

SHEPPARD, John

Variations :Shepherd, Sheperd

Alias :

Ship	Date arrived (Sydney)
Ocean	27 Aug 1823

Shipping indent(s)

Fiche	Page	Reel	Shelf	Type
650	72		4/4009	Bound
See also papers re unsuccessful insurrection on the voyage. SR. 4/1765 p184 [reel 6056]. Individuals involved are not named.				

Trial (place, date)	Prev conv	Offence	Sentence
Somerset Assizes 10 Aug 1822		Burglary	Life (death, R)
Notes: Source = bound indent. Offence source = PRO London, Home Office, Criminal Registers, HO27/24 [reel 2767]			

Age	Marr/S	Child'n	Relig	Educ	Native place	Country
19			Prot		Bluden	England
Notes: Source = bound indent. Religion source = 1828 Census NSW						

Trade or calling	Height	Complexion	Hair	Eyes
Carter & coal miner	5' 8 hlf	Ruddy	Dark	Hazel
Notes: Source = bound indent				
Other arrival info (eg ships musters & papers):				

Assignment

To Alexander Livingstone October 1824	
At Tocal 1827-28, see 'other' and 1828 Census NSW below	
At Tocal: 1827-30	Tocal occupation: labourer

Freedom (year, details)

T.O.L.	38/543, 4/4118, 8 April 1838 Penrith, then altered to Merton [reel 929] TOL Passport Butts 4/4245, reel 969, passport 42/389 dated 18 March 1842 John Sheppard, Ocean (3), 1823 Trial: Somerset Assizes, 10 August 1822, life Allowed to travel between Widdin Creek and Penrith in the service of Mr John Tindall for 12 months. Recommended by the Merton Bench 8 March 1842. 4/4249, reel 971, passport 43/462 dated 20 April 1843 John Sheppard, Ocean 3 Allowed to travel between Merton and Sydney for 12 months in the service of Mr Jno Tindale of Widden Creek. Recommended by the Merton Bench 23 March 1843. 4/4253, reel 972, passport 44/328 dated 19 April 1844 John Sheppard, Ocean 3, 1823 Somerset Assizes 10 August 1822, life Allowed to travel between Merton and Morpeth in the service of Mrs Briggs, Dalswinton, for 12 months. Recommended by the Merton Bench 9 April 1844. 4/4262, reel 975, passport 46/425 dated 11 April 1846 Allowed to work for himself as a carrier between the Page River and Morpeth for 12 months. Recommended by the Merton Bench. [This PP looked up by Kevin Barnes] 4/4266, reel 976, passport 47/477 dated 20 July 1847 John Sheppard, Ocean, 1823 Somerset Assizes 10 August 1822, life Allowed to travel between Morpeth and the Big River on his own account as a carrier for 12 months. Recommended by the Merton Bench.
C.P.	47/788 30 Jul 1847, 18 Sep 1847, 4/4453 [reel 784]. Recommendation for CP was 46/574 (1846), by JH Billington, William Oglivie JP and George Blaxland JP. Source = SR. Col Sec, Registers of Convicts Recommended for

Conditional Pardons 1826-56, 4/4479.

Colonial crime & secondary punishment

Date	Offence	In service of	Punishment
Mar 1824	Runaway from Newcastle		75 lashes
Dec 1827	Absconded	JP Webber	
July 1830	Burglary	JP Webber, Tocal	3 years labour in irons (Death, R)
Apr 1836	Disorderly conduct	Prisoners Barracks	One month treadmill

Sources: see Col Sec and 'other' below

Colonial Secretary's correspondence

<p>There were two John Shepherds (Ocean) at Newcastle. The other one arrived in 1818 with a seven year sentence and obtained his COF 25 May 1824 (& reissued twice due to loss).</p> <p>1824 Apr On monthly return of prisoners punished at Newcastle (Reel 6023; 4/1718 p.181) This does not specify which John Shepherd (Ocean). 75 lashes were ordered, 50 inflicted. Offence = "Runaway, returned from Sydney for punishment". Tocal's John Shepherd is confirmed by the corresponding record in the Sydney Gaol entrance book –see 'other' below</p> <p>1824 Oct 4 On monthly return of convicts assigned in the Counties of Northumberland & Durham; to Alexander Livingstone (Reel 6028; 2/8283 p.95) "From the Newcastle Establishment". As above, the year of arrival is not specified, but given the earlier JS (Ocean) was free by this date, it is certainly JS (Ocean 1823)</p> <p>4 Dec 1833 SR. CSLS. 4/3679 [reel 1047] From Col Sed to FA Hely Esq [Princ Sup convicts][note: this is the correct JS (Ocean), has life sentence, other was 7 years and free at this time]. "Surveyor General has recommended John Shepherd for some indulgence, as his services have been very useful at the New Bridge and Pass beyond Emu". Requested particulars of Shepherd.</p> <p>17 Jan 1834 CSIL 4/2229, 34/453 [reply to above]. Favourable report for mitigation of colonial sentence of three years labour in irons from Jan 1831 for burglary. Mitigation approved by the Governor for services to new bridge and pass beyond Emu Plains. Superintendent of the stockade reports him as one of the most deserving men under his superintendence.</p>

NSW Census/musters

1823-25	
1828	24 years old, GS, Protestant, labourer, at Markham [Tocal], Paterson's Plains, employed by Webber
1837	Age 28, Government, Penrith

Colonial marriage

Date	Place	To whom	BDM index reference
1838	Penrith	Mary Ann CAREY	V1838 1846 22 & V1838 1848 22
Permission to marry: Yes, 1838, Penrith			

