

## A Blacksmith's Tale

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Using fire, water, hammer and anvil, the blacksmith was once an indispensable member of every community. Weapons, nails, hinges, brackets, braces, tools and household items, only the blacksmith could produce objects fashioned from iron. Blacksmithing is an ancient art with its roots deep in the Iron Age, when the first anvils were stone slabs and later bronze. The ancient Greeks knew the anvil well, naming Zeus' son, Hephaestus, their god of blacksmiths. Black from '*black metal*' and Smith from '*smite*', without the skills of the blacksmith a community would falter and die.

In England during the final decade of 18th century Somerset, a child was born who would also wear the blacksmith's apron. But his banishment to an outpost half a world away would transport his skills to the infant Swan River Colony, where his craft would be eagerly welcomed by a small population of struggling settlers. James Baker was born to parish clerk and blacksmith, Peter Baker, and his wife Ann Timan, in the small lush green village of Bathealton. It was a fitting place for a blacksmith to begin his life, lying within a mile of the Early Iron Age hill fort of 'Castles Camp' and close to an ancient iron mine at Clatworthy. On 10 February 1793 James' parents took their son to be baptised<sup>1</sup> in the village church of St Bartholomew's, where 13 years earlier the couple had been married<sup>2</sup>. It was the third church named St Bartholomew's to stand upon the site, the foundations of the first having been laid during the dreadful days of the Black Death.

On 26 March 1815, following the usual publication of banns<sup>3</sup>, James, who was then 22, married<sup>4</sup> 20-year old Chipstable girl Charlotte Bailey at St Andrew's Church in the nearby market town of Wiveliscombe. Six months later their first child, Ann, was baptised<sup>5</sup> on 24 September, but would sadly die just 17 months later<sup>6</sup>. By 1836 the couple had added nine more children to their family, while James plied his trade near the small industrial town of Wellington, from where The Iron Duke took his name following his famous victory over Napoleon's army at the Battle of Vitoria in 1813.

In 1830 James Baker was one of three blacksmiths<sup>7</sup> working in Rockwell Green, a village lying on the outskirts of Wellington and about a mile or so from the hamlet of Hollywell Lake, nestling in a shallow dale bordered by hedgerows and gently rolling green fields. The Wellington census taken on 6 June 1841 found James and six of his children living in Hollywell Lake, where his two eldest sons were also blacksmiths. However, James' wife Charlotte was absent. Where was she?

The answer is found in the pages of local newspaper '*The Taunton Courier and Western Advertiser*' which on 19 May 1841 published the names of five people who had been "*committed to Wilton House of Correction*". Included was the name of Charlotte Baker, who at the Quarter Sessions held on 15 May 1841 had been charged with housebreaking and stealing bacon. The '*house of correction*' was a place of confinement for persons convicted of minor offenses, and on census day that was where Charlotte awaited her trial. On 25 June 1841 Charlotte was finally tried and acquitted at the Somerset County Sessions<sup>8</sup>.

Charlotte was not the only family member to encounter the English judicial system, and in the "*Exeter and Plymouth Gazette*" published on Saturday 27 February 1847, it was reported that James Baker had been convicted at the Exeter City Sessions of stealing four fowls while in company with Henry Webber. It was James' second conviction for larceny, and he was sentenced to 7 years transportation for each conviction<sup>9</sup>. His accomplice, Henry Webber,

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was transported on the vessel '*Hashemy*'<sup>10</sup> that departed England on 2 December 1848 and arrived at New South Wales on 9 June 1849 with 239 convicts. Meanwhile, James was delivered to Wakefield prison on 24 November 1848, where he remained until 27 February 1850, when he was placed aboard a convict ship for transportation to the colonies. Along with 74 others, James was being transported aboard the first convict ship dispatched to the Swan River Colony following its recent proclamation as a convict settlement. The ship was the Sunderland built Indiaman '*Scindian*'<sup>11</sup> commanded by Captain James Cammell, which, following a speedy 89-day voyage from Portsmouth, arrived at Fremantle on 1 June 1850, the 21st anniversary of the founding of the colony.

