

TRANSPORTATION FROM GLOUCESTERSHIRE, 1821-1830
CRIMES AND CRIMINALS

Using some of the information gathered during earlier studies on the transportation of criminals from Gloucestershire to New South Wales and Van Diemen's Land, I have attempted to discover how many were persistent criminals and whether the trivial offences for which some were transported were indeed as trivial as they appeared or were simply the latest in a long list of crimes.

Earlier essays covered the periods between 1788 and 1814, and Easter Quarter Sessions 1815 to Trinity Sessions 1818. The following attempt to categorise crimes and criminals between 1821 and 1830 leaves a gap which there was insufficient time to fill. Indeed the present study is not as full or as comprehensive as one could wish. There has not been time to study the Gloucester Journal of the period to fill in the background to some of the crimes and possibly illuminate the causes. Nor has there been time for background reading to put the whole thing into context. However, the tables and comments which follow, may serve to provide answers to some of the questions which arise.

Not all criminals sentenced to transportation were transported. Some served their sentences in the Hulks - convict ships moored at various ports - others had their sentences commuted to shorter periods of hard labour in the County Gaol.

The convicts under study were those sentenced at Gloucester County Assizes and Quarter Sessions who are listed in the Convict Transportation Lists as having sailed for convict settlements in Australia and Van Diemen's Land. Those sentenced at Gloucester City Assizes, known to have been transported, are not included in this survey nor are those sentenced at the City of Bristol Assizes.

During the ten-year period 1821-1830 five hundred and six men and thirty women were transported from Gloucestershire. Their ages ranged from eleven to sixty years: their crimes from stealing large sums of money to a few handfuls of grain. In order to discover how many were hardened criminals with several convictions, and how many were first offenders, I have analysed the entries in the Gaol Registers of the period.

These registers provide a wealth of information: place of settlement, age, nature of crime, description, ability to read and write, and occupation. As with many such documents, human error has crept in occasionally. For instance, the clerk has noted on one page that two descriptions are transposed. I suspect that this happened on at least one other occasion and possibly more without being noted. Nevertheless the information provided gives a good picture of the enforced emigrants. Such comments as, 'much pitted with the smallpox'; 'good countenance'; 'thigh has been broken and

much lame in consequence'; 'marks of punishment on back'; 'of genteel address', amplify many descriptions. An indication of behaviour in prison, while awaiting trial, is often given. 'Very well', 'orderly', 'indifferent', 'bad', and 'very bad' are the terms used.

The first time a name appears in the register a description is given. On subsequent occasions reference back to the original entry is made. In this way it is possible to determine the number of previous appearances a criminal has made at the Gloucestershire Assizes or Quarter Sessions. This does not, of course, mean that he has not appeared in court elsewhere. However, remarks such as, 'has been in Northleach prison five times', and, 'was 6 months in Hereford gaol some years ago for steling cider', lead one to believe that, unless there are indications otherwise, if a description is given it implies a first offence.

On this basis Table 1 is compiled. It will be seen that out of a total of 432 men and women settled within the county (including Bristol), 239 had no previous conviction, nor had appeared in court before. Eighty-eight had one previous conviction and only ten had more than one conviction.

Of the 89 settled outside the county, some may have appeared in court elsewhere, but with one exception, there is no indication of this in the registers.

Table 2 shows the kinds of crime for which the convicts were transported. Most of the thefts were from dwelling-houses and outbuildings, as might be expected. The value of the goods stolen appears to bear no relation to the length of sentence passed, nor does the seriousness of the crime. The disparity between the crime and the sentence is noticeable throughout the whole period. Inconsistencies abound. Here are some examples:

An Irish labourer killed a constable at Cheltenham. James Maile, a labourer from Redmarley, broke into a house and stole a hat. Both were sentenced to life transportation. As far as is known, James Maile had no previous conviction, nor had he appeared in court before.

James Walkley who stole £720 - the largest single sum stolen during the period covered - was sent to New South Wales for seven years. So, also, was William Bradley for stealing a handkerchief from a house at Aldsworth.

Twenty-three shotguns, 3,000 copper caps and some powder flasks were stolen from a gunsmith's workshop by John Mills. He was committed for trial but escaped. Eventually he was recaptured and sentenced to seven years' transportation. He had made one previous appearance in court on a charge of stealing four casks of wine, but was found not guilty.

George White, a 22 year-old carpenter whose place of settlement was given as Jamaica (a ship's carpenter, perhaps?) and William Rowley, a labourer of Hatfield, Hertfordshire, broke into a house and stole two loaves of bread. They, too, were transported for seven years.

