

Benjamin Froggatt, 298, *Mermaid*

Researched by Marcia Watson

Name variation: Froggett, Froggart

Baptism	21 January 1810, Eyam, Derbyshire, England
Parents	Thomas Froggatt and Sarah Young
Parent's marriage	3 October 1799, Eyam, Derbyshire
Siblings	Ann (1800-1803), John (1802-), William (1803), Ann (1805), Sarah (1807), Henry (1812), Elizabeth (1814), John (1816), Thomas (1818 - 1839), Mary (1821), Rebecca (1823)
Wife	Jane Newham
Married	18 December 1843, St Peter's Church, Derby, Derbyshire
Partner 2	Catherine Lindsay
Children	Benjamin Froggat Newham (1842), Thomas Froggatt (1846) Ann Froggatt (1862-1863), Hannah Froggatt (1864) Charles Walter Ive (1859), John Ive (1861-1861) [Catherine's children]

Benjamin Froggatt was baptised at Eyam in Derbyshire, although the family lived about 3.5km away at Foolow, where his father was a blacksmith.

Nothing has been found on Benjamin before he married on 18 December 1843 at the parish church of St Peter, Derby.

Benjamin Froggatt, full age, bachelor, cattle dealer, resides at Osmaston, father is Thomas Froggatt, a farmer to Jane Newham, full age, spinster, resides Osmaston, father is Francis Newham, a farmer.

Jane had given birth to Benjamin Froggat Newham on 20 August 1842 at Newhaven. Although no father is recorded on the birth certificate, Benjamin appears to have been the father. On 12 January 1846, their son Thomas was born at Monyash, Derbyshire. Benjamin is recorded as a Publican. No other children were born to the couple.

Benjamin was a horse and cattle dealer, and he appears to have travelled widely to county fairs and markets.

At the Warwickshire County Sessions on **5 July 1849**, Benjamin Froggatt, aged 40, was committed on 20 April 1849, charged with horse stealing at Stoneleigh on 29 July 1847. The mare was the property of Thomas Allen. He was further charged with horse stealing at Monks Kirby, the property of William Bates, in May 1847.

The newspapers reported that the length of time that had elapsed since the stealing of the horses involved a protracted examination into the facts brought evidence against the prisoner and his accomplice, William Richards. The principal witness was Richards, who was sentenced to 10 years transportation in 1848 for horse stealing and was brought up from Leicester Prison.

Two witnesses spoke well of Benjamin. One said the prisoner was in the habit of going to all the fairs. I had bought horses from him before. I knew him to be a horse dealer and had given him an order for a horse that would be useful. I gave 20 guineas for him, which I consider a full and fair price. I have known the prisoner for six or seven years and always had every confidence in him.

The other, a farmer renting between 100 and 200 acres, had known the prisoner all his life and considered him very good character, never heard of his house being searched, of any charge being preferred against him.

The defence made a very able and eloquent address to the Jury. After which, the Chairman summed up, and the Jury almost immediately returned a verdict of Guilty. **Sentence, 7 years' transportation.** The prisoner left the bar saying he was innocent of the charge as a babe newly born.¹

Benjamin then appeared at Leicester County Assizes on **26 July 1849** on a receiving charge.

Francis Featherstone, aged 58, was charged with having, on the 30 December 1846, stolen a mare, the property of Mary Ogden; also with stealing, on the 6 March 1847, a mare, the property of Mr Taylor. Benjamin Froggatt was charged as the receiver.

William Richards (who came out of gaol to give evidence) stated he and Froggatt married two nieces of Featherstone's. Several people gave evidence, but the Jury was not convinced and returned a verdict of Not Guilty of stealing Mr Taylor's mare.

Froggatt and Featherstone were then arraigned upon a second indictment for stealing a mare of Mrs Ogden. Richards was again the principal witness. The Jury found them Guilty of receiving. **Sentence, fourteen years' transportation.** ²

Benjamin arrived in Western Australia in May 1851, per *Mermaid*, and obtained his ticket-of-leave two years later, in 1853, for the Perth district. The following newspaper reports give an insight into Benjamin's life.

4 October 1854. James Pollard feloniously received a One Pound Banknote (knowing the same to have been stolen), the property of Benjamin Froggatt. Verdict—Not Guilty.³

7 April 1855, Perth Police Court. Benjamin Froggett, t.l., out after hours, fined 5s.⁴

Then, in November 1855, he applied for a mail contract.