Conditions aboard the '*Scindian*' must have been greatly superior to life in a British gaol, as on 21 June 1850 the newspaper "Perth Gazette" published the following open letter from the *Scindian*'s convicts:

*"Publication is given to the following letter, addressed by the Prisoners lately arrived per Scindian to Dr. Gibson, Surgeon Superintendent of the ship :--*

*'Scindian' Swan River, June 4, 1850.*

*Sir, - We, the undersigned, having been treated by you with the utmost kindness and consideration during the course of that voyage, at the close of which we have now arrived, wish to offer you our most grateful acknowledgements-the only return in our power-and to assure you that we will ever remember the many benevolent acts, by which our comfort has been promoted.*

*Here follow 75 Signatures.*

*John Gibson, Esq., R.N."*

During the passage, the convicts had been housed below decks and confined behind prison bars, sleeping on hammocks, and occasionally allowed up on deck for fresh air and exercise. The Superintendent Surgeon, Dr. Gibson, R.N., had been employed to care for the convicts welfare, while their supervision was undertaken by warder, John Carr, together with 56 Pensioner Guards, who in many instances came with their wives and children before settling in the colony as part of a recently introduced British emigration scheme. The Pensioner Guards were recruited from the ranks of British army pensioners, and one of their number on board the '*Scindian*' was George Throssell<sup>12</sup>, previously a private in the 7th Dragoon Guards, whose 10-year old son bearing the same name would become the second Premier of Western Australia in 1901. As well as bringing to the colony its first Prison Governor and Clerk-of-Works, also on board was the colony's first Comptroller General of Convicts, 28-year old Captain Edmund Henderson, with his wife, young son, and two servants. Henderson was unimpressed at his first sight of Fremantle and saw the outpost as teetering on the brink of failure.

Although the passage for the '*Scindian*' was only slightly shorter than the average for the times, it was fast enough to overtake the despatches heralding their arrival, so when the convict ship anchored off Fremantle, it surprised many of the Swan River Colony residents. The 75 convicts were landed from the '*Scindian*' to the Fremantle convict establishment in three groups<sup>13</sup> - 15 on 18th, 9 on 20th, and 51 on 25th June.

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James Baker<sup>14</sup> was 170cm tall with hazel eyes, dark grey hair, a dark complexion, full face and stout build. He had been allotted convict number 48 and his ticket-of-leave date was advertised<sup>15</sup> in the colony to prospective employers as 27 October 1850. His age was also published, but incorrectly - his actual age was about 57, not 48 as declared.

When Henderson discovered there were no preparations to receive them and no accommodation for his charges, the convicts, sappers, and working parties from the Pensioner Guards set to work. To some degree this had been anticipated, and only convicts with a record of good behaviour had been sent. The first two groups from the 'Scindian' comprising 24 prisoners<sup>16</sup> were brought ashore to prepare the building for the remaining convicts on board.

In her book "*Convict Fremantle*", Michal Bosworth writes.....

*"Within three months, the Scindian convicts had floored and re-roofed their warehouse, inserted windows in the walls, constructed a framework to hold the hammocks in which they slept, and provided a cookhouse, bakehouse, bathhouse, forge and privies. A storehouse, temporary hospital, rooms for warders and four strong separate cells for unruly convicts had also been built. Two long stone buildings were then hastily constructed to house as many as 360 more convicts."*

James Baker's first days in Fremantle must have confounded his expectations. On 5 July 1850 the "Perth Gazette" published an article which began as follows:

*"THE CONVICT ESTABLISHMENT AT FREMANTLE.- A few days since we visited this establishment, which we were courteously conducted over by the officers in charge. We went impressed with the idea usually entertained, of gangs of convicts working under restraint, that they would exhibit a sullen, sulky appearance, only kept to their tasks by fear of punishment, and every precaution by means of guards and sentries taken to prevent escape. What we saw was exactly the reverse; not a guard was to be seen, save a gate-keeper, not a discontented or a sullen countenance was to be observed in the whole body. On the contrary, good humour, alacrity, and contentment was the characteristic of all and no person unacquainted with the fact that it was a body of convicts, could possibly have expected these fine, healthy looking men to be such, in fact we were not only surprised at what we saw, but also extremely gratified".*

The daily routine<sup>17</sup> for James and his fellow prisoners in August 1850 began at 5am after which the roll was called, and work commenced at 5:55am. At 7:55am thirty minutes was allowed for breakfast before work parties were sent out at 9am. Lunch was taken at noon and work parties were again despatched at 2pm. The day's work finished at 6pm after which the prisoners were paraded before washing themselves in time for supper at 6:15pm. The day ended with prayers, which lasted from 6:45pm until 7:30pm, following which they were put to their beds from 8pm.

