

Convicts

James Rudd

First to arrive was James Rudd – Fremantle gaol convict records.

Rudd James; Convict; Registered Number – 275; Term - 20 years; Age – 31; Trial place –Swansea, Wales; Year - 1849; Criminal offence – Burglary; Occupation – Jobbing smith; Marital status – single; Height - 5' 3-1/2"; Hair colour – dark; Hair – dark brown; Eyes – grey; Face – long; Complexion – dark; No distinguishing marks.

The *Barque Mermaid* - arrived in WA in 1851

This 473 ton barque was built in Calcutta in 1817. It was employed as a convict transport and left



Portsmouth, England on January 9, 1851 bound for the Swan River Colony. She carried the third of 37 shipments of male convicts destined for Western Australia. The voyage took 123 days and the *Mermaid* arrived in Fremantle on May 13, 1851 with 91 passengers and 208 convicts [Erickson]. J.P. Anderson and Alex Kilroy were the captain and surgeon respectively. There were no deaths recorded on the convict shipping and description lists and 208 convict numbers were assigned for the voyage ranging from (176 to 383).

Of the 91 passengers mentioned above, all 91 were pensioner guards and their families, the number being made up of 29 pensioner guards, 23 wives, 20 sons and 19 daughters.

Alex Kilroy's surgeon's journal for the voyage is preserved in the Public Record Office (PRO) in London. Researchers can view a copy on the Australian Joint Copying Project (AJCP) microfilm reel M711 which is held in most major libraries and archives offices throughout Australia.

The list of passengers is alphabetically sorted of the names associated with each of the 208 convict numbers assigned to this voyage. The comments field gives alternative names attributed to the various convicts, many of which are not only spelling variations, but alternative names used in later life or in subsequent re-convictions. The age quoted seems to refer to the age of the convict when the passenger list was created.

Term – 20 years; seems harsh but Rudd’s newspaper reports and trial in the courts of Swansea, Wales throws a different and remarkable light on one part of the life and times of the family Rudd.

Welsh Newspapers Online

‘The Principality’.

27 October 1848 – page 8 – report

<http://newspapers.library.wales/view/3613923/3613931/57/Rudd>

Police and petty sessions – Cardiff Police Court.

Margaret Evans, charged with stealing from the person of Philip Rudd, boot and shoemaker, 25 Millicent Street, while in a house of ill phone, in Autumn Street, amounting to 30 shillings and sixpence and a purse, on the 16th instant. Discharged.

Philip was the younger brother of James Rudd and this was the first account found of the family name

8 December 1848 – page 5 – report

<http://newspapers.library.wales/view/3613977/3613982/19/Burglaries%20at%20Wenloe>

Extensive Robberies.

In the police court on Thursday, Mr Stockdale reported the apprehension of a gang of robbers in this town. It appears that a number of farmhouses in this neighbourhood have been lately entered and plundered of the contents of the dairy, etc. Great quantities of cheese, butter, honey, clothes, etc. have been captured, altogether about four cart loads. Amongst the goods articles stolen from Llanderu mill, and the Wenvoe, have been discovered; a number of brass poaching snares were also found in the house. An inventory of the goods is being made, and the case will be heard on Monday.

