

Peter McBride, 4339, Clara I

Researched by Marcia Watson

His real name is probably John Cassels/Cassells

Alias – John Elder, Peter McBride

The first record found was in 1851, under the name John Cassells. At the Glasgow Spring Circuit Court of Justiciary, on 23 April 1851:

James Murray and John Cassells, charged with breaking into a shop in Macalpine Street and stealing 80 pairs of carpet shoes, were found guilty and sentenced to ten years transportation.¹

The Scottish Criminal Index gives a little more information:

John Cassells *alias* Elder, stone breaker, Bridgegate, Glasgow, Lanarkshire, 21, Glasgow, Theft by housebreaking and previous convictions. Transportation – 10 years. ²

The 1851 census shows he was a prisoner in North Prison, St Mungo, Lanarkshire, Scotland:
John Cassells, 21, married, born in Glasgow, a stone breaker.

Later in the year, John was transferred to Millbank Prison in London:

22157. John Cassells, 21, married, cannot R&W, a stonebreaker, Presbyterian, was convicted 23 April 1851 at Glasgow of theft by housebreaking with another, and sentenced to 10 years transportation. He had twice been convicted of theft. John was received at Millbank from Glasgow on 11 November 1851, where he spent six months in separation before being sent to Portland Prison in Dorset on 19 May 1852. His wife, Mrs Cassells, lived at 67 Bell Street, Glasgow, but no marriage has been found.³

The Portland register summarizes his behaviour as follows:

Glasgow – good

Millbank – good

Portland – exemplary

However, he was reported to the Director at Portland, suspected of wilfully attempting to fire the prison on 22 December 1852. Then on 3 March 1853, authority was received from the prison Governor, Capt. Whitty, to relieve this prisoner from separate confinement. *I did but ordered that he should occupy a stone cell.*

John was discharged by License on 4 August 1855, and he made his way back to Glasgow.

Theft by a Returned Convict.

On Thursday night, a man who gave his name as Peter McBride was apprehended and conveyed to the Northern Police Station on a charge of having stolen a bale of goods from off a cart in West Nile Street. It was discovered that the prisoner had been transported as John Cassells for ten years for housebreaking in this city. He had returned to Glasgow about eight days ago.⁴

He faced the Court on 8 January 1856, and the local newspaper reported his trial:

Peter McBride was found guilty of having, on 13 December last, while in West Nile Street, stolen a dray or cart, 21½ yards of cloth, nine vests and a truss or cover, the property of Messrs Duncan,

¹ Glasgow Chronicle, 30 April 1851, p3

² NRS Reference AD14/51/143; JC26/1851/400

³ TNA HO24/5; PCOM2/32, HO8/120, PCOM2/384

⁴ Glasgow Chronicle, 19 December 1855, p3

Macfarlan and Co, Scotch woollen merchants, National Bank Buildings, aggravated by previous conviction.

Lord Deas, in passing sentence, remarked that the crime he had been found guilty of was bad enough in itself, but the worst feature in the case was that on 23 April 1851, he had been convicted of theft and sentenced to be transported for ten years. He still had five years of that sentence, and his Lordship supposed he had gotten his leave ticket by behaving well when he could not behave ill. The Court had resolved that all cases of this kind should be visited with the most exemplary sentence, and therefore, the sentence of the Court was 21 years transportation.⁵

The Scottish Criminal Index records:

Peter McBride *alias* John Cassells, married, High Street, Glasgow, Lanarkshire, 26, Glasgow, Theft and previous conviction.⁶

Peter McBride, *alias* John Cassells spent three months and five days in Glasgow Prison before being transferred to Wakefield Prison on 21 March 1856, where he spent five months and 25 days. His behaviour was good at both prisons. On 16 September 1856, he was received back at Portland Prison, where he remained until 7 March 1857, when he boarded *Clara* for Western Australia. His wife, Margaret Cassells, lived at 74 Havannah Street, Glasgow, and he had three children. John, or Peter, was absent from Glasgow from 1851 when he had no children, until he was convicted again in 1856. The mention of 3 children could be a recording mistake in the registers, carried forward to each prison, or Margaret had children with someone else while he was away.⁷

On arrival in Western Australia on 3 July 1857, he was described as:

4339. Peter McBride, 26, 5'1½", dark brown hair, hazel eyes, an oval face, dark complexion, middling stout, cut on the little finger, bricklayer, married with three children. He was eligible for a ticket of leave on 8 January 1862, could read imperfectly, and was a labourer.

Apart from having diarrhoea on 16 October 1857, Peter is absent from the records until August 1859.

Coroner's Inquest

An Inquest was held at the Colonial Hospital, Perth, to inquire into the death of Reg. No. 4339 Peter McBryde, a probation prisoner, was found dead in the Swan near the Perth causeway.

The Jury having been sworn and having viewed the body, the first witness called was:

Robert Britton, a Warder – He had charge of the Claisebrook party of prisoners. On Wednesday, 10 August, the Government flat was manned by a party of prisoners, among whom was McBryde. They came down from Guildford; it was a very wet and stormy day; they landed and requested him to let them eat their dinner on shore, to which he consented. While they were eating their dinner, the alarm was given that the boat was adrift. The deceased, and a man named Walker, stripped and went into the water to recover her. When the deceased was about 20 yards from the banks, he cried out for help. Two men, named James Smith and John Smith, immediately stripped and swam to his assistance; James Smith got to the place where the deceased was; he saw him catch hold of James Smith when they both sank; Smith rose again in about a minute afterwards,

⁵ Scottish Guardian (Glasgow), 11 January 1856, p2

⁶ NRS Reference AD5/8 p. 189, JC26/1851/400, AD14/56/12, JC26/1856/209

⁷ TNA PCOM2/385, HO23/16

but the deceased did not appear any more. He believes the body in the Dead-house to be the remains of McBryde.

James Smith, a probation prisoner, said that he remembered the boat coming into Claisebrook on 10 August. He saw two men strip and swim after the boat, which had got adrift; he then went away; shortly afterwards, he heard the men in the water cry out for help, upon which he and John Smith instantly stripped and swam off to them. When he got to the deceased, he asked him if he would let him put his hand on his back, and he replied 'yes.' The deceased immediately clasped his arms around him when they both sank; he had no difficulty in getting from his grasp when he rose to the surface. The deceased did not seem fatigued but was paddling the water with his fists shut; he did not complain of cramps or anything else; he took notice of the deceased being very high out of the water. He did not know the deceased; he never saw him before that day.

George Bashford, a probation prisoner – I knew the deceased prisoner very well. This morning as he was passing over the Causeway, he noticed the deceased lying on his back in the water; he went in the water for the body and, with the assistance of the other prisoners, brought it on shore. He never heard the deceased state that he was subject to the cramp.

The Jury returned a verdict of "Accidentally drowned."

The Jury recommended the prisoners John and James Smith, who so humanely went to the assistance of the deceased, to the special consideration of His Excellency the Governor for some mark of his favour in their regard, as they did not think such meritorious conduct should go unrewarded.

The two Probation Prisoners who attempted to rescue Peter McBryde last week from drowning have been granted a ticket of leave as a reward for their laudable conduct.⁸

Peter McBride died on 10 August 1859 and was buried on 18 August 1859 at East Perth cemetery.

⁸ The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 19 Aug 1859, p2