

## William Barton, the Highwayman of Rowland – What happened next?

A year or two ago I investigated the life of a local boy called **William** Barton who lived in Rowland at the start of the nineteenth century and you can read many details of his life in my first article available on the Baslow History/Guest page website. You may recall that I found that a good, but insignificant lad from Rowland seemed to have “turned bad” and committed rather inept highway robberies, using a gun, around the local area and at Cuckney. When the Law inevitably caught up with him he was tried at Nottingham and sentenced to death, aged 25. Many of the details of his crimes and the court case were available for my research because it was extensively written up in a sensational manner in the newspapers of the day.

As was commonplace at the time, **William** Barton’s sentence was commuted to “Transportation” and he went off to Australia as a convict to help with its colonisation. I tried to find out what happened after his arrival in Australia and was able to find that he served his sentence working for another immigrant in New South Wales (NSW) who was a free man and who farmed land around the Paterson River. Eventually he obtained his ticket of leave which allowed him to marry and own land, but he had to remain in Paterson, never to return to England. It was at this point the trail went cold and I was left with an incomplete life story. Did he have family in Australia? Did the well-respected local lad overcome all the problems of a convict in a new country and come out of the unhappy events in Rowland as a useful coloniser? Or did his misfortunes continue and the story end as unhappily as it seemed at the time of his banishment from England?

(I have put a timeline at the end of the article to help you through the story of William Barton’s life. Also I have highlighted William’s name throughout the article.)

### More about the highwayman’s roots in Rowland

It was very fortunate that David Dalrymple Smith agreed to add my original article to his informative Baslow History website, because it meant that it was available to family historians across the world. So you can imagine my surprise and pleasure when I received an email from Australia asking some penetrating questions about my article. It was from Lance Smith who lives in NSW and who had been searching for ancestors of **William** Barton of Albion Farm with the help of his wife Arien.

Their struggles in Australia mirrored mine in Rowland. I had found that there were four people named William Barton living there at the same time. Lance found that there were records of three William Bartons in the Paterson area, of approximately the correct age group. Who would have thought it? But after forensically researching the family records of these three possible relatives he was able to establish that his great, great, great grandfather was the same **William** Barton who came from Rowland!

Once the link between Lance and **William** had been firmly established, I started to trace the family to see if I could find out more about earlier generations of his ancestors in Rowland. This is a task that I had left in abeyance when I wrote my first article. Many little titbits of information came to light using maps and documents in the Matlock Record Office and in the Parish Registers.

**William**’s grandparents, Joseph Barton of Rolland and Sarah Dooley of Great Longstone married on 26.12.1776. All the records related to Joseph say that he was from Rowland (or Rolland as it was sometimes spelt in those times). I suspect that he and generations of his family before had lived in the house now called High Tor. It is the last house in the village on the east side of the road up to

Longstone Edge. The windows and fireplaces suggest that parts of the building existed in the 17<sup>th</sup> century and that modifications were made in the 18<sup>th</sup> and 19<sup>th</sup> centuries. Also at some time the roof appears to have been lifted suggesting that it may have had a thatched or stone tile roof. On the Hassop Estate sales details of 1918 it was described as a "Cottage - stone built and slated and contains sitting room, kitchen, larder and three bedrooms with outside washhouse, coal place, garden and E.C." (earth closet). Recently it has been modernised and some of the outbuildings were incorporated into the living accommodation and some removed making a charming cottage home. There are farm buildings to the east including an interesting old two storey barn, which may have been part of the homestead, but these were sold as a separate lot in 1918.

Disappointingly I was unable to trace Joseph's lineage further back with any confidence but there are many earlier records of births, marriages and deaths of Bartons from Rowland in the registers of the churches in Great Longstone, Bakewell and Ashford. The most likely possible ancestor is Anthoney Barton whose very weathered gravestone is to be found below the tower and next to the front porch of St Giles Church, Great Longstone.

