

SYD1845

WREGISTER, 4/76, 04/01/1845.

INQUESTS. - On Saturday afternoon, the adjourned inquest on the body of **WILLIAM HENRY RUSSELL**, who had died on the 24th instant, was resumed, in the "Sir Walter Scott" public house, corner of Bathurst and Sussex-streets. Dr. **M'PHEE** being present to hear the statement of his having opened the body contrary to law, Dr. **SILVER** proved that he saw the body of the deceased on Christmas Day, which had been opened. On the day of the inquest he made a *post mortem* examination of the body, which was then in a rapid state of decomposition; but from the heart being twice the natural size, he had no doubt but that death had been caused by disease of the heart. The Coroner stated that it was not his intention to proceed at present any further in the case as it affected Dr. M'Phee. The evidence taken would be forwarded to the Attorney-General, and he (Mr. Brenan) would act in the matter as the Law Officers of the Crown might direct; and if ulterior proceedings were ordered, Dr. M'Phee would receive due notice of same, which would afford him an opportunity of explaining his conduct. The Jury returned a verdict of death by the visitation of God from disease of the heart.

ADJOURNED INQUEST. - On Tuesday morning the jury, who had been sworn to make inquisition, concerning the death of Dr. **JOSEPH MEYRICK**, re-assembled at the Albion Inn, George-street, and the prisoner, **LUCIUS O'BRIEN**, having been brought from the Gaol, at Woolloomooloo, the Coroner proceeded to examine several witnesses, who deposed to the fact of the prisoner having fired two pistols at the deceased. After a patient investigation, which lasted nearly nine hours, the jury returned a verdict of wilful murder against the prisoner, Lucius O'Brien, who was accordingly committed, by the Coroner, to take his trial at the ensuing Criminal Sessions.

MAITLAND MERCURY, 3/105, 04/01/1845

HUNTER RIVER DISTRICT NEWS. - MUSWELL BROOK.

A melancholy occurrence took place here on Friday last, on which day a mounted policeman named **WHITE**, on duty here from Maitland, shot himself. The only cause assigned for this act was that a prisoner whom he had captured a day or two previous had escaped from his custody, and an inquiry was threatened by the officer commanding the party. This had such an effect on the unfortunate man as induced him to destroy himself. The ball passed through his lungs, and he only lived for about an hour after committing the act.

NEWCASTLE.

On the evening of Thursday, the 26th ult., an immigrant miner in the employ of the A.A. Company, named **JOHN WILLIAMS**, a sober and industrious man, aged 43 years, left his home at the New Works to go and fish for snappers on the eastern or breaker beach, and has not since been heard of. It is supposed he must have been pulled in and taken away by a shark or some other large fish, as his neighbours say he was in the habit of making his large line fast to his wrist. Every endeavour to find the body has been used in vain; his knife and a small line were found on the ricks, where it is thought he was fishing, but no other traces of him could be observed. The deplorable state of his widow and five children is not to be described.

The unfortunate miner **JOHN CLISH**, whose dreadful accident was noticed in your last week's *Mercury*, expired on Friday last. All that the skill of Doctors **BROOKS**

and **BOWKER** could suggest was tried, but without even restoring the poor fellow to his speech of senses. January 1st.

SYDNEY NEWS.

SUDDEN DEATH. - On Wednesday evening a man named **WILLIAM WALL** was found dead in a hay loft in the rear of the premises of Mr. **ROBERT MURRAY**, landlord of the "Farrier's Arms," George-street. An inquest was held upon the body, at Mr. Driver's, the "Three Tuns," this afternoon, when the jury returned a verdict of accidental death; it having been proved that the deceased had died of apoplexy, having laid down after breakfast and expired. He had been an old servant of Mr. Murray's, was a fencer and splitter, and out of employment.

WILFUL MURDER. - INQUEST ON DR. MEYRICK.

On Thursday last the adjourned inquest was resumed, before a jury of seventeen, on the body of Dr. **MEYRICK**, who was shot on the 10th December by **LUCIUS O'BRIEN**, in Hunter-street, Sydney. A great deal of evidence was heard, proving positively that O'Brien had shot twice at Dr. Meyrick, pursuing him previous to firing the second shot, and that Dr. M. had died in about half an hour; and a great number of witnesses were also called to testify to the insanity prisoner had been labouring under for years. The jury retired for about twenty minutes, and when they returned the foreman stated that thirteen of the jury were of opinion that O'Brien was guilty of wilful murder, and in possession of his senses at the time he committed the deed, but that four of the jury were of opinion that he was insane at the time. The Coroner said that thirteen was sufficient to establish the verdict, and directed a verdict of wilful murder to be recorded, and committed the prisoner on the charge.

SYDNEY NEWS.

On Christmas evening a female named **CUTHERILL**, residing in Parramatta, availed herself of the absence of one of the medical gentlemen of the town to supply herself with some morphine, of which she is a habitual taker. In the hurry of the theft, she mistook a bottle of strychnine for her favourite drug; and, not finding the first dose operate, she kept on taking the strychnine until violent spasms came on. Dr. **GWYNNE** was called in, and, having ascertained the nature of the drug she had been taking, he applied the stomach pump, and gave her some emetics and iodine. The woman is likely to recover.

PORT MACQUARIE. - A blind prisoner of the crown named **BEDFORD** had been committed to take his trial for the wilful murder of another prisoner named **BROWN**, whom he stabbed several times with a knife.

MAITLAND MERCURY, 3/106, 11/01/1845

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

A sudden death took place here on the 31st ultimo. A ticket of leave holder, named **JOHN GRIFFITHS**, who, according to report, had "dipped deep" at this festive season, was seized with spasmodic pains in the stomach, which ended in inflammation of the most malignant kind. The poor fellow, who had fought in many of the battles of his country, began to complain on the previous day of a burning sensation, to cool which he partook of a few slices of cucumber which he had carried from his master's table, and as he, in the early part of the morning, had drunk a great deal of milk, it is reasonably supposed that the cucumber and vinegar caused the milk to curdle, which produced the inflammatory symptoms that carried him off in less than 24 hours. The event was beautifully alluded to by one of our clergyman in his sermon last Sabbath day.

NEWCASTLE. - The mutilated remains of poor **[JOHN] WILLIAMS**, the unfortunate man mentioned in my last, were found this morning by some boys on the beach under the gaol cliff. The head, shoulders, arms, and one leg are missing, and he was only identified by a remarkable cut on the ankle of the leg that still remains. It is indeed strange that so much of the body should still remain together after being so long in the water (13 days), and on such a rocky, broken shore.

WREGISTER, 4/77, 11/01/1845.

Central Criminal Court.

Monday, January 6.

Before their Honors the Chief Justice and Mr. Justice Dickinson.

JOHN JOHNSON, late of Sydney, labourer, was indicted for having, on the 4th November, 1844, made an assault upon one **WILLIAM BROPHY**, by beating, striking, and casting him to the ground, thereby inflicting injuries under the effects of which the said William Brophy languished until the 8th of November, on which day he died. Guilty of manslaughter – to be kept to hard labour in irons upon the public roads for the term of three years.

Friday, January 10.

JOHN VIDALL was placed at the bar, charged with having, on the 23 November, 1844, feloniously, wilfully, and maliciously wounded and killed one **THOMAS WARNE**, by inflicting several blows on the right side of the head, with an axe, or some heavy instrument. The prisoner was defended by Mr. **LOWE**, who, with Mr. **WANT** as attorney, had been assigned by the court for that purpose. The evidence throughout was much the same as that adduced at the Coroner's inquest; and Mr. Lowe, in his address to the jury, rested his defence principally on the unsatisfactory nature of circumstantial evidence in general, and the probability that the prisoner, from his ignorance of the English language, had been made the tool of some designing person, by whom the murder was really committed. After the Chief Justice had summed up, the Jury retired for about quarter of an hour, and returned a verdict of guilty against the prisoner, upon whom sentence of death was at once passed by the Chief Justice.

MAITLAND MERCURY, 3/107, 18/01/1845

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

On Thursday last, the 9th instant, an emigrant named **M'LENAN**, in the employ of Messrs. Fisher and Donaldson, during a fit of temporary insanity, brought on by intemperance, put a period to his existence by shooting himself through the head. The body was found by two men near the road leading from Stockton to the Dairy, soon after the rash act had been perpetrated. M'Lenan was quite a young man. January 15th.

SUPREME COURT. - *Saturday, Jan. 11*

GEORGE BYFORD, a blind and elderly man, was indicted for the murder of **JAMES BROWN**, at Port Macquarie, on 27th December last, by stabbing him with a knife. The prisoner was not defended by counsel, and having admitted the commission of the act under provocation, the jury returned a verdict of guilty, and he was remanded for sentence.

Monday, Jan. 13

LUCIUS O'BRIEN was indicted for the murder of **JOSEPH MEYRICK**, at Sydney, on the 19th of December last, by shooting him with a pistol. The Attorney General and Solicitor General conducted the prosecution, and Messrs. Windeyer and

Michie the defence. The offence was fully proved, and was scarcely denied by the prisoner's counsel, who rested his case entirely on the ground of insanity, and produced such a body of evidence bearing on that point for years back, that the jury at once found him not guilty, as being of insane mind at the time of committing the offence. The prisoner was then remanded until the pleasure of his Excellency is known.

Tuesday

JAMES DUVAL was indicted for being an accessory after the fact to the murder of **THOMAS WARNE** by **JOHN VIDALL**, who was convicted of the murder on the previous Saturday. The Attorney General conducted the prosecution, and Mr. Lowe the defence, at the request of the court. The evidence against the prisoner was nearly the same as given in the *Mercury* at the time of the murder, but for the defence witnesses were called who swore to the prisoner's being marketing with his wife till near ten o'clock on the Saturday evening, and it was stated that the murder must have been committed about eight o'clock, to allow of the body being so much burned by ten o'clock, when the fire was put out. The jury returned a verdict of not guilty, and the prisoner was discharged.

SUDDEN DEATH. - On Wednesday night, Mr. **BENJAMIN BRYAN**, landlord of the "Dove and Olive Branch," in Kent-street North, fell down dead behind his counter.

DEATHS.

Died, at Bloomfield, on Saturday, the 11th instant, of apoplexy, after a few hoysr illness, Mr. **ADAM STUART WIGHTMAN**, of Haydonton, Page's River, aged 45 years, leaving an amiable wife and six children to bewail his loss.

SYDNEY NEWS. - **MR. WARNE'S MURDERER.**

Yesterday week **VIDELLE** was tried for the murder of Mr. **WARNE**, in the Supreme Court, Sydney, before their Honors the Chief Justice and Mr. Justice Dickinson. The trial lasted the whole day. Mr. Lowe defended the prisoner; but no witnesses were called for the defence. The jury, after a quarter of an hour's consultation, returned a verdict of guilty, and the Chief Justice passed sentence of death upon the prisoner.

WREGISTER, 4/78, 18/01/1845

DOMESTIC INTELLIGENCE

MURDER OF THOMAS WARNE. - CONFESSION OF VIDALL

The convict Vidall has made a confession to Mr. **KECK**, the Governor of the Gaol, of which the following is the substance:- On the evening in question, between the hours of eight and nine, Vidall and the deceased were sitting together in the apartments of the latter, when a slight quarrel arose between them, and Warne, who appears to have been a man of very excitable temperament, ordered Vidall to leave his premises immediately, threatening if he did not do so, that he, Warne, would stab him with an old sword he had there. Vidall, upon this, went out on the landing, and remained there for a short time; but his evil passions becoming excited, he went softly in, and perceiving that Warne, without observing him, was working at the table with his head leaning up his hand, he seized the large axe produced in Court at his trial, and struck the unhappy man with the back of it upon the head, just in the manner that Dr. **M'KELLAR** supposed the blow to have been inflicted. Immediately on receiving the blow, Warne fell upon the ground, and after a few nervous struggles with his legs expired. The murderer, finding that his deed of blood was complete, locked the door and went out; and it was at this time that he was seen with Duvall, to whom, however, he solemnly denied having said anything at all about what had passed. Upon

returning to the scene of the murder, he cut off the limbs of the deceased without taking off the clothes, and placed the remains upon the fire with the clothes still on them; but, from the running of the fat from the body, the chimney soon afterwards took fire. This fire Vidall extinguished in the same manner described by the witnesses at the trial, but without the aid of anyone, (probably by bringing the table to the window, and standing the buckets of water upon it, so as to place them within his reach.) Finding that he could not [succeed?] in his original intention of burning the body, Vidall abandoned that idea and proceeded to pack up the remains of his victim in the box, just as they were afterwards found. He then went to work to efface the marks of the horrible deed which he had committed, and by five o'clock in the morning had got all cleared up. The blood which appeared on the floor of the room below that in which the murder was committed, must, he says, have flowed through the ceiling from the place where Warne lay after he was murdered, and before he had begun to mutilate the body. The whole of the evidence given on the trial was, to use his own words, as correct as if the witnesses had been watching him throughout, except that of the witness who spoke as to the water having been handed to him from inside, which was wholly a mistake. Vidall most solemnly and expressly declares that he alone is the guilty party, and that neither Duvall nor anybody else knew anything whatever of the transaction; Duvall as well as Wilson having been merely asked by him to assist in moving the box just as they had themselves stated.

INQUEST. - An inquest was held on Tuesday, at the Three Tuns Elizabeth-street, on the body of a male infant, name unknown, which had been found in a water-closet in Kent-street, on Sunday afternoon, and for the murder of which a female, named **MARY BURKE**, was in custody. From the evidence it appeared that the prisoner was a lodger in the house of one **JOHN MURPHY** in Kent-street, that the child was found in the water closet on Sunday, by Mrs. **MAGNER** a neighbour, who taxed Burke with being the mother, which she denied. That she had previously confessed to a Mrs. **SAMUEL** that she was with child by one **JAMES M'FARRELL**, but that the child was still. There being no evidence that the child had breathed after birth, the jury returned a verdict of still born, and the prisoner not guilty of murder; on which she was discharged, but ordered into the custody of the police, to answer a charge of concealing the birth of the infant.

CENTRAL CRIMINAL COURT

Saturday, January 11

Before his Honor Mr. Justice ????????????

GEORGE BYFORD (a blind and elderly man,) was placed at the bar, indicted for having, at Port Macquarie, on the 27th September last, inflicted several mortal wounds with a knife upon one **JAMES BROWN**, whereof the said James Brown expired the 27th December. Guilty – remanded for sentence.

Monday

LUCIUS O'BRIEN was placed at the bar, charged with having on the 19th December last, assaulted one **JOSEPH MERRICK** with a pistol, and mortally wounded him in the right side of the back, of which mortal wound he died shortly afterwards. The fact was clearly proved, but the prisoner was acquitted, on the grounds of being insane at the time, and was remanded until the Governor's pleasure be known.

Tuesday

Before their Honors the Chief Justice and Mr. Justice Dickinson.

JAMES DUVAL was indicted as an accessory after the fact to the murder of **THOMAS WARNE** by one **JOHN VIDALL**. Not Guilty – discharged.

Thursday

Before their Honors the three Judges

GEORGE BYFORD, who had previously been convicted of murder, was placed at the bar, and upon being asked in the usual form whether he had anything to say why sentence of death should not be passed upon him, he said, "That he had no just cause to show, for he acknowledged himself so before God and man, and he only hoped that those who heard him would never, as the deceased had done, accuse a man of blinding himself without any foundation for such a charge." Mr. Justice Dickinson then proceeded, in a solemn and impressive manner, to pass sentence of death upon the prisoner.

THOMAS B. HUMPHREYS (out on bail), who had been committed for manslaughter by the Coroner, was discharged from his recognizances, the Attorney General declining to prosecute.

MAITLAND MERCURY, 3/108, 25/01/1845

SYDNEY NEWS.

MURDER OF THOMAS WARNE. - CONFESSION OF VIDAL.

The convict **VIDALL** has made a brief confession to Mr. **KECK**, the governor of the gaol, with the particulars of which we have been favoured by that officer, and of which the following is the substance:- On the evening in question, between the hours of eight and nine, Vidall and the deceased were sitting together in the apartments of the latter, when a slight quarrel arose between them, and Warne, who appears to have been a man of very excitable temperament, ordered Vidall to leave his premises immediately, threatening if he did not do so, that he, Warne, would stab him with an old sword which he had there. Vidall, upon this, went out upon the landing, and remained there for a short time; but his evil passions becoming excited, he went softly in, and perceiving that Warne, without observing him, was writing at the table, with his head upon his hand, he seized the large axe produced in court at the trial, and struck the unhappy man with the back of it upon the head, just in the same manner that Dr. **MACKELLAR** supposed the blow to have been inflicted. Immediately upon receiving the blow, Warne fell upon the ground, and after a few nervous struggles with his legs expired. The murderer, finding that his deed of blood was complete, locked the door and went out; and it was at this time that he was seen with **DUVALL**, to whom, however, he solemnly denies having said anything at all about what had passed. Upon returning to the scene of the murder, he cut off the limbs of the deceased without taking off the clothes, and placed the remains upon the fire with the clothes still on them; but from the running of the fat from the body, the chimney soon afterwards took fire. This fire Vidall extinguished in the manner described by the witnesses at the trial, but without the aid of any one, (Probably by bringing the table to the window and standing the buckets of water upon it, so as to place them within his reach). Finding that he could not succeed in burning the body, Vidall abandoned that idea, and proceeded to pack up the remains of his victim in a box, just as they were afterwards found. He then went to work to efface the marks of the horrible deed which he had committed, and by five o'clock in the morning had got all cleared up. The blood which appeared on the floor of the room below that in which the murder was committed, must, he says, have flowed through the ceiling from the place where Warne lay after he was murdered, and before he (Vidall) had begun to mutilate the body. The whole of the evidence given on the trial was, to use his own words, as correct as if the witnesses had been watching him throughout, except that of the witness who spoke as to the water having been handed to him from the inside, which was wholly a mistake. Vidall most solemnly and expressly declares that he alone os

the guilty party, and that neither Duvall nor anybody else knew anything whatever of the transaction; Duvall as well as **WILSON** having been merely asked by him to assist in moving the box just as they had themselves stated. *Herald*

MAITLAND MERCURY, 3/108, 25/01/1845

INQUESTS. - An inquest was held on Friday, the 17th instant, at the Hinton Hotel, Hinton, before **J.S. PARKER**, Esq., coroner, on the body of **PATRICK RYAN**, who had arrived there from Maitland on the Sunday previous, very ill, and had gradually, sunk from debility till he died on the Thursday. It appeared the deceased had been drinking freely of wine during Christmas week, and seems to have never recovered the effects, but to have got weaker and weaker till he died. A post mortem examination was made by Mr. **BARNES**, and the jury returned a verdict of died from natural causes, and that his death was accelerated by intemperance.

