his back'.<sup>3</sup> Moffat, suspecting that his cloth was in that pack, fell in with Boyle who surely was either very drunk or very stupid because he chatted away to the man he had just robbed, regaling him with stories as they walked along. At one point Boyle must have awakened the neighbourhood when he stopped to beat with an iron bar upon the door of a woman's house, shouting out that he knew her to be a re-setter of stolen goods, and the means of getting a local Glasgow identity, Rough Rab, 'hanged on Wednesday last'.<sup>4</sup> Then Boyle asked Moffat where Mrs McWilliams lived, and whether Moffat 'was "a prig"', meaning a thief, 'and said he was going to "flash some cloth" and that if [Moffat] came to McWilliams house at nine o'clock he would give him half a mutchkin'.<sup>5</sup> When they got to the MacWilliams's, according to Moffat, Boyle rapped on a back window, and someone opened it to take the pack in.

Once Moffat had signed his victim statement, George Salmond as Procurator Fiscal—Glasgow's public prosecutor—sought and obtained the Sheriff's permission to bring in John MacWilliams, his wife, and eldest daughter, keepers of 'a notorious reset shop'.<sup>6</sup> Jean Jarvis denied all knowledge of the affair. Although she admitted that 'some weeks ago' she had been 'accused of the reset of some articles', she insisted that 'she was innocent of it'.<sup>7</sup> John McWilliams claimed to be 'entirely ignorant of any bundle having been early this morning thrown in or attempted to be thrown into any of his windows'.<sup>8</sup> He told the Sheriff Substitute of Lanarkshire that he was a weaver and a change-keeper, meaning the proprietor of a small alehouse which may have been nothing more than a room. He 'keeps no servant and the public house is managed by his wife & eldest daughter'.<sup>9</sup> The eldest daughter was Jean MacWilliams,<sup>10</sup> aged 19, who said she'd been asleep about 6 a.m. when someone lifted the back window near her bed, and put a sack in: 'upon which she immediately arose and put it out again without at all examining it'.<sup>11</sup> She saw 'that it was a man' who threw the bundle in, 'but as she was undressed, she scarcely looked out and did not particularly notice his appearance,' though he may have been about the same size as Daniel Boyle. 'Her two young sisters [Catherine, aged 15

2. Victim Statement from James Moffat, AD14/19/52 National Archives of Scotland (hereafter NAS).

3. Victim Statement from James Moffat, AD14/19/52 NAS.

4. Victim Statement from James Moffat, AD14/19/52 NAS. Robert McKinlay, alias Rough Rab, a Glasgow-born cotton-spinner aged about 24, was hanged on Wednesday 4 November 1819. He had been convicted of housebreaking and robbery from Bothwell Castle; from a Gentleman's house in Glasgow and a doctor's house in Greenock; from a shop in Linlithgow and a Cotton Mill in Bridgeton. *Glasgow Courier*, Thursday 4 November 1819.

5. Victim Statement from James Moffat, AD14/19/52 NAS.

6. Petition from George Salmond, AD14/19/52 NAS.

7. Declaration of Jean Jarvis as Pannel accused of reset, AD14/19/52 NAS.

8. Declaration of John MacWilliams as Pannel accused of reset, AD14/19/52 NAS.

9. Declaration of John MacWilliams as Pannel accused of reset, AD14/19/52 NAS.

10. She signed each page of her first declaration 'Jan McWilliams'; her father signed in an awkward hand; Jean Jarvis declared 'cannot write'.

11. Declaration of Jean MacWilliams as Pannel accused of reset, AD 14/19/52 NAS.

and Margaret, aged 12 or so]’ slept in that room as well, and the 14-year-old (presumably Catherine), ‘was she believes awake’.<sup>12</sup> About Margaret, Jean says nothing. Dorothy and Mary McWilliams, who were then about eight and ten, slept in a ‘closet’, a small room, probably windowless.<sup>13</sup> The younger girls must have awakened to a noisy and chaotic household that Sunday morning when their parents and eldest sister were hauled off to be interrogated and jailed. Crime was a family experience for children growing up within a few tenement rooms which served as their home, as their father’s weaving-shop, and as the pub where their mother did business with thieves—and not very competent thieves as the next few weeks would prove.

Daniel Boyle comes through the court documents as a petty criminal with visions of pulling off more stylish crimes than he actually managed. In his declaration after the Moffat theft, he described himself as:

a Cotton Spinner and resides in Gorbals of Glasgow and is 18 years of age. That he last wrought in the Mill of Mr Robert Thomson in Hutchesontown and left it about twelve months ago since which he has not wrought any on account of his not being able to find employment. [He] was never before accused of any crime but has been taken up different times for fighting on the Streets and for that cause was Thirty days confined in Bridewell by sentence of the Magistrates of Glasgow from which he was only liberated yesterday.

