

John alias Richard SMITH: Research data as of 2022.

John also known as Richard Smith was born about 1792 in Gloucester [Reference his transportation file which lists his Native Place as Gloucester]. His indictment file in 1811 states that he is late of Compton Bishop, Somerset however this could be where he was working as a groom as opposed to his place of birth. Communication with Margaret Jordan of Compton Bishop would seem to confirm this:

"I note that his transportation notes say his "native place" was Gloucester. I think that is where you are most likely to find his baptism.

As to why he was in Compton Bishop may be explained by his occupation. The parish contains two villages, Compton Bishop and the other Cross. Cross was on the main turnpike road and with its three coaching inns would have been busy with travellers day and night. It was where the horses were changed for the coaches and where they provided horses for the many travellers either ridden or to pull their carriages. Many people therefore earned their living from horses one way or another in the 18th or 19th century.

There was a family in Axbridge (which is about one and half miles from Cross) named Smith who came from Gloucester. The head of the family was Simon Smith and he was a hatter making hats from rabbit skins. Smith, is of course, a difficult name being so common. I cannot link John/Richard with this Axbridge family. That they came from Gloucester may. or may not mean any connection but it is worth baring in mind.

There was a family called Mills in Compton Bishop. They were farmers and corn merchants. I cannot find any record of a Harry Mills. I hope this will be of some help to you.

Margaret"

It appears Simon Smith was born about 1787 putting him at 5 years of age when John aka Richard was born.

I commissioned research into John aka Richard's potential birth and the report came back:

It seems to be the conclusion that John SMITH – we shall call him John because that is the name that we consider was his at birth – seemed to have been born in the City of Gloucester around the year 1792 to 1793.

As there are so many parishes within the City of Gloucester, we started by checking the IGI Index to see if there were any suitable entries on there for a John or Richard SMITH around the above dates. Most of the parishes of Gloucester are covered by the IGI Index, but there are a few that are not. We thought that the easiest way to try and pinpoint a possible baptism for John was to check the IGI Index first and then search through the registers of the parishes that are not covered by it afterwards.

We have found following possible baptism entries for a John SMITH –

1792 April 9th in the Parish of St. Mary de Lode, Gloucester. John, son of John and Sarah SMITH

1795 May 31st in the parish of St. Nicholas, Gloucester. John, son of John and Elizabeth SMITH

There is also a baptism for a Richard SMITH

1796 January 10th in the parish of St. Mary de Lode, Gloucester. Richard, son of Robert Wigal and Sarah SMITH.

We think that we can discount the above baptism for Richard SMITH – it is a little late and we are still fairly sure that John changed his name to Richard and was not born Richard. It is interesting though that the above baptism is in the parish of St. Mary de Lode, which is the same parish as the above John, who was baptised in 1792. Maybe they were related?

Next we decided to check the above baptism entries in the original parish registers. The IGI index is a wonderful searching aid for family historians, but everything has to be checked with the original documents as mistakes are often made. Some of the entries are often guess work put on there by people who are not sure.

As the above 1792 baptism for John, seems the more likely one to be your ancestor because of the date, we started by checking the St. Mary de Lode registers for the period 1786 to 1799. The registers for this parish are rather large and the one that we were searching finished in 1799, so for the time being we stopped searching at that date too. We have found the following baptisms –

1792 April 9th John, son of John and Sarah SMITH, Trinity, baptised

Also baptised to John and Sarah SMITH were –

1786 December 10th John

1794 December 28th Mary

The reference to Trinity in the baptism of John in 1792 refers to the parish of Holy Trinity, which we presume that the family were living in at that time. The church at Holy Trinity was demolished in 1698, meaning that all children born in the parish after that had to be baptised in the parish church at St. Mary de Lode.

We then searched through all of the burial entries in the register to see if there was any evidence of John dying as a child, therefore eliminating him from our research. The one problem with the St. Mary de Lode burial register at this time is that only the name of the person buried was mentioned. Usually, adults were entered with just their name, or “wife of/ husband of”. Children were usually entered as “son/daughter of”. But not all parishes did this. St. Mary de Lode is one of the parishes that didn’t do this in this period and therefore there is no way of telling whether the person buried was an adult or a child. We found no entries for any John SMITHs up until 1799.

The earlier John baptised to John and Sarah SMITH in 1786, presumably died as a child although it was not that uncommon for parents to give two of their children the same name, especially if the first child was ill around the second child’s birth.

We then moved on to searching the registers of the parish of St. Nicholas, Gloucester to check the entry for John SMITH baptised 1795. We have checked the registers between the dates 1790 and 1803.

We have found the following baptisms –

1795 May 30th John, son of John and Elizabeth SMITH

Also baptised to John and Elizabeth SMITH were –

1797 June 25th William

1799 January 20th Charles

1800 February 19th Ann

We then checked the burial entries for St. Nicholas to see if John had died as a young child. St. Nicholas, as St. Mary de Lode, also only entered just the name of the buried person with no other details about them. The only entry that we found for a John SMITH was the following –

1805 August 13th John SMITH

There is no way of telling which John SMITH this is. We would assume that it was probably John SMITH senior, but have no proof.

We then checked through the list of the Gloucester parishes that are not transcribed on the IGI Index. They are Gloucester Cathedral, Christchurch, Littleworth and St Mary Magdalene with St. Margaret Chapel, which was linked to the local almshouse and hospital.

The Cathedral records didn't have any baptisms circa 1792ish. Christchurch parish records don't go back that far either. Littleworth around 1792 was extra parochial and came under the jurisdiction of St. Mary de Crypt. We did check the registers for St Mary Magdalene with St. Margaret, although we did not expect to find anything – and we didn't!

It was at this point that we decided to report back to you with our findings so far, so that you can digest what information we have found and then instruct us where to go from here. If you are happy that one of the above John SMITH'S could be your ancestor, then we can carry on trying to prove that he is. The obvious one is the John, baptised in St Mary de Lode in 1792, the son of John and Sarah SMITH. His baptism fits in best with the date that you believe your ancestor was born.

The below is a birth record for John Smith April 1792 St Mary de Lode Gloucester likely to be the one's referred to in the research:

22nd Catherine, dau^r of Thomas & Esther Binning
 6th Thomas Porter, son of William & Frances Bamford Trinity
 6th Mary Ann, dau^r of Joseph & Ann Harding
 8th James, son of John & Ann Woodcock
 9th James, son of William & Sarah Davis
 9th John, son of John & Sarah Smith Trinity
 13th Fanny, dau^r of John & Margaret Meek
 26th Henry James Wenders, son of John & Elizabeth Bowyer Trinity
 28th Sarah, dau^r of John & Mary Drinkwater

Baptism Record:

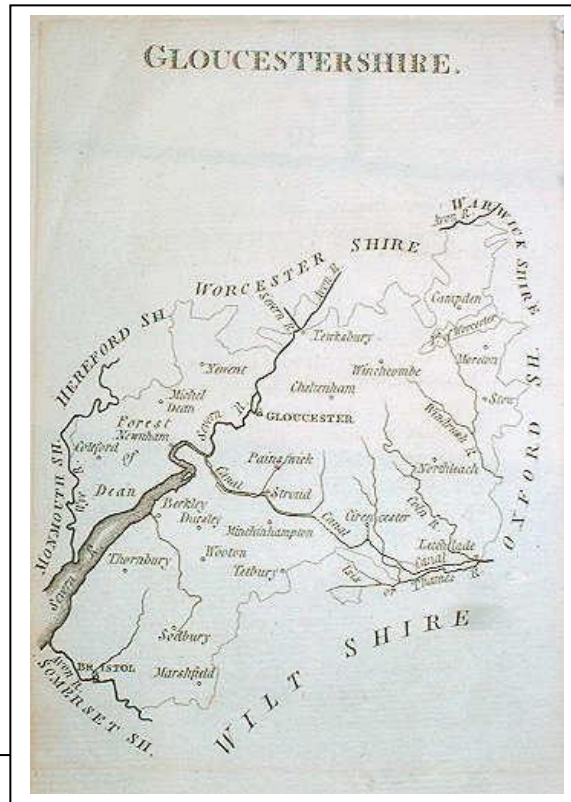


Record Transcription:
 England Births & Baptisms 1538-1975

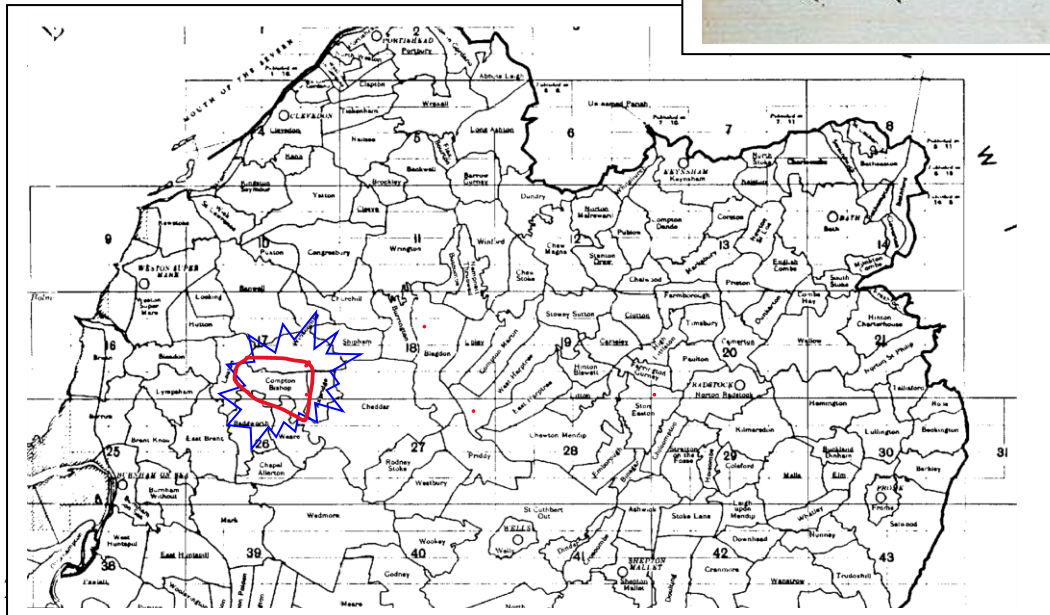
First name(s)	John
Last name	Smith
Gender	Male
Birth year	-
Birth place	-
Baptism year	1792
Baptism date	09 Apr 1792
Place	Gloucester
County	Gloucestershire
Country	England
Father's first name(s)	John
Father's last name	Smith
Mother's first name(s)	Sarah
Mother's last name	-
Record set	England Births & Baptisms 1538-1975
Category	Birth, Marriage, Death & Parish Records
Subcategory	Parish Baptisms
Collections from	England, Great Britain

Catherine, dau^r of Thomas & Esther Binning ~ 22nd
 April
 Thomas Porter, son of William & Frances Bamford, Trinity 6th
 Mary Ann, dau^r of Joseph & Ann Harding ~ 6th
 James, son of John & Ann Woodcock ~ 8th
 James, son of William & Sarah Davis ~ 9th
 John, son of John & Sarah Smith, Trinity ~ 9th
 Fanny, dau^r of John & Margaret Meek ~ 13th
 Henry James Wenders, son of John & Elizabeth Bowyer, Trinity - 26th
 Sarah, dau^r of John & Mary Drinkwater ~ 28th

Gloucestershire is in South West England bordering Somerset
Harris's originate from. [Amelia's dad's family] Below is the



where Richard was convicted and Dorset where the
location and to the right is Gloucestershire in 1800.



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The parish of Compton Bishop is situated at the western end of the Mendip Hills in the county of Somerset, England. It is shown here ringed in Red. Across the Severn River is Cardiff Wales. Somerset County is bordered by Dorset, Gloucestershire, Monmouthshire and Devon. Contained within the parish are the hamlets of Rackley and Webbington. The village of Compton Bishop is enclosed within a pretty horseshoe shaped combe with its 13th century church, dedicated to St. Andrew, nestling beneath the hill known as Crook Peak.

Agriculture was the main employer of labour in Compton Bishop where for centuries grazing on the pastures and the hillside produced wool from sheep and milk, often turned into cheese from herds of cows. The village once contained a post office, school and, in the 19th and 20th century, a home for children at risk of Tuberculosis. Its narrow lanes, rich with wild flowers, are still bordered by attractive stone cottages.