Another inquest was held before Mr. **PARKER** on Tuesday last, at Clarence Town, on the body of Mr. **JAMES MARSHALL** of that place, whose body had been found the previous morning floating in the river, naked, and with stones tied to his feet. It appeared deceased, who was an insolvent, had lately been to Sydney about his affairs, and on his return was very much struck by his servant having robbed him of nearly all his clothes during his absence. After this he appeared much depressed, and drunk a little, a thing he had never done before, but nothing remarkable was observed about him. On Friday morning, the 17th, he left his house after breakfast, and never returned, being missing from that time until his body was found in the river on the following Monday. It appeared from the evidence that deceased had been in his right mind up to the last time he was seen alive, and no mark of violence could be found on his body after recovery. The jury returned a verdict of *felo de se*, and that the deceased had drowned himself.

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

The committee of our Benevolent Asylum met last Friday afternoon, to consider the case of a young man, named **WILLIAM HOOKER**, who had come from the Bulga, in a very distressing condition, apparently from a general prostration of strength. From the energetic representations of Dr. **VALLACK**, out lodgings were procured (as we cannot yet boast if a proper building for the purpose), and the necessary aid was promised, but the young man died on Sunday morning, at 2 o'clock. His complaint was inflammation of the lungs, under which he had suffered nearly a month without medical advice. As an asylum of this description is calculated to do much real good, in alleviating the mental and bodily sufferings and miseries of our fellow-creatures, it is to be hoped that all classes of our community will liberally contribute towards its support.

We understand that Sir **EDWARD KNATCHBULL** has transmitted £1000 for the benefit of the orphan children of the late Mrs. **JAMIESON**.

WREGISTER, 4/79, 25/01/1845

INQUEST. - Yesterday afternoon an inquest was held at Mr. Gray's, Lighthouse Tavern, corner of Bathurst and Sussex-streets, on the body of **JANE EVELYN**, aged five years, who had expired at the General Hospital on the same morning between one and two o'clock. From the evidence it appeared that on the 14th instant, while the deceased and a number of persons were standing in the street looking at a party of aborigines, a cart which the child did not perceive drove up and passed over her body. The jury found a verdict of accidental homicide, and a deodand of twenty shillings on the wheel which inflicted the injury.

COMMITTAL. - **MARY BURKE**, the female on whose infant an inquest was held last week, was committed on Saturday to take her trial for concealing the birth of her child.

LUCIUS O'BRIEN. - On Saturday last, in conformity with an order from his Excellency the Governor, **LUCIUS O'BRIEN**, who had been indicted for the wilful murder of Dr. **MEYRICK**, but acquitted on the ground of insanity, was conveyed by Mr. **KECK**, the Governor of the Gaol at Darlinghurst, to the asylum at Tarban Creek, in a carriage, accompanied by O'Brien's eldest brother.

HUMAN REMAINS. - The lower portion of the body of an adult female was found, on Monday evening, on the beach at Lane Cove. The shoes and stockings on it have enabled the inhabitants of the neighbourhood where it was found to identify it as the body of a woman who was accidentally drowned there about ten days ago, by the upsetting of a boat in which she, a man and a child, were passing for Sydney, the two latter were saved, but she sank before assistance arrived.

MAITLAND MERCURY, 3/109, 01/02/1845

SERIOUS ACCIDENT. - On Saturday last **THOMAS GIBBES**, a settler residing at Windemere, met with a very serious accident. He was returning home on a dray laden with casks, when the dray came in contact with a tree, and was upset. Gibbes fell with his arm under the dray, and owing to the bullocks dragging the vehicle before he could be released, his arm was dreadfully lacerated, and the bone completely shattered. A horse was immediately obtained, and he was removed to the Benevolent Asylum. His arm was so much injured that amputation was considered necessary, and the operation was accordingly performed by Dr. **LIDDELL**. The poor man is still suffering slightly from fever, but we are happy to hear that he is likely to recover. This is a painful but forcible illustration of the necessity and advantage of a medical hospital.

CONVICTS UNDER SENTENCE. - We understand that **VIDALL**, who was found guilty at the last sittings of the Central Criminal Court, of the murder of **THOMAS WARNE**, has been ordered for execution on Friday, the 7th of February; and that **GEORGE BYFORD**, the blind man, who was convicted of murdering one of the wardsmen at the Port Macquarie Barracks, has been reprieved. *Herald, Jan. 30*

WREGISTER, 4/80, 01/02/1845

THE CONVICT BYFORD. - The sentence of the prisoner [**GEORGE**] **BYFORD**, who was left for execution for the murder of **JAMES BROWN**, at Port Macquarie, is commuted to transportation for life to Van Diemen's Land, there to be kept to hard labour in chains.

BODY FOUND. - On Sunday evening the remains of a male, apparently of the higher class, were found at Bungarrabee Brush, the flesh of which was entirely gone. The deceased appeared to have been handsomely dressed in a black hat, Cossack boots, and black coat. There was found beside him a leathern portmanteau containing a handsome blue coat, several toothbrushes, and other articles; also a handsome blue cloth cloak, a cap with a peak, a bamboo walking stick with a carved handle, a pocket-comb with a mother-o'-pearl case, the comb being of tortoiseshell and having a silver long oblong plate, with the initials **T.G.W.** engraved upon it; also, parts of a newspaper, apparently the *Calcutta Englishman*, of January or February, 1840. The remains are believed to be those of Major **HOVENDEN**, who left Sydney in July last, and has not since been heard of. At the Coroner's inquest, held on Wednesday, at the public house on the Western Road, the pocket comb, with the initials T.G.W. was

identified by Mr. **WILSON**, who had given it to Major Hovenden. A still more conclusive and melancholy proof as to the remains is that a leather peak of a cap was found, on which is cut quite legibly, "Frederick Hovenden died of hunger."

SUICIDE. - An inquest was held before Mr. **PARKER** on Tuesday week, at Clarence Town, on the body of Mr. **JAMES MARSHALL**, of that place, whose body had been found the previous morning floating in the river, naked, and with stones tied to his feet. It appeared deceased, who was an insolvent, had latterly been to Sydney about his affairs, and on his return was much affected by his servant having robbed him of nearly all his clothes during his absence. After this he appeared much distressed, and drank a little, a thing he had never done before; but nothing remarkable was observed about him. On Friday morning, the 17th instant, he left his house after breakfast, and never returned. He was missing from that time until his body was found in the river on the following Monday. It appeared from the evidence that deceased had been in his right mind up to the last time he was seen alive, and no marks of violence could be found on the body after recovery. The jury returned a verdict of *felo de se*, and that deceased had drowned himself. *Maitland Mercury*.

MAITLAND MERCURY, 3/110, 08/02/1845

STATE OF THE BENEVOLENT ASYLUM, FEB. 7

The man who suffered amputation of his arm, two weeks ago, is fast recovering.

SYDNEY NEWS. - Thursday evening.

The principal topic of conversation in town to-day has been the execution of the unhappy murdered **VIDALL**, who is to expiate his crime upon the scaffold at Darlinghurst gaol to-morrow morning, at nine o'clock. Since the execution of **KNATCHBULL**, for the murder of **ANN JAMIESON**, so great a sensation has not been manifested.

DEATH FROM STARVATION. - On Sunday, the 26th ult., the remains of a male were found in the Bungarrabee Bush, near Parramatta, the flesh of which was entirely gone. The remains are those of Major **HOVENDEN**, who left Sydney in July, 1843, and had not since been heard of. On the leather peak of a cap which was found near the remains was cut - "Frederick Hovenden, died of hunger."

SUDDEN DEATH.

On Wednesday morning last, as a man named **JOHN WATTS** was breakfasting with a friend in East Maitland, he suddenly rose from his seat, ran out, and fell on the ground, and blood was immediately observed flowing from his mouth. His friends ran out to assist him, but found him bleeding so profusely at the mouth that notwithstanding they tried all they could to aid him, he died in a few minutes, before a medical man could reach him. This poor fellow had been ill for several days, being attended by Dr. **BROWN**, and had had a sudden attack a fortnight previously, which induced him to make over a little property to an old friend to bury him with the proceeds, in case he died. The body lay for many hours in the open air, as he died, and the coroner, who had been sent for, being unable to come that day, the police magistrate requested Dr. Brown to go and examine the body, in order to ascertain the cause of death. Dr. Brown having done so, made an affidavit that, from his previous knowledge of the case, and from the appearance of the body, he was of opinion that the deceased had died a natural death, from the bursting of a blood-vessel on the lungs. The deceased having held a ticket of leave, the police magistrate ordered that the body should be interred, which was accordingly performed that afternoon.

HUNTER RIVER DISTRICT NEWS. - **HINTON.**

SERIOUS ACCIDENT. - Yesterday, the 6th, the inhabitants here were a good deal shocked at hearing that Dr. **SCOTT**'s overseer, a highly respected man, had just met with a sudden and frightful death. It seems while a thrashing machine was in full operation on the Dr.'s premises, a quantity of foul air had gathered in the barrel, and suddenly exploded with great violence, driving an iron pin of the machine into the forehead of the unfortunate overseer, who was standing by – the pin passing out again at the top of his head. He fell instantly, apparently quite dead. The news reached Dr. **SCOTT**, who was coming towards this place, and he turned immediately, and galloped back to the assistance of the unfortunate man. Last evening we were happy to hear that his life was safe, the pin having providentially escaped injuring any vital part.

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DEATH FROM STARVATION. - On Sunday, the 26th ult., the remains of a male were found in the Bungarrabee Bush, near Parramatta, the flesh of which was entirely gone. The remains are those of Major **HOVENDEN**, who left Sydney in July, 1843, and had not since been heard of. On the leather peak of a cap which was found near the remains was cut – "Frederick Hovenden, died of hunger."

WREGISTER, 4/81, 08/02/1845

CORONER'S INQUESTS. - On Tuesday afternoon a coroner's inquest was held, at the "Fortune of War" public house, on the body of **MARGARET SULLIVAN**, a child, who had been drowned at Neutral Bay on Monday afternoon. **MARY SULLIVAN**, the mother of the deceased, residing at Neutral Bay, deposed that between four and five o'clock on Monday afternoon she saw the body of the deceased in the water; she had last seen her alive about two o'clock at dinner; after dinner witness went to Mr. **BOYD'S**, where she remained about two hours; on her return home she heard some girls screaming, who told her that there was a child drowned; when she went to the water she saw the child's body floating dead; there was a great depth of water where the body was floating; some men who were near the place took the body and brought it to land; witness was satisfied the deceased had been accidentally drowned. **MICHAEL M'CORMICK**, residing at Woolloomooloo Bay, saw the deceased quite well between four and five o'clock on Monday afternoon, near the place where he soon after saw her floating in the water; witness on seeing the body in the water went in and brought it ashore – it was dead. Dr. **D.J. TIERNEY**, of Pitt-street, had viewed the body of the deceased in the house where the jury assembled; he observed no marks of violence on the body. The jury found a verdict of accidentally drowned.

On Tuesday evening last, a labouring man named **WALPOLE**, residing on the Western Road, went to bed with his wife, taking with them an infant son. Two chairs were placed against the side of the bed to prevent the child from falling to the floor, should he slip out. During the night, it appeared that the child had slipped out of bed, and getting caught between the two chairs, had caught by the neck, where he had hung until strangled. A verdict of accidental death was recorded by the Jury empanelled on the body, on Wednesday.

On Thursday afternoon, an enquiry took place in Mellon's Hotel, Chippendale, on the body of **ELIZABETH MOON**, an infant, when the following evidence was given: **WILLIAM MOON**, baker, and father of the deceased, deposed she was nine weeks old; she was put to bed about eleven o'clock on Tuesday forenoon, being then quite well; about three in the afternoon witness went to the bed and found she had worked herself under the bed clothes, and had perspired so freely as to wet the clothes over her; on taking her up she appeared unwell, and becoming worse, Dr. **CATES** was sent for, and saw her, at ten o'clock at night; she died at half-past nine on Wednesday morning. Mr. **JOHN CATES**, surgeon, had seen the deceased alive on Tuesday night, she was then labouring under extreme difficulty of breathing, and in a state of great exhaustion; witness prescribed proper medicine for her case; in his opinion death was caused by the accumulation of blood in the lungs, the circulation having been impeded. The jury returned a verdict of died in consequence of accidental suffocation.

An inquiry took place yesterday afternoon, in Coleson's public-house, corner of Liverpool and George-streets, touching the death of **MARY ANN GARNUM**, aged two years and five months. It appeared from the evidence of the mother that she was washing some clothes between seven and eight o'clock on Thursday evening, when she lifted a boiler full of boiling water off the fire on to the floor for the purpose of emptying it into a tub outside the door; the deceased was then amusing herself at see-saw with another child, at a considerable distance from the pot; witness stepped outside to put the tub right in order that she might empty the water into it; while so employed the deceased fell backwards into the boiling water and was severely scalded on the back and sides; witness sprang in, caught hold of her and got her out before the water had time to cover the whole of the body; she immediately plunged her into a barrel of cold water, and took her to the doctor, who directed her what to do, but deceased died about two hours afterwards. Dr. **AITKIN** had seen the deceased in her mother's arms between eight and nine o'clock on Thursday evening; she was labouring under the effects of a very severe scolding (sic) on the back and sides of the body. He directed the injuries to be properly dressed. Death had been caused by the injuries he adverted to. The jury found a verdict of died from the effects of being accidentally scalded.

Another inquest was held at the same place, on the body of **RALPH LOMAS**, a joiner, who had expired in the General Hospital, at a quarter before ten on Thursday evening. **JOHN SUTTON**, a joiner, deposed that he and the deceased went to Francis-street, at the south end of Hyde Park, about two o'clock on Thursday, both being perfectly sober at the time, for the purpose of finishing a dormer window in a new house they had been working at. The deceased went outside on the roof (which was very steep, and without any parapet) with his shoes on, for the purpose of nailing a board on; when witness was in the act of boring a hole inside, through which deceased was to drive a nail, witness heard something slide down, and fearing it was Lomas sprang to the window, but before he got there deceased had passed over the edge of the roof, and fell with a tremendous crash on the ground, from a height of upwards of thirty feet, by which he was severely injured on his forehead; he was immediately carried to the residence of Mr. Surgeon **WHITTELL**, who, on ascertaining the nature and extent of the injuries, pronounced the case hopeless, but recommended his immediate removal to the General Hospital, where he arrived about three o'clock. Mr. **RICHARDSON**, Colonial Surgeon, afterwards performed the operation of trepanning, but deceased expired the same evening. Dr. **MACFARLANE**, who had previously known the deceased, saw him in the Hospital; there was a large fracture of the frontal bone all the extent of the right eye-brow; the

bone was shattered into small pieces, and a portion of the brain protruded; the covering of the brain had also been injured; in his opinion the injuries described had been caused by a fall, and was sufficient to account for the death of the deceased. The jury found a verdict of died from a fracture of the skull accidentally received.

EXECUTION OF VIDELLE. - **JOHN VIDELLE**, who was found guilty at the last sittings of the Central Criminal Court of the wilful murder of **THOMAS WARNE**, underwent the extreme penalty of the law yesterday morning, at the New Gaol Darlinghurst. Since the time of his conviction, he had been attended by the Rev. Mr. **BOURGEOIS**, to whom he expressed great contrition, but, at times, he was very sullen and dogged in his demeanour. In the early part of yesterday morning he displayed considerable obstinacy, refusing to allow himself to be shaved, to have clean clothes on, or to partake of some tea which was sent to him; but by the exertion of the reverend gentleman by whom he was attended, he gradually assumed a more composed state of mind, and proceeded with apparent earnestness to prepare himself by devotion for his approaching end. At a little before nine o'clock, attended by two Roman Catholic priests, the Rev. Messrs. **M'ENROE** and **BOURGEOIS**, with whom he joined aloud in prayer as the mournful procession moved across the gaol yard. He walked up the steps without other assistance than that afforded him by the clergymen, but on his appearance on the platform, he was scarcely able to stand, and seemed intensely agitated. When the fatal noose was adjusted, the Rev. Mr. M'Enroe came to the rail of the platform, and addressed the crowd as follows:

"The individual who is now about to suffer, confesses the justice of the sentence under which he is now about to die. He acknowledges too, that in his case the laws have been fairly administered, and justice rightfully rendered. He repents him of his sins, and prays that God may forgive them, and asks that all here may join in prayer that he may be forgiven."

A low and deep "Amen" murmured through the crowd, and after the prisoner had affectionately taken leave of both his spiritual attendants, the fatal signal was given, the bolt withdrawn, and the criminal launched into eternity. There was no feeling manifested by the crowd, and the most perfect order prevailed throughout. We must agree, however, with our contemporaries of the *Herald* and *Australian*, in animadverting on the depraved taste which could lead thousands of females to witness such a scene, and on the disgraceful conduct of parents in allowing their children to become habituated to witness disgusting spectacles of this kind.

MELANCHOLY OCCURRENCE. - About two o'clock yesterday afternoon, Mrs. **COURT**, wife of **JAMES COURT**, dealer, of Adelaide-place, laid her infant son **GEORGE**, aged six months, on an iron bedstead to sleep, and in order to prevent him rolling over, placed a slight iron railing, made to fit the front of the bed, in its place, and was busily engaged with her housework; about an hour after, one of the children called her to come and see what was the matter with baby, as he was hanging over the bed; on going into the room she was horror struck to find her infant dead, hanging over the side of the bed, his neck fixed between the side rail and the mattress, his face being closely pressed down on the latter, by which means he had been suffocated. An inquest will be held on the body today.

MAITLAND MERCURY, 3/111, 15/02/1845

EXECUTION OF VIDELLE. - This unhappy man, convicted of the murder of **THOMAS WARNE**, was executed on Friday, the 7th instant, at the new gaol, Darlinghurst. It will be remembered he confessed his crime some time back, but it appears he had since denied the truth of that statement. However, previous to his execution, he again confessed his guilt, and the Rev. Mr. **M'ENROE**, who attended him to the scaffold, stated publicly thereon, that **VIDELLE** confessed his crime, and

that the sentence was just. After prayer, the bolt was withdrawn, and the guilty man launched into eternity. A great crowd was present, among the rest great numbers of women, some of them holding young children by the hand, as if to inure them early to the callous contemplation of scenes of horror.

