

Samuel James, 165, Hashemy

Researched by Marcia Watson

Baptism	11 February 1829 ¹ and baptised 15 March 1829 at St Mary, Reading, Berkshire
Parents	Robert James and Ann Poole
Parent's marriage	28 November 1826 at St Laurence, Reading
Siblings	Henry (1827), Maria (1831), Stephen (1834), Caroline (1836)
Wife 1	Grace King née Williams
Marriage 1	Not married
Wife 2	Mary Ann Mining née Bourke
Marriage 2	2 November 1876, Rockhampton, Queensland
Children	Ann (1858-1933) Tryphena (1860-1904) Robert Samuel (1862-1878) William John (1863-1925) Edwin (1865-1914) Edward (1877-1947) John (1878-1880)

When Samuel James was born, the family lived at Bank Place, Reading; Robert was a labourer.²

In March 1834, an advertisement was placed in a newspaper:

Five Guineas Reward. Whereas, Cornelius, otherwise Naylor James, and Robert James, are charged with Felony, committed in the parish of Hampstead Norris, Berks, in the night of Saturday the 23 March 1834, and have absconded from justice. They are gipsies, and brothers, usually travelling as basket makers, and well known in Berkshire and the surrounding counties, describing themselves as natives of Mortimer, but supposed to be natives of Oakingham. Cornelius James is about 30 years of age, 5 feet 8 or 9 inches high, and wears a brown frock coat, corduroy breeches, and a white hat. He has been in the Berkshire Militia. Robert James is about 29 years of age, with dark hair, rather thick-set, generally wears a brown smock coat and a black hat.

Whoever will apprehend and lodge them in either of his Majesty's gaols shall receive the above reward from Mr Job Lousley, of Hampstead Norris, together with all reasonable expences thereby incurred, and information is requested to be given to Mr Francis Crowdy, Solicitor, Ilsley and Speenhamland, Berks.³

In July, the brothers were found guilty of stealing a pig from Job Lousley and sentenced to seven years transportation; and found guilty of stealing a horse and sentenced to seven years transportation. Robert's mother-in-law petitioned the Government:

That Your Petitioner is the mother of the wife of Robert James who was tried with Cornelius James his Brother and both were convicted at the last General Quarter Sessions of the Peace holden at Abingdon in the said County on the first day of July 1834 of the several Offences of Stealing a Pig the property of Job Lousley and a Waggon Cloth the property of John Readings, and they were ordered by the Court to be transported for the term of Seven years for each offence. The said Cornelius James hath a wife and four children the eldest of whom is eight years of age and the youngest nine months old. The said Robert James hath four children the eldest is seven years old and the youngest five months old. The said Cornelius James and Robert James have not at any time been before charged with or tried for any offence against the Laws of their Country. And your Petitioner humble states that the wife and children of the said Robert James, have since the unhappy circumstances been dependent upon her and she is unable to maintain them. And your Petitioner humbly states that the said Robert James, did reside in the House of your Petitioner with his wife and Family until a few days before the committal of the Act for which he is transported. That he left the

¹ Rica Erickson's notes, Family Search

² Parish register

³ Berkshire Chronicle, 29 March 1834, p2

residence of your Petitioner in consequence of a misunderstanding with her, and your petitioner cannot but fear that the said Robert James and Cornelius James were both of them driven to commit the offence in consequence of such misunderstanding - and your petitioner is quite sure that neither of them the said Robert James and Cornelius James would otherwise have so done, - their previous habits having been those of industriously labouring to support their Families, and conducting themselves honestly to all men. Your Petitioner humbly craves the merciful consideration of His Majesty's Royal Clemency in the behalf of these unhappy men. And that your Lordship will consider the forlorn and destitute condition of their wives and Families - and the very great distress of your petitioner. And your Petitioner humbly prays that the said Robert James and Cornelius James may not be sent out of the Country, but that His Majesty will be graciously pleased to commute their dreadful sentences of Transportation for a short term of imprisonment in this Country.

And your Petitioner shall ever Pray &cc.

Mary Poole

Robert and Cornelius James were transported to New South Wales per *Bengal Merchant*, arriving on 30 January 1835. A brother had been transported nine years earlier.

Ann James was left with four young children to support. She gave birth to a daughter, Caroline James, who was baptised on 30 December 1836. The father was named Robert James on the baptism; however, Robert was transported in 1834.

By 1841, Ann James was with Leno Marks. Living in tents at Swallowfield, Hampshire, on the census were - Leno Marks, 25, a hawker, Ann Marks, 20, Samuel Marks, 10, Caroline Marks, 9 and Elias Marks, 1.⁴ Her two other children, Henry James, 14 and Stephen James, 7, were living with their grandmother Mary Poole, 70, at Friar Street Parish Court, St Lawrence, Reading, Berkshire.