Stretching away eastwards from Compton Bishop is Wavering Down beneath which is Cross the second village within the parish. By-passed now by the A38 road this village was once the hub of the coaching trade that used the Bristol to Bridgwater turnpike road. Three coaching inns served the travellers, two of these inns survive to this day, where wheelwrights, farriers, coachmen and ostlers earned their living from the age of coach travel.

In the 19th century the parish also contained the Union Workhouse. With the coming of the railway the coaching trade declined rapidly and market gardening and milk production returned the once bustling village to a quiet rural community.

The map below shows that Somerset is located east of the Bristol Channel and Severn River and Bridgwater is located where the yellow label is.



Gloucestershire County is just north of here.

In 1810 we know that John known as Richard was a groom at Compton Bishop County of Somerset. His indictment file indicates that on 6th May 1810 he was a labourer and he was accused of stealing a horse *“one gelding of the price of five pounds of the goods and chattels of one Harry Mills”*. The Year is indicated in the Indictment as the Fifty First Year of the Reign of King George III of England who reigned from 25/10/1759 to 29/1/1820. The record below reads:

ASSI25/8/10 Indictment Files

Somerset The Jurors for our Lord the King upon their Oath present that John Smith late of the Parish of Compton Bishop in the County of Somerset Labourer otherwise called Richard Smith on the sixth day of May in the fifty first year of the Reign

of our Sovereign Lord George the Third by the Grace of God of United Kingdom of Great Britain and Ireland King Defender of the Faith with force and arms at the Parish aforesaid in the County aforesaid one gelding of the price of five pounds of the goods and chattels of one Harry Mills then and there being found then and there feloniously did steal take and lead away against the peace of our said Lord the King his Crown and Dignity

Come wit The Jurors for our Lord the King upon their oath, present that ^{John} ~~John~~ ^{Richard} ~~John~~ ^{Smith} ~~Smith~~ late of the Parish of Compton
 Bishop, in the County of Somerset labourer otherwise called Richard Smith
 on the ~~17th~~ ^{17th} day of May in the fifth year of the Reign of our Sovereign Lord George the 4th by the Grace of God of the
 United Kingdom of Great Britain and Ireland King Defender of the Faith with force and arms at the parish aforesaid in the County aforesaid
 one gold ring of the Price of Five Pounds
 of the Goods and Chattels of one Harry Mills
 then and there being found then and there
 feloniously did steal take and Cart away against the peace of our said Lord the King his Crown and Dignity

On 17th August 1811 John known as Richard was tried at the Bridgewater Assizes Somerset and convicted of horse stealing. Richard was 19 years of age when he was convicted and sentenced to death. See Somerset Assizes Record 1811 below recording a sentence of death.

John
 Richard Smith
 Horse Stealing
 Death

Bath Chronicle and Weekly Gazette 22nd August 1811

found a verdict for the defendant.
SOMERSET ASSIZES.
 At the Assizes for this county, which commenced on Saturday at Bridgewater, there were 36 prisoners on the calendar, of whom the following have been already tried: Martha Parsons, for stealing sundry bank-notes from a house on St. James's-parade, Bath; Eliz. Fleming, for stealing wearing-apparel in Bath; capitally convicted.— John otherwise Richard Smith, for horse stealing; Chas. Routley, and George Dix, for breaking into and robbing houses in the day time; James Good, for burglary; Thos. Jefferies, David Horler, Mary Slade, and Eliz. Jefferies, for stealing 10 cwt. of hay from Mr. Densley, of the Angel Inn, Widcomb, found guilty.— Wm Spring, for stealing two silk handkerchiefs in the parish of Weston, 12 months imprisonment.— Mary Lovet, for stealing two coats and a waistcoat, 6 months imprisonment.— On the civil side the two following causes have been tried:
 NEWMAN v. PLUM.—This was an action to recover

the dispatches."
 The Assizes for the county of Somerset, held at Bridgewater, commenced on Saturday, the 17th instant, and ended on Thursday last. Mr. Baron Graham presided at the Crown bar, and Mr. Justice Bayley at Nisi Prius.
 Seven persons were capitally convicted and received sentence of Death, viz. Arthur Baily, for having stolen out of the Post-office at Bath a letter containing various drafts for money and Bank post bills; John otherwise Richard Smith, for horse stealing; Martha Parsons, for stealing a purse containing Bank notes, some gold and silver; C. Routley, George Dix, James Gold, and Elizabeth Fleming, all for breaking into and committing robberies in dwelling-houses.
 On Baily's trial, a chain of circumstances was unravelled, which, notwithstanding its numerous intricacies, was conclusive of his guilt. The shopman of a jeweller in London, to whom he had paid a 35l. Bank post bill, identified both the bill and his person; the shopman of a silversmith at Gosport to whom he had paid a similar 45l. bill, gave equally clear evidence of the facts, and a young woman proved her accompanying the prisoner to the General Post-office, where he deposited the letter he had stolen from the Post-office at Bath.—The trial lasted six hours: the prisoner at first departed himself with great firmness, but as the trial proceeded he was greatly affected. He was left for execution. The other six capital convicts are reprieved.

village.—The mill was insured.

SOMERSET ASSIZES.

At the Assizes for this county, which commenced on Saturday at Bridgwater, there were 34 prisoners on the calendar, of whom the following have been already tried.—Martha Parsons, for stealing sundry Bank-notes from a house on St. James's-parade; Eliz. Fleming, for stealing wearing-apparel in this city; John otherwise Richard Smith, for horse-stealing; Chas. Routley, and Geo. Dix, for breaking into and robbing houses in the day-time; James Good, for burglary; Thomas Jefferies, David Horler, and Mary Slade, for stealing 10 cwt. of hay from Mr. Denley, of the Angel Inn, Widcombe; *were capitally convicted.*—William Spring, for stealing two silk handkerchiefs in the parish of Weston, 12 months imprisonment.—Mary Lovet, for stealing two coats and a waistcoat; and Betty Townsend, for threatening to kill Maria Poole, unless she brought her money; 6 months imprisonment.—On the civil side the two following causes have been tried:

this observation, immediately said, "I perceive that your Royal Highness's Court is in the old style, with a *fester*."

SUMMER ASSIZES

HOME CIRCUIT.

Lord ELLENBOROUGH and The Lord CHIEF BARON.

Hertfordshire.....	Aug. 5, at Hertford.
Essex.....	— 7, at Chelmsford.
Surrey.....	— 12, at Kingston.
Sussex.....	— 17, at Lewes.
Kent.....	— 21, at Maidstone.

NORFOLK.

Sir JAMES MANSFIELD and Mr. JUSTICE HEATH.

Buckinghamshire.....	July 29, at Buckingham.
Bedfordshire.....	Aug. 1, at Bedford.
Huntingdonshire.....	— 3, at Huntingdon.
Cambridgeshire.....	— 5, at Cambridge.
Suffolk.....	— 8, at Bury.
Norfolk.....	— 12, at Norwich.

MIDLAND.

Mr. Justice GROSE and Baron THOMPSON.

Northamptonshire.....	July 22, at Northampton.
Rutlandshire.....	— 26, at Oakham.
Lincolnshire.....	— 27, at Lincoln.
Nottinghamshire.....	Aug. 1, at Nottingham.
Derbyshire.....	— 3, at Derby.
Lancashire.....	— 4, at Lancaster.
Leicestershire.....	— 7, at Leicester.
Warwickshire.....	— 10, at Warwick.

WESTERN.

Mr. Justice BAILLET and Baron GRAHAM.

Southampton.....	July 23, at Winchester.
Wiltshire.....	— 27, at New Sarum.
Dorsetshire.....	Aug. 1, at Dorchester.
Devonshire.....	— 5, at Exeter.
Cornwall.....	— 12, at Bodmin.
Somersetshire.....	— 17, at <u>Bridgewater</u> .

NORTHERN.

Mr. Justice CHAMBERLAIN and Baron WOOD.

Yorkshire.....	July 31, at York.
Durham.....	Aug. 13, at Durham.
Northumberland.....	— 17, at Newcastle.
Cumberland.....	— 23, at Carlisle.
Westmoreland.....	— 31, at Appleby.

His Australian Convict transportation Register 1812 record to the below says this was changed to Transportation to NSW for Life.

John alias Richard Smith Somerset do 17 August 1811 Life

Richard was transported to NSW on the Fortune 2 which left England on the 14th October 1812. Until that time Richard was imprisoned on the Hulk Retribution in Woolwich see the record below. Mercifully it would only be 1 year and 2 months he

endured this.

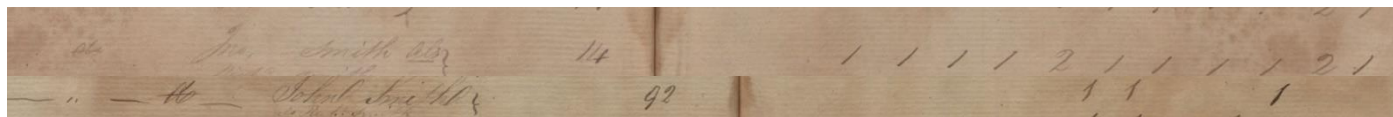
2166	John alias Richard Smith	Somerset	do	17 August 1811	Life
7	Thomas Thomas	33	hosp. Deptford	17 Aug 1811	do Sept 1811
8	Thomas Jeffries		Felony		do 7 Oct 25 1811
9	David Barber		do		do 7 Oct 10 Aug 1811
2170	John alias Rich ^d Smith	19	hosp. Deptford	Bridgewater 17 Aug 1811	do Sept 1811
1	George Dix		do		do Sept 1811
2	Charles Rowley		do		do Sept 1811
3	James Good		do		do Sept 1811
4	James Cox	19	Felony		do Sept 1811

Ref: Documents of Retribution

2170	John alias Rich ^d Smith	19	hosp. Deptford	Bridgewater 17 Aug 1811	do Sept 1811
1	George Dix		do		do Sept 1811

Amazingly we have two very precious records for John aka Richard Smith in 1811 when he arrives on the Retribution and after 14 days on 17th Sept 1811 is given 1 of each jacket, waistcoat, breeches, handkerchief, pair of shoes and slats and 2 shirts. He is given 1 bed, 2 blankets and 1 set of irons. On his 92nd day of confinement we have another record showing he is topped up with 1 shirt, a pair of stockings and slats.

14 day record



92 day record:

Both documents are provided in full because they are indeed precious records.

Acct. continued

Cloathing

Bridges

No.	Entire	Furniture	Name	No.	Wh. to Prop.
551	10 th		for Joshua W.	22	
552	11 th		for Thomas	21	
553	14 th		for Bradley	14	
554			for Smith	14	
555			for [unclear]	14	
556			for [unclear]	14	
557			for [unclear]	14	
558			for [unclear]	14	
559	24 th		for [unclear]	7	
560			for [unclear]	7	
561			for [unclear]	7	
562			for [unclear]	7	
563			for [unclear]	7	
564	25 th		for [unclear]	5	
565			for [unclear]	5	
566			for [unclear]	5	
567			for [unclear]	5	
568			for [unclear]	5	
569			for [unclear]	5	
				198	

for	for	for	for	for	for	for	for	for	for	for
1	1	1	2	1	1	1	1	2	1	
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1	1	1	2	1	1	1	1	2	1	
1	1	1	2	1	1	1	1	2	1	
19	19	19	38	19	19	19	19	38	19	

“ *Convicts* ”

This remarkable and unique photograph shows the Woolwich convict hulks at the end of their life moored at the end of Warren Lane (Royal Arsenal Gardens today). Old, dismasted warship hulls, they were doomed to be broken and burnt. Between 1776 and 1857 they housed a floating prison population at Woolwich in conditions of grim austerity.



James Hardy Vaux was also imprisoned on the Retribution a year earlier in 1810 and wrote a first hand account.



“ Every morning, at seven o’clock, all the convicts capable of work, or, in fact, all who are capable of getting into the boats, are taken ashore to the Warren, in which the royal arsenal and other public buildings are situated, and are there employed at various kinds of labour, some of them very fatiguing; and while so employed, each gang of sixteen, or twenty men, is watched and directed by a fellow called a guard. These guards are most commonly of the lowest class of human beings; wretches devoid of all feeling; ignorant in the extreme, brutal by nature, and rendered tyrannical and cruel by the consciousness of the power they possess; no others, but such as I have described, would hold the situation, their wages being not more than a day-labourer would earn in London. They invariably carry a large and ponderous stick, with which, without the smallest provocation, they will fell an unfortunate convict to the ground, and frequently repeat their blows long after the poor sufferer is insensible.