MAITLAND MERCURY, 3/112, 22/02/18451

ACCIDENT AT MR. EALES'S FARM, NEAR MORPETH. - We are happy to learn that the poor girls **KELLY** (who were about a fortnight ago since severely scorched on various parts of the body, by the explosion of a flask containing a considerable quantity of gunpowder, causing their clothes to ignite) are now convalescing; and that the eldest, a girl of eleven years of age, who sustained the greatest injury, and of whom Dr. **STEWART**, the medical gentleman in attendance, entertained some fears, is almost now out of danger. Her right hand, the thumb of which Dr. S. found it necessary to amputate, and her left arm, which sloughed to a very great extent, are now presenting very healthy appearances; consequently her ultimate recovery seems every day the more probable. *Morpeth Correspondent.*

DEATH FROM THE BITE OF A SNAKE.

On Saturday afternoon last, about four o'clock, a married woman named **BRIDGET GRIFFITHS**, residing at Reedy Camp, went into the bush with a girl to gather Cape gooseberries, and they had approached close to a fallen tea-tree that lay deeply imbedded in high weeds and bushes, when Mrs. Griffiths felt a black snake suddenly coil round her ankle, and screaming loudly she struck her foot smartly against the log to strike it off; failing in this, she ran a few yards screaming, when the snake dropped off and glided away. Not having felt a bite, Mrs. G. and her companion continued picking gooseberries for an hour, when they entered a hut, and having mentioned the occurrence, the inhabitants asked in great surprise if she had not looked to see whether she was bitten. On this Mrs. Griffiths returned home at once, and on examining her ankle found the snake had bitten her just in front of it. In about ten minutes she began to feel great pain in her head, and found her sight failing, and violent vomiting came on. Her husband tried all the means he could think of to relieve her, sucking the wound, &c., &c., but to no avail, and a dray was sent for to remove her to Maitland, but unfortunately such a time elapsed before one could be procured that it was nine o'clock before they reached Maitland, when they proceeded at once to Dr. Liddell's, where she remained. The unfortunate woman still laboured under violent pain at the back of the leg, in the groin, up the back, and about the neck, accompanied by violent retching; and general paralysis had taken place. She was however perfectly sensible, and could speak, but had no power over her limbs. Medicines were given by Dr. L. to counteract the poison, but though he could give her temporary relief, and attended her assiduously, the poison had entered too deeply into the system, and soon after two o'clock in the morning she went into convulsive fits, which continued till four, when death put a period to her sufferings. To the last she was quite sensible, and had no tendency to sleep. The ground where she was bitten has since been examined, and the holes haunted by the snake found, covered over by a soft mass of decayed weeds that appears to have been accumulating for years, and into which the foot sinks to the ankle, while the living grass and weeds above grow to the height of the armpits.

FATAL ACCIDENT. - On Sunday morning last, between twelve and one o'clock, a man named **THOMAS M'CAULEY**, a servant of Capt. **SCOTT**, was driving a loaded bullock dray, on the road to Black Creek, and had got on the dray and fell asleep. He was accompanied by a black boy and a man to whom he was giving a lift

to Lochinvar. Soon after passing Mr. Wright's Inn, at Rutherford, this man awoke M'Cauley, telling him they were approaching a bad bog-hole, and then got down himself, leaving M'Cauley still sitting on the dray. When they got to the place, one of the wheels fell suddenly into a deep hole, and with the jerk M'Cauley fell off on that side just in front of the wheel, which the next moment passed heavily over his body and leg, injuring him very much, and breaking an arm and a leg. His companion hastened back to Rutherford, and Mr. Wright immediately accompanied him to the spot, and helped to remove the poor fellow to his house. Dr. **LIDDELL** was sent for, and immediately attended, and found the injuries to extend to a simple fracture of one arm, a very severe compound fracture of one leg, and a severe fracture of the bones of the pelvis, besides others, a considerable internal effusion of blood having also taken place. Dr. L. applied such instant remedies as to enable him to be removed to the Maitland Benevolent Asylum, where he was carefully attended, though no hopes were entertained of his recovery from the first; general mortification eventually took place, and he died on Tuesday afternoon.

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

On the evening of Friday, the 14th instant, a child of about four years of age, named **MAHER**, was found drowned in a well near his father's house; it is supposed the poor little fellow fell into the uncovered and long disused well early in the afternoon, as the body had the appearance of having been in the water some hours.

WREGISTER, 4/84, 01/03/1845

MAITLAND

From the Maitland Mercury

DEATH FROM THE BITE OF A SNAKE. - On Saturday afternoon last, a married woman named **BRIDGET GRIFFITHS**, residing at Reedy Camp, went into the bush with a girl to gather Cape gooseberries, and they had approached close to a fallen tea-tree that lay deeply imbedded in high weeds and bushes, when Mrs. Griffiths felt a black snake suddenly coil round her ankle, and screaming loudly, she struck her foot smartly against the log to strike it off; failing in this, she ran a few rods screaming, when the snake dropped off and glided away. Not having felt a bite, Mrs. G. and her companion continued picking gooseberries for an hour, when they entered a hut, and having mentioned the occurrence, the inmates asked in great surprise if she had not looked to see whether she was bitten. On this Mrs. Griffiths returned home at once, and on examining her ankle, found the snake had bitten her just in front of it. In about ten minutes she began to feel great pain in her head, and found her sight failing, and violent vomiting came on. Her husband tried all the means he could to relieve her, sucking the wound, &c., &c., but to no avail, and a dray was sent for to remove her to Maitland; but unfortunately such a time had elapsed before one could be procured, that it was nine o'clock before they reached Maitland, where they proceeded at once to Dr. **LIDDELL'S**, where she remained. The unfortunate woman still laboured under violent pain at the back of the leg, in the groin, up the back, and about the neck, accompanied by violent retching; and general paralysis had taken place. She was however perfectly sensible, and could speak, but had no power over her limbs. Medicines were given by Dr. L. to counteract the poison, but though he could give her temporary relief, and attended her assiduously, the poison had entered too deeply into the system, and soon after two in the morning she went into convulsive fits, which continued till four, when death put a period to her sufferings. To the last she was quite sensible, and had no tendency to sleep.

MAITLAND MERCURY, 3/113, 01/03/1845

INQUESTS. - On Wednesday, the 19th February, an inquest was held before **J.S. PARKER**, Esq., coroner, on the body of **THOMAS M'CAULEY**, who had died in the asylum, as mentioned in our last, from injuries received from his dray passing over him near Rutherford on the Saturday evening previous. The facts deposed to differed very slightly from those given by us, and the jury returned a verdict of accidental death.

On Sunday last another inquest was held before Mr. **PARKER**, on the body of **ROBERT HUGDEN**, who had been found floating in the river Hunter, near Mr. Cyrus M'Dougall's, between Maitland and Morpeth, on the same morning. It appeared that on the previous day the deceased came to the bank of the river, and spoke to some of Mr. M'Dougall's men, inquiring where the catameran was that was commonly used to cross the river, as he wanted to go to Maitland. Finding it was in this side of the river, he said he should swim over for it, but was dissuaded from doing so by the men, who told him he was too old, and that they would find a strong man who should swim over for him. Hugden then left the hut, and the men going to their work saw no more of him. In the evening a man named **ROBERT HAND**, living on this side of the river, nearly opposite the farm of the deceased, saw deceased's clothes and a bag of cucumbers lying on the opposite bank, and being unable to see anything of Hugden himself, he feared he must be drowned, and getting the catameran, commenced raking among the weeds in the river to see if he could find the body. Night falling he was unable to continue, but next morning early he saw the body floating near where he had been raking. Dr. **EDYE** having certified that there were no marks of violence on the body, but that death had apparently been caused by drowning, the jury returned a verdict of accidentally drowned.

MAITLAND MERCURY, 3/114, 08/03/1845

SUDDEN DEATH. - On Tuesday last a man named **MARK JACKSON**, in the employ of Mr. **SMITH**, wheelwright, West Maitland, after having been at work as usual at the hammer, laid down his tool, and with a faint groan fell backwards dead. He had been for the last two months under the doctor's hands, and was thought to have been getting better. An inquest was held on the body the next day, when a verdict of "died by the visitation of God" was returned.

ACCIDENT. - On Tuesday afternoon a little boy, son of Mr. **SMITH**, optician, fell over the rocks near the Flagstaff, and was seriously, though not dangerously, injured.

GOULBURN. - Considerable excitement prevails at Goulburn from a Mr. **DUIGAN**, a settler in the district, having been discovered in the bush, dead, and as it is imagined murdered. He was found lying near a fallen tree, with a wound about an inch wide and two inches long near the crown of his head. A hatchet was found near the spot, corresponding to the wound, and his cabbage-tree hat had also a similar dent in it. A coroner's jury met on the body, but after a lengthy investigation could not come to any decision, nine of the jury and one of the medical gentlemen being of opinion that he had been murdered, the remainder considering that he had been killed by the falling tree. The case is more mysterious from his having received several threatening messages, deterring him from appearing against two men whom he had been bound over to prosecute for robbing him, one of whom was seen lurking about his place a day or two previously to the body being found. The inquest has been adjourned for three weeks, to enable the police to procure further evidence in the case.

MURDER. - Intelligence was received in Sydney, on Tuesday evening last, that a man named **DUGGAN** had been shot, not far from Goulburn. The only reason that

could be conjectured for the commission of this outrage was that the unfortunate victim of it was in the Goulburn mail when it was recently robbed by bushrangers, and it was thought that he could give such information as would lead to the detection of the perpetrators of the robbery. *Morning Chronicle*

WREGISTER, 4/86, 15/03/1845

DOMESTIC INTELLIGENCE.

INQUESTS. - An inquest was held on Monday, at the Young Prince of Wales Inn, York-street, on the body of **RICHARD WEBB**, horse dealer, of York-street. It appeared that on Friday, the 28th February, the deceased was at the Cattle Market, and whilst standing at the slip rail, nine horses rushed out and knocked him down, and one of them trampled on his body, by which he was severely injured in the right side; he was immediately conveyed home. Dr. **FULLERTON** saw deceased immediately after the accident, and attended him after it, and stated that three ribs, the 9th 10th and 11th, on the right side, were broken, one of the projected inward and slightly wounding the liver; the cause of death, however, was a rupture of the kidney, to such an extent that it was impossible life could be sustained. The deceased died on Saturday evening and was attended by Doctors **BLAND** and **WALLACE**, besides Dr. Fullerton. A verdict of accidental death was returned.

A second inquest was held at the Royal Oak Inn, Miller's Point, on the body of **JOHN HALL**, a seaman of the ship *Clarkstone*; the captain of the vessel certified that the deceased had been drunk every day since he came ashore and a seaman of the vessel deposed to having found him dead in his berth. A professional gentleman deposed to the death of the deceased having been caused by apoplexy, arising out of drunkenness, and a verdict to that effect was accordingly returned.

SUICIDE. - An inquest was held on Wednesday on the body of **EDWARD MAHONEY**, who was found by his wife about six o'clock that morning lying on the floor with his throat cut. From the evidence it appeared the deceased was a teetotaler, but had recommenced drinking about a week previous. On Tuesday he had a quarrel with Mr. **CRAMPTON**, and went home in liquor. He called at M'Laughlin's public house and wanted to have spirits, which was refused, and he went away threatening to destroy himself. From the nature of the wound it appeared to have been inflicted by himself. Accordingly the jury returned a verdict of self-destruction. The Coroner issued a warrant for the body to be privately buried between the hours of nine and twelve at night.

MAITLAND MERCURY, 3/115, 15/03/1845

A NOTORIOUS RASCAL. - A man named **BRIGHT** was on Wednesday convicted of horse-stealing, when being brought up for sentence, the Solicitor General said he had received a letter from the police magistrate at Moreton Bay, stating that a one armed man, answering the description of Bright, but who had gone by the name of **MORGAN**, had made his escape from there some time previously, when under a charge of shooting a black boy. It appeared Morgan had been shepherd to Mr. **ERLE**, and the hutkeeper on his station had been murdered by some blacks with spears, though not without strong suspicion of their having been set on to do so by Morgan, as he had had a quarrel with the deceased on the previous night, and left the hut vowing vengeance, and the next morning the body was found transfixed by a dozen shears. Morgan came into the station and reported the murder, and as he came in he met a black boy who was civilised and lived on the farm, and levelling his piece at him shot him dead for no assignable reason. It was also suspected that he was the

party who had fired at Mr. Dalton at Adelaide, and had escaped to Van Diemen's Land, where the police endeavouring to take him he lost his arm in the violent resistance he made. His Honor the Chief Justice ordered Bright to be remanded into the custody of the sheriff, so that an opportunity might be given of identifying him as the perpetrator of the various crimes of which he is suspected. The prisoner represents himself to be a native of Van Diemen's Land, and is stated to be a first rate shot, although his right arm has been amputated within a short distance of the shoulder.

CORONER'S INQUEST. - An inquest was held on Thursday, 27th February, at the house of **SAMUEL PRITCHARD**, of Uffington, Upper Paterson, on the body of **JOHN HALLAM**, who was in the service of Pritchard, and who ruptured a small blood vessel in the stomach from over exertion at the thrashing machine. Verdict, "death from natural causes."

SUSPECTED INFANTICIDE. - A coroner's inquest was held at the Queen Victoria Inn, Newcastle, on Friday last, the 7th instant, on an un-christened infant, aged 14 days, belonging to a man named **PALMER**, residing at the coal pots, Newcastle. From the fact of no medical attendant having been called in, as well as from the child having been buried in the bush, only a few hours after death, it had been imagined that the child had come by its death by unfair means. A post mortem examination of the body, however, proved that death had been caused by the "thrush," although, had medical advice been resorted to, the life of the child might have been saved. A verdict of "death from natural causes" was returned.

SHOCKING ACCIDENT. - On Tuesday afternoon last, a man named **JOHN DILLON** was riding a young horse along High-street, West Maitland, when the animal turned into the yard of Mr. **SMITH**, wheelwright. It was led out, when the rider began beating it with his whip. The horse reared up, when Dillon struck it between the ears with the butt end of his whip, and knocked it down. The shock threw him from his seat, but one foot got entangled in the stirrup. The horse instantly sprang up again, and commenced buckjumping, with Dillon hanging over his back by the stirrup on the off side, but his foot having got loose he was thrown violently on his head on the hard road. He was immediately picked up perfectly insensible, and though every attention was paid him, he expired within a few hours after the accident, of concussion of the brain. An inquest was afterwards held on the body, and the above facts having been given in evidence, the jury returned a verdict of "accidental death."

MURDER. - On Tuesday (yesterday) three men, attached to the stockade iron gang here, named **JAMES FITZPATRICK**, **MICHAEL MILLIGAN**, and **JOHN FITZGERALD**, were brought before the police court charged with stabbing a fellow convict, named **PETER M'CORMICK**, on the Sunday evening previous. The presiding magistrates were Major **LAST** and Captain **FURLONG**, who, we rejoice to find, has returned to reside in the town. It appeared that M'Cormick had on Saturday made complaints to the serjeant of the stockade respecting the conduct of Fitzgerald and Fitzpatrick, and that on Sunday Fitzpatrick was seen to receive a knife from Milligan, and heard to say "that he would have satisfaction out of that villain M'Cormick." Milligan also exclaiming that "If M'Cormick had said such a thing of him he would have his b----- life." On Sunday evening, after all the men had retired to rest in the prison, Fitzgerald was seen by a man named **CROOK** to enter the sleeping berth of the unfortunate M'Cormick, and stab him repeatedly, saying, "You villain, I'll teach you to take away my character." M'Cormick called out "Murder" several times, till the noise brought in Serjeant **WILSON** and the guard, who found M'Cormick lying on the ground weltering in his blood, having received no less than

five wounds about the breast, besides others in the body. In M'Cormick's berth was found a small knife, wet with blood. The guard took the three prisoners to the watch-house, and removed M'Cormick to the hospital, when in a short time Major Last took his dying deposition, it being feared he was dying. The unfortunate man lived, however, till last night, when we regret to hear he died. It is said he identified Fitzgerald as one of the men who stabbed him. Fitzpatrick and Milligan denied having anything to do with the stabbing, though Fitzpatrick admitted having struck him with a piece of pipe-clay. Fitzgerald also denied any participation, and gave a circumstantial account of Milligan's having done so. The three prisoners were committed to take their trial.

HIGHWAY ROBBERY. - At the Berrima Assizes, on Friday last, **FRANCIS GREEN and JOHN HAYLE** were indicted for highway robbery. The Attorney General, in stating the case, said the charge was robbing one **PATRICK DUGGAN**, and putting him in bodily fear. The principal witness in the case, Duggan, had, since the committal of the prisoners, been murdered, and he consequently laboured under some difficulty in the case, and it had no doubt been imagined that the prisoners would escape the punishment due to their crime by getting the chief witness against them out of the way. A Mr. Davis, also a witness in a case of highway robbery, had been murdered, and no doubt with the same object of getting his testimony out of the way; but they would not escape, for the murdered man had given his evidence at the police office, whereby it appeared that he had fully recognised the prisoners as the men who had stopped and robbed him in his cart at Wheeho. The deposition was fully proved and corroborated by other witnesses. Mr. **HUNT**, chief constable of Goulburn, deposed that the prisoner Green had said after committal that Duggan "should never swear another oath against him," and that Duggan had been murdered by a blow with an axe. Both the prisoners were found guilty, and sentenced to fifteen years transportation.

MAITLAND CIRCUIT COURT.

CUTTING AND MAIMING. - **HAMLET**, a man of color, native of Demerara, was indicted for stabbing, cutting, and wounding one **ALEXANDER FLOOD**, with a knife, with intent to do him grievous bodily harm, at Newcastle, on the 18th October. The prisoner pleaded guilty, but some doubt arising as to the sanity of the prisoner, a jury was empanelled to enquire into the state of the prisoner's mind, Mr. Purefoy, at the request of the bench, conducting the examination on behalf of the prisoner, when it appeared that prisoner had been servant to Mr. Flood, and had been recommended to him as an inoffensive madman. He had been with him about twelve months, and had been a good servant, till towards the last month, when he had become very violent. On one occasion, prisoner had attacked him with a rolling pin, but witness had never given provocation, although he had been attacked several times. The jury, without deliberation, considered the prisoner of unsound mind, and his Honor ordered the prisoner to be committed to gaol as a dangerous lunatic until further orders.

