



# THE PICK OF THE GREAT NORTH ROAD

## Pick Volume 1:8

### Profiling Convict Workers

By Lorraine Banks

It has been a lengthy, time-consuming task, entering the data from our Adopt-A-Convict researchers onto the convict data-base. Most convicts are no longer just a name, as we have gathered snippets of information about them. For some of them we have detailed records and researchers have prepared profiles so we can get a more rounded picture of the convict worker.

Three profiles have been selected from our convict data-base research for inclusion here. These are three Englishmen, all aged 19 when they were convicted, and all sailed from home in 1827, never to return. All three had colonial convictions which caused them to be placed in Iron Gangs on the Great North Road. But they continued to offend after this – perhaps not so much from an incorrigible criminal nature, but from desperation, and perhaps bad luck. Two were charged with uttering a forged coin, a crime which appears frequently among the colonial records of our GNR convicts. There seem to have been a number of foreign or forged coins in circulation, and perhaps it was just bad luck to get caught.

Two of the men were mates – they had been convicted of the same crime in England, they had the same trade, and they arrived on the same convict ship. Although they were assigned to different areas, within a year they were both working in an Iron Gang near Wisemans Ferry. Both men escaped custody. One made four escapes before he settled down to become a valued worker, while the other remained at large for several years.

All three men married in the colony, and then appeared to settle down and live relatively uneventful lives. They all got their Ticket of Leave, and Conditional Pardon. They all appeared to be able to reasonably support their family, and worked at steady jobs. Two of the men had children, but the children were largely raised by one parent, as one man lost his wife the year she gave birth to their



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seventh child, while the other died in his early 40s, leaving his wife with a young child to raise.

We have a fair amount of detail on these and other men because their names appear and re-appear in the records – perhaps for committing a crime, for escaping, or more rarely for some other reason such as losing a Ticket of Leave. If a convict lived an exemplary life, little often remains in the records to paint a portrait of him – perhaps just a record of a birth, death, marriage and Ticket of Leave. The men whose lives we are able to track and follow through the records may not be typical – the more typical ones may be the ones who appear in the records only once or twice. Some researchers who adopted a convict were disappointed that they were not able to produce reams of documents about their man – but the lack of appearance in the records also adds to our overall knowledge of Great North Road convicts.

Henry Burns, and his mate Richard Lowe have been researched and profiled by Janelle Cust. Andrew Anderson is one of the many convicts researched and profiled by Pauline White.

## **ANDREW ANDERSON**

### **Researched and profiled by Pauline White**

Andrew Anderson was tried at the Old Bailey on October 17, 1825 charged with stealing a coat, value 40 shillings, a coach glass, value 30 shillings and a piece of baize, value 2 shillings, the goods of George Forbes. He was found guilty and sentenced to transportation for 7 years. He was 19 years old and his trade was given as a writer and housepainter. He sailed on the *Florentia*, leaving England on September 15, 1827, arriving in Sydney on January 3, 1828. He was assessed as not assignable on arrival as he had a lame left arm, so he remained in government service.<sup>i</sup>

He next appears in the 1828 Census, some ten months after his arrival.<sup>ii</sup> He was in No.3 Iron Gang, although nothing has been found in the records to tell us why he was there. His sentence in irons must have expired by 1830, as the monthly return of Road Gangs for May 1830 has Andrew with the No. 32 Road Gang at Longbottom. (Concord)<sup>iii</sup>

In 1832 the Colonial Secretary gave permission for one pound three and four pence held in his name with the Savings Bank of NSW to be paid, probably because he received his Certificate of Freedom at this time.<sup>iv</sup> There are no comments or mention of any Colonial charges on his certificate. So Andrew must have had a fairly trouble-free existence, other than spending a term in an Iron Gang.

