

## Samuel Wilcockson's Trial, Conviction and Sentence

a summary of key facts, dates and his location during his 15-year term taken from information & records found to date.

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**NB:** Samuel assumed the alias of **James Wilcockson** shortly after his conviction in 1849.

As I have gathered information relating to Samuel's conviction and imprisonment I thought it worthwhile to summarise this evidence, to build an overall picture of key dates and locations leading up to, and following Samuel's conviction. I'll continue to update this document as more information is identified.

Following trial at Nottingham Assizes, Samuel was sentenced to 15 years 'transportation' (i.e. to be sent to Australia) for arson, namely setting fire to the thatched roof of a mid-terraced cottage one night in an act of revenge. The events are well-documented within local newspapers at the time as well as being further described within no less than four petitions against his sentence.

### Key Dates

**07/05/1849** – a Nottingham Guardian newspaper article recording the trial (dated 27/07/1849) states that Ann Elliott, landlady of Three Tuns, Newthorpe observed Samuel enter the pub at 10pm, on the evening of the 7<sup>th</sup>, where he remained for 3 hours and bought a box of Lucifer matches before leaving.

**09/05/1849** – the same newspaper article, above, further states that Constable Joseph Ligo apprehended Samuel on Wednesday 9<sup>th</sup> May 1849 and took him past the thatched cottages "on the way to gaol".

**17/05/1849** – an initial newspaper article within the Nottingham Guardian shows Samuel being "reprimanded from Wednesday on a charge of setting fire to a cottage at Newthorp".

**27/07/1849** – trial held at Shire Hall (Nottingham Assizes). The Nottingham Review newspaper article re the trial (dated 27/07/1849) states that the "business was resumed in this court at 9 o'clock in the morning" suggesting that the case commenced on an earlier date (see Portland Prison Qtrly Return of Prison Convicts dated 31/03/1852, which notes Samuel as being convicted 18/07/1849 – this date is seen most often throughout many records).

**27/07/1849** – the above newspaper article of the trial is printed, which reports Samuel as being 44 years old. The article is two columns in length and goes into great detail regarding witness statements, names etc. The article further documents that Wilcockson asked "has thou seen our Harry" when confronted by Oliver Leaver (the main witness on the night of the fire). Oliver also comments that Samuel had asked him to stop whilst he went to Hannah Harwood's to see if his son, Sam was in bed (this links the Wilcockson family to Hannah Harwood (nee Kirk) the widow of William Harwood (died 08/05/1842). Hannah, would ultimately become the daughter-in-law of Samuel, following her marriage to his son, Robert, on 03/10/1857 (source; parish marriage register entry - <https://www.ancestry.com/imageviewer/collections/61840/images/i2264817-00083?pId=241977922>). Samuel's occupation is shown as "FWK" (Framework Knitter), a common occupation for people in the UK Midlands at the time, following the growth of the textiles industry in the area.

The comment by Leaver also shows that Samuel had a possible relative by the name of Harry and a son by the name of Sam. The family tree suggests a son by the name of Henry (could this be the "Harry" within the article?) born circa 1824, so would have been approx. 25 years old, and a son by the name of Samuel, born circa 1828, so approx. 21 years old.

**July? 1849** – Record of the "*County of Nottingham Register of all Persons Charged with Indictable Offences at the Assizes and Sessions held within the County during the year 1849*" – the entry is undated, but assumed to have been added to the register shortly after the trial. Other information:

- Name of Offender – James Wilcockson (see note below re use of name "James")
- At What Sessions Tried – County Assizes – 18<sup>th</sup> July 1849
- Offences - Arson of a dwelling house
- Sentences – Transportation 15 Years

This record is the first of many records where Samuel appears to be switching names regularly between Samuel and James within various prison records. It is clear though that "Samuel" and "James" are one and the same person; this is best evidenced by a review of the "*Quarterly Attested List of Prisoners in Hulks and Convict Prisons*" records (summarised below) where it can be seen that there is a consistent prisoner number (1913) yet the name changes throughout the period when these quarterly records have been captured. Apart from the consistent prisoner number, all other aspects of the record are also correct and consistent (i.e. nature of offence, date & place of conviction, sentence etc).