Some time before his imprisonment for street-fighting, he came to Jean MacWilliams about 2 o’clock one morning with a large and distinctive Highland sword for safe-keeping. The sword, memorable for the sheep’s head on its hilt, would later be described as ‘about three feet two inches, in the blade alone, the upper half of the blade was double edged, and the under half single edged with a strong iron basket hilt, lined with a piece of Red cloth’.<sup>14</sup> Boyle told Jean that he and a couple of his mates had ‘found the sword & scabbard in the garden’ of a house from which they had stolen wet sheets, which he was still carrying.<sup>15</sup> Jean ‘kept the sword hid in her father’s weaving shop for a month or so when it was wanted, and called for by Daniel Grant’.<sup>16</sup>

Unlike Daniel Boyle the unemployed cotton-spinner who was stealing from his own kind and in his own neighbourhood, as most Glasgow thieves did, Daniel Grant played a significant role in putting together two teams (one can scarcely call them gangs, though the word was used by some) to rob substantial properties well away from the tenements of the working-class. One was a prosperous farm, the other a country house. A week after Daniel Boyle rapped at the MacWilliams’s back window with his cotton pieces, Daniel Grant came in through the front door to ask Jean for the sword.<sup>17</sup> This sword was soon used to threaten, and indeed wound, a farmer named James Arneil when they bailed him up in his bed before ‘stealing a quantity of wearing apparel, a gold watch, nine one-

12. Declaration of Jean MacWilliams as Pannel, AD14/19/52 NAS.

13. Mary McNair, who was living with the MacWilliams at this time, later said that she slept ‘in a closet with the Bairns’ on the night of the Watts robbery. AD14/20/196 NAS.

14. Letter from John Watt to James Willie, Procurator Fiscal, Paisley. AD14/20/77 NAS. The sword may have been an heirloom or a souvenir. One of the participants in the Watt robbery, when turning King’s evidence, stated that he ‘remembers of remarking the unusual length of said sword at the time and that it was rusty and difficult to unsheath and Grant asked for oil, and grease or something of the sort was brought and rubbed on the sword.’ Declaration from James Dolin, AD14/20/117 NAS.

15. Witness Statement of Jean MacWilliams, AD14/20/117 NAS.

16. Witness Statement of Jean MacWilliams, AD14/20/117 NAS.

17. *Glasgow Courier*, 14 December 1820.

pound bank-notes, and other articles.’<sup>18</sup> When the Arneils awoke to the sounds of intruders banging on the kitchen door and shouting ‘open the door ye buggar, open the door’, Mrs Arneil climbed out the window with her eighteen-year-old daughter, and together they ran off to rouse the nearest neighbour.<sup>19</sup> The servant, Peggy, who slept in the kitchen, remembered how terrified she was by the men whose faces were concealed behind red napkins with white spots and ‘holes cut in them for their mouths & eyes’.<sup>20</sup>

After this robbery on Sunday 13 November, nothing much happened for five weeks, while Daniel Grant planned an even more audacious home invasion, this time on a country estate in Campvale, a village to the south of Glasgow. The large house set in gardens surrounded by a high wall was home to the widow of a prominent physician and bibliographer who had died nine months earlier on 12 March 1819. Robert Watt (baptised 1774) was something of a legend, a farmer’s son whose appetite for learning was whetted by Robert Burns, who encouraged the clearly gifted boy and lent him books. Watt gained a university education, became a member of the medical elite in Glasgow, and published many articles, including an important ‘epidemiological study comparing the number of deaths among children under ten in Glasgow before and after the introduction of smallpox vaccination’.<sup>21</sup> In 1817 Watt retired to Campvale to devote himself entirely to his life’s project, ‘his massive bibliography, *Bibliotheca Britannica*, the aim of which was to list by author and subject the works of all authors from Britain, or the British dominions at the time’.<sup>22</sup>

Only a few sheets of the massive bibliography, eventually published in nine parts, had come off the press when Dr Watt died, and his sons were continuing their father’s work. Their devotion to the project is reflected in the letter written by John Watt to the local Procurator Fiscal the day after the robbery. John, another brother, and two of their friends were downstairs asleep while their mother was being terrorised by intruders upstairs. Awakened by a servant after the robbers had left, John checked first on his mother’s welfare, and then on his father’s legacy:

Having a great concern for some manuscripts in the Library I made it my next object to see what damage was committed in that Room... A small trunk containing nine parcels of papers, firmly packed up and labelled, was forced open and emptied, several of which I discovered in my mother’s Bedroom, with the exception of three which I found out had been burned, from the vestiges of some of the papers lying half consumed on the side of the grate. This is the whole extent as far as I could yet discover of the damage which has been committed upon the Papers and Manuscripts. The books were untouched.<sup>23</sup>

Presumably the manuscripts were those of the *Bibliotheca*; the library was a catalogued collection of a thousand books which Watt made available to medical students.<sup>24</sup>

Daniel Grant and the others were oblivious to the family’s research commitments when they broke into the house about four o’clock in the morning of Sunday 18

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18. *Glasgow Courier*, 14 December 1820.