At noon the working party return on board to dinner, and at one again go on shore, where they labour till near sun-set. On returning on board in the evening, all hands are mustered by a roll, and the whole being turned down below, the hatches are put over them, and secured for the night. As to the food, the stipulated ration is very scanty, but of even part of that they are defrauded. Their provisions being supplied by contractors, and not by Government, are of the worst kind, such as would not be considered eatable or wholesome elsewhere; and both the weight and measure are always deficient. The allowance of bread

is said to be about twenty ounces per day. Three days in the week they have about four ounces of cheese for dinner, and the other four days a pound of beef. The breakfast is invariably boiled barley, of the coarsest kind imaginable; and of this the pigs of the hulk come in for a third part, because it is so nauseous that nothing but downright hunger will enable a man to eat it. For supper, they have, on banyan days, burgoo, of as good a quality as the barley, and which is similarly disposed of; and on meat days, the water in which the beef was boiled, is thickened with barley, and forms a mess called “Smiggins,” of a more detestable nature than either of the two former!

The reader may conceive that I do not exaggerate, when I state, that among the convicts the common price of these several eatables, is, -for a day’s allowance of beef, one halfpenny;-ditto, of cheese, one halfpenny;-ditto, of bread, three-halfpence; but the cheese is most commonly so bad, that they throw it away. It is manufactured, I believe, of skimmed milk for this particular contract. The beef generally consists of old bulls, or cows who have died of age or famine; the least trace of fat is considered a phenomenon, and it is far inferior upon the whole to good horse-flesh. I once saw the prisoners throw the whole day’s supply overboard the moment it was hoisted out of the boat, and for this offence they were severely flogged.

The friends of these unhappy persons are not allowed to come on board, but must remain alongside during their visit; the prisoners are, it is true, suffered to go into their boat, but a guard is placed within hearing of their conversation, and if a friend or parent has come one hundred miles, they are not allowed above ten minutes’ interview; so that instead of consolation, the visit only excites regret at the parties being so suddenly torn asunder. All letters, too, written by prisoners, must be delivered unsealed to the chief mate for his inspection, before they are sent ashore; and such as he thinks obnoxious, are of course suppressed. In like manner, all letters received from the post-office are opened and scrutinized.

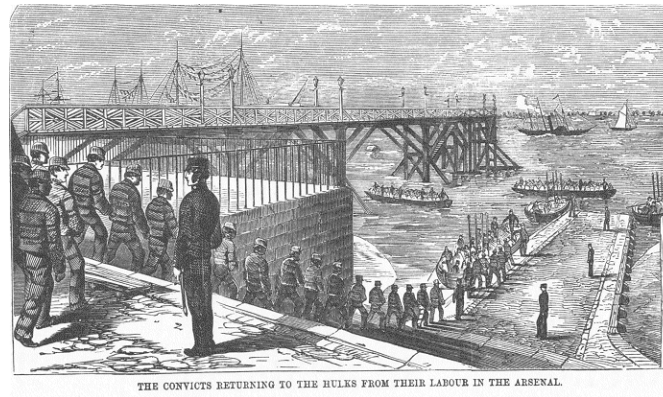


If I were to attempt a full description of the miseries endured in these ships, I could fill a volume; but I shall sum up all by stating, that besides robbery from each other, which is as common as cursing and swearing, I witnessed among the prisoners themselves, during the twelve month I remained with them, one deliberate murder, for which the perpetrator was executed at Maidstone, and one suicide; and that unnatural crimes are openly committed."¹ See picture below 'Top deck of the "Unite" hospital ship attached the hulks at Woolwich' from Henry Mayhew's, 'The Criminal Prisons of London', 1862². www.bl.uk

The Hulks themselves looked a little like this:



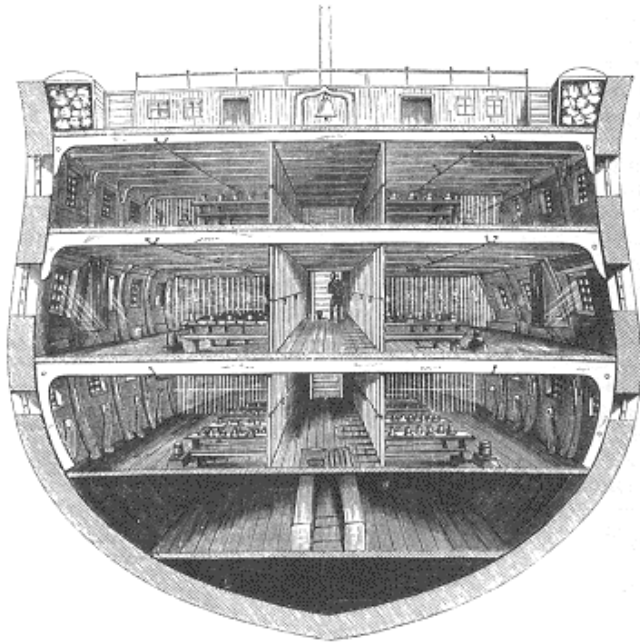
1800 – View near Woolwich in Kent shewing [sic] the employment of the convicts from the hulks



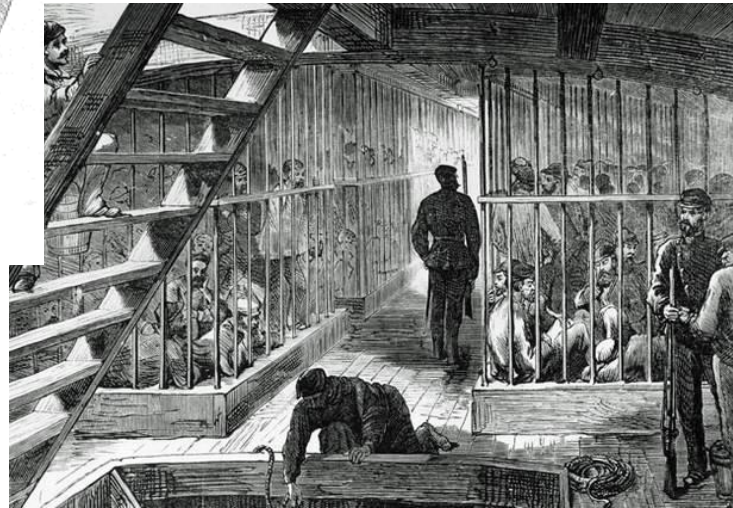
¹ <http://www.frankmurray.com.au/ships-emigration-and-transportation/retribution-hulk>

Williams L., Convicts in the Colonies: Transportation Tales from Britain to Australia. Pen & Swords History 2018 pge21

² https://www.oldpolicecellsmuseum.org.uk/content/history/transportation-3/life_aboard_the_prison_hulks



SECTIONAL VIEW OF THE INTERIOR OF THE "DEFENCE" HULK.



The indent indicates that Richard was a Groom and somewhere between October and June 1792.³

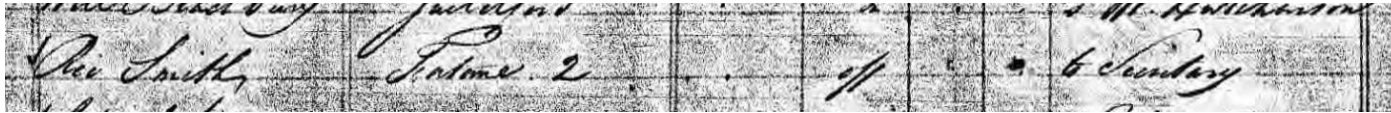
Richard was 5' 5" tall had light hair and hazel eyes. [Ref: NSW State Archives Convict Indents 1813] . These indents also tell us that Richard was transported on the Fortune 2 a ship of 2 Tons, Master Thomas Walker and the ship arrived in Sydney on 11th June 1813. This made Richards trip to Australia a 7 month ordeal almost to the day. See photo to right of conditions on transportation ships of the time.

had turned 20 on arrival putting his birthday

James Marshall.	d:	d:	12 March 1812	Green State	Killingham	d:	10	5ft	fair	d:	d:
Solomon Richard Smith.	Somerset	17 August 1791	Life	Gloucester	Groom	20	5'5"	fair	light	hazel	1812
Robert Hume.	Somerset			Somerset	Penitentiary	33	5ft	dark	black	hazel	1817

Bound Indentures 1814: above and below 1814 muster

³ https://www.oldpolicecellsmuseum.org.uk/content/history/transportation-3/life_aboard_the_prison_hulks
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By 1814 we know that Richard had been assigned to the Colonial Secretary John Thomas Campbell, Secretary to the Governor Lachlan Macquarie. [Ref: 1814 Muster]. We assume that he was assigned from the time of his arrival as The Petition for Mitigation of Sentence [leading to his absolute pardon] indicated Richard had been in the service of John Thomas Campbell for 8 years and the letter had been written in 1821 placing the commencement of his service in the year 1813. The 1814 Muster also indicates that Richards Stores were Off meaning he no longer had access to Government Stores meaning he had his own food production of sorts and that he was in Windsor.

CAMPBELL, JOHN THOMAS (1770?-1830), vice-regal secretary, was the eldest son of William Campbell, vicar of Newry, County Armagh, Ireland, and his wife Mary, née M'Cammon. Apparently Campbell and his brothers were educated at home by their father. He appears to have spent the years 1793-95 in the Bank of Ireland; his connexion with banking at the Cape of Good Hope remains obscure, in spite of [Ellis Bent](#)'s description of him as 'head' of the Discount Bank and Governor [Lachlan Macquarie](#)'s later statements about his part in its establishment.

Campbell's brother was curate at Caledon, County Tyrone, and Campbell himself seems to have enjoyed the patronage of the earl of Caledon, governor at the Cape, who recommended him to Macquarie when the latter called there in 1809. He joined the governor-designate's party, with an understanding that something would be done for him in New South Wales. Captain [Henry Colden Antill](#) noted that he 'had the appearance of being a gentlemanly well-informed man'. After they arrived in Sydney, on 1 January 1810 Macquarie appointed Campbell his secretary; Ellis Bent considered him 'very fit for the situation, which is very troublesome'. His salary was £282 10s., paid by the British government, to which Macquarie added £82 10s. from the colonial revenue as soon as authorized to do so in 1816. For eleven years he was Macquarie's chief assistant in the administration of the colony, his intimate friend and loyal supporter. Among other things Campbell strongly supported the governor in 1816 against [Jeffery Hart Bent](#) and in his prosecution of Captain Drake for ill treatment of prisoners in the Chapman in 1817.

Two incidents during the period of Campbell's secretaryship caused Macquarie considerable embarrassment. In 1811 Campbell severely wounded a military officer in a duel arising from a quarrel after the Sydney races. The famous 'Philo Free' letter, published on 4 January 1817 in the Sydney Gazette, of which he was official censor, caused much wider repercussions. This elaborately sarcastic review of the missionary activities of the 'Christian Mahomet' of the South Seas was obviously directed at [Samuel Marsden](#) who instituted a criminal charge against Campbell. He was found guilty of allowing the libel to appear, but no sentence was passed. Marsden then brought successful civil action and obtained £200 damages. Campbell, in his official apology sent to the Colonial Office by the governor, said that the 'hasty and inconsiderate Letter' was inspired by his indignation at Marsden's 'marked disrespect' to the governor's orders in not attending the meeting of Aborigines at Parramatta a few days before. Undoubtedly this indignation had been growing for some time over the clergyman's open defiance of and devious attacks on the governor's authority and policy.

In 1819 Macquarie informed Downing Street that, with the concurrence of the judges, he had appointed Campbell provost-marshal when [William Gore](#) was suspended, Campbell assigning the salary attached to the post to Mrs Gore. In London Marsden's friends were pressing for Campbell's removal from every official position, but the Colonial Office contented itself with down-grading him by assuming that the secretaryship was now vacant and appointing [Frederick Goulburn](#) as colonial secretary. Macquarie had unsuccessfully sought this post for Campbell, who remained provost-marshal until that office was abolished and a sheriff appointed in 1825.