The Albany mail contract is undertaken by two persons named Froggett and Newstead, the former carrying the mail to Kojonup for twenty pounds a month and the latter from Kojonup to Albany for eight pounds more. Froggett also is to carry the York and Kojonup branch mails for six pounds a month. However, on the same page in the newspaper, the Albany mail contract, undertaken by Froggett, the ticket-of-leave holder, has been cancelled because of his inability to provide himself with the sureties considered necessary for its due fulfilment. ⁵

2 October 1855: Benjamin Froggett, suspected of stealing Government hay &c, discharged. ⁶

Thomas Chipper, who was a policeman at Albany, resigned in 1853, and in January 1855, he took over the license of the Commercial Hotel in Perth. Benjamin worked for him for six months from December 1855 before working for himself.

Over the next few years, Benjamin worked as a dealer, butcher, a baker and supplied sawn wood. He employed eight ticket-of-leave men, including four woodcutters, two bakers and a sawyer. Some of the men he employed included:

James Bailey (7354) from 31 December 1865 to 30 June 1867 as a General Servant.

Wm Cock (4226) from 4 June 1857 at Perth, returned to Convict Establishment on 11 June 1857, sentenced to 6 months hard labor.

¹ Coventry Herald - Friday 06 July 1849, p3

² Morning Post, 28 July 1849, p7; Nottinghamshire Guardian, 02 August 1849, p4; Coventry Herald, 06 July 1849, p3

³ The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 6 Oct 1854, p3,

⁴ The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 13 Apr 1855, p2

⁵ Inquirer (Perth, WA : 1840 - 1855), 29 Nov 1854, p3

⁶ The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 19 Oct 1855, p3

John Davis (7969) from 30 June 1866 as a Woodcutter until the end of the year.

Benjamin's numerous enterprises were doing well, and in 1861, he became part owner of a boat, the cutter Billy.

No.3, 1859, Cutter.	BILLY,	O/No.36540,	10.95 tons.
Dimensions :- 34.7 x 11.7 x 4.3 feet.			
Built at Fremantle during 1854.			
Owner :-	William Owston,	of Fremantle,	Shipowner.
Other owners,	Benjamin Froggatt,	of Perth,	Dealer.
	S.U. Stotter,	of Perth,	Shoemaker.
	William Padbury,	of Perth,	Merchant.
	Walter Green,	of Perth,	Merchant.
	H. Hughes,	of Perth,	Boatman.
	William Green,	of Perth,	Boatman.

This particular barge apparently stayed in the river trade throughout its working life.

No account of this vessel has been received since 1867; this registration is thus cancelled.⁷

At the Supreme Court on 3 October 1861: James Kinneard, James Miller, Edward Holmes and Sophia Paviour were charged with stealing money, the property of Benjamin Froggatt, butcher, of Perth, on 2 July 1861. The amount stolen was £400. There was a good deal of drinking on the day before and after the robbery. Benjamin had given Mrs Ives two bundles of notes, each containing £200, to put in a locked box. Mrs Ives had lived with Benjamin for about five months before her husband left his wife and three children and went to South Australia. Some of the money was recovered, although Benjamin had not recorded the serial numbers of the notes so he could claim any notes recovered through theft or loss.

The account of the trial <https://trove.nla.gov.au/newspaper/article/69137223?searchTerm=froggett> Edward Holmes [5549] was found guilty and sentenced to 7 years transportation. The others were found not guilty.⁸ The Attorney-General entered a nolla prosequi as regards Catherine Ives, charged with stealing monies, the property of Benjamin Froggett.

31 January 1863. Benjamin Froggett, c.p. — Having placed or caused to be placed, on or about the 27 January, upon the carriageway in Murray Street, a quantity of sawn timber, and did not immediately remove the same on being thereto required by the police; fined 5s and costs 4s 6d.⁹

Mrs. Ives was charged with having been drunk in Murray Street and wilfully broken 21 panes of glass in the house of B. Froggatt. The charge for damage done to the windows was not pressed against Mrs Ives, but for the drunkenness, she was fined 5s.¹⁰

14 July 1865: Charles Clifford, t.l., was charged with cheating Benjamin Froggatt, a storekeeper in town. Recommended that his ticket-of-leave be revoked for the space of one year.¹¹

In 1867, Benjamin was declared insolvent.

⁷ Ships Registered in Western Australia from 1856 to 1969. Their Details, Their Owners & Their Fate. Transcribed And Compiled By Rod Dickson, Merchant Seaman. October 1996.

