

## William Tozer, 692, *Minden*

Researched by Marcia Watson

Name variation Towzer, Towser, Toser

Born	~1819, possibly in Devon
Parents	
Parent's marriage	
Siblings	
Wife	Bridget Tydings
Married	10 June 1853, Perth, Western Australia
Children	Mary (1854), Sarah (1855), George (1856), <i>William (1858)</i>
<i>Partner</i>	Ellen Mack
Children	John (1861)

The earliest record of William Tozer was a newspaper report of his capture on 5 June 1848.

Apprehension of a Burglar—On Monday last, Sergeant Breyley of the Wilts constabulary force succeeded in tracing and apprehending his lodgings in Avon-street, Bath, a man named William Tozer, who has been concerned in a large number of burglaries committed of late in the counties of Wilts and Gloucester. The prisoner is known throughout this part of the country as "the pegman," a cognomen given him from his habit of perambulating the country, professing to make shoes by pegging instead of stitching them, according to the practice in America, from which country he returned some time since.

In addition to his lodgings in Avon-street, it appears the prisoner has, for the last two or three months, rented a house at Bathford, which seems to have used as a temporary repository for his spoil. A large quantity of property has been discovered by Sergeant Breyley at both these places, consisting principally of tea, tobacco, plate, and wearing apparel of all descriptions. Some of the property so discovered has been identified in connection with several burglaries recently committed in Yatton Keynell and Broughton Gifford, Wilts, and Crowhall-Abbott, Gloucestershire. Some stolen from a shop at Cromball, in Gloucestershire, on Saturday night last, has also been found.

The prisoner is about thirty years of age, of light complexion, and proportionate but not particularly strong make. He has been identified as the man who broke into a house at Broughton Gifford, near Melksham, about a month ago, when he was disturbed by a man with whom he had a scuffle, from which he was glad to escape with the loss of his hat.

He was taken before the Wilts County Magistrates at Chippenham on Tuesday and remanded. It is expected that more property will be traced and light thrown upon other cases of house-breaking. It is also hoped his accomplices will not be much longer at liberty, as there can be little doubt but that an organised gang of these exists.<sup>1</sup>

At his trial in August 1848 at the Wiltshire Assizes held at Devizes.<sup>2</sup>

William Tozer, 29, (R&W imp) and William Seymour were charged with entering the house of Richard Allen at Kingston on 21 April and stealing a hat, an umbrella, a pair of boots and other articles. Tozer was found guilty, and Seymour not guilty. Tozer was then charged with entering the house of Edward Eyles at Broughton Gifford on 7 May and stealing a timepiece, 2 cheeses, 6lbs of tea and 3lbs tobacco.

Having been found guilty of both offences, he was sentenced to 7 years' transportation. The Salisbury and Winchester Journal, 19 August 1848, p3 reported that William Tozer, convicted of burglaries at Collingbourn Kingston and Broughton Gifford, had a sentence of Death recorded against him, but was told that the sentence would not be carried into effect.

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<sup>1</sup> Devizes and Wiltshire Gazette, 8 June 1848, p4; Salisbury and Winchester Journal, 10 June 1848, p2

<sup>2</sup> Wiltshire Independent, 10 August 1848, p6

The Wiltshire Independent then reported on 24 August 1848, p4: In the case of the burglar, William Tozer, reported last week, the sentence of 7 years was afterwards, on his being convicted of multiplied offences, increased to transportation for life.

Now there are three different sentences: 7 years, life and Death.

The Justices at William's trial recommended him for Royal Mercy.

In a letter sent to Mr Justice Coleridge from Sir George Grey, Whitehall, on 22 August 1848.

Sir, You having certified to the Queen that at the Gaol Delivery holden for the for the Western Circuit at Devizes on Friday the 11th day of August last William Tozer was convicted before you of the crime of Burglary with personal violence and received Judgement of Death for the same and having humbly recommended him to H.M. as a fit object of the Royal Mercy on condition that he be transported beyond the Seas for the term of 7 years. H.M. has thereupon been Graciously Pleased to extend the Royal Mercy to the said William Tozer on the said condition, and has commanded me to signify the same to you that you may give the necessary directions accordingly.