Joseph and Sarah had two children, William senior born 1777 and Joseph junior born 1779, before Joseph senior died in 1780. Sarah continued to live in Rowland and parish records suggest that Sarah Barton had three more children who were illegitimate (Ann 1783, Hannah 1784, and Ann 1787. Both Ann 1783 and Hannah died in infancy.) She died in 1827.

**William's** father was born in Rowland and was christened in both Bakewell, 15.09.1777 and Great Longstone, 2.11.1777. It does not seem to be unusual during these times that christenings or marriages were recorded twice and I believe that it may be related to the fact that Bakewell was the Mother Church.

William senior must have moved a few miles away to work because he is recorded as being from Ashford when he married Mary Heyward on 6.12.1802 in Bakewell. Their first three children were born in Ashford (Ann 14.8.1803, Sarah 9.6.1805 and Mary 24.5.1807). Then William and Mary moved back to Rowland where the rest of their children were born (Hannah 1809, **William** 1.1.1811, Grace 9.8.1812, Elizabeth 1814, Joseph 10.3.1816, Rebecca 1818, Jane 1820, Ellen 1822 and Joseph 1825).

William senior was described as a miner and latterly as a labourer. At this time there were several lead mines which were active on Longstone Edge to the north of Rowland, easily accessed up the lane by the Barton's cottage. I have found occasional references to William Barton in the Earl of Newburgh accounts in the period 1831 to 1833 but it is sometimes difficult to distinguish between William, the labourer, and the other William Barton who was a farmer and butcher. Maybe those references to spreading dung, for wheeling stone and for walling in Blind Lane (now Beggarway Lane) reflect what his occupation entailed. I suspect that he was working on a piecemeal basis for whoever offered work. This is what would have saved the family income when he was dismissed from the Earl of Newburgh's service "for harbouring" his son **William**, when he took a rabbit on Hassop Estate land, the event which seemed to have lead eventually to his transportation.

William senior also appears in the rental records of the Hassop Estate in the 1831-33 period and on one occasion he was recorded as in arrears. Mary paid the rent in 1842. Their rent of £1 1s 0p per half year was the lowest in the village partly because there was very little land associated with the cottage and partly highlighting their impoverished life. But still, it was a relief to think that the family had not been put out of their home when **William** stole the rabbit.

The deaths of some of William and Mary's children are in the parish records (Jane 1820, Hannah 1825, Elizabeth 1833 and Joseph and Rebecca 1837) but when I tried to trace the others in the 1841 census I could only find Sarah (who had married Henry Froggatt) and Grace, both of whom were living with their widowed mother Mary in the family home in Rowland.

William senior died in 1840 aged 62 and Mary died in 1843 also aged 62 but there is no memorial in the graveyard at Great Longstone, again possibly a reflection of their poverty.

More about **William** junior's life before he was transported has been unearthed since I wrote the original article. One mystery to me was why he went to Manchester when he was banished for poaching. This was explained when I realised that Sarah Froggatt, who was living with Mary in Rowland in the 1841 census, with her husband Henry and son John, was actually **William**'s sister. In fact she had been living in Manchester in the 1834-1840 period, where records show that she was married in the Cathedral and had two sons during this time. The time that his sister spent in Rowland in 1841 did not result in a permanent move back to the district as she had her next child in Sheffield. In 1851 they were living in Salford where Henry was a bricklayer, possibly a better job than was available in rural Derbyshire.

**William** is described as a gardener and groom on many of his convict papers. I examined the accounts from the Earl of Newburgh's Hassop Estate and during 1831-3 there is no record of him by name working in the garden or stables. This does not mean that he did not do occasional work on the estate as a large work force would have been employed and only one gardener and stableman are actually named. I conclude that when, the Earl banished **William** for taking a rabbit, this meant that, rather than the loss of his job, he was no longer allowed to live at the family cottage rented from the Hassop Estate in Rowland.