⁸ The Inquirer and Commercial News (Perth, WA : 1855 - 1901) 9 Oct 1861, p3

⁹ The Inquirer and Commercial News (Perth, WA : 1855 - 1901), 11 Feb 1863, p2 Perth Police Court.

¹⁰ The Perth Gazette and Independent Journal of Politics and News (WA : 1848 - 1864), 7 Feb 1862, p3

¹¹ The Inquirer and Commercial News (Perth, WA : 1855 - 1901), 26 Jul 1865, p3

**In the Supreme Court, }
In Insolvency.**

*In Re Benjamin Froggatt, of Perth,
Storekeeper, an Insolvent.*

NOTICE is hereby given that the Estate and effects of the above Insolvent have this day, by an order of Court, been sequestered in the hands of the Official Assignee, and His Honor the Chief Justice has been pleased to appoint a 1st and 2nd Meeting of Creditors to be holden at the Court House, Perth, on WEDNESDAY, the 10th of July, and WEDNESDAY, the 7th of August next, ensuing, at the hours of ten forenoon, on each day, for receiving proof of Debts against the said Estate, and generally arranging the collection, administration, and distribution thereof. Dated Perth, the 19th June, 1867.

A. H. STONE,
Official Assignee.

12 7s].

On 4 February 1868, Mr and Mrs Froggatt and four children left per *Hougoumont* for Madras via Champion Bay. They travelled in steerage. The vessel carried 40 horses and seven rams. Benjamin may have been employed to look after the animals on the voyage.¹³

Nothing has been found on Benjamin or his family until 1872 when they returned to Australia.

Names	Males		Females		Children		After	Remarks
	M	F	M	F	M	F		
Free Cabin								
Brown Edwards	8	8	7	2			1	
Mr. Froggatt	.	.	1	.	.	.	.	2 nd class British
8 2 Children	.	.	.	.	1	1	.	
B. Froggatt	1	.	.	.	.	.	.	Deck
J. Lee	.	1	.	.	.	.	.
Mr. Choleros	.	1	.	.	.	.	.	2 nd class (deck)

28 November 1871, Hobson Bay arrivals:

Behar, R.M.S., 1,190 tons, Wm Blake, from Point de Galle 8th inst., and King George's Sound 23rd inst. Passengers include Mrs Froggatt and two children (a boy and a girl) in 2nd class, and Mr B Froggatt on deck.

The family settled in the Collingwood area. The rate books show:

1872. Benjamin Froggatt, Veterinary surgeon, 129 Argyle St, Fitzroy, stone house with two rooms.

1874. Benjamin Froggatt, labourer, 45 Sackville St, Collingwood.

1875. Benjamin Froggatt, labourer, Emma St, Collingwood

¹² The Perth Gazette and West Australian Times (WA : 1864 - 1874), 21 Jun 1867, p2

¹³ The Inquirer and Commercial News (Perth, WA : 1855 - 1901), 4 Mar 1868, p3

In 1875, Police Court, Collingwood: Rosanna Wilde, charged with having stolen a shawl from Catherine Froggett, remanded. In January, Rosanna was sentenced to four months imprisonment.¹⁴

1876, Police Court, Collingwood: A woman named Susannah Wilde was put forward on a charge of having stolen a shawl valued at 10s, from the house of Benjamin Froggett, off Smith Street, the property of his wife. The prisoner, who represented herself to be in destitute circumstances, was visiting at Mrs Froggett's house on Wednesday last, and after she had left, the shawl was missed. It was subsequently pawned by the prisoner, in the name of Walker, at the office of Mr Izard, in Smith Street. The prisoner said that the prosecutrix lent her the shawl. Susannah was sentenced to one month's imprisonment. She was also charged with having stolen a pair of trousers from James Steeth, in Wellington-street, where she was employed as a charwoman. She pawned the trousers. Sentenced to three months.¹⁵

Death of Benjamin Froggatt

13 November 1879, at Gippsland Ward, Melbourne Hospital, Benjamin Froggatt, labourer, died of carcinoma of the stomach of 9 months duration. He was buried on 18 November 1879 at New Cemetery, Melbourne. His parents were named Thomas Froggatt, a farmer and Sarah née Young. The certificate says Benjamin was born in Derbyshire and spent 12 years in Western Australia and seven years in Victoria. He "married" Catherine Lindsay when he was 51 and had a daughter, Hannah, aged 16.