I have &c, G. Grey.<sup>3</sup>

The Prison Registers show that William Tozer, 29, single, can read and write imperfectly, a shoemaker, was convicted on 11 August 1848 at the Devizes Assizes, Wiltshire, of burglary with personal violence. He was sentenced to Death, but the sentence was respited to 7 years' transportation. William was received at Millbank Prison on 9 February from the Fisherton Anger Gaol, the Wiltshire County Gaol. According to the Register, it was his first conviction. On 15 August 1849, William was transferred to the *Justitia* hulk at Woolwich, where he remained until 4 July 1851, when he boarded the *Minden* for the voyage to Western Australia. <sup>4</sup>

On arrival at Fremantle, Western Australia, on 14 October 1851, William was assigned number 692, granted a Ticket of Leave, and a physical description was recorded.

692. William Tozer, 31, 5'6¾", brown hair, hazel eyes, long face, fresh complexion, proportionate stature, no marks or tattoos, boot and shoemaker, and single. <sup>5</sup>

Note: Two Registers (Acc 1156/R21B and R20) list him as John Tozer, but this seems to be a clerical error, as he is William in all other records.

The Superintendent's Journal notes that on 1 November 1851. No. 692 William Tozer (*Minden*) discharged from Hospital this day and will proceed to the North Fremantle Station. <sup>6</sup>

He had a few early brushes with the law:

12 January 1852, Fremantle. Tozer, a ticket-of-leave holder in Fremantle, without a pass, was reprimanded and discharged.<sup>7</sup>

2 February 1852, Fremantle. W. Tozer, ticket-of-leave man, charged with being drunk, fined 5/ and expenses.<sup>8</sup>

William began working for William Herbert on 21 January 1852 in Perth as a shoemaker doing piecework. He was a boot and shoemaker in King Street, Perth; he branched out into saddle and harness making in May 1852.

21 March 1853, Perth. William Towzer, t.l., drunk and creating a disturbance on his own premises; fined 10/=s and 3/- costs. John King, t.l., drunk and riotous on the premises of W. Towzer; fined 5/- and 3/- costs. <sup>9</sup>

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<sup>3</sup> The National Archives (TNA) UK, HO13/95, p1.

<sup>4</sup> TNA, HO24/4; HO8/109.

<sup>5</sup> State Records Office Western Australia (SROWA), ACC 128/32

<sup>6</sup> SROWA, Acc 1156, Superintendents Orders, So1-So3, p97

<sup>7</sup> Inquirer, 28 Jan 1852, p3

business of Boot and Shoemaker, added that of SADDLER & HARNESS MAKER, and having succeeded in engaging the services of first rate workmen in that department, he invites inspection of his stock <sup>8</sup> Inquirer, 11 Feb 1852, p3

His future wife, Bridget or Biddy Tydings, 20, single, left Plymouth on 30 September 1852 aboard the *Travancore*, arriving at Fremantle on 13 January 1853.

William married Bridget on 10 June 1853 in the Catholic Church, Perth.<sup>10</sup>

The parents are not recorded for either party. Bridget was Catholic and William a Protestant. The witnesses were Patrick and Catherine McNamara.

The image shows a handwritten Latin document, likely a marriage certificate. The text is written in cursive and includes the following details: the date is the 10th day of the month of June, 1853; the officiant is Martinus Grider, a priest of the Catholic Church in Perth; the witnesses are Patrick and Catherine McNamara; the couple is Bridget Tydings (Catholic) and William Tozer (Protestant). The document is signed by Martinus Grider, P.S. (Pastor).

Unfortunately, William and Bridget didn't register their children's births. Information on their births comes from Catholic Church records abstracted by Rica Erickson and found on FamilySearch.

Mary b. 5 April 1854

Sarah bap. 30 September 1856

George b. 28 October 1856. On the transcript of his baptism, his mother is given as Brigita Mack. When George Tozer died in 1917, his parents were recorded as William Tozer and Ellen Mack.

William? 1858 Drowned in 1878. Buried at Mandurah.

Three boys, named Cox, Towser, and Hughes, left Fremantle in a small boat on a fishing excursion to the Murray estuary. Before reaching their destination, the boat became so leaky that it had to be abandoned, when about three miles from shore. Cox and Hughes swam ashore, but the other lad drowned.<sup>11</sup>

Death registered as William Tozer, 20, with no parents named.

