

Thomas Hart - Scindian Convict #55

Thomas Hart was 21 years of age when he, his brother John Hart and Mark and Luke Jeffrey, also brothers, were charged with having stolen money and clothing from Mr Henry Mitchell of Haddenham, Isle of Ely in Cambridgeshire. The trial account revealed that John Hart chose to betray his partners in crime, becoming a witness for the prosecution and thus likely escaping imprisonment. The men had been on a criminal escapade, committing burglaries throughout the region. In this instance, Mark and Luke Jeffrey materialised on the doorstep of Mitchell's small farm on 29 January 1848 presenting themselves as hawkers, trying to sell various trinkets including razors and other articles. Failing to sell anything they then spoke with the workers, threshers in the barn, including servant Charles Preston, and managed to glean information about Mitchell's financial status and also how well defended his home was. They returned the following night with the two Harts, and a fifth, man, Hugh Strain, their faces covered with handkerchiefs, and kicked in the door of the dwelling. Although Mitchell resisted revealing where his money was concealed the men searched and found it. They also robbed servant, Charles Preston, of his money and clothing. They were particularly brutal and threatening in their behaviour. They tied up all occupants, stole Mrs Mitchell's wedding ring and then made themselves at home downstairs in the pantry and cellar, leaving just before daybreak.

The men, being strangers to the area, were soon found and captured. The fifth man Hugh Strain, was dismissed as he could not be identified. Mark and Luke Jeffrey were recognised as the hawkers who had called at the Mitchell property earlier in the day and Mark Jeffrey was identified by Preston who had seen him when the handkerchief hiding his face slipped as he was tying Preston's hands behind his back. The Jeffrey brothers were described as being athletic and dark with good features whereas the Hart brothers were deemed to be diminutive men with sharp, ugly profiles. Each of the men were discovered to have articles of the stolen clothing in their possession and Luke Jeffrey was found to have Mrs Mitchell's wedding ring hidden in his hair. This evidence, together with John Hart's confession, sealed their future and on 17 March 1848 they were found guilty of the crime of burglary and stealing £60 in money and sentenced to 15 years' transportation.

As they went to trial, the other men were not aware that John Hart, known to them as 'Jack', had made a confession. He had described three burglaries and the woman Mrs Brightwell to whom they had passed bank notes for disposal. As reported by the *Cambridge Independent Press* on 25 March 1848, Mark Jeffrey stated if he had John Hart there in his room, if only for a few minutes, he would never make another confession again. "I should be happy to be hanged for his murder. I would seize him as a dog would a rat, and if I could but get at his throat, forty men should never separate us till he was a corpse." Thomas Hart agreed saying "his brother Jack ought to be murdered." During the trial the men were described as behaving with the greatest levity and laughing loudly when their conduct during the burglary was described. They also frequently used bad language, their behaviour causing the bench to order them separated. Mark Jeffrey was the ringleader. He had apparently struck Mr Mitchell over the eye with a bludgeon and then told him, after being persuaded to it by the others, "Well, you may think yourself lucky we don't kill you."

Thomas Hart had been twice previously convicted which meant that transportation rather than imprisonment was ultimately his fate. He was received at Portland Prison from Wakefield Prison on 31 October 1849, aged 22 years. He was transported aboard the first convict ship to Western Australia, the *Scindian*, which arrived on 1 June 1850. Luke Jeffrey was also transported to Western Australia aboard the *Scindian* as convict #56. Luke's brother Mark Jeffrey was transported to Van Diemen's Land (Tasmania, where he remained, dying in Launceston in 1903). The Convict Establishment's record for Thomas Hart's recorded age was 24 years in 1851. On arrival in Western Australia Hart's physical description was: height, 5' 4 3/4", with brown hair, blue eyes, an oval-shaped face with a fresh, fair complexion, and of stout appearance. The Convict Establishment records list Hart's parents' names as Luke and Ann Hart (nee Bond) of Colmworth, near Bedford in Bedfordshire.

His time in the colony was to be short. He received his ticket of leave on 8 June 1851 and Conditional Pardon on 29 July 1854. Shortly after this, on 29 November 1854, Hart is thought to have made his way to South Australia via the brig *Hamlet* from the Vasse region (Bunbury/Busselton).

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Sources:

Births, Deaths, Marriages, Western Australia;

Erickson, R., and O'Mara, G., *Convicts in Western Australia, 1850-1887. Dictionary of Western Australians Vol. IX*, p 244;

Fremantle Prison Convict Database;

National Library of Australia, Trove Digitised Newspapers:

State Library of Western Australia, British Library Newspapers Online:

Cambridge Independent Press (Cambridge, England), Saturday, February 12, 1848; pg. 3; Issue 1843. *British Library Newspapers, Part IV: 1732-1950*;

The Norfolk Chronicle and Norwich Gazette (Norwich, England), Saturday, March 25, 1848; pg. 3; Issue 4042. *British Library Newspapers, Part III: 1741-1950*;

Morning Chronicle, 23 March 1848;

State Records Office of Western Australia, Convict Register - ACC 1156 R17, R21A, R21B, Cons 488-30, p. 74, letter 445.