Walter Keefe and Abraham Pullen were sentenced to 14 years' transportation for stealing a leg of mutton worth 2s. 3d. from a butcher. Keefe had served one month in gaol earlier the same year for stealing a pair of shoes from a shoemaker's shop, and Pullen, at the age of thirteen, almost two years earlier had served one month in prison for the theft of two pieces of cheese valued at 9s. 6d. The register stated that they were given sentences of 14 years because they had earlier been convicted on another felony. It is not clear whether this was a separate charge at the same assizes or whether they were being punished for offences for which they had already served one month. Whichever is the case, 14 years for stealing the same leg of mutton seems excessive.

It is difficult to see what criteria were used to determine the length of sentence. Why, for instance, was William Corbett, sentenced to transportation for life for housebreaking with intent to steal, given the same sentence as William Slade, who stole a horse and £50 in gold?

Behaviour in prison while awaiting trial seems to have had no bearing on the matter. Corbett's behaviour was described as orderly, Slade's as indifferent. Nor did age appear to make any difference. Although most of the criminals transported were aged between 18 and 22 years, the youngest of those transported between 1821 and 1830 was eleven years and the eldest was sixty.

The women's crimes varied little - picking pockets, highway robbery, or receiving stolen goods. One woman was charged with stealing a sheep. Her husband and another man were charged with the same offence and it is not clear whether she assisted in the theft or received the sheep once stolen.

Of the 476 men whose occupations are known (Table 3), 246 were labourers. The rest followed a wide variety of trades. Though occupations appeared to have little connection with the crimes committed, of the nine butchers sentenced seven were convicted of stealing sheep, cattle, pigs, ducks and pigeons!

Approximately five-sixths of the total number transported from the County Gaol during the ten years under review were settled within the county. The remainder came from various places in England, Wales and Ireland. Two came from the West Indies. There were none from Scotland.

As in the period 1815-1818, many came from in and around Bristol. About one-fifth of the total number were from the Bristol parishes of St. Philip and St. Jacob, St. Paul's, St. George's, St. Michael's, and from the Bitton, Hanham and Kingswood areas. Thirty-four convicts were settled in Cheltenham. Of these four were Irish. Twenty-three came from Stroud.

Many of those transported had suffered injury of some kind.

William Rowley had been badly burned from elbow to armpit on his right arm and on his back. Another labourer, Henry Baylis, had 'no ear on right side and his mouth drawn to right in consequence'. Henry Wakefield, a painter, who had served thirteen years in the 12th Regiment of Foot had marks of punishment on his back and had lost the little finger of his right hand. A dealer in marine stores, 52 year-old Joseph Smith, had one ear 'withered and useless'. A former soldier in the 1st Regiment of Foot, John Davy alias Hill, had a 'wrist much injured from a ball'.

Many, and not all of them sailors, were tattooed - usually with the kind of designs one expects - mermaids, hearts, anchors, initials, etc. Occasionally there were individual touches such as name and date of birth. Two deserve particular mention. William, a coach smith of Clifton, who was transported for life for housebreaking and stealing a quantity of clothing valued at 10s. Od. bore the legend 'Thou shalt not steal' on his left arm, and William Shemett, a navigator from Yorkshire who had appeared in court twice previously, carried on his left arm the plea, 'O God have mercy on me a sinner'.

Table 4 needs no explanation. It will be seen that less than half the number of those transported could read and write.

Although many questions remain unanswered and much more needs to be done, it would appear on the foregoing evidence that, contrary to expectation, more than half of those transported from Gloucestershire during 1821 to 1830 were first offenders.

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SOURCES

P.R.O., H.O. 11/4-7, Convict transportation lists
Glos. R.O., Q/Gc 5/3, Felons' registers

TABLE 1
PREVIOUS RECORD

<u>MEN Settled in Gloucestershire (inc. Bristol)</u>			
No previous conviction or court appearance	...	...	222
As above but facing more than one charge	...	...	20
No previous conviction but previous court appearance:			
	<u>Verdict:</u>		
...	Not guilty	...	22(1)
...	Not true bill	...	8
...	Discharged by proclamation	...	4
...	Not known	...	10(2)
...	Turned King's Evidence	...	3
...	Others	...	6(3)
One previous conviction	...	...	83
Two previous convictions	...	...	5
Three previous convictions	...	...	2
Several " " " " " " " " " " " "	...	...
(1 in City Gaol & 1 in House of Correction 5 times)			2
One previous conviction and court appearance			
	<u>Verdict:</u>		
	Not guilty	...	5(4)
	Not true bill	...	5
	Discharged by proclamation	...	1
	Not known	...	5
	Others	...	5(5)

MEN Not settled in Gloucestershire

No previous conviction or court appearance	...	...	77
As above but facing more than one charge	...	...	2
No previous conviction but previous court appearance			
	<u>Verdict:</u> Not guilty	...	2
Previous conviction and appearance in court			
	<u>Verdict:</u> Not guilty	...	2

WOMEN Settled in Gloucestershire

No previous conviction or court appearance	...	...	17
As above but facing more than one charge	...	...	1
One previous conviction	...	...	5
Two previous convictions	...	...	1

WOMEN Not settled in Gloucestershire

No previous conviction or court appearance	...	...	5
As above but previous court appearance			
	<u>Verdict:</u> Not guilty	...	1
Previous convictions	-

There are fifteen men of whom no details are known.

