

‘Tenpence’ A matter of life, death or transportation

BY RICHARD DE GRIJS

A deep dive into obscure archival records is bound to uncover intriguing, sometimes surprising, aspects of seemingly ordinary lives. Take the case of one John Wilson (1768?–1800).

On 10 October 1785, Wilson’s life was thrown into major disarray. The magistrates presiding at Wigan’s Quarter Sessions Court condemned the Lancastrian sailor to ‘transportation to some parts beyond the seas for the space of seven years.’

At only seventeen, young Wilson’s thoughts must have been racing in despair as he was led to the Wigan Borough Gaol at Millgate, a small holding area adequate for just six detainees. Pending the execution of his sentence, before long he would be sent to Lancaster Castle.

Yet, implementation of sentences of transportation had become a most pressing matter. Britain had long used its convicts as cheap labour, particularly in the American colonies. However, the American War of Independence of 1775–1783 had put a firm halt to that practice.

And so, while many petty criminals were sentenced to seven or fourteen years of transportation, there was literally nowhere to send them to. With the Industrial Revolution causing enormous economic hardship and mass unemployment, instances of petty crime – ‘felonies’ – surged dramatically. Prisons became dangerously overcrowded, forcing the Government to convert disused ships into the now-notorious prison hulks.

By the mid-1780s, prison overcrowding had become such a critical concern that urgent action was needed, if only for public health reasons. On 6 December 1785, therefore, Thomas Townshend, Viscount Sydney, Principal Secretary of State for the Colonies, drew up Orders-in-Council (legislation passed by King George III’s Privy Council) to establish a colony in New South Wales.

On the favourable recommendation of Captain James Cook, on 18 August 1786 the Government selected Botany Bay as the new settlement’s location. However, as noted by the journalist and author Norman Bartlett, ‘[t]here is no

evidence that either [Prime Minister] William Pitt or any member of his cabinet thought of Botany Bay as anything more than a convenient place, distant enough for the safe disposal of social waste.’

On 13 May 1787, shackled in leg irons and in the company of almost 800 other convicts on eleven ships, Wilson departed from Spithead Roads, off Portsmouth, confined to the convict ship *Alexander*. Today, flights from the UK to Sydney’s Kingsford Smith international airport (coincidentally located at Botany Bay) take the better part of twenty-four hours. In the late eighteenth century, however, the ‘First Fleet’ took more than 250 days to arrive in New South Wales. A seven year sentence of transportation hence quickly became a life sentence of exile; very few convicts made their way back home upon their release.

Such a fate seems harsh by modern standards, particularly given Wilson’s apparently minor offence. He was alleged to have stolen ‘nine yards of cotton cloth called velveret, of the value of tenpence’ from one Robert Wignall, a Wigan haberdashery merchant, ‘contrary to the peace of our lord the King, his crown and dignity.’

Perhaps counterintuitively, Wilson’s conviction of having stolen goods valued at a mere ten pence actually saved his



Wigan’s Millgate, location of the original Borough Gaol, in times gone by (Credit: Sandra Whalley/Pinterest)

life. In late eighteenth century England, theft to the tune of a shilling (twelve pence) or more resulted in an automatic death sentence. Jurors and magistrates were well aware of these consequences, and so they often resorted to 'controlling values' to save lives.

That context explains the selection of Wigan's Quarter Sessions Court, established during the reign of King Edward III (reigned 1327–1377), as Wilson's trial venue. Quarter Sessions were local courts which heard less serious cases, in essence any crime that did not carry a death sentence or life imprisonment. More serious cases were heard by the Courts of Assize. In 1972 the Crown Court of England and Wales replaced the Quarter Sessions and Assize Courts.

Since the earliest records of 1583, Lancashire Quarter Sessions had been held at Lancaster for the 'hundred' (ward) of Lonsdale; at Preston for the hundreds of Amounderness and Blackburn; at Wigan during Epiphany and Michaelmas, at Ormskirk at Easter and Midsummer for the hundreds of Leyland and West Derby; and at Manchester for the hundred of Salford.

The Quarter Sessions Court records of 'The King ag[ains]t John Wilson For Petit [sic] Larceny' on that fateful Michaelmas day in October 1785 put the cost of the trial at Wigan's New Town Hall (£3 3s 2d), the nominal value of the stolen goods and the irreversible wrecking of a pauper's life in stark contrast.

Following his arrival in January 1788, Wilson served out the remainder of his sentence in New South Wales. Upon his discharge, he soon disappeared into the bush and became a 'white wild man' who clearly preferred living 'among the natives in the vicinity of the [Hawkesbury] River to earning the wages of honest industry for settlers,' wrote David Collins, the colony's deputy judge advocate and lieutenant-governor. Wilson was warmly welcomed by the Dharug Aboriginal people, to whom he became known as 'Bun-bo-e', until he was speared to death in 1800 because of a transgression involving an Aboriginal woman.

Yet history is full of unexpected twists and turns. In 1790, 19-year-old Simeon Lord, a fellow Lancastrian, was sentenced by the Manchester Quarter Sessions Court to seven years of transportation for also having stolen goods worth 'tenpence' – including 100 yards of muslin, conveniently valued at sixpence, and 100 yards of calico, deemed worth just fourpence.

In the 1860s Simeon Lord's grandson, Dr Edward Pierson Ramsay, then-curator of the Australian Museum in Sydney, became the first Australian-born biologist to publish important research about the ground-dwelling 'superb lyrebird' - originally, and incorrectly, known as 'a bird of the pheasant species', or the Australian bird of paradise. His material was largely based on pioneering observations from the 1790s by John Wilson, the original 'lyrebirdman'.

And so did an otherwise unremarkable Wigan convict have an unexpectedly large impact on the foundation and development of a new branch of biology, allowing researchers to relate the modern lyrebird species to its prehistoric ancestors whose fossils are found scattered all across southeastern Australia.



Lyrebird (*Menura superba*) (Credit: John Gould, *Birds of Australia and Adjacent Islands*; ca. 1848)

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