

Samuel Smith – Scindian Convict #37

Twenty-five-year-old Samuel Smith of Birmingham was sentenced on 26 June 1848 at Warwick to 15 years for housebreaking. It was his second conviction for burglary and also the second time the unmarried sawyer was sentenced to transportation. He likely served most of his original ten-year sentence and had not long been out of incarceration before being apprehended for this crime. *The Royal Leamington Spa Courier, and Warwickshire Standard* of July 1, 1848, provides an account of Samuel Smith's crime and trial:

Warwickshire Midsummer Quarter Sessions

Samuel Smith, aged 25, Wm. Morris, 21, and John Collins, 22, respectively, for having at the parish of Aston, near Birmingham, on the 13th of April last, feloniously broken into the dwelling house of Jonathon Vincent, and stolen therein one silk handkerchief, value 1s., one pair of trowsers, value 2s., one shirt, value 4s., one smock frock; value 6s., one waistcoat, value 3s., and one pair of shoes, value 5s., the property of Robert Riley. – Smith, 15 years; Morris, 7 years; Collins, twelve months House of Correction to hard labour.

Spending the initial period of his sentence in Millbank Prison in London, a fate to befall all of those sentenced to transportation, Smith was moved to Portland Prison on 20 June 1849 in preparation for his transportation to Western Australia aboard the convict transport the *Scindian*. His physical description provided in the convict registers states he was tall in height, 6' 1/4", with light brown, sandy-inclined hair, hazel eyes, an oval face, fair complexion and being of stout appearance. The chaplain considered him to be of sound intellect and although never having attended formal schooling he could read and write a little. The chaplain also noted that Smith's father and mother were named Samuel and Anne Fowler, and they lived at Navigation Street, Birmingham.

From the time of his arrival until he was issued with his ticket-of-leave Samuel Smith likely laboured in a convict work party building much needed roads and bridges. He was listed as working as a sawyer in the Superintendent's Orders (SO1) p4, 20 September 1850:

"Extra rations for men employed at sawyers, blacksmiths, mortar mixers and washers on such days as they are fully employed at their respective trades or occupations.

Sawyers - 6oz, bread, 8oz meat, 1 Pt Beer

*67 John **Morris**, 16 Saml **Jackson**, 60 John **Willson**, 37 Saml **Smith**"*

After spending several days in June 1851 in Fremantle Prison hospital for a wound to his hand, Smith was issued with his ticket-of-leave on 28 July 1851, allowing him to leave the prison and work for himself. A year later however, he found himself under suspicion and incarcerated once more, referenced in official Convict Establishment correspondence:

"With reference to T of L H Samuel Smith whose petition accompanied your letter of yesterday's date, I am directed to inform you that H.E. has decided upon keeping him in confinement until the return of the other runaways who it appears have been captured at

Augusta. When you should find he is not in any manner implicated in their escape H. E. orders his immediate discharge.”

Several articles in the *Perth Gazette* during mid-1852 reference the escape from the Fremantle Convict Establishment of three convicts. It was apparently made possible by the incomplete state of the roof as the *Perth Gazette* opined:

“The wall on the south side of the gaol is again rebuilt, and also the north corner. If the authorities had not been so niggardly and allowed a few barrels of lime to this work, the roof of the building would before this have been completed.”

The three runaways were armed and causing consternation in the south-west as reported by the *Perth Gazette*, 2 July 1852, p 4:

“The three escaped convicts still continue at large, in spite of exertions to retake them. Their last escapade was perhaps the most impudent of all. A warder from the Convict Establishment was left as a guard at Mr Logue’s on the Harvey River; the vagabonds took the warder by surprise, stripped him, cut the girths and leathers of his saddle, and then left him with a request to give their compliments to the Comptroller General.”

Their ultimate capture was recorded when the final two of the three escapees were apprehended near Augusta; *Perth Gazette*, 23 July 1852:

“CAPTURE OF THE RUNAWAYS: - Yesterday’s mail from Augusta brings intelligence of the capture near there of the other two escaped convicts. We have received no particulars, except that the men were in a most exhausted condition. The result of this attempt will, we should suppose, have a most deterring influence upon any convict in future trying to escape from the colony, for if ever men had a fair opportunity for such a purpose these men had, and yet the result has been a miserable failure.”

Shortly afterwards the *Inquirer* reported that the charges against Samuel Smith, and a further man, of aiding and abetting the escape of the convicts were dropped:

Inquirer and Commercial News, 28 July 1852,

Perth, 10th

Thomas Hinchey and Samuel Smith, charged with aiding the escape of three convict prisoners from Fremantle, were dismissed.”

A lucky let off for Samuel Smith and the last official word there is about him in the public records. There were seven men named Samuel Smith who came to Western Australia as convicts and at least two more already in the colony so it is difficult to determine what may have happened to him after he received his conditional pardon on 10 May 1856. There are two death records for a Samuel Smith that fit with his age and indicate he may have died in 1872 or 1873.

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Sources:

Births, Deaths and Marriages, Western Australia;

Erickson, R., and O'Mara, G., *Convicts in Western Australia, 1850-1887. Dictionary of Western Australians Vol. IX*, p 513;

Fremantle Prison Convict Database;

National Library of Australia, Trove Digitised Newspapers:

Inquirer and Commercial News, 28 July 1852, p 3;

Perth Gazette, Fri 16 July 1852, p 4;

Perth Gazette, 23 July 1852, p 3;

Portland Prison Register, PCom2_383, courtesy of Bevan Carter;

State Library of Western Australia, British Library Newspapers online:

The Royal Leamington Spa Courier, and Warwickshire Standard (Leamington, England), Saturday, July 01, 1848; pg. 1; Issue 1047. British Library Newspapers, Part IV: 1732-1950;

State Records Office of Western Australia: Convict Registers: Cons 488_30 p116, letter 1115; Cons1156, R&D 1-2, R17, R21A, R21B, SO1; Cons 1368 p2.