Goulburn arrived in Sydney in December 1820. His appointment was announced to the colony in a Government and General Order in which the governor devoted two paragraphs to the new colonial secretary and six to the virtues of his predecessor, his 'laborious and vigilant attention, his integrity ... strict impartiality ... the zeal and energy which he has manifested in carrying [the governor's] orders and wishes into prompt effect ... his fidelity and attachment'. Though Wilberforce and others in London continued to prophesy his doom, Campbell was too experienced and capable a man to be overlooked in the colony. In 1824 Governor [Sir Thomas Brisbane](#) suggested his name for appointment to the new Legislative Council. In 1826 Governor [\(Sir\) Ralph Darling](#) made him a member of the Land Board, and of the Board for General Purposes constituted to reorganize the administrative offices of government. In April 1827, 'influenced by the opinion that is generally entertained of his integrity', Darling appointed him collector of customs as well, in place of [John Piper](#), at a salary of £1200, but he resigned from this post in December. In 1829 he became a member of the newly extended Legislative Council where, according to the Monitor, 'it was to his eloquence and perseverance next to those of Chief Justice [\(Sir\) Frances Forbes](#) that the freed portion of our Community are indebted for that valuable privilege, the right to sit as Jurors in the Supreme Court of New South Wales'.

Campbell took a leading part in the founding of the Bank of New South Wales in 1816-17. As the first president of its board of directors he gave thorough attention daily to every detail of its organization and operations until it was well established. Although Macquarie, in his eagerness to present the bank's prospects in the best light, may have exaggerated the president's earlier experience as a banker, Campbell was obviously enthusiastic and competent. It was unfortunate that the expiry of his four-year term of office in 1821 coincided with the revelation of the defalcations of [Frances Williams](#), and he was not re-elected to the board. Though always a staunch supporter of the bank and a prominent speaker at proprietors' meetings, he did not again seek a seat on the board until 1827, when he was re-elected. Influenced either by criticism of his holding the posts of bank director and collector of customs concurrently or by increasing ill health, Campbell resigned both offices before he had actually taken his seat. As a private citizen Campbell was a large landholder and a most efficient farmer and breeder of cattle and horses. In 1811 Macquarie granted him 1550 acres (627 ha) at Bringelly, and later he received a grant near Rooty Hill, which to Marsden's indignation he named Mount Philo. He was also a large stock-holder in southern New South Wales.

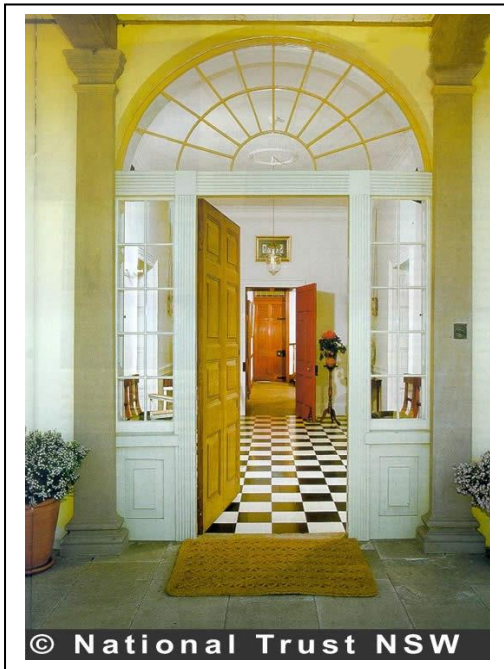
Campbell was Macquarie's closest associate and staunchest supporter throughout his governorship of New South Wales. It cannot be doubted that his support sprang from complete sympathy with the governor's policy as well as loyalty, and Macquarie was more fortunate than most of the colony's early governors in his administrative assistant. Campbell was one of the leading signatories of the colonists' petition for redress of grievances, which Macquarie supported in March 1819, and during the 1820s he was prominent in the movements for extension of the rights of the emancipists, the fight for civil liberties, and the demand for a legislative assembly. Reserved, frugal, and with a genuine dislike of ostentation, Campbell was not a popular politician, but his reputation for high principles and integrity was acknowledged by nearly all of his contemporaries. He reserved his strongest indignation for what he conceived to be hypocrisy and self-seeking, as in the case of his attacks on Marsden, [Barron Field](#) and his sycophants, and [John Macarthur](#). As became a nephew of Samuel Johnson's 'Irish Dr Campbell', he had literary tastes, and his large collection of books was bequeathed to the Australian Subscription Library. Campbell died at Sydney on 7 January 1830.⁴

As a private citizen, Campbell was a large landholder and a most efficient farmer and breeder of cattle and horses. In 1811, Macquarie granted him 1,550 acres (627 ha) at [Bringelly](#), and later he received a grant near [Rooty Hill](#). He was also a large stock-holder in southern New South Wales. He never married and had no children.⁵

⁴ <https://adb.anu.edu.au/biography/campbell-john-thomas-1873>

⁵ https://en.wikipedia.org/wiki/John_Thomas_Campbell

There does not appear to be a readily accessible photo of John Thomas Campbell. The photo below is of the door to his office in Government House Parramatta and the second photo is of the convict quarters where it is likely Richard Smith would have resided in his service to Mr Campbell.



Richard was granted a Ticket of Leave on the recommendation of John Thomas Campbell in January 1815. State Records do not hold a copy of this nor can it be found on the Australian Genealogists Society Tickets of Leave database. His Ticket of Leave number was P 12 [Ref Convict Indents 1813 and his Petition for Mitigation of Sentence in 1821]

The ticket of leave system was first introduced by [Governor Philip Gidley King](#) in 1801. Its principal aim was to reduce the burden on the fledgling [colonial](#) government of providing food from the government's limited stores to the [convicts](#) who were being [transported](#) from the [United Kingdom](#) to Australia and its colonies of [New South Wales](#) and [Tasmania](#). Convicts who seemed able to support themselves were awarded a ticket of leave. Before too long, tickets began to be given as a reward for good behaviour, which permitted the holders to seek [employment](#) within a specified district, but not leave it without the permission of the government or the district's [resident magistrate](#). Each change of employer or district was recorded on the ticket. [\[1\]](#)

Originally the ticket of leave was given without any relation to the period of the sentence a convict had already served. Some "[gentlemen](#) convicts" were issued with tickets on their arrival in the colony. Starting in 1811, the need to first officiate some time in [servitude](#) was established, and in 1821 [Governor Brisbane](#) introduced regulations specifying the lengths of sentences that had to be served before a convict could be considered for a ticket: four years for a seven-year sentence, six to eight years for a 14-

year sentence, and 10 to 12 years for those with a life sentence. Once the full original sentence had been served, a "certificate of freedom" would be issued upon application. If a life sentence had been given, then the convict could get a ticket to leave and/or conditional or full pardon.⁶

The Society of Australian Genealogists reports that:

Minor offences could see a Ticket revoked by the magistrates and the holder returned to Government service. Penalties for greater offences were heavier than those for free persons. Ticket holders were not allowed to own land, and until 1843 were allowed to neither own personal property, nor sue (e.g. for wages).

Given this it is unlikely that Richard could purchase land prior to 1821 and the granting of his Absolute Pardon.

In 1815 Bathurst was proclaimed as a town. It is noteworthy that Governor Macquarie travelled to Bathurst once Cox had established the road and established a headquarters there in 1815.

⁶ https://en.wikipedia.org/wiki/Ticket_of_leave

Also in the 1814 Muster Richard's future wife Frances Green Elizabeth in Sydney. Jonathan was a Police Constable in 1814 1813 and by 1815 he was Assistant Gaoler in Sydney a position drunkness! See the pages on Jonathan and Elizabeth.

Richard married Frances Green daughter of Jonathan Green Sydney. Both were illiterate as their marriage certificate has X on 2nd February 1818 and states:

" Richard Smith convict per Ship Fortune 2nd and Frances Green above mentioned persons I find no impediment why they may signed Lachlan Macquarie William Cowper Asst Chaplain"

This was 3 years after he had obtained his Ticket of Leave. December almost exactly 9 months after the marriage!

The 1816 muster has him as a labourer in Sydney with a Ticket

List of Persons foraying His Excellency's Permission to have their names published in Church in order to their being married. — Sydney 2^d Feb^r 1818

Richard Smith. Convict per Ship Fortune 2^d and Frances Green — Free —

Michael Eury — Convict per Ship Fortune 1st and Mary Handley — do. of Ship Archauke Charles.

Having inquired into the Characters of the above mentioned persons, I find no impediment why they may not be lawfully married after due publication

M^{rs} (Signer) L. Macquarie *Signer William Cooper*
Asst Chaplain

Secretary's Office 4th Feb^r 1818.

Rev^d Sir

Accompanying this, I have the honor to transmit you His Excellency's the Governor's approbation of the Names being published, & in the Parties as specified and applied for in your Letter of 2^d Inst^t the receipt of which is truly acknowledged —

I have the honor to be, Rev^d Sir your obt^t obed^t Serv^t

Wm Cowper *Signer*

was living with her parents Jonathan and in Sydney having received an Absolute Pardon in he held until 1820 when he was sacked for

and Elizabeth Cooper on 3rd March 1818 in as their signature. The marriage Bann was listed

free .. Having inquired into the Character of the not be lawfully married after the publication

Interestingly their first born was born 4th

of Leave

To the Labourer Sydney

Ticket of Leave *Labourer Sydney*

<i>Smith, John & Richard</i>	<i>Jan 1818</i>	<i>Fortune</i>	<i>Arthur</i>	<i>Signer</i>	<i>Signer</i>	<i>Rev</i>
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The 1818 muster has Richard listed as John and only receiving 7 years and a couple of other documents do as well. Was this an accident or intentional to give him better prospects? He is a servant to Captain possibly Bailey / Bentley.

Names	Date of Arrival	Ship	Master of ship	Where	When	
Smith John	June 1813	Portland	Charles Somers	Somerset	July 1811	7 ^{yo}

Period for which Transported	How Disposed of	Whether still in the Colony	Remarks
7 ^{yo} Ticket of Leave	Servant to Captain Baer	In the Colony	

The 1819 muster sees Richard Smith still under employ to John Thomas Campbell but obviously with his Ticket of Leave. William Richard and Frances would be with him at this stage. Was this in Sydney or Bringelly?

John Thomas Campbell	John Thomas Campbell				John Thomas Campbell
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The 1820 census lists him as holding a ticket of leave:

Names	Date of Arrival	Ship	Master of Ship	Tried		Period for
				Where	When	
Smith John	June 1813	Fortune	Walker	Somerset	Augt 1811	Life

Period for which Transported	How Disposed of	Whether still Resident in the Colony	Remarks
Life	Ticket of leave	In the Colony	

We do know that Richard petitioned for an Absolute Pardon in 1821 [Ref: Petition for Mitigation of Sentence Fiche 3210: 4/1863 p66] NSW State Archives Ref for Absolute Pardon: NSW State Archives Fiche 3206: 4/1862 p10) as follows:

Richard Smith's wife received an absolute pardon

That the Petitioner arrived in this Colony in the Ship Fortune (2) in the Year 1813, having been tried at Somerset Afs. in the year 1811, and received a Sentence of Transportation for Life, and that he has been a Prisoner of the Crown for upwards of Ten Years.

That Your Excellency was pleased to grant your Petitioner a Ticket of Leave, on the recommendation of his present Master, in January 1815, which Indulgence, your Petitioner still holds.

That Your Excellency's humble Petitioner, has by rigid Economy, been enabled to save a little Money out of his wages which he has laid out in the purchase of some horned Cattle in order the better to subsist his wife and Children, and that he is humbly desirous to obtain a further Ticket of Your Excellency's gracious favour, so as to enable him by persevering Industry to support in decency and Comfort his increasing Family.

That the Indulgence of a Ticket of Leave which Petitioner has had for upwards of Six Years, being liable to be recalled, whereby your Excellency's Petitioner might be deprived of all means of support for himself and Family. He humbly prays Your Excellency to extend to him the valuable Indulgence of a Conditional Pardon.

Petition for Mitigation of Sentence 1821 p66 Call No. 4/1863 Reel 1230 Dated 11th August 1821

To Lachlan Macquarie Esq. Captain General and Governor in Chief of His Majesty's Territory of NSW.

The humble petition of John alias Richard Smith arrived in the colony in the ship Fortune (2) in the year 1813 having been tried at Somerset Afs in 1811 and received a sentence of transportation for life has been a prisoner of the Crown for 10 years.

Granted a Ticket of Leave on recommendation of J.T. Campbell in 1815 January which he still holds.