15 December 1848 – page 5 – report

<http://newspapers.library.wales/view/3613986/3613991/19/Rudd>

Extensive Robberies

For the last 18 months the most mysterious and successful housebreaking has been carried on at different farms and other houses in this vicinity. Notwithstanding the most vigilant effects of the police, no clue whatsoever could be gained of the offenders, nor the slightest trace of the stolen articles be ever discovered. On the 7 December 1847, more than a year ago, the house of John Morgan, a publican, in the parish of Michaelston, was broken into; the burglars took away the bars of the window, and entered the parlour, breaking open a drawers, and took therefrom a suit of clothes belonging to the man servant, several shawls, a gown peace, belonging to the landlady, a mahogany tea caddy, British made teaspoons, and old-fashioned teaspoon, marked “M .E” Mr Morgan had, on the night of the robbery, heard a noise in the house, but beyond that nothing of the act could be ever ascertained. On 16 November last, the house of Mr Phillips, of the Alffs, Wenvoe, was entered in the same manner as that at Michaelston, by the window of the dairy room; a poplin dress piece, a Marino gown, several shawls and turnovers, a looking glass, and many other articles were taken from a chest of drawers; three cheese and some eggs were also taken from the dairy. A minute search was made for the articles in all the localities similar cases proved a sealed affair, and the mystery of the transaction bade defiance to the vigilance of the most careful searches. Mr Samuel Ryde, of Llandishen, had his house also broken into, and seventeen cheese, a quantity of butter, and a piece of beef, were stolen from; nine of the cheese were found concealed in Roath wood, and returned to Mr Ryde; the rest could never be traced. Mr Lougher, Great House, Michaelston-Super-Ely, had a great quantity of potatoes, and a sack stolen from him; but he like his neighbours, could not find out the malignant offenders. At last however a case has prompted has happened which has thrown a perfect light on all those enumerated above. On the night of 28 November last, a detached building – the Mill of Mr Morgan, of St Mellon’s, – was entered by breaking the iron bars of the window, and about half a sack of flour, some potatoes, and an umbrella stolen therefrom; the sack contained the flour belonged to Mr Daniel Rowlands, but the flour and the other articles belonged to the miller. Mr Trewather, Police Officer, Castleton, received information of this robbery, and went to the place. There he found a foot mark, and on the Lanedern side of the bridge he found the same mark again, going in the direction of Cardiff. On the morning of the robbery. William Morgan, a labourer, when going to his work, met three men loaded with sacks going towards Cardiff; he went

towards them, and saw that one had potatoes the others flour. Thinking all was not right, he followed them into the house at Benjamin Sampson, greengrocer, Millicent Street, and gave that information to Mr Trewartha, who went to the house, accompanied by Mr John Murray, one of the Cardiff police, and there apprehended James, Nathaniel, and Philip Rudd, 3 brothers, the first one a blacksmith, the other a shoemaker, and the other a turnip-hoer and Mr Edward Lewis, a lad of about 16 years of age. On searching the prisoners, a quantity of money was found on their persons, and the various articles – about 4 cart loads – of stolen goods were also taken in in charge. Amongst these several of the articles stolen from the places mentioned already have been found and identified, as were also the thing stolen from the mill. The Rudd's have been lodging with Sampson for some time, and their mother stopped with them sometime back. The lad Edward Lewis said he did not know, nor did he ever witness the Rudd's keeping improper hours. They lived upstairs and are single men. He never interfered, nor had anything to do with them, further than receiving the rent for the apartments. It appears they had covered the floor with sawdust and had placed an artificial flooring on that again, so that they could go in and out almost noiseless. James Rudd the blacksmith has been working for some time at Mr Culverwell, St Mellon's, which is supposed to have made him acquainted with the locality. The prisoners were examined on Monday and remanded until Thursday last, when they were finally examined, and committed to take their trial at the ensuing assizes on the several charges of breaking into and robbing the places above named. All the prisoners denied having any knowledge of the robberies, and James Rudd said all the articles belong to him, and that he had purchased them at sales in about this town.

9 March 1849 – page 4 – report

<http://newspapers.library.wales/view/3614085/3614089/41/Burglaries%20at%20Wenvoe>

Glamorganshire Spring Assizes.

Friday, March 2

The business of the court commenced this morning at nine o'clock.

Burglaries at Wenvor

James Rudd, 30, Philip Rudd, 19, Nathaniel Rudd, 20, and Edward Lewis (against whom there were some scored charges of burglary and robbery), were indicted for having, on the 15th November, feloniously broken and entered a mill, on the confines of this County and Monmouth, and with having stolen a sack of flour, an umbrella, and other property.

Mr Grove conducted the prosecution, and Mr Carne defended the prisoners.

Thomas Morgan, prosecutor's son, said that on the morning after the night mentioned he went to his work at the mill, and observed the window of the mill had been entered, the iron bars removed, and the interior of the place more evident marks of having been broken open and plundered. He missed a sack of flour, and an umbrella, and some potatoes, which he had seen in the mill on the previous day. Saw several footmarks – some of a man's size and some of a smaller size. He afterwards visited Millicent Street, Cardiff, and in the house there saw the sack and umbrella, which had been taken from the mill. There was at this time no flour in the sack which had been washed.

