

JUVENILES TRANSPORTED TO AUSTRALIA AND TASMANIA

1815-1835

In the space of twenty years - from 4 April 1815 to 4 April 1835 - 2,290 convicts sentenced at Gloucestershire County Assizes and Quarter Sessions were shipped to Australia or Tasmania. This number does not include those sentenced at Tewkesbury Quarter Sessions, Gloucester City Assizes or Bristol City Assizes. Seventy-five of the transportees were juveniles, aged 16 years and under. All but four of these were boys.

The term 'juvenile' conjures up a picture of irresponsible children but does not aptly describe the young offenders transported during these twenty years. Thirty-two of these youngsters were described as tradesmen: whitesmith, brickmaker, shoemaker, butcher and others, which indicates that they had been apprenticed to these trades.

Some, if not all, may have been pauper apprentices, put to a trade at an early age by the overseers of the poor. Pauper children in Bitton were apprenticed from the age of eight years onwards, often outside the parish so that after 40 days they would be deemed to have gained a settlement in their master's parish and would no longer be the responsibility of Bitton (1). The same system operated elsewhere. The terms of apprenticeship were rigid. A boy was usually apprenticed until the age of twenty-one, and could not marry until his term was completed. A girl was bound until she was twenty-one or until she married, whichever happened first.

It may be that some of these young offenders ran away from hard masters, or child-like, found it irksome to be always at work with no time for childish pursuits. Whatever the cause, once they left their masters' service they had to fend for themselves. Since it was an offence to leave service, there was little alternative but to turn to crime if only in order to eat. Other jobs would have been difficult to obtain.

Sixteen of the boys and one girl, had apparently, no previous convictions or appearances in court and were acting on their own initiative when caught. Eight were tradesmen, eight were labourers. The youngest of these, eleven-years old labourer Alexander Taylor of Woolwich, was charged with entering a house at St Briavels and stealing three valuable snuffboxes. His sentence was seven years transportation. One wonders what he was doing so far from home. The only clue is that he was charged with the offence on the oath of Captain R.H. Fleming, R.N. Could he have been a cabin boy on the Captain's ship? One can only speculate. Fifteen-years old labourer Elizabeth Jones, of Hinckley, Leicestershire, received a sentence of life transportation for stealing from a number of houses Tewkesbury. Two sixteen-year old butchers were transported for life for acquiring their stock in trade by theft. One, from Gloucester, stole eight ewes valued at £16, the other, from Twynning, stole a heifer and a cow whose total value was £17. Were they hoping to establish themselves in business or had their masters instigated the crime?

Twenty-seven of the boys and two of the girls had been in prison at least once before and had served sentences varying from seven days to one year, with the exception of two who were found not guilty, two against whom no true bill was found, and two whose sentence, if any, is not known. Some had been whipped.

At the age of ten, William Burton served six months for stealing a pocket book and purse containing a gold ring, a token worth three shillings, and a shilling in silver. At sixteen, with two others aged seventeen, he was accused of the theft of goods and cash worth £12. One of the older boys turned King's Evidence and William and his other companion were sentenced to seven years transportation. Joseph Miller, a fifteen-year old chairmaker, had already been sentenced to transportation at Bristol Assizes for the theft of two silver spoons. This sentence, obviously, was not carried out but probably commuted to one or two years in prison at Bristol. To have been twice sentenced to transportation by the age of fifteen must constitute a record.

Twenty eight boys and one girl were charged jointly with others. There is no evidence that any of these had committed a previous offence. In many instances, although their companions in crime were older, it appeared that these young offenders often paid the penalty while their more experienced accomplices escaped punishment. George Walker, aged fifteen, with two companions aged sixteen and twenty-eight, was charged with stealing a gelding worth £5. On the evidence of the sixteen year old, George was condemned to death and the twenty-eight year old was found not guilty. George was reprieved and sentenced instead to life transportation.

All of these youngsters were sent to the hulks in company with older, hardened criminals. No attempt to segregate the young from the old offenders appears to have been made until a more enlightened officer in the prison service - the Rev. Thomas Price, chaplain of the hulk Retribution - suggested in 1818 that there should be a separate hulk for juveniles. " ... In a ship of this kind, with proper overlookers (and everything would depend upon the choice of such persons), many of these poor children might be reclaimed. Let one part of the ship be allotted for their habitation, and other parts be appropriated for schools and places of instruction in different branches of trade ..... Let it be remembered that they are at present children, and so situated as to claim our sympathetic concern; by thus doing all we can for them, we are but following the direction of the wise man who declared that if we 'train up a child in the way he should go, when he is old he will not depart from it'." (2). However, it was not until 1823 that the "Bellerophon" was brought into use at Sheerness as a hulk solely for juveniles. In 1825 the boys were transferred to the "Euryalus" at Chatham. Because of the failure to provide Price's first requirement- a suitable overseer - the experiment was not a success. Overcrowding - the "Euryalus" was a much smaller vessel than the "Bellerophon" - and lack of proper supervision produced a deterioration in conditions, so that there was little to choose between the hulks for adults and that for juveniles. In 1844 the "Euryalus" was dispensed with.