BATHURST. - A man named **HENRY HOGAN** has been committed to take his trial for the wilful murder of his wife, **ANN HOGAN**.

WREGISTER, 4/87, 22/03/1845

THE LATE SUICIDE. - The inquiry into the circumstances attendant on the death of the late **EDWARD MAHONEY**, of York-street, terminated on Monday, and the result was that the unfortunate widow was discharged, there being no evidence to warrant a committal.

MURDER. - On Tuesday, last week, three men, attached to the Newcastle Stockade iron gang, named **JAMES FITZPATRICK**, **MICHAEL MILLIGAN**, and **JOHN FITZGERALD**, were brought before the police court charged with stabbing a fellow convict named **PETER M'CORMICK**, on the Sunday evening previous. It appeared that M'Cormick had on Saturday made complaints to the Sergeant of the stockade respecting the conduct of Fitzgerald and Fitzpatrick, and that on Sunday Fitzpatrick was seen to receive a knife from Milligan, and heard to say, "that he would have satisfaction out of that villain M'Cormick." Milligan also exclaiming that "If M'Cormick had said such a thing of him he would have his b----- life." On Sunday evening, after all the men had retired to rest in the prison, Fitzgerald was seen by a man named **CROOK** to enter the sleeping berth of the unfortunate M'Cormick, and stab him repeatedly, saying, "You villain, I'll teach you to take away my character." M'Cormick called out "murder" several times, till the noise brought in Sergeant **WILSON** and the guard, who found M'Cormick lying on the ground weltering in his blood, having received no less than five wounds about the breast, besides others in the body. In M'Cormick's berth was found a small knife, wet with blood. The guard took the three prisoners to the watch house, and removed M'Cormick to the hospital, when in a short time Major **LAST** took his deposition, it being feared he was dying. The unfortunate man lived, however, till last night, when we regret to hear that he died. It is said he identified Fitzgerald as one of the men who stabbed him. Fitzpatrick and Milligan denied having anything to do with the stabbing, though Fitzpatrick admitted having struck him with a piece of pipe-clay. Fitzgerald also denied any participation, and gave a circumstantial account of Milligan's having done so. The three prisoners were committed to take their trial. *Maitland Mercury.*

MAITLAND MERCURY, 3/116, 22/03/1845

SUSPICION OF MURDER. - On Tuesday last an inquisition was held, before **JOHN S. PARKER**, coroner, at the Maitland Inn, on the body of **SUSANNAH LYNCH**, who had been found dead that morning in a paddock off the high road in West Maitland; the inquest was continued by adjournment on Tuesday, a man named **JOHN WILLIAMS** being in custody on suspicion of having caused her death, and the following details were adduced in evidence:-

ELIZA MITCHELL had seen her on the previous evening, in company with a man who wore a white shooting coat, coming down the town.

WILLIAM ROBINSON had seen deceased in Mr. Cummins's public house on the previous evening, in company with prisoner. He had on a blue jacket, white trousers, and a cloth cap, as he then wore, and was not drunk.

ELIZA BRIDEKIRK had seen deceased between eight and nine o'clock, coming out of Mr. Cummins's public house; a short, stout set man, clad in a white shooting coat, followed her, and called her back, saying he wanted to speak to her, but witness did not notice where they went.

MICHAEL RUSSELL saw a short, stout woman, dressed in a dirty straw bonnet, and very dirty clothes, passing Mr. Ledsam's house towards East Maitland, a man, who resembled the prisoner, leading her by the hand. She was very drunk, and abusing the man, trying to get away. A second man was behind, and told the woman to go on, and that he would follow. The woman appeared to be an old woman.

JAMES LUGG was looking after his wife on the previous night, and at length found her, between eight and nine, in Mr. Cummins's public house, in company with the prisoner. Deceased was not there then but came in shortly afterwards, and then appeared drunk, and as if just out of a sleep. The marks (a few scratches) on

prisoner's face were there when he was in Mr. Cummins's. Witness left deceased and prisoner at Mr. Cummins's when he went away.

JOHN CONNOR had engaged prisoner to work for him as a carpenter on the previous day to the body being found, at six shillings per week. The next day he seemed careless and not inclined to work, and witness was informed that he had come home between ten and eleven o'clock.

JOHN DURIE had purchased a plane off prisoner on the day the body was found. He stated then that he was going to sell his tools and go into the bush shepherding, if he could get employment; but witness could not recollect whether he mentioned that it was on account of the low wages he got.

Dr. **LIDDELL** had examined the body, which he found lying on the back, the face turned to one side, the right arm bent and the hand clenched. The depending parts of the body were black, as was usual in cases of sudden death, and similar spots were found on the face, lower jaw, and top of the windpipe. Blood had flowed from the mouth, and the forefinger and thumb of the right hand were covered with it, as if they had been placed in it. The point of the tongue had also been severed by the teeth, and was found lying by the side of the head; a shilling also lay there covered with blood. There were many recent abrasions on the legs and arms, yielding drops of blood; one was on the right elbow, as if she had fallen on that part. There were no marks of injury on the scalp. On removing the skull and *dura mater* there appeared an extensive effusion of *serum* over the brain, and on cutting into the cavities they were found much distended by the serous fluid, but there was no effusion of blood on the brain. From the appearance, death was caused by the effusion of *serum* on the brain, and the lacerations of the tongue might be caused in the last agonies of death. Such an effusion might occur through strangulation, but at the same time was a likely consequence of intemperance.

The prisoner, who had, on the first occasion, been examined as a witness, gave the following evidence:- That he had met deceased about eight o'clock, coming out of her residence, in company with another man, who had on a blue jacket and black hat. She asked him for a *ball*, when he told her to go home, and walked away. About ten minutes after eight he was at Mr. Cummins's public house, and went from there home to Mr. Connor's. The dress he wore then was the same he had wore on the preceding day. The blood on his trousers he could not account for. The inquest was then adjourned to Tuesday next.

NEWCASTLE.

CORONER'S INQUEST. - A coroner's inquest was held on Thursday last, the 13th instant, on the body of poor **M'CORMICK** (whose murder was noticed in your last number). The coroner and jury, after viewing the body, adjourned to the gaol, the perpetrators of the deed being there, and after a long investigation returned a verdict of wilful murder against **FITZPATRICK and FITZGERALD**.

MAITLAND CIRCUIT COURT. - TUESDAY, MARCH 18, 1845

SENTENCES.

DAVID BRIGHT, who had been convicted of horse stealing, and had been remanded for time to be given to inquire whether he was the person who had murdered a black boy at Moreton Bay, was brought up for sentence.

His Honor said that it had not yet been ascertained whether he was the person who had committed a dreadful murder; the most convenient course would therefore be to pass sentence on him for the offence of which he had been convicted, and afterwards the inquiry as to the other and more serious crime would be made, and he would most

likely have yet to undergo his trial for the murder. He was then sentenced to fifteen years transportation.

SUSPICION OF MURDER. - Last week a dealer named **MAHONEY**, residing in York-street, was found with his throat cut, insensible in his room. On a hearing of the case before **J.R. BRENNAN** Esq., coroner for Sydney, the jury returned a verdict of "Felo de se;" but since then circumstances have transpired which have thrown a suspicion on deceased's wife, as being in some way accessory to his death, and she has been apprehended by the police.

BATHURST ASSIZES. - The following is the calendar for these assizes, which commence on Monday next.

HENRY MILLS, and HENRY HOGAN, wilful murder, and
JOHN COOPER, murder, assault with intent to rob and murder.

WREGISTER, 4/88, 29/03/1845

DEATH ON THE RACE COURSE. - On Monday afternoon, as a fine youth, aged about fourteen years, was riding quickly along the Petersham race-course, when the horses were coming in for the first heat of the third race, his foot was unfortunately jerked out of the stirrup-iron, and while in the act of leaning over to catch the iron again with his foot, he was thrown from his seat, and the other foot being fast in the stirrup-iron, the horse dragged him with great violence a considerable distance, striking him several severe strokes with his hind feet, and ultimately dragged his head with such violence against the stump of a tree, as to mutilate it in a frightful manner. He was taken up alive, but expired soon after.

INQUEST. - An inquest was held on Tuesday, at the house of Mr. Walker, corner of Pitt and Liverpool-streets, on the body of the young man **WOOLLER**, who fell a victim to an accident received on the Racecourse at Petersham on the previous day. Medical testimony, that the deceased died from the effects of injuries received by his horse dragging him along the ground, was given, and the jury returned a verdict of accidental death.

An inquest was held, on Wednesday, on the body of Master **E.A. HAYES**, who was killed by the accidental discharge of his fowling-piece on the previous day. The unfortunate young man, who was about fifteen years of age, went out shooting with some of his young friends, and was in the act of getting over a fence; whilst doing which he had laid down his gun against a log, and something touching the trigger, the piece went off and the whole contents lodged in the breast of the young man, who almost immediately expired.

MAITLAND MERCURY, 3/117, 29/03/1845

ADJOURNED INQUEST. - On Tuesday last, the adjourned inquest on the body of **SUSANNAH LYNCH** was held at Mr. Nicholson's, the Maitland Inn, before **J.S. PARKER**, Esq., the coroner. No further evidence was adduced, and the coroner having summed up the testimony given on the two preceding days, the jury returned a verdict of wilful murder against some person or persons unknown. The man **JOHN WILLIAMS** was consequently discharged from custody.

ORIGINAL CORRESPONDENCE.

To the Editors of the Maitland Mercury.

GENTLEMEN, - In your last publication, in reporting the evidence given at the inquest on **SUSANNAH LYNCH**, you state that I saw the deceased coming out of Mr. Cummins's public house between eight and nine o'clock. In respect for myself, and in justice to Mrs. Cummins, I beg to state your report is erroneous; I stated that

when at my own door, which is a long way from Mr. C.'s house, I saw the deceased, between eight and nine o'clock.

MARY BRIDEKIRK.

West Maitland, March 27, 1845.

SYDNEY NEWS. - GUNDEROO.

The south country has again been the scene of murder; a Mrs. **WILLIAMS**, residing in the Gunderoo district, sent a servant man, named **MILLFORD**, for some wine. On his return he met with a companion and planted the wine, telling Mrs. Williams that he had been robbed of it. The story was discovered by a woman on the farm being found drunk, and Millford sheltered himself by abusing his mistress and the overseer, throwing the leg of a stool at the latter. **HASSELL**, the overseer, seized a tomahawk and ordered him away, when Millford got possession of a hurdle bar. Hassell then retired to the hut, and sent Mrs. Williams's son a distance of three miles for some percussion caps, and on his return he put one on his fowling piece, and ordered Millford to leave the house; the latter refused, and said that the overseer was not game enough to fire. Upon this Hassell pulled the trigger; the charge lodged in Millford's side, and he expired seven hours afterwards. Hassell has been committed to take his trial for wilful murder.

HABITS OF THE BLACKS. - A black fellow attacking the hut of some white man at Moreton Bay, was shot, and although he got away, shortly afterwards he died. After the usual ceremonies of yelling, scarifying themselves, &c., had been gone through, the body was dissected and cut up into very small portions, and distributed among the tribe, who, after eating the flesh from the bones, carefully scraped them, and ultimately conveyed them to the Logan, to be placed amidst the branches of a sacred tree there. Eating the flesh is considered to be a mark of respect to the deceased by his tribe, and the blacks of other tribes will not join in the cannibalism.

WREGISTER, 4/89, 05/04/1845

BATHURST CIRCUIT COURT

Tuesday, March 25

Before his Honor Mr. Justice a'Beckett.

HENRY MILLS, a native, was charged with the wilful murder of **JOHN YOUNG**. The jury returned a verdict of guilty of manslaughter, with a strong recommendation to mercy. Remanded for sentence.

Wednesday

HENRY HOGAN, a native, was indicted for the murder of his wife, **ANN HOGAN**, by drowning her on the 6th day of February last. Remanded for sentence.

MAITLAND MERCURY, 3/118, 05/04/1845

DEATH BY DROWNING. - On Thursday morning, the 20th March, a carpenter named **GEORGE LEANE**, while standing on Mr. Portus's Wharf, at Morpeth, observed the body of a man floating down the river with the tide, and there being no boat near he jumped into the river, and with a rope brought the body ashore. After a day or two it was identified as the body of one **RICHARD M'DERMOTT**, a labourer in the employment of Mr. **WILLIAM M'DONALD**. He had received 7s. and 6d. from his master on the Monday previous, and had been last seen at midnight, in company with a man named **JOHN RYAN**, who was very drunk, with whom he crossed by the punt. Ryan was taken into custody during the sittings of the coroner's jury, which was held on the 21st and 24th March, when, after a long and patient investigation, a verdict of "found drowned" was returned, and Ryan discharged.

BODY FOUND. - The remains of a human body have been found near the road leading from Mr. Bettington's to Jerry's Plains, and have not as yet been recognised. The skull appears to have been fractured, and the bones scattered about. Half a gold ring, a small quantity of hair, a striped shirt, and some fragments of a pair of black cloth trousers were lying about the spot. By the appearance of the bones the body is supposed to have been dead about two months. *Government Gazette, April 1*

SYDNEY NEWS.

DREADFUL CRIMES. - A man named **JAMES MARTIN** had been committed to take his trial, by the Penrith bench, for the wilful murder of his wife, under very shocking circumstances.

WILLIAM LAYLEY and **JOHN COURT** have also been committed, by the same bench, for throwing one **PATRICK HOWITT** on to a fire with intent to do him some grievous bodily harm.

GOULBURN. - An inquest was held in this township, protracted during three days, on the body of the unfortunate man **PATRICK DUGGAN**, who, we stated in a former number, had been found murdered in the bush. A man named **THOMAS CLUNE** and a woman were in custody, and a great number of witnesses were examined, and it was clearly shown that the unfortunate man came to his death by a blow on the head with an axe; a verdict to that effect was returned, the jury finding that Thomas Clune was in deceased's company at the time, and guilty as an accessory before the fact.

MURDER AND ATTEMPTED ESCAPE. - On Wednesday, March 26th, **HENRY HOGAN**, a native of the colony, was tried at Bathurst Assizes on a charge of murdering his wife. It appeared that the prisoner was jealous of his wife, and for a week previous had had several quarrels with her, when on Sunday, the 6th February, she went down to the creek near the house, and a few minutes afterwards was followed there by her husband. Only a short time after he returned, and was met by his sister-in-law going away on horseback, to whom he said that she should find her sister in the creek. The body was found there, and a verdict of wilful murder returned against him. After this, as the people were leaving the court, the prisoner jumped over the dock, knocked down the constable in charge, and was making his way to a side door, when he was again collared, and heavily ironed and handcuffed.

WREGISTER, 4/90, 12/04/1845

BATHURST CIRCUIT COURT

Monday, March 31

Before his Honor Mr. Justice a'Beckett

HENRY HOGAN, who had been convicted of the murder of his wife, was brought up and received sentence of death, with an intimation that he would be recommended for mercy.

HENRY MILLS, who had been indicted for wilful murder, but found guilty of manslaughter, was placed at the bar and sentenced to two years' confinement in Bathurst Gaol.

CENTRAL CRIMINAL COURT

Monday

Before his Honor the Chief Justice

MARY ANN BURKE was indicted for the concealment of the birth of a male child; there were two counts, the one charging the child as born alive, the other as born dead. Guilty – to be two years imprisoned in Parramatta Gaol.

Thursday

DENIS MARTIN was placed at the bar, and indicted for the wilful murder of his wife, **MARY MARTIN**, at Penrith, on the 27th March last, a second count charged him with the murder of one **MARY MACINTYRE**, the maiden name of the deceased, and by which she was formerly known within a short time before the alleged murder. At the request of the prisoner, time was allowed to prepare his defence, which was undertaken by Mr. **PUREFOY** and Mr. **J.R. BRENNAN**.

Friday

Before his Honor Mr. Justice a'Beckett

DENNIS MARTIN, late of Penrith, labourer, was placed at the bar, and indicted for having, at Penrith, on the 17th of March last, wilfully murdered one **MARY MARTIN**, by casting her against the ground, and by inflicting with his hands and feet certain mortal wounds, bruises, and contusions, from the effects of which the said Mary Martin then and there instantly died. A second count of the indictment described the deceased by the name of **MARY MACINTYRE**. The prisoner was acquitted, but being a ticket-of-leave holder, was remanded to the custody of the police.

MAITLAND MERCURY, 3/119, 12/04/1845

BODY FOUND. - On Thursday afternoon last, about three o'clock, a black boy in the service of Mr. Clift, whilst playing on the bank of Wallis's Creek, found the body of a woman floating in the water, about two hundred yards above the bridge. He immediately gave the alarm, and Mr. **CLIFT**, Mr. **WILLIAMS**, the wheelwright, constable **TONGE**, and several other parties, went down to the creek, and there found the body floating on its back, about two yards from the East Maitland side of the creek; it was lying across the creek, with the head towards the East Maitland side. The chest was covered with weeds, but the legs were lying in clear water. At the spot where she was found the water was deep close in to the bank and the water covered with weeds, so that a person slipping in would have but little chance of saving themselves. The body was then got ashore, and recognised as that of the wife of **SAMUEL WEBB**, who had been convicted at the last assizes of stealing slabs. An inquiry has been held before **E.D. DAY**, Esq., P.M., but as yet nothing has been elicited to attach suspicion on any person.

MURDEROUS ATTACK. - Yesterday afternoon a tobacco twister in the employment of Messrs. Walthall and Co., **WILLIAM M'VIE MITCHELL** by name, went into the house of one **LUKE FAIRBROTHERS**, situate at the rear of Hughes' tallow chandlery, whilst in a state of intoxication, and had something to drink with Fairbrother's wife, he himself being at the time at Weigh Harbour, working for W.C. Wentworth, Esq. It appeared that after he had been there some time a row ensued between them, and the man was seen by a boy named **KERR**, through the window, kicking the woman, who was lying under the bed. He immediately gave the alarm, and some of the neighbours rushing into the house, found the unfortunate woman lying partly under the bed weltering in blood. Some pieces of iron were found near her head, which belonged to a small iron saucepan, also lying near, and which had been broken over the woman's head, which presented a frightful appearance, from the wounds inflicted. Dr. **LIDDELL** was immediately sent for, and was promptly in attendance, when from his exertions she was restored to consciousness, though she was unable to speak, nor was she sufficiently sensible to give any account of the origin of the attack. Mitchell was taken into custody, and appeared to be more like an insane man than a reasonable creature. Up to a late hour last night the woman still remained insensible, though the medical attendant had hopes of her recovery.

