

Editor: I belong to several convict and genealogy-related Facebook groups and often come across people asking about their family convicts. I try to help where I can or direct the person to the relevant resources. This query came from Vivienne Garforth in January 2021, a member of the Avon Valley Family History Facebook group (private group).

Vivienne Garforth – Convict #3868, Thomas Chinnery

Thomas Chinnery was the great-grandfather to Vivienne's former husband and two x great-grandfather to her two children and she was seeking information on where or for whom Thomas may have worked while in Northam on his ticket-of-leave from 1858-1861.

Thomas was born 15 March 1829, in Belchamp Walter, Essex. Like other disgruntled agricultural workers of the period, Thomas committed the offence of arson, by setting fire to the barn of his employer in 1854. The judge at the Essex Assizes in Chelmsford did not hold back his stern disapproval when passing sentence on 28 July 1854:

Thomas Chinnery, you have been found guilty of the crime of arson and I think it has been most satisfactorily made out, not only that you committed the offence but that you committed it for the petty purpose of gratifying your malice against a master, from whom you supposed you had some cause of complaint. The offence of arson is one of the most serious that can be committed merely against property and when it is made out distinctly, as in your case it has been, to have been the result of deliberate malice, and your object being to do the mischief distinctly for the purpose of inflicting injury upon the person whose property is destroyed, I think it calls for a sentence to be a severe example, to warn others against similar offences. The sentence of the court is that you be transported for the period of fifteen years.

Thomas was transported to Western Australia aboard the *William Hammond*, arriving on 29 March 1856. He would have been sent straight to the newly completed Fremantle Prison. The medical registers of the prison's infirmary show that Thomas was employed in the wash house (laundry) and he was in an out of the hospital several

times during 1856. His various ailments included, indigestion, sore throat, headaches, bowel complaints, diarrhoea and a pain in his side. Was he really ill or perhaps a constant malingerer?

Thomas received his ticket-of-leave on 14 September 1858, four months earlier than it had originally been scheduled in Convict Register 128/38. He was issued with his Conditional Pardon on 23 March 1861. During this time he reputedly made his way to Northam after marrying female immigrant Amelia Talkington (Torlington) in Perth in 1859. Amelia was one of 117 single women who arrived aboard the *Emma Eugenia* on 25 May 1858.

The couple had their first child, son William Thomas Chinnery, in 1861, while Thomas was still on his ticket-of-leave. According to family records, the first two children were born in Northam, then their remaining six children were born in Perth. (BDM WA records list all children born in Perth). Sadly, Amelia died after complications of childbirth on 4 November 1874, her baby son James dying six weeks later (of dysentery). Both are buried in the East Perth Cemetery, as is one of their other sons who died in infancy in 1868, Edward.

Thomas struggled to raise his children after his wife's untimely death at the age of 35. One article from the *Inquirer*, dated 15 September 1875, saw Thomas brought before the courts for the ongoing absence of his son Thomas at the Government Boys' School. Under the Compulsory Education Act children were required to attend school, however 12 year old Thomas had only attended twice in the previous 59 days. The young son was described as being backward, and although his father countered that he had no mother, information was presented that he had a housekeeper working for him, and he was fined for neglect.

Thomas died on 11 February 1886, aged 56 years, and is also buried in the East Perth Cemetery.

Sources:

Ancestry.com, State Records Office of Western Australia, various convict registers

<https://www.ancestry.com.au/family-tree/person/tree/76100049/person/352065929919/facts>

https://www.ancestry.com.au/mediaui-viewer/tree/25772721/person/1711482699/media/b55a37a3-043d-4714-87e5-20965cd95afc?_phsrc=TjS768&_phstart=successSource

East Perth Cemetery database

<https://www.eastperthcemeteries.com.au/explore/burial-search.html>

Fremantle Prison Convict Database

<https://waconvicts.fhwa.org.au/exhibits/3868-chinnery-thomas-links-to-websites.pdf>

First published in Convict Links, Vol. 37, No. 2, June 2023