

Samuel Brakes – Scindian Convict #26

Samuel Brakes was 33-years-old and married with two children when he committed a burglary that saw him sentenced to 15 years' transportation. Brakes was one of four men, (including fellow *Scindian* convict, Solomon Birkett #19), who, on the night of 3 January 1848, entered the home of James Ogden and his wife, shopkeepers of Glinton, Peterborough, stealing a large amount of money, silverware, clothing and tea. The burglars had coverings over their faces and one carried a gun, another a bludgeon and Solomon Birkett carried a lantern. James Ogden was over 80 years of age and the couple, lying in their bed, were threatened by the gunman saying he would blow their brains out if they did not give up their money immediately. Having taken all the money they could find amongst the house's several occupants, the men then regaled themselves with wine, wantonly allowed the contents of a vinegar barrel to empty onto the floor, and then ransacked the shop before running away.

The robbery apparently stemmed from Brakes' having delivered coal to Mr Ogden a week before Christmas and, being in dispute over the quantity delivered, Brakes felt he had been underpaid. The men were discovered hiding on a lighter (a flat-bottomed barge) that Brakes had the care of and later several pounds worth of gold and silver coin was found in the house in Spalding where Brakes' ran a beer-house and lodging house. Brakes had, according to the owner of the lighter, his employer Mr Robinson, been away previously while in his service, for a period of 18 months to avoid a warrant being served on him. It appears that the Ogden robbery was not his only foray into criminal activity. The men had also broken into a wheelwright's shop on the night in question and stolen chisels and gimlets (small tools used for boring holes) which they used to break into the Ogden's house and left behind them when they departed.

After stints in Peterborough and Millbank Prisons, Brakes was incarcerated in Wakefield Prison in West Yorkshire. He was transferred to Portland Prison on 20 June 1849 and spent eight months there before being collected by the *Scindian* on 28 February 1850 for transportation to Western Australia. His physical appearance around the time of his arrival in the penal colony was described as being: height 5' 8", dark brown hair, hazel eyes, a full visage, dark complexion, and stout appearance. Noted markings were: left eyebrow broken, MB on left arm.

On 9 September 1850, Brakes applied for his wife Mary and two daughters, Mary Anne and Eliza to join him in the colony and in time paid £5 towards their passage out. While they were due to depart aboard the *Travancore* in August 1852, they couldn't afford to pay the remainder of the passage costs. They ended up coming out on the *Sabrina*, arriving 13 June 1853. A third and last child, a boy named James, was born to the couple in 1854 and Brakes received his conditional pardon the same year on 12 August.

Samuel Brakes began a largely successful career as a boatbuilder and the various highs and lows of his endeavour have been documented by Rod Dickson in a 1969 report and later publication for the Western Australian Museum, "They Kept this State Afloat".

Dickson states that from the time of the arrival of the first convicts, the Government had concerns about them working with boats due to the opportunities to steal a craft and escape.

Brakes began working as a labourer on the roads in Fremantle, something he clearly didn't like as on 21 April 1851, the governor's correspondence notes "*Brakes and Brown working very badly and doing all they can to make the rest of the Convicts discontented.*" However, as an experienced boatman whose skills were in demand, after he got his ticket-of-leave in June 1851, he was living at Freshwater Bay, working as a waterman and employing several other ticket-of-leave men including three carpenters and one boat builder. In a letter dated 10 March 1856 "*Samuel agreed to finish the Government Buoy Boat which was begun by David Jones, according to the plans and specifications provided, he having represented that he was unable to finish the contract. He also states, "I engage to finish the boat without any delay, having sufficient men and materials at command, provided the Government guarantee to pay me the balance due by contract, viz, one hundred and thirty five pounds when the boat is finished."* Samuel Brakes x his mark."

In May 1856 Brakes placed an advertisement stating: "*Schooner "Perseverance", the undersigned, owner of the schooner Perseverance, begs to apprise shippers of cargo that he will be answerable for all goods shipped for Port Gregory, Champion Bay & etc from the time of shipment to landing the same; the act of God, Queen's enemies, fire and all other dangers of the sea excepted.*" Samuel Brakes, Fremantle, May 9, 1856."

