

John Lock

In March 1841 Samuel Lock wrote to his brother John in NSW, “I have been asking my Relations and friends Where you was – they said, they don’t know – I was unhappy that you was lost in the Foreign”.¹ This is the story of how my Great-Great-Grandfather John Lock became “lost in the Foreign”.

John was born in Minchinhampton, Gloucestershire, England. A birth record has not been found, however a birth year of 1811 is consistent with his later prison record.²



Figure 1 Minchinhampton Town images,
www.minchinhamptonlocalhistorygroup.org.uk,

In 1829 Minchinhampton (Figure 1) was a prosperous market town with a population of approximately 5000. The town had a cloth industry, several mills, breweries, stone quarries and large scale farming.³

On Christmas Eve 1828 John Lock and William Stephens broke “into the house of Samuel Stratton of Minchinhampton, Watchmaker, and stole a metal watch, a chain, a seal, two watch keys and one silver watch case”.⁴ John was detained at Gloucester Prison and charged with house breaking (Figure 2), a capital offense at that time. On admission, after being searched, bathed, supplied with a prison uniform and examined by the surgeon John would have been given his own cell to await his trial at the Lent Assizes.⁵

¹ Samuel Lock to John Lock, letter, 15 March 1841, one of four letters known to have survived written to John Lock in NSW from his family in England, known as the ‘Lock Family Letters’ held by William Henderson, third Great Grandson of John Lock..

² Ancestry, Prison Records for John Lock, “Gloucestershire, England, Prison Records, 1728-1914”: Gloucestershire Prison Records. Gloucestershire Archives, Gloucestershire, England, Accessed 4 May 2018

³ A P Baggs, A R J Jurica and W J Sheils. "Minchinhampton: Economic history," in A History of the County of Gloucester: Volume 11, Bisley and Longtree Hundreds, ed. N M Herbert and R B Pugh (London: Victoria County History, 1976), 193-200. British History Online, accessed April 29, 2018, www.britishhistory.ac.uk/vch/glos/vol11/pp193-200

⁴ Ancestry, Prison Record for John Lock

⁵ Jill Evans, A History of Gloucester Prison, 1791-1950, Glos Crime History Books, 31 Court Road, Newent, Gloucestershire 2017, p 77. Kindle eBook

GLOUCESTERSHIRE RECORD OFFICE

EXTRACT FROM REGISTER

(Q/Gc 5/3)

| | |
|---------------------|---|
| NO. | 146 |
| NAME | John Lock |
| AGE | 17 |
| DESCRIPTION | Brown hair, dark hazel eyes, fair complexion, long face, rather large nose, a scar on left eye brow, a mole on right cheek, upper teeth irregular, a scar on 2nd finger left hand, a scar on left hand wrist, several small moles on left arm, a mole on right shoulder, 2 moles on right thigh, scar on left knee. Height 5ft 6½ |
| PARISH | Minchinhampton |
| DATE OF ADMISSION | 1 January 1829 |
| CAUSE OF COMMITMENT | Having broken into house of Samuel Stratton of Minchinhampton, Watchmaker, on 24 December 1828, and stolen a metal watch, a chain, a steal, two watch keys and one silver watch case |
| BY WHOM COMMITTED | Wm. M. Adey and H.W. Dyer |
| WHEN TRIED | Lent assizes, 1 April 1829 |
| SENTENCE | Death recorded, (transmuted to transportation) |
| WHEN DISCHARGED | 11 May 1829 |
| BEHAVIOUR | Orderly |
| REMARKS | Not read Labourer |

Figure 2. Extract from the gaol calendar entry relating to John Lock, search room reference EN/PRE/HN, Gloucestershire Record Office, Gloucestershire County Council, Clarence Row, Alvin Street, Gloucester, UK

At the start of the Lent Assizes, Judge Parke lamented to the members of the Grand Jury of the “greater number of defendants” than last year and the state of the morals of the poorer class “that class destined to earn their livelihood by labour”, before dismissing them to do their duty.⁶ Seventeen men were sentenced to death that day including John Lock and William Stephens.⁷ Most sentences were commuted to transportation except for brothers Henry and Mathew Pinnell who were executed on 18 April 1829 for committing highway robbery. The gaol gatehouse roof (Figure 3) had scaffolding erected for executions to afford viewing for prisoners inside and the public outside the gaol.⁸



