

## Chapter Six

### The Western Road Convicts

There are three major schools of thought concerning the origins and character of the convicts transported to New South Wales which retain some currency in the literature. The first emerged in the early 1920s when George Wood argued that the convicts transported to Australia were the victims of a harsh economic and political regime and a brutal and self interested criminal justice system. 'Is it not the case', asked Wood, 'that the true villains remained behind in England while their victims, innocent and manly, created the Australian democracy?'<sup>1</sup> In 1937 Eris O'Brien also concluded that, while many sentences had been commuted from the death penalty, and therefore were likely to be more serious than Wood had credited, the convicts had generally been guilty of trifling offences.<sup>2</sup> Generations of school children were raised with what became a cliched notion that convicts were poor, desperate people sentenced for stealing a loaf of bread by a heartless government. With culpability for the injustices of the system directed to the British, it was a nationalistic viewpoint that spared Australians and their convict forebears, embarrassment or responsibility for what had been previously viewed as ignominious national beginnings.

Manning Clark, writing in 1956, was the first major historian to revive the largely nineteenth century view of convicts as criminals. After a limited examination of convict indents, Clark concluded that the convicts were largely members of a professional urban criminal class.<sup>3</sup> This view developed as the second major school of thought across the following decades. In the 1960s Lloyd Robson used the

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1 G.A. Wood, 'Convicts', *JRAHS*, Vol.8, Pt.4, 1922, p.187.

2 Eris O'Brien, *The Foundation of Australia (1786-1800): A Study in English Criminal Practice and Penal Colonization in the Eighteenth Century*, Sheed & Ward, London, 1937, pp.10-11, 13-15.

3 Manning Clark, 'The Origins of the Convicts Transported to Eastern Australia, 1787-1852', *Historical Studies*, Vol. 7: 1956, pp.121-35; 314-27.

transportation indents to analyse a random sample population comprised of every 20<sup>th</sup> convict sent to eastern Australia. He produced a demographic profile confirming Clark's suspicions.<sup>4</sup> A.G.L. Shaw came to similar conclusions, subscribing to the view that the convicts belonged to a criminal class of ne'er-do-wells, an underworld of rogues, pick pockets and drunkards who stole for a living. All three were of the opinion, however, that English convicts were not, in the words of Shaw, 'atrocious villains' and that the Irish were even less so, being more likely to be first offenders from rural, rather than urban environments.<sup>5</sup>

Brian Fletcher, in *Colonial Australia before 1850* (1976), Robert Hughes in *The Fatal Shore* (1978), M.B. and C.B. Schedvin in 'The Nomadic Tribes of Urban Britain: A Prelude to Botany Bay' (1978), and Humphrey McQueen in *A New Britannia* (1970) essentially took up the conclusions of Clark, Robson and Shaw. The convicts were portrayed as work-shy members of the working class and as selfish thieves interested only in their own survival, feckless professional criminals that were as likely to betray their peers as the local lord or bourgeois shopkeeper.<sup>6</sup>

John Hirst in *Convict Society and its Enemies* (1983) accepted the view that convicts came from a criminal class, but portrayed them as individuals likely to pursue their own advantage, budding entrepreneurs keen to use the system for their financial advancement. Thus, he argued, they formed part of the origins of a capitalist, market oriented society.<sup>7</sup> George Rudé in *Protest and Punishment: The Story of the Social and Political Protesters Transported to Australia, 1788-1868* (1978) allowed that a small minority were social or political protestors. Rudé reminded scholars that the

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4 Lloyd Robson, *The Convict Settlers of Australia: An Enquiry into the Origin and Character of the Convicts Transported to New South Wales and Van Diemen's Land, 1788-1852*, Melbourne University Press, 1965.

5 A.G.L., Shaw *Convicts and Colonies: A Study of Penal Transportation from Great Britain and Ireland to Australia and other parts of the British Empire* Melbourne University Press, 1966, pp.164; 182-183.

6 Brian Fletcher, *Colonial Australia before 1850*, Melbourne, Nelson, 1976; Robert Hughes, *The Fatal Shore*, London, Collins Harvill, 1987; M.B. and C.B. Schedvin, 'The Nomadic Tribes of Urban Britain: A Prelude to Botany Bay', *Historical Studies*, Vol.20, Pt. 78, 1978, pp.254-276; Humphrey McQueen, *A New Britannia*, Penguin, 1970; Stephen Garton, 'The Convict Origins Debate: Historians And The Problem Of The Criminal Class', *Aust & NZ Jour. of Criminology*, Vol.24, July 1991, pp.69-71.

7 John Hirst, *Convict Society and its enemies*, Sydney, George Allen & Unwin, 1983, pp.85-86.

question of the degree to which the ‘complexion’ of the convicts changed in response to circumstances in Britain had not been addressed.<sup>8</sup> Michael Sturma in *Vice in a Vicious Society* tempered the primacy of the criminal class theory when he argued in 1983 that the inadequacy of crime statistics, both in the colony and in Britain, undermined the validity of claims for criminality. He concluded that the concept of a ‘criminal class’ either in Britain or Australia was the creation of nineteenth century prosecutors and twentieth century historians.<sup>9</sup>

More recently, a third school of thought challenged many of the orthodoxies that had emerged from the preceding paradigms. Stephen Nicholas, Peter Shergold and others presented a major reinterpretation of the convicts in 1988.<sup>10</sup> They examined almost 20,000 indents to conclude that the convicts were neither hapless victims nor work-shy, conniving ne’er-do-wells. The notion of a ‘criminal class’ was rejected and they argued that the convicts sent to Australia ‘were ordinary British and Irish working class men and women’.<sup>11</sup> The *Convict Workers* team paid particular attention to the occupations and literacy levels indicated on the transportation indents, an aspect that had been largely neglected in previous studies or been dismissed as unreliable. They claimed that the convicts’ occupation profile was broadly similar to a profile drawn from the 1841 census of England and Ireland and that the indent data was more reliable than had previously been credited. These claims and their methodology were challenged, for example, by Shlomowitz as early as 1990, but the methodology and data stands nevertheless as a benchmark from which other population studies can be developed and refined.<sup>12</sup>

This chapter draws on the indent data for the Western Road convicts to comment on the evidence for, and validity of, the victim/rogue dichotomy that dominated convict

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8 George Rudé, *Protest & Punishment*, Oxford, Clarendon Press, 1978, pp.242-247.

9 Michael Sturma, *Vice in a Vicious Society*, St. Lucia, Queensland University Press, 1983, pp.1-8.

10 The *Convict Workers* team also included Barrie Dyster, David Meredith, Deborah Oxley, John Perkins and Kris Corcoran. Their findings were compiled in Stephen Nicholas (ed.) *Convict Workers: Reinterpreting Australia’s Past*, Cambridge University Press, Sydney, 1988

11 Stephen Nicholas and Peter R. Shergold, ‘Unshackling the Past’ in Nicholas *op. cit.*, pp.3; 6-7.

12 Ralph Shlomowitz, ‘Convict workers: a review article’, *Australian Journal of Economic History Review*, Vol. 30, Sept 1990, pp.67-80.

historiography in the twentieth century. The data for the Western Road population is compared with the findings the two major convict population studies undertaken to date, ie., those of Robson and Nicholas and Shergold, referred to above. In the discussion following the reader is directed to the tables at the end of the chapter to assess the data sample on which the discussion is based.

### The Western Road Sample Population

In contrast to Robson's random sample of some 6,000 convicts and the *Convict Workers* sample of 20,000, the Western Road convict recidivist population, which is the subject of this thesis, is a very specific sample of 1108 convicts. The details of these individuals were found in court records and correspondence related to the convict stockades on the Western Road, from Mt Victoria to Bathurst, in the 1830s. Many are part of the 18 % of all transported men estimated by Shaw to have been confined at some time to an iron gang in the period 1826 to 1836.<sup>13</sup> Gaps in the data have meant that most analysis has been undertaken within data sets defined by the information available for the particular query rather than a standardised set for every query. As a rule, categories with a total of less than 15 subjects were not interrogated because of the statistical distortion small changes in such samples can instigate. This has meant for example, that the contribution of Scottish prisoners has been largely excluded. The data tables at the end of the chapter, however, include this material and can be referred to by the reader.

The population has a number of commonalities with Robson's sample. About half had arrived with the minimal sentence of seven years, religious affiliations were almost identical, with the ratio of Protestants to Catholics at about 2:1. The English offenders were in the majority with the Irish a very sizeable minority. On the whole they were largely convicted of property crimes.<sup>14</sup> An area of distinction was military crime. This was a category in which the Western Road recidivists exceeded the

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<sup>13</sup> Shaw, *op. cit.*, p.216.

<sup>14</sup> Robson, *op. cit.*, p.9.

proportion in Robson's overall sample, particularly that for New South Wales. In all other crime categories the sample population is too small to make meaningful comment and so the property offenders are by default the focus of much of the analysis which follows. [Tables 6.1, 6.2 and 6.3]

The single greatest difference with Robson's findings is the much larger proportion who had no previous criminal record prior to their conviction and transportation to New South Wales, 60% compared to Robson's estimate of from 33% to 50%.<sup>15</sup>

[Table 6.4] Other differences are the slightly greater proportion on the Western Road with life sentences, their overall youthfulness and accompanying that, their single marital status. [Table 6.5 and 6.6] This is a similar demographic to that of the Tasmanian bushrangers who were the subject of Hamish Maxwell-Stewart's 1990 thesis.<sup>16</sup> The average age on arrival was 23, compared to Robson's 26, with the majority clustered in the lower age ranges.<sup>17</sup> [Table 6.7] They had spent about five years in the colony before coming to attention on the Western Road. In all, the profile adds up to a more youthful and inexperienced convict population than the terms 'recidivist' or 'lifer' usually conjures. These were not 'old lags'.

Robson's statistical analysis was undertaken when computers were relatively primitive. It was largely a quantitative exercise, and at the time, long overdue as no large scale detailed analysis had been undertaken to inform the convict origins debate. As Robson explained, he aimed to '... discover the truth of the origins of the convicts ...' arguing that '... intuitive reasoning cannot be defended when objective methods are at hand'.<sup>18</sup> Despite this quest for 'truth', as Nicholas and Shergold pointed out, Robson's claims are 'an elaboration of the nineteenth century notion of a criminal class', a notion that also determined the statistical analyses of Clark and Shaw, rather than evolved from them.<sup>19</sup> This was the dominant view in the 1950s and

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<sup>15</sup> *Ibid.*

<sup>16</sup> Hamish Maxwell-Stewart, 'The Bushrangers and Convict System of Van Dieman's Land, 1803-1846', Ph.D Thesis, University of Edinburgh, 1990, p.43.

<sup>17</sup> Robson, *op. cit.*, p.9.

<sup>18</sup> *Ibid.*, p.161.

<sup>19</sup> Stephen Nicholas and Peter Shergold, 'Unshackling the Past' in *op. cit.*, p.5.

1960s among historians of crime in nineteenth century Britain. More recent research in the United Kingdom has found little evidence to support it.<sup>20</sup>

Clark, Robson and Shaw placed a great deal of emphasis on the crimes of the convicts, while neglecting occupational and educational data. The argument was made more attractive and persuasive by discussions that embellished the statistical findings with colourful examples that reinforced the criminal class theory.<sup>21</sup> As Nicholas and Shergold found, a quantitative examination of the convict indents does not support the claims for the existence of a criminal class. The research for this thesis also revealed that evidence in the statistical detail supports a view of the convicts as workers who stole occasionally and opportunistically for a variety of reasons including want, the assertion of customary rights and the redress of employment related grievances.