The length of time spent aboard the hulks between conviction and transportation varied considerably. For instance:

Thomas Arnold, a thirteen-year old labourer, was convicted on 3 March 1835 and on 18 June was put aboard "Aurora I". Nine days later the ship left port and after a voyage of 102 days arrived at Hobart, Tasmania. The experience of Thomas Patterson, also aged thirteen, was somewhat different. In company with his brother and two other boys he was convicted of housebreaking and sentenced to life transportation on 18 July 1816. Four years later, in September 1820, he was transferred to the Asia and reached New South Wales on 28th December. It is not known when he was taken to the hulks, but it is probable that he spent most of the time there between conviction and sailing, as it was usual to convey transportees from prison to the hulks at the first opportunity.

Conditions on board some of the transport ships were very little better than on the hulks. Poor ventilation and inadequate sanitary arrangements were the root cause of the foul conditions in which many of the convicts lived. Much depended on the surgeon or surgeon-superintendent under whose charge they found themselves for the duration of the voyage. It was the surgeon-superintendent's duty to ensure that only healthy convicts were allowed to embark (3). Some carried out this duty conscientiously; others were so lax that they did not examine convicts at all. Some convicts, convinced that transportation was their only hope of a better life, pretended to be in a better state of health than they actually enjoyed. Consequently in some ships there was little incidence of disease while in others disease spread rapidly.

At first, on the transport ships as in the hulks, there was no segregation of young and old. In 1827 prisoners' quarters were re-designed. The space between decks where convicts were usually confined was divided into three compartments separated by iron railings instead of the thick wooden stanchions formerly used. This not only improved ventilation, but allowed the surgeon to separate the boys from the men (4). Unfortunately, this improvement was not maintained, and more than thirty years later surgeons were suggesting that iron bars instead of heavy wooden planks should be used to separate convicts' quarters, not realising that the idea was not new (5).

In the late 1830s another attempt was made to prevent juveniles becoming further corrupted. Boys were shipped separately in charge of older convicts chosen for their suitability to act as petty officers during the voyage. Schooling took place in the mornings and afternoons. Excellence was encouraged by the setting of examinations and the presentation of prizes, and time was allowed for recreation (6).

It is doubtful if any of the youngsters mentioned here enjoyed such privileges. Edmund Crockett, a fifteen year old labourer was unfortunate enough to be put aboard the "Norfolk" at the beginning of July 1834. Whether there was already sickness aboard is not clear but after three unsuccessful attempts to sail the "Norfolk"'s passengers were taken on board the "Lady Kennaway" in a poor state of health. There was disease aboard the "Lady Kennaway" when she put in at Cork and seventeen convicts died there. Another eighteen convicts, too ill to continue, were put ashore at Haulbowline Island and two more died during the voyage (7). Edmund Crockett eventually landed at Hobart on 13 February

1835. George James, aged fifteen, was among the 160 convicts who sailed in the "Southworth" in June 1830 who complained that they had been kept short of food during their voyage to Hobart. Three years later, William Allen suffered similar deprivation on board the "Emperor Alexander". It is fair to say, however, that although starvation of prisoners occurred often during the very early days of transportation, such cases at this period were exceptional.

As with the adult criminals, it has been difficult to establish what criteria magistrates used in sentencing these young offenders. Little concession to their youth appears to have been made. It is possible that magistrates believed that the youngsters were being given a chance to make a new life, but if the Recorder quoted below is a typical example, one is left with grave doubt that this was so.

In passing sentence in 1810 on a shop-boy convicted of stealing two shillings from his master, the Recorder at the Old Bailey said, 'Samuel Oliver, you have been tried by a jury of your country, and found guilty of one of the very worst descriptions of theft. You ungratefully betrayed the trust reposed in you by your employer, who paid you to be faithful to him. It is greatly to be lamented that young men, by so mean an offence, should bring themselves into the shameful situation in which you are now placed; and that there is a necessity of proceeding with rigour against a person who had apparently preserved a good character; but yours is a crime which the courts are determined never to treat with lenity. It is in itself hostile to every idea of domestic security. It is so harsh a violation of the confidence reposed, and of every bond of civil society, that, whenever it is proved, it cannot be punished with too much severity. The sentence, therefore, of the court is, that you be transported beyond the seas, for the term of seven years, to such place as his Majesty shall think fit.'

(8)

It is impossible to draw any real conclusions about the motives in sending these young people to the penal colonies. It is obvious that there were some like the Recorder quoted above who were convinced that severe punishment was the only answer to juvenile crime, and others like the Rev. Thomas Price who sought to reform and rehabilitate, and, no doubt, some who sentenced automatically, without thinking of the effect upon the child, but simply as a means of reducing the numbers in already overcrowded prisons. As always, much depended on those who administered the system.

It is easy to condemn, but have we made so much progress that we can afford to be smug, where even today the problem of dealing with juvenile - or adult - law breakers has not been satisfactorily resolved.

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## References

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2. W. Branch Johnson, The English Prison Hulks, Phillimore, 1970, pp.147-8.
3. Charles Bateson, The Convict Ships, 1787-1868, Brown, Son & Ferguson Ltd., Glasgow, 1969, p.52
4. C. Bateson, The Convict Ships, 1787-1868, p.69
5. C. Bateson, The Convict Ships, 1787-1868, p.70
6. C. Bateson, The Convict Ships, 1787-1868, p.79
7. C. Bateson, The Convict Ships, 1787-1868, p.273
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## Sources

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