WREGISTER, 4/91, 19/04/1845

BODY FOUND. - On Thursday last week, about three o'clock, a black boy in the service of Mr. **CLIFT**, found the body of a woman floating in the water, about two hundred yards above the bridge. He immediately gave the alarm, and Mr. Clift, Mr. **WILLIAMS**, the wheelwright, constable **TONGE**, and several other parties went down to the creek, and there found the body floating on its back, about two yards from the East Maitland side of the creek; it was lying across the creek, with the head towards the East Maitland side. The chest was covered with weeds, but the legs were lying in clear water. At the spot where she was found the creek was very deep close in to the bank, and the water covered with weeds, so that a person slipping in would have but little chance of saving herself. The body was then got ashore, and recognized as that of the wife of **SAMUEL WEBB**, who had been convicted at the last assizes of stealing slabs. An inquiry has been held before **E.D. DAY**, Esq., O.M., but as yet nothing has been elicited to attach suspicion on any person. *Maitland Mercury*.

MAITLAND MERCURY, 3/120, 19/04/1845

THE LATE MURDEROUS ATTACK. - Since our last, the man **WILLIAM M'VIE MITCHELL** has been fully committed to tale his trial for assaulting **CATHERINE FAREBROTHER**, but on the examination no particulars were elicited, in addition to those which we have already laid before the public, as it appears the woman had been drinking to such an extent as to have been perfectly insensible to all that occurred after her leaving the public house, until the time she was brought to her recollection by Dr. **LIDDELL**. The man was also very drunk at the time, and is represented by the witness as having been perfectly stupid with liquor.

NATIVE BURYING PLACE. - On Saturday last, as one of the men in the employment of Mr. Jones A. Smith, of Coolie Camp, was digging in a field belonging to that gentleman, he turned up the entire skeleton of a man. Information was immediately given to the coroner (**J.S. PARKER**, Esq.), who was promptly on the spot, and on making some further enquiries amongst the old inhabitants of the place, it was found that tradition handed the spot down as a former burial ground of the blacks. Some further search was made, and other skeletons found, which fully corroborated the tradition, and the bones of the former lords of Australian soil were consequently returned to their former resting place. We are glad to have it in our power to mention that Mr. Smith, with much feeling and delicacy, has had the spot fenced in, so that the heedless foot of the European may not desecrate the last home of his less fortunate and savage brother.

BODY FOUND. - Lengthy inquiries have been held at the police office, before **E.D. DAY**, Esq., touching the death of the unfortunate woman **WEBB**, who had been found in Wallis's Creek. From what has been elicited, there is every reason to believe that the miserable woman made away with herself. On two occasions previously she had endeavoured to cut her throat, and as she had been drinking for a week or ten days without intermission, there is little doubt but that she had thrown herself into the creek whilst labouring under a fit of *delirium tremens*.

WREGISTER, 4/92, 26/04/1845

RESPITE. - The man **HOGAN**, who was sentenced to death at the recent assizes at Bathurst, for murder, has been respited.

MELANCHOLY ACCIDENT. - Yesterday, about a quarter-past two o'clock, **WILLIAM DONALDSON**, one of the stonemasons employed in the erection of the new Congregational Church, Pitt-street, was raised to the top of the shears for the purpose of securing the block; soon after he had reached the block, he was observed attempting to get his feet into some part of the apparatus to rest on, and in a few minutes after he lost his hold, and fell with a dreadful crash to the ground. He was so severely injured that he died while they were conveying him to the hospital. It is supposed that the deceased, although accustomed to work at great heights, had become giddy, and so lost his hold. The deceased was about twenty-two years of age, and had been married only six months.

DIED.

At Maitland, on Thursday evening last, of apoplexy, The Rev. **EDMUND MAHONEY**.

MAITLAND MERCURY, 3/121, 26/04/1845

SYDNEY NEWS. - ATTEMPT AT MURDER.

A prisoner of the crown named **MARGARET YATES**, assigned to her husband, has been committed to take her trial for the attempted murder of her husband, **JOSEPH YATES**, whom she attacked with a shoemaker's knife. The unfortunate man was severely wounded in the left side of the throat, which his wife had attempted to cut, though from the prompt attendance of the medical gentleman, his life has been saved. Jealousy is supposed to be the cause of the attack.

DEATH.

We regret to announce the decease, on Thursday night last, of the Rev. **T. MAHONY**, the Roman Catholic Minister of East Maitland. The deceased gentleman ruptured a blood vessel on Saturday last, and, notwithstanding the best medical attendance, he sank gradually until he expired. The reverend gentleman was much esteemed and respected by all who knew him.

DEATH FROM BURNING. - On Saturday week last, the 12th instant, a young woman named **MARY ANN JOHNSTON**, in the service of Mr. Honeysett, miller, of West Maitland, was standing with her back to the fire in her master's house, when her clothes took fire, and she was immediately enveloped in a sheet of flame. No person was in the kitchen at the time, and she ran to the door, and though the flames were promptly extinguished by her master, yet she was so dreadfully burnt about the back part of the legs, body, and arms, that she expired on Thursday last, after lingering to that time in the greatest agony. Dr. **LIDDELL** attended the sufferer, and everything that medical skill could devise was done to alleviate the pain. **E.D. DAY**, Esq., P.M., held an enquiry into the cause of the girl's death, when the above facts were elicited.

MAITLAND MERCURY, 3/122, 03/05/1845

ORIGINAL CORRESPONDENCE.

To the Editors of the Maitland Mercury.

Re. The Rev. **EDMUND MAHONY**; ... At two o'clock on Sunday morning, the 20th April, he burst a blood vessel. Spiritual and medical assistance and comfort were promptly rendered, and so favourable a change took place, that the physicians entertained hopes of his recovery, but a second rupture about half past five o'clock on the evening of the 24th terminated his earthly career, and destroyed the fond confidence of his suffering friends.

SHOCKING ACCIDENT. - Yesterday a distressing accident occurred at the church in Pitt-street erecting for Dr. Fullerton. A man, named **Wm. DONALDSON**, whilst

engaged at the building, fell from the triangle used for hauling up the stone, a height of nearly eighty feet; his legs fell across an iron pot which was lying at the foot of the triangle with such force as to break the pot in pieces. The poor young man lived by a very short time after the accident. *Morning Chronicle*

WREGISTER, 4/93, 03/5/1845 [e005/93]

SUICIDE. - A coroner's enquiry took place on Thursday evening in the Star Inn, on the body of **PETER M'NEVIN**, lying dead in the General Hospital, when the following evidence was adduced: **GREGORY BOARD**, of Market-street, deposed, that the deceased had lodged in his house for about a month; while there he told witness that he had been employed as an overseer at the hospital; deceased sometimes drank a little – that was when he first became a lodger in the house of the witness; when he first entered the house as a lodger, he said that he had come to Sydney from Port Macquarie to purchase a horse, but he never made any such purchase; witness saw the deceased go up stairs to bed on Tuesday last; on Wednesday morning witness went to the room occupied by the deceased, when he found the door locked; witness called and could not get an answer; in consequence of no answer being returned, witness forced the door, and found the deceased in bed – he was lying dead; there was a small phial lying on the table, on which were the words “laudanum, poison;” witness had no doubt, that if deceased took poison he must have taken it of his own accord, as no person had access to the room where witness saw his body; previously, the deceased was in good health excepting that he complained of a night cold; the deceased had been assigned to a Mrs. **HOGES**, in Sydney, about eight years ago. Dr. **SILVER** deposed to having made a *post mortem* examination of the deceased, and from the appearances of the stomach, and also from what he had detected in other branches of the intestines, as well as the appearance of the body yesterday, witness had no doubt but that death was the effect of laudanum. The Jury found a verdict of *felo de se* in accordance with the medical evidence.

WREGISTER, 4/94, 10/05/1845 [e005/94]

INQUEST. - Between six and seven o'clock yesterday evening, a coroner's inquest took place in Mr. Moniz's public-house, South Head Road, touching the death of **WILLIAM ELKINS**, when a verdict of died by the visitation of God was returned. The medical evidence given by Dr. **MACKELLAR** was, that he had known the deceased for years past as a patient; Elkins was subject to epileptic fits; he saw him in the early part of the day; he was then, to appearance, recovering from a fit of epilepsy; death had been caused by a disease of the brain, during an epileptic fit.

MAITLAND MERCURY, 3/123, 10/05/1845

SUDDEN ACCIDENT. - A man, named **WILLIAM CONSTIVE**, in the employment of Mr. **T.J. M'CLELLAND**, of West Maitland, was minding the shop during his master's absence, and seemed in perfect health; when his master returned he was seized with a sudden fit, and fell on the ground insensible. Dr. **SLOAN** was promptly in attendance, and succeeded in restoring the unhappy man to consciousness. He has been sent to the hospital, but since that time, a period of some days, he has not been able to utter a word, and seems sinking gradually.

HUNTER RIVER DISTRICT NEWS. - COOLAH.

A very desperate attempt at murder was made on the 24th April last, at Weebell, a sheep station of W. Lawson's, Esq., M.C., near Weetalabar. A hutkeeper of the station, named **WILLIAM BALDWIN**, having conceived some enmity against a

shepherd on the station, named **REGAN**, followed him into the bush with his flock, and when at some distance from the hut, attacked him with a knife, which he had concealed about him, endeavouring to draw it across his throat. Regan's cries for assistance brought another shepherd to the spot, and Baldwin was taken away. He, however, still harboured vengeance, and in the course of the day again attacked Regan with the handle of a pick. Regan was armed with his fowling piece, which he always took into the bush with him, and on the other coming upon him, fired and shot him in the thigh, and no doubt preserved his own life, by disabling his adversary. Medical assistance was procured, and the man is now doing well, the wounds having been no more than skin deep.

WREGISTER, 4/95, 17/05/1845 [e005/95]

ATTEMPTED SELF-DESTRUCTION. - About one o'clock on Tuesday, **JAMES MURRAY**, a painter and glazier, residing in Long's-lane, attempted to destroy himself by inflicting a severe wound on the lower part of his throat; he was removed in a few minutes after to the General Hospital, where the incision was sewn up, and the proper remedies applied.

MAITLAND MERCURY, 3/124, 17/05/1845
SYDNEY NEWS.

DEATH FROM FIRE. - A little boy, about four years old, son of a settler at Cornwallis, near Windsor, named **JAMES MORRIS**, was burnt to death in consequence of his clothes catching fire, whilst he was playing by the fire and throwing corn husks into it.

SHOCKING ACCIDENT. - On Tuesday evening last a woman named **ANN TRINBY**, wife of a small settler at Four Mile Creek, was riding home on the top of a dray, driven by a man named **COOPER**, both of them being at the time in a state of intoxication, when the dray going under a sapling, a limb swept her off the top, and falling in front of the wheel it passed over her. She shrieked to the driver for assistance, who stopped, and tried to raise her up, but so great was her agony that she desired him to leave her, and drive on. He took her at her word, and left her, but passing her house told her children, who went to their mother, and carrying her to the roadside lit a fire. There they attended the wretched woman for several hours, until she expired in the greatest torture. The body was taken to the hut, and when Mr. **DAY**, the police magistrate, visited the place, a shocking scene was presented. In one corner of the room lay the body of the unfortunate woman, in another that of her husband, senseless from intoxication, and around a numerous family of children, weeping their loss. An enquiry was held into the circumstances yesterday, by the police magistrate, who certified that death had been caused by accident.

WREGISTER, 4/96, 24/05/1845 [E005/96]

DOMESTIC INTELLIGENCE

ATROCIOUS MURDER. - On Monday morning, Mrs. **MARY HOADLEY**, an elderly female of considerable property, residing in King-street, was inhumanly murdered while asleep in her bed, the murderer having effected an entrance by the window of her bed room. From the evidence adduced at the inquest which was held on Tuesday, it appears that a young girl, named **ROSINA WILSON**, who had been adopted by Mrs. Hoadley, was also asleep in bed with her at the time the murder was committed, and was awakened by a gurgling in the throat of the deceased; that she immediately touched the deceased, and said "What ails you mother?" at which time

she saw a man come from behind the door and jump out of the bed room window. The young girl then got out of bed and called the neighbours. Doctors **NATHAN** and **M'CRAE** were immediately sent for who, on examining the woman's head, found that there were three wounds, as if inflicted by a hammer, any of which must have caused death. A large hammer, which was used for breaking coals, was found in the room, with some blood on it, also a handkerchief with three holes in it, which had been used as a mask. The handkerchief was proved to be the property of a Mrs. **CADMAN** who had recently lived in the deceased's house. It was found that the entrance had been effected by taking out a pane of glass that had recently been put in by Cadman's husband, and by active exertion of the part of the police, it was discovered that a son of that woman, named **JOHN SKINNER**, had been from home during the night. Cadman's wife was also known to be acquainted with the place in which Mrs. Hoadley kept her money, and she had previously taken away a dog belonging to the house. These persons were accordingly apprehended, and were present at the inquest, and the above facts having been laid before the jury, Mrs. Cadman was discharged, but a verdict of wilful murder was returned against John Skinner, who was accordingly remanded to gaol to await his trial for the crime.

DIED.

On the morning of the 15th instant, in the 53rd year of his age, Mr. **JOHN FIELD**, the Governor of the Newcastle Gaol.

MAITLAND MERCURY, 3/125, 24/05/1845

HORRIBLE MURDER OF A WIDOW. - At an early hour of Monday morning last, considerable excitement prevailed in King-street, from a rumour having spread that an aged person, in good circumstances, and a very old resident in the colony, had been savagely murdered whilst sleeping in her bed. This was found to be correct; the deceased, who was named **MARY HOADLEY**, was a widow and resided in King-street west, in a small verandah cottage between the houses of Mr. **PATTISON**, gunmaker, and Mr. **HEYDON**, auctioneer. On Tuesday afternoon an inquest was held on the body, before **J.R. BRENAN**, Esq., coroner for Sydney, when two prisoners were in custody, one named **JOHN SKINNER**, and the other his mother, **ANN CADMAN**, and the following facts were elicited. Mrs. Cadman, her husband, and Skinner, had been living for about a fortnight in a room belonging to Mrs. Hoadley, and had left about a week previous to the murder, in consequence of the drunkenness of Mrs. Cadman and her husband. Shortly before leaving Cadman had out a pane of glass into the window of deceased's bedroom, which Skinner was aware of. The prisoners had opportunities of knowing that deceased kept her money in her pocket, which she was always in the habit of putting under her head at night. On the evening of Sunday last deceased went to bed with a young girl, named **ROSINA WILSON**, whom she had adopted. During the night the girl was awakened by hearing a gurgling noise in the deceased's throat, and turning to her, asked her what was the matter. A floating light was burning in the room, and by its light she saw a man come from behind the bedroom door, and jump through the window, which was open. The girl immediately alarmed the neighbours, who came running in, and found her weltering in blood, which was flowing from her head. It was also found that an entrance had been effected by removing the newly put-in pane of glass, which was found in the yard, and by putting the hand in at the orifice and undoing the fastenings of the window. A handkerchief was also found in the yard, knotted, as if it had been tied round a man's head for concealment, and which was recognised as Cadman's property. A hammer was also produced, belonging to deceased, with which the

wound had been inflicted. Skinner's father-in-law also proved that he had been from home from nine in the evening of Sunday until five on the Monday morning, and several persons had seen a man resembling him running through the streets between four and five. When Skinner was apprehended on Monday morning, he said nothing, and asked no questions as to what it was for. Some spots of blood were found on his jacket and on his trousers pocket, as also upon one of his hands. He also refused to eat any breakfast before leaving the house. Dr. **NATHAN** deposed to there having been two wounds given on the head, one with each end of the hammer head, and either of which were sufficient to produce death; he and Dr. **M'CRAE** were about to proceed with the operation of trepanning, but found it was useless. Deceased died a few hours after the reception of the wound. The jury returned a verdict of "Wilful murder" against John Skinner, and acquitted the woman Ann Cadman, who was discharged. The demeanour of the prisoner was calm and composed throughout the enquiry, and was not the least disturbed by the verdict of the jury. The enquiry lasted for five hours and a half, and an immense crowd assembled to hear the result of the inquest.

WREGISTER, 4/97, 31/05/1845

[e005/97]

SUICIDE. - On Saturday last, a man named **BROWN**, a poulterer, residing in Kent-street, put a period to his existence by taking a dose of laudanum. The deceased had been drinking hard for some time previous, and it was not discovered that he had taken poison until several hours subsequently, when Dr. **NATHAN** was called in, but too late to save the unfortunate man's life.

DIED.

On Tuesday last, in childbed, **CATHERINE ANN**, wife of **P.W. MALLON**, Esq., M.D., of Clarence-street, Sydney.

MAITLAND MERCURY, 3/126, 31/05/1845

DROWNING. - On the afternoon of Saturday last, a little girl, named **SOPHIA YULE**, about two years of age, was accidentally drowned at Swan Reach. The child had strayed from her mother, who was busy in the house, and slipped into a water-hole about ten yards from the door; and she was found quite dead in about twenty minutes after she had left her mother's side. These facts were elicited in an inquiry by the Police Magistrate touching the cause of the child's death.

FATAL ACCIDENT.

