

**John Hayward, grandson Francis Haywood married Eva Carter (Abjd) and ggrandsons brothers Brian and Geoff Haywood married Christine Carter (Abjbc) and Christine Blakiston (Abkha)**

Died Toodyay 13.5.1902

Family in England:

The census in the village of Stourpaine, Dorset. The family members are:

1841		1851	
John Hayward	40	John Hayward	52
Rachel Hayward	35	Sarah Hayward	27
Sarah Hayward	15	John Hayward	23
Elizabeth Hayward	15	James Hayward	21
Silas Hayward	15	Elias Hayward	17
John Hayward	13	Mary A Hayward	15
James Hayward	11	Lydia Hayward	6
Elias Hayward	7	Jane Hayward	8, granddaughter
Mary Hayward	5	Dorcas Hayward	4
Jeremiah Hayward	2	James Hayward	2, grandson

John Hayward was convict 3091. Born in Stourpaine in 1828 and died in Toodyay 13th May, 1902. He was convicted at the assizes at Dorchester in March, 1852 for sacrilege. Because of previous convictions he was sentenced to 15 years. He was transferred from the Dorchester lockup to the hulk *Warrior* on the Thames at Woolwich on 30<sup>th</sup> June, 1852. On the *Warrior* he was assigned convict number 5610. The September quarterly report has his conduct as very good. On the same hulk with him were George King and William White (aka Lyon). He was transferred to the *Ramillies* in late May 1854. [HO 8/116 on AJCP reel 5214]. The *Ramillies* arrived at Frematle on 7th August, 1854

His physical description on Acc 128: labourer, single, 5'6", light brown hair, light grey eyes, long face, sallow complexion, tolerably stout, Marks on left arm; 2 foul anchors, rings, on left hand

News of his arrest and trial in the *Dorset County Chronicle and Somersetshire Gazette* 23<sup>rd</sup> October, 1851:

"On Sunday last Durweston Church, near Blandford, was entered, and a large silver cup, a plate and a plated flagon were stolen therefrom. On the cup, if not the plate, is inscribed the name of "Fleet", as the donor."

October 30, 1851:

"An investigation took place at the gaol yesterday before W.P. Okeden, Esq and H. Williams, Esq into a charge of sacrilege committed at Durweston Church, which fact was reported in the Dorset Chronicle las week. Two brothers, named John and James Hayward, who were already in confinement, undergoing a term of two months imprisonment for poaching, were charged with stealing the communion plate. A great many witnesses were examined, and the accused were finally committed for trial at the next Assizes. The two prisoners were charged at the same time with burglarously entering the dwelling hhouse of Elizabeth Cole, of Stourpaine, on the night of the 18th instant and stealing therefrom a basket and various other articles. They were fully committed to the Assizes on this charge also."

"March 18, 1852

"John Hayward and James Hayward were indicted for breaking into the Durweston Church, on the 19th October, and stealing therefrom a silver cup, a plated flagon, and a silver plate.

"Mr Stock was the counsel for the prosecution.

"From the evidence it appeared that on the evening of Sunday 19th of October, the clerk of the parish quitted the Church about 7 o'clock, leaving the church and its contents entirely safe: the plate chest being locked. There were composite candles in all the chandeliers of

the Church. The next morning about 7 o'clock the clerk went to the Church, and on going in he observed there was something wrong. The cloth of the communion table was disturbed, there was grease on the carpet and two candles were missing near a window and a pane of glass had been taken from that window so that a man could get in. The plate chest had been opened and the article it contained had been taken; there was a mark of a chisel on the window and the vestry door. On Monday 20<sup>th</sup> Oct., two constables who had a warrant against the prisoners for poaching went in search of them. They encountered them on Ashdown, but before they met the constables heard a gun and a sound like the clinking of metal. The prisoners were then apprehended and their persons searched and upon them were found three composite candles, a chisel and a pheasant; this chisel corresponded with the marks in the Church. On the following Wednesday search was made about the place where the prisoners had been apprehended, and they found a piece of silver plate, and the next day the whole of the articles were discovered amongst some bushes covered with grass and the silver had pheasant feathers on it.

"The prisoners put a variety of questions to the witnesses, but they did not turn out to be of any importance.

"The Jury deliberated a long time and then said some of them did not see how the prisoners were connected with it; there was none of the plate found upon them, they did not know what to do. At last they retired and having been out of court some time returned and delivered a verdict of "guilty."

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"A former conviction for felony was proved against James Hayward.

"The prisoners were then sentenced to 15 years transportation, his Lordship observing that he would have very much regretted had the verdict been different.

"Moore and Hill the constables who had apprehended the prisoners were then called up, and his Lordship said they deserved great thanks for their exertions, their zeal and activity; and he awarded them £2 each."

He had children by Winifred Pierce. According to her marriage certificate Winifred Kelly had arrived on the *Clara*, but her name does not appear on the passenger list. Her husband was Henry Philip Pierce. Henry Philip Pearce was convict 1136 aged 39 at the time. They had two children Maria Pearce 1856 and Henry Thomas Pierce 1858. Henry died aged 8 in 1865. There is no record of Henry Philip Pearce's death. Four children were registered to John Hayward and Winifred Kelly (Pearce) John 1867 Annie 1870 Sarah 1871 William 1873.