Has by "rigid economy" saved a little money out of his wages which he has laid out in the purchase of some cattle-in order the better to subsist his wife and children- wants a Free or Conditional pardon so as to enable him by persevering industry to support in decency and comfort an ever increasing family.

Ticket of Leave for 6 years being liable to be recalled wants a conditional or Free Pardon. In service as a servant to J.T Campbell Esq [Lachlan Macquarie late secretary] for 8 years"

The Colonial Secretary Papers of 1st Sept 1821 indicate Richard was on the list to receive an Absolute Pardon and his indent papers indicate this was granted. His Absolute Pardon was 412 and he surrendered his ticket of leave on 1st Sept 1821.⁷

1 do Smith John ... 17 August 1811 ... 5-6 ...

List of Names of Convicts who are to receive Absolute Pardons, bearing date 1st September 1821.

No.	Name	Ship	Where	When	Sentence
1	James Tilly	Lord Eldon	Bristol	20 13 Jan 1817	Fourteen Yrs
2	Mr. al. R. Smith	Fortune (2 ^d)	Somerset	17 Aug 1811	Life
3	James Bradley	do	Edinburgh	5 Feb 1812	Fourteen Years
4	W. Shippey	do	London	8 April 1812	Life
5	Robt. Marchmont	Indefatigable (2)	Wight	March 1814	Life & 3 months more
6	Mary Jelley	do Wellington	Leicester	20, 11 Jan 1819	Seven Years

⁷ NSW State Archives Citation [4/4486; Reel 800 Page 060] Index Number 65

The 1822 census has Richard , Frances and their 2 boys William Richard aged 4 and George aged 2 living in Sydney. Richard is listed as a householder.

Smith Richard	AP	Fortune	Life Householder Sydney
Smith Frances	CP	Glatton	Wife of do
Smith W R. 4	130		} Children of do
Smith George 2	130		

The 1825 Muster lists John Smith as Class Absolute Pardon arrived in the colony on Fortune 1813, It is noted he left the colony in 1823. Frances and William Richard are not listed with John but separately. Was he still alive at this stage? We have no record of his death but know that in 1829 Frances had a son Charles Henry Smith in Sydney. See alternative story below.

So What Happened to John alias Richard Smith?

In 1823 Richard aged 32 years leaves the colony. Their youngest son George had died on 27/8/1822 aged one and a half years old. Richard left for the Isle of France also known as Mauritius one of only 5 passengers on the Britomart. The ships log records:

Muster Roll of Ship Britomart of London Mr Daniel Peacock Master, Burthen per Register 242 Tons Sailed 4th May 1823 bound to Isle of France.

Ships List:

John alias Richard Smith Free by Pardon No 412

Mr Miller [Mellor]

Mr and Mrs Marshall [late Master of the Elizabeth and Mary Schooner]

A Chinese

These are the only listed passengers. The Isle of France is Mauritius which was a stopping off point for ships heading to London.

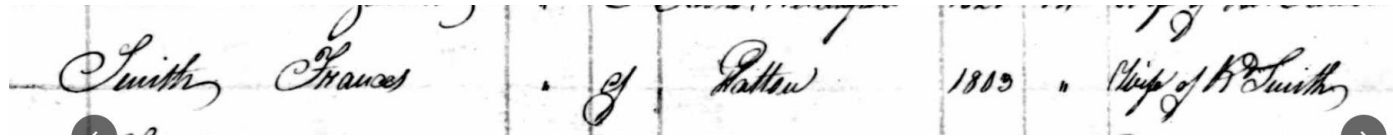
The 1823/24/25 Muster lists Richard as:

Richard Smith [no ship] Class C [Convict] Occp'n: Assigned Servant John Thomas Campbell District: Melville which is Bathurst/Kelso.

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This is an interesting citation since Richard left on the Britomart in 1823. It suggests this citation was either made prior to his leaving in May 1823 or he returned at some stage in the next 2 years or he had left but was expected to return therefore still a servant. He had been a servant of J T Campbell in 1819 this suggests he continued to be but the fact he was a groom might suggest JT hired him take the Timor horses to Mauritius. See below pages for the alternative explanations of this. Is this the Richard of the Royal Charlotte perhaps. The use of the word assigned servant suggests convict status rather than someone with an Absolute Pardon.

Frances is listed in the 1825 Muster as wife of R Smith:



Smith Frances . of R Smith 1825 . Wife of R Smith

The circumstances of Richard's leaving we believe was for work. Alan Kelley a researcher concluded:

Richard (I'll stick with that - the name he married under) left Sydney, as you know as a passenger per the Britomart in 1823, bound for the IOF (Mauritius). The ship also was to call at Timor, to pick up horses (presumably Timor ponies, popular for agricultural work)..

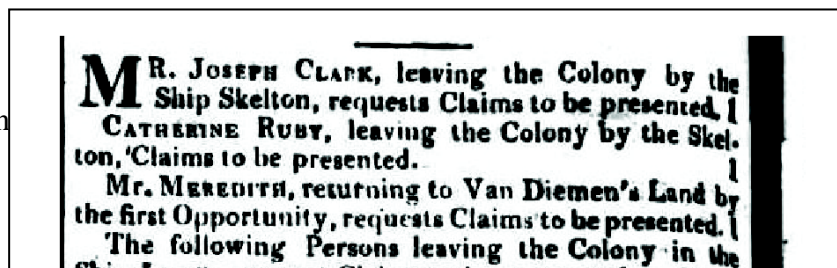
Whether his intention was to go only to either of those destinations, or go on to England we don't as yet know. Although he was the only ex-convict passenger on the ship, there were two ex-convict crewmen. One of them, William Percival, had petitioned the authorities here for assistance in going 'home'; by working his passage. He was placed aboard this vessel, presumably with the idea that it would get him there (perhaps with a change of ship at the IOF?).

The circumstances of Richard's departure are intriguing. His 'Claims and Demands' notice, posted in the Sydney Gazette on 10 & 17 April, 1823 refers to his former convict status - which was very unusual. I'm not sure what may have prompted this.

Since he was by occupation (according to the indent) a groom, and had farming experience and probably had the support of Secretary Campbell - and was a passenger rather than a crewman, it is possible that his fare may have been paid for, but why and by whom we don't know.

One of the Free passengers, a John Mellor, appears to have been a dealer who was here for only a short time. Whether he was in some way associated with Richard Smith we don't know, but it is a possibility.

There is no evidence that Richard ever returned, either free or having re-offended (some did). As no doubt you are keenly aware, his surname makes him difficult to trace, but in going through the (largely unindexed) PRO documents, I have located a number of records that throw more light on a few of the former convicts who left. It is not impossible, that something can be found to explain more about your ancestor's departure, and perhaps what became of him later.



MR. JOSEPH CLARK, leaving the Colony by the Ship Skelton, requests Claims to be presented.
CATHERINE RUBY, leaving the Colony by the Skelton, 'Claims to be presented.'
Mr. MERRITT, returning to Van Diemen's Land by the first Opportunity, requests Claims to be presented.
The following Persons leaving the Colony in the

Note on this Claims and Demands from the Sydney Gazette 17th April 1823 that Richard makes no request for claims to be presented unlike the crewmen of the Britomart and the Captain. Could this indicate he intended to return and this was only a working trip. In the same edition was a request for grooms by Messrs Riley and Walker who

WANTED, by Messrs. RILEY and WALKER, a steady Man, as Carter and Groom. — Apply at their Office, Hunter-street.

were responsible also for the Britomart's 1823 voyage.

Sydney Gazette 17th April 1823

in the first Week of April;— For Freight and Passage apply to the Captain.

TWO SAIL, the first Week in April, for the MAURITIUS, the Ship BRITOMART, Captain DANIEL PEACHE;— For Freight or Passage apply to Messrs. RILEY and WALKER; or, to the Commander, on board.

Sydney Gazette 3rd March 1823

Messrs Riley and Walker were known to John Thomas Campbell as both supplied the colony with meat as noted in the Sydney Gazette and JT Campbell was a known horse breeder.

COMMISSARIAT OFFICE, SYDNEY, JAN. 1, 1823:

FRESH MEAT.—Notice is hereby given, to those whom it may concern, that the following Quantities of **FRESH MEAT** will be received from the Individuals mentioned on the Dates expressed against their respective Names.

WILLIAM WEMYSS, Deputy Commissary General.

<i>Date to be received</i>	<i>Quantity.</i> lbs.	<i>NAMES.</i>	
1823.			
January	18	9,000	Mr. James King
	23	4,000	J. T. Campbell, Esq.
	25	12,000	Mr. John Dickson
	28	3,000	Mrs. M. Deerham
	30	4,000	Mr. Robert Smith
February	1	12,000	Ditto
	4	3,000	J. J. Moore, Esq.
	6	4,000	Ditto
	8	12,000	J. T. Campbell, Esq.
	11	3,000	Messrs. Riley and Walker
	13	4,000	Ditto
	15	12,000	Ditto

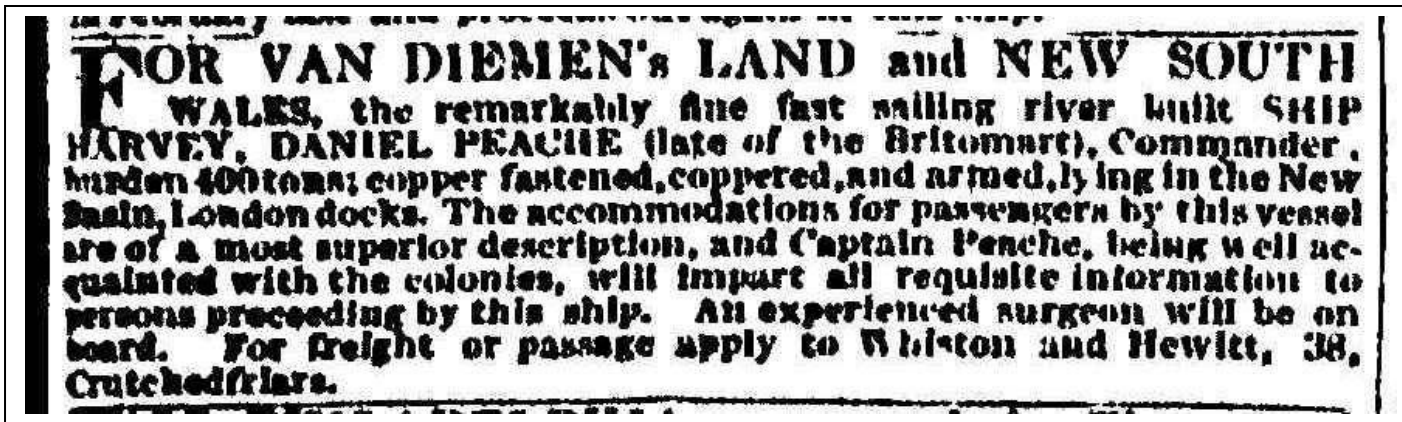
The suggestion that JT Campbell may have been able to assist Richard to take this paid passage would not seem out of the bounds of reality. No other ads for grooms can be found in the Sydney Gazette from 1822-1823 suggesting that Richard did not respond to an ad for his passage.

In tracking the Britomart's movements it appears that this voyage was the last for Captain Peache who took over the Harvey in 1824 when it departed from London.

The Sydney Gazette of 4th Nov 1824 notes:

In addition to the other vessels that are expected out hourly, we may add that of the Phoenix, of 550 tons, commanded by Captain Dixon, formerly of the Regalia and Venerable; and also of the ship Harvey, Captain D. Peache, who was here last in the Britomart barque.

The Harvey left London in July 1824 according to the London Times:



FOR VAN DIEMEN'S LAND and NEW SOUTH WALES, the remarkably fine fast sailing river built SHIP HARVEY, DANIEL PEACHE (late of the Britomart), Commander, burden 400 tons; copper fastened, coppered, and armed, lying in the New Basin, London docks. The accommodations for passengers by this vessel are of a most superior description, and Captain Peache, being well acquainted with the colonies, will impart all requisite information to persons proceeding by this ship. An experienced surgeon will be on board. For freight or passage apply to Whiston and Hewitt, 38, Crutchedfriars.

Capt. of the Harvey looking for passengers and cargo ship's command. There are no notices in 1823 in the

The history of the Britomart's travels : Refer to the separate file Chronological timeline of the Britomart

There has been to date no record of return of Richard Smith but recently records outlined below may throw a new light on what happened to Richard Smith.