It is unclear if Bridget died. William Tozer and Ellen Mack had a son, John, born on 25 August 1861 at York and baptised on 2 September 1861 at the Catholic Church. On his baptism, his surname is given as Tonzer, but his birth is registered as Tozer. No information has been found on an Ellen Mack or John Tozer.

William's sentence expired on 11 August 1855.

In 1852, William appears to be working for himself as a shoemaker, and some of the men he employed were:

At Perth

James Bailey, 603, shoemaker, 2 October 1852

John Garth, 266, 13 June 1853

John Charles, 939, 2 July 1853 to 11 November 1853

William Ainsworth, 1316, 25 July 1854

John Heary, 3470, 11 March 1856 to 3 June 1856

Henry Kimber, 2854, 28 March 1856

<sup>9</sup> The Perth Gazette and Independent Journal, 1 Apr 1853, p2

<sup>10</sup> LDS film 1669222

<sup>11</sup> The Western Australian Times, 15 Feb 1878, p2

William appears to have moved to York around the late 1850s. It is suggested he is the convict recorded as working for Edward Treasure at York on the 1859 census.

William Toble, 28, Protestant, labourer, can read, T.L

However, William Tozer was about 40, a shoemaker and an expirée in 1859.

He returned to Fremantle about 1863 and continued to employ men as shoemakers.

At Fremantle

Joseph Weaver, 6764, 4 June 1863

John Clarke, 5965, 30 September 1863

George Ball, 8797, shoemaker, 29 October 1867

William began appearing before the court, usually for being drunk. As the years passed, he was unable to pay the fines and began spending time in gaol. These are some of his convictions:

Gaol: Wm Tozer, 44, *Minden*, convicted 19 August 1864, stealing from the person of Richard Booth, one month, discharged 18 September 1864.

Gaol: Wm Tozer, 50, exp. 692, Protestant, can read and write, drunk and assaulting the Police, 14 days H.L., sentenced 2 January 1869 at Fremantle, discharged 16 January

Perth, 6 September 1870. W. Tozer, exp., drunk and incapable, and found lying in the street. Cautioned.<sup>12</sup>

Fremantle, 22 October 1870. William Tozer was drunk and creating a disturbance in the public street. Cautioned and discharged.<sup>13</sup>

Fremantle. 2 December 1870. The water police charged William Tozer with being drunk and using obscene language in the old Establishment yard. Fined 5/- or seven days. The fine was paid.<sup>14</sup>

Fremantle, 26 July 1872. W. Tozer, shoemaker, was charged with being drunk and disorderly in High St., on the night of the 25th inst., and was fined five shillings, or in default of payment, sentenced to seven days imprisonment.<sup>15</sup>

Gaol: W. Tozer, 55, 692, drunk and disorderly, convicted 12 June 1873 at Fremantle, 14 days or fined 20/-, discharged 26 June 1873.

Gaol: W. Tozer, 56, 692, convicted 19 April 1875, drunk (10/- or 7 days), obscene language (10/- or 7 days) and resisting the Police (20/- or 14 days). 5/- was paid on 26 April and 20/- on 1 May; William was discharged on 1 May 1875.

Gaol: W. Tozer, 60, 692, shoemaker, drunk, convicted 22 November 1878 at Fremantle, 14 days, discharged 3 December 1878.

On the 29 March 1878, from William Tozer's house, Fremantle,—dark stripped Crimean shirt, pair dark cloth trowsers, old blue worsted guernsey, and 3 awls. A man called "Tom," about 68 years of age, about 5ft. 5in. high, dressed in a blue slop and old mole trowsers, suspected.<sup>16</sup>

Gaol: William Tozer, 63, drunk, shoemaker, convicted 13 June 1881, at Fremantle, 7 days, discharged 20 June 1881.

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<sup>12</sup> The Express, 7 Sept 1870, p3

<sup>13</sup> The Express, 28 Oct 1870, p3

<sup>14</sup> The Express, 3 Dec 1870, p3

<sup>15</sup> The Herald, 27 July 1872, p3

<sup>16</sup> Police Gazette, 3 April 1878

Gaol: William Tozer, 63, drunk, convicted 17 August 1881 at Fremantle, 7 days, discharged 24 August 1881. His son, George Tozer, 25, a labourer, was convicted of the same offence.

