

## William Hailes, 141, *Hashemy*

Researched by Marcia Watson

His real name is probably James Ward, name variation of Hayles, Heyles

According to HO23/8, Millbank register:

"Information received respecting the prisoner: Lent Assizes, 1848, housebreaking, nine calendar months. Since he arrived here I find that this prisoner was tried at Winchester Sessions, April 1840, and sentenced to 7 years transportation for housebreaking. *York Hulk*, May 1840, sent from there to Bermuda in the name of Jas Ward".

In October 1831, at the Romney Session, Hampshire [this is possibly William Hailes]

James Ward and George Green were found guilty of stealing two jackets and sentenced to three months imprisonment.<sup>1</sup>

Then in April 1840, at the Winchester Easter Session, Hampshire:

James Ward, 22, charged with having obtained by false and fraudulent pretences a quantity of bread and meat, the property of the county of Hants— Seven years transportation.

[Hulk registers say he is 27 and has been in prison before; all give his year of birth as 1813]<sup>2</sup>

Thomas Haslum and James Ward were separately indicted, under the Mutiny Act, by order of the War Office, for having two several occasions fraudulently and falsely represented themselves deserters from her Majesty's forces, and by such means obtained support sustenance—one the gaol of Gosport, the other in that of Winchester. In both cases, it was proved that the prisoners had been before convicted of a similar offence, and, on being found guilty, they were each sentenced to seven years transportation.<sup>3</sup>

James was received on the *York Hulk* on 29 April 1849 from Winchester Gaol:

James Ward, 27, was tried at Winchester, Hampshire and convicted on 7 April 1840 of obtaining goods under false pretences. He was sentenced to seven years transportation, and had been in gaol before. James was recorded as 27, single, could read and write imperfectly and a labourer. He was transferred per *Horatio* to Bermuda on 18 July 1840.<sup>4</sup>

He received a Free Pardon in 1846:

To Our Trusty & Well loved John Henry Capper Esq, Super<sup>t</sup> Convicts &c and all others &c. <sup>5</sup>  
Victoria R

Whereas the following Persons are now under Sentence of Transportation on board the "Warrior" Hulk at Woolwich they having been convicted of felony at the times and places hereafter mentioned Viz<sup>t</sup>. Geo Cocks at Newington in Sept<sup>r</sup> 1838 ..... **James Ward** at Winchester in April 1840 ..... - We in consideration of some circum<sup>ces</sup> humbly represent<sup>d</sup> unto Us are Graciously pleased to extend Our Grace and mercy unto them and to Grant them Our Free Pardon for the Crimes of which they stand convicted Our Will & Pleasure &c

By H.M. Command, G Grey, dated 27 August 1846

James was pardoned and returned to England on 4 September 1846. <sup>6</sup>

### James Ward becomes William Hailes.

In January 1848, Warwickshire:

On Tuesday last, railway labourer named William Hailes, between 3 and 4 o'clock the afternoon, by cutting the door and partly wrenching off the lock, succeeded in breaking into the cottage of a man named

<sup>1</sup> Hampshire Advertiser - Saturday 22 October 1831; HO 27/41, p315

<sup>2</sup> Hampshire Advertiser - Saturday 11 April 1840, p3

<sup>3</sup> Hampshire Chronicle - Monday 13 April 1840, p4

<sup>4</sup> HO9/15, p63

<sup>5</sup> HO13/88

<sup>6</sup> HO8/89, p63

Freeman, at Hatton, abstracted a very considerable quantity of wearing apparel. Information of the robbery was given the same afternoon to the Warwick police, and about six o'clock, Hailes was apprehended police constables Hickling and Bumford, in Mr Lee's (the pawnbroker) shop, in the act of offering one the articles in pledge, he had all the other stolen property with him. The following morning he was committed by W. Collins, Esq, to take his trial at the next assizes, as will be seen by our county police report.<sup>7</sup>

March 1849, Solihull, Warwickshire:

Wm Heyles pleaded guilty to stealing at Solihull, the 19 January last, a loaf of bread, value 3d, and half a pound of cheese, value 4d, the property Sarah Smallwood. It appeared that the prisoner, this time last year, had been sentenced to five months imprisonment, and only about a month after he came out, he was committed for the present offence. Moreover, skeleton keys and a "jemmy" were found upon him, and he told the policeman who apprehended him that he had not committed this robbery through want, but not for the sake of thievery. He (the Chairman) had understood of late there had been several burglaries in the neighbourhood of Solihull, and therefore thought mercy in this instance would be ill-advised. — Sentenced to fourteen years transportation.<sup>8</sup>

Warwickshire Archives, Prisoner database:<sup>9</sup>

William Hailes, 41, reads and writes imperfectly, Theft at Solihull in 1849, 14yT

