

Terence Cunningham, 535, *Pyrenees*

Researched by Marcia Watson

Terence was born about 1833-4, the son of Terence Cunningham. No baptism or marriage for his parents has been found. His father was at Millgate, Arbroath, Forfarshire (Angus), Scotland, on the 1841 census:

Torrans Cunningham, 30, was a handloom weaver canvas and was born in Ireland.

It is unknown if Terence remarried shortly after the census or if his wife Catherine and young Terence joined him from elsewhere in Scotland or Ireland. Two more children were born in Arbroath:

John Cunningham, son of Terence Cunningham and Catherine Combe, was born on 11 August 1842 and baptised on 11 September 1842 at St Thomas' Catholic Church. He appears to have died young, although no death has been found.

Margaret Cunningham, daughter of Terence Cunningham and Catherine McComb, was born on 13 April 1846. She was baptised the day after her birth on 14 April 1846 at St Thomas' Catholic Church, so perhaps Catherine died soon after the birth.

On the 1851 census at St Vigeans, Inverbrothock, Forfarshire (Angus):

Torrs Cunningham, unmarried, 40, lodger, Hand loom weaver, born in Ireland

Margaret Cunningham, 5, lodger, born St Vigeans

In 1861, they were living at High Street, Arbroath, Forfarshire (Angus)

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Terence Cunningham, head, 49, widower, Canvass weaver, born in Ireland

Margaret Cunningham, daughter, 15, unmarried, Flax mill worker spinner, born Arbroath, Forfarshire

The 1871 census: Croall's Wynd, 11, Arbroath, Forfarshire (Angus) shows:

Terry Cunningham, widower, 60, Weaver, born in Ireland

Terrance Cunningham, 69, pauper, general labourer, and widower of Catherine McComb, died on 15 June 1878 in the Poorhouse at St Vigeans, Arbroath. His father was Hugh Cunningham, a basket maker, and he is deceased; his mother was Agnes nee McManus, who is deceased. Terrance died of chronic bronchitis of 1 year and 6 months.

Young Terence Cunningham

December 1847: Peter Jamie and Terence Cunningham, accused of stealing the sum of seven shillings and sixpence from the till of a shop in Millgate Loan, pled guilty and were sentenced to fifty days imprisonment each. Jamie is about twelve years of age, has been repeatedly convicted and punished, and appears irreclaimable. His colleague is just as bad.¹

April 1848: Terence Cunningham, an old offender, was accused of being found, under suspicious circumstances, in an enclosed yard at the shore occupied by Messrs David Peter & Co. He pled not guilty but, after trial, was found guilty and sentenced to ten days imprisonment.²

July 1848: Terrance Cunningham jun and David Anderson, from Arbroath, were charged with theft on the 13 July last. They entered the shop of Isobel Ruxton or Christie, Fore Abbey Street, Abroath, and did theftuously take away therefrom a wooden box containing some money, with the usual aggravation.³

At the Justiciary Court, Perth, on 10 October 1848.

Terence Cunningham, junior, and David Anderson, from Arbroath, were found guilty of stealing two shillings in silver and brass metal weight from a house there and being previously convicted of theft.

¹ Arbroath Guide, 25 December 1847, p11

² Arbroath Guide, 15 April 1848, p13

³ Arbroath Guide, 14 October 1848, p7

Sentenced to seven years transportation. His father, Terence Cunningham, was a labourer who lived at Stobcross St, Arbroath. Anderson reportedly said, on being removed from the bar, saluted the judge with, "thank ye my Lord".⁴

On the court records from the Scottish Criminal Database, Terrance Cunningham junior was aged 14. However, Prison registers record:

Terence Cunningham, 16, single, read and write imperfectly, millworker, was committed at Arbroath on 7 July 1848. He was convicted on 11 October 1848 at Perth of theft and sentenced to 7 years transportation. He had been twice convicted of theft and 4 times for disorderly conduct. According to the Register, Terence was Protestant, but his family were Catholic.