### **Statistical Constraints and Methods**

The key attributes used to define the character of the convicts have been their urbanity<sup>22</sup>, their youth, their mobility, nationality, marital and occupational status and level of literacy. This base information was supplied on their arrival in New South Wales in what is generally referred to as the convict indents. The most comprehensive data set exists for the period after 1826, from the administration of Governor Darling, when most Western Road recidivists arrived in New South Wales.

### ***Identification of Individual Convicts***

Two major difficulties faced by all researchers who have attempted to address the question of convict identity have been gaps and inconsistencies in the data. In undertaking the analysis for this thesis, significant problems were encountered in determining the status of individuals and in some cases the identity of individuals. A

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20 Hamish Maxwell-Stewart, *op. cit.*, p

21 Ibid.

22 In this thesis, the *Oxford English Dictionary* meaning: 'urban life' is applied. to this term. *The Concise Oxford Dictionary*, 9<sup>th</sup> Edition, Clarendon Press, Oxford. 1995.

number had aliases, and many had names that were very common; there are, for example, 11 John Smiths. Spellings of less common names were variable and the orthography and calligraphy of some of the clerks was highly idiosyncratic.

Most convicts were identified because they appeared before the bench of magistrates at Cox's River or the Bathurst bench or quarter sessions or, more seriously, before the NSW Supreme Court. Another source which enabled the identification of individuals was the *Employment Index for 1832* and the *Convict & Employers (NSW) Index: 1828, 1832-1833, Jan 1838-Jan 1844* extracted from the *Government Gazette* by genealogical researchers, Pastkeys. It was valuable data but problems quickly emerged. These included false identities and transcription errors either by the clerks on the Western Road, at the *Gazette* office or on the original indent. For example, an individual could be listed over a number of weeks as a runaway from a particular gang and finally his recapture is recorded, but over the period he is identified as being from a number of different ships and/or gangs. Cross referencing with all the available data often enabled the correct person to be identified but sometimes there would be two people with the same name from different ships in the same gang or even two people with the same name from the same ship in the same gang. In situations such as these specific identification became impossible.

It also became clear from the Cox's River court records that there were sometimes delays in information reaching the *Gazette*. If *Gazette* entries are taken literally, some convicts were achieving impossible feats in running, suffering recapture and processing by the courts, sentencing and running again. Overseers were frequent witnesses in court proceedings and it was often possible to use their identities to link convicts, gangs and crimes and thus differentiate events and their protagonists. Again this process had its flaws, for example, if an overseer was in charge of a gang in July and September 1833 can we assume, if no other overseer has been identified for the period, that he was also in charge of it in August? In this study that assumption has been made.

The attempts to sort out identity were not always successful and in some instances an incorrect conclusion may have been drawn. However, general statements can be made. Previous analyses suffered from the same problems and those conducted prior to digitization had fewer resources to resolve issues than are currently available.

[Tables 6.8 to and 6.11]

### *The Assessment of Urban/Rural Status*

The origin of the criminal and his distance from place of origin have been used by Robson to comment on his character, not only as an urbanite or otherwise, but on the extent to which he may have been a professional criminal, an opportunist or a victim of the times. Yet, identification of the rural/urban status of offenders, that is, whether they were town or village dwellers or from isolated areas in the countryside, is problematic.<sup>23</sup> Sometimes a county is nominated as a 'native place' and at other times a more specific locality, such as a town, is given. But, as observed by Robson, even non-industrialized counties had some urban development. Thus outside the great urban centres, the identification of the county is inadequate to make a determination. While Robson acknowledged the difficulties posed by the urban/rural classification, he nevertheless described convicts according to an overall assessment of the extent of industrialization of the particular counties of trial. In this thesis, Samuel Lewis's *A Topographical Dictionary of England* (1831), *A Topographical Dictionary of Ireland* (1837) and *A Topographical Dictionary of Scotland* (1851)<sup>24</sup> were used to assess the urban/rural character of both the place of origin and place of trial.

In coming to a decision on the rural or urban character of an individual a number of rules were adopted. Firstly, if the place of origin was given as a county, rather than a town, this was interpreted as being a strong, but not conclusive, indicator that the

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<sup>23</sup> Robson, *op. cit.*, p.25.

<sup>24</sup> Samuel Lewis, *A Topographical Dictionary of England*, Samuel Lewis and Co., London, 1831, reprinted by Genealogical Publishing Co., Baltimore 1996; Samuel Lewis, Samuel Lewis and Co., London, 1831, reprinted by Genealogical Publishing Co., Baltimore 1984; Samuel Lewis, *A Topographical Dictionary of Scotland*, Samuel Lewis and Co., London, 1851, reprinted by Genealogical Publishing Co., Baltimore 1989.



person had rural origins. Secondly, a threshold population of 5000 was set to distinguish an urban from a rural place. Thirdly, where there were a number of places with the same name, the one closest to the place of trial was identified as the place of origin. To refine Robson's analysis a process of 'triangulation' was employed to ameliorate some of the limitations imposed by the gross data. The occupation and age of the offender, the crime and whether the trial was in the person's county of origin or adjoining county were considered in association with Lewis's description of the place.

While some crimes, such as picking pockets or street robbery, which needed a crowd to be successfully implemented,<sup>25</sup> may lend themselves to a largely urban classification, country fairs were also places that picking pockets or shoplifting might occur. Robson also noted that urban offenders were known to make marauding raids in the country so that a crime that may appear to have all the hall marks of an offence of a rural habitue' may in fact be that of an urbanite or urban fringe dweller who occasionally worked as a rural labourer and occasionally and/or opportunistically committed crimes in the country.

On occasion a person's occupation, the nature of the crime and place of trial have lead to a rural classification, when if assessed only against the population of the place of origin an urban assessment would have resulted. When only either the county of origin or trial was identified, rather than both, the nature of the crime and the general character of the identified county, such as Lancashire for example, led to a classification like Robson's, of urban. Where a reasonably confident estimation could not be made, for example, when the occupation and/or the crime cast doubt on a classification the category, 'undecided' was chosen. Where there was insufficient information to decide the category, 'unknown' was chosen.

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<sup>25</sup> It could equally be argued that New South Wales transportees, by definition, were not successful criminals, and therefore that they may have attempted their crimes in non-urban settings.

### *Mobility*

An assessment of the proximity of the places of trial to the place of origin has been undertaken to assist in forming a view of the degree of mobility of the convicts prior to their transportation. [Table 6.12] The analysis needs to be viewed with a degree of caution due to the uncertainty of the exact distances involved when only a county name is provided, rather than a specific town or locality. Robson's data simply juxtaposes counties of trial with counties of origin with conclusions in gross terms drawn on the numbers tried in their home county or otherwise. This interpretation, which can imply degrees of mobility, makes no provision for persons living on or near county boundaries and has the potential to falsely contribute to a perception of a marauding, mobile criminal class. For example a person from Greenwich in Kent tried in Southwark in Surrey, or a Southwark person tried in the counties of London or Middlesex or Surrey, under this methodology would contribute to a perception of mobility, yet the localities in reality are separated by a short walk. In this thesis, where these circumstances have been recognized, they have been treated as if the counties of origin and of trial are one and the same. Robson's analysis implies that people not tried in their county of origin were either criminal itinerants or had migrated with criminal intent. Yet, on conviction, a place may have been the home of a person for many years or it may not. In the absence of statistical surveys other than those done on the indents by Robson and Nicholas and Shergold, we simply do not have the evidence to make such assumptions.

All the research in this area by the known authorities has a speculative element. These speculations need to be more strongly acknowledged than the usual unobtrusive caution embedded in the text when a particular claim is asserted and then largely disregarded in the subsequent discussion. Nicholas and Shergold, for example, acknowledge that their measure of mobility is crude because of its potential to underestimate mobility. They have assumed that convicts were tried in their county of residence and are unable to take into account intra-county mobility.<sup>26</sup> They

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26 Stephen Nicholas and Peter Shergold, 'Convicts as Migrants' in Nicholas *op. cit.*, p.54.

have nevertheless produced a (superficially) authoritative chart of the distances people moved. The indent data does not allow the precise measures implied by their Table 4.4<sup>27</sup> because of the difficulty of ascertaining to where in a county a person may have migrated.

Nevertheless, even data which has a wide range of interpretations can enable the historian to make claims based on the possible scenario at the extremes of the range. While there may be a wide variance in the specifics, in general such assessments can still fulfil a useful function, while recognizing the limitations of scope. Accordingly, in this thesis a general measure has been used which merely identifies trends.

### *Occupational Crime*

The data has also been analysed to determine if there exists a relationship between the crime and a person's occupation. Six categories were employed in the analysis: 'Not Related', 'Unlikely', 'Possibly', 'Highly Likely', 'Related', and 'Undecided'. This enables a wide range of alternatives to be considered, from the highly conservative to the all embracing. At the extremes, the decisions are relatively straight forward but consistency in the mid range classifications, particularly the 'Possibles' and the 'Unlikelies', is difficult to achieve. Nicholas and Shergold acknowledged the difficulties presented by the indent data in relating the crime to the employment. They defined work-related theft to be stealing tools, stealing goods and stealing from the worker's master/employer. Tools included job specific equipment and thefts described as 'tools' on the indent.<sup>28</sup> In this thesis such thefts have been similarly defined. It was classed as being 'possibly' related in cases where an occupation made an opportunity for theft available, such as a glazier or tradesman who committed burglary where the victim may have been a client or employer. In such an instance the crime may have arisen not only because of an opportunity presenting itself but because it may also relate to the employer-employee

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<sup>27</sup> *Ibid.*, p.55.

<sup>28</sup> Stephen Nicholas and Peter Shergold, 'Convicts as Workers' in Nicholas, *op. cit.*, pp.64-66.

relationship. The category ‘unlikely’ is for that class of crimes which could only remotely and with a stretch of imagination be linked to an offender’s occupation or employment. ‘Highly Likely’ categorizes crimes such as the theft of a sheep by a ploughman where it is not indicated that the theft was from an employer and not from a specific trade, ie a shepherd, but is from the same industry or an allied occupation. The ‘Not Related’ categorization covers those crimes for which a connection cannot be found. The results of this analysis should only be considered in the most general validity because of the shortcomings of the indent data and thus the necessary guesswork in the classification. [Table 6.13]

### *Degree of Criminality*

The use of raw data referring to the gross number of prior convictions is another reasonably blunt instrument in assessing the degree of criminality of a population. The indent data only occasionally gives the nature of the prior sentence but indicates the number of known prior sentences. The few known former sentences range from a few days to 14 years. Using the gross data, some convicts with two or three minor convictions with trifling sentences could appear more criminal than someone who had a single prior sentence of several years.

### *Nationality*

The nationality of the convict was usually inferred from the place of origin and place of trial data in the indent. When it was not clear an assessment was made based on the name and at other times on the origin of the majority of other convicts on the ship on which he arrived.