To further mitigate the risk of there actually being a James Wilcockson tried and convicted on the same day, at the same place, for the same offence and given the same sentence I have searched newspaper articles at the time but can find no evidence of a case in the name of James Wilcockson.

I have also carried out a census search (1841) for a James & Sarah Wilcockson to see if I can find such a couple in the Nottinghamshire area at the time. A search using "James Wilco\*son" only returned 10 matches in total across Great Britain and none of these were the person I was looking for. A search using "James Wilco\*son" and "Sar\*" only returned 2 matches and, again, neither were the James I was seeking.

I have also searched parish marriage records across Great Britain for the period 1815-1850 inclusive (using "James Wilco\*son" and "Sar\*") but can find no matches.

Finally, I have also searched birth/baptism records for James Wilcockson in the area (with a birth year of approx. 1804 (+/- 5 years) and have found no plausible matches.

To all intents and purposes the use of Samuel and James within the prison records appears to be either a case of error on the part of the record keepers and/or an attempt by Samuel to adopt an alias.

**19/09/1849 – Petition No. 1** - Petition signed by John Bowley, Middle Pavement, Nottingham. Letter states that Samuel was at Nottingham Gaol at the time of writing; this looks correct as other records suggest that Samuel was transferred from Nottingham to Millbank Penitentiary during the month of October 1849 (see below). The letter makes reference to his trial and, apart from stating that he was cited as being "*one of the best fellows in that country*", also comments that "*the population are of the opinion that the conviction was pursued from a motive of malevolence by the two principle witnesses, Chambers/the constable and Leivers/the joiner both of whom it is notorious bore Wilcockson, the upmost ill will*".

The above petition is the first of a total of four petitions (see notes below for details of the other three). All of the documents related to this petitions can be found within Find My Past (as one record set) within Home Office: Criminal Petitions: Series II – Pages 541-556 inclusive).

<https://www.findmypast.co.uk/transcriptid=TNA%2FCCC%2F2C%2FHO18%2F00264391&tab=this>

**26/09/1849** - Criminal Register entry recording receipt and referral of Petition signed by "Mr John Bowley, Middle Pavement, Nottingham" relating to "Saml Wilcockson".

**September? 1849 – Petition No. 2** - Petition from parishioners of Greasley, Nottinghamshire appealing for the transportation sentence to be commuted to a prison sentence. The petition is undated (so no certainty as to when this was written) and appears to have been penned by the parish vicar (Reverend John Hides) and signed by many local business-owners, farmers, landowners etc (in excess of 40 people). A further significant petition is issued in 1852 (see below).

**26/09/1849** – a Home Office Register of Petitions entry (2 documents – 1 document being the main entry in the Register with the other appearing to be something akin to a Header Page for the petition letter(s) within the file). Both documents refer to petition number 262/50 (so assume this relates to the petition dated 19/09/1849 and/or the main petition from the parishioners at about the same time). Both documents state that he had previously "been in prison for a misdemeanour and as a debtor". The Results column of the Register shows the petition result as "Nil" (as do the vast majority of the entries for other petitions within this register) meaning "No Change" to the sentence.

**13/10/1849** - Home Office Criminal Register Book Entry, which is likely to be either from Nottingham Prison or Millbank Penitentiary. The entry mainly documents the bulk transfer of prisoners from one prison to another. The entry begins with the words "To receive" then notes a number of convict names (including Samuel) and ends with "to 'do do'" (meaning "ditto" – the entry above ends "to Millbank Prison". As such it is fair to assume that Samuel transferred from Nottingham Prison to Millbank Prison (Penitentiary) on or about 13/10/1849 (the register below shows him being received at Millbank on 25/10/1849).

