



A Convict Mother's Plea

Michelle Dennis investigates UK and Australian records for one mother's efforts to save her convict son

What lengths would a mother go to, to save her wayward son from the gallows,
or to be banished across the seas to a foreign land?

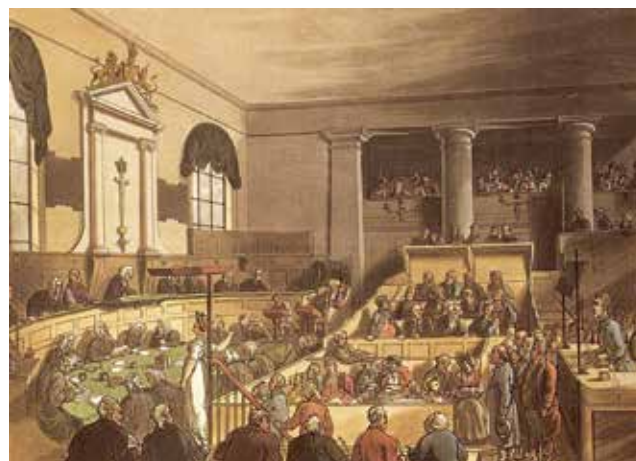
WILLIAM MILVERTON, WAS BAPTISED AT ST ANDREW'S, Holborn, London in July 1816, the son of James Milverton, a carpenter and Ann Membry, one of nine children including my ancestor Daniel. His older brother William was baptised in 1810, but died as a baby, and as was the custom, another child was given his name. James and Ann were from Winsham, Somerset, but moved to London around 1807, living in Holborn. The family can be found on Ancestry in the London, England, Baptisms, Marriages and Burials 1538-1812, www.ancestry.com/search/collections/1624.

William's father James had died in September 1831 after falling off a ladder, when William was 15 years old, leaving his mother Ann to bring up nine children alone. With no money to put the boys out into apprenticeships to earn a trade, the family sent William off to sea at a young age to work aboard naval ships. Sometime later he returned, and it seems he fell in with bad company.

In England at the time, the local church parish was responsible for the upkeep and feeding of the poor in their area. William was living rough, and probably starving, when he was tempted to break the law.

The London Old Bailey Online website presented his criminal trial record which reported the judge's guilty verdict and sentence of death. Sometimes the surname was spelled as Melverton in records, www.oldbaileyonline.org.

On 18th October 1835, at 1 am, William, a laborer, broke into the house of Mr John Sumpter in Holborn, and stole several items including a pair of boots, 2 caps, handkerchief, towel, scissors, book, basket, waistcoat, razor and a razor sheath, total value 20 shillings. Mr Sumpter's wife awoke at the noise, and her husband arose to see the cause of the



LEFT: Depiction of Convict Gang, Sydney. (Wikimedia Commons) RIGHT: Old Bailey Central Criminal Court London. (Wikimedia Commons)

THE RECORDER'S REPORT.

Yesterday the Recorder made his Report to his Majesty, at Brighton, of the prisoners in Newgate capitally convicted at the last Sessions, Old Bailey, viz., William Melverton John Carter, for burglary; John Wall, for maliciously discharging a loaded pistol, with intent to murder; and several others, all of whom his Majesty was graciously pleased to respite during his Royal pleasure, except William Bonnete and John Sprat, for an unnatural offence, were left for execution next week; Smith, the soldier, for the same offence, is respited.

William Milverton (Milverton) in the Sun Newspaper, 21 Nov 1835, capital convictions. (Image from FindMyPast)

disturbance, finding a glass pane had been taken out of the parlor window, and several items were missing which he reported to the police.

William used the basket, covered with a white cloth, to carry his goods away from the crime scene, but was unfortunately stopped by an inquisitive policeman the next morning in Blackfriars Rd, London. The policeman, Charles Goff, inquired what was in the basket, and where was he going, to which William replied he was taking them to a mate at the Customs House. The policeman unsurprisingly did not believe him, and marched him down to the local police station, where news of the robbery and the missing items from the night before were revealed.

William was committed to Newgate Prison on October 24th awaiting trial at the Old Bailey which occurred on 26 October 1835. The Newgate Calendar of Prisoners 1782-1931 is a collective term for a range of documents including lists of prisoners held at London's Newgate Prison, explained on the Digital Panopticon website, www.digitalpanopticon.org/Newgate_Calendars_of_Prisoners_1782-1931.

These indexed records are available on Findmypast.

The judge pronounced William Milverton guilty of his crime of burglary and handed down a death sentence to the twenty-year-old lad, recorded in the England & Wales Criminal Registers 1791-1892 on Ancestry, www.ancestry.com/search/collections/1590.

The case appeared in the local newspapers stating that William had been capitally convicted of burglary. More details were available about the case on the British Newspaper collection on Findmypast, <https://search.findmypast.co.uk/search/british-newspapers>. Several different newspapers reported the case.

