

## Luke Jeffrey – Scindian Convict #56

Luke Jeffrey was around 20 years of age when he and his brother Mark and two other men, also brothers, Thomas and John Hart, 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, one of them named Charles Preston, and managed to glean information about Mitchell's financial status and also how well defended his home was. They then returned the next 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 treated brutally, Mitchell resisted revealing where his money was concealed, however the men searched and found it. They also robbed a servant of the house, Charles Preston, of his money and clothing. 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. 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. Each of the men were found 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. The 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 theft of 60 pounds and sentenced to 15 years' transportation. During the trial the men had been insolent, laughing at the witnesses' descriptions of their conduct and using foul language. Mark Jeffrey, although in fetters, was said to try to dance a hornpipe and said "Hurrah for Australia!" when the verdict was delivered. All however, had been caught off guard by John Hart's confession and both Mark Jeffrey and Thomas Hart declared in no uncertain terms that he should be murdered for his betrayal.

Luke Jeffrey was received at Portland Prison from Wakefield Prison on 20 June 1849, aged 22 years. The Wakefield Prison register indicates that although his co-convicted Thomas Hart had been twice previously convicted it was Luke Jeffrey's first conviction. Without John Hart's confession Luke Jeffrey may not have received the sentence of transportation. Thomas Hart was also transported to Western Australia aboard the *Scindian* as convict #55. 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 Luke Jeffrey states he was 25 years old in 1851 and discloses that his father John Jeffrey held the occupation of dealer. The 1851 England census confirms this information recording John Jeffrey's occupation and that of his 19-year-old daughter Tamar to be that of hawker. Clearly this is where Mark and Luke Jeffrey had learned their trade. On arrival in Western Australia Luke's physical description was: height 5' 8", with dark brown hair, hazel eyes, an oval visage, dark complexion and being

of stout appearance. A British newspaper report from the time of the trial had described he and his brother Mark as being athletic and dark with good features.

Jeffrey was issued with his ticket-of-leave on 8 June 1851 and, after a reconviction in August 1858 and temporary incarceration in the lunatic asylum, his conditional pardon was given on 7 October 1861. He had been working as a sawyer around the Mandurah and Pinjarra areas and was also a known resident of Fremantle. It was in Fremantle in 1864 that he married the widow of another *Scindian* convict, #42, William Drake. Jane Dyer had married William Drake in 1852 and the couple had a daughter, Jane Elizabeth Drake, in 1853, and then a son William born in 1855 who only survived for five days. After William Drake's death in 1862, Jane met and married Luke Jeffrey. Sadly for Luke, his new wife died the following year in 1865. This left him with a twelve-year-old daughter in his care. Jane Elizabeth however, married in 1869 at the age of around 16 years to Joseph Eacott and it was most likely this connection that led Jeffrey to meet Elizabeth Stinton (nee Eacott). Elizabeth was apparently still married to David Stinton with whom she had four children, however, it appears she took up with Luke Jeffrey around 1873, lived with him for about ten years, and had four more children with him.

In April 1867, *The Herald* reported that Jeffrey, a ticket-of-leave man, was charged with selling stolen property, a silver watch that had been stolen in December 1865. Although found guilty and fined for this crime Jeffrey continued to protest his innocence and in August and September 1867 took out advertisements in *The Herald* claiming he had been free for several years and had been discharged on the stealing charge. He had a reputation to protect. In 1876, Jeffrey was believed to have been working as a sawyer in a partnership, and advertised for help in *The Herald*, on 13 May 1876, and 3 June 1876:

#### NOTICE

*WANTED, one Sawyer or one pair of Sawyers; highest wages given to a competent man or a pair. Apply to LUKE JEFFREY. Mandurah, May 8, 1876.*

The following year he was in court as a witness in a murder case. William Baylis was charged with the murder of Ann McGrath, a woman with whom he had been living in Fremantle. Jeffrey's testimony in the case was reported in *The Western Australian Times*, 10 April 1877:

*Luke Jeffrey, a sawyer, said he saw the cart going along the road on the evening in question. The woman was in the cart, with her head hanging over the back of the cart, and her feet cocked up on what seemed to be a bag of flour. Her hair was dishevelled and her face was so disfigured with blood and dirt that she could hardly be distinguished from a black woman. Witness remonstrated with the prisoner for his treatment of the woman, whereupon he hit him with a switch, and witness knocked him down. The prisoner then promised to go on quietly, and witness saw no more of them.*

It was during these years that Jeffrey's four children to Elizabeth Stinton (nee Eacott) were born. The first three were born in Mandurah, his son Luke Jnr in 1875, daughter Tamar Abigail (named for his sister) in 1877, and daughter Rebecca Joanna, born in 1880. Lastly, daughter Emily May was born in Fremantle in 1882. It was in this year that Jeffrey met with a serious accident that likely kept him from working for some time.

*Last week a man named Luke Jeffrey met with a severe accident. He was riding into Fremantle, and just when he came near to Lefroy's Hill his saddle suddenly turned round, and Jeffrey was thrown to the ground. Before he could regain his feet the animal lashed out and struck Jeffrey heavily with its hind hoofs on his left side. Just when some persons ran up to the man's assistance the beast again kicked out, and one man escaped instant death, only by ducking his head at the moment; as it was, the horse's hoofs passed only just over his skull, almost grazing his hat. It was found that Jeffrey had sustained very severe injuries; he was carefully conveyed to the Port and placed under the care of Dr. Hope. We have since heard that Jeffrey is progressing towards recovery as favourably as could be expected, but that it will be some time before he will be able to return to his work.*

*The Daily News, Mon 13 Nov 1882, p 3*

It was only four months later, on Saturday 31<sup>st</sup> March 1883, that *The Herald* reported Jeffrey's death by suicide:

*A RATHER well-known character named Luke Jeffrey, a sawyer, committed suicide by shooting himself in the bush at a place known as Robb's Swamp yesterday. Information being given to the police a conveyance was sent out to bring in the body, and an inquest will be held to-day.*

*The Herald* of 7 April 1883, reported the details of the death by suicide of Luke Jeffrey, including a suicide note he left behind. His defacto wife, Elizabeth Stinton, seemed to show no great surprise at Jeffrey having taken his own life. She had observed that he had been down-hearted and drinking lately and speaking of going to heaven.