19. Witness Statement of Peggy Cameron, AD14/20/117 NAS.

20. Witness Statement of Peggy Cameron, AD14/20/117 NAS.

21. James Beaton, *Oxford National Dictionary of Biography*, Oxford, 2004. <http://www.oxforddnb.com>.

22. Beaton.

23. Letter from John Watt to James Willie, Procurator Fiscal, Paisley, AD14/20/77 NAS.

24. Beaton.

December 1819. Dr Watt's widow<sup>25</sup> was in a bed she was sharing with three infant children of her recently dead daughter when she 'was wakened out of sleep by a noise and on looking up saw a man's face in her bedroom; and the man had a gun in his hand and desired her to make no noise otherwise he would blow her brains out. That this person from his voice and appearance [seemed] a very young man and rather little and his face was besmeared with what she took to be common clay.'<sup>26</sup> This was Daniel Grant, who in the confusion of trying to make off with as much loot as possible, left behind a calling card which was destined to implicate the MacWilliams family in these serious crimes and would dog Grant to the gallows: 'an old highland broadsword was found lying in one of the rooms among a confused quantity of clothes which had been turned out of a chest of drawers & the scabbard of it was afterwards found upon a road in the neighbourhood.'<sup>27</sup>

This had been a violent and cruel robbery, and Mrs Watt said she had been 'completely terrified by the threats and imprecations'.<sup>28</sup> There had been four or five men in her bedroom, Mrs Watt said in her victim statement, and 'among other things they said that it was better to die by the hangman than by hunger'.<sup>29</sup> As one of the intruders would later remember, they 'called out that they were Radicals and not common Thieves and that their wives & families were starving'.<sup>30</sup> The young man whose face was smeared with clay 'laid a gun and also a three edged instrument like a bayonet on the bed and a knife with which after threatening to cut her throat he cut a piece of cheese which happened to be lying in the room'.<sup>31</sup> The theatrical cheese-cutting seemed to Mrs Watt a matter of show rather than hunger because the piece cut was 'found in the morning lying beside the cheese'.<sup>32</sup>

An indication of the social standing of the Watt family is suggested by the advertisement published in the *Glasgow Courier* under the headline 'Daring Housebreaking and Robbery/Reward of One Hundred Pounds'.<sup>33</sup> The Sheriff of Renfrewshire was offering the reward for information leading 'to the discovery and conviction of the perpetrators' of the Watts' robbery.<sup>34</sup> In the newspaper advertisement,

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25. Marion Burns (d. 1856) married Robert Watt on 14 September 1800; they had nine children. Beaton.

26. Victim Statement of Marion Burns [Watt], AD14/20/196 NAS.

27. Victim Statement of Marion Burns [Watt], AD 14/20/196 NAS. Mary Lemon, a servant who slept in Mrs Watt's bedroom, described seeing 'the head of a basket hilted sword' among a confusion of clothes left by the intruders. Witness Statement of Mary Lemon, AD 14/20/196 NAS. John Watt said that when he entered his mother's bedroom, he 'saw the hilt of a sword half covered with clothes, upon which I took it up, and remarked to my mother, that it was a good exchange, meaning that it might lead to the recovery of the Property'. Letter from John Watt to James Willie, Procurator Fiscal, Paisley. AD14/20/77 NAS. The *Glasgow Herald* when reporting the robbery on Monday the 20th of December echoed Watts's sentiments: 'The villains left behind a sword with a basket handle, which may be the means of detecting them.' In its report of the robbery, the *Glasgow Courier* also mentioned the sword: 'One of the ruffians was armed with a gun and bayonet; and a Highland basket hilted sword, of extraordinary length, was left by them in the house.'

28. Victim Statement of Marion Burns [Watt], AD 14/20/196 NAS.

29. Victim Statement of Marion Burns [Watt], AD 14/20/196 NAS. The man left to guard the kitchen servant told her that 'they were not robbers, but came to plunder for money for the necessity of their families, who were starving.' Witness Statement of Janet Thomson. AD 14/20/196 NAS.

30. Recalled by John Dick after he turned King's Witness. The gang later bragged of their clever ruse to Jean McWilliams. Witness Statements from John Dick and Jean McWilliams, AD 14/20/196 NAS.

31. Victim Statement of Marion Burns [Watt], AD 14/20/196 NAS.

32. Victim Statement of Marion Burns [Watt], AD 14/20/196 NAS.

33. *Glasgow Courier*, Tuesday 21 December 1819.