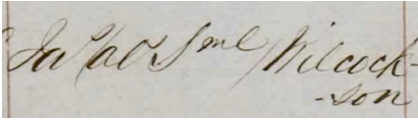
**25/10/1849** – Millbank Prison Register entry shows Samuel (again, assuming the name of James Wilcockson). Other information:

- Register No. – 18082
- Name – James Wilcockson
- Age – 45
- Married/Single & No. of Children – Married 3 Ch
- Read or Write – (unable to transcribe)
- Trade or Profession – "Framework Knitter or Butcher"
- Convicted:
  - When – 18/07/1849
  - Where – Nottingham Assizes
- Specific Description of Crime – Felony (setting fire to a dwelling house)
- Sentence – 15
- Received:
  - When – 25/10/1849
  - From – "Nottingham G"
- Previous Convictions – three times in prison
- Special Remarks/Account of Visits – "Wife Sarah, Newthorpe Nottingham" (see notes below).
- Pages in Misconduct Books & Governor's Journal – "Ch. Of E"
- When Removed & Whiter – "28 Dec 1849 to Pentonville Prison"

Apart from apparently assuming a new name for himself, Samuel/James appears to have altered the name of his wife too. The record appears to show the name "Sarah" although his wife's name was "Rebecca" (they were married in 1822 and appear together, with their children, on the 1841 Census). Again, this could simply be a case of an error in the recording and/or an attempt on the

part of Samuel to distance himself and his family. It is worth noting that Samuel's mother's name was Sarah (was this the reason why he chose Sarah as the fictitious name of his wife)?

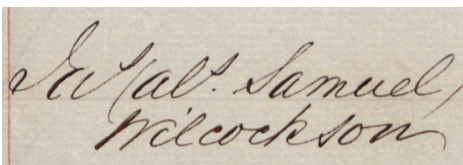
**29/12/1849** - Pentonville Prison General Register – Name field shows potentially 2 names (could be shorthand for James and Samuel)



Other information:

- Register No. - 2756
- Age – 45
- Weight (coming in) – 13st 12lb
- When & Whence Received:
  - Date – 29/12/1849
  - Place - Millbank
- Name etc of convict's next of kin etc – “Sarah, Newthorpe, Notts” (the use of “Sarah” for his wife's name again, as opposed to the correct “Rebecca”).
- Read or Write – Both
- Trade/Occupation – Framework Knitter
- Character – Good
- When Tried – 18/07/1849
- Before What Court – Nottingham Assizes
- Crime – setting fire to a dwelling house
- Sentence - 15 years
- If Convicted Before - “Prisoner denies being convicted or imprisoned before” (the fact that the person(s) recording the information appears to be relying on the convict's view of their criminal history, as opposed to fact, may explain why it also appears relatively easy to change names of oneself and next of kin).
- Conduct in Pentonville – Good
- Place & Periods of Separate Confinement:
  - Where - Millbank
  - No. of Months – 2
- Discharged and How Disposed of:
  - Date – 12 Sept (1850)
  - Where Removed to - Portland

**29/12/1849** - Pentonville Prison Registers – shown as received from Millbank (Penitentiary) on 29/12/1849. It appears as if Samuel has another name mentioned prior to his correct name of Samuel; it could be “James” but this is unclear (see image below):



Other information:

- Received
  - When – 29/12/1849
  - From What Gaol – Millbank
- Name – unclear (see note above and image of name as written in the register)

- Age – 45
- Crime – Setting fire to a dwelling house
- Convicted
  - Where – Nottingham Assizes
  - When – 18 July
- Sentence - 15
- Married or Single - married
- Read or Write – both
- Trade – Framework Knitter
- Gaoler's Report of Character – Good
- Discharged
  - When – 12 Sept
  - How Disposed of - Portland

**09/05/1850 - Petition No. 3** – a 3-page petition letter dated 9<sup>th</sup> May 1850 (postmarked May 23 1850) addressed to the “Right Hon. George Grey, Her Majesty’s Principle Secretary of State” apparently written by Samuel Wilcockson himself. The petition letter begins with the words “The Humble Petition of Reg. 2758 Samuel Wilcockson, a Convict”.

The letter explains how Samuel believes that he had the right to the 3 cottages (according to Samuel, they were built by his grandfather) and how he had the cottages forcibly taken from him by the person who ultimately sought to prosecute him for the alleged arson. Samuel clearly believes that the person who took possession of the cottages and his witness (Leivers) colluded against him.

I have transcribed the main body of this letter, which can be found as a separate document (Petition\_03\_09-05-1850) accompanying these notes.