#### *INQUEST.*

*On Saturday last an inquest was held at the Fremantle Court House. before J. G. Slade Esq. Coroner, to inquire into the circumstances connected with the death of Luke Jeffrey, who was found on Friday last shot in the bush.*

*The Jury having inspected the body returned to the Court. Richard Hurst, sworn, said I am a wood cutter and sawyer residing at Bibra's Lake, 300 yards from the deceased, Luke Jeffrey. Yesterday at half-past 3 p.m., I arrived home from Fremantle. On my arrival I heard the report of a gun, and on hearing it turned round, and saw Mrs. Jeffrey washing. She said That man has shot himself, I said "What man?" She replied "Jeffrey." I said "I'll run and see." The place where the gun went off was not in view of the house where Mrs. Jeffrey was washing. I went towards the place where I heard the report, through the bush, and about 250 yards off I saw the deceased lying on his back and bleeding from the mouth. I looked round and I saw the gun produced, which is mine. hanging from a branch. The deceased must have broke into my hut, for the gun, which was loaded when I left home with shot, was gone. On seeing the body I returned and met Joseph Hacket and said Jeffrey has shot himself, he is dead. Mrs. Jeffrey was present she said nothing but commenced crying. I said he has shot himself with my gun. Hacket said, don't touch him, and I said I would not. I should take the deceased to be about 60 years of age. When I went to my hut I found the door broken open. I saw the adze produced. I do not know whose it was. Outside the hut I saw some writing on the door, namely "Jeffrey" written with chalk.*

*Elizabeth Stinton, sworn, said, I have lived with the deceased for ten years and have not noticed anything particular about him, except that since he was fined here for smoking in a railway carriage he has appeared down-hearted. On the 30th he went away with my brother-in-law to put him on the road to the Murray, and returned about half past 10 the same morning. He said he would lie down, and asked to be called at 11 and given a cup of tea. I went to him at 11, but he did not get up, and remained till-half past two, when he got up and had some tea. He divided his bread and tea with the child. He then got up and took the adze, and stood at the door. He asked what time the children would be in, and I said at three. He went to the garden and spoke to the children, who were eating currants, which he told them not to do. They asked him where he was going, and he said to mend the fence. Afterwards I heard the teams coming, and I told the children to run and tell their father. Just then I heard a gun go off. I said " My God! has your father broken into Dick's hut, and got the gun and shot himself ?" I said this to Hurst who had reached me by this time, and did so because he had been drinking lately, and appeared to be different, and said he was going to heaven. I saw him writing the paper produced on Tuesday last. I found it to-day in his book. I cannot either read or write.*

*The following document written by the deceased prior to his death was then read:*

*28th March, 1883.*

*"I cannot live any longer. My mind is loaded with more than I can bear'. My last prayer is that Providence will favour my children, 3 in number. May the mother live long to see them, and give them, a kind word in the right way, I know well what I am going to do. I am in a sound state of mind this day." LUKE JEFFREY.*

*Johnny Lane you will see this and read it before you go home, and may you never have on your mind what I have on mine. Good bye all, I shall not saw mahogany where I am going.*

*L. JEFFREY.*

*H. C. Barnett, L.R.C.P., Colonial Surgeon, Fremantle, gave medical evidence, showing, that deceased had met with his death from being-shot in the head. J. Hackett, sworn, corroborated the evidence of Hurst. John McKay, deposed to finding the corpse of the prisoner as described by Hurst, and the gun.*

*The jury returned a verdict of suicide whilst in a state of unsound mind.*

Elizabeth Stinton applied for relief the following year, supporting the four children of David Stinton and four more fathered by Luke Jeffrey. She did later re-marry to Charles Dearn or Deram, having another son. Elizabeth died on 13 November 1932 in Fremantle aged 84 years.

Of Jeffrey's four children: Luke Jnr, succumbed on 12 August 1919 to the Spanish Flu epidemic that swept the globe following World War One. He was 43 years old and had been married with four children. Sadly, his young son James had died just four months earlier aged 5 years. Luke's grandson Luke Jeffrey, born in Fremantle in August 1909, died in Norseman in January 1986. He lived in Fremantle prior to serving in the Australian Army during World War Two and then lived and worked in Norseman as a miner from 1943 until his death. Luke Snr's three daughters, Tamar, Rebecca and Emily all married and had families. Tamar married Gustavious 'Gus' Walter Haasy in Fremantle in 1903 and they had had four children, two of

whom survived to adulthood, Ivy and Walter. Tamar died aged 90 years in 1968. Rebecca Joanna married Edward Hankinson in Fremantle in 1900. They are believed to have had eight sons and two daughters. Rebecca died in Fremantle in 1967 aged 88 years. Emily May married James Purvis in Fremantle in 1899. They had eleven children, ten of whom survived to adulthood. Emily died 23 September 1966, aged 84 years. Family notices placed over the years indicate that the sisters stayed close with each other and also with their Stinton half-siblings. All remained around the Fremantle area.

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