34. *Glasgow Courier*, Tuesday 21 December 1819.

as elsewhere, the sword featured as a key to conviction: 'One of the Ruffians was armed with a gun and bayonet; and a Highland basket hilted sword of extraordinary length, was left by them in the house. The attention of the public is requested to this last circumstance, as a mean[s] of detecting some of the persons guilty.'<sup>35</sup> Even with this reward, and with the impounded sword as evidence, the investigation was grindingly slow. A barely literate anonymous letter sent the police to a house where they recovered some of the goods, accompanied by evasive and lying stories about how the stolen property came to be there.<sup>36</sup> A willing snitch fingered a peddler who had shown him the sword, and the man was arrested, although his link to the actual robbery proved elusive. Witnesses to the Watt robbery described the gang as all speaking with an Irish brogue except for the small Scot with the sword, Daniel Grant, and the police pursued the Irish connection as they brought people in for questioning. In a city awash with Irish workers (and thieves), that lead went nowhere.

At least they had Daniel Grant in jail. He had been arrested during a robbery in which a policeman was shot,<sup>37</sup> and on 19 January 1820 was examined as a pannel in the Watt robbery. Refusing to cooperate, he merely repeated the litany, 'declares that he has nothing more to say'.<sup>38</sup> When the Circuit Court met in Glasgow in early May, Grant was tried on yet another charge. This time it was reset of theft, but there was a problem in identifying the stolen goods, and the prosecutor gave up the case.<sup>39</sup> Immediately re-arrested, Grant protested vigorously: 'He was d—d to hell if it was fair to commit him on a new warrant.'<sup>40</sup> The government prosecutors were not doing well. A couple of days earlier, Daniel Boyle's trial had collapsed after problems with witnesses to the Moffat robbery meant that 'the Jury were instructed to return a verdict of *Not Proven*'.<sup>41</sup>

None of the criminals seemed in the least deterred by their periodic detentions in jail. Although charged in the Moffat robbery, John McWilliams, his wife and daughter Jean were all out on bail a few weeks later.<sup>42</sup> On 22 April 1820 Jean Jarvis was back in prison on another charge of re-set, this time after the theft of banknotes and a £35 bank draft from the pocket of a 70-year-old gardener named Scott who had hung his jacket in the garden where he was working.<sup>43</sup> Villainy was rife, and the villains were getting away. On 7 July 1820, eight months after the Aneils were robbed and seven since Mrs Watt was forced to lie terrified with her head under the bedclothes while her house was plundered, the local prosecutor who had been conducting the investigation wrote to Glasgow's Procurator Fiscal: 'I despair of further evidence in either case from any one in this quarter, and I fear the vagabonds who were concerned got their booty so well disposed of' as to as to elude apprehension and prevent discovery.<sup>44</sup> Mrs Watt had said that 'a very complete sweep was made by the robbers of almost everything valuable in the house

35. *Glasgow Courier*, Tuesday 21 December 1819.

36. See AD14/20/77 NAS.

37. Petition from George Salmond, AD14/20/77 NAS.

38. Declaration of Daniel Grant as Pannel, AD14/20/196 NAS.

39. Minutebook JC13/48 folio 46.

40. *Glasgow Courier*, Thursday 4 May 1820.

41. *Glasgow Courier*, Tuesday 2 May 1820.

42. Letter from George Salmond, Procurator Fiscal, to Hugh Warrender, Crown Agent, Edinburgh, 5 January 1820, 'Boyle is in jail accused of the Housebreaking & Theft but McWilliams, his wife and daughter, as being only charged with the reset, have been admitted to, and are at large upon, bail.' AD 14/19/52 NAS.

43. See AD14/20/38 NAS.

44. Letter from John Wylie to George Salmond, AD14/20/77 NAS.

including silver and plated articles.<sup>45</sup> And all had vanished into thin air, or, less metaphorically, across the Irish Sea and onto the market in Belfast.

And then, as sometimes happens in criminal investigations, the police had a lucky break. On 18 August 1820, John Ferguson came in to volunteer a statement. He was a McWilliams associate and father of Mary, who would testify on behalf of Jean Jarvis a year later. Ferguson said that while he was in Glasgow jail earlier in the year charged with 'uttering of Base Coin', men in his cell told him who had done the Watt robbery.<sup>46</sup> One was 'a lad who he understood to be a nephew of Dr Watt', and who was said to be 'disappointed at not getting mournings for his uncle and threatened Mrs Watt if he did not get them'.<sup>47</sup> Another was John Connor, whom Ferguson had met twice since being released from jail for want of evidence. Connor had 'boasted' that he 'was the very person who threatened Mrs Watt's maid in her kitchen the night of the Robbery', and admitted to Ferguson that the maid would recognise him.<sup>48</sup> Connor had told Ferguson where he was living, and although Ferguson 'does not wish to tell ... he will undertake to secure Conner for a reward'.<sup>49</sup>

Reward. That £100 offered for information leading 'to the discovery and conviction of the perpetrators' was at last working its magic.<sup>50</sup> Unfortunately for John Ferguson, his information was hearsay, most helpful in an investigation, but not in the courtroom on the day of trial. How delighted the police must have been three days later when another volunteer stepped up to make her statement, Jean McWilliams. Between 18 August and 6 October when four men went on trial for the Watt robbery, Jean McWilliams made twelve statements. She was an ideal witness for the prosecution: an eyewitness who had hidden the tell-tale sword, had heard the robbers making their plans in her mother's kitchen, had seen them off on the night of the crime, had heard them boast of it the next day, and—along with other women among her family and friends—had helped get rid of the stolen property. If there was anything she could do to help the police, she was more than willing.