Figure 3 Gloucester Gaol Gatehouse roof where scaffolding was erected to carry out executions
<http://www.dailymail.co.uk/article-5143253/-Gloucester.html> , Accessed 11 May 2018

John Lock remained at Gloucester Gaol until 18 May 1829.⁹ When he was conveyed to Woolwich and detained on the prison hulk *Justitia*.¹⁰ There are various accounts about life on board a prison hulk. William Derricourt described being “stripped to the skin and scrubbed with a hard scrubbing brush”.¹¹ John Ward spoke of his time imprisoned on a hulk as “wretched beyond description”.¹² Official reports claimed life on the hulks was too ‘jolly’, convicts were well fed and well clothed and many labourers would be glad to change places, “ the Hulks fail to excite a proper feeling of terror”.¹³ It is possible John Lock was eager to leave his homeland at this stage rather than endure the conditions on board the hulk.

⁶ ‘Gloucester Assizes’, Cheltenham Chronicle, 9 April 1829, p.2, www.britishnewspaperarchive.co.uk Accessed 28 April 2018

⁷ Ancestry, Criminal Register for Gloucester Lent Assizes 1829, England and Wales, Criminal Registers 1791-1892, Series HO26 and HO27; The National Archives of the UK, Kew, Surry, England, Accessed 27 April 2018.

⁸ Evans, A History of Gloucester Prison, p.117-134.

⁹ ‘Removal of Transports’, Cheltenham Chronicles, 21 May 1829, p.4, www.britishnewspaperarchive.co.uk Accessed 28 April 2018

¹⁰ Ancestry, Prison Hulk records for John Lock ‘UK, Prison Hulk Registers and Letter Books, 1802-1849’ The National Archives, Kew, England, Accessed 27 April 2018

¹¹ William Derricourt alias William Day, ‘Old Convict Times to Gold Digging Days’, Project Gutenberg Australia, 2015 part 1 chapter 8 ebook http://gutenberg.net.au/ebooks15/1501101h.html#CHAPTER_VIII_THE_HULKS

¹² June Slee, Crime, Punishment and Redemption A Convict’s Story, National Library of Australia, Canberra, 2014. p.80.

¹³ Manning Clark, ‘Select Documents in Australian History 1788-1850’, Report on Select Committee on Secondary Punishment, 1831-2, Augus and Robinson Australia 1950, p.108

After twelve weeks on the *Justitia*, John was transferred to the *Claudine* (Figure 4).¹⁴ In 1829 the ship, under the command of Captain Heathorpe, was making her second voyage as a convict transport to New South Wales.¹⁵



The surgeon on the *Claudine*, William Trotman, noted in his journal, “ received sixty convicts from the ‘Justitia’ Hulk at Woolwich and left it the same day for Plymouth on our way the men were severely sea sick, but a little warm tea & open air in general restored them in a short time”.¹⁶

With an additional 120 convicts from the *Captivity* Hulk the *Claudine* sailed from Plymouth on 24 August 1829. After rounding the Cape of Good Hope in November, William Trotman noted the weather as being cold and wet and the convicts having insufficient clothing.¹⁷ He treated fifty-five convicts during the voyage including John Lock who was recorded on the sick list for catarrhus from 7th to 11th November.¹⁸

After 104 days at sea The *Claudine* arrived in Sydney on 6th December 1829 with 178 convict, two having died on the voyage, Charles Broom and James Sillence, both aged seventeen.¹⁹ The convicts were mustered on the quarter-deck and disembarked three days later.²⁰

Figure 4, The *Claudine* in the foreground and the *Westminster* ashore near Margate, 1841, Steel engraving, published by William Finden, London, 1841 Wikimedia Commons, Accessed 17 May 2018.
https://commons.wikimedia.org/wiki/File:Claudine_and_Westminster_on_shore_at_Ramsgate_1840.jpg

¹⁴ Findmypast, Prison record for John Lock, England and Wales, Crime, Prisons and Punishment, 1770-1935, Home Office: Convict Hulks, Convict Prisons And Criminal Lunatic Asylums: Quarterly Returns Of Prisoners, Accessed 3 May 2018

¹⁵ Charles Bateson, ‘The Convict Ships : 1787-1868’, 1st ed. Glasgow: Brown, Son & Ferguson, 1959, p. 348.

