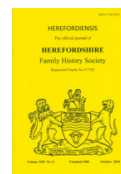


Penal Transportation .. and Worse

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It's not uncommon to find ancestors who emigrated from Herefordshire for a better life overseas. My article 'From Herefordshire to Okanagan' (*Herefordiensis* Vol XV, No. 2, July 2022) tells the story of three young farmers from Puddlestone. They were pioneers in the development of this part of British Columbia, and several of their descendants live there today. However, not all emigration was voluntary, as I found out when researching the SKYRMEs of Vowchurch.

Since the 1610s many convicts were transported to the American colonies. This ended with the American War of Independence. With overcrowding of prison hulks a penal colony was created in New South Wales in 1786. In May 1787 11 ships left Portsmouth bound for Botany Bay with 736 convicts on board. This was an eight-month voyage, much longer than the voyage to America and 40 people died in this first wave of transportation. Altogether, between 1787 and 1868 over 160,000 convicts were sent to Australia.

Here's the stories of those I've found in my SKYRME research. They are typical of the experiences of many Herefordshire young convicts in the 19th century. Fortunately, there are a wide range of resources to help research. These range from trial, prison and transportation records in this country to records of their arrival and life in Australia. A list of sources I have used is at the end of this article.

Transported for Theft

The earliest case I have found is for John SKYRME. I haven't been able to identify him, but he was most likely from Herefordshire since that's where most SKYRMEs are found in the 18th century.

He lived at Covent Garden and his trial was at the Old Bailey in September 1744. He was indicted for stealing a tweezer case with a pair of scissors, a bodkin valued at 20s and a gold ring, value 20s. He was found guilty and sentenced to 7 years transportation along with 9 others who stood trial at the same time. He would have been transported to America.

There is a record of Edward Skurm being one of 158 convicts transported on the ship *Lord Sidmouth* on 20th September 1818. He is probably Edward SKYRME, the son of Benjamin and Margaret née PROSSER from Vowchurch. The 36-year-old 'tavern waiter' from Hereford was convicted to 7 years transportation at The Old Bailey on 14th January. In the record of his trial he is accused of stealing one watch, worth 20 shillings from Samuel CRANE, a coffee shop keeper, in London on 12th December 1817. He then asked

Ann WHITE to pawn it for him and received 10 shillings. He was found guilty of grand larceny.

Convict Ships

Edward's journey on *The Lord Sidmouth* took 172 days with a stopover in Rio de Janeiro. Life on convict ships was hard. The quarters were cramped and disease spread easily. In one period around 1777 a third of all convicts died of typhus on their voyage.

Edward's voyage was better than many in that only one convict died during the voyage. The ship's surgeon was Archibald LANG whose journal survives. It gives a day-by-day account of the voyage. As well as illnesses he describes the weather, accidents, punishment and details of the daily routine. There is a strong emphasis on hygiene and on many days convicts were allowed on deck as this extract indicates:



"Cleaned and scraped prison – Convicts on deck as usual. Ordered the shole of their bedding to be aired – washed and scrub'd clothes."

Edward himself features in the entry for 20th October 1818:

"Admitted into hospital Edward Skyrme and Robert Spencer affected with itch. Ordered them a dose of sulphur electuary morning and evening. Had a fire in the airing stove during the whole of the day. A scorbutic taint being now general among the prisoners, a pint of lemonade is ordered to be served daily to each individual. At sunset mustered and secured prison."

Prison Hulks

Another conviction a few years later was that of Richard SKYRME from Eaton Bishop. Aged 21 he was convicted at Hereford Assizes on 12th July 1825 for stealing two hog pigs. He was sentenced to 7 years transportation. On 14th September 1825 we find him on the prison hulk *SS Leviathan* in Portsmouth awaiting deportation.

Typically prison hulks were decommissioned war ships. Many were berthed in and around the River Thames, Woolwich, Deptford, Sheerness and Chatham. As well as prisoners awaiting deportation, they were also used to relieve overcrowding in prisons. In the early days of the use of hulks, the 1770s, mortality was high - up to 20%, as diseases like typhus spread rapidly. Things had improved by the time Richard was incarcerated. In its heyday the 74-gun *HMS Leviathan* participated in the Battle of Trafalgar. She was converted into a prison ship after the Napoleonic Wars in 1816. The image shows a contemporary hulk *HMS Discovery* at Deptford.