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- (1) includes 1 not guilty (4) includes 1 not guilty twice
 - (2) includes 2 verdict not known twice
 - (3) includes 1 not guilty and King's Evidence; 1 not guilty and verdict not known; 1 not guilty and Not True Bill; 1 on two charges and previous fine; 1 with 3 appearances - 2 not guilty and 1 discharge by proclamation; 1 previous fine.
 - (5) includes 1 discharged by proclamation and not true bill; 1 with 3 appearances verdict not known; 1 not guilty and not true bill; 1 with 4 appearances - 3 not guilty, 1 not true bill; 1 not guilty and not true bill and also army deserter.

TABLE 2

CRIMES FOR WHICH CONVICTED

MEN

Burglary and stealing money, money and Bible, clothing, food, miscellaneous	9
Breaking and entry and stealing money, jewellery, plate and watches	26
Ditto with other goods	30
cloth	8
clothing	25
clothing and other articles	11
food	6
wines and/or spirits	5
various	11
cheeses	2
Breaking and entry with intent to steal	4
Stealing from dwellinghouse money, plate, jewellery, watches	48
clothing	39
food	13
food and clothing	3
cheeses and large quantities of food	6
wine and spirits	3
various	35
Stealing money etc. from person	8
Stealing guns with other articles	5
horses and/or asses	40
sheep	29
cattle	6
pigs	3
fowls, ducks, pigeons, etc.	10
cloth	18
corn, potatoes, hay	16
metal, lead, copper, etc.	17
timber, trees	12
Killing a constable	1
Gaol breaking and theft or intent to steal	2
Assault to resist arrest	1
Assault and stealing money, watches, etc.	8
Attempted robbery with violence	2
Highway robbery	18
Receiving stolen goods	11
Embezzling money	1
Stealing by fraud money, coal, horse, food, clothing	7
Non-appearance to answer indictment	1

There are 6 men whose crimes are not known

WOMEN

Breaking and entry and stealing sheets, clothing, etc. (with 3 men)	1
Stealing from dwelling house, money, clothing, watches, jewellery etc.	10
Stealing from person, money	5
Stealing from shop, furniture and other goods	1
Aiding and abetting burglary (man)	1
Receiving stolen goods	9
Perjury	1
Stealing sheep (with 2 men)	1
Assault and robbery on highway (with man)	1

TABLE 3
TRADES AND OCCUPATIONS

MEN

Awl bladesmaker	1	Nailer	1
Baker	3	Navigator	1
Barber	1	Painter	3
Blacksmith	13	Paper maker	1
Boilermaker	1	Pargeter	1
Brassfounder	2	Plane maker	1
Brazier	1	Plasterer	2
Bricklayer	3	Potter	3
Brickmaker	11	Razor grinder	1
Butcher	9	Ribbon weaver	1
Cabinetmaker	4	Rope maker	1
Carpenter	7	Sadler	1
Carpet Weaver	1	Sailmaker	1
Chairmaker	3	Sailor	8
Clerk/Clerk-traveller	2	Sawyer	3
Cloth dresser/ rower/worker	12	Servant	9
Clothing business	1	Shearer/shearman ...	6
Coachsmith/painter	4	Shoemaker	14
Coalminer/collier	13	Silkweaver	1
Combmaker	1	Smelter	1
Confectioner	1	Spinner	2
Cork cutter	1	Stenciller	1
Dealer in marine stores	1	Stocking weaver	3
Draper	1	Stockworker	2
Edge-tool maker	1	Stone-cutter	1
Furnace fireman	2	Surgeon	1
Gardener	2	Sweep	
Glazier	1	Tailor	
Gunsmith	1	Traveller with hardware/ blacking/caps ...	4
Handle setter	1	Turner and filer	1
Hatter	3	Twinespinner	1
Horse dealer	1	Waterman	6
Labourer	246	Weaver	19
Lemon carrier	1	Whitesmith	2
Licensed hawker	1	Woolsorter	1
Mason/stonemason	9	NOT KNOWN	30
Brushmaker	1		

WOMEN

Burler	1	Servant	2
Clothing business	1	Shoe-binder	1
Dressmaker	1	Shopkeeper	1
Frame-work knitter	1	Stocking weaver	1
Labourer	18	Washerwoman	1
Ribbon weaver	1	Weaver	1

TOTAL 506 men 30 women

TABLE 4

	<u>LITERACY</u>	
	<u>MEN</u>	<u>WOMEN</u>
Able to read and write	165	11
Able to read	42	7
Able to read a little	87	8
Able to read and write a little	4	-
Not able to read or write	9	-
Not able to read	120	8
Not known	79	6