¹⁶ Ancestry, ‘*Claudine*’ UK, Royal Navy Medical Journals, 1817-1857, Admiralty and predecessors, The National Archives, Kew, Richmond, Surrey, England, Accessed 17 May 2018

¹⁷ Ancestry, ‘*Claudine*’ UK, Royal Navy Medical Journals, 1817-1857

¹⁸ National Archives Kew, England, Medical Journal for *Claudine*, ADM 101/17/5/3, Folios 21-22, daily sick book for the *Claudine* Male Convict Ship, Accessed 19 May 2018.
<http://discovery.nationalarchives.gov.uk/browse/r/h/C10300865>

¹⁹ Ancestry, ‘*Claudine*’ UK, Royal Navy Medical Journals, 1817-1857

²⁰ ‘CAPTAIN DILLON’, *The Sydney Gazette and New South Wales Advertiser (NSW : 1803 - 1842)*, 10 December, 1829, p. 2. Accessed 20 May 2018, <http://nla.gov.au/nla.news-article2194070>.

This was during the height of convict transportation with 3649 convicts arriving in 1829,²¹ representing a 10% increase to the already convict dominated population of New South Wales (Figure 5). Governor Darling had established an administrative board to overview assignment of convicts.²² Assignment was seen as a means of reformation as well as providing necessary labour.²³ For many convicts it was a fresh start compared to spending time in overcrowded prisons in England.²⁴

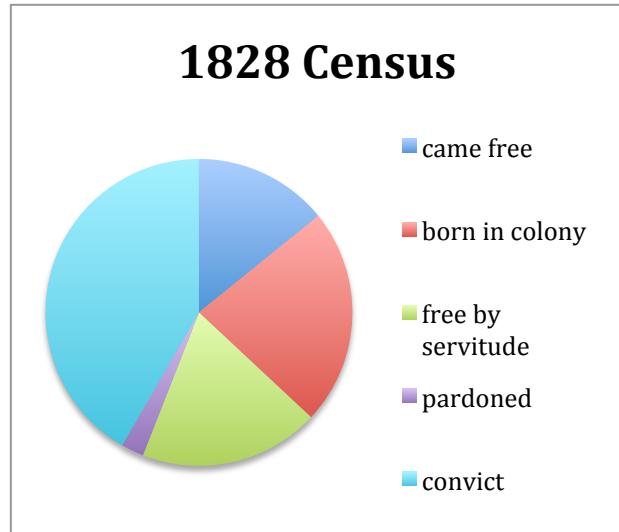


Figure 5 Compiled from the 1828 Census, Census of New South Wales, November 1828, Malcolm Sainty and Keith Johnson, Library of Australian History, Sydney



Figure 6 "Kable's Farm at Pitt Town, photo of a painting by Heather Dorahy", Paul Kable and June Whittaker, Damned Rascals? : A Chronicle of Henry & Susannah Kable, 1764-1846, Sutton, NSW: Kable Pictorial, 2007.

On his shipping indent John Lock listed his trade as ploughs, reaps and milks which classified him as an agricultural labourer, he was one of two convicts from the Claudine assigned to Henry Kable of Pitt Town.²⁵

Pitt Town is 55 kilometres north-west of Sydney on the Hawkesbury river. Farms were established on the fertile river flats in 1794, with thirty-acre grants, to increase food production for the Sydney market. Henry Kable had arrived on the first fleet in 1788.²⁶ By 1829 he had retired to his property at Pitt Town (Figure 6) with his son. Henry had

purchased three of the original grants along the riverfront, all under cultivation.²⁷ Known today as Pitt Town Bottoms these small fertile highly cultivated farms still produce for the Sydney market.

²¹ Convict Voyages NSW, Convictvoyages.org <http://convictvoyages.org/statistic/new-south-wales> Accessed 20 May 2018

²² Hughes, Robert, and Folio Society. The Fatal Shore: A History of the Transportation of Convicts to Australia, 1787-1868 / Robert Hughes. London: Folio Society, 1998, p. 400.

²³ Clark, Pryor, Clark, Manning, and Pryor, L. J. Select Documents in Australian History, 1788-1850 / Selected and Edited by C.M.H. Clark; with the Assistance of L.J. Pryor. Sydney: Angus & Robertson, 1977, p.130.

²⁴ Hughes, Robert, and Folio Society. The Fatal Shore: A History of the Transportation of Convicts to Australia, 1787-1868 / Robert Hughes. London: Folio Society, 1998, p. 26.