I was then able to find out a lot more detail about William and his life after he was convicted by searching the records at the National Archives UK website. Many records are available to download immediately on Findmypast. So, it seems I have a convict in the family, or as we like to call them in the land down under, Australian Royalty!

The Home Office Criminal Petitions are particularly fascinating. These are original petitions made by convicted persons or

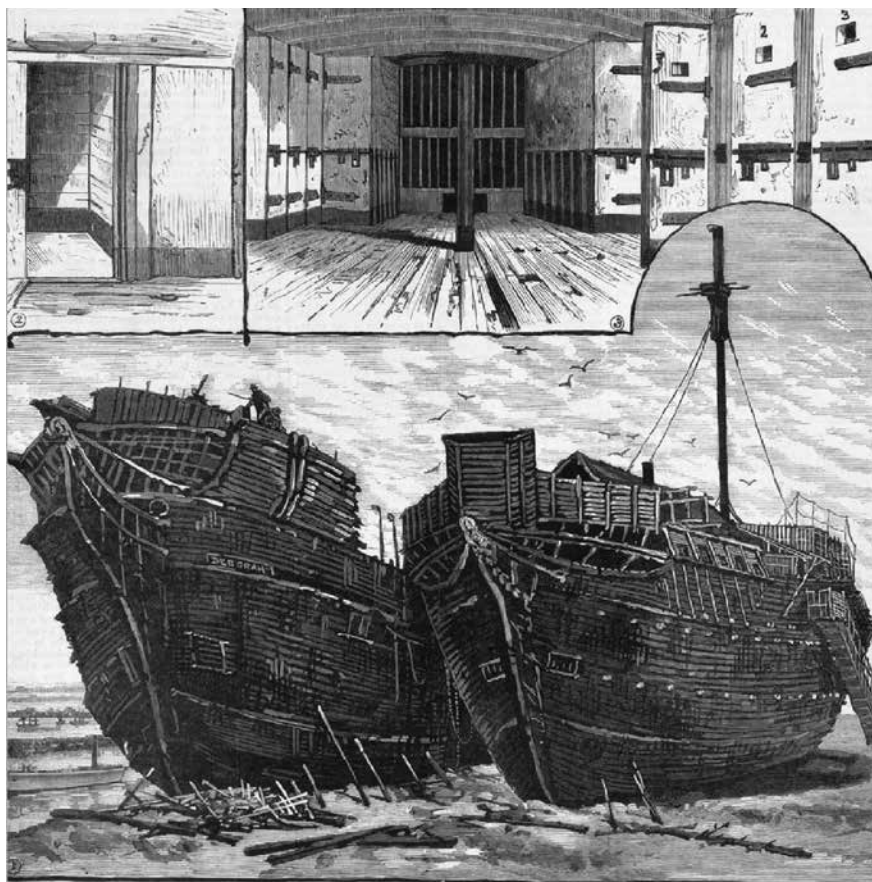
their relations or friends seeking a dismissal or reduction of their sentence, also reports by prison governors recommending early release for good behavior, or in William's case, several petitions for mercy including a heart-rending letter of a plea for a reduction in his sentence from his mother, after he left England's shores for Australia, <https://discovery.nationalarchives.gov.uk/details/r/C8881>.

William also petitioned the court, from his Newgate prison cell, writing he had previously been employed as a seaman but was lately unemployed for two months, receiving a loaf of bread a week from the parish to live on. He had been sleeping in a shed at the back of the house where his mother lodged for some nights, when he was tempted to commit the burglary by an open window.

A letter of clemency was also sent to the judge on William's behalf from J Russell, HM Command, asking for his sentence of death to be reduced, and fortunately William's capital conviction was commuted to "transportation to the colonies for the period of his natural life", so it appears the petitions were not in vain.

William then appears in the 1835 Newgate Calendar of Prisoners found on Ancestry, www.ancestry.com/search/collections/61811. He is described as of good health and good behavior by the prison surgeon, (National Archives UK - Ref HO 8). The register reports he was sent to a Convict Prison Hulk, the "York", docked in Gosport, Hampshire to await transportation to Australia.

Prison hulks were decommissioned warships, stripped of their masts, rigging and sails. Hulks



Convict Prison Hulks. (Wikimedia Commons)

were moored up along the Thames and Medway rivers, as well as at Portsmouth in England, Bermuda, and Gibraltar. The work of convicts increased the efficiency of dockyards providing a cheap, efficient workforce, and rather than build new barracks to house men, prison hulks could be acquired cheaply and towed from site to site.

The “York” Prison Hulk was a 74-gun third-rate ship, serving as a floating prison at Gosport and London from 1820. Typically, she contained about 500 convicts crammed below decks.