**28/05/1850** – Home Office Register of Petitions entry. Again, the entry refers to petition reference number 262/50 (must be a reference number that relates to Samuel’s file as this number also appears in the Register entry dated 26/09/1849), The entry shows the word “Pentonville” under the Remarks column as well as “Nil” (no change to the sentence) under the Results column.

**12/09/1850** – “*General Record of Prisoners Record Of Conduct During Imprisonment, Portland Prison*”. Record details the following information:

- Register Number – 1913
- Name – James Wilcockson
- Age – 45
- Married or Single & No. of Children – 3
- Read or Write – Both
- Trade or Profession – Frame Work Knitter or Butcher
- Convicted:
  - When – 18 July 1849
  - Where – Nottingham Assizes
- Specific Description of Crime – Setting fire to a dwelling house
- Sentence – 15
- Received:
  - When – 12 Sept 1850
  - From – Pentonville
- Previous Convictions – 2
- Special Remarks and Account of Visits – Visited by a friend Mr, Edward Holden 12<sup>th</sup> February 1851
- When Removed & Whither – 23 Dec 1853 “Sea Park” Western Australia.

**12/09/1850** – Portland Prison – Governor’s Journals – Records what looks like “Jas” (possibly shorthand for “James” Wilcockson being received from Pentonville Prison along with 18 other convicts from Pentonville and 1 from Millbank.

**17/01/1852 – Petition No. 4** - Petition letter dated 17/01/1852 (showing a received stamp dated 19/01/1852) which is signed by Thomas Godber, Eastwood, being comprised of what appears to be a short introductory letter with the main petition (also showing a received stamp dated 19/01/1852). 6 pages for this record in total. The petition again appears to be authored by the Reverend John Hides and is further signed by 34 others and makes reference to Samuel being in Portland Prison (this is correct at the time the petition was received). The Petition letter confirms that Samuel was convicted 18/07/1849.

The letter also states “it appears that the property in question (i.e. the cottage) was upon waste land for which no rent had ever been paid”. The letter goes on to suggest that Samuel was framed, The letter finishes by asking for a “Free Pardon or Mitigation”.

I have transcribed both the letter of introduction by Thomas Godber and the the main body of the letter, which can be found as a separate document (Petition\_04\_17-01-1852) accompanying these notes.

The final page of this document appears to be a Header Sheet (dated 3<sup>rd</sup> April) related to the petition and also states “Portland” supporting the letter stating the same location.

**13/02/1852** – Home Office Criminal Register Book Entry (first entry on the page) which refers to the petition by Thomas Godber, above, and states at the side “refusing application of Sam Wilcockson 13th February 1852” suggesting that the petition was refused.

**17/08/1853** – Governor’s Journal – Portland Prison – entry for this date appears to suggest that “1913 / James Wilcockson” and another inmate (2516 / John Elliott) were reported for some form of misdemeanour, or for not fulfilling a duty, The writer comments “Reported for irregularity etc as in Misconduct Book” (a Google search of “irregularity” returns such explanations as “irregular behaviour, not confirming to the norm”).

**30/12/1853** – Transported to Western Australia aboard the Sea Park (arrived 05/04/1854). Name shown as James Wilcockson within the convict register, which also records him as receiving a 15-year prison sentence at Nottingham Assizes 18/07/1849. The ship’s Surgeon was Joseph/Josiah Caldwell (his first name appears to differ across information sources). His Medical and Surgical Journal for the journey is held at The National Archives, Kew, London (catalogue reference ADM 101/253/1E). The ship’s Surgeon’s Journal often contains a good level of detail about the voyage as well as information about the convicts, although it is understood (courtesy of Joanne Hyland of Convict Special Interest Group of Family History Western Australia) that he was not noted in the Ship Surgeon's notes for Sea Park, so does not appear to have been treated for illness during the voyage.

