

ROGERS, James

Variations :

Ship	Date arrived (Sydney)
Lord Lyndoch	18 October 1833

Shipping indent(s)

Fiche	Page	Reel	Shelf	Type
	131		X635	printed

Trial (place, date)	Prev conv	Offence	Sentence
Middlesex GD 3 Jan 1833	nil	house breaking	life
Notes: Source = indent.			

Age	Marr/S	Child'n	Relig	Educ	Native place	Country
30	m	4	prot	none	Yorkshire	England
Notes: Source = indent						

Trade or calling	Height	Complexion	Hair	Eyes
cutler & collier	5' 4	sallow	brown	chesnut
Notes: Source = printed indent				
Other arrival info (eg ships musters & papers):				

Assignment

on arrival, to Mineral Surveyor [Dept] as per PRO HO10/30.	
With Eales: 1845-47	

Freedom (year, details)

T.O.L.	44/1596, 1 June 1844, 4/4190 (reel 953) Newcastle district. TOLPPT 46/61, 13 Feb 1846, 4/4260, allowed to remain at Liverpool Plains in the service of Mr John Eales for 12 months.
C.P.	49/635, 15 Feb 1849, 4/4465 (reel 791) pp471-742 (sic)
C.O.F	

Colonial crime & secondary punishment

Date	Offence	In service of	Punishment
1835 Mar	absent from his gang	gang	3 days cells bread & water
1836 Feb	absent from work in gang	gang	14 days tread mill
1836 Feb	absent from work in gang	gang	36 lashes
1836 Mar	absent from divine service		36 lashes
1841 May			7 days cells Newcastle
1841 Oct			3 months tread mill
Sources: see assignment & TOL above, and Col Sec & 'other' below			

Colonial Secretary's correspondence

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NSW Census/musters

1837	age 28, Mineral Surveyors Dept. Sydney
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Colonial marriage

Date	Place	To whom	BDM index reference
Permission to marry:			

Death

Date	Place	Age	BDM index reference

Timeline

Date	Event
1833 Jan	life sentence in London for house breaking
1833 Oct	arrived in Sydney on the <i>Lord Lyndoch</i> , assigned to the Mineral Surveyors Dept.
1835 Mar	3 days in cells on bread and water for being absent from his gang
1836 Feb	14 days tread mill for being absent from work in his gang
1836 Feb	36 lashes for being absent from work in his gang
1836 Mar	36 lashes for being absent from divine service
1837	still with the Mineral Surveyors Dept. Sydney
1841	7 days cells Newcastle, later 3 months tread mill Sydney
1844 June	Ticket of Leave for the Newcastle district, altered to Maitland June 1845
1845 Nov	employed by John Eales at Rathluba
1846 Feb	working for John Eales at Liverpool Plains for 12 months
1849 Feb	conditional pardon.

Other (source, details)

SRNSW X707 reel 662 summary punishments: March 1835 Hyde Park Barracks (p229), absent from gang, 3 days in cells on bread and water.

SRNSW X707 reel 662 summary punishments: Feb 1836 Hyde Park Barracks (p250), missing from work in gang, 14 days tread mill.

SRNSW X707 reel 662 summary punishments: Feb 1836 Hyde Park Barracks (p259), missing from work in gang, 36 lashes.

SRNSW X707 reel 662 summary punishments: March 1836 Hyde Park Barracks (p271), absent from divine service, 36 lashes.

Newcastle Gaol Entrance Book, SRNSW 2/2008. #531 admitted 11 May 1841 from Newcastle for 7 days in the cells, discharged 'to his service' 20 May 1841.

Newcastle Gaol Entrance Book, SRNSW 2/2008. #1063 admitted 26 October 1841 from Newcastle for 3 calendar months on the treadmill, discharged 'tread mill to Sydney, 27 October 1841.

MM 29 November 1845 p2, in the service of Mr Eales at Rathluba.

Keywords

Liverpool Plains, cells, tread mill, lashes

Old Bailey Proceedings Online (www.oldbaileyonline.org, version 6.0, 01 June 2013), January 1833, trial of JOHN GAME JAMES ROGERS ROBERT TAYLOR SARAH JACKSON (t18330103-6).

JOHN GAME, JAMES ROGERS, ROBERT TAYLOR, SARAH JACKSON, Theft > housebreaking, Theft > receiving, 3rd January 1833.