Fremantle, 1 March 1883. William Tozer, exp, late 692, drunk. Fined 10/- or 7 days.<sup>17</sup>

Whether it was his health or numerous convictions for drunkenness affecting his business, William applied for poor relief on 12 June 1883.

August 1883. Last Friday, a well-known drunkard named William Tozer was brought before the Fremantle Bench, charged with wandering about while in a state of unsound mind. The unfortunate creature was sent to the Lunatic Asylum for suitable treatment.<sup>18</sup>

25 January 1885. William Tozer, a well-known shoemaker at the Port, died in the Fremantle Lunatic Asylum on Sunday last.<sup>19</sup>

Inquest: Fremantle.—On the 26 January 1885, at the Asylum, before J. G. Slade, R.M., and Coroner, on the body of William Tozer, exp., late 692, who died on the 25th inst. Verdict: "Death from natural causes." <sup>20</sup>

## CHILDREN

### Mary

December 1868. On Thursday, sometime between the hours of five and ten pm, the house of Benjamin Solomon, Cantonment Road, was entered, without any apparent marks of violence, and a gold Watch and Chain stolen - under circumstances to describe which at present might defeat the ends of Justice. The property was found on the person of **Mary** Tozer; both she and her sister **Sarah**, and a man named John Williams, c.p., have been arrested, brought up for examination on Friday, and remanded to Wednesday next. This is the second robbery on the same premises; on the last occasion, two gold rings were stolen.

Fremantle Police Court. 23 March 1869

**Maria** Tozer and Jenny Cox, two young girls, aged respectively 14 and 12 years, were charged with stealing a dress, the property of Mrs G. W. Leake, from the bathing ground on the 22nd inst. Tozer was sentenced to 14 days imprisonment, and Cox to 7 days.

Perth, 25 April 1872. James Turner, summoned by **Maria** Tozer, for violently assaulting her. Settled out of court—defendant paying costs 4/6.<sup>21</sup>

20 November 1873. Indecent Assault.

Gilfred Rhodes, a notorious character, was indicted on a charge of indecently assaulting a girl named **Mary** Tozer, aged **10** years and 6 months, at Fremantle, on 20 November 1873.

The particulars of this case are unfit for publication. The jury acquitted the prisoner on the ground that the prosecutrix was a consenting party. Another charge of a similar nature was then proceeded with against the prisoner with a like result. He was therefore discharged.<sup>22</sup>

Note: 10 years should be 19 years.

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<sup>17</sup> Police Gazette, March 1883

<sup>18</sup> The Daily News, 20 Aug 1883, p3

<sup>19</sup> The Daily News, 27 Jan 1885, p3

<sup>20</sup> Police Gazette, January 1885.

<sup>21</sup> The Express, 29 Apr 1872, p3

<sup>22</sup> The Inquirer and Commercial News, 14 Jan 1874, p3

Mary may have married Richard Hicks around 1876, and had a son, Henry, but this has not been confirmed.<sup>23</sup>

Mary Tozer had a son, William, who was baptised on 14 April 1880. Father is supposed to be Richard Hicks, but no father is mentioned at the baby's baptism.

Then on 6 January 1883 at Fremantle, Mary Tozer, prostitute, was convicted of being disorderly. Fined 40/- or 1 month hard labour.<sup>24</sup>

Mary married Henry George Simmonds on 15 June 1884.

### **Sarah**

Attempted Murder, April 1876. — On Tuesday last, a seafaring man, named John Garrity, was charged at the Fremantle Police Court, before Mr Slade, with attempting to kill and murder one **Sarah** Tozer, a prostitute, on 3 April, by stabbing her in the back with a knife. **Sarah** Tozer, sworn, stated that she was a single woman and resided in the Old Establishment Yard. She recognised the prisoner who was in her company on the day named, together with a young man named Charles Murray between twelve and one o'clock. There were other girls present: witness's sister, Maria Tozer; Minnie Godfrey; Mrs Stone; and a man known as Nobby Clarke. Witness went to her private room with Murray and had some porter, Murray taking off his coat. The prisoner came into the room and took the coat, secreting it in his bosom, and rushed out shouting. Witness followed him, requesting him to stop shouting, as she feared the Police would arrive on the scene. The prisoner returned shortly after, and Murray asked him for his coat when an altercation took place between them; the accused denied having taken it. Witness told the prisoner that she saw him take it, and he walked up to her, and threatened to put his knife into her, if she said so. She turned away when he stabbed her in the back — she lost the power of her right leg and arm, and immediately fell, but managed to crawl into an inner room; she bled profusely. The other witnesses substantiated the substance of this, and after the evidence of Dr Attfield, the prisoner was committed for trial.<sup>25</sup>