On 27 October 1836 William, along with 279 other convicts, was transferred to the Convict Transport Ship “Norfolk” before setting sail for Sydney, Australia. The Australian Convict Transportation Registers 1791-1868 are on



Photo of Australian convict c. 1900. (Wikimedia Commons, Public Domain in USA)

Ancestry, www.ancestry.com/search/collections/1180.

The convicts came from all over England, being transported for a sentence of either 7, 14 or life imprisonment in the colonies. Just over three months later the “Norfolk” and its motley crew arrived in Botany Bay, Sydney, New South Wales (NSW), Australia on 12th February 1837.

William appears in the 1837 census in Sydney on the NSW and Tasmania, Australia Convict Musters 1806-1849 on Ancestry, www.ancestry.com/search/collections/1185. Musters give details of residence, ship transported on, sentence length, conviction place and date. Some also include occupations, wives and children’s names and ages, and status - born in England, Colony of Australia, or came free.

Consulting the NSW Convict Indents 1788-1842, available on Ancestry, provided a physical description of William, www.ancestry.com/search/collections/2024.

William is 23, can read and write, is protestant by religion, from London, a house servant, convicted of house breaking in the Central Criminal Court on 26 October 1835, was sentenced to life, had no prior convictions, was of a pale complexion with brown hair, hazel eyes, a hairy chest, freckled hands, and has a scar under the back part of his left jaw.

William was assigned to a Sydney free settler on arrival. Convicts were a source of cheap labor employed to build roads, bridges, courthouses, hospitals, and public buildings, or sent to work on government farms, while educated convicts may have been given jobs such as record-keeping in government administration.

The easiest way for a convict to

reduce their sentence was to work hard and stay out of trouble, so they could then apply for a Ticket-of-leave, or Pardon. Further misbehavior could result in their Ticket being cancelled.

Amazingly, I found a letter from William's mother petitioning the Governor of NSW for a reduction of his sentence. The letter is dated 31 March 1840. (National Archives UK Criminal Petitions HO 17/120/53). Findmypast have copied and made available criminal petitions.

Part of the letter reads:

The humble petition of Ann Milverton widow on behalf of her unfortunate son William, who was convicted at the Old Bailey in October 1835.

Sheweth that your petitioner will feel most thankful for a mitigation of the term of transportation of her unfortunate and misled son.

When I heard from him last he was with the Right Rev'd Lord Bishop Polding, Woolloomooloo, who he said was very well satisfied with him and would do anything in his power to get a mitigation of his punishment.

I have brought up a large family and thank God they all get their living by honest industry and never for generations back has one committed any crime against the laws of the country. My husband worked for one master 24 years in whose service he died having been killed by a fall from a ladder. William went to sea as we could not afford to apprentice him to any trade and when he came back, he got unfortunately into bad company.

He came home one night and finding the door locked he got over the wall and into the back parlour window which was occupied by the housekeeper and instead of coming up to apartment occupied by us he in an evil moment stole the articles for which he was charged and departed. When he was brought back by an officer, I never shall forget that fatal night when I saw my poor boy brought in handcuffed. I never had a moments happiness since and all that I pray for in this world is to hear of a probability of him once more seeing his native country tho' I quite give up all hope of seeing him myself as I am fast sinking into my grave. Your favourable consideration of the above will ever oblige. Your very humble servant,

Ann Milverton.

Ann gave her address as 91 Britannia Street, City Road. The Petition was annotated "The prisoner's mother prays for a mitigation of his sentence, but no grounds are stated". So, with a stroke of the pen, the Home Office refused his mother's application to reduce his sentence.

What else can we learn of a convict's life in a new land? In October 1842, five years after his arrival, William applied to the Governor to marry Eliza Matthews. NSW Registers of Convict Applications to Marry 1826-1851 are on Ancestry, www.ancestry.com/search/collections/1504.

Marriage was encouraged by governors and clergy for its 'presumed reformatory and moral advantages'. Land grants were offered to married convicts, with additional land granted for each child born, so it was in a convicts' best interest to marry and procreate. William's application advised their ages, their ships, and that Eliza arrived 'free' (not as a convict).

Eliza had arrived on the "Orient" alone, on 13 December 1840 into Melbourne as a 23-year-old, Catholic, Dublin born, servant. Victoria, Australia, Assisted and Unassisted Passenger Lists 1839-1923 on Ancestry, www.ancestry.com/search/collections/1635.

Convicts could only marry after banns were read out in church on three successive Sundays, after obtaining the Governor's permission to marry. The reading of the banns allowed parish members to object, resulting in a declined application. Fortunately, William's application was granted on the 20th October 1842. The marriage permissions were often recorded in newspapers, so check the free online newspaper archive Trove

CONVICT RESOURCES CHECKLIST

THE COURT AND CRIME – Assize prison calendars, trial records, criminal registers, prison hulk registers, convict petitions for clemency, previous convictions, newspaper accounts.

