

## John Davis – Scindian Convict #52

Young Welshman and engineer John Davis (aka Davies) had the world at his feet in early 1848 when an atrocious and opportunistic act on his behalf whilst visiting his sister determined his fate. His married sister, Mrs Ann Groves, was living in Aberdare and on a night when she and her husband were out, Davis raped twelve-year-old Margaret Williams, a servant of the Groves family. The act was reported soon after to the girl's mother who promptly came to Aberdare and took her daughter to the local surgeon to determine the extent of her injuries. While Davis had many personal references put forward on his behalf testifying to his good character, the final outcome was a guilty verdict and a sentence of 15 years' transportation.

Davis was moved on 29 March 1848 from Swansea Prison in Wales to Millbank Prison in London, as were all convicts sentenced to transportation. He spent around eight months in Millbank before being moved north to the Wakefield House of Corrections in West Yorkshire on 25 November 1848. His last move was almost seven months later on 19 June 1849 to Portland Prison where he was to remain until collected by the *Scindian* on 28 February 1850 for transportation to Western Australia.

The *Scindian* arrived in Western Australia on 1 June 1850, the first convict transport to the newly designated Swan River Penal Colony. The records about Davis created by the Convict Establishment provide a physical description. He was 5' 7" tall with light brown hair, blue eyes, an oval face with a fair, fresh complexion, and was of middling stout appearance. The chaplain's notes indicate that his mother's name was Margaret Davis and his brother Llewellyn and they lived in the village of Llangyfelach, in Swansea, Wales.

Davis was issued with his ticket-of-leave on 28 May 1851 and was sent to the York District. The diary of John Acton Wroth, himself a former juvenile convict and working in the position of Clerk at the York Convict Depot in 1851/2, had an entry referring to John Davies #52 being incarcerated for drunkenness. There were several other newspaper reports of a ticket-of-leave holder named Davis being charged for drunkenness in August and September of 1852 in Guildford.

A letter in the Comptroller-General of Convict's correspondence dated 17 February 1854 is likely in response to an enquiry made by Davis seeking information on when he could be issued with a conditional pardon. It states: "*Reg. no. 52 John Davis – A statement of your a/c is herewith forwarded shewing a balance still due of 18/-. You are not entitled to any allowance upon what is already paid.*" (Cons\_1156 C11 p 78 1210).

A conditional pardon was generally issued to a convict after at least half of the original term of sentence had been served. In the early years of the convict system in Western Australia all convicts were required to pay back the £15 cost of their passage out to the colony, and they were not considered for conditional pardon until it was paid in full. Davis clearly paid out the remainder of his debt as his conditional pardon was issued on 9 October 1854. The stipulation for convicts to re-pay the cost of their passage out was problematic as it transferred the onus of payment onto the colonists employing ticket-of-leave men. Both groups objected to this requirement and the practice was finally revoked in 1857.

Little else has been able to be ascertained about the life of John Davis/Davies as several other convicts of the same name were transported to Western Australia as well as there being other men already present in the colony with that name. Two ex-convicts named John Davis left the colony. There are two death entries that are possibilities for this man, one who died 23 December 1874 in Perth, of phthisis, aged 57 years and who was buried in East Perth cemetery, the age being close to that of John Davis #52 who was born around 1819. (BDM WA regn no 8249). The second and most likely possibility was for a John Davis who died aged 56 years in 1875 (BDM WA regn no 8332).

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Sources:

Battye, *Western Australia*, p. 237. Correspondence between Labouchere and Governor Kennedy, March 4, 1857;

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British Parliamentary Papers, Volume 9, 1849, Despatch No. 23, June 1, 1849, p. 250-251. Earl Grey to Governor Fitzgerald;

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Fremantle Prison Convict Database;

Millbank Prison Register, PCom2\_28, 14463, courtesy of Bevan Carter;

National Library of Australia, Trove Digitised Newspapers:

*Inquirer and Commercial News*, 4 August 1852;

*Inquirer and Commercial News*, 8 September 1852;

Portland Prison Register, PCom2\_383, courtesy of Bevan Carter;

State Records Office of Western Australia: Convict registers – Cons 1156, C11 page 78, letter 1210; R17, R21A, R21B;

Wakefield Prison Register, HQ23\_14, courtesy of Bevan Carter.