There is a record of a John Richard Smith buried in London in 1825. Could this be our Richard? It could have taken sometime to convey this to Frances in Australia given both were illiterate and would be reliant on word of mouth. Perhaps he just never returned and Frances never knew what happened to him.

Name:
 Record Type:
 Event Date:
 Age:
 Estimated birth year:
 Parish:
 Borough:
 County:

John Richard Smith
 Burial
 6 Nov 1825
 34
 abt 1791
 All Hallows London Wall
 City of London
 London

Page 34.					
BURIALS in the Parish of Allhallows London Wall in the County of Middlesex and City of London the Year 1825.					
Name.	Abode.	When buried.	Age.	By whom the Ceremony was performed.	
Mary Riggs	Charles Street, Greenfield, Rohing	May 10 th	83	A. P. Boston	
No. 265.					
Joseph Reliance	Tottenham Green	May 21 st	58	A. P. Boston	
No. 266.					
Hannah Milke	Spital Square	June 8 th	92	A. P. Boston	
No. 267.					
Sarah Cordell	St. James's Head Yard	June 16 th	68	A. P. Boston	
No. 268.					
Mary Inghell	St. James's Head Yard	July 10 th	83	A. P. Boston	
No. 269.					
Benjamin Ingeon	St. Mary's Ave	August 14 th	46	A. P. Boston	
No. 270.					
Mary Chambers	Draper's Buildings	October 18 th	48	A. P. Boston	
No. 271.					
Mary Ann Ducharme	Commons Street	October 19 th	3 Months	A. P. Boston	
No. 272.					

Page 35.					
BURIALS in the Parish of Allhallows London Wall in the County of Middlesex and City of London in the Year 1825.					
Name.	Abode.	When buried.	Age.	By whom the Ceremony was performed.	
Suzanna Brunson	Long Alley, Moortfield	October 19 th	93	A. P. Boston	
No. 273.					
John Richard Smith	Draper's Buildings	Nov 6 th	34	A. P. Boston	
No. 274.					
Charles Blackburn	St. James's Head	Nov 20 th	1 year	of Jones Church, off St. Martin's	
No. 275.					
Henry Gabor	Commons Yard	Nov 20 th	41	of Jones Church, off St. Martin's	
No. 276.					
Charles William Binches	Commons Yard	Nov 27 th	5 months	A. P. Boston	
No. 277.					
Amelia Klaffer	Draper's Buildings	Dec 11 th	9 years and four months	A. P. Boston	
No. 278.					
William Lanting Sonart	St. James's Head	Dec 25 th	1 year	of Jones Church, off St. Martin's	
No. 279.					
Caroline Klaffer	Draper's Buildings	Dec 28 th	9 months	A. P. Boston	
No. 280.					

The above record showed this John Richard Smith was living at the Drapers Building Middlesex. He was about the right age ie a birth year of 1791 and this was 1 year after Captain Peache left on the Harvey. Did JR Smith stay in London? If so why was he having to work his way back to Australia? Enquiry to the Drapers Company led to the fact that their records were destroyed in WW2 so they could not shine any more light on this for us.

The Drapers Building it appears were located at South out of London Wall, in Broad Street Ward, at No. 62 (Horwood, 1799-Elmes, 1831). Former name : "Three Tun Alley" (O. and M. 1677-London Guide, 1758). Elmes in 1831 said that **DRAPER'S-GARDENS, London-wall, are** situated between **Draper's-buildings** and **Draper's-hall**, Throgmorton-**street**. This would seem to suggest that the Drapers Buildings are related to the Drapers Company . Founded over 600 years ago, the Drapers' Company is incorporated by Royal Charter and is one of the Twelve Great Livery Companies in the City of London. The Drapers' Company, in 1720, maintained Almshouses at Crutched-friars, Beach- lane, Greenwich, Stratford-la-Bow, Shoreditch, St. George's-fields, St. Mary Newington, and Mile End. In Three Tun Alley there was a school for girls prior to it being called the drapers buildings. Given the proximity of drapers buildings to Drapers Garden and Hall it would seem unlikely these were almshouses as even in 1825 this was a ritzy area just near the Bank of England. Should further evidence prove that this could be our John Richard then we need to track down what the drapers buildings were and why he was there.

ENUMERATOR'S SCHEDULE.

County of Middlesex (Parliamentary Division)

Hundred, Wapentake, Soke or Liberty of _____

Parish of Allhallows London Wall (part of)

Township of _____

City, or Borough, or Town, or County Corporate of London (within the walls)Within the Limits of the Parliamentary Boundary of the City or Borough
of _____

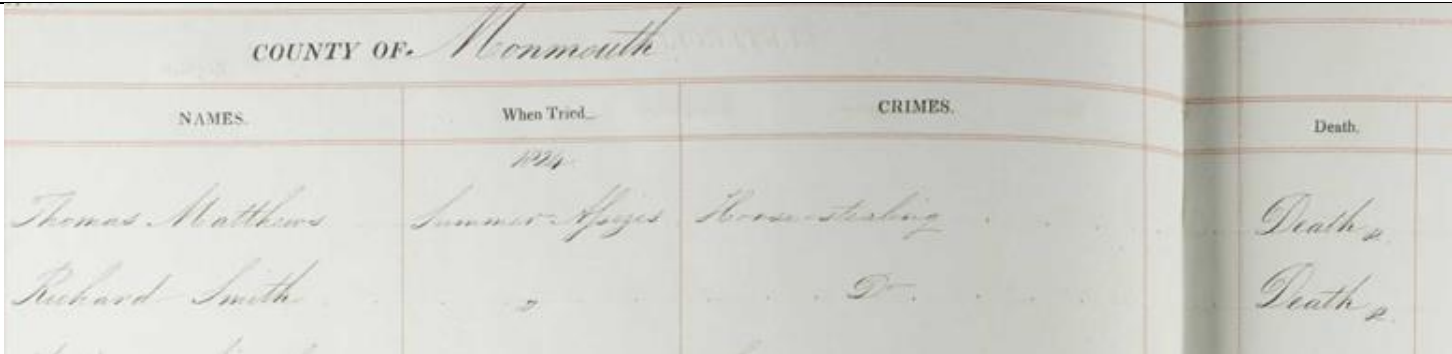
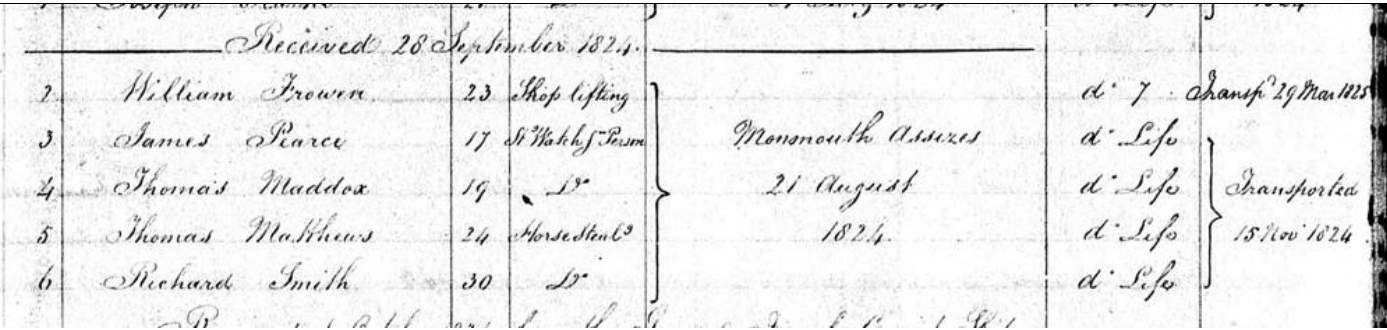
Within the Municipal Boundary of _____

Superintendent Registrar's District City of LondonRegistrar's District London North EastNo. of Enumeration District 9Description of ditto All such parts of Great
Winchester Street, London Wall, Carpen-
ters Buildings, Carpenter Hall, Droppers
Buildings, Leatherellers Buildings,
Little Bill Alley, White Lion Court
Shades Place and Holmes Buildings as
are situate in the Parish of Allhallows
London Wall

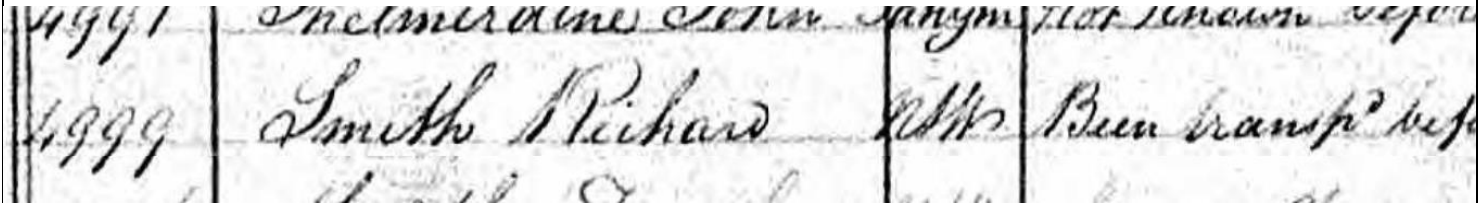
John aka Richard Smith of course could have also died at sea and no records are likely to exist for that.

Here is an alternative pathway: one which records have just thrown a light on in 2021.

The Britomart arrived in London on 13th December 1823. There are records which indicate a Richard Smith born abt 1794 was convicted in the Monmouth assizes in 1824. Let's have a look at the timeline:

Date	Record	Evidence																								
21/8/1824	<p>Monmouth assize records. Richard Smith sentenced to death for horse stealing. Monmouth is on the same Assize area as Gloucestershire- Oxford so if the crime was committed in Gloucestershire it can be heard at the next assize which may well have been Monmouth.</p> <p>ASSI 5/144/101824</p> <p>Indictments: Monmouthshire, Summer 1824- National Archive reference</p>	 <table border="1" data-bbox="685 355 2132 710"> <thead> <tr> <th colspan="4">COUNTY OF Monmouth</th> </tr> <tr> <th>NAMES.</th> <th>When Tried.</th> <th>CRIMES.</th> <th>Death.</th> </tr> </thead> <tbody> <tr> <td>Thomas Matthews</td> <td>Summer Assizes 1824</td> <td>Horse-stealing</td> <td>Death</td> </tr> <tr> <td>Richard Smith</td> <td>"</td> <td>"</td> <td>Death</td> </tr> </tbody> </table>	COUNTY OF Monmouth				NAMES.	When Tried.	CRIMES.	Death.	Thomas Matthews	Summer Assizes 1824	Horse-stealing	Death	Richard Smith	"	"	Death								
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Richard Smith	"	"	Death																							
28/9/1824	<p>Hulk register for Justitia Hulk in Woolwich. Richard Smith received.</p> <p>Convicted in Monmouth assizes of horse stealing on 21/8/1824 and sentenced to death commuted to transportation on 15th Nov 1824.</p> <p>One Justitia record records Richard Smith as being transported before. There were 2 Richard Smith's on the Justitia one</p>	 <table border="1" data-bbox="712 943 2094 1273"> <thead> <tr> <th colspan="4">Received 28 September 1824.</th> </tr> </thead> <tbody> <tr> <td>2</td> <td>William Brown</td> <td>23</td> <td>Shop lifting</td> </tr> <tr> <td>3</td> <td>James Pearce</td> <td>17</td> <td>St. Michael's Farm</td> </tr> <tr> <td>4</td> <td>Thomas Maddox</td> <td>19</td> <td>"</td> </tr> <tr> <td>5</td> <td>Thomas Matthews</td> <td>24</td> <td>Horsesteal^g</td> </tr> <tr> <td>6</td> <td>Richard Smith</td> <td>30</td> <td>"</td> </tr> </tbody> </table> <p>Monmouth Assizes 21 August 1824.</p> <p>d. 7 - Transf. 29 Mar 1825</p> <p>d. Life</p> <p>d. Life } Transported 15 Nov 1824</p> <p>d. Life</p> <p>d. Life</p>	Received 28 September 1824.				2	William Brown	23	Shop lifting	3	James Pearce	17	St. Michael's Farm	4	Thomas Maddox	19	"	5	Thomas Matthews	24	Horsesteal ^g	6	Richard Smith	30	"
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5	Thomas Matthews	24	Horsesteal ^g																							
6	Richard Smith	30	"																							

convicted in Monmouth [aged 30 convicted 1824] and one in Southwark.[convicted 1818 arrived NSW 1819]. One Richard was discharged and one was sent to NSW on Royal Charlotte. There were many Richard Smith's on the Justitia another died # 5472. Prisoner #4999 could be our Richard.