**30/12/1853** - *Australian Convict Transportation Registers – Other Fleets & Ships, 1791-1868*  
An Ancestry record, showing passenger list of convicts aboard the Sea Park during its journey to Fremantle. Information within the record is limited:

Name – James Wilcockson  
Where Convicted – Assizes Nottingham  
Date of Conviction – 18 July 1849  
Term of Years - Fifteen

**05/04/1854** – Arrived in Fremantle (Swan River Colony) Western Australia aboard the Sea Park.

**05/04/1854** – Issued with “Ticket of Leave” - a form of bail or licence issued to convicts (typically those of good behaviour or those who may have provided a useful service) before the end of their sentence. The licence allowed them to begin building a new life in Australia (source <https://fremantleprison.com.au/history-heritage/research/convict-database/>).

**NB: Samuel is to be found within the convict database as James Wilcockson.**

**05/04/1854** – Registered with convict number 2775 (in the name of James Wilcockson). At the time Fremantle Prison was in the middle of construction – an extract from <https://fremantleprison.com.au> states that “*Work on the prison itself began in 1852 and by 1855 enough of the main cell block, perimeter walls and service buildings were complete for the convicts to be transferred to the site. The prison was completed by 1859*”.

As of yet I have found no specific records to explain what happened to “James” upon his arrival at Fremantle or for any of the subsequent years, other than what appears to be his death in 1857.

However, the Convict Special Interest Group of Family History Western Australia (<https://www.waconvicts.fhwa.org.au>) makes reference to another convict (William White - convict number 2627) transported on the Sea Park at the same time as Samuel, which contains a document about his life and experiences in Western Australia. The document makes reference to William receiving his ticket of leave on the same day as Samuel, and further states:

“He was taken, in a party of 50 ticket-of-leave men, to either the York or Toodyay depots. The records for the mid-fifties are not available for either of these depots, but the Colonial Secretary’s Office files do state that a party of 50 men from the Sea Park was despatched to each town”. Whilst it cannot be proven, this suggests that Samuel could have been initially sent to either the York Depot (situated to the east of what is now Perth) or Toodyay Depot (North East of Perth). These depots were part of a group of 8 Convict Hiring Depots situated in outlying areas of Fremantle.

More information can be found about the Convict Hiring Depots and how prisoners were processed etc at <https://www.toodyay.wa.gov.au/community-visitors/museums/digital-museum-exhibitions/toodyay-convict-hiring-depot.aspx>

**10/04/1854** – Letter to the Honorable Colonial Secretary, Comptroller General’s Office, Fremantle Prison from Sir Edmund Yeamans Walcott Henderson, Comptroller of Convicts, Western Australia, dated 10/04/1854.

A 4-page letter describing the accommodation problems arising within Fremantle and the surrounding area following the arrival of the Sea Park with its 304 prisoners.

In summary the letter advises that, at the time of writing, there was only “vacant accommodation for 150 prisoners in the establishment at Fremantle” and that the men were becoming “excitable” as they could not be accommodated for at least one further week.

The letter goes on to state that the convicts were becoming disturbed “consequent on the arrival and continued moving of so large a body of men” before explaining how Sir Edmund Henderson proposed to deal with the problem – his initial action was to direct “all the prisoners to be removed from N Fremantle and Freshwater Bay Depots and .... land 200 men” as well as proposing further men to be transported to outlying areas (with Guildford and Claise Brook, as well as York & Toodyay Hiring Depots all being mentioned).

The letter ends by requesting the Honorable Colonial Secretary’s sanction to the proposed arrangements.

**April? 1854 – Western Australia Convict Records (1846-1930) – Description Book.**

The record is undated, but assumed to have been created close to the time of the arrival of Sea Park in Fremantle.

([https://www.ancestry.com/imageviewer/collections/60668/images/44765\\_352395-00379?treeid=&personid=&queryId=b173fbb8-0767-4bc0-bd3c-44dbff4c156e&usePUB=true&\\_phsrc=Vpp1&\\_phstart=successSource&pld=38012](https://www.ancestry.com/imageviewer/collections/60668/images/44765_352395-00379?treeid=&personid=&queryId=b173fbb8-0767-4bc0-bd3c-44dbff4c156e&usePUB=true&_phsrc=Vpp1&_phstart=successSource&pld=38012))

There are four records to be found within Ancestry in the above records section, all entitled “No 13. Personal and other Description of Men belonging to the Convict Department, Western Australia, per ship “Sea Park”, April 5<sup>th</sup> 1854”. The four records could well be duplicated as they seem to contain the same information (duplication of pages appears to be understandably common within this total image record of over 550 pages).