Fremantle Police Court, 14 November 1870.

**Sarah** Tozer and Jane MacIntyre were brought up charged with feloniously and unlawfully entering the dwelling house of Mrs C. A. Manning on 12 November, and stealing therefrom one pair of boots, a jet necklace, a buckle, and a belt, of the value of 15/-. Sergeant Regan conducted the case on behalf of the Crown; the prisoner Tozer admitted the charge, and MacIntyre pleaded guilty to being an accessory after the crime. Tozer had a previous conviction and was sentenced to three months' imprisonment; the other prisoner, in consequence of her youth, was sentenced to one week's imprisonment.<sup>26</sup>

Sarah Tozer, prostitute; charged at Fremantle Police Court, on 7 May 1877, by L.C. McKay, with supplying spirituous liquor to a prohibited person, on 4 May. Fined £2 or 14 days' imprisonment.<sup>27</sup>

Sarah gave birth to twins, James McKeown Tozer and Mary Louise Tozer, born on 8 February 1878. James was baptized the same day and died 2 days later. Mary Louise was baptised on 10 February.

Another son, William George Wilson Tozer, was baptised on 1 January 1880.

Sarah married John Bradford on 14 March 1880.

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<sup>23</sup> WA Biographical Index

<sup>24</sup> Police Gazette, January 1883, p7,

<sup>25</sup> The Herald, 29 Apr 1876, p3

<sup>26</sup> The Herald, 19 Nov 1870, p3; The Express, 16 Nov 1870, p3

<sup>27</sup> Police Gazette, May 1877.

## George

Fremantle, 21 April 1873.

**George** Tozer, a lad aged 15, was brought up on remand, charged by Corporal Wheeler with uttering counterfeit coin under the following circumstances. On the evening of the 15th inst., the prisoner called a native boy, whom he sent to the itinerant pieman whose cries make the even time hideous, with instructions to purchase six pennyworth of saveloys, for the purchase of which the prisoner gave the native a coin. The native executed his commission, took the coin to the unsuspecting "Punch," who, accepting it as a two-shilling piece, gave his savory saveloys to the value of sixpence and returned eighteen pence in change. Presently, the pieman wanting refreshment tendered the same coin in payment at a public house in High Street. The publican instantly noticed that the coin was not what it was meant to appear, and on examination, finding that it was simply a yankee cent covered with a thin lacquer of silver, returned it to Punch, who discovering that his innocence had been imposed upon, gave information to the Police who tracked the coin without difficulty to its source. The lad Tozer gave several different versions of the manner in which he became possessed of the counterfeit, stating in one instance that he had picked it up in the street at Mr Pearse's corner, in another that it had been given to him. Today, he was brought before the Fremantle Bench, and his worship, finding himself powerless to deal with the case, committed the prisoner to take his trial before the Supreme Court. It is a pity, an egregious pity, that in a case like this, the Magistrate should not exercise a summary jurisdiction. The lad is under the age at which summary corporal punishment may be inflicted upon juvenile delinquents. If there was sufficient proof of the issuing to convince the Magistrate that the boy was guilty of intentional fraud, the case would have been better met by a flogging and discharge than committal for trial.<sup>28</sup>

Supreme Court, May 1873. **George** Tozer, free, uttering counterfeit coin, tried at the Supreme Court, not prosecuted, entered on the application of the Attorney General on grounds of the prisoner's youth.

George was regularly charged with being drunk and spent time in prison occasionally.

He married Elizabeth Shannen on 23 November 1879. He died on Christmas Eve, 1917.



Fremantle Cemetery.

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<sup>28</sup> The Herald, 26 Apr 1873, p3