St James church records now provide further insights into Andrew's life, with the reading of banns on May 12, 1835 followed by his marriage at age 27 to Eliza Moore. Eliza was a spinster aged 20 who had arrived in 1834 on the *Andromeda* sentenced to 7 years. Her employer, a Mr. Solomons,



consented to the marriage and both parties signed the register.<sup>v</sup>

Andrew and Eliza's first son Andrew was born on July 20, 1837, with another son Albert born June 26, 1839. Young Andrew died on the 12th of July, 1839 aged 2 years. All the entries show the father's occupation as a painter and the family were living in Druitt Street.<sup>vi</sup>

A notice on page 3a in the *Australian* on Tuesday June 8, 1841 addressed to "Constables and Others" stated: *The undersigned hereby gives notice that he has lost his Certificate of Freedom, and cautions all constables and others from intermeddling with him from henceforth.* This is followed with a full description of him - including the fact that he had lost all the front teeth in his upper jaw, and he had a disabled left hand and arm (described on his indent as "useless"). One can only hope that held the Constables and Others at bay.<sup>vii</sup>

On December 29, 1842 the *Sydney Morning Herald* reported that Andrew Anderson attempted to pass a bad half crown upon Mrs. McLaughlin of York Street. The *Australian* did not follow the case and nothing about it has been found in the records so far, but perhaps, like Henry Burns, whose story is also profiled here, he got into big trouble.<sup>viii</sup>

The last record found tells of the death of an Andrew Anderson from The Benevolent Asylum, aged 40, who died on May 18, 1846. The age and the religion are right, but the name is not uncommon, so one can never be sure if it is the right man.<sup>ix</sup>

It was interesting to note the difference between the records on arrival and the information on the Certificate of Freedom. He has grown an inch, hair gone from dark brown to black, eyes from brown to hazel and the offence from Robbing Stable to Robbery, a Saddle.

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<sup>i</sup> Convict Indent – Reel 398

<sup>ii</sup> Census of 1828

<sup>iii</sup> Reel 590 – Monthly return of No 32 Road Gang, May 1830

<sup>iv</sup> PRO 59 – Account with Savings Banks of NSW – p 115

<sup>v</sup> Reel 728: list of Persons applying for the publication of Banns at St James church, Sydney; Reel 5004 – 1265/19; Reel 5005 – 438/21, p 438

<sup>vi</sup> Reel 5005 – No 452, 438/21, p438; Reel 5005 – No154, P429; Reel 5005, 599/23

<sup>vii</sup> *The Australian* – 1824-1842 – June 8, 1841

<sup>viii</sup> *Sydney Morning Herald* 1842-1845, December 29, 1842, p2

<sup>ix</sup> Reel 5009 – 130/31



## Henry Burns

### Researched and Profiled by Janelle Cust

Henry was probably the son of William and Sarah Burns, and if so, he was christened at St Martins, Birmingham on June 1, 1807.<sup>1</sup>

At the Worcester Assizes in March 1827, Henry, along with Richard Lowe, later a member of Iron Gang 4, and two others, was charged with burglary from a house. He was given a life sentence presumably because of two other convictions.<sup>2</sup> Henry's indent lists his occupation as a File Forger, or Blacksmith, the same occupation as Richard Lowe. In early May Henry and Richard were moved from Worcester Gaol to Chatham on the Thames ready for departure from London on June 11, on the fourth voyage of the *Prince Regent* in company with another 178 prisoners, members of the 57th Regiment and the surveyor Thomas Livingston Mitchell and family.<sup>3</sup>

On arrival in 1827, Henry was assigned to Peter McIntyre, a large landholder at Segenhoe near Scone.<sup>4</sup> By 1828, however, he was in Iron Gang 8 although no record has been found of the offence that placed Henry in the road gang. Iron Gang 8 was a group of 58 men who had received sentences in the Colony, and in November 1828 they were working on the Road at Lower Portland Head (Wisemans Ferry).<sup>5</sup> Henry probably worked on the road until September 1829 when Robert Cooper, possibly the distiller who had a shop in George Street, requested two tradesmen. Henry, with his blacksmith skills, was one of those spared by the Office of Public Works.<sup>6</sup>

The new and freer situation that Henry was placed in with Mr Robert Cooper in George Street may have afforded him the opportunity to utter counterfeit coin, for on November 17, 1829, the Sydney Bench sentenced him to three years at Moreton Bay Penal Settlement.<sup>7</sup> The Government brig *Margaret* took Henry and other offenders to Moreton Bay on December 23, 1829.<sup>8</sup>

