

Samuel Diggle - Scindian convict #58

Family man Samuel Diggle was 36 years old when he was caught and convicted for stealing from the home of John Berry in early 1847. In this instance, Diggle was stealing a quantity of groceries from Berry's residence, however he had previously been convicted of poaching on at least three occasions. The outcome of his trial was reported in the *Manchester Courier and Lancashire General Advertiser* on Wednesday March 31, 1847:

South Lancashire Assizes

Burglary.- Samuel Diggle and Abraham Nabb were indicted for breaking into the house of John Berry, at Birtle-cum-Bamford, on the 6th of February, 1846 (?), and stealing there from some money and various other articles. Samuel Diggle guilty, and Nabb not guilty. – Sentence, 15 years' transportation.

Diggle was returned to the Kirkdale County gaol north of Liverpool until 23 April 1847 when he was removed to Millbank Prison in London. He served the usual six months of all prisoners sentenced to transportation in Millbank Prison for observation and was then moved back north to the Wakefield House of Corrections in West Yorkshire on 4 September 1847. There he remained until being moved once more to Portland Prison on 15 December 1848 to await transportation. He was collected by the *Scindian* on 28 February 1850 and taken to his ultimate destination, the Swan River Penal Colony in Western Australia, arriving 1 June 1850.

Diggle's physical description was recorded shortly after his arrival in the colony as being 5' 4 1/2" tall with brown hair, grey eyes, having an oval face, with a fresh, fair complexion, and being of stout appearance. He also had a fractured knuckle of his second finger, left hand. Six months after arrival on 10 December 1850 he was issued with his ticket-of-leave and assigned to work in the Fremantle district as a mason, for employer A. Lawrence for the wage of 50 shillings per month. He worked alongside fellow *Scindian* convict #54 Esau Wetherall, who was also a mason. Their employer was likely Ambrose Lawrence who was a Constable in Fremantle from 1849 and who in 1850 had purchased two town lots.

Diggle had left behind his wife Elizabeth with their four children: Ellen, 14 years, Alice, 11 years, Sarah, 8 years, and son Joseph 4 years old. He made an application for his family to join him, however, the letters written to the family referees were returned on 20 and 21 May 1851. Diggle managed to stay employed over the following years but with no family to provide for he tended to drink away his wages. He did however seem interested in supporting the erection of a new church in Fremantle as reported in both the *Inquirer* and *Perth Gazette* newspapers in November 1851:

A list of subscriptions in aid of the funds for the erection of an independent church in Fremantle – Samuel Diggle £1.

A notation in the convict establishment Stamp Books in January 1860 states that Diggle was due his Conditional Pardon and they were awaiting the receipt of certificates. Not long after though on 2 October 1860, he found himself reconvicted for a minor offence and served seven days back in the Fremantle prison.

Diggle is next found to be working in Toodyay in 1861 and 1862 on the construction of the St Stephen's Anglican Church alongside fellow *Scindian* convicts Thomas Trott and Esau Wetherall, who by this time had his own construction company. After the term of his original sentence expired in May 1862, Diggle moved to work in the Champion Bay area between 1863 and 1868. He is thought to have employed four ticket-of-leave men during this time: a mason in 1863, a well-sinker in 1865, a hut-keeper in 1867 and a labourer in 1868.

His problems with drinking however, were becoming increasingly frequent, evidenced by the local records, where between March 1866 and January 1867 he was fined on four occasions for being found drunk and incapable and using obscene language. He had moved to the Greenough area by 1869 where the fines and convictions for his drunken behaviour continued. Greenough Police Records indicate that he was reconvicted three times: in January 1872 he was gaoled for 3 days for having been found drunk and incapable on the main road; this was followed by a month in prison for a theft he carried out in July 1873 where he stole a padlock and key and a parcel of shingle nails from a Mr. John Smith; then finally, on 10 May 1875, he was convicted for absconding from the service of Francis Allender and served a further two months in gaol. This was in addition to seven more fines for drunkenness over the same period and on one occasion disobeying a summons to appear at court in Dongara.

Sadly, this drunken behaviour was a repetitive cycle for Diggle that he was never quite able to break free from. The final information on Samuel Diggle is that he served one last sentence of seven days in Fremantle Prison:

Reconvicted 20 Oct 1880 – No 2959

Samuel Diggle, aged 75 years, for feloniously stealing, sentenced to 7 days in Fremantle Prison. Sentenced in Perth by R. C. Loftie? Trade - Mason

After this he was admitted to the Old Men's Home in Perth and died there early in 1886, aged 84 years. He was buried on 15 February 1886 in the East Perth Cemetery.

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Sources:

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Birth, Deaths, Marriages, Western Australia;

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Millbank Prison Register, PCom2_27, p 11915, courtesy Bevan Carter;;

National Library of Australia, Trove Digitised Newspapers:

Inquirer and Commercial News, 26 Nov, 1851;

Perth Gazette, 28 Nov 1851;

Portland Prison register, PCom2_383 89_961, courtesy Bevan Carter;

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Manchester Courier and Lancashire General Advertiser (Manchester, England), Wednesday, March 31, 1847;
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State Records Office of Western Australia, Convict Establishment Records: Acc 1156 F3-F4, R&D3-R&D4, R17,
R21A, R21B; Cons 4411 Greenough Police Records;

Wakefield Prison Register HO24_13, p. 36, courtesy Bevan Carter.