On Monday and Tuesday last lengthy depositions were taken before the police magistrate respecting the cause of death of a young man named **GUILFORD SANDERS** (son of Mr. **JOHN SANDERS**, of West Maitland), who expired on Sunday last, his death being attended by very mysterious and suspicious circumstances. It appears that he was brought home to his father's house on Saturday evening last, about five o'clock, apparently drunk, when he was put to bed, and left undisturbed until next morning. His father then found him (as he thought) asleep, and again left him, but repeated his visit to his bed-side three or four times, when he at length discovered him to be in a state of morbid insensibility, and immediately sent for Dr. **LIDDELL**, who did all he could for him, but without avail; he died at eleven o'clock that night, Dr. Liddell declaring his opinion that he died from asphyxia, brought on by excessive drinking. It came out, however, that a young man, named **HARTLEY**, with whom the deceased had been drinking, on being shown the shirt in which he had lain, declared that it smelt of laudanum; that he had been taking laudanum himself, and therefore knew the smell. This caused a suspicion that he had

not met his death by fair means, and a *post mortem* examination of the body was therefore instituted, and the depositions before mentioned taken. In the course of the examination, it appeared that Hartley had purchased two drachms of laudanum at Mr. Pinhey's, on the Saturday, while in a state of intoxication. He said it was for Mrs. Sanders, and as he brought the bottle which Mr. **PINHEY** had often furnished with the same drug for Mrs. Sanders or some of her family, he had no hesitation in supplying him. He had come a short time before that for a tonic draught for Mrs. Sanders's son, and when he came for the laudanum he said he had swallowed the draught himself. So far the depositions seemed to show that laudanum had been the cause of the unfortunate man's death; but Dr. Liddell threw a new light on the subject, by stating that, in his *post mortem* examination, he observed a small blue mark on the left side of the head, on removing the bone from which, a clot of congealed blood was found beneath, which he had no doubt was the real cause of death. There was no smell of laudanum in the stomach. The skull at that part was found to be remarkable thin, so much so, that a mere fall from his feet might have fractured the part. It appeared, also, that he had been seen by himself in the gig in which he was afterwards brought home, rolling from side to side, apparently much intoxicated, and unable to take care of himself. After a mature consideration of all the circumstances of the case, the police magistrate declared his opinion, "that the death of Guilford Sanders was caused by an injury received while in a state of intoxication." Since the above transpired, we have received a communication from the father of the deceased, furnishing some particulars corroborative of the above, as far as the injury on the head is concerned, viz., that Mr. **POULTON** saw him thrown out of the gig, and after getting up and running about thirty yards, re-ascend the vehicle. Mr. P. asked him if he was hurt, and in answer to that enquiry, he said he was not, and drove on.

PARRAMATTA.

An inquest was held on the 22nd inst., at Watsford's public-house, on the body of **DANIEL LAMOUNT**, who had died on the road between Parramatta and Campbell Town, on his way to the Benevolent Asylum, from an enlargement of the heart, his death having been accelerated by the jolting of the cart in which he was conveyed. The jury returned a verdict accordingly. It was stated that his heart had grown to three times its natural size.

SUICIDE. - On Saturday, 24th instant, a man named **BROWN**, dealer in poultry, in Kent-street, who had been drinking hard for several weeks, at last destroyed himself by laudanum; and six or seven hours having intervened before the fact was discovered, medical aid was found ineffectual. *Herald*

WREGISTER, 4/98, 06/06/1845

[e005/98]

DOMESTIC INTELLIGENCE

HORRIBLE MURDER. - On Tuesday afternoon, from suspicions entertained, a small house in Sussex-street, between Erskine-street and Margaret-place, was forced open, and the marks of a large quantity of blood were found upon the floor, and splashed upon the walls, together with some traces of human hair, which seemed to have been severed by the blow of a hatchet, and forced into the wall by the same instrument. The house belonged to a publican of the name of **SPEARS**, residing in the neighbourhood, and had been let, in his absence, a few weeks since, to an elderly man, who, with a girl of apparently fourteen or fifteen years of age, resided in it. On Thursday or Friday week they left this house. On Friday week an old man and a girl, answering to the description above given, took a house in a court off Parramatta-street, just beyond the toll-bar and are known as Hancock's Buildings. The old man

represented the girl to be his daughter, although the neighbours had strong suspicions that such was not the case. In the evening of Friday they were heard to quarrel, the man threatening her in coarse language, and the sounds of blows and kicks were also heard. He seemed anxious to keep her out of sight. After this both the man and the girl were seen to go out into Parramatta-street, and from the circumstances of their not having been seen to return, and the key being observed to remain in the door outside, some of the neighbours entered the house, and proceeding up stairs they found, in one corner of the room, on some blankets, the body of the unfortunate girl, bearing fearful marks of violence upon it, and apparently having been deprived of life several days. Dr. **CUTHILL** was immediately sent for, but, in the absence of the Coroner, did not interfere with the body. A *post mortem* examination was afterwards made by Dr. **TIERNEY**. On the front of the head was a large wound, and two very large wounds were also apparent at the back of the head. These appeared to have been inflicted by some sharp instrument. On removing the scalp, underneath the wound in the front of the head, was the mark of an injury on the frontal bone. A small piece of the occipital bone of the skull was chipped out, and there were several other minor marks of violence in the same region. On examining the brain, a very extensive effusion of blood had taken place, and clots of extravasated blood were collected in that place. The internal portion of the brain was in a sound state. On the forehead, temples, cheeks, and chin there were bruises and abrasions of the skin, evidently the effect of great violence – the chin, in particular, exhibiting two deep wounds, apparently as if it had been bitten. Both ears were also much injured; but if the effects of violence, it was not of so recent infliction as the other wounds, and might have arisen from disease. On the left hand, the nails of the thumb and middle finger appeared to have been chopped off or plucked out, and there were other deep scars on the hand and arm. The nail of the dexter finger of the right hand was also partially off, and other severe injuries inflicted on it. The sides, back, and stomach were greatly bruised, as if from kicks, or other external violence. On the lower part of the abdomen, there were bruises sufficiently violent to cause death; and the thighs and legs were one mass of discolouration, from a similar cause. On opening the body, there was extensive extravasation of blood underneath the muscles near the wound on the breast. There was a slight adhesion in the lungs, which were in a very unhealthy state, exhibiting considerable effusion of blood. The right lobe of the liver and the spleen was also very much diseased, but these natural appearances were not such as would have caused death. Underneath the blankets on which the girl lay, was found a Hyde Park jacket, also a regatta shirt with stains of blood on it. On Wednesday a jury was empanelled to enquire into the cause of death, but the enquiry was postponed till Monday, in order to afford time for procuring further evidence.

INQUEST. - On Monday, a Coroner's inquiry took place at Mr. Richard Driver's, touching the death of a man named **MILLWOOD**, under sentence in Hyde Park Barracks, whose body had been removed thence to the General Hospital, about ten o'clock on [??] night. Evidence was adduced to the effect that about seven o'clock on Saturday night the deceased and another convict named **EDGERSON** had blows; that deceased fell back, when his head struck against one of the spurs which support the hammock rails; on which Edgerson stooped over the deceased, placed his hand under his head, and assisted in removing him from the wood; Edgerson appeared to be very sorry for what had taken place, as the deceased and he had been messmates; and till Saturday night when the blows took place between them, always agreed well together; when the deceased was taken up he was in a state of insensibility, on which he was removed to the General Hospital. Dr. **SILVER** had examined the neck and brain of

the deceased, and believed that his death had been caused by the rupture of a blood vessel, at the base of the brain, the ruptured vessel appeared to have been in a diseased state, and might have been ruptured by a fall which would not have caused death to a person in ordinary health. The jury returned a verdict of accidental homicide, on which Edgerson was discharged to Hyde Park Barracks.

Same day another inquest was afterwards held in the Britannia Inn, corner of Goulburn and George-streets, touching the death of **FREDERICK BIRCH**, an illegitimate child, aged about seven months, who had died between Friday night and Saturday morning, while in the care of a man and woman named **BODLE**, of Goulburn-street. Several marks of ill-usage were discovered on the body; but on the head being opened by Dr. **TIERNEY**, there were symptoms on water on the brain sufficient to have caused death. The jury found a verdict of died by the visitation of God, at the same time expressing their disapprobation of the manner in which the Bodles had treated the deceased. They were subsequently sharply reprimanded by the Coroner, and discharged.

MAITLAND MERCURY, 3/127, 07/06/1845

ANOTHER HORRID MURDER IN SYDNEY

The metropolis has again been thrown into a state of consternation by another diabolical murder. It appears that for some weeks a man and a girl of 14 or 15 years of age were living together in a house in Sussex-street, between Erskine-street and Margaret-place. Little of them was known by the neighbours, although more than once screams and cries of murder were heard in the house. On Tuesday afternoon, however, some persons were induced to enter the house (the inmates being missing), when marks of a large quantity of blood were found on the floor and walls, besides fragments of human hair, which seems to have been severed by the blow of a hatchet, and struck by the force of the blow into the wood. Enquiries having been consequently set on foot, it came out that on the Friday previous a man and a girl, answering their description, took a house in a court off Parramatta-street, just beyond the toll-bar, and called Hancock's Buildings. The man represented the girl to be his daughter, but the neighbours suspected that, young as she was, she was cohabiting with him. On the same evening they were heard to quarrel, and the sound of blows and kicks were also heard. After this both the man and the girl were seen to go out into Parramatta-street, and no one after this saw them re-enter the house, or indeed at all. On Sunday, Monday, and Tuesday the key of the house was in the door, but no one was seen to enter it. On Tuesday a little dog was about the place, and some of the neighbours were induced to mark the position of the key, to see if any one went in or out during the night. From the appearance of the key on the following day it did not appear that such had been the case, and on some of the neighbours entering the house, and proceeding through the lower room up stairs, they found, in one corner of the room, on some blankets, the body of the unfortunate girl, bearing fearful marks of violence upon it, and apparently having been deprived of life for several days. Dr. **CUTHILL** was sent for, but, in the absence of the coroner, did not interfere with the body.

The police were soon put on the alert, and the identity of the girl with the one who lived with the man in Sussex-street was pretty fully ascertained. Every enquiry was made, but nothing could be heard of the man. The only thing learned was, that a man had met him on the Parramatta-road, when he said the girl with him was not his daughter, and that he had a wife and sister at Maitland.

On Wednesday a jury was sworn in at Le Burn's public house, and proceeded to view the body, in order that a *post mortem* examination might be made; after which the inquisition was adjourned till Monday, in order that fuller inquiry into the circumstances might be made. The examination was made by Dr. **TIERNEY**. Both on the front and the back of the head were large wounds, which appeared to have been inflicted with some sharp instrument. Underneath the wound in the front of the head was the mark of an injury on the frontal bone. A small piece of the occipital bone was chipped out, and there were several other minor marks of violence in the same region. The injuries on the head were quite sufficient to cause death. Besides these injuries, there were numerous minor ones, showing extreme ill-usage. Underneath the blankets on which the girl lay was found a Hyde Park barracks jacket, also a regatta shirt with stains of blood on it.

It thus appears that two murders have been committed, or else, (which seems the most probable), that the girl had been murdered in the house in Sussex-street, and afterwards removed to the one in Parramatta-street, but such a fact was not distinctly ascertained. Such are the particulars of the murder as they appear in the Sydney papers of Thursday last.

APPREHENSION OF THE SUPPOSED MURDERER

Yesterday a man named **JOHN CONNOLLY**, reading the account in the Buck's Head Inn, West Maitland, was struck with the conviction that the man alluded to was a person he had formerly lived with in Maitland, named **JOHN AHERN**, and, by a strange coincidence, a very short time afterwards he met the very man, who, instead of greeting him as an old acquaintance, evidently avoided him, and sheered off as quickly as possible towards the fields. Connolly now felt convinced that he was the murderer, and gave chase; Ahern, however, was too active for him, and disappeared from sight. Just then constable **KERR**, on horseback, came within hail, to whom Connolly described Ahern, and pointed out the direction in which he had gone. Kerr promptly started in pursuit, and soon brought him back. It was then discovered that he had marks of blood about his dress, which of course greatly strengthened Connolly's suspicions. On being searched, his certificate of freedom was found on him, in the name of John Ahern. On the way to the lockup, he begged the constable to stop at a public-house, and let him have a glass of beer, as he felt quite faint; the constable complied, and while in the house Ahern said he "wished he could drop down dead on the spot." Before the police magistrate he admitted having come overland from Sydney, which he said he left on Sunday forenoon, and arrived in Maitland, on foot, on Wednesday evening. It appears that many months back Ahern left Maitland, taking with him his sister, and his niece, a girl of fifteen or sixteen, the daughter of another sister, who is married to a man named **COLLINS**, residing in West Maitland. The niece, who is supposed to have been the unfortunate girl who was murdered, was named **MARY ANN CLARKE**. Since his recent sudden return to the town Ahern has been to Mrs. Collins's, who questioned him as to what had become of her sister and daughter, to which he only returned evasive answers, appearing rather confused; while there he burned the shirt he had on, and obtained a new one, and it supposed that hearing of the police being on the alert he had determined suddenly to leave Maitland, as he had left his coat at Mrs. Collins's. His dress, including the burnt shirt and the coat, corresponds, we believe, with the description received by the Maitland police. He will be forwarded to Sydney this morning by the steamer, to appear at the adjourned inquest on Monday.

SUDDEN DEATH.

On Wednesday evening, as **JAMES RAFFERTY**, gardener to Mr. **GEORGE TURNER**, of Yarrabong, was taken his tea, he suddenly fell off his seat, apparently in a fit, and though immediate assistance was rendered, he died in about five minutes. Dr. **PARNELL** had been sent for on the first alarm, but did not reach the spot until life was extinct. It appears that the poor fellow had burst a blood vessel in the head, and so sudden and violent was the effect that his teeth closed convulsively on a piece of bread he was in the act of eating, and it could not be removed, remaining set between his teeth after death. Rafferty was nearly sixty years old, and had been many years in the service of Mr. **EDWARD TURNER**, and afterwards of his brother. Though formerly a good deal addicted to drinking, Rafferty had been a sober man for a good while past, and was perfectly sober at the time of the awful occurrence.

INQUESTS. - On Monday last, an inquest took place in the Three Tuns, corner of Elizabeth and King-streets, touching the demise of a man named **MILLWOOD**, a prisoner in Hyde Park Barracks, who came by his death under the following circumstances. On the Saturday previous the deceased and another convict named **EDGERSON** quarrelled in the Barracks, and some blows passed between them, during which the deceased fell backwards, and his head struck against one of the spars which support the hammock rails. Edgerson assisted the deceased, then in a state of insensibility, out of the ward, and showed contrition for what had happened; Millwood was afterwards removed to the General Hospital, where he died. Dr. **JOHN SILVER**, assistant colonial surgeon, certified that death was occasioned by the rupture of a blood vessel at the base of the brain, the vessel being in a diseased state, and likely to be ruptured by a blow which would not injure a healthy person. Under these circumstances, the jury returned a verdict of accidental death, on which Edgerson was returned to the Barracks.

On the same day another inquest was held at the Britannia, corner of George and Goulburn-streets, on the body of **FREDERICK BIRCH**, an illegitimate child about seven months old, who had been entrusted to the care of a man and woman named **BODLE**, in Goulburn-street, about three weeks previously, and in whose hands he died. From the evidence of Dr. **TIERNEY**, who had made a post mortem examination, it appeared that death had been caused by disease existing before the child had been placed in the hands of the Bodles, but that it had been accelerated by grossly improper treatment on their part. The verdict of the jury was that the deceased had died by the visitation of God, but expressed their disapprobation of the cruelty of Bodle and his wife. The coroner sharply reprimanded them, and they were discharged.

SYDNEY NEWS. - On Friday, 23rd ultimo, an inquest was held on the Richmond Road, on the body of **MATTHEW GASKIN**, who had cut his throat with a razor on the previous day. A verdict of *felo de se* was the result.

WREGISTER, 4/99, 14/06/1845

[e005/99]

THE MURDER IN PARRAMATTA STREET.

The inquiry into the death of the young girl whose remains were discovered on the 4th instant, was resumed on Thursday, at the Police Office.

JOHN AHERN, who had been apprehended at Maitland on suspicion of having committed the deed, was placed in the dock, and about twenty witnesses were examined, the substance of whose evidence is that the murdered female, **MARY ANN CLARKE**, was the daughter of **MARGARET AHERN**, a sister of the prisoner, and was, at the time of her death, between thirteen and fourteen years of age; another sister, named **JOHANNA**, was living with the prisoner, while the mother of

the girl was cohabiting with a man named **COLLINS**, at Maitland; about three years ago the girl was sent by her mother, who had just then arrived in Maitland, to service; but shortly after this, the prisoner and his sister Johanna came to Maitland, and the former expressed a wish to have the girl, promising to take great care of her. This was acceded to, and she appeared to have gone with him and his sister, Johanna, into the interior, where he was employed. The three visited Sydney in 1843, and at a subsequent period, where the sister of the prisoner passed as his wife, and the niece for the daughter, all three sleeping in the same bed. On Whit-Monday last the prisoner arrived in Sydney, having with him the girl only. He took a house in Sussex-street, where they remained several days. One of the witnesses stated that during the time they were there, she had had several conversations with the girl, who passed as the prisoner's daughter, and who had never said anything against him; but upon one occasion the prisoner accused her, in the witness's presence, of great misconduct, saying that she was in the habit of going with various men, and that so recently as that morning she had been with him to point out a house where she had been all night with two men. The girl answered in the affirmative to his accusations, and promised to behave better for the future. Another witness gave evidence as to a similar accusation being made against the deceased, which she had not denied. The girl was frequently observed to have marks of violence about her person, and upon one occasion the prisoner was seen to kick her. On the 30th May the prisoner and deceased went to Hancock's houses to let in Mr. Hancock's buildings, one of which he subsequently took, paying for it a week's rent of five shillings in advance. Mr. Hancock's barman, with whom the arrangement was made, observed that the girl bore marks of having suffered extreme ill-treatment, her face and hands being bruised and bloody, and some of the nails having been torn off. He was afterwards seen to push her about violently, and on one occasion he was heard, while drunk, to tell the girl that she might take fire and burn the house and herself too if she liked. Nothing further was known of her until her mangled body was found as described in our last number.

The prisoner appears to have gone overland to Maitland, where he called on Wednesday week at the home of his sister. In answer to the enquiries of the latter, he said that his sister Johanna and the girl had left him in the bush; but he did not mention the name of the place. While at the house of his sister he sent the latter to purchase a shirt for him, which she did, and immediately on receiving it, he put it on, throwing the old one on the fire, notwithstanding his sister's wishes to have it for the purpose of using it up for patching. Subsequently to this, also, he strongly pressed his sister to drink a cup of tea, which she at last agreed to do, but during the ensuing night she was very bad, suffering extremely from pains in the stomach, and remaining weak and exhausted. The next day she heard of the murder in Sydney, and information having been given to the police by a person who knew the deceased, the prisoner was apprehended by constable **KERR**, of Maitland, and lodged in the watch-house. He denied all knowledge of the crime with which he was accused, with many imprecations, but seemed so much agitated that the constable allowed him to have a glass of water before taking him to the watch-house. On being searched, some sugar of lead (poison) was found upon his person, which he said he had been using for a rupture, and marks of blood were seen upon his jacket, waistcoat, and trousers.