According to Henry, the convicts at Moreton Bay were half starved, hard worked and tired of the lash. So like his mate Richard, he decided to escape. Sometime in 1830 Henry and nine others took to the bush to get away from Moreton Bay. They headed north, crossed many creeks and rivers and encountered several black tribes. At a large river (probably the Mary) reached after about four days, the local natives lent them a catamaran to cross the river and identified some bush tucker for them. Heading north the next day, they were confronted by a large unfriendly tribe. In the skirmish that ensued, one convict was killed and Henry was hurt. When he came to, Henry found himself in a hut with a kindly black woman. In the weeks that followed, he lived with the tribe in the Hervey Bay area, learning their language and how to get his "own grub". He heard that three more of his mates had been killed and the others were living with another tribe.<sup>9</sup>

Henry then inexplicably joined another rival tribe. To secure his acceptance, he provided the new tribe with intelligence on the first group enabling them to surprise and overpower the first tribe.



Here also he was re-united with another old mate Joseph Jones (*Lady Castlereagh* 1817). For about two years the two lived with this tribe. Although they often went close to the coast, they saw no white men until May 27, 1832 when the two small boats of the *Lynx*, a whaler, appeared. The small boats had become separated from the main vessel. One of the crew, Joseph Bradley, noticed a light coloured man (Henry was referred to as 'yelloman' and 'yellow hide') and pulled closer to the shore to get a better look at him. He shouted to them asking if he could join them. The two convicts swam to, and boarded the boats. The crew were short of food and water and frightened to go ashore because of the ever-present natives. Henry and Joseph were helpful to the crew. They kept the natives at bay and helped them get water, shell fish and cod. On June 2, the small boats met up with the *Lynx* at Double Island Point. Burns and Jones were delivered to the authorities in Sydney by the *Lynx* on September 5, 1832 where they were placed in the hulk, *Phoenix*.<sup>10</sup>

The events above were described by the mariner Joseph Bradley in his 'adventures' published about 1860. Henry, he said, had the "gift of the gab for telling yarns". Bradley also records that Henry stated that he "never went to school to learn anything". This statement of Henry's, as well as his inability to sign his name for his marriage, appears to contradict the item on the *Prince Regent* indent which asserts Henry could read.<sup>11</sup>

In Sydney, the captain of the *Lynx*, Edward Bolger, wrote to the authorities requesting mitigation of the punishment for the runaways explaining that his men "received the utmost kindness from the men" (Henry and Joseph) and he believed they "were a great means of their preservation". In response to this plea for leniency, Henry and his mate were to be returned to Moreton Bay with the proviso that if they behaved well for twelve months, they would be released.<sup>12</sup> Henry was freed from Moreton Bay in August 1834. In 1837 he was in Newcastle working for John Smith.<sup>13</sup>

As a result of his convictions Henry's Ticket of Leave was delayed for some years, and he finally received it in Newcastle on July 13, 1842. By the end of December 1847, Henry was eligible for his conditional pardon, although he had not applied for the pardon by June 1850. On December 12, 1844 Henry sought and received permission to marry Eliza Poile (who came free with her family) through clergyman Charles Spencer of Raymond Terrace. On December 18, 1844, Henry, aged 38, married Eliza Poile, aged 21, at the Church of Christ, Newcastle in the C of E parish of Stockton. Both signed with crosses. The witnesses were John Brien and his wife Harriet, Eliza's sister.<sup>14</sup>

Henry and Eliza had seven children all born in Newcastle. They were Francis Henry (b 1848), George (b 1851), Sarah Ann (b 1853), Eliza (b 1856), James (d 1857), William (b 1858-d1859) and William (b 1859).<sup>21</sup> Henry's occupation is given as blacksmith in 1848 but thereafter his occupation is listed as labourer.<sup>15</sup>

Henry's wife Eliza died in 1859 in Newcastle, leaving him with a young family to raise. Henry died on March 3, 1878 in the Liverpool Asylum where he had been for a week. He was 71 and the cause of death was given as cardiac disease. He was buried in Liverpool Cemetery.<sup>16</sup>





