

Richard Jones – Scindian Convict #41

The trial of Richard Jones revealed that the married father of four and long-term confidential servant of Miss Mary Ann Spenlove, brewer of Abingdon, was a habitual thief who had been stealing from his employer for a long period. Compared with many of the others facing court over the Abingdon Malt Robbery in March 1847, he was considered to be more hardened in criminal nature, and in a trial which took two months in preliminary examination, he was the only man among twenty to plead guilty to his charged crimes. Facing 14 indictments for his primary role in the theft of malt and hops from Miss Spenlove's Abingdon brewery, which were subsequently being sold to breweries in Oxford, Richard Jones confessed from the beginning. Benjamin Blagrove whom he sold the stolen goods to, and who was painted by the press as being the worst of all involved, appears to have gotten away with his part in the whole nefarious undertaking by being admitted approver in the case and testifying against his co-accused.

Richard was initially incarcerated in the Reading Gaol before being moved to Millbank Penitentiary in London on 31 March 1847. He spent six months in Millbank before being transferred to the Wakefield House of Corrections on 21 September 1847. His final move was to Portland Prison to await transportation aboard the Scindian, among the first convict shipment to the Swan River Penal Colony in Western Australia.

On arrival in the colony the 38-year-old Richard's physical appearance was described as being five feet seven and a half inches tall with greying dark hair, a little bald on top, grey eyes and having a careworn appearance. He received his ticket-of-leave on 28 November 1850 and began working immediately as a gardener for A. C. G. Darling of Perth receiving £1 10s By 1851, Jones had been transferred into the service of the Comptroller-General of Convicts, Captain E. Y. Henderson at Fremantle.

He worked, as with Mary Spenlove, as a confidential servant to Comptroller-General Captain Henderson and his value to his employer was displayed publicly just three years later when Henderson provided the following testimonial via Surveyor-General Captain Freeling published in the *Inquirer*, 23 July 1856:

For five years confidential servant to Captain Henderson, R.E. Comptroller General of Convicts in Western Australia, who gives him an excellent character. Captain Henderson has lately left Western Australia for England, and, being anxious to serve Richard Jones, wrote to me, requesting I would interest myself on Jones' behalf. This I can only do on Jones' leaving for Melbourne by giving him the above certificate. Adelaide, 31st March 1856.

In Melbourne, Richard Jones, described as a respectable-looking man, was charged by Police with being an absentee from the Swan River Penal Colony. Jones was mentioned as having received a letter of recommendation from Henderson to leave the colony when Henderson did. Jones departed for Adelaide, however, on attempting to move to Victoria where the laws prevented Conditional Pardon men from entering the colony, he was ordered to be returned to W.A.

South Australia, established as a freely settled colony without convicts, had some concerns about the number of Conditional Pardon men making their way to their shores. The Swan River Colony shared their concerns, having no wish to lose a valuable source of labour. In 1856, the issue of South Australia developing some type of law, such as that already imposed by Victoria, was hotly debated in the press. The below article portion, sourced from the *Adelaide Observer*, was printed in the *Inquirer* on the same day as the discussion on Richard Jones' situation:

The stringency of the Victorian Act of 1854, coupled with the fact that Port Adelaide is the nearest direct port between Swan River and the other Australian colonies, fully explains the preference the conditional-pardon men have for these shores.

According to the laws of Victoria, any person once convicted of a transportable offence, and found residing in Victoria within three years of the full expiration of his sentence, is liable to penal servitude on the roads, either in or out of irons, for the space of three years. If, after undergoing this sentence, he remains in Victoria three months longer, he is liable to a repetition of the former sentence, and so on as he lives. All property found upon him is confiscated. Any constable who "suspects" that a person resident in Victoria was sentenced to transportation, and had not three years previously, completed his term, may apprehend him without warrant, and the burden of exculpatory proof is made to rest upon the person apprehended.

It is thought that the unfortunate Jones was returned to the Swan River Colony, despite Henderson's high opinion of him. It is unknown what happened to Richard Jones after this time. There is a death record which fits his age of 72 years for 1885, (BDM WA regn no 13282), however it remains unconfirmed.

Richard's wife Jane and their four children under the age of 8 at the time of his conviction, Edward, Henry, Mary Anne and Elizabeth, stayed at the Abbey in Abingdon and by the time of the 1861 England census all were ably employed and still living with their mother who was working as a needlewoman. Mary Spenlove, the aggrieved brewer was also listed in the 1861 England Census, still employing 6 men at her brewery. She died the following year aged 61 years.

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Sources:

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