### **The Analysis**

#### *The Innocents (in a relative sense)*

The most promising group of convicts from the Western Road against which the ‘convict as victim’ thesis can be tested are the 57% of property offenders who received the minimum seven year sentence. [Table 6.4] Fifty-nine per cent of this

least offensive group had no prior convictions on transportation to New South Wales. This is a much greater proportion than the 24% of all offenders against property (including more serious offenders with lengthier sentences) found by Robson.<sup>29</sup> Robson's sample had a high non-response rate (39% compared to 3% in this sample) and his inclusion of serious offenders contributed to the relatively low proportion of first offenders in his analysis, whereas this Western Road group excludes those with life and 14 year terms. Such a large difference, however, in the context of the recidivist Western Road population whom Governor Darling referred to as '... the very refuse of the whole Convict Population ... [being] "Double distilled Villains" ...',<sup>30</sup> lends support to the assertion that the general convict population of New South Wales was likely to be composed of a greater percentage of lesser criminals, who might be definable as victims in the terms of Wood and O'Brien than was credited by Clark, Robson or Shaw.

Robson's model of analysis has been employed, for comparative purposes, in the discussion following. The most frequent categories of crime against property are individually analysed, to ascertain if there were pockets or classes of criminals at variance with the general convict population identified by Robson. Secondly, characteristics that might lend weight to either the victim or the rogue convict portrait are sought.

Drawing on Robson's crime categorization model<sup>31</sup> the top five property offences for those sentenced to 7 year terms were:

• Larceny (other)	193
• Theft of wearing apparel	69
• Robbery	49
• Burglary/housebreaking	41
• Animal theft	35

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29 Robson, *op. cit.*, Table 6(b) p.193.

30 Governor Darling to Right Hon. W. Huskisson, 28 March 1828, *HRA*, Series I, Vol. XIV, The Library Committee of the Commonwealth Parliament, Sydney, 1922, p.69-72.

31 Robson, *op. cit.*, Chapter Three and p.179.

***Larceny***

The crime of larceny involves, fraudulently and without the consent of the owner, taking and carrying away property with the intent to permanently deprive the owner of it. In this group there were several convictions for stealing food including bread, cheese, herrings, fruit, pork, bacon and potatoes. But the quantities are not described, so it is impossible to discern if the ‘heists’ were commercial undertakings, trifling offences of necessity or the assertion of customary rights. Many thefts related to cloth, jewellery, plate, money and lead, all of which were very saleable items. Unlike Robson’s sample, of which the majority were tried in England, there were almost equal numbers of English and Irish offenders.<sup>32</sup> The proportion of larcenists with seven year sentences in the Western Road recidivist population closely approximated the proportion in Robson’s general population sample.<sup>33</sup> This is an unexpected result, as this less criminal offender category, compared to those with lengthier sentences, was not expected to be so strongly represented in a population of recidivists.[**Table 6.1, 6.4 and 6.14**]

Like Robson’s sample they can be described, on the whole, as young single urbanites with an average age of 22 over half of whom had prior convictions. Robson concluded that 72%<sup>34</sup> of larcenists were likely to have been in trouble previously and led him to find that ‘... there is evidence that transportation was not a sentence passed lightly or for the first offence unless it was a serious one’.<sup>35</sup> The English urban larcenists on the Western Road had, at 93%, a much higher rate of prior conviction than Robson’s overall sample or his English sample. This figure goes some way to explaining their standing as recidivists in New South Wales. They bear a strong resemblance to the young urban thief profile. The Irish urbanite’s rate of prior conviction at 7% is much lower than Robson’s findings for the Irish and is extraordinarily low for a population that is defined as habitually criminal. Unlike

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32 Robson did not analyse his data for crime, sentence and nationality. See *Ibid.* Table 6(c) and Table 6(d) pp. 189; 194-195; 205.

33 *Ibid.*, Table 6(c), p.194.

34 *Ibid.*, p.36.

35 *Ibid.*, p.37.

Robson's Irish profile of older, married and rural in character, they resemble young urban victims of a harsh justice system.<sup>36</sup> [Tables 6.2, 6.3, 6.4, and 6.14]

Robson found a third of convicts tried in rural counties had been born outside their county of trial and concluded that some of these '... made a profession of preying on the countryside, for a large proportion of rural crime was committed by migrant depredators...'<sup>37</sup> In the Western Road sample a greater proportion of English urban larcenists (74%) were tried in their county of origin than in Robson's overall sample (64%).<sup>38</sup> In the urban and industrialized counties, property offenders in general that were tried in their county of origin formed a very large majority, for example, 82% from London and 81% from Lancashire. Of the English urban larcenists who were not tried in their county of origin, a substantial proportion were tried in adjoining counties with similar economic features, possibly brought there by prospects of employment, for example, a weaver who went from Yorkshire to Manchester. About half were from regional areas but were convicted in London. Only one appeared to be a migrant from London to the regions (a baker/tailor who was arrested in Warwick) and only three had moved a great distance across the country. Most seven year larcenists did not move far from their county of origin; aside from the capital, an adjoining county was the location of choice. The data suggests that in England, aside from movement from the regions to the capital, migration across the country or from the capital to the regions was rare and there is no evidence of the professional urban depredators referred to by Robson. The analysis of the seven year English larcenists reveals a more sedentary young urban population than found in the general convict population by Robson. [Tables 6.8, 6.12 and 6.14]

The Irish larcenists are distinguished from their English counterparts by their greater mobility with a larger proportion than the English tried away from their county of origin. Five were tried in Britain and almost a quarter were inter-regional migrants,

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<sup>36</sup> *Ibid.*, Table 5(b), p.189.

<sup>37</sup> *Ibid.*, p.24.

<sup>38</sup> *Ibid.*, Table (5h), p.191.

being tried a considerable distance from their home county. Thirty per cent were tried in an adjacent county and<sup>39</sup> eight per cent were migrants from the capital to the regions, providing some evidence of urban individuals raiding the countryside that was not apparent in the English data. The Belfast groom who stole potatoes in County Down and the Dublin gunsmith who stole seals in County Tyrone may be examples of this type of criminal. The 22 year old pedlar from Drogheda in Louth County who was convicted of stealing linen in Longford, even without a prior conviction, might qualify as shiftless. With most Dubliners tried in Dublin there is only very limited support in this data for the existence of urban thieves preying on the countryside. Whereas 50% of the English not tried in their county of origin were tried in London, among the Irish the figure for those who migrated from the regions to Dublin is only 24% and of these a number fit the ubiquitous urban thief profile. As Robson found, the overwhelming majority of offences were opportunistic and, with pick pockets alone counting for almost half, perpetrators on the lookout for opportunities are a substantial proportion. There are various individuals who could be classed as either ‘victim’ or ‘feckless thief’. The degree of Irish mobility and the nature of many of the crimes in the context of the extreme poverty in Ireland during the period, lend support to the view that many of these crimes were driven by want. On conviction, the Irish were treated harshly. [Tables 6.10, 6.12 and 6.14]

### *Theft of Wearing Apparel*

Clothing thieves under seven year sentences are over represented on the Western Road in comparison to Robson’s sample.<sup>40</sup> Individual items stolen included a coat and shoes, a shawl, a cape, scarf, trousers and a waistcoat. It is possible that these items may have been associated with want or personal need. However, there is evidence suggesting that many items were stolen for sale rather than personal use, for example, the 17 year old London errand boy, the 41 year old labourer and an 18 year old blacksmith’s apprentice (all single), who were convicted on separate occasions of

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<sup>39</sup> This figure excludes those who were adjacent to the capital and were tried there. They have been included in the regional to capital figures.

<sup>40</sup> Robson, *op. cit.*, p.194.



stealing a gown, an unlikely but not inconceivable personal item. The majority of the offence descriptions in the indents were expressed in generalised terms of quantity such as 'stealing clothes', 'feloniously stealing clothes' and 'stealing clothes and money'. In this category the description of the items more often than not appears in the plural leading to the suspicion that the thefts were for on-selling and therefore likely to be a more regular activity because of the knowledge and skill required to pass on, 'fence', the items and thus involve criminal association. The majority were young single urbanites more than half of whom were English. The small total sample does not hold much meaning except that there is a continuation of the same trend of greater mobility among the Irish as was evident among the larcenists. Some 83% of the urban English were tried in their county of origin and, although sedentary, were more likely to have been previously convicted than the Irish. There is no evidence of a roving criminal class of thieves of clothing. [Tables 6.2, 6.3, 6.4, 6.12 and 6.14]

### ***Burglary and Robbery***

The crime of burglary is distinguished from robbery in that it involves unlawfully entering a house or building to steal property usually at night, whereas robbery is stealing property either from the victim's person or from the immediate control and presence of the victim. Burglars and robbers with seven year sentences are proportionally higher in the Western Road population than in Robson's sample.<sup>41</sup> [Table 6.4] The lack of details for the crimes of burglary and robbery precludes comment based on the type of item stolen for either of these categories and inhibits the analysis. The group consists of 37 English and 46 Irish offenders with the English showing a marked preference for burglary over robbery (3:2) and the Irish, the reverse, committing robberies rather than burglaries at a rate of almost 3:1. The majority (88%) were urbanites with no prior convictions and the Irish with fewer prior convictions than the English.[Tables 6.5, 6.14, 6.15 and 6.16] Of the English with a pre-existing criminal record, ten had two prior convictions, one had three and three had one. Where the terms are indicated the sentences are short, ranging from

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<sup>41</sup> Robson, *op. cit.*, p.194

two to six months. Overall, seven year terms were awarded in only 28% of English convictions for burglary and robbery. [Tables 6.2 and 6.5] While the seven year sentence for a thrice convicted English 14 year old may have been an act of leniency due to his youth, the explanation for the relatively light seven year sentences for these re-offenders may lie in the fact that their former offences were relatively minor, or it may not. The data does not tell us.

As with the preceding groups there is scant evidence among the burglars and robbers for a mobile professional class of thieves. Of the English who were tried outside their home county, three were tried in adjacent counties and two had moved from the regions to the capital. Overall the sample is too small to make meaningful comment but this Irish group with a higher rate of trial in the county of origin shows less mobility than their countrymen in other major property crime categories. [Table 6.12]

### *Animal Theft*

Animal thieves are represented on the Western Road in a proportion which approximates Robson's findings.[Table 6.1] The sample is small, consisting of 12 English and 22 Irish offenders. The quantities of animals stolen are not supplied but small animals such as sheep, geese, pigs and fowls were the main (culinary?) choice. A majority had no prior convictions, indeed the lowest proportion of any category. [Table 6.15 and 6.16] There is no distinction in the rate of conviction between the English and the Irish. The offenders were largely single rural people with once again the English more likely to be tried in their county of origin, but in this sample, the Irish who were not tried at home were all tried in an adjacent county, a situation quite different to that of the other Irish crime groups. Another distinction between the English and the Irish is an age disparity with the Irish on average 5 years older and more likely to be married than the more youthful 20 year old English country boys.

***The Relationship Between Crime and Occupation of the Seven Year Property Offenders***

The aim of this analysis is not so much to confirm the convicts' occupational and skill claims, as did Nicholas and Shergold, but rather to form an opinion on Ignatieff's statements concerning the assertion of rights discussed in Chapter Two. A filtering of all seven year property offences against the occupations of the offenders indicates that the majority (59%) bear no relationship or an unlikely relationship to their employment or occupation. In these instances it was difficult to see any connection between the person's employment and the crime. Very few crimes (5%) can definitely be said to be employment related. Only when the 'highly likelies' and the 'possibles' are included does the figure reach 38%. This result is partly due to the limited information provided by the indents. Taking a very broad and inclusive view more than a third could be attributed to employment with the figure slightly higher for the Irish than the English. [Table 6.13]

The crimes identified as employment related have the potential for customary rights or industrial and employment issues between the convict and his employer to have been an influencing factor. Examples include an attorney's clerk convicted of stealing books, butchers' convicted of stealing meat or animals, domestic servants convicted of stealing clothes or household items, farm workers of stealing animals or cheese, textile workers of stealing cloth or clothes or a stableman or soldier of stealing boots. Some offenders were in occupations that provided the access and means to undertake crimes, suggesting an opportunistic character to the crimes and the criminals, for example, a porter, who stole a carpet or tailors who stole clothing.