Once twenty-year-old Jean MacWilliams had signed her first statement, warrants were served for the apprehension of sixteen people, including her mother, father, and sister Catherine.<sup>51</sup> Her father was in Perth jail, as it happened,<sup>52</sup> but her mother Jean Jarvis was questioned three times, Catherine twice, and shortly before the trial, fourteen-year-old Margaret was brought in. Close reading of the statements given by the McWilliams mother and daughters, and consideration of the timing of each statement within the context of the unfolding narrative, suggest that none of the others shared Jean MacWilliams's enthusiasm for this enterprise. Although Jean Jarvis never denied that the men were drinking in her change-house, nor that she saw 'three plated candlesticks on

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45. Victim Statement of Marion Burns [Watt], AD14/20/196 NAS. According to the *Glasgow Courier* in its report (7 October 1820) on the trial, 'they carried away a gold watch chain, two pairs of silver plated candlesticks, two pairs of silver plated snuffers and stands, 12 silver table spoons, 12 silver desert spoons, 12 silver tea spoons, a silver divider, knives and forks, three gold rings, men's shirts, a single barrelled fowling piece, 2 yards of tweelling, four suits of men's black clothes, several shawls and gowns, 60 coins in gold, silver and copper, &c.'

46. Statement from John Ferguson, AD 14/20/196 NAS.

47. Statement from John Ferguson, AD 14/20/196 NAS.

48. Statement from John Ferguson, AD 14/20/196 NAS.

49. Statement from John Ferguson, AD14/20/196 NAS.

50. *Glasgow Courier*, 21 December 1819.

51. Petition of George Salmond to the Sheriff Depute of Lanarkshire, AD14/20/77 NAS.

52. Statement from Jean Jarvis, AD14/20/196 NAS.

the Table' after the robbery, she never placed herself as a witness to actual transactions, much less a direct participant.<sup>53</sup> When shown the sword, she said that she had never seen it or heard talk of it. Whatever she really knew, Jean Jarvis was unlikely to make a star witness in court.

Neither was young Catherine after she lost her love token. Mary McNair, a woman fingered by Jean McWilliams as involved in the re-set, told the police that 'Catherine has in her ears a pair of Earrings of common jewellery gold drops which she said she got from Thomas McCoglan immediately after the Robbery'.<sup>54</sup> Jean McWilliams had never said anything about a romantic connection between her 16-year-old sister and one of the accused, but in a venture like this, the lines of enquiry can be difficult to control. Catherine, immediately picked up by the police and questioned, acknowledged that the gold drops she removed from her ears, and watched being docquetted and taken away forever, were a gift from Thomas McCoglan. And they may not even have been stolen. Certainly Mrs Watt did not recognise them.<sup>55</sup>

A month after Catherine surrendered the gift from her admirer, Thomas McCoglan stood in the dock along with Daniel Grant, John Connor, and Peter Crosbie. Their trial lasted for twelve hours, and on the following day, the *Glasgow Courier* (which featured on page one the trial of Queen Caroline), described the local trial as 'one of a singular complexion, such as we never reported before, neither do we believe was such depravity of conduct ever exhibited at the bar of a Court in this City'. The court heard evidence from Mrs Watt, her son, and two servants. Then her nephew David was called, and the case went off in an unforeseen direction. David, a seventeen-year-old apprentice baker who was the son of Dr Watt's brother, had turned King's witness, and was expected to admit his considerable assistance in arranging the robbery. Instead, he accused George Salmond (who as Procurator Fiscal was Glasgow's public prosecutor) of improperly and illegally interfering with his evidence. In response, the Judges ordered David Watt removed to jail and charged with perjury.<sup>56</sup>

Jean MacWilliams then took the stand, identified the accused, gave her damning eyewitness account, identified the sword, and stepped down. 'On the witness leaving the box, Connor called out, "that's a perjured woman!"'<sup>57</sup> The next witness was John Dick, a second accomplice turned King's witness to avoid being tried for assaulting and stabbing a policeman during a robbery gone wrong in March 1820.<sup>58</sup> Like David Watt, Dick claimed that he 'was instructed what to say as a witness'.<sup>59</sup> Dick was re-committed for trial on the other charge.<sup>60</sup> Thomas McGuire, the third accomplice turned King's witness, likewise attempted to avoid giving evidence. His ploy was to announce that 'he had ill-will against Crosbie, as he had several times attempted to take his life.'<sup>61</sup> When,

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53. Statement from Jean Jarvis, AD14/20/196 NAS.