William Morgan, another witness, gave evidence to the effect that the morning after the robbery he met the prisoners in Charles Street Cardiff. The elder Rudd carried a sack, apparently containing potatoes. He could identify Edward Lewis as being with him, but could not speak positively to the others, but there were two besides. He said to Rudd, "You have a heavy load to carry." Witness described the dresses of the others which corresponded precisely with the dresses worn in the dock by the prisoners. He saw the prisoners turn to Millicent Street.

PC Trewartha said, that on examining the mill on the following day he observed outside footprints of three men's feet the smaller size. He heard nothing of the robbery until 6 December, when he visited Millicent Street, and found Edward Lewis and one of the other prisoners in bed. One of the prisoners was downstairs. There was a large quantity of goods and property of every description in the room, but prosecutor's son who accompanied me, immediately selected and identified the sack and the umbrella.

Mrs Roberts, the owner of the sack stolen from the mill, likewise identified the sack as being her property. She had herself mended it.

Edward Morgan said, that on the morning after the robbery, just before daybreak, he met four men in Bridge Street, Cardiff; all had loads. He could only speak positively to Philip Rudd and one of the others was a lad nothing new was elicited in the cross examination.

The landlord, who let the prisoners part of the house and a neighbour were called to prove that the prisoners were the occupants of the room in which they were apprehended, and the property found; and that they had a separate entrance to the house. Mr. Carne then addressed the jury on the part of the prisoners, observing that there was more on animus thrown into this case than was usually found in criminal cases. There were accounts in the indictment, under a recent act of Parliament, both for stealing and receiving. This could not have been done last year. This certainly rendered the defence more difficult for the prisoners, and it showed that the prosecution was actuated by a strong feeling against the prisoners, in saying, "We charge you with stealing, and if we cannot secure your conviction for stealing, we will have you for receiving."

The learner judge minutely summed up the evidence, pointing out and commenting upon the various circumstances bearing on the case. The jury, without leaving the box returned a verdict of guilty against all excepting Nathaniel Rudd.

A certificate of a former conviction was proved against Edward Lewis.

The same prisoners were arraigned (before a fresh jury) on the charge of having on the night of 15 November burglariously broken and entered the dwelling house of David Phillips, and with having stolen therefrom 10 yards of poplin and various articles of wearing apparel, the property of David Phillips.

Mr Grove conducted the prosecution, and as before, Mr Nicoll Caine and Mr T Allen defended the prisoners.

Mr Grove briefly stated the case and called David Phillips, who said, on the night in question he and family retired to rest, having had the doors securely fastened. On the following morning he observed that an entrance had been affected through the window of the removal of an iron bar, by means of which the dairy window was secured. The article is named in the indictment were stolen therefrom.

Mary Jones, servant to the last witness, corroborated the evidence as to the fastening of the windows on the previous night. She (witness) was the first to get up in the following day, and found all the drawers open, the house disarranged, and the evident traces that the house had been entered. The poplin named in the indictment was missed.

John Murray, a policeman, said that he found the 10 yards of poplin the flannel shirts, shawls, and a variety of other articles, in the apartments occupied by the prisoners. James Rudd was in the room. Previous to entering the house, he knocked violently at the door, but could get no answer. He then broke in the door and found the articles in question. He charged James Rudd with the robbery, but he said that he had purchased the property at a sale. Witness and the other officer carted away the whole of the property found. – The officer here produced a considerable number of shirts, shawls, dresses, some poplin, cheeses, and other goods which the witness Mary Jones identified as the property of her master.

John Simpson having again proved that he let the apartments to James Rudd, but that the other prisoners passed backwards and forwards to the passage.

Mr Nicoll Caine addressed the jury, contending that there was not the slightest evidence against Lewis and Philip Rudd, and more than against Nathaniel, as it had been proved that James Rudd was the master of the premises; and would the jury convict because a man happened to lodge in a furnished apartment in which some stolen goods had been found?

His Lordship having summed up the evidence, the jury, without leaving the box, returned a verdict of guilty against James Rudd, and acquitted the other prisoners.

His Lordship sentenced James Rudd to 20 years transportation, and Philip Rudd and Edward Lewis to 7 years transportation. The prisoner Nathaniel Rudd was discharged. Attorney for prosecution, Mr T Evans; 4 prisoners, Mr Bird.