The majority of offences have no relation to a person's occupation in terms of employees seeking retribution or the employment providing the opportunity. Of those that were employment related, while undoubtedly some instances were simply thefts, others could be related to the taking of cast off, redundant or worn items, or off cuts from the manufacturing process, or as some sort of penalty or pay back

extracted by workers who were otherwise powerless to seek redress for grievances. But the majority of offences appear to be opportunistic rather than the assertion of rights. However, this is very difficult to assert with any certainty on the basis of the indent data. Although the majority came from an urban background, the data does not suggest the majority came from a criminal underworld.

### *The Character of the Seven Year Property Offenders*

In the 1820s, when the majority of these offences were committed, crime was considered to be largely a rural problem due to a breakdown in traditional rural economic relationships. There was also recognition of a breakdown in master-servant relationships in the manufacturing district. Evidence before the 1826 Committee on Criminal Committals indicated that the increasingly casual mode of employment for rural labourers was a cause of crime arising from enclosing common land, consolidating tenancies and evicting cottagers. As a result many young men who were no longer accommodated by their employer were forced to become itinerant, following seasonal work.<sup>42</sup> Of this sample population only 16% of crimes have been identified as being the acts of a rural person. [Table 6.14]

Overall, the analysis of property crimes for which 7 year sentences were awarded reveals that, contrary to expectations, there is little evidence of the existence of a mobile class of urban thieves either in England or Ireland, with the English being particularly sedentary. Many of the offences are opportunistic rather than professional. While the Irish were slightly more rural or regional in character than the English, they, like the English, were predominantly urban, with a much lower rate of prior conviction than the English. [Table 6.14] The Irish were much less likely to steal wearing apparel or commit burglaries. Irish offenders dominate in one category only - animal theft. As to their status as victims, the Irish from this sample are more likely to qualify than the English. There is also evidence that a number of

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<sup>42</sup> Michael Ignatieff, *A Just Measure of Pain*, The Macmillan Press, London, 1978, pp.179 -180; 182-184.

convictions were for trifling crimes particularly in the larceny category. Some in the animal theft category could be argued to have been acting from want.

It could reasonably be expected that the Western Road recidivist population would have a greater history of criminality than the general convict population. Yet, among the English animal and clothing thieves and burglars and robbers, even after allowing for a doubling of the prior conviction rate, some 40 % of this group, could be viewed as having been harshly treated as first offenders. This treatment may have lead them to become recidivists. The data raises the possibility that these trifling offenders became hardened criminals due to their New South Wales' penal experience. The disproportionate number of Irish larcenists with seven year terms, 60% of whom had no prior convictions, [Table 6.16] among the recidivists on the Western Road raises a number of questions. Does it imply, for example, that English larcenists were better at keeping out of trouble once they arrived in New South Wales? Could it imply that the Irish were more embittered by the experience of servitude and became more criminal after their arrival in New South Wales? Or does this disproportionate number of Irish larcenists suggest firstly that the Irish were treated more harshly in the justice system in the United Kingdom where Irish first offenders were more likely to be transported? Secondly, in New South Wales, where their masters were largely British, were they more likely to be subject to secondary punishment than their British counterparts?

### *Serious Offenders*

On the assumption that longer sentences were passed for the more serious or recidivist offenders it is a reasonable assumption that these criminals would fit the profile described by Clark, Robson and Shaw. In a test of this assumption, the 298 convicts who arrived in New South Wales under 14 year or life sentences for crimes against property were analysed in a similar fashion to those under the minimal sentence. The group make up 41% of property offenders identified on the Western Road, a larger proportion than found in Robson's general population. [Table 6.1]

This outcome conforms to expectations of recidivist criminals continuing to indulge their criminal propensities in New South Wales. However, anomalously, a substantially larger proportion than Robson's population had not been previously convicted prior to their transportation to New South Wales.<sup>43</sup> Although this was to a lesser degree than those with seven year sentences this finding lends further support to the view that, if the worst of the Western Road recidivists, who have a particularly bad reputation in the literature, had so low an incidence of prior conviction, then the general convict population could be expected to have consisted of an even greater proportion of first convictions. Transportation for life for such a group appears to be a harsh sentence.[Tables 6.15 and 6.16]

The larcenists with 14 year and life sentences are also on average six years younger than Robson's sample. A major difference between this group and those under a 7 year sentence is that the Irish are a very small component, in fact the sample is so small that it cannot be meaningfully analysed. The group under discussion here is English, urban and single with a prior conviction rate of 91%, closely matching the seven year English urban larcenists in this respect and like them, well above the average of any other sample populations. Another notable difference is that rather than the almost entirely sedentary population that the English lesser offenders presented, almost half were tried outside their county of origin. There is a great deal more movement in this group, inter-regionally and from the capital to the regions. Very few clothing thieves received life sentences, the sample here being too small for analysis. The burglars and robbers are another youthful group who are over represented on the road compared to Robson's general population. Their characteristics mirror those of the larcenists except in two important respects. Firstly their prior conviction rate is less than one third and there is a sizeable minority of Irish offenders, but the English outnumber the Irish at a rate of 2:1. Secondly, the English of this group are more mobile than other groups, but the Irish are not. Both are demonstrating in this respect the opposite characteristics of their countrymen

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<sup>43</sup> Robson *op. cit.*, Table 6(b), p.193.

with 7 year sentences. [Table 6.12 and 6.17] Crimes committed by this group are more likely to be employment related, the range being 12% that could definitely be attributed, rising to 18% including the 'Highly Likely' and 44% including the 'Possibles'. The English had a greater tendency to commit work related crime than the Irish. [Table 6.13]

The variations in sentencing severity, for example, the pick pockets with no former convictions who received either life or seven years, with a few sentenced to 14 years, supports the views put forward by Ignatieff of the reluctance in some instances to prosecute to the extent indicated by the legal code, a trend evident in the late seventeenth and the first third of the eighteenth century.<sup>44</sup> The decisions seem difficult to explain using the data available for this study. Age does not appear to be a factor and all the convictions (whatever the severity) date from the mid 1820s. It should also be kept in mind that the demographic of this study is one of recidivists who continued to offend and re-offend in the Colony. One could mount a case that they were 'bad eggs' to start with, or alternatively, the system converted them to hardened, embittered criminals incapable of integration into a civil and free society.

Hamish Maxwell-Stewart in 1990 followed up on the *Convict Workers* research in his examination of another convict subset with a particularly negative reputation. Based on the criteria adopted by Nicholas and Shergold, 335 Tasmanian bushrangers were found to compare 'favourably with general assessments of the convict population'. Members of this group had arrived in Australia in their most productive years, unencumbered by dependents and in good health. Maxwell-Stewart rejected that they were a population drawn 'from a residuum of nineteenth century undeserving poor'.<sup>45</sup> He concluded that they were neither innocent victims nor professional criminals, but workers who casually engaged in crime, if the opportunity and/or the need arose, to supplement wages rather than replace them.

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<sup>44</sup> Ignatieff, *op. cit.*, pp.15-19; 154-166.

<sup>45</sup> Hamish Maxwell-Stewart, *op. cit.*, p.53.

Partly on the basis of what he termed a 'high' level of work related crime (12%), Maxwell-Stewart found, like Nicholas and Shergold, that they were, 'In short ... "convict workers"'.<sup>46</sup> The findings of this thesis largely concur with those of Maxwell-Stewart.

However, it is difficult to accept Maxwell-Stewart's denouement that, with few having dependents, there was 'a strong indication that their integration into colonial society was a comparatively efficient and painless process'.<sup>47</sup> Clearly it was not. These bushrangers, like many on the Western Road, came to attention because they lived outside the law, attacking the society they had been brought into. Nearly 40% were publicly executed, another seven were shot at large and the remainder in Maxwell-Stewart's words, 'spent long unproductive years labouring in the penal settlements at Newcastle, Macquarie Harbour, Port Arthur and Norfolk Island'.<sup>48</sup> This last statement is also particularly difficult to accept given that the value of convict labour to the colony is central to the convicts as workers thesis. While work at the harsher penal settlements or on the Western Road may or may not have been as productive as elsewhere, it provided a considerable economic benefit to the colony, by opening up areas such as the Hunter, Port Macquarie, Moreton Bay districts and the western plains of New South Wales.

This chapter has demonstrated that there is a great deal of broad concurrence with Robson's overall findings on the demographics between the two sample populations. However, there is difference in the detail which leads to important differences in interpretation of the statistics and ultimately the conclusions. For example, there is very little evidence for the existence of a criminal class, with only a few individuals located who might be used to illustrate the criminal class profile as portrayed by Clark, Robson and Shaw. While this thesis does not find a majority of crimes that lead to transportation were employment related, other indices did not support the

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<sup>46</sup> Ibid., pp. 49;52.

<sup>47</sup> Ibid., p.53.

<sup>48</sup> Ibid., p.54.



## **Chapter Six: The Western Road Convict Population**

professional criminal thesis of Clark, Robson and Shaw. It has been concluded that the criminal activity was opportunistic, rather than professional, although some were likely to have stolen habitually. With some exceptions, the Western Road recidivists were young, urban and single and on arrival in New South Wales were relatively less experienced as criminals than Robson's population. The English presented as a particularly sedentary population, a different finding to that of Nicholas and Shergold. Persons 18 years and under make up 30% of the Western Road property offenders and most were from an urban environment. Overall the data suggests that the convicts were workers, opportunists and some were the victims of a harsh penal code. The following chapter will examine their skills and experience as workers on the Western Road.