First Middlesex Jury, before Mr. Recorder.

254. JOHN GAME , JAMES ROGERS , and ROBERT TAYLOR were indicted for feloniously breaking and entering the dwelling-house of Thomas Wade , on the 23rd of December , at St. Mary, Islington, and stealing therein, 11 spoons, value 3l.; 8 pairs of boots, value 5l.; 4 pairs of shoes, value 1l.; 2 candlesticks, value 1l.; 4 dozen of knives and forks, value 2l.; 4 decanters, value 2l.; 1 celery glass, value 10s.; 1 basket, value 6d., and 2 towels, value 1s., his property; and 1 pair of boots, value 4s., the goods of Elizabeth Peck ; and SARAH JACKSON was indicted for feloniously

receiving on the same day, 1 pair of boots, value 4s., part of the said goods, well knowing them to have been stolen .

THOMAS WADE . I am a broker , and live at Torrington-park, Hornsey-road - it is my dwelling-house, and is in the parish of St. Mary, Islington . When I went to bed on the night of the 22nd of December the house was all safe, and a little before seven o'clock the next morning my maid-servant called me, and I found the back kitchen door had been cut by some sharp instrument - a hole was cut large enough to admit a man's arm to open the fastenings; it had not been there the night before - I found the back kitchen all in confusion, and I missed sundry boots and shoes; I missed nine silver spoons and two metal ones, worth 2l. or 3l. - I missed eight pairs of boots, worth 3l. or 4l. - I missed four pairs of shoes, a pair of plated candlesticks, some knives and forks, four decanters, a celery-glass, and one or two roller-towels from the kitchen: on the Friday following the officer called, and gave me some information - I know the prisoner Taylor.

THOMAS FARRANT (Police-constable C 42). On Wednesday, the 26th of December, I was passing down Broad-street, St. Giles', with Stone, a little before twelve o'clock; I saw Game come out of Wells', a pawnbroker's shop, and join in company with two others, whom I do not know - he said he had put off a glass goblet for 3s.; I followed them, and they went into a gin-shop - they came out of that, went down Drury-lane, and into another gin-shop; they stopped there ten minutes or a quarter of an hour, and then came out, and I lost them - I went back to Wells' shop, and asked if they had such a thing pawned there; they said they had, and I ordered it to be detained - it was what is called a celery-glass; I searched the Police reports, found Mr. Wade had been robbed; I fetched him, when he identified the glass - I saw Game again on the Sunday, the 30th of December, at a quarter to eight o'clock in the evening, in Long-acre - he was alone, and I apprehended him; I told him I wanted him on suspicion of felony, but did not tell him what felony - he then asked how long it had been done, as he had been in the country for the last three months, and had only come home on the Saturday night before - I told him I had seen him in Broad-street on the Wednesday - he said it must have been after ten o'clock in the morning; I took him to the watch-house, and found on his feet this pair of boots - I let him wear them to the office, and have had them ever since - they have been identified by one of Mr. Wade's servants; Game stated he had brought them out of the House of Correction with him, and I think he said on the Wednesday morning, but I am not exactly positive - I asked him where he lived; he said No. 8, Charles-street, Drury-lane, and having seen him on the day before Christmas-day, in company with the other two male prisoners I suspected them - I went to No. 8, Charles-street, on the Monday morning; I went to the top of the house, and in the back room I found Rogers - he was dressing; it was a little after ten o'clock - I told him I wanted him to come with me, on suspicion of felony; he said, "The other one is in the next room;" Stone went into the next room, and I began to search the room I had found Rogers in - I found this crow-bar in the corner by the fire, and under the bed I found this stock, four bits which fit it, a chisel, a screwdriver, a bunch of keys, two phosphorus-bottles, a phosphorus-box, and a little phial with some oil in it; and on a shelf I found two small knives and a metal spoon, which were identified by one of Mr. Wade's servants.

GEORGE STONE (Police-constable C 99). I went with Farrant to No. 8, Charles-street; Rogers said the other one was in the next room - I went into the other room, and found Taylor there; I found in that room a pair of shoes, which I have kept ever since - Mr. Wade claims them; I took Taylor into the room where Rogers was, and in that room I found two pairs of women's boots, one pair under Rogers bed, and one pair by the side of it - they have been claimed by Mr. Wade's servant s; Jackson was in bed there; I asked her who these boots belonged to, and she said they were hers, that she had bought them, but she did not know where, as she was drunk at the time; we left Jackson in the room then, but she said she would be there at any time if we wanted her - we took Rogers and Taylor to the station, and I there took a pair of boots off Rogers' feet, which were identified by Mr. Wade's servant; Rogers said he had bought them in another country, but he did not know the place.