Dr. **TIERNEY** having given evidence as to the *post mortem* examination, the prisoner was called upon for his defence; he protested his innocence in the strongest terms, calling God to witness that he had never raised his hand to the girl. He then proceeded to give a long and disgusting detail of alleged acts of misconduct on the part of the deceased, whom he described as an irreclaimable prostitute. It was from

this cause he alleged that his sister Johanna had left him, and he subsequently started for Sydney with the girl in his company, in the hope of meeting Johanna by the way. During the journey down, she used to sleep with him; but he said she had frequently escaped from his side during the night while he was asleep, and gone among the men whom she met with at the different stations, and two or three times she had endeavoured to make her escape from him altogether. He brought her to Sydney from shame of her conduct, and from anxiety to be at a place where it was not known, in the hope that she would mend; but although she made several promises of amendment, her conduct was still the same, and she not only used to go out at night as before, but made the same endeavours to escape, which he in like manner prevented until he went to Parramatta-street, where he purchased a load of wood with the intention of selling it in barrow loads: but on waking the morning after he took the house, which he protested was on a Thursday and not on a Friday as stated by the witnesses, he found the deceased missing; and as she did not come back between that day and Sunday morning, he started off for Maitland overland, where he arrived on the following Wednesday, intending to tell his sister Margaret of her daughter's misconduct, although he refrained from doing so in consequence of having heard that she had just been confined, and fearing therefore that he might injure her. This was the substance of the prisoner's defence, more minute details of which were of a nature unfit for publication.

The Coroner briefly addressed the jury, pointing out how easily the explanation which had been offered by the prisoner, with the view of excusing his extreme watchfulness over the girl, might be set aside by an equally possible supposition that these habits of watchfulness had been used to conceal an improper connection with himself, and how fairly it might be presumed that even the confessions of the girl as to her own misconduct might have been extorted by fear.

The jury without leaving the box found a verdict of wilful murder against the prisoner, who was forthwith committed to take his trial for that offence.

During the investigation the coroner took occasion to pay a high and deserved compliment to the police for their vigilance in bringing the facts of the case to light.

MAITLAND MERCURY, 3/128, 14/06/1845

HUNTER RIVER DISTRICT NEWS. - JERRY'S PLAINS.

A poor man, known by the name of "**BROWN'S DICK**," expired after an illness of a few hours on Sunday night last. An inquest was held on the body by Lieutenant **GALL**, who sent to Muswell Brook for Dr. **WEST** (the resident surgeon being absent from home), for the purpose of making a *post mortem* examination. The Dr. stated that death had been occasioned by disease of the heart. The deceased was a very industrious, striving man, and having purchased an allotment of land in the township, had just finished building a substantial and commodious cottage upon it, and fastened himself the last shingle on the roof but a day or two previous to his untimely end. June 12th.

THE LATE MURDER OF MARY ANN CLARKE. - INQUEST ON THE BODY.

(From our Correspondent)

This morning (Thursday) hundreds of individuals who had been disappointed of getting a view of **JOHN AHERN**, the supposed murderer, on his arrival by the steamer from Maitland on Tuesday evening, in consequence of his being removed therefrom to Goat Island, by the order of the Chief Commissioner of Police, crowded the police yard and its vicinity at an early hour, the adjourned inquest on the body of

the unfortunate girl, **MARY ANN CLARKE**, having been appointed to be held in the western court of the building, this day.

At twenty minutes to eleven a.m. the jury assembled, and the prisoner, who had been conducted under a strong escort of police, to protect him from anticipated violence from the mob, was placed before them. His appearance was anything but prepossessing, being a man of cadaverous countenance, deeply pockpitted, and strongly marked with an expression of determine hardihood, apparently callous to all outward expressions. He is a native of Fermoy, in the county of Cork, Ireland, of 41 years of age, 5 feet 5 inches in height, and square built. It appeared from a certificate of freedom, found on his person, that he was tried at Waterford, in the year 1828, for shoplifting, and transported for seven years to this colony. Mr. Rhodius, the artist, was in attendance, and took a sketch of the prisoner at he stood at the bar.

The coroner, in charging the jury, stated that the inquest had been adjourned from the 1st to the 7th instant, and from that until this day, to afford an opportunity of connecting the chain of circumstantial evidence that would be laid before the jury, and in obtaining which, within the time, neither zeal, vigilance, nor activity had been spared on the part of the police, whose enquiries extended to the districts of Cassilis, Windsor, Parramatta, and Maitland, for the purpose of effectively procuring evidence. No less than twenty witnesses were examined, whose testimony went to prove and corroborate the following facts:- That twelve months ago the prisoner, his elder sister (**JOHANNA AHERN**, who is missing), and the deceased, who was the daughter of another sister of the prisoner's, named **MARGARET COLLINS**, aged between thirteen and fourteen years of age, were living together at Mrs. Henry's, at Maitland, the prisoner and his elder sister having persuaded the girl's mother to consent to their keeping her, under promises of taking the best possible care of her. When the mother went to them to bring her home, the prisoner beat her; he prevented the mother and daughter from sleeping together when they lived in the service of Mr. Taylor, of Maitland, and always kept the latter away from her mother as much as possible. Ultimately they quitted Maitland, without apprising the mother of their intention, who never saw either her sister Johanna or her daughter (until she saw her dead body, after being buried, since she came to Sydney), or the prisoner, until he visited her at Maitland, after the horrid deed. In answer to her repeated and anxious enquiries after her daughter and sister, the prisoner said they had left him in the bush, but he did not say where. He gave her 2s 6d. to buy him a new shirt, and on taking the old one off rolled it up and burnt it. She attempted to save it from the fir, saying it would be useful for patches, but he would not allow her to touch it. A person named **JOHN CONNOLLY**, to whom the deceased, Mary Ann Clarke, had been put to service by the mother, on reading the account of her murder in a Sydney paper, happened to see the prisoner, who avoided him, and meeting Constable **KERR**, of the Maitland police, shortly afterwards, pointed out the direction he had taken, and had him apprehended. On his way to the lockup he complained of faintness, and begged to be allowed to take a glass of beer at a public-house; while there he said, "if he was found guilty he wished they might twist his neck the next minute;" and afterwards he exclaimed, "I wish I could drop down dead on the spot I stand." When brought before the police magistrate, he said he had thrown his old shirt away in the mountains. His coat he had left at his sister Margaret's, and on searching the pockets, a paper of sugar of lead was found, which he said he had to apply to a swelling produced by a rupture, but which, there is strong reason to suspect, he attempted to poison his sister with, as, previous to leaving the house, he caused her to drink some cold tea pout of a pannakin, after she was in bed at night, under a threat of breaking the cups and saucers unless

she did so; after which she was severely attacked with vomiting and purging during the remainder of the night, and in the morning he affected not to have heard her, but tried to dissuade her from going out to work, as, he said, she appeared to be unwell. When in a cell with Serjeant **ADSON**, of the Sydney police, who was sent up to Maitland in quest of him, he enquired when the next Criminal Court would be held, and on Adson answering "in about a month's time" – he paused, and then exclaimed, "God bless me! Alive today, and dead this day month! For I suppose they will hang me for this as innocently as they transported me." The remaining portion of the evidence went to prove the taking of the houses in Sussex-street and Hancock's Buildings, Parramatta-street, by the prisoner; his brutality and tyranny over the deceased; the finding of the murdered and mutilated body at the latter place; and the sudden disappearance of the prisoner from Sydney, who, it appears, walked overland to Maitland, after the perpetration of the horrid deed.

The prisoner cross-examined the several witnesses with unblushing effrontery, but all his questions went to criminate himself. He told the jury a long, rambling, and improbable tale of unheard of depravity relative to the deceased, which excited the disgust and indignation of the bystanders so much, that they repeatedly interrupted him with a storm of hisses and groans.

The coroner summed up very briefly, and a verdict of "Guilty of wilful murder" was returned by the jury, without a moment's hesitation. The prisoner was committed forthwith on the coroner's warrant. He had, however, to be detained until the crowd dispersed, and then to be conducted to gaol by a strong military escort, to prevent him being torn to pieces by an enraged populace.

INQUEST. - An inquest was held on Wednesday, the 4th instant, on the body of a **JOHN SMITHERS**, aged 19, who had died in consequence of injuries received while clinging to a capsized boat for several hours. A verdict was returned accordingly.

BATHURST. - On the 27th ult. an inquest was held at O'Connell's Plains on the body of an infant child of Mr. **THOMAS FLOOD'S**, aged two months, which was found dead in its bed, between the unhappy parents, and supposed to have been suffocated by their presence. A verdict of accidental death was recorded.

WINDSOR. - On the 30th ult. the body of Mr. **R. ROBINSON**, of Windsor, bricklayer, was found in the Hawkesbury River, near Freeman's Reach. An inquest was held on the body, and a verdict of "Accidentally Drowned" returned by the jury.

INQUESTS AT PARRAMATTA. - An inquest was held at the gaol, on the 2nd inst., on the body of **WILLIAM BLONG**, who had died in that building on the previous day. It appeared that he had been placed in prison as a dangerous lunatic, until an order should be obtained from the Colonial Secretary for his removal to the asylum. After hearing evidence, the jury returned a verdict of "Died by the Visitation of God." The foreman of the jury drew up a short memorial to the Governor on the want of a hospital in the gaol, which Dr. **HILL** promised should be presented.

On the following day another inquest was held at Kerwin's public-house, on the Sydney road, touching the death of **JOSEPH PERKS**, when it appeared that the deceased had died of *delirium tremens*, brought on by habitual intemperance, and a verdict accordingly was returned.

On Friday, 9th inst., another inquest was held, at Davis's, Church-street, touching the death of **CATHERINE LYONS**, who had expired the same morning in child-bed; and the medical evidence proving that death had been caused by protracted labour (of a week's duration), the jury returned a verdict accordingly.

WREGISTER, 4/100, 21/06/1845

DOMESTIC INTELLIGENCE

JOHANNA AHERN. - Intelligence was received by the Sydney Police, from Maitland, on Saturday last, that this woman, who has been missing for some time past, and whose brother was committed to take his trial, on Thursday last for the murder of their niece, **MARY ANN CLARK**, has been discovered, living and well, in the Maitland district, where she has been residing since she separated from her brother and niece, while on their overland journey to Sydney.

MURDER. - A female was lodged in Newcastle Gaol on Monday last, for murdering a man whom she had stabbed with a pair of scissors some days before. The deceased arrived in this colony from England, on board the *Thistle* steamer, as an engineer.

MAITLAND MERCURY, 3/129, 21/06/1845

SUDDEN DEATH OF MR. PILCHER.

It is with great regret that we record the death of Mr. **H.I. PILCHER**, solicitor, who has nee for the last fifteen years a resident of Maitland. The suddenness of the event has increased the grief of his large family and numerous friends. On Saturday Mr. Pilcher was in his usual health, and attending to his professional duties in his office, where, about half-past two o'clock, he was surprised by apoplexy. He was immediately removed in a carriage to his residence. Drs. **SLOANE** and **BEARDMORE** were called in to his assistance; but neither of those gentlemen entertained the least hope of his recovery from the first. The unfortunate gentleman expired a little before eleven o'clock the same evening, not having spoken from the time of the attack. His death, or even serious illness, was wholly unexpected by his medical attendant, who had known him for years. The deceased was in his forty-fifth year. His remains were followed to the grave, on Tuesday last, by about fifty of his friends. It is painful to think of the sad bereavement which Mr. Pilcher's family and personal friends, have sustained by this sudden and melancholy event. The public of the town and district have also sustained a very serious loss. There were few amongst us so ready to devote their time and services to the promotion of public objects, and fewer still who could bring to the task so much ability and intelligence. He was always willing to assist in any useful undertaking, and never hesitated in rendering his services in the way in which they were the most likely to be serviceable. During the time of Mr. Pilcher's residence in the town there have been few public movements, either for local or general purposes, in which he has not born a very active and a very useful part.

SUDDEN DEATH. - On Saturday evening last, a stonemason, named **THOMAS EDEY**, died very suddenly. He had been at work at the new Catholic church in West Maitland, and was taking some tools into his house, together with another of the workmen, when he staggered to a stool, by the fire-side, from which he presently dropped, and before medical assistance could be obtained, indeed, almost instantly, the unfortunate man expired. An inquiry was instituted by the police magistrate the following day, before whom Dr. **LIDDELL**, who had examined the body externally, stated his opinion to be that the man had been suffering some time from disease of the lungs, which had reduced him to a state of great prostration of bodily strength, the immediate cause of death being probably the bursting of an abscess in the lungs. Under these circumstances, it was not deemed advisable to order a *post mortem* examination to ascertain the inward condition of the body.

MANSLAUGHTER. - On Monday last, a man named **JONAS** and **MARY JONAS**, his wife, were brought before the bench to undergo an examination touching the death

of **WALTER M'INDOE**, when the following circumstances were adduced in evidence. On Saturday, the 7th instant, the deceased and the prisoners were at Morpeth enjoying a friendly glass, and did not until a late hour think of returning to Dunmore, where they all lived, and whither they were accompanied by a fourth person – a man with whom they were acquainted. Before parting for the night they went altogether to the prisoners' hut, on very good terms, to have a drink of milk. At this crisis some "chaff" was unfortunately started, during which the female prisoner slapped a wet towel in the deceased's face, who rose to stop her, and she seized a knife to defend herself. Her husband then took up the quarrel, and in an instant he and the deceased were struggling on the floor together, and they thus rolled out of the hut. The other man, fearing mischief from the violent conduct of the woman, seized her and held her fast, while she cried out, "Will you let him murder my husband? Don't you see I've laid down the knife? Let me go." He then let her go accordingly, when she rushed out to the two men, who were still struggling together on the ground; and he saw her twice aim a blow at the uppermost. At the second stroke, the deceased cried, "Save me." He then went out and separated them, when the prisoners returned to their hut, and the deceased rose, turned round twice as if looking for something, and ran to his hut also. This witness then returned to the prisoners' hut, when Mrs. Jonas said, "I'm afraid I've hurt M'Indoe: will you go and see?" He refused on account of the lateness of the hour (twelve o'clock); and observing a large pair of scissors on the table, covered with blood, he asked her if that was what she did it with, and she answered "Yes." The deceased, on returning home, declared himself to be wounded, and Dr. **BROWN** was called to his assistance. The next day, a constable told him he must apprehend the people concerned, to which he replied, "If you do, take the woman, and not the man." He died on the following Sunday (the 15th); Dr. **LIDDELL** examined the body, when he found three stabs which penetrated the chest, on the right side of the spine; and deposed, at the examination on Monday, that in his opinion those were the cause of death, and might have been inflicted by such an instrument as the scissors produced: one of the thrusts must have been very violent, as it penetrated right through the substance of the rib. He thought the woman must have been in a state of maniacal excitement. It may be added, that the unhappy woman never tried to conceal the event, but, on going to the watch-house, voluntarily gave up the scissors, and expressed great contrition for what had happened, wishing herself in the deceased's place, for he was a good neighbour, and she had no cause to hurt him. She was committed for trial on the charge of manslaughter, and the male prisoner was discharged.

DEATH FROM APOPLEXY. - On Thursday last an inquest was held before **J.S. PARKER**, Esq., coroner, at Anlaby's Inn, Morpeth, on the body of **WILLIAM SALES**, who, according to the evidence adduced, came by his death under the following circumstances:- On Monday last, the deceased, in company with a man named **THOMAS BUYHAM**, a ticket of leave holder, in the employ of Mr. Eckford, of East Maitland, was proceeding from West Maitland to Morpeth, the former being in a dray which the latter was driving. They were both the worse of liquor, the deceased very much so. On the way Buyham was cautioned more than once not to drive so furiously, and it was pointed out to him that the drunken man in the dray might be injured by the jolting, he having by that time become quite helpless. Buyham not heeding these warnings, continued on in the same reckless manner; and before he reached Morpeth the tail-board of the dray was shaken off, and his companion fell out. He was carried into Anlaby's Inn, where, it being supposed that he was merely drunk, he was laid on a sofa for the night. He never spoke, however,

afterwards, but lingered till Wednesday, when he expired. The jury, in the first instance, gave a verdict that the man had died from apoplexy; but the coroner expressing his dissatisfaction with such a verdict, it was reconsidered, and the final verdict was that the deceased had died from apoplexy, brought on by drunkenness, and accelerated by the careless driving of Thomas Buyham, whom the coroner then informed he would forward a recommendation that he should be deprived of his ticket of leave. Dr. **WILTON** was the medical witness.

HEXHAM. - FATAL ACCIDENT. - On Sunday evening last, as an old man, named **HENRY MUNDS**, a servant of Mr. **SPARKE**, was driving a horse to the paddock, the horse kicked him in the stomach. He fell instantly, but was soon raised by several individuals who saw him receive the kick, and conveyed into the house. He was bled, and medicine given to him, and a messenger sent into Maitland for a medical man, who was unfortunately not at home. As Munds appeared to be doing well the doctor was not again sent for until the next day, when the man got suddenly worse, and appeared to be sinking rapidly. Before the doctor could reach Hexham the poor man was dead. He was aged about 61 years, and had been thirteen years in the service of Mr. Sparke and his late father. He has left no family.

JOHANNA AHERN. - From circumstances elicited at the inquest on the body of **MARY ANN CLARKE** suspicions were entertained that he had also murdered his own sister, she being missing. Since then, however, her sister, Mrs. **COLLINS**, of this town, has received a letter from her, by which it is known that she is alive and well, at no great distance from Maitland. In the letter she inquires after "Jack" (Ahern) and the girl, saying she had not heard of them for a long time.

DEATHS.

Died, of apoplexy, on Saturday, the 14th instant, at his residence, Telarah, West Maitland, **HENRY INCLEDON PILCHER**, Esq., solicitor, aged 45.

SYDNEY NEWS.