The document confirms details the following:

Reg. No. – 2775  
Name – James Wilcockson  
Age – 51  
Height – 5ft 8¾  
Hair – light brown  
Eyes – grey  
Visage – oval  
Complexion – dark  
Appearance - middling stout  
Marks – None  
Trade – Butcher  
Single, Married or Widower – Married  
Number of Children - 3

**12-13/02/1857** – The Fremantle Prison Convict Database (<https://fremantleprison.com.au/history-heritage/research/convict-database/>) shows James as having committed suicide on 13/02/1857. (as previously mentioned it is questionable as to whether Samuel actually committed suicide – see further notes below regarding Samuel’s death certificate). The following information is recorded:

Convict Number – 2775  
Date of Arrival – 05/05/1854 (this date may be an error, as the Sea Park is understood to have arrived on 05/04/1854).  
Ship – Sea Park  
Name – WILCOCKSON, James  
Date of birth – 1803  
Date of death – 13 Feb 1857  
Place of death – Committed suicide in the bush (there appears to be no other record suggesting that suicide was the cause of death, so this fact should be treated with caution, unless corroborating evidence is found)  
Marital status – Married, 3 children  
Occupation – Butcher  
Sentence date – 18 Jul 1849  
Sentence place – Nottingham, England  
Crime – Arson of a dwelling house  
Sentence Period – 15 Years  
Ticket Leave date – 5 Apr 1854



**12-13/02/1857** – Colonial Office Records (1714-1951) Correspondence with the Colonies on TROVE (<https://nla.gov.au/nla.obj-2036288616/view>) also documents the death of “James” within the *“Return of the Number, Cause and Date of Death of Ticket of Leave Holders in the Colony for the Half Year Ending 30<sup>th</sup> June 1857”*. The following information is recorded:

Reg. No. – 2775  
Name – Wilcockson, James  
Ship – Sea Park  
Nature of Disease – Perished in the Bush  
Date of Death – 13<sup>th</sup> February 1857  
Remarks – none

**Death Certificate** - I have searched the Western Australian Registry of Births, Deaths and Marriages for a death certificate in the name of James Wilcockson but cannot find one registered in 1857. There is, however, a death entry registered in 1857 for a Samuel Wilcockson, aged 54 years at death and showing a place of death “Near Perth”.

The Special Interest Group of Family History Western Australia (<https://www.waconvicts.fhwa.org.au/g0/p111.htm#i2775>) also appears to concur with the above as they have also linked the death of Samuel Wilcockson to the convict record of James Wilcockson.

Having ordered the above death certificate, the following information is revealed:

Registration Number – 0000925X/1857

DECEASED

Surname – Wilcockson  
Given Names - Samuel  
Place of death – Balkatta, Near Perth, Western Australia

Date of Death – 12 February 1857  
Occupation – Laborer  
Sex – Male  
Age - 54 years

CAUSE OF DEATH – “Died from natural causes (Coroner’s inquest)”

Informant’s name – J Bryant  
Address – Perth  
Description – Clerk to Acting Police Magistrate  
Registered on 17<sup>th</sup> March 1857 by W J Clifton

At first sight the certificate does not appear to be a match to the records I have already identified:

- The Fremantle Prison database suggests a date of death of 13 February 1857 (the certificate documents the death as being 12<sup>th</sup> February).
- The Fremantle Prison database also notes the Place of Death as “committed suicide in the bush” (there is no mention of suicide on the death certificate).
- The *“Return of the Number, Cause and Date of Death of Ticket of Leave Holders in the Colony for the Half Year Ending 30<sup>th</sup> June 1857”* records a date of death of 13 February 1857 as well as a cause of death as “perished in the bush”.

The fact that there was an inquest is interesting, although I assume this wouldn’t have been unusual if someone were to “perish in the bush”, whether the year be 1857 or 2024. My understanding though is that inquest records from this period were destroyed after 10 years, so finding any detail relating to the inquest is highly unlikely.

From the information shown within the records found to date, plus the detail of the death certificate, there is a question mark as to whether or not the death certificate relates to Samuel and, if so, whether Samuel actually died by suicide.