The two main signatories of the petition to prevent the transportation of **William** after the trial were Thomas Burgoine and Jonathan Hulley. Thomas Burgoine said that "**William Barton** junior lived with me as an indoor servant and as a labourer for more than two years and during this time conducted himself in a proper manner". Ironically, in view of **William**'s poaching incident on the Hassop Estate, Thomas Burgoine was the head gamekeeper for the Dukes of Devonshire and Rutland and lived in Edensor. But he was also a wealthy lead smelter and farmer and he must have been an influential person in the locality as his portrait, seated on a horse, hung in Chatsworth House in 1823. The petition suggests that **William** was living and working in Edensor and that this is where he might have learnt the skills of a groom. I assume that a petition, to prevent his deportation from a person such as Mr Burgoine, would have carried some weight.

Jonathan Hulley lived in a cottage close to the Bartons in Rowland (identified now as Holly Cottage) and was the much respected head gardener for the Morewood family at Thornbridge Hall. His wording on the petition is "William Barton junior served me as a labourer for a considerable time and during that time conducted himself in a proper manner". Thornbridge Hall gardens were described as "large pleasure grounds" with an extensive kitchen garden in a later sales document. This would have been an excellent place for a young lad to learn the science of cultivation.

There were seven other signatories from the local area but the petition was not effective and **William** was transported to New South Wales (NSW), Australia.

**William Barton and his life in Australia, based on the research of Lance and Arien Smith**

This section tells of how Lance made the connection between his known ancestors in Australia and **William**, the highwayman from Rowland. His first discovery was that there had been a case of an unclear entry on a form which had then been transcribed incorrectly (the bane of all family historian's work). This was the reason that I had been unable to find out any more about his life Down Under. In fact **William** was first assigned to work for G. N. Lailey and not G. McLailey as was recorded in convict papers. Knowing this, it was then possible to access more records about **William's** time working as a convict. Lance found an 1837 convict muster with a **William** Barton listed as G.N. Lailey's groom and gardener. This was encouraging as **William** had been described in the same way on several previous documents. Pieces of evidence like this made Lance feel that he was on the right track.

In NSW it is likely that **William** helped George Lailey, the Hinton post master, with the running of the office which was the focal point for communication in the developing colony. **William** Barton would have been especially useful because he could read and write and, because he was a groom, he could look after the post horses and deliver mail in the local area. Later George Lailey became a landowner in the Paterson valley. His farm lay on a river plain with rich soil in a region which developed into the breadbasket of the colony. In 1840 there was a newspaper report that his farm had produced a "stalk of corn with nine perfect cobs of large size". Not a riveting announcement maybe but farming acumen like this was of understandable interest to the settlers at this time. **William** would have been able to develop his farming skills as he completed his sentence on George Lailey's farm.

Lance's next challenge was to be sure of the connection between this convict and his ancestor **William** Barton who worked at Albion Farm in later years. This was made easier because, by chance, Lance now lives within 25 kilometres of **William** Barton's farm at Paterson even though subsequent generations of Lance's family have lived in many different places in Australia and New Zealand. Convincing links were eventually made by the accumulation of circumstantial evidence after painstaking work in local and national Australian archives

**William** Barton was given his ticket of leave by the Paterson Bench in 1844. His sentence was effectively reduced from the usual 10 to 12 years that were served by "lifers" to seven years which suggests that he was held in high regard by the community. The members of the Bench included several who knew George Lailey or his wife well and people who farmed land around Paterson who are likely to have been in contact with **William** Barton and knew him as a useful workman and unlikely to commit another crime. Evidence that William became a respectable person soon after his arrival in NSW was unearthed by Lance in a newspaper reference of 1838. It lists both G.N. Lailey and W. Barton as attending the installation and levee of his Excellency Sir George Gipps as Governor in chief of New South Wales and Van Dieman's Land, which took place at Government House, no less!