Ann continued to live with Leno Marks. In 1851, living at Rotherwick, Hampshire:

Leno Marks, married, 47, general dealer, born Marlborough, Wilts

Anne Marks, married, 46, born Wokingham

And their children - Maria Marks (*James*), 19, Stephen Marks (*James*), 16, Caroline Marks, 15, Alice Marks, 9, Ellen Marks, 6, and Mary Marks, 2.

Her son, Henry James, was possibly the chimney sweep living in Reading on the 1851 census.

Ann died in 1888, aged 83 and Leno Marks in 1883, aged 76. No marriage has been found.

In November 1848, Samuel James and others were examined and committed to stand trial at the next Assizes on charges of stealing and receiving. At the Hampshire Lent Assizes, at Winchester in March 1849:

Samuel James, George Jones and Charles Marshall, were indicted for burglariously breaking and entering the dwelling-house of Thomas White at Heckfield and stealing various articles of drapery goods. Jane Stevens, Elizabeth McCormac and Mary Jones were indicted for receiving the property, knowing it to have been stolen.

Mr Massey conducted the case for the prosecution, and Mr Bevan defended the prisoner James.

Thomas White deposed that he is a draper at Heckfield, and young female, Mary Spire, looked after his shop.

Mary Spire said she closed the shop and made it all safe at 10 o'clock. She retired with Jane Albion⁵ to bed, and about four o'clock in the morning, they heard a noise. They called a man downstairs, and he found a man in the shop, who ran away. A great many articles were missing - among them, two lengths of woollen cloth and a dozen of aprons. On the 11th November, she went to Reading and saw the prisoner in a house in Silver-street, and there found several articles. James said the room was his; she knew the goods found to be the prosecutor's, which were safe the night before. In Jones's room, between the bed and the sacking, were found some flannel and other articles, which she also recognised. The policeman and witness then went to Marshall's room but found nothing there, and on searching him (Marshall), a silk button was found, which was one of the articles stolen. The women were in the company of the prisoners.

Mr Callingham, superintendent of police, stated that on the 10th of November last, in consequence of the information he had received, he went to Reading. At a lodging-house in Silver-street, he found the

⁴ The census form is very faded and extremely difficult to read. Elias Marks, mother's maiden name was Poole. Elias died in 1841.

⁵ Another newspaper reported the females as Mary Spier and Jane Ellis.

prisoner James and a bundle of the goods, which he now produced. He then went to Jones's room, where there were several beds, and found more of the plunder; he then went to another room and found Marshall and the woman Stevens, with some other property. The silk button he found on Marshall, he now produced, and, with the other goods was identified, he also produced many small articles found on the female prisoners, which formed part of the stolen property. Jones said that Marshall gave him the articles found in his possession, which he (Marshall) confirmed, and said that James and himself had found the things concealed in a hedge when picking up wood. The female prisoners said they knew nothing about it.

Samuel James, George Jones and Charles Marshall – 12 years transportation

Mary Jones – 12 months imprisonment

Jane Stevens – acquitted.^{6,7} [Elizabeth McCormack was also acquitted]

Samuel James, 19, single, cannot read or write, a labourer was convicted at Winchester, Hampshire, on 1 March 1849. He was received at Millbank Penitentiary on 27 April 1849, and after a year, transferred to Portland Prison on 1 May 1850. The Prison Register says he was disorderly, and his health was good. A short time later, on 19 July, he boarded the *Hashemy* for the voyage to Fremantle.⁸

On arrival at Fremantle in October 1850, Samuel's description was recorded:

165. Samuel James, 21, 5' 9¼", brown hair, hazel eyes, an oval face, brown complexion, slight build, no marks, labourer and single.⁹

General Register noted:

165. Samuel James, 22 years, single, brush & box maker, Church of England, Sunday & Private School, very little reading ability, Cannot write or do maths.

His mother, Ann James, lives at Rotherwick near Odiham in Berkshire.

Attended Divine Service? Fell off in attendance for some time before his committal.

Received Sacrament? Never

Habits? Usually hard working, drinks a little, but seldom

Intellect? Sound

State of Mind? Hopeful

Knowledge, Secular? Very limited

Knowledge, Religious? Limited

Alleged Cause of Crime? Drink

Name of Person referred to for Character, &c. Mr William Poole, Fish Monger, Reading, Berkshire.¹⁰

[William Poole is his uncle]

Samuel, sometimes as George, appears on the casual sick list at Fremantle.¹¹ The fever of unknown origin affected many convicts and caused debility as they recovered.