In an effort to answer the above I have made direct contact with members of the Convict Special Interest Group of Family History WA (see acknowledgements at the end of this document) to gain their view, based on their detailed research over many years.

Whilst the date of death doesn't exactly match the death certificate, in those days Balcatta would have been bush. As such, it is possible that Samuel was found on the 13th February but the coroner may have decided that he had died the day before.

With regard to the potential suicide, the circumstances behind his death may never be answered with certainty and the "suicide" reference could easily have been the result of assumption or error within the Fremantle Prison convict database (or the records from which they have taken their information). I have raised a query with Fremantle Prison. The majority of records, including the death certificate, make no reference to suicide so, unless evidence confirming this is received, I'm leaning towards the cause of death as being that recorded on the death certificate - "Died from natural causes (Coroner's inquest)" - and not suicide.

It should be noted also that a search of the Western Australian Registry of Births, Deaths and Marriages only returns one match for a Samuel Wilcockson at the time (and none for a James Wilcockson, being his alias).

Having considered all of the above my conclusion is that the death certificate is that which belongs to our man as, despite the difference in date of death between the records, there are too many similarities, including the fact that Samuel "perished in the bush" in Balcatta (an area to the north of what was Fremantle at the time) being the exact wording used in the Colonial Office Records (1714-1951) Correspondence with the Colonies - Half Year Report Ending 30th June 1857. His age at date of death on the certificate (54 years) is also almost correct (Samuel would have been in his 54<sup>th</sup> year at the date of death, based on his baptism at St. Mary's Church, in the Parish of Greasley, Nottinghamshire on 24/07/1803 - [https://www.ancestry.com/imageviewer/collections/61838/images/61838\\_b1008723-00178?pid=573367](https://www.ancestry.com/imageviewer/collections/61838/images/61838_b1008723-00178?pid=573367)

### **Samuel's Wife**

Samuel was married to Rebecca Ball at St. Mary's Church, in the Parish of Greasley, Nottinghamshire (the family church) on 18/04/1822. One can only guess as to whether or not Samuel managed to remain in contact with family members during his time in Australia, or if Rebecca ever discovered the fate of her husband.

Sadly, Rebecca died the year following Samuel's death, on 18/08/1858 (confirmed via sight of UK GRO copy of death entry – vol. 7b page 53). Cause of death was "inflammation of the bowels – 3 days" and she was buried at St. Mary's Church on 22/08/1858 (<https://www.ancestry.com/imageviewer/collections/61841/images/i2264819-00138?pid=151979832>).

The attending vicar at Rebecca's burial service was the Reverend John Hides (the same person who was at the forefront of two of the four petitions against Samuel's conviction in 1849).

## Summary of information contained within the “Quarterly Return of Prisoners in Hulks & Prisons” for Portland Prison (1850-1853)

**Portland Prison** – 30/09/1850 - Qtrly Return of Prison Convicts. Information shown on record:

NB: the Attestation page (on which Samuel’s entry is also located) appears to be dated 1851 and not 1850. Having checked the names/entry numbers of the first & last prisoners it is clear that the date is, in fact, a poorly written 1850. The proof of this rests in the fact that the Front page of the Register (which is located directly before the page showing the first prison entry (Register No. 14/John Brown) clearly states “*covering the quarter ending the thirtieth day of September 1850*”

- Number on the Prison Book – 1913
- Name – Samuel Wilcockson
- Age – 46
- Offence – Setting fire to a dwelling house
- Unknown column title (hidden in bend of book) – likely to be “Convicted”
  - Where – Nottingham Assizes
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon’s Report – Indifferent
- Behaviour During the Quarter – Very good

**Portland Prison** – 31/12/1850 - Qtrly Return of Prison Convicts. Information shown on record:

- Number on the Prison Book – 1913
- Name – Samuel Wilcockson
- Age – 45
- Offence – Arson
- Convicted:
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon’s Report – Indifferent
- Behaviour During the Quarter – Very good

**Portland Prison** – 31/03/1851 - Qtrly Return of Prison Convicts

NB: Front page of Register (which shows the location of the prison/hulk), and what appears to be a number of the early convicts’ details entry pages of the Register are not shown within the Ancestry copy of these records. I therefore identified the prison name from the final page of the document (the attestation page of the Register) which clearly states “Portland”.