54. Statement from Mary McNair, AD14/20/196 NAS.

55. Statement from Marion Burns [Watt], AD14/20/196 NAS.

56. In the case immediately before the trial for the Arneil robbery, a petition was read from David Watt, accused of perjury, 'praying to be allowed to banish himself from Scotland, which was acceded to; he was accordingly directed to banish himself, in terms of his petition, for the period of fourteen years, from the 1st of January, under the usual certification, and was then dismissed from the bar.' *Glasgow Courier*, 14 December 1820.

57. *Glasgow Courier*, 7 October 1820.

58. *Glasgow Courier*, 12 October 1820.

59. *Glasgow Courier*, 7 October 1820.

60. Dick was tried a few days later, found guilty, and sentenced to 14 years' transportation. *Glasgow Courier*, 12 October 1820.

61. *Glasgow Courier*, 7 October 1820.



however, he 'admitted that he would not swear falsely' his damning evidence was heard.<sup>62</sup>

The LORD JUSTICE CLERK then dismissed the witness with a very suitable advice, and on his retiring from the box, and passing the bar, Grant sprang from his seat and struck the witness a very forcible blow on the head, while Connor prepared to kick him below the bar. This being seen by the whole audience, the Advocate Depute prayed the Court to take some summary method to prevent such an unusual and violent outrage in a Court of Justice. The Lord Justice Clerk immediately ordered an Officer of Court to be placed on each side of Grant, and on the least irregularity being committed, to put him in irons.<sup>63</sup>

Counsel for both sides then summed up, the jury retired, and after deliberating for five minutes found all four pannels guilty of 'stouthreif', a crime later defined by the Advocate Depute during the trial for the Arneil robbery 'as comprehending every sort of masterly theft which is effected by open force'.<sup>64</sup>

The Advocate-Depute immediately prayed the Court to pass judgment. The LORD JUSTICE CLERK, after a very suitable admonition, sentenced them to be executed [in Glasgow] on the 8th of November.

During the address, Connor attempted to interrupt his Lordship, and on the conclusion of it called out, 'Thank you, my Lord, I have still a month to live before I kick the bucket.' McColgan damned his Lordship for an old b—, crying out, that 'he would be in hell before them;' and they all joined in a torrent of oaths against Jean McWilliams, damning her for a perjured w—e, &c.<sup>65</sup>

On Wednesday 8 November, the four convicted robbers were hanged.<sup>66</sup> Daniel Grant was sixteen years old;<sup>67</sup> John Connor was eighteen;<sup>68</sup> Peter Crosbie was twenty-two.<sup>69</sup> I do not know how old McColgan was,<sup>70</sup> but as the admirer of sixteen-year-old Catherine McWilliams, he may well have been no older than Grant. Across the hundreds of pages of files in the Precognitions, they are referred to as 'lads'—and they were, in both senses of the word.

The culprits in the Watt robbery were executed almost exactly a year after the Arneil robbery, but the trial for that crime did not take place for another month. It had been removed from Glasgow to the High Court of Justiciary in Edinburgh. Perhaps that was simply a matter of timing, of not waiting for the Circuit Court to come to Glasgow again. But given the logistical complications and expense of transporting the witnesses and the accused, to say nothing of the very real 'risk of a rescue' in the words of Glasgow's

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62. *Glasgow Courier*, 7 October 1820.

63. *Glasgow Courier*, 7 October 1820.

64. *Glasgow Courier*, 14 December 1820.

65. *Glasgow Courier*, 7 October 1820.

66. *Glasgow Courier*, 9 November 1820; *Glasgow Herald*, 10 November 1820.

67. Statement from Daniel Grant 31<sup>st</sup> August 1820: "supposes he is about sixteen years of age and is the son of widow Grant yarnwinder in Rutherglen loan Gorbals. That he had no fixed residence immediately before he was put in prison in January last." AD14/20/117 NAS.

68. Described by Jean MacWilliams as 'by trade a cottonspinner [who] resided with his mother in Gallowgate'. Statement of Jean MacWilliams, 29 August 1820, AD14/20/196 NAS.

69. Identified himself as 'Travelling Packman aged 22 years' in the statement he gave when charged at Paisley on 1 April 1820. AD14/20/196 NAS.

70. No pannel statement from him in any of the files.

Procurator Fiscal,<sup>71</sup> the intention may have been to avoid the machinations surrounding the Watt trial, after which the lawyers representing the accused became themselves the accused. During the process of gathering evidence against David Watt for perjury, the investigators uncovered a conspiracy in which the three accomplices turned King's witness, while sharing a cell in Glasgow Jail, concocted 'a plan among themselves to defeat their evidence and to say nothing about the persons to be tried'.<sup>72</sup> At the same time, the investigators examined evidence 'that Jean McWilliams and Catherine McWilliams, residing near the Barracks of Glasgow, who were also witnesses in the said trial, were frequently called on, and tampered with, by different persons interested in the persons accused'.<sup>73</sup> One lawyer, described by Catherine MacWilliams as 'a tall thin sallow complexioned man',<sup>74</sup> admitted that he paid a visit to the MacWilliams's household the day before the trial, and 'rather thoughtlessly expressed a hope that [Jean Jarvis] might not be home in time' (she was in Perth, presumably visiting her husband in jail and seemingly determined of her own accord to avoid testifying). He denied asking or advising 'Jean McWilliams to go out of the way', and offering her £4 to do so.<sup>75</sup> A lawyer representing Connor admitted that Connor's sister had brought Jean McWilliams to his house to discuss the case.<sup>76</sup>