He spent 13 months in separate confinement at Dundee Prison before being transferred to Millbank Prison on 17 December 1849, where he spent 10 months and 23 days in separate confinement. His behaviour was good while in both these prisons. Terence was transferred to *Stirling Castle* hulk at Portsmouth on 3 December 1850 and spent 3 months on public works. He boarded the *Pyrenees* on 10 March 1851 for the voyage to Western Australia.

His co-accused, David Anderson, aged 13, was sent to the *Defence* hulk at Gosport. In 1851, he was transferred to Parkhurst Prison and released on 12 October 1855, when his sentence expired.⁵

On arrival at Fremantle, Western Australia, Terence was assigned number 535.

535. Terence Cunningham, 18, 5'3", has black hair, dark eyes, an oval face, dark complexion, stout stature, two scars on the right and left shoulders, and a single and a labourer.⁶

Re received a Ticket of Leave on arrival on 28 June 1851.

14 July 1851, Terence was one of 44 men removed from the *Pyrenees* and located in the 3rd division of the Prison.

16 July 1851, he was one of 40 men who proceeded to the North Fremantle Station, taking with them blankets, knives, spoons, plates, rations etc.

31 July 1851, 17 men, including Terence, took their beds, bedding etc. and proceeded by the early boat to the Mount Eliza Station.⁷

A Conditional Pardon was granted on 23 April 1853.

At some stage, Terence moved to the Toodyay area.

The Toodyay Convict Database has:

Cunningham, Terence (1833-)	535	1851-06-26	Pyrenees	CWA: Unm; lab; illit Prot; 7 yrs. BDWA: CUNNINGHAM, Terence, b. 1833? (expiree), arr. 28.6.1851 per Pyrenees. Labourer, small farmer Wongamine- Toodyay. Employed a T/L servant 1872.
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The Police Visitors Book, Toodyay, 1877-1888, shows P.C. Hackett visited farmer Terence Cunningham at Wongamine on 13 November 1879, 15 December 1879, 20 February 1880 and 15 May 1880. The farm was 15 miles from the station.⁸

The following appears to be Terence Cunningham; however, some of his features are different from the description on his arrival.

⁴ Dundee Courier, 18 October 1848, p3; Montrose Standard, 13 October 1848, p8

⁵ TNA, UK, PCOM 2/30; PCOM2/133; HO24/4; National Records of Scotland, JC26/1848/124; AD14/48/298
Stobcross, Arbroath was the area of flax mills and jute works.

⁶ SROWA, Acc 128/1-32

⁷ SROWA, R1156, Superintendent Orders, 1850 - 1854 (So1 - So3)

⁸ <https://www.toodyay.wa.gov.au/community-visitors/museums/toodyays-heritage/convict-era.aspx>

Newcastle Gaol ⁹

No. <i>143</i> Name <i>Terence Cunningham</i>											Personal Description.	
Nationality <i>European</i> Birthplace <i>Girth Scotland</i>												
Age.	Height.	Hair.	Eyes.	Visage.	Complexion.	Build.	Condition.	Religion.	Trade.	Read and Write.	<i>No, marks,</i>	
<i>68</i>	<i>5 feet 6 1/2</i>	<i>Light Brown</i>	<i>Blue</i>	<i>Fair</i>	<i>Fair</i>	<i>Stout</i>	<i>Strong</i>	<i>R.C.</i>	<i>Shepherd</i>	<i>Both</i>		
Particulars of Conviction.						Offence.			Sentence.		Remarks.	
Date.	Place.	Before whom										
<i>1899</i> <i>Oct-20</i>	<i>Newcastle</i>	<i>A. Madden Rm</i>				<i>drunk & incapable</i>			<i>Cautioned</i>			

No death or further information has been found.

⁹ SROWA, Cons 1156/F30, Newcastle Gaol