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James' occupation as a blacksmith was physically very demanding and consequently the colonial authorities ensured that rations for such prisoners were increased to suit. An instruction written on 20 September 1850 from within the Superintendents Office<sup>23</sup> granted extra rations to convicts undertaking specific tasks:

*"The Steward will issue the following extra rations to the men employed as "Sawyers, Blacksmiths, Mortar Mixers and Washermen, on such days as they are fully employed at their respective trade or occupation viz- .... 48. James Baker 6 oz Bread, 8 oz Meat, 1 Pt. Beer"*

Unfortunately, scant ticket-of-leave information for the 'Scindian' arrivals survives. James Baker was the third convict to receive his ticket-of-leave in the colony, but curiously it was awarded on 16 October 1850<sup>24</sup>, eleven days earlier than advertised. Why was that? With no official documentation to inform us, we must turn to the Perth newspaper 'Inquirer' dated 16 October 1850 that contained an article entitled "MINING JOURNAL" which included:

*"....the Geraldine Mining Company have at last succeeded in dispatching their party to the scene of their future endeavours....the Murchison River. The Company have succeeded in securing the services of an excellent blacksmith from among the late arrivals per Scindian".*

As James Baker was the only blacksmith among the convict ship's passengers, and since the actual issue date of his ticket-of-leave coincided with the mining party's scheduled departure date to the Murchison aboard the ship 'Evergreen', it seems that James' first ticket-of-leave took him to the Murchison River. There he participated in the establishment of the Geraldine Lead Mine and its associated smelting works, an enterprise that became the first commercial mining venture undertaken in Western Australia.

Soon after his departure to the Murchison, James Baker became a topic of debate within the Western Australian Legislative Council. The Perth 'Inquirer' newspaper of the 20 November 1850 reported discussions held on Friday 15 November 1850 between the six official members and other colonial notables who formed the Council. The business of the day was devoted to the "*Bill to provide for the due custody and discipline of offenders transported to Western Australia*", wherein clause 30 considered whether "*ticket of leave men ought, under any circumstance, to carry firearms*". Mr Samson cited the example of the ticket-of-leave blacksmith who was a member of the Geraldine Mining Company party (ie James Baker). The Governor's concern was that "*convicts will soon exceed the free population*" and after discussion it was finally proposed by the Colonial Secretary and accepted by the Council that Justices of the Peace would grant convicts permission to carry arms and forward the details to the Colonial Secretary.

We can only guess at James' thoughts when the Somerset man arrived in the dry and dusty interior of this vast unpopulated state. Today the evidence of their grand endeavour is witnessed only by its remnants - a stone chimney, shafts, powerhouse, cottage and cemetery. Unfortunately, it is not known how long James remained working in the Murchison region before his return to Fremantle.

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On 9 September 1850, three months after his arrival at Fremantle, James Baker had applied<sup>18</sup> for his family in England to join him in the colony. His application was an officially designed form<sup>19</sup> which provided the authorities with essential information to locate the family:

*"wife's maiden name; present residence; county; town or parish; children's names and ages; names and residence of persons to whom applicant's family are known; source from which the half of the passage money payable the Government is to be obtained"*.

Two years later, on 6 November 1852, James' wife, Charlotte, with two of her unmarried children, Jane (17) and Joseph (27), arrived in the colony<sup>20</sup> aboard the 'Anne MacLean'. The family's Somerset church<sup>21</sup> had paid £20 towards their passage<sup>22</sup>, leaving an outstanding debt of £2 10s to be paid in the colony. By 1852 the family of ten children had been diminished by four deaths, while three were settled in Somerset with families of their own and another was undertaking an apprenticeship. Both of James' children who had arrived with their mother were later married in the colony and had children. After giving birth to her first child in Bunbury, daughter Jane and her husband moved to South Australia where they remained. The couple's first girl and first boy were named after their grandparents, Charlotte Baker and James Baker. [23 & 24 missing]

In 1856 the Comptroller General of Convicts, Captain Henderson, temporarily departed the colony to visit England. During his absence the capable Captain Henry Wray undertook the roll of Acting Comptroller General of Convicts. On 9 January 1857 Wray wrote a letter<sup>25</sup> to the Colonial Secretary, Frederick Barlee, requesting the Governor, Sir Arthur Kennedy, to authorise Conditional Pardons for five convicts, which read:

*"Sir I have the honour to forward for His Excellency's signatures the Conditional Pardons of these men named in the margin who are in every respect entitled to the same and not incapacitated by any bodily ailments from earning their own livelihoods"*.