²⁵ Convict Indent for John Lock, New South Wales, Australia, Convict Indents, 1788-1842, Series NRS 12188; Item:(4/4015); Page:006, Microfiche: 674, Film:398, State Archives, Kingswood, NSW, Accessed 18 May 2018. The other convict from the Claudine assigned to Henry Kable was John Hughes.

²⁶ D. R. Hainsworth, 'Kable, Henry (1763–1846)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/kable-henry-2285/text2941>, published first in hardcopy 1967, accessed online 23 May 2018. Also recorded as Henry Cabell.

²⁷ Kable, Whittaker, and Whittaker, June. Damned Rascals? : A Chronicle of Henry & Susannah Kable, 1764-1846, Paul Kable & June Whittaker. Sutton, NSW: Kable Pictorial, 2007.

I have found no evidence of secondary punishment for John Lock. He received his ticket-of-leave on the 8th March 1836. This allowed him to work for himself within the district of Windsor, it was altered to Maitland on the 4th October 1837 and then Paterson on 14th August 1840.²⁸ John does not appear in the 1837 Muster nor has a Certificate of Freedom been found to date.²⁹

John arrived in Maitland during the 1836-38 drought and before the 1840's depression. The area had a high proportion of free settlers who held large grants of land dependant on convict labour.³⁰ Two years after becoming a free man John Lock married Maryanne Cassidy at Phoenix Park in 1845.³¹ Maryanne Cassidy had arrived in New South Wales in 1837 with her mother Sarah Cassidy on the convict ship Margaret (Figure 7).

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*List of the Children of Prisoners arrived by the Convict Ship Margaret
30th May 1837*

| Name of Child | Age | When Born | Where Born | Name of Parents | Religion | Remarks |
|------------------|------------------------------|--------------------------------|-----------------|--|----------|-------------|
| Maryanne Cassidy | 11 years | November 1825 | Monaghan | Sarah Murray & Patrick Cassidy | Prot. | Married Sir |
| John Cassidy | 8 | November 1829 | do | do | do | " |
| James Brown | 5 | 23 rd July 1830 | Cavan | Mary Booker & John Brown | Cath. | do |
| Mary Boyd | 2 | 1 st December 1830 | Montriv | Annie Boyd & David Boyd | Prot. | Not Married |
| Mary Butler | 9 | 16 th December 1829 | Limerick | Mary Kelly & Cornelius Butler | Cath. | Married |
| Mary Kennedy | 6 | 25 th December 1831 | do City | Mary Kennedy & Kennedy | do | do |
| Elizabeth Power | 3 months | March 1837 | at Sea | Catherine Power & John Power | Prot. | do |
| John McGaragle | 7 years | 3 rd May 1830 | Derry | Betty Heseltine & John McGaragle | do | Not Married |
| Mary Conner | 6 years 29 th May | 1831 | Galway | Kitty O'Neil & Mrs Conner | Cath. | Married |
| Elizabeth Brown | 16 months | 24 th May 1836 | Cavan | Mary Booker & John Brown | do | Married |
| John Power | 8 years | June 1837 | Mother Margaret | Murphy died on Board at Sea | do | do |
| | | | | Prin ^g of Govt ^o of Convict Office | | |
| | | | | Sydney 10 May 1838 | | |

Figure 7 List of Children on the Convict Ship Margaret 30th May 1837³²

²⁸ Ticket of Leave for John Lock, Ticket of Leave, 1810-1869, Series NRS 12202; Item: 4/4104, No:36/290, State Archives, Kingswood, NSW, also Ticket of leave no. 40/1391 issued in lieu of no: 36/290 which was returned mutilated and cancelled.

On both of John Lock's Ticket of Leave, Lock is spelt Locke. This spelling variation seems to appear on and off in both his English and Australian records.

²⁹ Searches undertaken at the New South Wales State Archives, Kingswood, 18 May 2018 include New South Wales Government, Butts of Certificates of Freedom, Reels 1010-1021

³⁰ Brian Patrick Walsh, Heartbreak and Hope, Deference and Defiance on the Yimmang: Tocal's convicts 1822-1840, University of Newcastle, 2007, p. 242.

³¹ John Locke and Mary Ann Cassety, 07 Jan 1845; Butterwick, New South Wales, Australia, "Australia Marriages, 1810-1980," database, reference; FHL microfilm 993,955, <https://familysearch.org/ark:/61903/1:1:XTCP-1L9>, Accessed 10 February 2018. 'Cassety' appears as 'Cassidy' in all other records.