- 1 International Genealogical Index ML Criminal Registers H.O 27/33 PRO 2775
- 2 ML Criminal Registers H.O 27/33 PRO 2775 AONSW Prince Regent 4 Indent 4/4012 Reel 397
- 3 Berrow's Worcester Journal May 10<sup>th</sup> 1827: Ian Hawkins Nicholson, Shipping Arrivals and Departures, 1826 – 1840 Vol 11, Roebuck Canberra 1963
- 4 Prince Regent 4 Indent 4/4012 Reel 397: 1828 census
- 5 1828 Census
- 6 AONSW Col Sec Correspondence 1826 – 1831 4/2047 29/4761
- 7 AONSW Col Sec Letters Re and From Morton Bay 1832 4/2166.2 no 6717
- 8 AONSW Col Sec Morton Bay Penal settlement 1824- 1831 4/3794 pp 165-166
- 9 Joseph Bradley Adventures of a native of Australia, circa 1860. Reproduced in 1988 by M D Cobcroft, Uni. Of Qld, St Lucia.
- 10 Joseph Bradley Adventures of a Native of Australia, circa 1860. Ibid. AONSW Col Sec Permission to Marry Oct 1842- Feb 1851 4/4514 Fiche 801 AONSW Col Sec Letters Sent Re Convicts Oct 1826-Nov 4/3675 No 32/828 Reel 1045
- 11 Joseph Bradley Adventures of a Native of Australia, obid. AONSW Col Sec Permission to Marry Oct 1842-Feb 1851 4/4514 Fiche 801
- 12 AONSW Col Sec Letters Sent Re Convicts Oct 1826-Nov 1832 4/3675 No 32/828 Reel 1045
- 13 ML Morton Bay, Chronological Register of Convicts 1829-1837 FM 4/17 p 59: General Return of Convicts in NSW 1837
- 14 AONSW Ticket of Leave Butts 4/4165 TL 42/1770 Reel 945; Col Sec Permission to marry October 1842 – Feb 1851 4/4514 Fiche 801; Col Sec Superintendent of Convicts Office, Sydney 4 June 1850: SAG 4/248: NSW Register of BDM V1844 548 29 Reel 5008
- 15 NSW BDM registers V1848 2479 33A; V1851 2740 38A; V18531628 40; 6190; 3661; V1858 182 121A: 10160
- 16 NSW BDM indexes 4196; NSW death Certificate 6660: AO NSW Registers of Admissions and Discharges for Liverpool Asylum 1874-1822 Reel 1401

## **Richard Lowe**

### **Researched and Profiled by Janelle Cust**

At the Worcester Assizes in March 1827, Richard Lowe, along with three others including Henry Burns, who is also profiled here, was charged with burglary from a house. Like Henry he was given a life sentence, presumably because of two other convictions. Richard was 19 when he was convicted, and his trade was listed as a File Cutter. He was 5ft 6inches tall with a ruddy complexion, brown hair and eyes and was a native of Birmingham.<sup>17</sup>

In early May Richard and Henry were moved from Worcester gaol to Chatham on the Thames ready for departure from London on 11 June, on the fourth voyage of the *Prince Regent* in company with another 178 prisoners. Also on board were members of the 57<sup>th</sup> Regiment and the surveyor Thomas



Livingstone Mitchell and his family. Mitchell was to become a key figure in the construction of the Great North Road, where Richard Lowe and his mate Henry Burns both served time.<sup>18</sup>

The *Prince Regent's* master, William Richards, was kind and humane and the prisoners were reported as being well-behaved. As the ship approached Sydney on September 27, 1827, there was "much singing among the crew, soldiers and convicts".<sup>19</sup>

Richard was immediately assigned to the Engineers Department. This meant that rather than be assigned to a settler, he was put to work on government projects. On July 25, 1828 Richard was sentenced to 18 months in an Iron Gang for stealing Government steel from the King's Stores. He was assigned to Iron Gang 4 which, late in 1828, consisted of 72 men working on a bridge in the Lower Hawkesbury. At the same time his mate Henry Burns was working nearby in Iron Gang 8.<sup>20</sup>

Richard committed several offences between January 1830 and October 1832. His first offence involved the removal of his irons for which, on Jan 11, 1830, he received a month in irons to be added to his 1828 sentence. Then he stole Government property and on March 26, 1831 was given an extra six months in irons. Later that year, on September 19, he earned a further six months in the iron gang for gross disorderly conduct.