Lance found a map of Paterson from those times showing the properties in the area with their owners. It turned out that George Lailey's farm was within three properties of the Albion Estate with only about a 15 minute horse or boat ride between them. As **William** helped with the post and farmed for George Lailey it is very likely that he came into contact with the families who lived on the Albion Estate. One person in particular was an important part of the evidence - Ann Taylor (nee Tucker). Her grandfather was a convict called John Tucker senior who had been transported to NSW on the "Active" in 1791, in the Third Fleet. He had originally cleared this land for farming with her father, John Tucker junior who had the distinction of being the first free settler in the Hunter Valley. They worked the 600 acres of the Albion Estate as tenants. After their deaths, the children,

including Ann, continued to reside there. In 1844 the deeds of the property were given to these children in trust. This is the way that convict families eventually became landowners.

In 1845 George Lailey returned to England with his family. Lance believes that **William** Barton may have moved to Albion Estate around this period because “lifers” had to stay in the area they were initially assigned as a convict and also the farm may have been short of labour because Ann’s father, John Tucker junior, had died. Then in 1845-6 John Taylor, Ann’s first husband, “disappeared” \*\* and by 1848 **William** and Ann had had their first child. Although **William** was free to marry, Ann was not because of an old English law that prevented women in her position from marrying for 7 years after the disappearance of a husband. However evidence points to a permanent relationship between **William** and Ann because they had four more children before they got married in 1855, and three more afterwards. On the birth certificates **William** was given the occupation of farmer at Albion Farm. Another rather poignant piece of evidence is that **William** called four of these children after his relations in Rowland; his parents (William and Mary) and his grandparents (Joseph and Sarah).

Evidence that **William** Barton, of Rowland did not turn out to be a “wrong ’un” is to be found throughout this story. He farmed at Albion Farm for the rest of his life and achieved accolades for his work. A newspaper report in 1868 says that “Mr Barton’s wheat is much finer (than his brother in law’s) on the same estate. One ear of Egyptian wheat contained 143 grains. He had also a little of the Lammas wheat and no sign of rust (disease) in it. He has likewise a small piece of English horse bean, very good: his potatoes, cabbage and corn also look well”. More evidence of an interest in community work came from another newspaper article in 1867. **William** and several others from the Albion Estate area formed a Union to improve drainage and minimise flooding of prime agricultural land.

He died aged 69 and was buried at Hinton Pioneer Cemetery along with his wife Ann. His death certificate recognised that he was born in England and was in the colony for 40 years. The fact that he had a gravestone at all, unlike anyone else in his immediate UK family, points to the fact that he had become more prosperous as a result of his transportation.

I cannot help but compare his life as a convict and freeman to the life which he may have had by remaining in Rowland. In New South Wales he was able to put the past behind him and become a well-respected member of his community. He was called Mr. **William** Barton and his wife and he owned land, giving him the occupation of “farmer”. All of these were the unattainable aspirations of many in the lower orders in England at the time. This elevation through the social structure into a land owner would have been all but impossible in this part of rural Derbyshire for a young lad who had caused the displeasure of the local lord.

This prospering of the Australian branch of the Barton family is quite a contrast to the fate of the Barton family in Rowland. Here ownership of a farm was an impossible goal. **William**’s father was a general labourer renting his house (High Tor, Rowland) with a small garden, from the Earl of Newburgh of the Hassop Estate. In fact most of the Hassop Estate land in Rowland did not come onto the market until 1918.

It seemed that poverty and ill health were relevant factors in Rowland when I looked at the parish registers. **William**’s father and mother had 12 children but it seems that most of them died before adulthood. On the 1876 OS map a few hundred metres from their cottage there are at least five lead mines. There is also old lead processing area to the north and its waste hillocks are still visible in the fields today. It is not unreasonable to speculate that lead as dust in the air and in the water

used by the cottage, resulted in chronic lead poisoning of the children that may have accounted in some part for this high mortality.