Thirteenth November 1879	Hospital Benjamin Froggatt	Male	Carcinoma of Stomach	Thomas Froggatt Farmer
Gipps Ward City of Melbourne County of Bourke	70	9 months	J. H. M. Thomson	Sarah Froggatt formerly Young
	Labourer	Thirteenth November 1879		

J. Matthews Hall Park Hospital Melbourne	E. Pendergast Thirteenth November 1879	South Melbourne	Derbyshire England	Western Australia	Hannah 16 years
	New Cemetery Melbourne	12 years in Western Australia	51	Catherine Lindsay	
	J. Pendergast	7 years in Victoria			

¹⁴ The Herald (Melbourne, Vic. : 1861 - 1954), Fri 31 Dec 1875, p2

¹⁵ The Herald (Melbourne, Vic. : 1861 - 1954), Tue 4 Jan 1876, p2

Catherine Lindsay

Catherine Lindsay married John James Ive on 12 August 1849 at St Peter, Dublin, Ireland. John was a corporal in the 2nd Foot Regiment stationed at:

1851. Clonmel, Ireland (J James Ives)

1852. 1st Dublin

1853. Leeds, Yorkshire

1855 to West York rifles (Militia)

1856. Leeds, Yorkshire

John and Catherine arrived per *Lord Raglan* on 1 June 1858; he was a pensioner guard.

1858 – 1861 in Western Australia

1861 – 1876 in South Australia. John James Ive died in 1876 in South Australia.

No.	When Married.	Name and Surname.	Age.	Condition.	Rank or Profession.	Residence at the Time of Marriage.	Father's Name and Surname.	Rank or Profession of Father.
1849	August 12 th	John James Ive and Catherine Lindsay	full age	Bachelor	Corporal in 2 ^d Foot	Beggars Bush Barrack	James Ive	Carpenter
			full age	Spinster		9 Pembroke Court.	James Lindsay	Walter

Married in the Parish Church according to the Rites and Ceremonies of the United Church of England and Ireland, after Banns, by me, Edw D Mitchell

This Marriage was solemnized between us, John James Ive and Catherine Lindsay in the Presence of us, Michael Lindsay and Maryet Lystra

No children born to John and Catherine Ive have been found before they came to Western Australia. However, in 1861, Catherine was said to have three children when he husband left for South Australia.

Known children of Catherine Ive or Froggatt:

Charles Walter Ive, parents John James Ive and Catherine Lindsay, born 16 October 1859 at Perth and baptised 21 August 1865 (Methodist).

John Ive, father unknown and Catherine Ive, born 13 November 1861 and buried 14 November 1861 at East Perth Cemetery.

Anne Froggatt, parents Benjamin Froggatt and Catherine Lindsey born 1862 and buried 10 February 1832, aged two months and seven days at East Perth Cemetery. Father is a baker.

Hannah Froggatt, parents Benjamin Froggatt and Catherine Martha Lindsey born 1864

When Benjamin and Catherine went to India in 1868, the passenger list in the newspaper said they had four children. Only Charles Ive and Hannah Froggatt have been found in the registered births to be alive. When the family returned to Australia, there was an unnamed boy and a girl.

After Benjamin's death, Catherine continued to live in Collingwood.

1880. Catherine Froggatt, in a stone cottage in Tangridge St, Collingwood.

1885. Catherine Froggatt, nurse, in a brick house in Cambridge St, Collingwood.

Catherine Froggatt died in East Melbourne in 1888, aged 54.

Jane Newham

After Benjamin was gaoled in 1849, Jane and the children lived with her father.

The 1851 census shows at Bank Inn, Hartington Nether Quarter, Ashbourne, Derbyshire, England.

Francis Newham, widower, 64, farmer, born Hollington, Derbyshire

Jane Frogatt, daughter, married, 32, born Biggin, Derbyshire.

Benjamin Frogatt, grandson, 8, scholar, born Biggin.

John Thomas Frogatt, grandson, 5, scholar, born Biggin.

Catherine Newham, daughter, 16, born Biggin

Margaret Newham, daughter, 30, born Biggin

Ann Newham, daughter-in-law, married, 25, born Biggin

Hannah Newham, granddaughter, 0, born Biggin

Ellen Newham, granddaughter, 3, born Biggin

Mary Ann Newham, granddaughter, 0, born Biggin

Francis Mycock, grandson, 13, farm servant, born Biggin

No further trace has been found of Jane and the children.