

Thomas Routledge Raine – Scindian Convict #63

Thomas Routledge Raine and fellow Scindian convict George Barker committed several crimes that were all connected and were amongst the most serious in nature of any of the Scindian men. The crimes were committed in 1845 when they were both very young, around 18 years of age.

The crime has been documented in the *Historical register of remarkable events, which have occurred in Northumberland & Durham, Newcastle-upon-Tyne*:

August 9th 1845

“Two murders occurred this evening at Barnardcastle, under very remarkable circumstances. Joseph Yates, a tailor, had been drinking all the day, and in the evening he was in company with three young men, named George Barker, Thomas Routledge Raine, and John Breckon, who, having discovered that Yates had a little money in his possession, determined to force it from him. About midnight, when he was in company with a woman named Catherine Raine, the three men, with a girl named Ann Humphreys, followed him to a place on the banks of the Tees, known as the Silks, and, after a short scuffle, they took the money from him, and then threw him into the river where he was drowned. On returning over the bridge into the town the men threatened vengeance on the girls, and urged them to swear to secrecy, but as Raine would not accede to their request, she was seized, thrown over the parapet wall, and, the river being much swollen, she was carried away and drowned. Humphreys then swore to keep the matter a secret, and was permitted to go home.

The bodies were found a few days after, and strong suspicion rested upon the above parties; but Humphreys kept her oath for nearly a year, and when she at last disclosed the horrible affair her unsupported testimony could not be relied on, and the men were accordingly acquitted of the murder, at the York assizes, in August, 1846. Further evidence was, however, obtained to corroborate the girl’s testimony, and the three ruffians were arraigned for the robbery only, on the 16th March, 1847, and were clearly convicted of the crime. The judge sentenced them to fifteen years’ transportation, expressing his unbounded regret that the law had failed to reach them on the capital charge. The two trials cost the county of York £ 1,309.”

It is not known whether Catherine Raine was related at all to Thomas Routledge Raine.

Having taken two years to bring them to justice, even then, the prisoners were unable to be convicted for the heinous murders they had committed and rather only on the lesser charges of assault and theft. However, the judge presiding over their case was unwilling to let them go to their fate without passing stern judgement. *The York Herald, and General Advertiser* of Saturday, March 20, 1847, reported the following on the York Assizes:

“Mr Baron Rolfe, in passing sentence on the prisoners said-it is impossible for anyone who has witnessed the proceedings of this trial, not to feel that in your case, you have been guilty of two of the most barbarous murders that perhaps the annals of crime can furnish. You for a time succeeded, undoubtedly, in defeating the ends of justice hitherto, and I presume that upon the former trial material circumstances that have now come out in evidence, were not brought forward, or were not known to exist, as I am perfectly certain that no jury who has

heard what has been detailed during the course of the present investigation, could have had the remotest doubt that you barbarously (not merely, I suspect, for objects of plunder, but for objects of revenge), murdered that young man, and followed it up with equal barbarity by murdering that young woman, whom you thought would betray you, and I see enough to convince me that you had also formed the deliberate plan of murdering Ann Humphreys. Under these circumstances, I confess I feel somewhat ashamed that the law is not able to reach you further than it does. But this I will say – although I will not use the expression I have the satisfaction of knowing – (for I will not harbour so barbarous a sentiment) that whether your lives shall, by the pleasure of God, be terminated early or protracted late, you will live the objects of abhorrence and detestation even among the guilty associates with whom you will be placed, and who will be ashamed and contaminated at being with you. I hope you will devote every instant of your lives (if you have any wisdom or prudence) to endeavour to atone and expiate, as far as you can, by innocence of life, that horrible crime which you have committed. The severest sentence I am able I shall pass upon you; that is, that you be severally transported beyond the seas to such place as her Majesty, by the advice of her Privy Council, shall direct for the space of Fifteen Years.

Breckon (replied) Thank You.

Raine – It's an unjust verdict."

Raine was unrepentant with all of the indignant outrage of youth. It got him nowhere. He spent six months in the notorious Millbank Prison in London before being transferred to Wakefield Prison in Yorkshire on 24 September 1847. The prison register indicates his sentence as being "larceny from the person", noting his previous indictment for murder and revealing a further conviction for poaching. He spent just over a year in Wakefield before being transferred to Portland Prison on 13 December 1848 in readiness for transportation aboard the *Scindian* to Western Australia.

On arrival in the Swan River Colony, Thomas was one of the youngest of the *Scindian* convicts. His physical description was recorded: height 5' 8", light brown hair, grey eyes, oval visage, fresh, fair complexion, stout appearance. The records erroneously describe his crime as that of pickpocket.

Little is known of Thomas from the time of his arrival other than what the official convict establishment records can tell us. He was issued with his Ticket-of-Leave on 11 January 1851, and he became an Expiree on 6 June 1863. A further interesting but unenlightening note records that he had escaped (from where; from whom?) on 16 August 1854, an event which apparently went officially unreported.