## Tables

	A	B	C	D	E	F	G	H	I	J
1	<b>Table 6.1: Offences of Western Road Recidivists Compared to Robson's Population</b>									
2	<b>Crime Category No.</b>		<b>Western Road</b>		<b>Robson - NSW</b>		<b>Robson - VDL</b>		<b>Robson - Totals</b>	
3		<b>Types of Offences</b>	<b>No.</b>	<b>%*</b>	<b>No.</b>	<b>%*</b>	<b>No.</b>	<b>%*</b>	<b>No.</b>	<b>%*</b>
4		<b>Offences Against Property</b>								
5		<b>Offences Against Property</b>								
6	1	Larceny (other)	268	34	1052	35	1065	39	2117	37
7	2	Burglary; Housebreaking,	139	18	460	15	447	16	907	16
8	3	Animal Theft	78	10	488	16	325	12	813	14
9	4	Robbery	105	13	297	10	105	4	402	7
10	5	Theft of Wearing Apparel	87	11	161	5	218	8	379	7
11	6	Receiving/Possession	11	1	58	2	39	1	97	2
12	7	Robbery with Violence	3	0	32	1	36	1	68	1
13	8	Wilful Destruction	5	1	19	1	30	1	49	1
14	9	Stealing by a Trick/Swindling/ False pretences	4	1	21	1	20	1	41	1
15	10	Forgery	4	1	15	0	20	1	35	1
16	11	Embezzlement/Bad Notes	5	1	19	1	15	1	34	1
17	12	Poaching	1	0	12	0	11	0	23	0
18			710	91	2634	87	2331	86	4965	87
19										
20		<b>Offences of a Public Nature</b>								
21	13	Coining; uttering	2	0	78	3	43	2	121	2
22	14	Ribbonism, Combination, Unlawful Oaths	2	0	36	1	1	0	37	1
23	15	Riot/Insurrection	1	0	14	0	17	1	31	1
24	16	Treason	0	0	14	0	3	0	17	0
25	17	Perjury	0	0	5	0	9	0	14	0
26	18	Sacrilege	2	0	4	0	7	0	11	0
27	19	Bigamy	0	0	5	0	5	0	10	0
28	20	Smuggling, Firearms	1	0	2	0	2	0	4	0
29			8	1	158	5	87	3	245	4
30										
31		<b>Offences Against the Person</b>								
32		Murder; manslaughter	8	1	48	2	33	1	81	1
33		Assault (other)	5	1	42	1	38	1	80	1
34		Rape	1	0	17	1	8	0	25	0
35		Kidnapping/Abduction	0	0	9	0	0	0	9	0
36		Other sexual offences	0	0	1	0	2	0	3	0
37			14	2	117	4	81	3	198	3
38										
39	26	<b>Military Offences</b>	31	4	70	2	85	3	155	3
40										
41		<b>Other Offences</b>								
42	27	Theft, habit and repute	1	0	2	0	92	3	94	2
43	28	Vagrancy etc	8	1	33	1	11	0	44	1
44	29	Threatening letter	1	0	6	0	39	1	12	0
45	30	Returning from Transportation	3	0	0	0	0	0	0	0
46	31	Unspecified felony	2	0	0	0	0	0	0	0
47			15	2	41	1	142	5	150	3
48										
49		<b>Not Recorded</b>	330		379		379		418	
50										
51		<b>Total of known crimes</b>	778	100	3020	100	2726	100	5713	100
52										
53		<b>Total known convicts</b>	1108							
54										
55	* Calculated on percentage of known offences rather than total number of convicts; ** It is possible									
56	that some of the Western Road recidivists were part of Robson's random sample. It is impossible to									
57	know how many, but it is likely to be a very small figure.									

	A	B	C	D	E	F	G	H	I	J
1	<b>Table 6.2 English Crimes and Sentences</b>									
2		<b>Types of Offences</b>								
3	<b>Crime Category No.</b>	<b>Offences Against Property</b>	<b>7 years</b>	<b>% of I</b>	<b>14 years</b>	<b>% of I</b>	<b>Life</b>	<b>% of I</b>	<b>Total Offences</b>	<b>% of I/15</b>
4	1	Larceny (other)	93	64	23	16	29	20	145	38
5	2	Burglary; Housebreaking,	23	25	15	16	55	59	93	24
6	3	Animal Theft	12	28	9	21	22	51	43	11
7	4	Robbery	14	36	4	10	21	54	39	10
8	5	Theft of Wearing Apparel	38	75	9	18	4	8	51	13
9	6	Receiving/Possession	1	33	1	33	1	33	3	1
10	7	Robbery with Violence	0	0	1	100	0	0	1	0
11	8	Wilful Destruction	0	0	1	33	2	67	3	1
12	9	Stealing by a Trick/Swindling/ F	2	100	0	0	0	0	2	1
13	10	Forgery	0	0	0	0	1	100	1	0
14	11	Embezzlement/Bad Notes	0	0	0	0	1	100	1	0
15	12	Poaching	0	0	1	100	0	0	1	0
16			183	48	64	17	136	36	383	100
17										
18		<b>Offences of a Public Nature</b>								
19	13	Coining; uttering	0	0	0	0	1	100	1	100
20	14	Ribbonism, Combination,								
21	15	Unlawful Oaths	0	0	0	0	0	0	0	0
22	16	Riot/Insurrection	0	0	0	0	0	0	0	0
23	17	Treason	0	0	0	0	0	0	0	0
24	18	Perjury	0	0	0	0	0	0	0	0
25	19	Sacrilege	0	0	0	0	0	0	0	0
26	20	Bigamy	0	0	0	0	0	0	0	0
27		Smuggling, Firearms	0	0	0	0	0	0	0	0
28			0	0	0	0	1	100	1	100
29		<b>Offences Against the Person</b>								
30	21	Murder; manslaughter	0	0	0	0	2	100	2	100
31	22	Assault (other)	0	0	2	67	1	33	3	150
32	23	Rape	0	0	0	0	0	0	0	0
33	24	Kidnapping/Abduction	0	0	0	0	0	0	0	0
34	25	Other sexual offences	0	0	0	0	0	0	0	0
35			0	0	2	40	3	60	5	100
36										
37	26	<b>Military Offences</b>	4	31	9	69	0	0	13	100
38										
39		<b>Other Offences</b>								
40	27	Theft, habit and repute	0	0	0	0	0	0	0	0
41	28	Vagrancy etc	0	0	0	0	0	0	0	0
42	29	Threatening letter	0	0	1	100	0	0	1	100
43	30	Returning from Transportation	0	0	2	67	1	33	3	100
44			0	0	3	75	1	25	4	100
45										
46		<b>Not Recorded</b>	26		29		77		132	
47										
48		<b>Total of known crimes</b>	187	46	73	18	141	35	406	100

	A	B	C	D	E	F	G	H	I	J
1		<b>Table 6.3: Irish Crimes and Sentences</b>								
2		<b>Types of Offences</b>	<b>Sentences</b>							
3	<b>Crime Category No.</b>	<b>Offences Against Property</b>	<b>7 years</b>	<b>% of I</b>	<b>14 years</b>	<b>% of I</b>	<b>Life</b>	<b>% of I</b>	<b>Total</b>	<b>% of Totals</b>
4	1	Larceny (other)	90	90	6	6	4	4	100	39
5	2	Burglary; Housebreaking,	13	45	1	3	15	52	29	11
6	3	Animal Theft	22	73	1	3	7	23	30	12
7	4	Robbery	33	58	0	0	24	42	57	22
8	5	Theft of Wearing Apparel	26	100	0	0	0	0	26	10
9	6	Receiving/Possession	2	50	1	25	1	25	4	2
10	7	Robbery with Violence	0	0	0	0	2	100	2	1
11	8	Wilful Destruction	0	0	0	0	1	100	1	0
12	9	Stealing by a Trick/Swindling/ False Pretences	2	100	0	0	0	0	2	1
13	10	Forgery	0	0	0	0	2	100	2	1
14	11	Embezzlement/Bad Notes	1	33	2	67	0	0	3	1
15	12	Poaching	0	0	0	0	0	0	0	0
16			189	74	11	4	56	22	256	100
17										
18		<b>Offences of a Public Nature</b>								
19	13	Coining; uttering	0	0	0	0	0	0	0	0
20	14	Ribbonism, Combination, Unlawful Oaths	0	0	1	100	0	0	1	33
21	15	Riot/Insurrection	0	0	0	0	1	100	1	33
22	16	Treason	0	0	0	0	0	0	0	0
23	17	Perjury	0	0	0	0	0	0	0	0
24	18	Sacrilege	0	0	0	0	0	0	0	0
25	19	Bigamy	0	0	0	0	0	0	0	0
26	20	Smuggling, Firearms	1	100	0	0	0	0	1	33
27			1	33	1	33	1	33	3	100
28										
29		<b>Offences Against the Person</b>								
30	21	Murder; manslaughter	3	50	0	0	3	50	6	200
31	22	Assault (other)	2	100	0	0	0	0	2	67
32	23	Rape	0	0	0	0	1	9	11	367
33	24	Kidnapping/Abduction	0	0	0	0	0	0	0	0
34	25	Other sexual offences	0	0	0	0	0	0	0	0
35			5	26	0	0	4	21	19	100
36										
37	26	<b>Military Offences</b>	6	50	4	33	2	17	12	400
38										
39		<b>Other Offences</b>								
40	27	Theft, habit and repute	0	0	0	0	0	0	0	0
41	28	Vagrancy etc	8	100	0	0	0	0	8	100
42	29	Threatening letter	0	0	0	0	0	0	0	0
43	30	Returning from Transportation	0	0	0	0	0	0	0	0
44			8	100	0	0	0	0	8	100
45										
46		<b>Not Recorded</b>	24		3		34		61	
47										
48		<b>Total of known crimes</b>	209	70	16	5	63	21	298	100
49										
50										

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	<b>Table 6.4 Sentences for Crimes Against Property and Incidence of No Prior Conviction</b>																	
2	<b>Crime Category</b>	<b>Types of Offences (a)</b>	<b>7 Years</b>			<b>14 Years</b>			<b>Life</b>			<b>Totals</b>						
3			<b>Offences</b>	<b>% col O</b>	<b>No priors</b>	<b>% col C</b>	<b>Offences</b>	<b>% col O</b>	<b>No priors</b>	<b>% col G</b>	<b>Offences</b>	<b>% col O</b>	<b>No priors</b>	<b>% col K</b>	<b>Offences (b)</b>	<b>% col O total</b>	<b>No priors</b>	<b>% col O</b>
4																		
5																		
6																		
7	1	Larceny (other)	193	72	106	55	37	14	11	30	37	14	22	59	268	38	139	52
8	2	Burglary; Housebreaking,	41	29	22	54	25	18	14	56	72	52	49	68	139	20	86	62
9	3	Animal Theft	35	45	29	83	10	13	4	40	29	37	23	79	78	11	59	76
10	4	Robbery	49	47	35	71	4	4	2	50	49	47	37	76	105	15	75	71
11	5	Theft of Wearing Apparel	71	82	37	52	10	11	4	40	5	6	0	0	87	12	40	46
12	6	Receiving/Possession	7	64	4	57	2	18	2	100	2	18	1	50	11	2	7	64
13	7	Robbery with Violence	0	0	0	0	1	33	1	100	2	67	2	100	3	0	3	100
14	8	Willful Destruction	0	0	0	0	1	20	1	100	4	80	4	100	5	1	5	100
15	9	Stealing by a Trick/Swindling/ False pretences	4	100	2	50	0	0	0	0	0	0	0	0	4	1	2	50
16	10	Forgery	1	25	1	100	0	0	0	0	3	75	2	67	4	1	3	75
17	11	Embezzlement/Bad Notes	1	20	1	100	3	60	3	100	1	20	0	0	5	1	4	80
18	12	Poaching	0	0	0	0	1	100	1	100	0	0	0	0	1	0	1	100
19		<b>Totals</b>	<b>402</b>	<b>57</b>	<b>237</b>	<b>59</b>	<b>94</b>	<b>13</b>	<b>43</b>	<b>45</b>	<b>204</b>	<b>29</b>	<b>140</b>	<b>69</b>	<b>710</b>	<b>100</b>	<b>424</b>	<b>60</b>
20																		
21	(a) Based on Robson's categorization; (b) Discrepancies in totals for sentences and total number of crimes committed is due to sentences in a few cases being unknown.																	
22																		