At the Arneil trial on 11 December 1820, Jean MacWilliams was again a crucial witness for the prosecution. Her motive is difficult to fathom. Was she enjoying the spotlight her mother so assiduously avoided? Had she been seduced by a sense of power in trading information for attention from powerful men in Glasgow? How did she get along with the Procurator Fiscal, George Salmond? In the correspondence surrounding the trial for the Watt robbery, there is a curious note from Salmond to another member of the team of prosecutors:

Jean McWilliams has not come forward ... to speak to the quarter dollar but I have ordered a search for her in all directions. You may however if you please found on it as there can be no doubt she'll speak to it though I fear Mrs Watt can't – it's one of 'Carolus III. 1781...'<sup>77</sup>

Apparently a coin from the stolen collection had been recovered. Mrs Watt, who had been scrupulous about what she could and could not identify with certainty (including her tormentor Daniel Grant), could not be relied upon to identify this coin. But Salmond was confident that Jean McWilliams, unhampered by such scruples, would 'speak to it'. His confidence suggests that he and Jean shared an understanding.

In the context of the Watt robbery, the £100 reward affords an explanation, but there was no such reward leading to convictions in the Arneil robbery, and Jean MacWilliams in her early statements had not claimed first-hand knowledge of that crime. When

71. George Salmond wrote to Adam Rolland the Crown Agent in Edinburgh: 'To get so many transmitted from Sheriff to Sheriff & to prevent the danger of improper communications, threats or influence must be extremely difficult besides the risk of a rescue and the great expense to be incurred...' AD14/20/117 NAS.

72. Declaration of Archibald McLachlan, AD14/20/26 NAS.

73. Petition of Andrew Simson, Procurator Fiscal, AD14/20/26 NAS.

74. Statement from Catherine MacWilliams, AD14/20/26 NAS.

75. Statement from William Haig, AD14/20/26 NAS. Jean MacWilliams herself said that he 'asked her if she would not take £5 and go out of the road and she refused & said she would not for Ten pounds'. AD14/20/26 NAS.

76. Statement from William Dunn Barclay, AD 14/20/26 NAS.

77. George Salmond to J. A. Maconochie, Glasgow, 12 September 1820. AD14/20/77 NAS.

pressed, she said she had been 'out of the house on some errand or other' when what she called 'the gang' returned.<sup>78</sup> In fact, she and her parents may still have been in jail awaiting bail after being accused of re-set in Daniel Boyle's case. This would explain why Jean's appearance as a star witness for the prosecution in the Arneil robbery went so badly wrong. However willing she was to do Salmond's bidding, she seriously compromised herself in the courtroom by mis-identifying the accused as they stood in the dock. The reporter for the *Glasgow Courier* described Jean as 'a well-dressed good looking young woman, but possessed of such consummate assurance, as we never before saw exhibited in a witness' box.'<sup>79</sup> This was not a compliment.

Catherine too seems to have given evidence. Although she is not named in the newspaper account, the prosecutor in his summing up is reported as saying that the defence attorney 'had endeavoured, with what object was obvious, to discredit the evidence of the McWilliams's, and had argued that Margaret, the youngest sister, was the most respectable of the three.'<sup>80</sup> The Prosecutor dismissed seeming contradictions in the evidence given by the sisters as unimportant. The Jury, apparently unconvinced, decided that the case against two of the accused was Not Proven. Two were found guilty, Samuel Maxwell and Alexander Hamilton. The jury unanimously recommended Alexander Hamilton to mercy because they were not convinced that he took an active part. The justices were not persuaded, and sentenced both to hang in Edinburgh on 17 January 1821. Samuel Maxwell made a passionate plea for Hamilton's innocence, and accused the McWilliams sisters of perjury. 'I am guilty', Maxwell told the Court:

'I confess the crime; but there is not one word of truth in the evidence by which I am convicted. All the witnesses, except the Arneils and Lochhead, have perjured themselves; and I, for any thing that is known to the Court to the contrary, am innocent. The robbery was committed by me and four others; neither of the prisoners besides myself was concerned in it; and neither of us who committed the robbery were in the McWilliams's house in our lives. The McWilliams's ... knew nothing about the matter.'