William, 41, single, was sentenced at the Warwick Sessions on 12 March 1849. He was transferred to Northampton Gaol on 4 May 1849. After nearly a year there, he was transferred to Portland Prison and was reported twice on 10 June 1850 for irregularity and disposed of as in Report Book and Misconduct Book.<sup>10</sup> From Portland, he boarded the *Hashemy* on 19 July 1850 for the Voyage to Western Australia.<sup>11</sup>

On arrival at Fremantle in October 1850, his description was:

141. William Hayles, 43, 5' 7½", black hair, hazel eyes, round face, dark complexion, dark whiskers, fresh appearance, arm covered with Indian ink marks, a seaman and single.<sup>12</sup>

Shortly after he arrived, William received treatment for several weeks and appeared on the Fremantle Prison sick list<sup>13</sup> C=in cells

		Complaint	Treatment
Hayles Wm	29 November 1850	Bad finger	Blisters
Hayles Wm	30 November 1850		Repeat Emp.....
Hayles Wm	2 December 1850	Bad finger	
Hayles Wm	3 December 1850	Stiff finger joint	Blisters
Hayles Wm	4 December 1850	Stiff finger joint	Dress blisters
Hailes Wm	5 December 1850	Stiff finger	Poultice
Hayles Wm	6 December 1850	Bad finger	
Hayles Wm	7 December 1850	Bad finger	Dress finger
Hayles Wm	8 December 1850	Bad finger	Dressing
Hayles Wm	9 December 1850	Stiff joint	Dress blister
Hayles Wm	10 December 1850	Bad finger	Dress

William made an unsuccessful escape in 1851 with three other convicts from the *Hashemy*.

<sup>7</sup> Leamington Spa Courier - Saturday 22 January 1848, p3

<sup>8</sup> Leamington Spa Courier - Saturday 17 March 1849, p1

<sup>9</sup> QS 26/2/307. Easter Quarter Sessions, Warwick, Case No 16.

<sup>10</sup> Portland Prison. Governor's Journal, 24 November 1848 to 9 August 1850. PCOM 2/354

<sup>11</sup> HO23/8; HO8/105

<sup>12</sup> SROWA Acc 128/40 - 43

<sup>13</sup> SROWA Acc 1156 CS1

The *Evergreen* returned to Fremantle on Sunday, after a fruitless search for the escaped convicts, who have doubtless got clear off ere this. A small boat was searched near the Murray, which, it afterwards appeared, belonged to Mr. Sutton.

The *Evergreen* arrived at the Vasse on the 17th instant, and, we suppose, examined the American ships in that bay, although we have not heard that such examination was made. She is now lying in Perth Water. If what we have heard is correct, a great want of prudence, of common foresight, and caution, has been manifested by those who had the control of these men. From their account, it seems that Adams, the master's mate, had given great satisfaction during the voyage out; he had been quiet and well behaved and evinced a great desire to instruct some of his fellow convicts in the art of navigation. This desire on his part was encouraged, and among the men who derived the benefit of such instruction were the three who accompanied him in his little boat excursion. These four men were afterwards permitted to be constantly together and were employed in the same occupation— sail-making. In the other convict colonies, this banding together of prisoners is invariably discouraged, and when any close intimacy is seen among them, the friends are speedily separated. The result of this confederacy is seen by the late event, and we may rest assured that the instruction imparted by the master's mate will not be disregarded and that he will find in his pupils the most efficient assistants.

It seems to be a matter for doubt whether these men have proceeded to the Northward or Southward. Against the former route, it is urged that they have no provisions, but this point cannot be clearly ascertained. They must have obtained supplies after landing the warder, but of course, this will not be known, as the parties who have victualled them for their expedition will take good care not to render themselves liable to the pains and penalties consequent upon their aiding and abetting in the escape of convicts, by admitting that stores had been placed at their service. If they went to the southward, and managed to net on board a Yankee whaler, they are safe enough; four hands and a whaleboat are prizes not to be met with every day.<sup>14</sup>

#### Recapture of four convicts at Shark Bay.

The four convicts who made their escape in the whaleboat belonging to the establishment at Fremantle, the circumstances connected with which were related at the time, in January last, were recaptured at Shark Bay, by a boat from the ship *Hashemy*, and sent back to Fremantle under military escort, where they arrived on Friday last on board the *Evergreen*. The following particulars relating to this daring attempt will be read with some interest. The idea which at first prevailed, that these men had steered for the southward, seems to have been totally without foundation. After a run of eight days, and anchoring we believe, every night, they reached the vicinity of Shark Bay. They seem to have suffered no material privation but at one time were in some apprehension as to water.