However, the date of signature on the attestation page appears to show 10/04/**1857** (covering the period Jan – Mar). It is clear that the attestation page relates to the convict entries detailed within the pages before the attestation page – this is proven by the fact that the attestation page makes reference to the records covering prisoner numbers/names starting with 51(or 57) / John Henry and ending with 2339 / John Watts. John Watts is shown as the last entry on the page of convicts before the attestation page – unfortunately the first few pages of convicts (including John Henry) are also missing from this collection of pages, along with the front page of the record.

The date of signature, whilst appearing to state 1857, is most likely a poorly written “1851”. The reasons for this are:

1. A number of convict entries with 7-year sentences appear in the register with conviction dates during 1847 (this would mean that they would have served their sentences by 1854 - 3 years before the possible date of signature in 1857).

2. James Wilcockson is correctly showing under this record (no. 1913). Other records show that he was transported to Australia at the end of Dec 1853, to serve the remainder of his 15-year sentence (July 1864) – as such he would have been out of the UK during 1857.
3. The fact the handwriting on the attestation statement is unclear when documenting the entry number of John Henry (could be 51 or 57) also indicates that this might be a handwriting issue.
4. James is recorded as being at Portland Prison for several quarters prior to the ending 31/03/1851 and is also shown on all of the 11 quarterly records (all at Portland) found, for the period up to and including 13/12/1853 (at which point he was transported to Western Australia),

With the above considered I am happy that the register covers the period Jan-Mar 1851 and that the date of signature on the attestation page reads 10/04/1851.

Information shown on record:

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Indifferent
- Behaviour During the Quarter – Very Good

**Portland Prison** – 30/06/1851 - Qtrly Return of Prison Convicts. Information shown on record:

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Indifferent
- Behaviour During the Quarter – Good

**Portland Prison** – 30/09/1851 - Qtrly Return of Prison Convicts. Information shown on record:

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Setting fire to a dwelling
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Indifferent
- Behaviour During the Quarter – Very good

**Portland Prison - 31/12/1851 – Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham Assizes
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good health
- Behaviour During the Quarter – Very good

**Portland Prison - 31/03/1852 – Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – Samuel Wilcockson
- Age – 45
- Offence – Firing a house
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Indifferent
- Behaviour During the Quarter – Very good

**Portland Prison – 30/06/1852 – Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good health
- Behaviour During the Quarter – Very good

**Portland Prison – 30/09/1852 – Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good health
- Behaviour During the Quarter – Very good

**Portland Prison - 31/12/1852 – Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good health
- Behaviour During the Quarter – Very good

**Portland Prison – 31/03/1853 - Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good health
- Behaviour During the Quarter – Very good

**Portland Prison – 30/06/1853 - Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good
- Behaviour During the Quarter – Very good

**Portland Prison – 30/09/1853 - Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Arson
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Good health
- Behaviour During the Quarter – Good

**Portland Prison - 31/12/1853 – Qtrly Return of Prison Convicts. Information shown on record:**

- Number on the Prison Book – 1913
- Name – James Wilcockson
- Age – 45
- Offence – Setting fire to a dwelling house
- Convicted
  - Where – Nottingham
  - When – 18 July 49
- Sentence (Years) – 15
- Surgeon's Report – Food Health
- Behaviour During the Quarter – Exemplary
- Remarks – "Emb'kd (Embarked?) 23 Dec in Sea Park" (being the name of the ship that was to transport him to Australia).

**Acknowledgements**

The following websites have been the main source for historic documents and information when compiling the above summary.

Find My Past - [www.findmypast.co.uk](http://www.findmypast.co.uk)

Ancestry – [www.ancestry.co.uk](http://www.ancestry.co.uk)

Fremantle Prison – [www.fremantleprison.com.au](http://www.fremantleprison.com.au)

Shire of Toodyay - <https://www.toodyay.wa.gov.au>

TROVE - <https://trove.nla.gov.au>

Convict Special Interest Group of Family History WA - <https://www.waconvicts.fhwa.org.au>

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