A description of *HMS Leviathan* says:

"She was stripped and denuded of all that makes for a ship's vanity. Two masts remained to serve as clothes props, and on her deck stood a landward-conceived shed which seemed to deride the shreds of dignity which even a hulk retains. The criminals were marched aboard and paraded on the quarter-deck of the desecrated old hooker, mustered and received by the captain. Their prison irons were then removed and handed over to the jail authorities, who departed as the convicts were taken to the forecastle. There every man was forced to strip and take a thorough bath, after which each was handed out an outfit consisting of coarse grey jacket, waistcoat and trousers, a round-crowned, broad-brimmed felt hat, and a pair of heavily nailed shoes. The hulk's barber then got to work shaving and cropping the polls of every mother's son. Before leaving the forecastle, each man was double ironed, and then taken on deck to receive a hammock, two blankets and a straw palliasse."

While serving on the hulk the prisoners had to undertake work. Some of it was on board, e.g. cleaning, cooking and acting as servant to the officers. Others were sent every day to work in the nearby Portsmouth Royal Dockyard. They were chained into gangs of 20.

Just over a year after setting foot on *HMS Leviathan* Richard was one of 148 prisoners transported on the convict ship *Midas* that left Portsmouth on 7th October 1826. It arrived at Port Jackson, Sydney on 15th February 1827 with 145 prisoners, three having died en route. During the voyage the prisoners were guarded by 30 soldiers of the 39th regiment under the supervision of Lieutenant George Meares BOWEN. Two of the soldiers also died. The *Midas* was one of 17 convict ships to arrive in New South Wales in 1827.

Not All Plain Sailing

My maternal YARDY ancestors are from Norfolk. One of them too suffered the indignity of transportation. My greatx2 uncles Robert and Richard YARDY from Walpole St. Peter were found guilty in January 1835 of stealing a great coat. They had been tried twice before on similar offences, once being acquitted and once sentenced to 3 months prison. On this occasion Robert, the younger brother, was sentenced to 6 months imprisonment, but his elder brother Richard, the ringleader, was sentenced to 7 years transportation. On leaving the court he was reported as saying to the chairman:

"Thank'ye, when I come back I'll bring you a ring-tailed monkey."

But he never came back. Few of those who were transported ever did, mostly because of the cost, but also, once free, because they had found a new life in Australia. It has been estimated that out of Australia's population of 26 million, that around 4 million are descendants of convicts.

Aged just 20, Richard was moved on 15th January with five other prisoners convicted on the same day to the prison hulk *Ganymede* moored at Woolwich. He sailed for New South Wales with 305 other convicts on the *Mary Ann* on 6th July. 62 of the convicts had life sentences. The voyage had an inauspicious start as this description in *Bell's Life* (28 June 1835) describes:

"The Mary Ann of 700 tons burden was running down the river with nearly all sails set, against the tide and before the wind, which was blowing a stiff breeze at the time, when she came in contact with the collier brig Eliza Ann, of Sunderland, which was dropping up with the tide, with her sails back. The effects of the collision were most disastrous; the transport ship ran right into the collier's main yard, carrying away the fore topmast stay, and throwing the fore-topmast, the main top mast and maintop gallant mast, over the side besides breaking in her bulwarks. It was some time before the two ships were sufficiently disengaged to proceed when the collier presented the appearance of a complete wreck. The Mary Ann escaped with slight injury."

The ship, with Richard aboard, arrived at Port Jackson, Sydney on 26th October.

A Longer Sentence

Benjamin SKYRME, born 1827, was one of eight children of William and Mary SKYRME (née BEVAN) of Vowchurch. Benjamin first fell foul of the law at age 16 when he was charged, but acquitted, of larceny. A year later, in October 1844, he was found guilty of the same offence and sentenced to 3 months imprisonment and whipped twice. The final straw came two years later when he was convicted of felony and "shooting with intent to kill", while poaching and firing at a pheasant.

He was sentenced to 15 years transportation. After spending a month or so in Millbank prison in Pimlico, he was transported on the convict ship *John Calvin*, which departed from Woolwich on 9th May 1846. Altogether there were 200 prisoners on board, with the average sentence being 36 years since 53 prisoners were transported for life. The ship

reached Norfolk Island in the Pacific on 21st September. The next day “the whole of the prisoners disembarked in good health”. The voyage continued to its final destination of Van Diemen’s Land (Tasmania) where it arrived in Hobart on 6th October.

Benjamin worked as a carpenter. One record in 1849 shows him working on a 6-month contract to Joseph CAHILL for 10 pounds. In December 1855 we find him receiving a ticket of leave for his freedom, which was subsequently revoked as he was “a convict illegally at large, with a reward offered for finding him”. His final release (well before his 15 years were up) was on 19th September 1856. He had moved to New South Wales a few years later, as did many convicts who first landed in Van Diemen’s Land. In 1864 there was this newspaper notice:

“Warrant for the arrest of Benjamin Skyrme alias John Davis, alias Billy The Shepherd, charged with absenting himself from the hired service of Thomas Matthews on the 7th ultimo. 40 years old, 5ft high, black hair, a little curly .. is accompanied by a girl named Mary Ann Duckworth about 15 years old. Has been traced to Launceston.”