JURY. Q. Did you try the centre bit to Mr. Wade's door? A. No - the door had been mended when I went there; the hole was about large enough to put a man's arm in.

ELIZABETH PECK . I lived in Mr. Wade's service at the time this happened - I came down in the morning, and saw the hole in the door; I called Mr. Wade, and told him the house had been broken into; I did not see the prisoners till they were in custody; I know this celery-glass to be my master's (looking at it) - I had seen it safe the night before; I know we had a spoon exactly like this, and we lost it - I know these boots are mine: I have had them a year and a half; I had not worn them a great deal - I left them in the kitchen the night before the house was broken open and I missed them in the morning; I know one of these knives to be my master's, by its being worn so much at the point; I have often noticed it - I had seen it safe the night before the house was broken open.

Game. Q. You say you can swear to the celery-glass? A. Yes, there is a little bit out at the top - I said at the office that I knew it was my master's.

Taylor. Q. Which knife can you swear to? A. This one which is worn; I cannot tell whether my master had two dozens or one dozen like it, but five dozens and a half were missing in all - I have no hesitation in swearing to this one; they were not all worn as this is.

Jackson. Q. How can you swear to the boots? A. By their being worn at the heel, and by their general appearance -I have no doubt about them at all.

THOMAS ALLEN . I was in Mr. Wade's employ - I clean boots and shoes; I believe these to be his boots, but I am not positive - I know the shoes to be his by their general appearance.

MR. WADE. I know this pair of shoes to be mine - they have been a good deal worn since they were taken from me; they had been mended, and I did not wear them afterwards - I cannot swear to the boots, but I can to the shoes, by the binding and mending.

Taylor. Q. Are you a shoemaker then? A. No, but I speak to them from having worn them, and it is natural to take notice of shoes that pinch.

HENRY LINDER . I live with Mr. Wells, the pawnbroker. This celery-glass was pawned on the morning of the 26th of December, for 3s., I believe by Game, but I cannot swear to him - Farrant came in about half an hour, and asked if we had such a thing pawned; I said Yes, and produced it to him.

WILLIAM CLARK (Police-constable N 149). I went to Mr. Wade's on Sunday morning, the 23rd of December; I found a pair of boots and a pair of shoes there, which I have had ever since - I have since tried the shoes on Taylor; they fitted him exactly, and he said he had no doubt they would fit - we wanted to try the boots on Game - he said if we wanted them tried we might try them ourselves; there is no doubt but they would have fitted him, but he kept moving his leg about, and would not let us try them.

MR. WADE. These boots and shoes were left in my house - they are not mine, nor never were.

THOMAS ALLEN . They did not belong to any person in Mr. Wade's house; I never saw them till the morning after the robbery.

Game's Defence. When they wanted to put the boots on me, I told them to put them on - they tried ten minutes, and grazed my skin - they then said it was my obstinacy, and that I would not put them on; I made no resistance - I held my leg still.

Rogers' Defence. The boots they took from me I bought in Sheffield, before I came into this country; all the tools they found at my place were there when I went there.

Taylor. I should like to ask Mr. Wade if he could swear to these shoes, if a dozen pairs were produced bound in the same way, and worn as they are.

MR. WADE. I can swear to these shoes by the binding and mending.

Taylor. A shoemaker mends them all in the same manner; if you go to Monmouth-street you might buy a dozen pairs like them.

Jackson's Defence. I bought the women's boots of a man who came to a lodger.

GAME - GUILTY - DEATH . Aged 22.

ROGERS - GUILTY - DEATH . Aged 28.

TAYLOR - GUILTY - DEATH . Aged 30.

JACKSON - NOT GUILTY .

General information

This document is part of research undertaken by Brian Walsh on the convicts assigned to John Eales and the ticket-of-leave holders who worked for him.

Please do not email or upload/post this document online without acknowledgement. For further information and contact details see:

www.patersonriver.com.au/ealesconvicts

A book on John Eales' convicts titled '*Toil and Trouble from Maitland to Moreton Bay*' is available from Paterson Historical Society, see:

www.patersonhistory.org.au