

## Joseph Brown, Scindian Convict # 45

by Joanne Hyland

In 1847, Joseph Brown was working as a porter for John Oldrid in Boston, Lincolnshire, a small port town about 160 kms north of London. Oldrid was a draper and had employed 35-year-old Joseph Brown as a porter for 8 years. Joseph and his wife Eliza (nee Wrinch) had married on 16 May 1838 in nearby Leverton and by 1841 were living in St Botolph's Street, Boston with their one-year-old daughter, Sarah Ann born in 1840. Their second daughter, Eliza Ellen was baptised on 22 September 1844 in St Botolph's Church, which was then, as today, the town's most notable landmark.

Even though Brown seemed to have stable, long-term employment with John Oldrid, in mid-1847, he was indicted for stealing 4 bushels of oats and a box, the property of his employer. Brown had also managed a horse and stable in Silver Street where the oats were kept. The horse and cart of William Rinch (Wrinch), Brown's father-in-law, had been used to remove the oats from the premises, and although charged for his part in the crime, Rinch was found not guilty. According to Oldrid's evidence, Brown had for some time been considering leaving his employment and his last day was said to have been 17 April 1847, the day the crime was committed. Entering a plea of not guilty in court, Brown had apparently previously admitted his guilt to both Oldrid and before the magistrates.

Further to this charge was another crime of two days later, 19 April, in which instance Joseph Brown was accused of stealing drapery goods from Messers Oldrid of Boston and disposing of them to his father-in-law William Rinch, a carrier, and brother-in-law Charles Egar, stone mason. Brown had stolen the goods and Rinch had transported them to Egar's unoccupied house. Brown and Rinch were found guilty with Egar, not guilty. For these two crimes Joseph Brown was sentenced to 7 years' transportation for stealing the oats with a further sentence of 7 years' for stealing goods. Rinch was sentenced to 18 months' imprisonment with hard labour at Spalding.

A separate article in the same newspaper, the *Lincoln, Rutland & Stamford Mercury* of 2 July 1847, further informed that Brown's wife Eliza was also found guilty of receiving the stolen goods – namely a shawl, which she hid under the mattress while a bailiff was in the house. Eliza was given 6 months' imprisonment with hard labour at Boston, considered a lenient sentence due to the fact that she had two small children in her care. After serving her sentence, Eliza had to find a way to support herself and census records indicate that she worked as a laundress and her two daughters later followed in her footsteps. Eliza Ellen married John Chapman Cummings in 1869 however by the 1871 Census she was listed as a widow and she and her six months old daughter were back living with her mother Eliza, also listed as a widow.

Brown was serving his sentence in Millbank Prison in London when he was collected in February 1850 and taken to board the *Scindian*, the first convict ship destined for the newly designated penal colony in the Swan River Colony, Western Australia. The convict records describe Brown as being 41 years old, 5' 8" tall with dark brown hair and dark blue eyes. He had an oval face with heavy whiskers and was of stout appearance. Convict #45, he arrived in Fremantle on 1 June 1850 almost exactly three years since he had been sentenced. He

received his ticket-of-leave on 29 December 1850 and in the Convict Return for 31 December 1850 he was listed as working in the Swan district as a groom for William Locke Brockman.

Brockman had arrived in the early days of the colony and, a man of means, brought with him his wife Ann, son Edmund and 46 fine merino ewes, 3 rams, 7 servants and even his own house, marked in sections and ready to erect on his land grant at location 9 in Herne Hill. Here he put in crops and by 1837 was milling wheat using his own horse-powered mill. Brockman bred blood horses and later exported horses to India. He took up land in Northam (Seabrook) and had a large farm in Gingin (Cheriton – named for the birthplace of both he and his wife Anne (nee Hamersley) in Cheriton, Kent), where he fattened up his livestock. He held the government positions of Member of the Legislative Assembly and was Resident Magistrate for the Swan River District. At his death, in 1872, Brockman was one of the colony's largest landowners.

It makes sense that Brown was comfortable working with horses having previously managed the stable for Oldrid in Boston. It is not known how long Brown remained in William Brockman's employ but at the time of his accidental death on 17 February 1879 he was working in the bush loading timber for Brockman. He had been at Brockman's Gingin property for about nine months. The heavily-laden dray being driven by teamster Joseph Mortimer got caught up on an overturned blackboy stump and capsized, the sawn boards falling on Brown and causing his death. Various reports state that his legs, head and chest were crushed. Described as an old man, Brown was about 70 years of age.

An inquest presided over by Mr H. Brockman J. P. was held the same day and Joseph Mortimer was found to be free of blame and a verdict of accidental death was returned. Brown was buried in the Gingin cemetery the following day.

N.B. Brown's year of death is incorrectly recorded in the Fremantle Prison Convict Database as 1878 instead of 1879.

Sources:

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