Later in his life, a series of news reports indicated that he was frequently drunk, spent much of his time in the lock-up or the Fremantle Depot and was thought to be of unsound mind. He was issued with his Certificate of Freedom on 22 May 1871, however just 5 months later the *Herald* reported he had been "*Charged with wandering at large, having no visible means of support, and supposed to be of unsound mind; remanded for 8 days.*"

Ten years later, according to Convict Establishment records, aged 55 years in August 1881, Raine was found to be drunk and disorderly after having stolen a bottle of alcohol from a house. He was returned to Fremantle Prison to serve out one years' imprisonment.

This behaviour continued with this report in the West Australian newspaper in September 1886 seemingly indicating this type of occurrence being, unfortunately, quite common:

“An unpleasant sight was witnessed in High Street, Fremantle, about half past eleven o'clock, yesterday morning. The police had arrested a man named Thomas Rain, for being drunk and disorderly, and in order to prevent his using his hands, they had been handcuffed behind his back. While in this position he fell, and while lying prostrate, occasionally making vicious kicks at his captors, he indulged in a flood of the most abominable language. For nearly a quarter of an hour, while extra assistance was being procured, the ears of the passers-by were assailed by the drunken man's foul words. Finally, after another policeman had been obtained, the man was induced to go along to the station quietly, leaning on the arms of two by-standers, the police following in the rear. It might be well were the police authorities to provide a stretcher for the use of this kind of gentry, so that they might be removed to the seclusion of the police cell as expeditiously as possible.”

In December 1888, before the Fremantle Police Court for purportedly the 25th time, the *Western Mail* reported under the title of “*HOME SWEET HOME,*”: THOMAS RAINE, was charged with having been drunk on the South Beach, between 12 and 1 o'clock on Sunday morning. The defendant said that he was on his road home but on getting to the lock-up the constable said: “*This is your home.*” Water Constable Hopkins deposed to finding the prisoner in a stupefied condition on the South Beach. This was his 25th appearance but as a long interval had elapsed since he was before the court on a similar charge the bench took a lenient view of the matter, and discharged him with a caution.”

These incidences continued with him being fined 5 shillings for drunkenness in September 1893, and again in May 1896, this time fined 10 shillings, the news report mentioning (tongue in cheek) that whisky had been imbibed rather than water (a play on his name). Locally, he was considered to be a joke.

Three years later on 3 March 1899, Thomas died of congestion of the lungs in the Fremantle Prison infirmary. It was reported in two goldfields newspapers, possibly indicating that he had some connection to that region. His convict registration number was erroneously recorded as #65 rather than the correct #63.

Coolgardie Miner, Thursday, 9 Mar 1899:

“On Friday last an old man named Thomas Rain died in the infirmary at the Fremantle prison from congestion of the lungs. He was one of the convicts who arrived in the colony in the first vessel, and his number was 65. For many years he had been an inmate of the depot at Fremantle until he fell ill, and had to be taken to the goal infirmary to be treated. He was 73 years of age. There is no infirmary attached to the Fremantle depot for the aged, and patients from the institution have to be treated for all infirmities within the walls of the prison.”

Thomas was a presumably a fit, healthy young man on his arrival in the penal colony. There is no evidence that he ever married and every evidence that his later life was one of self-destruction via the bottle. Thomas' story is sadly reflective of many convict men who failed to find any hope or purpose in their daily existence to give them something to live for.

© Joanne Hyland, November 2019

Sources:

Ancestry.com - Historical register of remarkable events, which have occurred in Northumberland & Durham, Newcastle-upon-Tyne;

Births, Deaths, Marriages, Western Australia;

Erickson, R., and O'Mara, G., *Convicts in Western Australia, 1850-1887. Dictionary of Western Australians Vol. IX*, p 452;

Fremantle Prison Convict Database;

National Library of Australia - Trove Digitised Newspapers:

The Herald, Sat, 23 Sep 1871, p 3;

West Australian, Thurs, 2 Sep 1886, p 3;

Western Mail, Sat, 15 Dec 1888, p 6;

Inquirer, Fri, 29 Sep 1893, p 11;

Daily News, Sat, 16 May 1896, p 1;

Coolgardie Miner, Thurs, 9 Mar 1899, p 4;

Portland Prison Register – Portland PCom2_383, courtesy Bevan Carter;

State Library of Western Australia: British Newspapers Online:

The York Herald, and General Advertiser (York, England), Saturday, March 20, 1847; pg. 6; Issue 3884. *British Library Newspapers, Part II: 1800-1900*;

State Records Office of Western Australia: Convict registers – Acc 1156 Cons F3-F4, C21_p297&298_1609, R17, R21A, R21B, Cons 488-31, p 405, letter 1514 and p 408, letter 1529;

Wakefield Prison Register, HO24_13, courtesy of Bevan Carter.