³² List of Children on the Convict Ship Margaret 30th May 1837, Colonial Secretary In Letters 4/2395, letter 38/4580, State Archives, Kingswood, NSW,

John and Maryanne lived in the lower Hunter Valley for the next twenty years. Their movements can be followed by the birth records of their fourteen children (Figure 8).

Map of the lower Hunter Valley relevant to John Lock showing his listed address and occupation from 1837 to 1872

Children : Birth : Address : occupation

Joseph 12 Mar 1846 : Butterwick : Farmer

John 7 Nov 1847: Clifden : Labourer

Daniel 29 Nov 1848 : Clifden : Farmer

Catherine 10 Mar 1850 : Clifden : Farmer

William 4 Jan 1852 : Kent Street : Sydney

Sarah Jane 24 Oct 1853: Hinton : Dealer

Martha 5 Mar 1856 : Hinton : Dealer

Mary Ann 9 Sep 1857 : Hinton : Farmer

Elizabeth 30 May 1859 : Hinton : Farmer

Matilda 21 Aug 1860 : Hinton : Shopkeeper

Margaret 28 Jan 1863 : Hinton : Labourer

Louisa 7 Jun 1864 : Hinton : Carpenter

Ellen 5 Feb 1866 : Hinton : Carpenter

Samuel 14 Dec 1867 : Hinton : Labourer

Letters received in 1840 from his family in England were addressed "John Lock at Mr T Bartie, Rosebank, Near Hinton, NSW
1869 Electoral Roll John Lock : residence Bowthorne : Leasehold

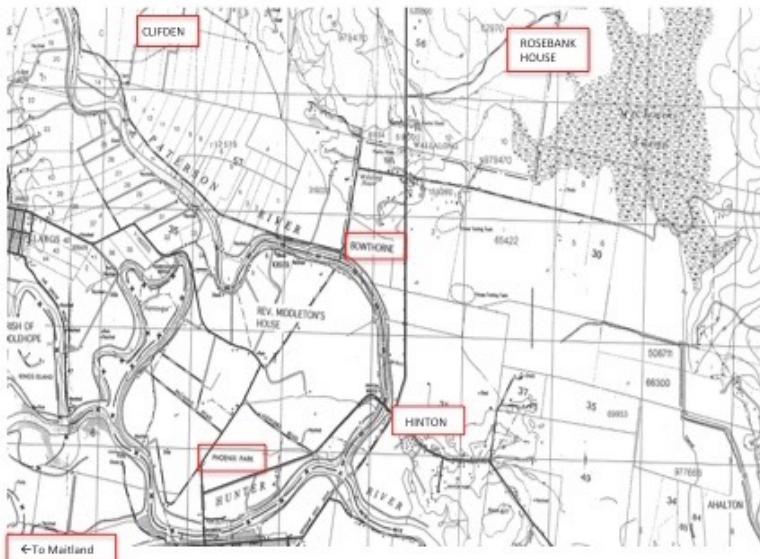


Figure 8 Compilation map of Lower Hunter.³³

The family moved to the Tamworth area in the 1870's, where John is listed in the Sands Directory as a farmer at Nemingha.³⁴ My Great-Great-Grandfather John Lock died 28 December 1883 at Nemingha, NSW.³⁵ Rather than being "lost in the Foreign" I think John found himself in a country where he could envisage greater opportunities for himself and his descendants.

³³ Map compiled from Seaham Parish Map 8th March 1977, NSW Land Registry Services; Middlehope Parish Map 5th January 1948, NSW Land Registry Services; Registrar of Births, Deaths and Marriages, New South Wales, Joseph Locke 2396/31, John Locke 2689/33, Daniel Locke 2628/34, Catherine Locke 2648/35, William Locks 2102/141, Sarah Jane Lock 2984/40, Martha Lock FM4/9144, Mary Ann Lock 8647/1857, Elizabeth Lock 9666/1859, Matilda Lock 9119/1860, Margaret Lock FM 4/9144, Louisa 10983/1864, Ellen 10973/1866, Samuel 12199/1867: Newcastle Anglican Diocese FM 4/9144 Mitchell Library, Sydney; "Lock Family Letters"; NSW Electoral Rolls 1869/70, District of Morpeth, 416, John Locke.

³⁴ Sands' Country Directory and Gazetteer of New South Wales. 1882.

³⁵ Death Certificate for John Lock, died 28 December 1883, Registrar of Births, Deaths and Marriages, NSW, 13384/1884

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