Ref:https://www.ancestry.com.au/imageviewer/collections/1989/images/31791_221376-00341?backlabel=ReturnSearchResults&queryId=c1950b373b3c8bcc2975628d52e30ac5&pld=169911

29/4/1825

Convicts Record Index- arrives on Royal Charlotte

481		Smith Richard	Royal Charlotte	1825	Monmouth	21	1824
-----	--	---------------	-----------------	------	----------	----	------

Name: Richard Smith
 Conviction Place: Monmouth Assizes
 Departure Date: 18 Nov 1824
 Arrival Date: 29 Apr 1825
 Arrival Place: New South Wales
 Arrival Ship: Royal Charlotte
 URL: <https://convictrecords.com.au/convicts/smith/richard/81538>

1825
 Royal Charlotte Convict List and website which explains the voyage and attempted mutiny.

1825 > Royal Charlotte

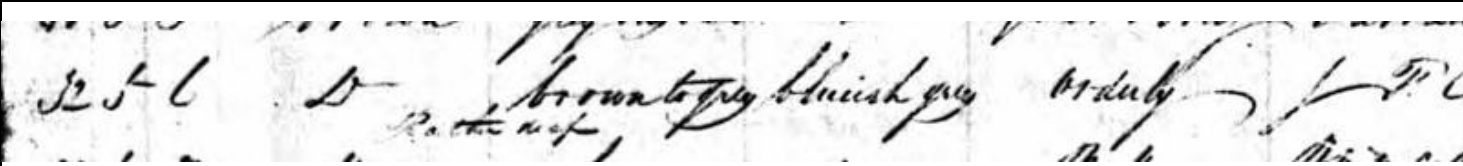
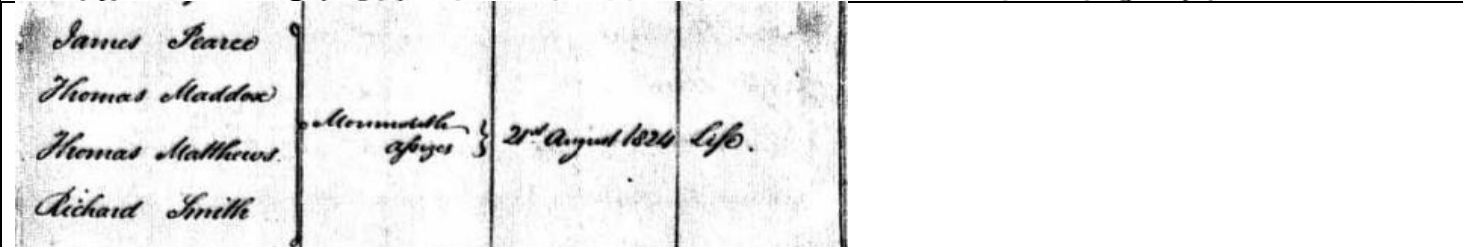
Names	Where Convicted	When	Term	Remarks
Nicholas Brown	Middlesex Just. Dealing	15 th July 1824	Seven years	Rich
John Green	do	16 th September 1824	Life	Long
Charles Stevens	do	16 th September 1824	Seven years	Long
William Brown	do	16 th September 1824	Seven years	John
Edward Spencer				John
James Pearce				John
Thomas Maddox	Worcestershire	2 nd August 1824	Life	John
Thomas Matthews	do			John
Richard Smith				John

https://www.freesettlerorfelon.com/convict_ship_royal_charlotte.htm

1825
 Bound Indentures 1823-1826
 Show Richard Smith born in Gloucestershire convicted in Monmouth in 1824 sentenced to life and transported on Royal Charlotte had an occupation of servant.

in a Deposition of 1726 the 17th of
 67. Smith, Rich^d Monmouth 24 Aug. Life Gloucestershire
 42/2079 Cr. 45/451 (dated 31 Dec 1824)

The other part of this record shows on landing he was indentured to ie bound to John Thomas Campbell. The birth date is 2 years out and in 1813 his eyes were described as hazel but that is the only real difference. His conduct is orderly.

		 <p style="text-align: center;"><u>Detail</u> Source</p> <p>Name: Richd Smith</p> <p>Age: 32</p> <p>Date of Conviction: 24 Aug 1824</p> <p>Place of Conviction: Monmouth</p> <p>Estimated Birth Year: abt 1792</p> <p>Vessel: Royal Charlotte</p> <p>Port of Arrival: Sydney Cove</p> <p>Date of Arrival: 29 Apr 1825</p> <p>Ticket of Leave: Yes</p> <p style="text-align: center;">: Search for Tickets of Leave</p> <p>Pardon: Yes</p>
	<p>General Convict Muster 1825- Shows Richard Smith- no mention of ship assigned to John Thomas Campbell in District of Melville which is Bathurst/ Kelso</p>	
<p>1826</p>	<p>Colonial Secretary Muster and Other Papers for Royal Charlotte 1823-1826</p>	
<p>1828</p>	<p>JT Campbell 's property in Sydney is robbed by a servant called Dunn and references his indoor servant Richard Smith. Campbell sent Richard to an iron gang not because he was involved in</p>	<p>https://trove.nla.gov.au/newspaper/article/37071927?searchTerm=Richard%20Smith#</p> <p>https://trove.nla.gov.au/newspaper/article/31759665/4229889#</p>

stealing but because he was lax in his duty.

A subsequent account of the trial notes that Smith's wife was a charewoman for Campbell in the previous year. He also noted he sent Dunn and Smith to iron gang for neglect of duty. This trial also brings into account the possibility that Smith robbed Campbell. It appears only Dunn was indicated and convicted at this time.

19/8/1831

Darlinghurst gaol entrance book for Richard Smith Royal Charlotte yet his native place is listed as Bristol. There was only 1 Richard Smith on Royal Charlotte! He was transported to Moreton Bay Penal Colony for 3 years. Notice his occupation is now a groom.

July 20

Gaol Arrival No.	Sailing No.	NAME	ARRIVAL		FREE OR BOND.		NATIVE PLACE	RELIGION	TRADE OR CALLING	ADMITTED			DISPOSED OF		BEHAVIOUR IN GAOL
			SHIP	YEAR	On Arrival	On entering Gaol				WHEN	WHENCE	PURPOSE	HOW	WHEN	
282	3700	James Mivie	Merby	1818	Bond	Bond	Kingman	Presbyterian	Partly Col.	19 Aug. 1831	Arrived	3 years transport	Moreton Bay	21 Dec. 1831	Good
283		Richd Smith	Royal Charlotte	1825	do	do	Bristol	Anglican	Groom	" "	do	3 y ^r transport	do	11 Aug ^t	do

Name:	Richd Smith
Birth Place:	Bristol, England
Arrival Year:	1825
Arrival Country:	Australia
Vessel Arrived In:	Royal Charlotte
Date of Admission/Photo:	19 Aug 1831
Gaol:	Darlinghurst
Gaol Location:	Darlinghurst, New South Wales, Australia
Record Type:	Entrance and Description Book

1831	Richard is on the Hulk Phoenix . Entrance Book 19 th August 1831. It lists him from Bristol and a Groom coming on Royal Charlotte.										
		<p>https://www.ancestry.com.au/discoveryui-content/view/22083:8992?tid=&pid=&queryId=ef201522017829fc583aa3d290f80042&_phsrc=YHq7278&_phstart=successSource</p> <p>https://www.ancestry.com.au/discoveryui-content/view/59227:8992?tid=&pid=&queryId=ef201522017829fc583aa3d290f80042&_phsrc=YHq7282&_phstart=successSource</p>									

1832-1835	<p>Moreton Bay Penal Settlement records confirms he was there for 3 year term.</p> <p>This indicates Richard returned to Sydney on 18th May 1835</p> <p>It is useful to note there was a Richard smith of the Captain Cook also at Moreton Bay at the same time and he appealed for his sentence to be remitted in 1839.</p>	Letter	Entry	Name	Native place	Age	Height	Complexion	Hair	Eyes	Religion	
		S4	27	Smith Richard	Glocester	40	5 5 ¾	Fresh	Lt Brown	Grey	E	
		Seq.	No.				Where	When	Offence	Sentence		
		9	85	2509	Richd Smith	Roy. Charlott e	Monmout h Ass.	21 Aug 1824	Horse Stealin g	Life	Servant	
		By Whom	Where	When	Offence	Sentence	Remarks (standardised)				Annotations	
Bench	Penrith	9 Aug 1831	Robbing his master's premises	Three years	To Sydney	18 May	1835					

<p>1835</p> <p>Regulation of 1835 related to Regulation of the Assignment of Male Convict Servants</p> <p>https://trove.nla.gov.au/newspaper/article/230655425#</p> <p>This may indicate he was subject to assignment as a servant on his release from Moreton Bay.</p>																																																							
<p>5th Feb 1840</p>	<p>Entrance Book Parramatta Gaol</p>																																																						
<p>6th Feb 1840</p>	<p>Richard enters Sydney Gaol after being committed for trial on murder in the Berrima Court on Jan 20th 1840</p>	<table border="1"> <thead> <tr> <th rowspan="2">DATE</th> <th rowspan="2">NO.</th> <th rowspan="2">NAME</th> <th rowspan="2">CONDITION</th> <th rowspan="2">SHIP</th> <th colspan="3">COMMITTED.</th> <th rowspan="2">CRIME</th> <th rowspan="2"></th> </tr> <tr> <th>By Whom</th> <th>When</th> <th>Where</th> </tr> </thead> <tbody> <tr> <td>July 6</td> <td>246</td> <td>Chas. Mathew</td> <td>Conv</td> <td>Sussex</td> <td>J. B. Melrose</td> <td>July 20</td> <td>Berrima</td> <td>Exony</td> <td>Law</td> </tr> <tr> <td></td> <td>247</td> <td>St. M. Gullerch</td> <td>Free</td> <td>St. Michael</td> <td>J. M. Brown</td> <td>" 18</td> <td>Berrima</td> <td>Larceny</td> <td>Law</td> </tr> <tr> <td></td> <td>248</td> <td>Richd. Smith</td> <td>Conv</td> <td>St. Michael</td> <td>"</td> <td>" 20</td> <td>"</td> <td>Murder</td> <td>Law</td> </tr> <tr> <td></td> <td>249</td> <td>St. J. Gumb</td> <td>"</td> <td>St. Michael</td> <td>"</td> <td>" 20</td> <td>"</td> <td>"</td> <td>"</td> </tr> </tbody> </table>	DATE	NO.	NAME	CONDITION	SHIP	COMMITTED.			CRIME		By Whom	When	Where	July 6	246	Chas. Mathew	Conv	Sussex	J. B. Melrose	July 20	Berrima	Exony	Law		247	St. M. Gullerch	Free	St. Michael	J. M. Brown	" 18	Berrima	Larceny	Law		248	Richd. Smith	Conv	St. Michael	"	" 20	"	Murder	Law		249	St. J. Gumb	"	St. Michael	"	" 20	"	"	"
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<p>1841</p>	<p>Census has Richard Smith in Beaverley Park Sutton Forest</p> <p>This is not our Richard Smith as 1841 census says this man was born in the colony</p>	<p>Details</p> <p>Number INX-18-1178</p> <p>Title SMITH Richard</p> <p>Index Name Census 1841</p> <p>Name Richard</p> <p>Surname SMITH</p> <p>Residence Beaverley Park, Sutton Forest, Police District Berrima</p> <p>Return 18</p> <p>Number</p> <p>Item No [X946]</p> <p>Page No 59</p> <p>Reel No 2222</p> <p>Index 18</p> <p>Number</p>																																																					

20/9/1842

Richard is listed in Convict Indulgences at Berrima

The screenshot shows a web browser window with the URL findmypast.com.au. The page title is "Transcript of Richard's record". Below the title is a table with the following data:

First name(s)	Richard	State	New South Wales
Last name	Smith	Country	Australia
Year	1842	Record set	New South Wales Government Gazette Indexes 1832-1863
Date	20 Sep 1842	Category	Directories & Social History
Entry	Convict Indulgences	Subcategory	Government
Place	Berrima	Collections from	Australasia, Australia

Below the table, there is a section titled "About New South Wales Government Gazettes 1832-1863" with a sub-heading "What can these records tell me?".