James Sam ^l	25 November 1850	Boils about the body	Opening draught
James S	26 November 1850	Boils	Poultice
James Sam ^l	22 December 1850	Sprained ankle	Liniment
James Sam ^l	23 February 1851	Bad lip ointment
James Sam ^l	10 March 1851	Febricula	Mixt Febris; Puls aper
James Sam ^l	11 March 1851	Febris C.C.	Feb mixture
James George H	12 March 1851	Febris C.C.	Fever mixture
James George H	13 March 1851	Febris C.C.	Continue fever mixture
James George H	14 March 1851	Febris C.C.	Continue fever mixture
James George H	15 March 1851	Febris C.C.	Continue
James George H	17 March 1851		
James Sam ^l H	18 March 1851	Febris C.C.	Continue medicine
James Sam ^l H	20 March 1851		Continue medicine

⁶ Hampshire Advertiser and Salisbury Guardian, 10 March 1849, p2

⁷ Hampshire Telegraph, 25 November 1848, p4

⁸ HO24/4; PCOM2/107, p20

⁹ SROWA Acc 128/40-3

¹⁰ SROWA Acc 1156 R21A

¹¹ SROWA Acc 1156 Cs1

James Saml H	21 March 1851	Debility after fever	Continue. Beer
James Saml H	22 March 1851	Debility P. fever	Continue medicine
James Saml H	23 March 1851		Continue
James Saml H	24 March 1851	Debility P. fever	Continue
James Saml H	25 March 1851	Debility P. fever	Continue
James Saml H	26 March 1851	Feb. C.C.	Infus Gent
James Saml H	28 March 1851		Continue med
James Saml H	29 March 1851	Debility	Continue
James Saml H	30 March 1851		Discharged
James Saml 165	13 May 1851	Cold	Puli antinomy ...
James Saml 165	16 May 1851	Rheumatic	..., Dovers powder
James Saml 165	18 May 1851	Head ache	

H=hospital, Aper=aperient, Febricula C.C.= fever of unknown origin

A Ticket of Leave was issued to Samuel on 17 September 1851, and he was discharged from Fremantle Gaol the same day.¹² Another register says he received his ticket of 26 September 1851, although this appears to be wrong.¹³ The Superintendent's Orders book, p. 89, entry date 17 September 1851: "Samuel James 165 and Charles Marshall 164 will proceed this day on Ticket of Leave to Toodyay and report themselves there to the Resident Magistrate."

Samuel was granted a Conditional Pardon on 5 July 1856.¹⁴

The following year, Samuel and fellow convicts from the *Hashemy*, George Porter and Thomas Hague, went to South Australia per *Swallow*. The ship sailed from Fremantle on 30 April 1857 for Adelaide and arrived on 27 May at Adelaide.¹⁵ The terms of passage were: Cabin £15, Steerage £10.

Samuel possibly appeared in Adelaide Police Court, 5 March 1858

Disorderly. — Not Proved. — Samuel James was charged with drunkenness, also with using had language on the road leading from the new City Bridge to North Adelaide on Friday evening. Defendant said he was not guilty. The apprehending constable stated that the defendant was drunk and came up to him, insisting on having some conversation. He told him to go quietly home, on which defendant called him a filthy name. The defendant denied the charge altogether, asserting his perfect sobriety and denying that he had used the expression.

The Court—Have you any witness?

Defendant—No; there was no one about.

The Court, to the constable—Have you any?

The constable—None.

The Court, to the defendant—Then you are discharged. You having been locked up all night, and it is sufficient punishment.¹⁶

After Samuel James arrived at Adelaide on 27 May 1857, he formed a liaison with Grace King *née* Williams. Her husband, William King, placed the following notice in newspapers.

Notice – I will NOT be ANSWERABLE for any DEBTS my wife GRACE KING may contract after this date. William King, 12 September 1857.¹⁷

Samuel James must have met Grace King by July 1857, if he is the father of their first child. They had three children in South Australia:

Ann James, born 18 April 1858 at Gawler; Tryphena James, in 1860 at Penrice; Robert Samuel James, in 1862, birth not registered.

The family moved to Victoria, where Samuel James worked as a sawyer. They had two more children: William John James, in 1863 at Collingwood and Edwin James, in 1865 at Diamond Creek.

¹² SROWA Acc 1156 R21B

¹³ SROWA Acc 128/40-3

¹⁴ The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 11 July 1856, p2

¹⁵ South Australian Register (Adelaide, SA: 1839 - 1900), 28 May 1857, p2

¹⁶ Adelaide Times (SA : 1848 - 1858), 6 Mar 1858, p3

¹⁷ Adelaide Observer (SA : 1843 - 1904), 19 September 1857, p8

Samuel James and Grace King parted company. Perhaps Samuel deserted her as she remarried in 1867.

