

## Henry Payne, Convict No. 4654

## James Kilmurray. Convict No. 2135

While carrying out their research most people have come across that *family story* regarding their ancestors and unless efforts are made to discover the truth, the story eventually becomes regarded as fact.

Several years ago while in Sydney a relative expressed to me that now her husband (my cousin) had passed away there was no one their daughters could talk to about the family as they were so far away from their father's family. She had however received some information from a family member but was unsure as to whether or not it was correct.

The information stated that her late husband's ancestor – Henry Payne had come from Ireland and had been of substantial means and had been held in high regard in Ireland. However James Kilmurray, whose descendants who had married in to the Payne family, had also been Irish but had been of a much lower class than the Payne's.

The story intrigued me and I decided that when I returned home I would investigate the Payne and Kilmurray families. The results were quite interesting!

Henry Payne wasn't Irish and he wasn't wealthy or held in high regard in Ireland. He was in fact – **Henry Payne, Convict No. 4654**, who arrived on the convict ship **Nile** on 1 January 1858.

Henry was born in Topsham, Devon and lived with his parents in various parishes in Devon till the family moved to Exeter. In the 1851 Census for Exeter Henry's occupation, like his father James, was listed as a labourer. Henry was convicted at the Quarter Sessions held at the Castle of Exeter, Devon on 1 January 1856 of sheep stealing with previous convictions and was sentenced to 15 years transportation.

Although a wife and children were left in England, using the alias John Williams, Henry married Francis Bracken 31 December 1861 at the Swan Registrars Office. Francis was also Irish and had arrived per the *Escort* on 26 December 1860. In the early years of their marriage Henry and Francis lived in the area around York and Northam, where the first of their ten children were born. Later they moved to Irwin River near Dongara where Henry and Francis became farmers and it was in this area that they spent the remainder of their lives

**James Kilmurray, Convict No. 2135**, was Irish and undoubtedly not rich. James was convicted in County Kildare on 21 March 1850 for cattle stealing and sentenced to 10 years transportation. He arrived in the Swan River Colony per the **Robert Small** on 19 August 1853. At the time of his conviction James was unmarried and working at a labourer.

On 21 February 1868 at Greenough, James Kilmurray married Bridget Murphy who had arrived per the *Bride* on 2 January 1867. It was in the Dongara / Irwin area that James and Bridget's children were born and it would have been in this area that the paths of the Payne and Kilmurray families crossed.

In Dongara on 25 June, **John Payne**, born c1866, son of Henry and Francis married **Mary Ann Kilmurray**, born c1869, the daughter of James and Bridget Kilmurray,. John and Mary Ann had seven children.

It was John and Mary Ann's son James Payne, born 1894, who married Holly Evelyn Brandis, born 18 August 1901, in Dongara in 1917.

Descendants of James and Holly Payne, who live in Sydney, were the family members interested in finding out about their Payne ancestors.

Following my research I was able send them the true family story and tell them that like many Australians they were descended from men who were transported to the shores of the Swan River Colony.

*Audrey Holland*

*NB. Holly Evelyn Brandis who married James Payne was my Mother's sister and her marriage to James added another two convicts to the Family Tree!*

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