1	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
2	Table 6.5. Marital Status of Property Offenders with 7 Year Sentences																							
		single or married offenders	Single												Married									
			No. Single	% of col B	Av. age	No. singles with prior con.s	% of col C	No. urban singles	% of col C	No. rural singles	% of col C	No. single tried in county of origin	% of col C	No. married	% of col B	Av. age	No. married with prior con.s	% of col N	No. urban married	% of col N	No. rural married	% of col N	No. married tried in county of	% of col N
3	Crime/Nationality																							
4	English																							
5	Larceny	89	74	83	20	64	86	69	93	4	5	55	74	15	17	29	12	80	12	80	1	7	5	33
6	Theft of wearing apparel	35	33	94	20	17	52	27	82	5	15	25	76	2	6	22	0	0	2	100	0	0	2	100
7	Burglary and robbery	36	34	94	24	14	41	32	94	2	6	21	62	2	6	37	1	50	2	100	0	0	1	50
8	Animal theft	12	11	92	20	2	18	3	27	7	64	6	55	1	8	36	0	0	0	0	1	100	1	100
9	All crimes against property <sup>(a)</sup>	174	152	87	20	99	65	130	86	44	29	105	69	22	13	29	16	73	19	86	2	9	9	41
10																								
11	Irish																							
12	Larceny	89	76	85	20	28	37	60	79	10	13	44	58	13	15	28	4	31	10	77	3	23	4	31
13	Theft of wearing apparel	26	21	81	22	9	43	17	81	1	5	11	52	5	19	28	1	20	2	40	2	40	2	40
14	Burglary and robbery	46	39	85	20	11	28	29	74	7	18	28	72	7	15	33	1	14	5	71	0	0	3	43
15	Animal theft	21	15	71	21	3	20	5	33	8	53	6	40	6	29	30	0	0	1	17	4	67	4	67
16	All crimes against property <sup>(a)</sup>	187	154	82	20	51	33	113	73	27	18	88	57	33	18	30	6	18	20	61	9	27	13	39
17																								
18	Scottish																							
19	Larceny	10	7	70	19	4	57	7	100	0	0	1	14	3	30	31	2	67	3	100	0	0	1	33
20	Theft of wearing apparel	4	4	100	22	3	75	4	100	0	0	1	25	0	0	0	0	0	0	0	0	0	0	0
21	Burglary and robbery	4	4	100	22	2	50	3	75	1	25	3	75	0	0	0	0	0	0	0	0	0	0	0
22	Animal theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	All crimes against property <sup>(a)</sup>	21	17	81	21	10	59	16	94	1	6	6	35	4	19	34	3	75	4	100	0	0	2	50
24																								
25	Totals																							
26	Larceny	188	157	84	20	96	61	136	87	14	9	100	64	31	16	44	18	58	25	81	4	13	10	32
27	Theft of wearing apparel	65	58	89	21	29	50	48	83	6	10	37	64	7	11	25	1	14	4	57	2	29	4	57
28	Burglary and robbery	86	77	90	22	27	35	64	83	10	13	52	68	9	10	35	2	22	7	78	0	0	4	44
29	Animal theft	33	26	79	21	5	19	8	31	15	58	12	46	7	21	33	0	0	1	14	5	71	5	71
30	All crimes against property <sup>(a)</sup>	382	323	85	20	160	50	259	80	72	22	199	62	59	15	31	25	42	43	73	11	19	24	41
31																								
32	a) includes all crimes against property including smaller crime categories outside the top 5.																							
33																								

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
1	Table 6.6: Marital Status of Offenders with 14 year and life Sentences																							
2			Singles												Marrieds									
3	Crime/Nationality	Total no. of single or married offenders	No. Single	% of col B	Av. age	No. singles with prior con.s	% of col C	No. urban singles	% of col C	No. rural singles	% of col C	No. single tried in county of origin	% of col C	No. married	% of col B	Av. age	No. married with prior con.s	% of col N	No. urban married	% of col N	No. rural married	% of col N	No. married tried in county of origin	% of col N
4	English																							
5	Larceny	52	47	90	21	22	47	39	83	9	19	25	53	5	10	32	2	40	4	80	1	20	2	40
6	Theft of wearing apparel	13	11	85	19	8	73	10	91	1	9	8	73	2	15	33	2	100	2	100	0	-	2	100
7	Burglary and robbery	94	81	86	21	27	33	60	74	18	22	43	53	13	14	27	1	8	12	92	1	8	5	38
8	Animal theft	30	25	83	21	10	40	9	36	15	60	11	44	5	17	28	0	-	2	40	3	60	4	80
9	All crimes against property <sup>(a)</sup>	198	172	87	21	69	40	120	70	47	27	89	52	26	13	29	5	19	21	81	5	19	13	50
10																								
11																								
12	Irish																							
13	Larceny	10	10	100	21	6	60	9	90	1	10	4	40	0	0	0	0	0	0	0	0	0	0	0
14	Theft of wearing apparel	0	0	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15	Burglary and robbery	39	35	90	21	7	20	23	66	4	11	14	40	4	10	27	1	25	3	75	1	25	1	25
16	Animal theft	8	6	75	29	0	0	3	50	2	33	2	33	2	25	24	1	50	2	100	0	0	2	100
17	All crimes against property <sup>(a)</sup>	66	56	85	22	13	23	37	66	18	32	20	36	10	15	30	2	20	9	90	1	10	6	60
18																								
19																								
20	Scottish																							
21	Larceny	9	9	100	17	6	67	9	100	0	0	6	67	0	0	0	0	0	0	0	0	0	0	-
22	Theft of wearing apparel	1	1	100	17	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	Burglary and robbery	14	12	86	19	5	42	10	83	2	17	10	83	2	14	32	0	0	2	100	0	0	1	50
24	Animal theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25	All crimes against property <sup>(a)</sup>	27	22	81	18	11	50	20	91	2	9	16	73	5	19	33	1	20	5	100	0	0	1	20
26																								
27																								
28	Totals																							
29	Larceny	71	66	93	20	34	52	57	86	10	15	35	53	5	7	32	2	40	4	80	1	20	2	40
30	Theft of wearing apparel	14	12	86	18	8	67	11	92	1	8	8	67	2	14	33	2	100	2	100	0	0	2	100
31	Burglary and robbery	147	128	87	20	39	30	93	73	24	19	67	52	19	13	43	2	11	17	89	2	11	7	37
32	Animal theft	38	31	82	25	10	32	12	39	17	55	13	42	7	18	26	1	14	4	57	3	43	6	86
33	All crimes against property <sup>(a)</sup>	291	250	86	20	93	37	177	71	67	27	125	50	41	14	31	8	20	35	85	6	15	20	49
34																								
35	a) includes all crimes against property including smaller crime categories outside the top 5.																							
36																								

<b>Table 6.7 Average Age of Western Road Recidivists on Transportation to NSW</b>		
<b>Age Range</b>	<b>No</b>	<b>%</b>
15 and under	59	6
16 to 20	406	42
21 to 25	270	28
26 to 30	125	13
31 to 35	46	5
36 to 40	26	3
41 to 45	11	1
46 to 50	9	1
51 to 55	4	0
56 to 60	1	0
<b>Sample size</b>	<b>957</b>	<b>100</b>











	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG		
1	Table 6.12: Proximity of Place of Origin to Place of Trial for Offenders Not tried in their County of Origin																																		
2	7 year and life sentences																14 year and life sentences																		
3		English Larceny		Irish Larceny		English Burglary and Robbery		Irish Burglary and Robbery		English Animal Theft		Irish Animal Theft		English Wearing Apparel		Irish Wearing Apparel		English Larceny		Irish Larceny		English Burglary and Robbery		Irish Burglary and Robbery		English Animal Theft		Irish Animal Theft		English Wearing Apparel		Irish Wearing Apparel			
Distance Assessment		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.		No.			
		% of total col B		% of total col D		% of total col F		% of total col H		% of total col J		% of total col L		% of total col N		% of total col P		% of total col R		% of total col T		% of total col V		% of total col X		% of total col Z		% of total col AB		% of total col AD		% of total col AE			
	4	Adjacent	8	38	13	35	3	27	4	36	1	20	11	100	4	67	2	18	9	41	1	25	21	57	7	39	6	50	4	80	2	100	0	C	
	5	Regional -> Capital	9	43	8	22	2	18	3	27	1	20	0	0	1	17	4	36	5	23	0	0	4	11	3	17	1	8	0	0	0	0	0	C	
	6	Inter-regional	2	10	5	14	2	18	4	36	2	40	0	0	1	17	2	18	5	23	0	0	8	22	2	11	1	8	1	20	0	0	0	C	
	7	Cross country	1	5	3	8	3	27	0	0	0	0	0	0	0	0	1	9	1	5	0	0	1	3	0	0	2	17	0	0	0	0	0	C	
	8	Capital -> Regional Urban	0	0	0	0	1	9	0	0	0	0	0	0	0	0	0	0	1	5	0	0	1	3	0	0	0	0	0	0	0	0	0	C	
	9	Capital -> Region	1	5	3	8	0	0	0	0	0	0	0	0	0	0	0	0	1	5	0	0	2	5	0	0	0	0	0	0	0	0	0	C	
	10	Not country of birth	0	0	5	14	0	0	0	0	1	20	0	0	0	0	0	2	18	0	0	3	75	1	3	6	33	2	17	0	0	0	0	0	C
	11	Sample size	21	100	37	100	11	100	11	100	5	100	11	100	6	100	11	100	22	100	4	100	37	100	18	100	12	100	5	45	2	100	0	C	
	13																																		
	14																																		

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	<b>Table 6.13 Occupation/Employment Related Crime for Property Offenders</b>												
2		<b>7 Year Property Crimes</b>						<b>14 Year &amp; Life Property Crimes</b>					
3		<b>All</b>		<b>English</b>		<b>Irish</b>		<b>All</b>		<b>English</b>		<b>Irish</b>	
4	<b>Relationship of Occupation or Employment to Crime</b>	<b>No.</b>	<b>% of total col B</b>	<b>No.</b>	<b>% of total col D</b>	<b>No.</b>	<b>% of total col F</b>	<b>No.</b>	<b>% of total col H</b>	<b>No.</b>	<b>% of total col J</b>	<b>No.</b>	<b>% of total col L</b>
5	Not related	184	46	86	47	79	42	90	30	52	26	28	41
6	Unlikely	53	13	29	16	21	11	65	22	49	25	10	15
7	Possibly	104	26	46	25	52	28	79	26	48	24	19	28
8	Highly likely	27	7	8	4	19	10	18	6	14	7	3	4
9	Related	21	5	11	6	9	5	35	12	27	14	6	9
10	Undecided	13	3	3	2	9	5	13	4	10	5	2	3
11	<b>Totals</b>	<b>402</b>	<b>100</b>	<b>183</b>	<b>100</b>	<b>189</b>	<b>100</b>	<b>300</b>	<b>100</b>	<b>200</b>	<b>100</b>	<b>68</b>	<b>100</b>
12													
13													

