

Thomas Hiden, 4384, *Clara*

Researched by Marcia Watson

Name variations: Hyden, Hydon

Baptism	3 September 1830, Bengeworth, Worcestershire, England
Parents	Thomas Hiden and Sarah Ballard
Parent's marriage	2 November 1826, St Peter the Great, Worcester, Worcestershire
Siblings	Joyce Elizabeth (1827-1827), Mary (1832-1858), Jane (1834-1834), Sarah Ann (1836), David (1837), Rachel (1839), Maria (1840), Martha (1842), John (1843), Samuel (1844), Caleb (1845), Joshua (1847)
Wife	
Married	
Children	

When Thomas Hiden was baptised, his father was a labourer; by 1834, he was a letter carrier.

1841 census, Port Street, St Peter Bengeworth, Evesham, Worcestershire.¹

Thomas Hyden 35, letter carrier; Thomas 10, David 4, Mary 8, Sarah 5, Rachel 2, Martha 1

1851 census, Church Street, St Peters Bengeworth, Evesham, Worcestershire.²

Thomas Hiden, 47, letter carrier; Sarah, 45; Thomas 20, cooper; Mary 18, works at the gloving; Rachel 12, works at the gloving; Maria 10; John 8; Samuel 6; Caleb 5; Joshua 4.

Martha Hiden 9, a scholar, was lodging next door.

David Hiden has not been found on the census, but by 1862, he was a tailor living in London.

His father, Thomas, continued to deliver mail until he retired; he died in 1883, aged 79. His mother, Sarah, died in 1895, aged 89.

In 1855, the newspaper reported on a case being tried at Worcester Assizes:

Thomas Hiden, aged 25, cooper, was charged with shooting at Mary Taylor, at Evesham, on 15 July inst., with intent to murder her. The prisoner had been apprenticed to Mr Taylor, a cooper, at Evesham. While there, he formed an attachment for Mr. Taylor's daughter and kept company with her for four years. He left three years ago, and the intimacy was broken off, but some time afterwards, he returned in order, as he said, to be nearer the object of his attachment. Notwithstanding the intimacy had been broken off, it seemed that some letters had passed between the prisoner and the young woman up to within a very few months. On Sunday week, the prisoner saw the young woman walking with another young man in Vine-street, Evesham. She passed him without saluting him. In about five minutes after, the prosecutrix was coming from the churchyard, leaning upon the arm of her new lover, Benjamin Ward, when the prisoner met them and cried out, "Loose that arm." She immediately took her arm from Ward, and the prisoner, drawing out a revolver from his pocket, fired it directly at her face. Fortunately, he missed his aim. Ward immediately rushed between the prisoner and the young woman when the prisoner fired a second shot at Ward. The powder flashed in the pan, but the bullet remained in its chamber due to the defective manufacture of the revolver. The prisoner was then seized, and the revolver was taken from him, but he made his escape by jumping into the river and swam across. A policeman there apprehended him upon a charge of shooting at Ward with intent to kill him. He replied, "Yes, and I meant it, lad." It was discovered on examination that the revolver was still loaded with three bullets, which remained undischarged till they were extracted by a gunsmith. The defence was the usual one nowadays — insanity, and the evidence adduced went to prove that the prisoner's father was a very

¹ TNA, HO107/1207/9

² TNA, HO107/2044

nervous man, that his sister had twice been in a lunatic asylum, and that the prisoner himself was at times in a very low, nervous way, and liable to be excited at the least thing, so that on several occasions it required several people to hold him. The jury found the prisoner guilty, and he was sentenced to be transported for fifteen years.³

Thomas Hiden, 24, can read and write imperfectly, a cooper, was convicted on 16 July 1855 of feloniously shooting with intent to murder and sentenced to 15 years transportation. Thomas was removed from Worcester Prison on 24 September 1855 and sent to Wakefield Prison. His behaviour was very good as Wakefield, and on 4 July 1856, as a Class 1 prisoner, he was transferred to Portsmouth Prison. He received two visits, on 28 August 1856 and 17 February 1857, but unfortunately, who visited is not recorded. Thomas boarded the *Clara* on 4 March 1857, bound for public works in Western Australia.⁴