He added that he hoped Hamilton, who was really innocent, would not suffer... Hamilton broke out into loud lamentations, which he continued to repeat during the rest of the time he remained in Court.<sup>81</sup>

Jean's credibility was seriously undermined by this trial, and George Salmond, who had just been investigated after the allegations (seemingly false) made by the King's witnesses in the Watt case, may have felt the heat himself. This could explain a decision the following March not to proceed with the trial of James McPherson, accused in April 1820 of stealing the notes and £35 bank draft from the old gardener, Scott. On the outside of the precognition is an initialled note, its initials unclear but perhaps those of Adam Rolland, the Crown Agent in Edinburgh who had final say over which trials preceded and which were abandoned, usually for lack of evidence:

Notwithstanding the character of McPherson I am inclined upon reconsidering this case to stay all further proceedings in it because the evidence against McPherson

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78. Declaration dated 29 August 1820. AD14/20/117 NAS.

79. *Glasgow Courier*, 14 December 1820.

80. *Glasgow Courier*, 14 December 1820.

81. *Glasgow Courier*, 14 December 1820.

rests almost entirely on the testimony of the McWilliams & circumstances have come to my knowledge regarding these persons which make me hesitate to peril a life on their testimony.<sup>82</sup>

At this point in the saga of the MacWilliams family, Jean and Catherine disappear. I do not know whether Jean got the reward, whether she headed out for greener pastures in America or travelled south to England. I suspect that she and Catherine both left Glasgow, because their family continued to be well known to the police, and the name of neither of the two oldest daughters is mentioned again. Jean Jarvis, however, and her third daughter Margaret were back in court six months after the Scott case was abandoned, accused yet again of reset of theft. A year earlier when John Dick, aged 15, had turned King's evidence in the Watt case, he offered a revealing insight into the corrupt world of Jean Jarvis. Mrs MacWilliams, he said:

has long been in the way of enticing Boys to come for drink about the house and receives whatever they choose to steal and bring to her – and occasionally gives them beds in her house, and opens her house to them at all times of the night –<sup>83</sup>

This is exactly the *modus operandi* which proved her undoing.

After a weaver went to work, leaving his watch hanging in his tenement room, a group of boys went in 'to light their pipe', saw the watch, and stole it.<sup>84</sup> One said 'that Mrs McWilliams would buy it', and they took it to her.<sup>85</sup> She 'said she would give us for it when her man came in'.<sup>86</sup> They 'left it with her, and she desired them to get her as many as they could'.<sup>87</sup> Meanwhile, the weaver had been alerted and rushed home to seize a boy 'who confessed the crime', and said 'the watch was in McWilliams' house: went there and she said she would give up the watch, if [the weaver] would get the crowd of people out of the house, which had assembled; she then denied that she had it, and refused to give it; got the watch from Robert Primrose a few days afterwards'.<sup>88</sup>

Margaret MacWilliams must have been in the crowded house when the police arrived, because they charged her as well with reset of theft, although the case against her was found Not Proven.<sup>89</sup> At the trial, perhaps as a sign that Jean Jarvis was trying desperately to avoid conviction and an almost certain sentence of transportation, Margaret's fourteen or fifteen-year-old friend Mary Ferguson appeared as a 'witness adduced in exculpation of the Pannels'.<sup>90</sup> Mary testified that she 'was in McWilliams' house when the boy came in with the watch, and McWilliams ordered him to go about his business, as she had nothing to say to him'.<sup>91</sup> As if this claim were not sufficiently far-fetched, the prosecutor further undermined Mary's evidence by calling attention to her own criminal record—and indeed Mary and Margaret would both sail off on the *Midas* four years later to join Jean Jarvis as convicts in Van Diemen's Land.

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82. AD14/20/38 NAS.

83. Statement of John Dick, 5 September 1820; AD 14/20/196 NAS.

84. *Glasgow Herald*, 24 September 1821.

85. *Glasgow Herald*, 24 September 1821.

86. *Glasgow Herald*, 24 September 1821.

87. *Glasgow Herald*, 24 September 1821.

88. *Glasgow Herald*, 24 September 1821.

89. *Glasgow Herald*, 24 September 1821. See also minute of the trial, JC13/51 folio 44 NAS. No precognition seems to have survived.

90. Minute of Trial, JC13/51 folio 44 NAS

91. *Glasgow Herald*, 24 September 1821.

As a mother, Jean Jarvis had not been much of a role model, and as an adult she had been a predator. Lord Gillies, in sentencing her to fourteen years' transportation, commented 'on the enormity of the crime of resetting stolen goods from young persons'.<sup>92</sup> Within a few days or weeks Jean Jarvis was on her way south, travelling to Portsmouth to board the *Mary Anne*. On Christmas Day 1821 she sailed for Hobart Town, leaving behind her five daughters. At this point the two eldest disappear from the record, but all three of the youngest would follow Jean's lead over the next eight years. 'Wished to get out to our Mother'. The precognitions tell stories of unabated criminal activity, but on some level of inner life, maybe what Mary and Dorothy said was true. Unexpectedly, unintentionally, convict transportation did become family reunion.

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92. *Glasgow Herald*, 24 September 1821.