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
1	Table 6.14 Urban-rural status of property offenders with 7 year sentences																							
2			Urban												Rural									
3	Crime/Nationality	Total no. of urban or rural offenders	No. urban	% of col B	Av. age	No. urbans with prior con.s	% of col C	No. single urbans	% of col C	No. married urbans	% of col C	No. urbans tried in county of origin	% of col C	No. rural	% of col B	Av. age	No. rurals with prior con.s	% of col N	No. single rurals	% of col N	No. married rurals	% of col N	No. rurals tried in home county	% of col N
4	English																							
5	Larceny	88	82	93	21	76	93	69	84	13	16	55	67	6	7	26	5	83	4	67	1	17	5	83
6	Theft of wearing apparel	35	30	86	19	15	50	27	90	2	7	25	83	5	14	26	2	40	5	100	0	0	1	20
7	Burglary and robbery	37	35	95	21	14	40	32	91	2	6	21	60	2	5	23	1	50	2	100	0	0	2	100
8	Animal theft	11	3	27	20	0	0	3	100	0	0	0	0	8	73	20	1	13	7	88	1	13	6	75
9	All crimes against property <sup>(a)</sup>	174	151	87	21	106	70	130	86	19	13	100	66	23	13	25	11	48	19	83	2	9	15	65
10																								
11	Irish																							
12	Larceny	84	71	85	21	5	7	60	85	10	14	39	55	13	15	22	1	8	10	77	3	23	6	46
13	Theft of wearing apparel	22	19	86	22	8	42	17	89	2	11	11	58	3	14	33	0	0	1	33	2	67	1	33
14	Burglary and robbery	41	34	83	22	19	56	29	85	5	15	23	68	7	17	20	0	0	7	100	0	0	5	71
15	Animal theft	19	6	32	23	1	17	5	83	1	17	2	33	13	68	25	2	15	8	62	4	31	8	62
16	All crimes against property <sup>(a)</sup>	171	134	78	22	50	37	113	84	20	15	74	55	37	22	24	3	8	27	73	9	24	20	54
17																								
18	Scottish																							
19	Larceny	10	10	100	23	6	60	6	60	3	30	2	20	0	0	0	0	0	0	0	0	0	0	0
20	Theft of wearing apparel	4	4	100	22	3	75	4	100	0	0	1	25	0	0	0	0	0	0	0	0	0	0	0
21	Burglary and robbery	5	4	80	24	2	50	3	75	0	0	2	50	1	20	22	1	100	1	100	0	0	1	100
22	Animal theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	All crimes against property <sup>(a)</sup>	22	21	95	23	13	62	16	76	4	19	7	33	1	5	22	1	100	1	100	0	0	1	100
24																								
25	Totals																							
26	Larceny	182	163	90	22	87	53	135	83	26	16	96	59	19	10	24	6	32	14	74	4	21	11	58
27	Theft of wearing apparel	61	53	87	21	26	49	48	91	4	8	37	70	8	13	30	2	25	6	75	2	25	2	25
28	Burglary and robbery	83	73	88	22	35	48	64	88	7	10	46	63	10	12	22	2	20	10	100	0	0	8	80
29	Animal theft	30	9	30	22	1	11	8	89	1	11	2	22	21	70	23	3	14	15	71	5	24	14	67
30	All crimes against property <sup>(a)</sup>	367	306	83	22	169	55	259	85	43	14	181	59	61	17	24	15	25	47	77	11	18	36	59
31																								
32	a) includes all crimes against property including smaller crime categories																							
33																								

A		B										C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
Table 6.15 English <sup>(c)</sup> Sentences for Crimes Against Property and Incidence of No Prior Conviction																											
1	Crime Category No.			Types of Offences <sup>(a)</sup>	7 Years			14 Years			Life			Totals													
2					Offences	% col O	No priors	% col C	Offences	% col O	No priors	% col G	Offences	% col O	No priors	% col K	Offences <sup>(b)</sup>	% col O total	No priors	% col O							
3		1	Larceny (other)	93	65	47	51	23	16	8	35	29	20	18	62	144	38	73	51								
4		2	Burglary; Housebreaking,	23	25	11	48	15	16	10	67	55	59	36	65	93	24	57	61								
5		3	Animal Theft	12	27	10	83	9	20	4	44	22	49	16	73	45	12	30	67								
6		4	Robbery	14	37	9	64	4	11	2	50	21	55	15	71	38	10	26	68								
7		5	Theft of Wearing Apparel	38	78	20	53	9	18	3	33	4	8	0	0	49	13	23	47								
8		6	Receiving/Possession	1	33	0	0	1	33	1	100	1	33	0	0	3	1	1	33								
9		7	Robbery with Violence	0	0	0	0	1	100	1	100	0	0	0	0	1	0	1	100								
10		8	Wilful Destruction	0	0	0	0	1	33	1	100	2	67	2	100	3	1	3	100								
11		9	Stealing by a Trick/Swindling/ False pretences	2	100	0	0	0	0	0	0	0	0	0	0	2	1	0	0								
12		10	Forgery	0	0	0	0	0	0	0	0	1	100	1	100	1	0	1	100								
13		11	Embezzlement/Bad Notes	0	0	0	0	0	0	0	0	1	100	0	0	1	0	0	0								
14		12	Poaching	0	0	0	0	1	100		0	0	0	0	0	1	0	0	0								
15		Totals		183	48	97	53	64	17	43	45	136	36	88	65	381	100	215	56								
16	(a) Based on Robson's categorization; (b) Discrepancies in totals for sentences and total number of crimes committed is due to sentences in a few cases being unknown; (c) includes small number of Welsh.																										
17																											
18																											
19																											
20																											
21																											
22																											

(a) Based on Robson's categorization; (b) Discrepancies in totals for sentences and total number of crimes committed is due to sentences in a few cases being unknown; (c) includes small number of Welsh.



	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	
Table 6.16 Irish Sentences for Crimes Against Property and Incidence of No Prior Conviction																			
1	A																		
2			7 Years				14 Years				Life				Totals				
3	Crime Category No.	Types of Offences (a)	Offences	% col O	No priors	% col C	Offences	% col O	No priors	% col G	Offences	% col O	No priors	% col K	Offences (b)	% col O total	No priors	% col O	
4																			
5																			
6																			
7																			
8																			
9		1	Larceny (other)	90	90	54	60	6	6	1	17	4	4	4	100	100	38	59	59
10		2	Burglary: Housebreaking,	13	45	9	69	1	3	1	100	15	52	12	80	29	11	22	76
11		3	Animal Theft	22	71	18	82	1	3	0	0	7	23	7	100	31	12	25	81
12		4	Robbery	33	56	24	73	0	0	0	0	24	41	18	75	59	23	42	71
13		5	Theft of Wearing Apparel	26	96	14	54	0	0	0	0	0	0	0	0	27	10	14	52
14		6	Receiving/Possession	2	50	2	100	1	25	1	100	1	25	1	100	4	2	4	100
15		7	Robbery with Violence	0	0	0	0	0	0	0	0	2	100	2	100	2	1	2	100
16		8	Willful Destruction	0	0	0	0	0	0	0	0	1	100	1	100	1	0	1	100
17		9	Stealing by a Trick/Swindling/ False pretences	2	100	2	100	0	0	0	0	0	0	0	0	2	1	2	100
18		10	Forgery	0	0	0	0	0	0	0	0	2	100	1	50	2	1	1	50
19		11	Embezzlement/Bad Notes	1	33	1	100	2	67	2	100	0	0	0	0	3	1	3	100
20		12	Poaching	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21		Totals		189	73	124	66	11	4	5	0	56	22	46	82	260	100	175	67
22	(a) Based on Robson's categorization; (b) Discrepancies in totals for sentences and total number of crimes committed is due to sentences in a few cases being unknown.																		
23																			

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
1	Table 6.17 Urban-Rural Status of Property Offenders with 14 year and Life Sentences																							
2			Urban												Rural									
3	Crime/Nationality	Total no. of urban or rural offenders	No. urban	% of col B	Av. age	No. urbans with prior con.s	% of col C	No. single urbans	% of col C	No. married urbans	% of col C	No. urbans tried in county of origin	% of col C	No. rural	% of col B	Av. age	No. rurals with prior con.s	% of col N	No. single rurals	% of col N	No. married rurals	% of col N	No. rurals tried in home county	% of col N
4	English	52	43	83	20	20	47	39	91	4	9	23	53	9	17	24	4	44	9	100	1	11	5	56
5	Larceny	13	12	92	21	10	83	10	83	2	17	9	75	1	8	22	0	0	1	100	0	0	1	100
6	Theft of wearing apparel	91	72	79	22	23	32	60	83	12	17	35	49	19	21	23	4	21	18	95	1	5	13	68
7	Burglary and robbery	30	11	37	23	2	18	9	82	2	18	7	64	19	63	23	8	42	15	79	3	16	9	47
8	Animal theft	194	141	73	21	56	40	120	85	21	15	74	52	53	27	23	17	32	47	89	5	9	30	57
9	All crimes against property <sup>(a)</sup>																							
10																								
11																								
12	Irish																							
13	Larceny	10	9	90	21	6	67	9	100	0	0	4	44	1	10	19	0	0	1	100	0	0	0	0
14	Theft of wearing apparel	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15	Burglary and robbery	40	26	65	22	7	27	23	88	3	12	13	50	14	35	22	0	4	29	1	7	1	7	0
16	Animal theft	7	5	71	26	1	20	3	60	2	40	1	20	2	29	36	0	0	2	100	0	0	0	0
17	All crimes against property <sup>(a)</sup>	66	47	71	24	14	30	37	79	9	19	21	45	19	29	24	1	5	18	95	1	5	2	11
18																								
19																								
20	Scottish																							
21	Larceny	10	10	100	21	7	70	9	90	1	10	6	60	0	0	0	0	0	0	0	0	0	0	0
22	Theft of wearing apparel	2	2	100	30	1	50	1	50	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	Burglary and robbery	14	12	86	21	4	33	10	83	2	17	9	1	2	14	18	1	50	2	100	0	0	2	100
24	Animal theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25	All crimes against property <sup>(a)</sup>	28	26	93	22	12	46	20	77	5	19	15	45	2	7	18	1	50	2	100	0	0	2	100
26																								
27																								
28	Totals																							
29	Larceny	72	62	86	21	33	53	57	92	5	24	33	53	10	14	22	4	40	10	100	1	10	5	50
30	Theft of wearing apparel	15	13	87	17	11	86	11	85	2	12	9	68	1	7	22	0	0	1	100	0	0	1	100
31	Burglary and robbery	145	110	76	22	34	31	93	85	17	78	57	52	35	24	21	5	14	24	69	2	6	16	46
32	Animal theft	37	16	43	25	3	19	12	75	4	16	8	50	21	57	30	8	38	17	81	3	14	9	43
33	All crimes against property <sup>(a)</sup>	288	214	74	22	82	38	177	83	35	16	110	51	74	26	22	19	26	67	91	6	8	34	46
34																								
35																								
36	a) Includes all crimes against property including smaller crime categories																							
37																								

