

Francis Westmoreland – Scindian Convict # 47

The crime of killing a sheep in the harsh north England Winter just after Christmas 1846, sent 44-year-old Francis Westmoreland, a married father of five children, to Western Australia in 1850 to serve out a sentence of 15 years' transportation. Westmoreland had married Ann Winter on 17 May 1836 in the village of Evedon, in Lincolnshire, and by the time of the 1841 England census, he was working as a boatman and the couple had two children. In the 1851 England census following Westmoreland's transportation, his wife Ann was listed with four of his children, aged 5-13 years, and ten years later in 1861, Ann was recorded as being a laundress and a widow.

The circumstances of Westmoreland's crime and capture were recounted in the *Evening Chronicle* on 11 January 1847:

“Capture of a sheep-stealer at Heckington. On Tuesday night, the 29th ult., Mr Thomas Cartwright, farmer, of Kirby Lathorpe, had a fine shearling sheep slaughtered in a field near Burton Pedwardine, and the greater part of the carcass carried away. Early the next morning his shepherd forwarded to Mr Swinney, police officer, of Heckington, the information, and he immediately went to the field. By foot-marks he traced a person to within a few yards of a house occupied by Francis Westmoreland, residing in Heckington, and then he despatched a messenger for the assistance of Superintendent Sharpe, from Sleaford, and concealed himself to watch the premises until his arrival. When the two entered the house of Westmoreland, Swinney discovered him hidden under the stairs in a closet, and in the same place a quantity of salted mutton, &c. Westmoreland was immediately taken into custody, and, on a further search upstairs, two shoulders of mutton and the legs and loins of a sheep, recently slaughtered were found, together with two hams, a chine of bacon, a large butcher's knife, several sack bags, a quantity of feathers, and other articles. Westmoreland was on Monday committed for trial at Sleaford sessions. - Stamford Mercury”

Westmoreland's trial and subsequent sentencing were later reported in *The Lincoln, Rutland and Stamford Mercury* on Friday 15 January, 1847:

“Kesteven Sessions

Sleaford, Jan. 7.

Francis Westmorland (sic), 43, of Heckington, lately keeping a public-house there, was found guilty of slaughtering a sheep at the same place on the 30th Dec., the property of Mr. Thos. Cartwright. This was the third sheep slaughtered in the same field in the course of the present winter. The prisoner was discovered by his foot-marks being traced from the field to his cottage; and he was apprehended in the act of making away with the stolen parts of the sheep. There being no mitigating circumstances in the case, he was sentenced to 15 years' transportation.”

A news advertisement in the *Stamford Mercury* on 18 October 1844 however paints a very different picture of Francis Westmoreland. He was a member of the Friendly Society, the Ancient Order of Foresters', and as a publican his residence was offered as the venue for a meeting on 24 October of his particular group, the Court, 'Forester's Delight', at the Six Bells

Inn, Heckington. His fall from grace just over two years later must have come as a great surprise to many.

As per the usual protocol for prisoners sentenced to transportation, Westmoreland was deposited at Millbank Prison in London on 30 March 1847 for a six-month period. On 7 October the prison register indicated that he was moved back up north to the Wakefield House of Corrections. He made one more move on 13 December 1848 to Portland Prison in readiness to be transported to Western Australia aboard the *Scindian*, the first convict ship sent to the Swan River Penal Colony, arriving 1 June 1850. His physical description was recorded in the Convict Establishment registers as being 5' 4" tall with brown hair, grey eyes, a careworn facial appearance, with a ruddy complexion and a stoop.

At the age of 48 years, on 3 November 1850 when he was issued with his ticket-of-leave, Francis Westmoreland found himself assigned to the Swan District and working as a mason and shepherd for Anthony O'Grady Lefroy for the wage of 20 shillings per month. In January 1862 he became an expirée when the term of his original sentence expired. Despite an extensive search, no further information has been found for the next 20 years of Francis' life. It is thought that following a broken leg sustained in late 1863, he became a pauper, and being unable to work he spent the next twenty years until his death living in the Mount Eliza Depot. The Convict Establishment medical register elucidates the circumstances surrounding his broken leg, recording that he had sustained a fractured femur after a bad fall caused by an explosion of gunpowder in late December 1863. He was admitted to the hospital on 31 December 1863 and discharged four months later on 6 May 1864, described as well.

Westmoreland was buried at the East Perth cemetery on the day he died, 18 June 1884.. His age at death was recorded variously as being 70 and 86 years, however he was likely to have been 82 years when he died of old age in the Old Men's Home in Perth. His wife, Ann Westmoreland, had predeceased him by just 19 months on 15 November 1882, in Sleaford, Lincoln, possibly at the home of her eldest daughter Ann who had married a man named Thomas Harvey in 1857 and was living in Sleaford.

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