In 1832 Richard must have decided life in an Iron Gang was unbearable, and made some concerted but unsuccessful efforts to escape. Firstly, on April 18 he received 25 lashes for running away. Then, only a couple of weeks later, on May 7, while in the service of Road Gang 26, Richard absconded once again. He must have been apprehended, because on May 19 he was given twenty one days on the treadmill at Hyde Park Barracks and then returned to the Gang. Not long after he disappeared again and on August 18 received 25 lashes. Then on October 1 he absconded for the fourth time from Road Gang 37. His freedom was short-lived, and on this occasion he was sentenced at Hyde Park Barracks on October 13 for a repeat offence, and received a further six months in irons. He claimed to have gone for a Ticket of Leave in Liverpool. He appears to have spent more than three years in irons, and this seems finally to have subdued his inclination to abscond.<sup>21</sup>

Subsequent to his work in the road gangs, Richard was employed as a blacksmith on the Lansdowne Bridge. In March 1836, David Lennox, of the Department of Bridges, wrote to the Surveyor General that Richard had worked on the bridge from its beginning until its completion. He stated that Richard's behaviour had been "good" and he therefore asked that Richard might receive his ticket of leave so that he could seek his own employment. In spite of David Lennox's plea on Richard's behalf, Richard's many transgressions precluded him from receiving his Ticket of Leave in Liverpool until February 18, 1839. It was not until January 30, 1847 that Richard received his Conditional Pardon.<sup>22</sup>



On April 28, 1840 Richard, aged 32, applied to marry Priscilla Marlow, aged about 28, through Reverend Duffus at Liverpool. Permission was granted on May 11. Priscilla had been born in Chelsea, and had come free on the female emigrant ship *Bussorah Merchant* in 1833. She was, at the time, in the service of a Mr Weller.<sup>14</sup> They were married on June 1, 1840 at St Luke's, Liverpool. Both signed with crosses. (Richard's illiteracy appears to contradict the information on his indent.) The witnesses were James Armitage and Thomas Williams of Liverpool.<sup>23</sup>

Richard became known as 'Dick the blacksmith', and he and Priscilla lived on Liverpool Road at Irish Town (Bankstown). They did not have any children.<sup>24</sup>

Richard died on December 21, 1852, aged about 42. At the time, he was at or near the 'Black Horse Inn' run by Edward and James Gray in Berrima. On March 3, 1853, Priscilla petitioned for his "goods, chattels, credits and effects" which were valued at less than 100 pounds and included a horse's dray, blacksmith's tools and household furniture.<sup>25</sup> Priscilla re-married Edmond Griffin in 1865. She died in Parramatta in 1876 and was buried in St Johns Cemetery at Parramatta.

17 ML *Criminal Registers* H.O. 27/33 POR 2775; AONSW *Prince Regent 4* Indent 4/4012 Reel 397

18 Berrows Worcester Journal May 10 1827 Ian Hawkins Nicholson, *Shipping arrivals and Departures, 1826 – 1840* Vol. 2, Roebuck, Canberra, 1977; Sir Thomas Mitchell's Papers 1820 – 1829 Vol 2 A291, pp333 – 335, Reel2291

19 ML Prince Regent Surgeon's Journal PRO 3207 101/61; Sydney Gazette July 28, 1828 2f Sir Thomas Mitchell's Papers *ibid*

20 AONSW Prince Regent 4 Indent 4/4012 Reel 397 Sydney Gazette July 28, 1828 of AONSW Col Sec Corrospondance1832-37, Principal Superintendent of Convicts 1836,4/2312 36/8644, 1828 Census

21 AONSW Col Sec Corrospondance1832-37, Principal Superintendent of Convicts 1836,4/2312 36/8644 Colonial trials and Court Records. Bench of Magistrates, Police Report of Prisoners Hyde Park Barracks 7-19 May 1832. X825 Reel 1661; *ibid* 1-31 October 1832 X707 Reel662

22 AONSW Col Sec Corrospondance1832-37, Principal Superintendent of Convicts 1836,4/2312 36/8644; Ticket of Leave Butts 1839 4/4127 39/347 Reel 932; Pardons, Conditional Pardons and absolute for the year 1847 ,4/4450 47/154 Reel 783

23 AONSW Letters received Relating to Clergy 1840.4/2480.91 Reel 736; NSW Register of Birth, death and Marriages V 1840 460 24B

24 NSW Register of BDM Death Cert 9154; AONSW Intestate File 6/3523 No 1161

25 AONSW Intestate File 6/3523 No 1161; SAG Wills, series 1 2561. No death record exists







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