The local newspapers kept a close watch and commentary on his progress, the *Perth Gazette* of 23 May 1856 informing:

"Mr Brake's new Brig, building at North Fremantle has a large portion of her planking on. The model is said to be one calculated for very superior sailing qualities."

A few months later however the *Inquirer* of 29 October 1856 lamented:

"We regret to hear that Mr Brakes has been unable to launch his fine vessel, just completed, in consequence of a sandbar having formed in the spot where, when the vessel was first laid down, there was about 14 feet of water. This sand bar, it is said, has been caused by the construction of the breakwater built a year or two since as there have been continual deposits from that time to the present moment. From whatever cause this obstruction is created, it is a matter which requires the most attentive consideration, not only affecting seriously the prospects of an individual, but as disadvantageously influencing an important branch of Colonial enterprise."

In a setback the following year, as reported by the *Inquirer* in April 1857, Brakes was charged with "*...stealing 5 blocks and one deadeye, the property of George Green, owner of the screw steamer Les Trois Amis, at Fremantle, second count, feloniously receiving the same.*" Several boat owners and builders gave evidence at the lengthy trial and according to Rod Dickson's account, the "*...theft fell on a man named LeBaire who had ill feelings against Brakes and who bragged openly of "having Brakes lagged."* However, as LeBaire had quickly disappeared from the Colony he wasn't able to be brought to account and as the items in question were in fact found on Brake's new vessel poor Samuel was found guilty of receiving and was recommended to mercy on account of previous good behaviour and character. The Judge in his wisdom though sentenced him to twelve months imprisonment with hard labour."

The setback did nothing to deter Brakes' ambition. After serving out his sentence, Brakes continued in his endeavours becoming a respected ship owner and master mariner. According

to Maritime History records as well as the *Perseverance*, he owned the vessels *New Perseverance*, *Mystery*, *Speculator* and *Triumph*. Their names possibly reflecting his own opinion on his progress and success.

Brakes' story was about to take a new turn. He is recorded as departing the Swan River Colony for Mauritius on 24 May 1876, however, he and his family had already set up home in Sydney before this time. He likely had a home in Mauritius also as he continued to ply his trade between, Fremantle, Mauritius, and Sydney, and no doubt, other ports. One source states that Brakes died in Rockhampton, Queensland on 6 April 1878. Certainly his wife Mary was described as a widow when she died on 15 March 1880, aged 65 years. Mary Brakes died at her home in Sydney at 307 Kent Street and the *Sydney Mail* of 20 March 1880 reported her as being the wife of master mariner Samuel Brakes.

The couple's two daughters had already moved on with lives of their own. Mary Ann Brakes (name also recorded as Barnes) married Thomas Bevan Fox in Fremantle in 1858. Fox worked with Brakes on one of his vessels. Mary Ann's daughter Eliza Fox was born in Fremantle on 28 August 1860, followed by Susan Mary Fox born in Fremantle on 19 July 1862. The family had moved to Sydney by 1867 as Mary Ann remarried at this time to Frederick Maxworthy. Her first husband Thomas Fox died in Victoria on 6 February 1867. Their daughter Susan Mary Fox later married John Richards, a master mariner, formerly of Cornwall, England, in St Luke's Church, Sydney on 28 April 1884. There is also a marriage record for Eliza Brakes marrying a William Geddes in Sydney in 1879. Her marriage notice was in the *Sydney Morning Herald* on 25 January 1879:

GEDDES—BRAKES.—January 14, at St. Luke's Church, Sydney, by the Rev. Thomas W. Unwin, William Geddes, of the Dundee Arms, Sussex-street, to Eliza Brakes, daughter of the late Samuel Brakes, master mariner.

James Brakes, who worked as a sawyer, died at sea according to family records, on 1 September 1910, when a funeral notice was placed in the *Evening News* (Sydney). His address at the time was 166 Harris Street, Pyrmont and the same notice describes his sister as being the late Eliza Coster. Mary Ann had died on 18 April 1899. It is thought that James never married as probate of his will was granted to his executors, his niece, Mary Ann's daughter, Ethel May Messell (nee Maxworthy) and Henry Thomas Lyde (connection unknown).

The Maritime History department of the Western Australian Museum has a boat, believed to be Brakes' *New Perseverance*, in its collection.

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