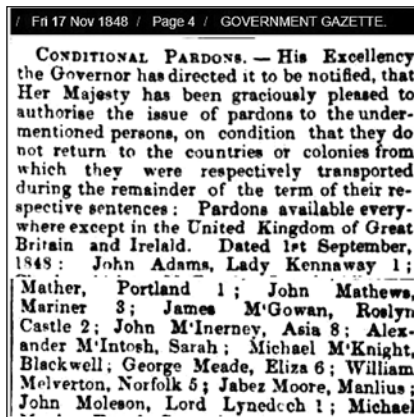
TRANSPORTATION – transportation registers, convict Indents, ship's surgeon reports, ship passenger lists, ship's logs, newspaper voyage reports, ship drawing/paintings.

IN AUSTRALIA – convict assignments- government or private, tickets of leave, conditional pardon, absolute pardon, certificate of freedom, certificate of exemption, permission to marry register, passports to another district, NSW musters and census, settlers lists, Colonial Secretaries correspondence, land grants and leases, squatters rights, colonial crimes, police gazettes, punishments, newspaper reports, trade directories, church records for baptisms, marriages and burials, headstone memorials, bankrupts, photographs, wills.

(National Library of Australia), for a marriage announcement, <https://trove.nla.gov.au>.

So now, with the church and governments permission, William married Eliza on 2 November 1842 in St Mary's Catholic Church, Sydney. William and Eliza had two surviving children, Michael in 1844 and Charlotte in 1846.

In 1847 after the birth of his children, William applied and was granted a Conditional Pardon by the Governor. The NSW



Conditional pardon announcement for William Melverton (Milverton). (Trove/NLA Newspapers)

Convict Registers of Conditional and Absolute Pardons 1788-1870 are on Ancestry, www.ancestry.com/search/collections/1657.

Conditional pardons meant that a convict was free to work and move around their area providing they stayed within the colony. Absolute pardons meant that a convict's sentence was completely remitted, and they could return to England, but these were rare. William's conditional pardon was reported in the Sydney Morning Herald on Fri 17 November 1848, available on Trove.

I like to think as soon as he was pardoned, he sent a letter straight off to his poor old English mum Ann, letting her know. Thankfully, she was not "sinking into her grave" as she penned in 1840, but she lived until 1853, aged 74. The 1851 census on Ancestry shows Ann living with her daughter Maria Taylor, www.ancestry.com/search/collections/8860.

I haven't been able to discover William's burial but I do hope after all his travels, trials and tribulations, he managed to carve out a good life for himself and his family in his new homeland, and that he was reunited with his brother Daniel (my 3 x great grandfather) who came out to Australia as a free immigrant in 1854. I found evidence of the two brothers living only two miles apart in 1871 when William's daughter Charlotte was married in Darlinghurst, Sydney, so it seems likely the two brothers were once again able to be together, and I'm sure that would make their old mum Ann very happy. ©

MICHELLE DENNIS is a family historian and freelance writer living in Melbourne, Australia. She has been researching her own family history for the past 30 years.

convict websites

CONVICT RECORDS OF AUSTRALIA

– Search the British Transportation Registers for convicts 1787-1867.

<https://convictrecords.com.au>

CLAIM A CONVICT

- a free service that enables those researching the same convict ancestors to contact each other directly by email. Includes convict biographies, research notes and sources.

www.hawkesbury.net.au/claimaconvict/index.php

AUSTRALIAN ROYALTY

- a free searchable convict database and links to other records including newspapers, transportation, census, Colonial Secretaries papers, musters, births, deaths, and marriages. <https://australianroyalty.net.au>

CONVICTS TO AUSTRALIA

– convict tales, research guides, convict ships, NSW convict women, links.

<http://members.iinet.net.au/~perthdps/convicts/index.html>

DIGITAL PANOPTICON

- records of 90,000 convicts, searchable by name, offence, or places with links to Transportation Registers, Police Registers, Hulks (prison ships), Criminal registers, Applications to Marry, Old Bailey Proceedings, House of Correction reports.

www.digitalpanopticon.org

FELLOWSHIP OF FIRST FLEETERS

– convicts that arrived in Australia with the First Fleet on 26 January 1788 including images of the twelve ships. www.fellowshipfirstfleeters.org.au

STATE RECORDS AND ARCHIVES, NSW

– Certificates of Freedom, Pardons, Tickets of Leave, Indents, Convict Assignments, Applications to Marry, research guides. www.records.nsw.gov.au/archives/collections-and-research/guides-and-indexes/convicts

NSW COLONIAL SECRETARIES PAPERS INDEX 1788-1856

– correspondence, letters, petitions for sentence mitigation, character references, court cases, lists of assigned servants, land grants and lease applications.

www.ancestry.com/search/collections/1905