In fact, he did marry Mary two years later at Green Ponds, now known as Kempton, Tasmania. They then moved to Richmond, Tasmania and had 11 or 12 children. Benjamin still had a brush with the law. At Richmond Petty Session in 1885 he was accused alongside Edward DUCKWORTH (no doubt an in-law) of possessing 7lbs of mutton at Edward's premises. Edward was fined £20 but Benjamin was acquitted.

Some time later the family later the family moved to New South Wales where Benjamin died at Mimmi in 1897 aged 70.

Gaining Freedom

There were three ways a transported convict could get their freedom:

Ticket of Leave – if a convict was well behaved they could apply for a ticket of leave after serving 4 or 5 years for a 7 year sentence, 6-8 years for a longer sentence and 10-12 years for a life sentence; they had to remain in a specified area, could work and had to report regularly to the local authorities; this is why Benjamin was given his freedom before his 15 years sentence was complete.

A Pardon – these could be given to those servicing a life sentence; a conditional pardon meant that the prisoner had to remain in Australia, whilst an absolute pardon meant that they could leave.

Certificate of Freedom – this was issued at the end of their sentence. This gave the prisoner freedom to travel anywhere, including back to England – if they could afford it!

Even Worse - The Death Penalty

In today's terms the sentences received by the likes of the cases described earlier would be considered harsh. It is quite sobering to read one page of the records of Hereford Lent Assizes in 1822. In it one James SKYRME along with Benjamin GREEN are accused of cutting down a timber fence. James was probably the brother Richard mentioned earlier.

There are four columns in the right-hand page of the assizes register: Death - Transportation - Imprisonment - Acquittal. Whereas James and Benjamin along with five others were acquitted, there are eight death sentences out of the other 10 entries. The crimes were burglary and stealing.

Name	Offence	Sentence
Edward Kite	Burglary	Death
Peter Dew	Larceny ¹	3 months and whipped
Richard Geen	Housebreaking	Death
James Pantall	Housebreaking	Death
George Preece	Burglary	Death
Richard Barlow	Burglary	Death
Daniel Walby	Larceny	2 Years
Samuel Steptoe	Burglary	Death
Thomas Wall	Burglary	Death
Thomas Jenkins	Sheep stealing	Death

On the same day as John SKYRME's trial at the Old Bailey in 1744, seven other convicts, including three women, received the death sentence. Their crimes were typically housebreaking, assault and robbery but also included someone who should have been transported but "was seen at large in Great Britain, without lawful cause" and he too was sentenced to death.

And it wasn't just at the Old Bailey that such sentences took place. One of my own YARDY ancestors in Norfolk was the victim of theft. The Bury and Norwich Post of 25th August 1824 report on the Isle of Ely assizes at Wisbech included this extract:

sentence of death was recorded against Jas. Anderson, convicted of stealing a silver watch, a brass chain, two steel keys, and a small piece of silver attached, from the trowsers of John Yardy, of Walpole, Norfolk, at the New Inn, Wisbech, where the parties were drinking with a great many others, about two in the morning of Sunday the 14th of March last.

Such punishments seem harsh today. In the late 18th century there were around 200 crimes that warranted the death sentence. In 1823 this was reduced by over 100 and in 1830 the death sentence for housebreaking was abolished. Between 1800 and 1900 3,524 people were sentenced to death, but less than half were for murder. Unsurprisingly, a large number of these sentences were not carried out. Local magistrates recorded that they were, but then handed out a less serious punishment.

¹ Larceny is the act of theft or stealing personal property, whereas burglary is entering a premises with intent to steal

Selected Sources

Ancestry and FindMyPast (FMP) have many UK criminal records. Trials are widely reported in regional newspapers

British Newspaper Archive (also available with an FMP Pro subscription) –
<https://www.britishnewspaperarchive.co.uk/>

Proceeding of the Old Bailey - <http://www.oldbaileyonline.org/>

Prison History including details of hulks - <https://www.prisonhistory.org/>

Wikipedia - https://en.wikipedia.org/wiki/Convicts_in_Australia

National Library of Australia - <https://www.nla.gov.au/research-guides/convicts>

Free settler or felon (search by name or ship) – <https://www.freesettlerorfelon.com/>

Convict records – <https://convictrecords.com.au/>

Founders and survivors – documents the history of 24,000 convicts -
<https://www.foundersandsurvivors.org/>

Australian Newspapers, including NDW Gazette - <https://trove.nla.gov.au/newspaper/>

Various Australian state archives, e.g. NSW and Tasmania –
<https://www.nsw.gov.au/family-and-relationships/family-history-search>
<https://www.justice.tas.gov.au/bdm/researching-family-trees>

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