They appear to have made for the northern islands with very little delay, for about the 22nd or 23rd of January as the party from the ship *Hashemy* was working at the guano on Sunday Island, the mate observed at a little distance from the working party, a European watching their operations. This gentleman, well knowing that curious observers in that locality are somewhat scarce, lost no time in hailing the stranger, who gave them to understand that he had travelled on foot from Perth and had swum across the Epinaux Channel.

This story seemed a strange one, and unfortunately for the narrator, he was recognised by some of the ship's crew who had sailed with him from England not more than three months previously. When onboard the *Hashemy*, he was taken good care of. On the following day, the *Hashemy's* party discovered another of the runaways, who were speedily sent on board, where he was not a little surprised to meet his former companion. The men protested their ignorance of anyone also belonging to them, but the prompt and

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<sup>14</sup> Inquirer (Perth, WA : 1840 - 1855), 22 January 1851, p2

determined manner of Captain Ross in despatching a boat's crew for further information wrung from them the confession that they were escaped convicts and had left two comrades with a boat on the island.

When the *Hashemy's* party had done a search, they discovered at a distance two men, who instantly attempted to make their escape in the boat, which had been hauled up but was speedily launched for that purpose. The ship's crew, however, was too alert and cut off their retreat, and the whole party were secured and placed in irons on board the *Hashemy*.

Captain Ross communicated with Lieutenant Elliott, and the result is that the four men are now safely lodged in the Convict establishment at Fremantle. Much credit is due to Captain Ross and his crew for their promptitude, who seem to have been the predestined instruments of this recapture.<sup>15</sup>

#### 1851. Local Intelligence.

On Thursday, the 20 March, the four captured convicts, John Morris, Thomas Corry Adams, Henry Perkins, and William Hayles, were brought before W. H. Mackie, Esq. and the Resident Magistrate at Fremantle, charged with stealing a whaleboat and sundry articles of public as well as private property. As it was not contemplated to send the prisoners out of the colony, the charge against them was confined to the simple larceny of stealing the whaleboat, to which they all pleaded guilty. They were summarily convicted and sentenced to three years labour in chains, on some road or public work in the colony. This sentence is, of course, independent of the original one.<sup>16</sup> Note: Adams, Perkins and Hayles were all boatmen or seamen.

On 20 March 1851:

The 4 Prisoners viz. John Morris 122, Thos. C Adams 131, Henry Perkins 140 and Wm Hailes 141 having been adjudged by the Magistrate to undergo a Punishment of Three (3) years Imprisonment in irons - either on the roads or on such work as may be ordered - ... missing line ..... with straps &c and be put to such work as may be directed - care being taken that they are not left by themselves for anytime, and that they are allowed no communication, either between themselves or with other Prisoners. They will continue on full diet & have the regular bed and Bedding.<sup>17</sup>

Sick list at Fremantle Prison.<sup>18</sup>

C=in cells		Complaint	Treatment
Hales Willm C	3 May 1851	Febricula	Puli Aper
Hayles Wm C	4 May 1851	Febris C C	Mix feb
Hales Wm 141 C	5 May 1851	Febris C C	Continue feb mix
Hales Wm 141 C	6 May 1851	Febris C C	Continue
Hayles Wm 141 C	7 May 1851	Febris	Mix Quin
Hayles Wm 141 C	8 May 1851	Febris C C	Continue Quinine
Hayles Wm 141 C	9 May 1851	Febris	Cont Quinine
Hayles Wm 141 C	10 May 1851		Castor oil
Hayles Wm 141 C	15 May 1851	Debility	Mix Quinine

William was issued with a Ticket of leave on 23 December 1853.

He was due for Conditional Pardon (CP) on 23 September 1855, and William applied for his CP in September 1854. A Conditional Pardon was granted in 1860 and sent to the Resident Magistrate at Champion Bay. A Certificate of Freedom was granted on 12 September 1864.<sup>19</sup>

More information on Midwest Convicts Register

<https://midwestwaheritage.com/resultmcr/?id=1606>

<sup>15</sup> The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 21 March 1851, p2

<sup>16</sup> The Perth Gazette and Independent Journal of Politics and News (WA : 1848 – 1864), 28 March 1851, p2

<sup>17</sup> SROWA Acc 1156 So1, p34

<sup>18</sup> SROWA Acc 1156 CS1

<sup>19</sup> SROWA Acc 1156 R17B

**Possible Deaths:**

From his first conviction, William was born about 1813; from the second, he was born about 1807.

Hales, William, 76, unknown parents, died in 1887/266 [born 1811]

In 1889: Another of the poor old men at the Mount Eliza Depot is gone. The name of the latest victim claimed by death at this institution is William Hayles. His age was 69, and he died on Saturday.<sup>20</sup>  
[born 1820]

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<sup>20</sup> The W.A. Record (Perth, WA : 1888 - 1922), 23 May 1889, p7