Thomas was sent to Toodyay on 19 October 1857; he received his Ticket of Leave on 18 April 1859 and a Certificate of Freedom on 14 April 1872. He left Fremantle per *Azelia* on 27 April 1872 for Melbourne, arriving on 13 May. He was one of the three steerage passengers, as he is not listed as a cabin passenger.⁵

The following day, he appeared at the Williamstown Court. A middle-aged man, Thomas Hiden, was brought up, charged with infringing the Influx of Criminals Prevention Act by being a discharged prisoner of the Crown illegally at large in Victoria. The man was arrested on Monday afternoon by the Water Police on board the schooner *Azelia* from Swan River, Western Australia. In his possession was a Certificate of Freedom, which showed that the prisoner was convicted at Worcester, England, in July 1855 of shooting with intent to kill and was sentenced to 15 years transportation. His full sentence expired on 15 July 1870, but the law of this colony prohibited his coming here until he had been a free man for a period of three years. Inspector Burton, having asked for a remand to enable the police to take proceedings against the captain of the schooner, the further hearing of the case was postponed for seven days. Thomas was sent back to Western Australia.⁶

The mail steamer *Baroda* left Melbourne on 23 May for Galle, with the following passengers for King George's Sound: Mr W Watson, Mr L Smith, Mr FW Stevens, Mr A Harris, Mr E Hiden, Miss M Tuckwell.⁷

His treatment in Victoria was brought up in the Western Australia Parliament. 22 August 1872. The speaker took the chair at twelve noon. Address re Thomas Hiden.

Mr Bickley brought up the following address to His Excellency the Governor, prepared by the select committee, with reference to the case of the expirer, Thomas Hiden: The Humble Address of the Legislative Council of Western Australia, Prayeth:

That Your Excellency will be pleased to bring to the special notice of Her Majesty's Secretary of State for the Colonies the highly unconstitutional action of the Victorian (and South Australian) Legislature in the deprivation of the rights of a British Subject, as evidenced in the case of Thomas Hiden. The particular points to which it is respectfully desired to attract Your Excellency's attention are:

That the man (Thomas Hiden) held a certificate from the Comptroller General's Department showing that he had been a "free man" for upwards of two years, that he had obtained a clearance as such from the Collector of Customs at Fremantle, and under such clearance had proceeded in a

³ Leeds Times, 28 July 1855, p7

⁴ TNA,PCOM2/107; HO23/16

⁵ Bendigo Advertiser (Vic. : 1855 - 1918), 15 May 1872, p2

⁶ The Argus (Melbourne, Vic. : 1848 – 1957), 15 May 1872, p7

⁷ The Age (Melbourne, Vic. : 1854 - 1954), 23 May 1872, p2.

vessel called the "Azelia" to Melbourne, paying the owner for such passage the sum of £10; that on arrival in the Port of Melbourne he was immediately apprehended and lodged in Jail, and ultimately was sent back to Albany (King George's Sound), while the master of the "Azelia" was fined by the Melbourne Bench of Magistrates in the sum of £10 (which, with costs, aggregated £18) for having introduced into the Victorian province an ex-convict who had not been free for a period of three years! The whole, in the opinion of the Legislative Council, constitutes a case of very peculiar hardship and seriously trenching upon the inherent right of every British Subject to be admitted into any part of Her Majesty's Dominions without demur.

Mr Steere moved that the words "' highly unconstitutional" be struck out. This was agreed to, and the address was adopted.⁸

Undeterred by his experience, Thomas Hiden departed per *Legion of Honour* on 29 April 1873 for Newcastle. He arrived on 11 May, again travelling steerage.

No further trace has been found; he probably continued his journey to another country.

⁸ The Herald (Fremantle, WA : 1867 - 1886), 24 Aug 1872, p3