I can find no trace of his family in the local area after the death of his sister, Grace Pheasey (nee Barton), in 1846. Another of his sisters, Sarah Froggatt (nee Barton), went to live in Manchester and died in 1864. This appears to make **William** the family's only other survivor. In Australia his family prospered and were likely to have been in good health as all but one of his eight children were alive when he died. Instead of the family name dying out, **William** Barton's descendants helped to populate the new nation.

His branch of the Barton family had had a long association with Rowland, from at least the mid-1700s, and the earliest record for Bartons in Rowland is in 1637. It is thought provoking to reflect that, as the Bartons dispersed away from Rowland, one of them ended up as a very successful pioneer and founder of a large family in Australia. He was able to thrive, using the skills that he had learned as a young man in Derbyshire and as a convict. The rather sorry tale that I had uncovered earlier was proved to have ended in the most satisfactory way. Sadly it is unlikely that any of his diminishing family in the UK heard of his success far away.

**William**'s great, great, great grandson Lance, says that "it is lovely now to have discovered that **William** Barton, away from the hierarchical system of old Mother England, made good in the colony. He became a valued pioneering settler of the Hunter Valley and raised a family which also contributed successfully to the development of this new colony and ultimately to the country we now call Australia".

### Lance and Arien Smith's visit to Derbyshire.

In May, 2016, **William** Barton's great, great, great, grandson, visited Derbyshire during an extensive tour of the United Kingdom and Ireland tracing ancestors with his wife Arien. They visited the Barton family home in Rowland and the churches in Great Longstone and Ashford. In Ashford, fortuitously, they were introduced to the art of well dressing, presumably a tradition known to their ancestor. They finished the day at Bakewell Church to visit the font where **William** had been christened just over 200 years ago and where his parents and grandparents were married. Since Lance and Arien had already visited **William**'s grave in the Hinton pioneer cemetery in New South Wales they had now completed the pilgrimage to retrace the journey of a "notorious" ancestor.

\*\* Stop press. I have just heard the following information from Lance. He has found out more about Ann Tucker's first husband, John Taylor. He was an example of a convict to Australia who was a wrong 'un. In 1845 he committed an armed robbery at a property north of Albion Farm and was transported to Tasmania where he disappeared off the record.

Ann Hall 28.08.2016

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#### **William Barton Time line**

1811 to 1834 Born and lived in Rowland. Learned to read and write.

1820s and early 1830s Worked for Jonathan Hulley at Thornbridge Hall, for the Earl of Newburgh at Hassop Hall and Thomas Burgoine at Edensor.

1834 Stole a rabbit from the Earl of Newburgh and banished from the district. Lived with his sister in Manchester.

1835 Held up several people with a gun around Hassop and Cuckney, stealing money and goods. Disappeared and joined the Dragoon Guards.

1836 Stole a watch from a fellow soldier. Recognised as the perpetrator of the previous highway robberies. Tried and sentenced to death, commuted to transportation.

1837 Sailed on the "John 4" to New South Wales, Australia.

1837 – 1844 Worked out his sentence under the supervision of G. Lailey who was a post master and farmer in the Paterson, Hunter Valley, Hinton area.

1844 Given his ticket of leave so he was able to earn money and marry but had to remain in the district.

1845 G. Lailey returned to England. William moved to Albion Estate?

1848 Lived with Ann Taylor on the Albion Estate. First child born. Farmed the land.

1855 Married Ann.

1879 Died at Albion Farm, a successful farmer and pillar of the community.

#### **A note for future family historians on the Barton family tree**

Joseph Barton (circa 1750 – 1780) and Sarah Barton (1750 – 1827) of Rowland

William senior (1777 - 1840) and Mary Barton (1781 - 1843) of Rowland

**William Barton junior** (born Rowland 1811, died New South Wales, Australia 1879) and Ann Taylor (nee Tucker) of Albion Estate, Paterson, New South Wales, Australia

Thomas Barton and Fanny Tranter

William Henry Barton and Marjory Reid

Robert Barton and Evelyn Freeman

Glenys Evelyn Barton and Gavin Smith

**Lance Smith** and Arien Triggs-Smith