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	Table 6.18 English Top 5 Property Crimes and Sentences by County of Trial														
2	Crime Category	1 - Larceny		2 & 4 - Burglary & Robbery		3 - Animal Theft		5 - Theft Wearing Apparel		Total Sentences				Total Trials	
3	County of Trial	7 years	14 & Life	7 years	14 & Life	7 years	14 & Life	7 years	14 & Life	7 years	% of col N	14 & Life	% of col N	Trials	% of N51
4	London	23	17	5	13	1	4	7	4	36	49	38	51	74	20
5	Lancashire	12	5	5	9	0	0	6	4	23	56	18	44	41	11
6	Yorkshire	9	3	7	6	0	3	1	0	17	59	12	41	29	8
7	Surrey	6	5	1	6	2	0	2	1	11	48	12	52	23	6
8	Warwickshire	4	3	0	6	0	1	0	1	4	27	11	73	15	4
9	Staffordshire	4	2	3	3	0	2	0	0	7	50	7	50	14	4
10	Cheshire	1	1	0	5	0	0	4	0	5	45	6	55	11	3
11	Bristol	2	2	2	2	0	0	0	0	4	50	4	50	8	2
12	Essex	1	1	0	2	1	1	2	0	4	50	4	50	8	2
13	Gloucestershire	0	0	2	3	0	1	1	0	3	43	4	57	7	2
14	Kent	1	1	1	3	0	3	0	0	2	22	7	78	9	2
15	Middlesex	4	0	1		0	0	1	0	6	100	0	0	6	2
16	Norfolk	2	0	0	4	0	1	0	0	2	29	5	71	7	2
17	Nottinghamshire	0	0	1	5	0	0	0	1	1	14	6	86	7	2
18	Oxfordshire	0	1	1	1	0	1	1	1	2	33	4	67	6	2
19	Suffolk	1	0	0	2	1	0	2	0	4	67	2	33	6	2
20	Wiltshire	2	0	1	3	2	0	0	0	5	63	3	38	8	2
21	Worcestershire	0	0	0	2	1	3	0	0	1	17	5	83	6	2
22	Berkshire	1	0	0	0	0	0	1	0	2	100	0	0	2	1
23	Buckinghamshire	1	0	0	1	0	0	0	0	1	50	1	50	2	1
24	Cambridgeshire	0	0	0	1	0	1	0	0	0	0	2	100	2	1
25	Cornwall	0	0	1	0	0	0	0	1	1	50	1	50	2	1
26	Cumberland	1	0	1	0	0	1	0	0	2	67	1	33	3	1
27	Derbyshire	2	1	0	1	0	0	0	0	2	50	2	50	4	1
28	Devonshire	1	2	0	1	0	0	0	0	1	25	3	75	4	1
29	Dorset	0	0	1	0	0	0	2	0	3	100	0	0	3	1
30	Heredfordshire	1	0	0	1	1	0	0	0	2	67	1	33	3	1
31	Hertfordshire	1	1	0	1	0	1	0	0	1	25	3	75	4	1
32	Inverness	0	1	0		0	2	0	0	0	0	3	100	3	1
33	Leicestershire	2	0	0	1	0	1	0	0	2	50	2	50	4	1
34	Lincolnshire	1	1	0	1	0	1	0	0	1	25	3	75	4	1
35	Northumberland	0	2	0	0	0	0	0	0	0	0	2	100	2	1
36	Somersetshire	0	1	0	1	0	0	2	0	2	50	2	50	4	1
37	Southampton	1	0	0	2	0	1	0	0	1	25	3	75	4	1
38	Sussex	1	0	1	2	0		0	0	2	50	2	50	4	1
39	Canarvon	0	0	0	0	0	0	1	0	1	100	0	0	1	0
40	Denbeigh	0	0	0	0	0	1	0	0	0	0	1	100	1	0
41	Down	0	0	0	0	0	1	0	0	0	0	1	100	1	0
42	Dublin	0	0	0	1	0	0	0	0	0	0	1	100	1	0
43	Glamorganshire	0	0	0	1	0	0	0	0	0	0	1	100	1	0
44	Huntingdonshire	0	0	0	0	1	0	0	0	1	100	0	0	1	0
45	Lanarkshire	0	0	1	0	0	0	0	0	1	100	0	0	1	0
46	Mayo	0	0	1	0	0	0	0	0	1	100	0	0	1	0
47	Northamptonshire	0	0	0	0	1	0	0	0	1	100	0	0	1	0
48	Salop	1	0	0	0	0	0	0	0	1	100	0	0	1	0
49	Stirlingshire	0	0	0	1	0		0	0	0	0	1	100	1	0
50	Wicklow	0	0	0	0	1	0	0	0	1	100	0	0	1	0
51	Unknown	7	2	1	3		1	5	0	13	68	6	32	19	5
52	Totals	93	52	37	94	12	31	38	13	180	49	190	51	370	100
53															
54															

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
1	<b>Table 6.19 Irish Top 5 Property Crimes and Sentences by County of Trial</b>														
2	Crime Category	1 - Larceny		2 & 4 - Burglary &		3 - Animal Theft		5 - Theft Wearing Apparel		Total Sentences				Total Trials	
3	County of Trial	7 years	14 & Life	7 years	14 & Life	7 years	14 & Life	7 years	14 & Life	7 years	% of col N	14 & Life	% of col N	Trials	% of N44
4	Dublin	32	4	17	12	0	2	11	0	60	77	18	23	78	32
5	Cork	3	0	6	4	3	2	3	0	15	71	6	29	21	9
6	Waterford	4	1	4	4	0	1	0	0	8	57	6	43	14	6
7	Antrim	3	0	3	0	1	1	2	0	9	90	1	10	10	4
8	Tipperary	5	0	1	1	3	0	0	0	9	90	1	10	10	4
9	Down	6	0	0	1	2	0	0	0	8	89	1	11	9	4
10	Galway	5	0	2	0	0	1	0	0	7	88	1	13	8	3
11	Clare	1	0	2	2	1	0	1	0	5	71	2	29	7	3
12	Limerick	2	0	1	0	2	0	2	0	7	100	0	0	7	3
13	Carlow	3	0	1	0	2	0	0	0	6	100	0	0	6	2
14	Meath	0	0	4	2	0	0	0	0	4	67	2	33	6	2
15	Kilkenny	3	0	1	0	1	0	0	0	5	100	0	0	5	2
16	Wexford	2	0	0	3	0	0	0	0	2	40	3	60	5	2
17	Cavan	2	0	1	0	1	0	0	0	4	100	0	0	4	2
18	Lancashire	1	2	0	1	0	0	0	0	1	25	3	75	4	2
19	Longford	2	0	1	0	0	1	0	0	3	75	1	25	4	2
20	Tyrone	2	0	0	2	0	0	0	0	2	50	2	50	4	2
21	Donegal	1	0	0	0	2	0	0	0	3	100	0	0	3	1
22	Kerry	2	0	0	0	0	0	1	0	3	100	0	0	3	1
23	Wicklow	0	0	0	0	1	0	2	0	3	100	0	0	3	1
24	Armagh	0	0	0	1	0	0	1	0	1	50	1	50	2	1
25	Kildare	1	0	0	1	0	0	0	0	1	50	1	50	2	1
26	London	1	0	0	1	0	0	0	0	1	50	1	50	2	1
27	Londonderry	0	0	0	0	1	0	1	0	2	100	0	0	2	1
28	Bristol	0	0	1	0	0	0	0	0	1	100	0	0	1	0
29	Carmarthen	0	0	0	0	0	0	0	0	0	0	1	100	1	0
30	Cheshire	0	1	0	0	0	0	0	0	0	0	1	100	1	0
31	Derbyshire	0	0	0	0	0	0	1	0	1	100	0	0	1	0
32	Glamorganshire	1	0	0	0	0	0	0	0	1	100	0	0	1	0
33	Kings	0	0	0	0	1	0	0	0	1	100	0	0	1	0
34	Lanarkshire	0	0	0	1	0	0	0	0	0	0	1	100	1	0
35	Louth	1	0	0	0	0	0	0	0	1	100	0	0	1	0
36	Monaghan	0	0	0	1	0	0	0	0	0	0	1	100	1	0
37	Norfolk	1	0	0	0	0	0	0	0	1	100	0	0	1	0
38	Sligo	0	0	0	0	1	0	0	0	1	100	0	0	1	0
39	Southampton	0	0	0	0	0	0	1	0	1	100	0	0	1	0
40	Warwickshire	0	0	0	1	0	0	0	0	0	0	1	100	1	0
41	Westmeath	1	0	0	0	0	0	0	0	1	100	0	0	1	0
42	Yorkshire	1	0	0	0	0	0	0	0	1	100	0	0	1	0
43	OS	0	0	0	1	0	0	0	0	0	0	1	100	1	0
44	Unknown	3	2	1		0	0	1	0	5	71	2	29	7	3
45	<b>Totals</b>	<b>89</b>	<b>10</b>	<b>46</b>	<b>39</b>	<b>22</b>	<b>8</b>	<b>27</b>	<b>0</b>	<b>184</b>	<b>76</b>	<b>57</b>	<b>24</b>	<b>241</b>	<b>100</b>
46															
47															

A		B		C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
Table 6.20 Scottish Crimes Against Property and Incidence of No Prior Conviction																			
1			7 Years				14 Years				Life				Totals				
2	Crime Category No.	Types of Offences (a)	Offences	% col O	No priors	% col C	Offences	% col O	No priors	% col G	Offences	% col O	No priors	% col K	Offences (b)	% col O total	No priors		
3																			
4																			
5																			
6																			
7																			
8		1	Larceny (other)	10	53	4	40	6	32	2	33	3	16	0	19	39	6	32	
9		2	Burglary; Housebreaking,	5	31	2	40	10	63	4	40	1	6	0	16	33	6	38	
10		3	Animal Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
11		4	Robbery	0	0	0	0	0	0	0	0	3	100	3	3	6	3	100	
12		5	Theft of Wearing Apparel	4	67	1	25	1	17	1	100	1	17	0	6	12	2	33	
13		6	Receiving/Possession	2	100	0	0	0	0	0	0	0	0	0	2	4	0	0	
14		7	Robbery with Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
15		8	Wilful Destruction	0	0	0	0	0	0	0	0	1	100	1	1	2	1	100	
16		9	Stealing by a Trick/Swindling/ False pretences	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
17		10	Forgery	1	100	1	100	0	0	0	0	0	0	0	1	2	1	100	
18		11	Embezzlement/Bad Notes	0	0	0	0	1	0	1	100	0	0	0	1	2	1	100	
19		12	Poaching	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
20		Totals	22	45	8	36	18	37	43	45	9	18	4	44	49	100	20	41	
21	(a) Based on Robson's categorization; (b) Discrepancies in totals for sentences and total number of crimes committed is due to sentences in a few cases being unknown;																		
22																			
23																			

	A	B
1	<b>Table 6.21: The Recidivist Convicts of the Western Road Data Base - Gross Figures</b>	
2	<b>Description</b>	<b>No</b>
3	<b>CONVICT</b>	
4	Male convicts under sentence on Western Road	1108
5	Identifiable individual male convicts	976
6	Unknown but criminal	106
7	<b>Sentences</b>	
8	Sentences known for	988
9	7 year sentences	484
10	14 year sentences	156
11	Life sentences	348
12	<b>Nationality</b>	
13	English	566
14	Irish	373
15	Scots	67
16	Welsh	8
17	Other	13
18	<b>Marital Status</b>	
19	Single	650
20	Married	117
21	Widowed	4
22	Marital status unknown	337
23	<b>Age</b>	
24	Average Age	22
25	Youngest	10
26	Oldest	54
27	Average English Age	22
28	Average Irish Age	23
29	<b>Religion</b>	
30	Protestant	488
31	Catholic	287
32	<b>Urban/Rural</b>	
33	Urban	705
34	Rural	212
35	Urban/rural undecided	32
36	Urban/rural unknown	31
37	<b>Crimes</b>	
38	Known crimes	779
39	With prior convictions	277
40	No prior convictions	468
41	<b>Miscellaneous</b>	
42	Tried in county of origin	404
43		
44	<b>OTHERS</b>	
45	Military/Mounted Police/Constables/ and their families	120
46	Status Unknown	19
47	Free	22
48	Children	6
49	Women (including 2 convict assigned servants)	9
50	<b>TOTAL DB ENTRIES</b>	<b>1270</b>
51		