14th Sept 1842

Ticket of Leave 42/2079 granted with condition that he remain in Berrima. It was granted by the Liverpool bench. It was granted in May 1842.

The document is a "TICKET-OF-LEAVE" form. The title is "TICKET-OF-LEAVE" and the number is "No. 42/2079". The date is "14th Sept 1842". The form contains the following fields and handwritten entries:

- Prisoner's No.
- Name *Richard Smith*
- Ship *General Charlotte*
- Trade or Calling *Farmer*
- Native Place *Warrington*
- Offence *stealing a coat*
- Place of Trial *Warrington*
- Date of Trial *17th March 1841*
- Sentence *12 months*
- Year of Birth *1793*
- Height *5' 10"*
- Complexion *fair*
- Hair *black*
- Eyes *blue*
- General Remarks *very well behaved*

At the bottom, it says "Allowed to remain in the District of Berrima On recommendation of the Liverpool Bench. Dated May 12 3000".

12/11/18
45

Ticket of Leave Passport granted so he can work as a carrier between Berrima , Liverpool and Windsor

The ticket of leave is issued in Berrima.

Citation
[4/4166; Reel 945]
Index Number
65

A prisoner holding a ticket of leave needed to have official permission to move outside the district for which his ticket was issued. A ticket of leave passport is often indicated with the annotation *PP*. The passport was usually issued for a 12 month period after which time it could be renewed and another passport issued for a further period. A ticket of leave passport specifies that the convict be allowed to travel between two localities usually for work purposes and may mention the employer's name.

NSW State Archives.

TICKET OF LEAVE PASSPORT

No. *45/995-12* *Nov 11*, 1845

Name *Richard Smith*

Ship *H. Charlotte*

Year of Arrival *1825*

Where Tried *Moremouth*

When Tried *21 March 1824*


Sentence *Life*

Ticket of Leave No. *42/2079 Berrima*

Allowed to *travel as driver*
between Berrima Liverpool
Windsor for 12 months
on the recommendation of *the Berrima*

Bench, dated *25 Oct 1845*

2000. *Regd 45/9902*

9 th April 1847	Government gazette lists a Richard Smith Postal Entry	<div style="background-color: #e0f2f1; padding: 5px; border: 1px solid #ccc;">  Transcript of Richard's record Copy to clipboard </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">First name(s)</td> <td style="width: 30%;">Richard</td> <td style="width: 20%;">State</td> <td style="width: 20%;">New South Wales</td> </tr> <tr> <td>Last name</td> <td>Smith</td> <td>Country</td> <td>Australia</td> </tr> <tr> <td>Year</td> <td>1847</td> <td>Record set</td> <td>New South Wales Government Gazette Indexes 1832-1863</td> </tr> <tr> <td>Date</td> <td>09 Apr 1847</td> <td>Category</td> <td>Directories & Social History</td> </tr> <tr> <td>Entry</td> <td>Postal</td> <td>Subcategory</td> <td>Government</td> </tr> <tr> <td>Place</td> <td>Berrima</td> <td>Collections from</td> <td>Australasia, Australia</td> </tr> </table> <p style="font-size: small; margin-top: 5px;">© Society of Australian Genealogists</p>	First name(s)	Richard	State	New South Wales	Last name	Smith	Country	Australia	Year	1847	Record set	New South Wales Government Gazette Indexes 1832-1863	Date	09 Apr 1847	Category	Directories & Social History	Entry	Postal	Subcategory	Government	Place	Berrima	Collections from	Australasia, Australia	
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1846-1849	Conditional Pardons	<div style="border-bottom: 1px solid #ccc; padding: 5px 0;">Name: Richard Smith</div> <div style="border-bottom: 1px solid #ccc; padding: 5px 0;">Arrival Date: 1825</div> <div style="border-bottom: 1px solid #ccc; padding: 5px 0;">Vessel: Royal Charlotte</div> <div style="border-bottom: 1px solid #ccc; padding: 5px 0;">Province: New South Wales</div> <div style="border-bottom: 1px solid #ccc; padding: 5px 0;">Title: Pardons</div> <div style="border-bottom: 1px solid #ccc; padding: 5px 0;">Year(s): 1846-1849</div> <div style="padding: 5px 0;">Place of Conviction: Monmouth</div>
-----------	---------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

480	.	.	<i>Since George</i>
481	"	"	<i>Smith Richard</i>	"	"	"	"

31/12/18
47

Conditional Pardon- Richard is pardoned for his original offence which led to transportation and is free to travel except back to UK and Ireland. There is no recognition here of an 1813 offence only the Monmouth offence.

NEW SOUTH WALES,
CONDITIONAL PARDON.

L.S.

L. 60/18

By His Excellency Sir Charles Augustus Fitz Roy, Knight Companion of the Royal Garter, Captain General and Governor-in-Chief in and over His Majesty's Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, &c., &c., &c.

WHEREAS, by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the Sixth Year of the reign of His Majesty Queen Victoria, entitled "An Act to amend the Laws affecting Transported Convicts, with respect to Pardons and Tickets of Leave," it was amongst other things enacted, that, after the taking effect of the said statute Act, in any place in which Persons and Offenders had been or might be transported by Law, the Governor or Lieutenant-Governor should, from time to time, by an Instrument in Writing, under his Hand, recommend such Persons or other Offenders as he should think fit to be recommended, to His Majesty, for an Absolute or Conditional Pardon; and in case His Majesty should, through one of His Principal Secretaries of State, signify His approval of any such recommendation, it should be lawful for the Governor or Lieutenant-Governor to grant an Absolute or Conditional Pardon, pursuant to such Intimation as should be sent to him by the Secretary of State, by an Instrument in writing, under the Seal of His Government, which should be issued from the Day of the Date thereof, to have within such Place or Places as should be specified in such Pardon, but not otherwise, the same effect in the Law, as all letters and papers, as if a General, Absolute, or Conditional Pardon, had passed on that Day, under the Great Seal of the United Kingdom: And Whereas, the said statute Act has taken effect in the said Colony of New South Wales: And Whereas *Richard Smith* whose Description is hereunto annexed, having been indicted and convicted at *Monmouth* *Wiltshire* on the *twenty first* day of *March* One thousand eight hundred and *twenty four* was, in pursuance of the said Statute, sentenced to Transportation, and was accordingly Transported to the said Colony, for the

term of *seven years* And Whereas, in consideration of the good conduct of the said *Richard Smith* since he arrived in the said Colony *John Charles Augustus Fitz Roy* Governor of New South Wales, recommended the said *Richard Smith*

to His Majesty by a pardon, to take effect in all parts of His Majesty's Kingdom of Great Britain and Ireland, and Whereas His Majesty has been graciously pleased to signify His approval of such recommendation, through His Principal Secretary of State for the Colonies: NOW KNOW YE, that I, SIR CHARLES AUGUSTUS FITZ ROY, in pursuance of the Power and Authority as is now vested by the said statute Act and of His Majesty's gracious approbation signified, and of the Intimation of the said Secretary of State in this behalf, do hereby grant unto the said *Richard Smith* a Pardon for the Offence, in respect of which such sentence of Transportation was passed as aforesaid, which shall take effect in all parts of His Majesty's Kingdom of Great Britain and Ireland.

PROVIDED ALWAYS, and it is hereby expressly declared to be a Condition of this Pardon, that if the said *Richard Smith* shall, at any time during the continuance of the term of his said sentence, go to, or be in, any part of the Kingdom of Great Britain and Ireland, then this Pardon shall thenceforth be null and void, and he, the said *Richard Smith*, shall be liable to be taken and directed: and all His Majesty's Officers and Ministers of Justice, and all other, His Majesty's Subjects, are hereby required to take notice accordingly. IN TESTIMONY WHEREOF, I have caused these Letters to be made Patent, and to be sealed with the Seal of the said Territory.

GIVEN under my Hand at Government House, Sydney, this *twenty first* day of *March* 1824 in the *fourth* Year of the reign of His Majesty, and in the Year of Our Lord One thousand eight hundred and *twenty four*.

(Signed) CHAS. FITZ ROY.

ENTERED upon Record at Page *65* and *66* Register No. *26* this *first* day of *February* One thousand eight hundred and *forty eight*.

J. H. W. Rogers
CLERK OF THE RECORDS

What does this alternative story tell?

Richard went back to England on the Britomart in 1823 and returned home to Gloucester only to commit a horse stealing crime 9 months later. Consistent with his 1813 crime. He was committed to trial in the Oxford assizes and this time it was Monmouth not Somerset assizes where he was tried and found guilty and again sentenced to death commuted to transportation. He went back onto a hulk this time the Justitia in Woolwich before being transported back to New South Wales on the Royal Charlotte arriving back in Sydney Cove on 29th April 1825. He goes back to being indentured to John Thomas Campbell his old master but this time in Melville ie Bathurst and perhaps he could have remained in Sydney or come back and forth to Sydney by 1829 to father his third son Charles Smith with Frances. It is noteworthy that on his convict indents this time his occupation is listed as servant which is the last occupation of John aka Richard Smith before he left in 1823! Surely, he would have reconnected with Frances in 1825 on arrival esp. given the JT Campbell connection? Perhaps Richard, Frances, William and Charles who was born a Smith in 1829 were a family through to his conviction in 1831 for stealing from his master which we presume is J.T Campbell. Was this in fact a new offence or held over from the 1828 robbery. Did Richard indeed lead his family to Bathurst that would explain how Frances met Joseph Sewell? Why however was Frances back in Sydney in 1829 when Charles was born? Could Richard and his family have moved around with J T Campbell? When Richard was again convicted in 1831 and sent to Moreton Bay Penal settlement for 3 years had Frances had enough? Notice that in the 1831 documentation his occupation is listed as a groom the same as 1813. Maybe she repartnered with Joseph Sewell a more stable individual at this stage? Is that why we cannot find a marriage certificate between Joseph and Frances? Richard was a repeat offender hence sent to the Moreton Bay penal colony and he only returned to Sydney in May 1835. By this stage Frances had partnered with Joseph and had two more sons, Jonathan and Daniel. Was this a colonial divorce? There are 5 years between 1835 and 1840 where we do not know where Richard was but he reappears as Richard Smith convict transported on Royal Charlotte with his native place listed as Bristol. We can see from his 1831 criminal docs he is also listed as being from Bristol but by the time he gets to Moreton Bay it reverts back to Gloucester which is where our John aka Richard is born. The Bristol difference is therefore discounted by the Moreton Bay documentation which I trust. We know in 1840 Richard was in the Berrima district as this is where he is arrested for murder and then put on trial in Sydney. Records for his time in Berrima Gaol cannot be sourced at the moment and court and TROVE documents do not appear to cover his trial for murder. By 1845 he is given a ticket of leave but restricted in his movements between Berrima, Liverpool and Windsor. This suggests Richard remains in Berrima. By 1847 he is provided with a conditional pardon that frees him again but never to return to the UK. This would suggest he was found innocent of murder. The link of these Richards through the Royal Charlotte and trial at Monmouth means this is the same person we are tracking. Did Richard try to contact his family again? Was there an understanding between Frances and Richard about divorce?

There is concern about the difference between the characteristics listed in the 1813 and 1825 which differ on the colour of his eyes ie hazel versus blue/grey and reinforced in 1831 as grey. Is this a matter of perspective of the assessor? Let's have a look at the descriptions we have:

Date	Name	Height	Complexion	Hair	Eyes	Commentary
1813	John aka Richard Smith	5 foot 6 inches	Fair	Brown	Grey	We know these are the same individuals
1821	John aka Richard Smith	5 Foot 5 inches	Fair	Light	Hazel	
1825	Richard Smith	5 foot 6	Brown	Brown to Grey	Bluish grey	

1831	Richard Smith	5 foot 5 and ¾ inches	Fresh	Light Brown	Grey	We know these are the same individuals
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There is sufficient commonality here of descriptions to suggest that John aka Richard Smith of 1813 and Richard Smith of 1825 are the same individual. We will never know though but if John aka Richard Smith was convict # 4999 Richard Smith on the Justitia then the weight of evidence is strengthened.

What happened for this Richard after 1847 we at this stage do not know.

Could this be Richard's death record? It could be the Richard of Beaverley park also.

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<input type="checkbox"/> ? SMITH RICHARD	7830/1886	AGE 96 YEARS	DIED MITTAGONG	BERRIMA	Unavailable

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