Death

Date	Place	Age	BDM index reference

Timeline

Date	Event
1823	Arrived Sydney
1827	Absconded from Tocal
1827-30	At Tocal
1831-33	Three years in iron gang for burglary
1838	TOL & Marriage
1847	CP

Other (source, details)

SR. Sydney Gaol Entrance Book 1822-1824, 4/6428 [reel 850]. Jno Shepherd, Ocean 3, admitted to Sydney Gaol 27 March 1824, committed by D Went esqr, runaway from Newcastle, to be returned to the Comdt to be dealt with by him. Disposed 1 (?) April per Mans (?). [Notes: 75 lashes ordered on
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his return, see Col Sec above; Ocean 3 is the correct ship, or Ocean II (2) in Bateson's convention]. SG 31 Dec 1827 4b, absconded from JP Webber [note description, occupation etc matches]. Repeated 7 & 14 January 1828 4a.

SR, NSW Supreme Court papers, T32 no.38 31/9 and Clerk of Peace depositions T148 no.38 31/9. On 4 January 1831 found guilty in the Supreme Court Sydney of burglary along with James Stiles. Offence was committed in July 1830 at Bona Vista, neighbouring Tocal, while he and Stiles were assigned to J Webber at Tocal. Details of the case are attached.

SR. Sydney Gaol Entrance Book 1830-1831, 4/6432 [reel 851]. Admitted January 1831 from Newcastle, tried for burglary in Criminal Court 4 January 1831, Death Respited to 3 years iron gang. Admitted again 19 July 1831 from Phoenix Hulk under a commuted sentence, from death respited to an iron gang 3 years. [This entry is similar to the one that follows].

SR. Sydney Gaol Entrance Book 1831-1832, 4/6433 [reel 851]. John Shepherd, Ocean 1820, from Bath, Protestant, labourer. Admitted 1st January from Newcastle for trial, burglary. Disposed 4th January, Death Recorded, to Hulk. Admitted again 19 July 1831, #1703, from Phoenix Hulk for Iron Gang 3 years.

SR. Colonial Trials and Records, Benches of Magistrates 1832-36, X708 Parramatta p141 [reel 662]. 4 April 1836, John Shepherd, Ocean, Prisoners Barracks, disorderly conduct, one month treadmill.

Keywords

Iron gang, treadmill, lashes, Phoenix Hulk, Newcastle

Notes:

SR. NSW Supreme Court papers, T32 no.38 31/9

Burglary, the King v's James Stiles and John Shepherd.

Witnesses: James Phillips, John Levett, Michael Fee, James Shields.

January 4th 1831

Pleas: Not Guilty

Verdict: both guilty

Death recorded against both prisoners.

James Stiles late of Pattersons Plains... labourer and John Shepherd late of the same place labourer

... on the 23 July 1830 about midnight with force and arms at Bona Vista at Pattersons Plains... the dwelling house of James Phillips... feloniously and burglariously did break and enter with intent the goods and chattels... steal and carry away with force and arms...

- 20lbs sugar, value 10/-
- 5lbs tea, value 10/-
- 5lbs coffee, value 10/-
- 5(?) bottles of *, value 2/-
- 2 gallons of vinegar, value 5/-

[These] goods found then and there in the said dwelling house... carried away.

SR. Clerk of Peace, depositions, T148 no.38 31/9.

The King v's James Stiles, John Shepherd... depositions.

(Tried 4th January 1831, burglary, death recorded)

Patersons Plains 27 July 1830, present J Reid Esq JP.

James Stiles, Marquis of Hastings, 14 yrs

John Shepherd, Ocean, life

...assigned servants of JP Webber Esq.

James Phillips states:

... house broken into by cutting the bars of the window...

"I immediately got the Blacks and we followed the track of the two men from my house to the hut of the Prisoners who are Mr Webber's assigned servants. Mr Webber and his overseer searched the hut occupied by the Prisoners and found some sugar..."

... sugar sample provided...

... Mr Webber's overseer took the prisoners' shoes and tried them in the tracks which exactly fitted. Questions re the sugar, [Shepherd] said the Cooper bought it from Mr Simpsons at Wallis Plains. The Cooper was sent for and questioned, who said the sugar purchased at Wallis Plains was a different grade of sugar from that found.

John Levet states:

John Levet overseer to JP Webber esq... accompanied Mr Webber to search the huts... found a bag of sugar in Shepherd's birth... Mr Webber does not issue sugar to his men.

Michael Fee states:

... assigned servant to Mr Webber... *"last Thursday fortnight I brought two pounds of sugar and four ounces of tea from Mr Simpsons at Wallis Plains for the Prisoner Shepherd. Last Friday my Master sent for me, and asked about the Sugar and if I would know the kind, to which I made answer I would..."*. It was not the same as that found.

James Phillips states [a further deposition]:

... the sugar found was the same as his...

... the shoes fitted the tracks (one pair was nailed in a particular fashion)

... the store from which the articles were stolen is part of the dwelling house.

James Shields states:

James Shields per ship Surrey assigned servant and overseer to Mr Webber...

... tracks matched the shoes

"They had to pass that way going to work. Mr Phillips had tracked them before the men had returned to Dinner".

Sworn before P Aubin JP and J Reid JP.

General information

Research on Tocal's convicts was undertaken by Brian Walsh. Please do not email or upload this document without acknowledgement.

For further information see the book *Voices from Tocal –Convict Life on a Rural Estate* by Brian Walsh, available from www.tocal.com

For contact details see www.tocal.com