The next sighting of Samuel James is ten years later, in 1875, at Rockhampton, Queensland.

Small Debts Court. Wednesday 6 January 1875, Rockhampton.

S. James and Another v. R. Costello.

This was an action brought by Samuel James and Robert Henderson against Robert Costello to recover the sum of £15, for an alleged breach of contract. Mr Milford for the plaintiffs; Mr Melbourne for the defence. It appeared from the evidence for the plaintiffs that the defendant agreed to pay them £1 per hundred for cutting 2500 feet of sawn timber, for the purpose of building the National School at the Nine-mile Waterhole, which contract the defendant had broken, causing damages to the extent of the amount claimed. For the defence, it was stated that although the contract was made, it was afterwards agreed between the parties that it should be discontinued and that they rescinded the same by mutual consent. It was a case of conflicting testimony and resulted in a verdict for the plaintiffs; damages, £5 10s., with £3 7s costs.¹⁸

Then in 1876, Samuel married on 2 November 1876 in the house of the Primitive Methodist minister at Rockhampton.

Samuel James, 42, sawyer, born Berkshire, bachelor of Rockhampton.

Mary Ann Mining, 34, widow, born Skibbereen, Cork, living of Rockhampton.

Witnesses were Alfred and Sarah Peas. Samuel signed the register, and Mary Ann made her mark.

Samuel said his parents were Robert James, Veterinary Surgeon, and Ann Poole

Mary Ann said her parents were John Bourke, farmer, and Mary Macarthey [McCarthy]

Samuel James and his wife Mary Ann had two children:

Edward James, in 1877, and his mother was named Mary Ann Bourke Murray¹⁹

John James, in 1879, and his mother named Mary Ann Bourke Minny.

When John James died in 1880, aged 1, and his parents were named as Samuel James and Mary Burke.

Samuel James possibly moved to Dalrymple by 1893.

Dalrymple Divisional Board

The Warder wrote to the fact that Samuel James and Joseph Williams, holders of prospecting protection area, No 1962, had sunk a shaft on Harte street and abandoned it, showing the penalties to which they had laid themselves liable under the Goldfields Regulations. Attended to.²⁰

In 1897, Samuel's son, Edward, who was a miner, married in Charters Towers. The Electoral Rolls for 1903 and 1905 show Samuel was a labourer living off Mill Street. By 1909, he lived at Cavey's Ridge on the outskirts of Charter's Towers.

Samuel James died at Charters Towers Hospital on 21 January 1911, aged 83, of chronic bronchitis and heart failure. The informant of his death was the hospital superintendent. Samuel is buried in the Baptist section. Information on the death certificate is full of mistakes.

Samuel and Mary separated at some stage, possibly after their son married in 1897. It is unlikely they divorced. Mary moved to Gladstone, where she married again in 1901, claiming she was a widow.

On 21 November 1901 at Rockhampton Registry Office:

Mary James, 54, widow, housekeeper, living in Rockhampton, daughter of John Bourke (farmer, deceased) and Mary McCarthy, born in Skibbereen, Cork

¹⁸ Rockhampton Bulletin (Qld. : 1871 - 1878), 7 January 1875, p2

¹⁹ Edward married Clara Elizabeth Beasley in 1897, at Charters Towers. She died in 1943. The Beasley family emigrated from Reading to Cooktown in 1883, and later moved to Charters Towers.

Edward James died in 1947 and his parents were named as Samuel James and Mary Ann Mining.

Townsville. The death occurred on Monday of Mr. Edward James, at the age of 69 years. In his early days, the late Mr. James, who was a native of Rockhampton, followed the occupation of a miner at Charters Towers, and was then employed for 34 years as a waterside worker at Townsville. He is survived by two daughters, Mesdames B. Bolton and J. Nevins, and two sons, Arthur and Albert, his wife having predeceased him in 1943. Townsville Daily Bulletin (Qld. : 1907 - 1954), 11 March 1947, p2

²⁰ The North Queensland Register (Townsville, Qld. : 1892 - 1905), 19 April 1893, p36

Christian Anderson, 48, bachelor, carpenter, living in Gladstone, son of Andrew [Anders] Mansen (sail maker) and Beinta Bansen, born in Halsingberg [Helsingborg], Sweden.
Mary died on 5 December 1905 of heart failure at Gladstone.

Mary Burke was baptised at Skibbereen, Cork on 23 February 1834, the daughter of John Burke and Mary McCarthy. The sponsors were Wm Burke and Joan Burke.
William Burke, was baptised on 25 December 1836 at Skibbereen, son of John Burke and Mary McCarthy.
No marriages for Skibbereen were available before 1837.