Among the convict names written that day in the margin of the letter was James Baker's, who accordingly received his Conditional Pardon<sup>26</sup> the following day. James was now a free man but he could never return to his Somerset home.

Instead, James Baker became a Fremantle blacksmith and in 1855 purchased 21¼ acres of land from Samuel Caporn<sup>27</sup>, using the property for cutting timber to make charcoal for his blacksmith's forge. Four years later, James sold 11 acres of the property to George Cooper<sup>28</sup>, a Sergeant Major of the Pensioner Guards, who built a four-roomed house of white stone for his family. In July 1871 James sold his remaining land<sup>29</sup>, which today forms part of the Murdoch University campus. When the land was advertised for auction<sup>30</sup> it was described thus:

*"10¼ acres of Freehold Land (the greater part under cultivation, 1½ acres being vineyard) together with a substantially built FOUR ROOMED COTTAGE thereon, CART SHED, BARN, STABLING, STOCKYARD, and other out buildings, Fenced in"*.



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Infirmity drove the couple to spend their final years with son Joseph and on 23 September 1872 Charlotte died<sup>31</sup> of "old age", followed 3 months later by James on 10 January 1873. James' death certificate<sup>32</sup> described him as a "Farmer & Smith" who, like his wife of almost 60 years, also died of "old age". The pair were both buried in Fremantle's Alma Street Cemetery.

James Baker did not only survive the injustices of the British penal system, but began a new life in exile, supported by three brave members of his Somerset family who joined him. Today James and Charlotte have countless descendents living throughout the Australian continent, England, and the United States of America. My wife is their g-g-granddaughter.

Researched and written by Ron Pimm

## Sources:

1. James Baker - baptised St Bartholomew's, Bathealton, 10 Feb 1793 (*FreeREG: U.K. Parish Register Information*, file 33438).
2. Peter Baker married Ann Timan in St Bartholomew's church, Bathealton, on 7 May 1780 (*FreeReg U.K. Parish Register Information* reg 42; file 33437).
3. Marriage Banns - Ref BMB Wiveliscombe Somerset film no. 1526774 Page 19 No. 3.
4. Marriage on 26 March 1815 at St Andrew's Church, Wiveliscombe, Somerset (*FreeReg U.K. Parish Register Information* reg 39; file 15030).
5. Ann Baker - baptised St Bartholomew's, Bathealton, 24 Sept 1815 (*FreeREG: U.K. Parish Register Information*), and named after James' mother, Ann Timan.
6. Ann Baker - buried St Bartholomew's, Bathealton, 23 Feb 1817, aged seventeen months, ([genuki.org.uk/big/eng/SOM/Bathealton/Burials1813-1976.txt](http://genuki.org.uk/big/eng/SOM/Bathealton/Burials1813-1976.txt)).
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9. England & Wales, Criminal Registers, 1791-1892 Devon 1847 page 193 (via [Ancestry.com.au](http://Ancestry.com.au)).
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14. Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), Friday 26 July 1850, page 4
15. The Perth Gazette published 26 July 1850 entitled "List of Convicts per Scindian"
16. "Convict Records of Western Australia" published by Friends of Battye Library (Inc)
17. "Convict Fremantle" by Michal Bosworth, page 11.
18. State Records Office of WA (Accession 1156; C19; letter 122)
19. State Records Office of WA (Accession 1156; C19; letter 121)

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20. "Perth Inquirer" 10 November 1852
21. Baker family history as told by Bruce Baker - uncorroborated.
22. State Records Office of WA (index details lost) - Letter from Colonial Land and Emigration Office dated 14 July 1852 entitled *List of Persons, for whom passages have been provided in the ship "Anne Maclean"*
23. State Records Office of WA - Cons. 1156; SO 4.
24. <http://www.convictrecords.com.au/convicts/baker/james/22312>.
25. State Records Office of W.A. - Accession 1156, C22, letter 161.
26. <http://www.convictrecords.com.au/convicts/baker/james/22312>.
27. State Records Office of WA - Accession 1800/13 V 577.
28. State Records Office of WA - Accession 1800/16 VI 591.
29. State Records Office of WA - Accession 1800/27 VII 424.
30. "Fremantle Herald" 10 June 1871 - advertisement "To be sold by Auction by James W. Humphrey".
31. Fremantle Cemetery record of Alma Street burials.
32. Fremantle Cemetery record of Alma Street burials; James Baker death certificate 6444/1873.