INQUEST. - An inquest was holden, on Friday week, at Mr. Driver's, "Three Tuns Inn," Elizabeth-street, touching the death of **JAMES HOLT**, a youth about thirteen or fourteen years of age, who died in the General Hospital on the afternoon of Wednesday, the 11th instant, in consequence of mortification supervening on a severe wound received in the thigh. The jury returned a verdict to the effect that death was caused by injuries received from a cart having gone over his thigh, and placed a deodand of 1s. on the cart.

GOVERNMENT GAZETTE. - Friday, JUNE 13, 1845.

A person named **THOMAS MULDOON**, blacksmith, residing at Penshurst, Upper Paterson, having disappeared from his home under suspicious circumstances, any information regarding him is requested to be communicated to **JOHN BROWN**, Esq., J.P., Gresford.

MAITLAND MERCURY, 3/130, 28/06/1845

MURRURUNDI. - MELANCHOLY DEATH.

On the evening of Saturday, the 21st instant, Mr. **JOHN CHILCOTT**, of Doughboy Hollow Station, left his house with a loaded piece for the purpose of shooting native dogs near his stock-yard, where they were attracted by a dead bullock. A shot was heard soon after, but no notice was taken, as it was of course supposed that he had fired at a dog. He delayed his return so long, however, that one of the men went to look for him, and found him lying on the top of the calf-pen, quite dead, with the gun close to him. It had been heavily loaded with slugs, which were found to have entered his right arm and come out on the other side of the head. He appears to have got on

the calf pen, and in drawing the gun after him by the muzzle it had exploded. This was evident from his right hand and cheek being marked with powder, shewing they must have been close to the muzzle of the gun. Mr. Chilcott has left a wife and family to deplore his loss. He was very much respected in his neighbourhood. [The remains of the late Mr. Chilcott were respectably interred, at Singleton, on Wednesday last.]

SHOCKING OCCURRENCE.

On Tuesday night, the 17th instant, a man named **JAMES FORD** was shot dead, near Berrima, by a person named **OWEN WELSH**, free by servitude, who had been left in charge of Mr. Toole's public-house, within five miles of that place. Welsh was taken into custody almost immediately after the occurrence; an inquest was appointed to take place to inquire into the circumstances. *Commercial Journal.*

BRAIDWOOD.

... The Shoalhaven River had rose to an alarming height, and the mail was delayed for several days. The following night (the 19th) several deaths took place from exposure to the unusual severity of the weather. **ROBERT GLOVER**, a stockman of Mr. Badgery's, was found dead on Thistle Hill, where it was supposed he had fallen from his horse. **HENRY M'NALLY**, a shepherd of Captain Coghill's, was also found dead, with upwards of £100 (the accumulation of years) about him, although he was in a most ragged condition. A shepherd of Mr. G. Brown's at Queanbeyan, perished in his box from the same cause.

BATHURST. - **HOGAN**, who was sentenced to death at the last assizes for the murder of his wife, has had his sentence commuted to transportation for life, the first three years in irons. He left Bathurst, under a strong escort, on the 17th instant.

WREGISTER, 5/102, 05/07/1845

MURDER AT BATHURST. - From an inquiry held by **R.J. BARTON**, Esq., it appears that **LAURENCE POWER** had been absent from home, at Wellington; on his return he found a man named **JOHN FARRELL**, nick-named **HAPPY JACK**, in the hut with his wife. It would seem that Power had a suspicion that Farrell was carrying on an illicit intercourse with his wife. Shortly after Power had come into the hut he exclaimed, "Well, Jack, I see you are here again," and immediately rushed on him, and a struggle ensued, the woman escaping from the hut for fear of ill treatment to herself; and she stated at the inquiry that she had not seen Farrell since. It was also stated that Farrell was in charge of a dray, and had encamped about a mile of Power's hut. On the following morning the men who were in company with him, on his not appearing, and who probably surmised the intercourse that was carrying on between Farrell and Power's wife, became alarmed, and suspecting that something serious had happened to him, commenced a search for him, and within about a quarter of a mile of Power's hut came on the trace of a recent fire, and on further examination discovered the bones of a human body, apparently consumed by fire; and, on further search, found some buttons, from off wearing apparel, and a knife, that four men who had been in company with Farrell swore positively to having seen in his possession the very day he was missed; suspicion arose, from the circumstances before stated that Power had murdered Farrell. On the party calling at the former's hut, he was found absent from home; they started in pursuit, assisted by a man named **JEWELL**, who displayed a most becoming zeal to discover the murderer, and is entitled to much credit for his exertions. After a lengthened search Power was come up with, apprehended, and brought to a hut, where he was secured by a bullock chain, Jewell keeping a watchful eye on him, until he was handed over to the custody of the police. At the enquiry before Mr. Barton he was brought forward, and at its conclusion fully

committed, on Mr. Barton's warrant, to take his trial for the murder; he was committed to the charge of Corporal **STAFFORD**, of the mounted police, and by himself lodged, in the Bathurst Gaol, on the evening of Thursday, 26th.

MELANCHOLY DEATH. - On the evening of Saturday the 21st June, Mr. **JOHN CHILCOTT**, of Dough boy Hollow station, left his house with a loaded piece for the purpose of shooting native dogs near his stockyard, where they were attracted by a dead bullock. A shot was heard soon after, but no notice was taken, as it was of course supposed that he had fired at a dog. He delayed his return so long, however, that one of the men went to look for him, and found him lying on the top of the calf pen, quite dead, with the gun close to him. It had been heavily loaded with slugs, which were found to have entered his right arm and come out on the other side of the head. He appears to have got on the calf pen, and in drawing the gun after him by the muzzle it had exploded. This was evident from the right hand and cheek being marked with powder, showing they must have been close to the muzzle of the gun. Mr. Chilcott has left a wife and family to deplore his death. He was very much respected in this neighbourhood. *Maitland Mercury*.

TEN POUNDS REWARD.

Whereas it has been represented to the Government that **THOMAS MULDOON**, blacksmith of Peshurst, Upper Paterson, left his home on the morning of the 22nd May last, and has not since been heard of, and that there is strong reason for believing that the said Thomas Muldoon has been murdered, His Excellency the Governor directs it to be notified, that in addition to a reward of Ten Pounds offered by **ARTHUR EDWIN MAY**, Esq., of Gresford, the sum of Ten Pounds will (in the event of Muldoon having been murdered) be paid by the Governor, for the apprehension of the murderer or murderers.

MAITLAND MERCURY, 3/131, 05/07/1845

CORONER'S INQUESTS. - An inquest was held on Saturday last, before **J.S. PARKER**, Esq., coroner, at the house of Mr. **C. CATHROW**, Dunmore, Paterson River, on the body of **ANN ELIZABETH CREWE**, an infant aged four months. It appeared, from the evidence of Mrs. **ELIZABETH CREWE**, of East Maitland, the mother of the child, that when she awoke that morning, she found the child lying dead in her arms, although it was quite well on going to bed the night before. She immediately obtained the assistance of her mother, who administered a warm bath, but without effect. The child had been healthy from its birth. From the evidence of Dr. **STREET**, who had made a *post mortem* examination of the body, it appeared that inflammation of the lungs was the immediate cause of death, and that the deceased had also been labouring under mesenteric inflammation, from which children often die suddenly. The jury returned a verdict of "Died by the visitation of God."

Another inquest was held on Sunday last, before **J.S. PARKER**, Esq., coroner, at the house of Mr. **J. ROGERS**, Paterson township, touching the death of a ticket-of-leave holder named **JOHN BLABIN**, aged 45 years, who was killed by the wheel of a dray passing over his head. It appeared from the evidence, that on Friday last the deceased drove a dray into the township, in company with **JAMES AVERY**, **SAMUEL BARKER**, and **MARTHA HOLDEN**, to dispose of some tobacco, &c., and on the Saturday morning were proceeding home again in the same dray, when they stopped at several public-houses, and that the deceased was rather intoxicated, but not so as to be unable to manage his dray. They had occasion also to stop at a store, and Barker not returning to the dray as promptly as the others, the deceased, in

a passion, jumped up on the pole of the dray, declaring with an oath that he would wait for nobody, began to drive, and immediately fell off, when the wheel passed over his head, and killed him on the spot. A shoemaker, named **DAVIS**, who was passing at the time, saw him fall, and cried out "He is a dead man." Those in the dray did not see the accident happen, being engaged in picking up some sugar which had been split. A surgeon was immediately sent for, but his services were unavailing. The jury returned a verdict to the effect that the deceased was killed by falling off a dray, the wheel of which passed over his head.

A third inquest was held on Monday last, at the house of **WILLIAM CAVENAGH**, on Mr. Blain's farm, near Hinton, on the body of **JAMES CAVENAGH**, aged two years. It appeared from the evidence of Mrs. Cavenagh, the mother of the child, that on Saturday forenoon she left it at home while she went to the creek for some water. She had often done so before. Before she had been away more than six minutes she heard screams from her house, and rushing in, found her child in flames. After extinguishing them, she sent for her husband, who was at work at the time, ploughing for Mr. **BLAIN**, and took the child to Mr. Blain's house, where she applied oil to it. She did not send for a doctor, not thinking the child seriously hurt. It died, however, between nine and ten o'clock on the following night. From the evidence of Dr. **STREET**, who had examined the body, it appeared that the injuries sustained by the child were so extensive as to preclude all hope of recovery, the abdomen, back, right leg, side, and arm, being also severely scorched. The jury returned a verdict to the effect that the deceased came by his death from his clothes accidentally taking fire, and exonerated the mother from blame.

A CHILD LOST.

We beg to call the attention of our readers, and more particularly of those residing on the Lower William and Paterson Rivers, to an advertisement in another column, offering a reward for the recovery of a little girl, who strayed from her home, on Mr. Lang's farm, William River, on Wednesday, the 18th June. From the length of time that has elapsed without any tidings of her, we fear the poor child will hardly be found alive, but we hope that, in mercy to the anxiety of her parents, any one who has heard of or seen any strange child in their neighbourhood lately will immediately give notice to Mr. **CARMICHAEL**.

BODY FOUND. - On Tuesday last the body of a new-born infant, tied up in cloth, was found floating in the water near Balmain, and steps were being taken to discover the mother previous to holding an inquest.

FIVE POUNDS REWARD

On Wednesday, June 18th, a **FEMALE CHILD**, 22 months old, with yellow hair and blue eyes, and having a small red flesh mark at the corner of the left eye, was **MISSED** from Mr. Lang's Farm, on William River. Whosoever will restore to its parents, on the above farm, the child alive, shall receive a reward of **FIVE POUNDS**, or, if the child be found dead, will bring the body, shall received **ONE POUND**, on application to

HENRY CARMICHAEL, Porphyry Point.

BATHURST. - On the 24th ult. a rumour reached Bathurst that a murder had been committed at Ploughman's Creek, thirty or forty miles from that town, on the road to Wellington. Constables were despatched to the spot, and the coroner also left Bathurst to hold an inquest.

Wednesday

Before his Honor Mr. Justice a'Beckett

JOHN SKINNER, late of Sydney, labourer, was placed at the bar, and indicted for having at Sydney, on the 19th day of May, 1845, feloniously assaulted one **MARY HOADLEY**, by striking her on the left side of the head with a hammer, thereby inflicting a mortal wound of the length of six inches and the breadth of three inches, of which mortal wound the said Mary Hoadley then and there instantly died. Not guilty – discharged.

Friday

The court was occupied during the whole of Friday in the trial of the man **AHERN** for the murder of his niece; the case was not terminated until about one o'clock this morning, when a verdict of guilty was returned, and sentence of death passed on the prisoner.

BODY FOUND. - On Monday afternoon, as some children were playing on Steel's Wharf, bottom of Bathurst-street, they observed a small parcel under the platform, which being brought out and examined was found to contain the body of a female infant, aged, according to Dr. **MACKELLAR**, about twenty-four hours.

BIRTHS

At Lambert Cottage, Darlinghurst, the lady of the Colonial Treasurer, of a son, still born.

MAITLAND MERCURY, 3/132, 12/07/1845

ACCIDENTAL DEATH. - On Monday last an enquiry was held before **E.D. DAY**, Esq., P.M., touching the death of the infant son of a man named **CHEESEMAN**, a small shopkeeper in Morpeth. It appeared that on the previous day the child, having strayed from home, had gone into the premises of Mr. **SANDERSON**, tanner, where it had fallen into one of the tanpits, from which it was taken out dead. A verdict of accidental death was recorded. The child was about three years old.

SUDDEN DEATH. - On Monday forenoon last, an old pensioner, named **WILLIAM ROMLEY**, was seen to drop down near the bridge over Wallis's Creek, between East and West Maitland. Bering apparently in a dying state, he was carried to Mr. Eckford's in East Maitland, where the assistance of Dr. **LIDDELL** was procured, but without avail, as he expired in a few minutes. Dr. Liddell was of opinion that nothing could have saved him, had assistance been rendered ever so timely. The cause of death was the bursting of a blood vessel.

SYDNEY NEWS.

BODY FOUND. - On Monday afternoon, some children playing at Steele's Wharf, bottom of Bathurst-street, discovered a bundle under the platform, and it was found to contain the body of a female child, which, according to the opinion of Dr. **MACKELLAR**, had lived about 24 hours.

JOHN AHERN. - The trial of this prisoner was to come on yesterday. In consequence of his application for gratuitous legal aid, Mr. **FISHER** has been assigned by the court as counsel, and Mr. **G.R. NICHOLLS** as attorney.

MRS. HOADLEY'S MURDER. - **JOHN SKINNER** was brought to trial on Wednesday last, for the murder of Mrs. Hoadley, in King-street, on the 19th May last. The jury found the prisoner not guilty, and he was discharged.

MURDER NEAR BATHURST.

The report of a murder having taken place near Wellington, noticed in our last, turns out unfortunately to be well founded. At an inquiry held before Mr. **BARTON**, a magistrate resident in the district, it appeared that a man named **LAURENCE**

POWER, on returning to his home, near Wellington, found a man named **JOHN FARRELL** with his wife, between whom Power was suspicious that an illicit intercourse was being carried on. Shortly after Power entered the hut a struggle ensued between the men, when the woman left it. Farrell had been in charge of a dray, and had encamped about a mile from Power's hut, in company with some other men, who, on his not returning the morning after the occurrence at the hut, suspected something had happened, and commenced a search for him. About a quarter of a mile from Power's hut they observed the trace of a recent fire, and found some bones of a human body and some buttons which had been in the possession of Farrell a few days before. The men, knowing of the intimacy between Farrell and Power's wife, suspected that Farrell had been murdered by Power, to whose hut they went, but he was not there. A search was immediately commenced for him, and he was soon apprehended and handed over to the police. At the inquiry before Mr. Barton he was brought forward, and at its conclusion was fully committed to take his trial for the murder.

TEN POUNDS REWARD.

Whereas it has been represented to the government that **THOMAS MULDOON**, blacksmith, of Penshurst, Upper Paterson, left his home on the morning of the 22nd may last, and has not since been heard of, and that there is strong reason for believing that the said Thomas Muldoon has been murdered; his Excellency the Governor directs it to be notified that, in addition to a reward of ten pounds offered by **ARTHUR EDWIN WAY**, Esq., of Gresford, the sum of ten pounds will (in the event of Muldoon having been murdered) be paid by government for the apprehension of the murderer or murderers.

WREGISTER, 5/104, 19/07/1845

INQUEST. - On Wednesday afternoon, a coroner's enquiry was held at Mr. R. Driver's, touching the death of Mr. **THOMAS TURNER**, who had been found dead about nine o'clock, in his office, Wentworth-place. According to the evidence of Mr. **HOLDSWORTH**, who resided with the deceased, on the Surry Hills, he went to the office on Wednesday morning, and found him lying dead over a chair. Mr. **NATHAN**, surgeon, was immediately called in, but found the body cold and dead. After the case for the consideration of the Jury had been summed up by the Coroner, Mr. **JENNINGS**, one of those impanelled, stated that although he was satisfied, on the evidence, that death had been caused by apoplexy, yet, as he had heard a man named **WARD** say that "the deceased had exhibited a small bottle on Tuesday, and asserted that it, the bottle, would settle between him and his creditors," he, for one, would like the matter to be investigated. The Coroner immediately recalled Mr. Nathan, and directed him to make an examination of the body, the result of which was, that when the stomach was examined there was not the least symptom of laudanum or any other poison found in it. The jury immediately found a verdict of died by the visitation of God, caused by apoplexy.

DIED.

At Wentworth-place, On Tuesday, the 15th instant, in the 42nd year of his age, Mr. **THOMAS TURNER**, he was the only surviving son of Thomas Turner, Esq., of Devonshire Cottage, Tunbridge Wells, Kent.

MAITLAND MERCURY, 3/133, 19/07/1845

INQUEST. - An inquest was held on Wednesday, at the "Three Tuns" public house, Elizabeth-street, on the body of an old man named **TURNER**, for many years past

known as a resident in Wentworth-place, who expired very suddenly on Tuesday. A verdict of death from natural causes was returned. *Australian*

INQUEST. - On Thursday, 13th instant, an inquest was held on the body of a female infant which had been picked up in Sussex-street on the previous Monday. The jury returned a verdict that the child had been still-born.

AHERN THE MURDERER.

JOHN AHERN was brought to trial on Friday, the 11th instant, before the Chief Justice, in the Central Criminal Court, Sydney, for the murder of his niece **MARY ANN CLARKE**. The prisoner was defended by Mr. **DARVALL**. It appeared from the evidence that the injuries which caused the death of the unfortunate girl must have been inflicted in the house in Sussex-street, where the prisoner and the girl lived previous to their taking the house in Hancock's-court, Parramatta-street, where the body was found, for in the latter there were no marks of blood or violence except on the person and dress of the deceased, while in the former there were plain indications of a murder having been committed, and hair resembling that of the girl adhering to the blood-stained walls. It did not appear, however, in which house death had taken place, for the wounds were of such a nature as to admit of the possibility of the girl having walked from the one to the other after receiving them. From the position of the body on the bed on which it was found, it was thought that it must have been laid there by a second person. **MARGARET AHERN**, the mother of the deceased, and **JOHANNA AHERN** (another sister of the prisoner) appeared as witnesses, and revealed a frightful amount of depravity on the part of all three, especially as regards the habitual cruelty of the prisoner towards his victim. The prisoner, on being found guilty and sentenced to death, expressed a hope that a "long day" would be allowed him, and also that the clothes taken from him at Maitland would be restored. The Chief Justice told him that his wishes would be made known to the proper authorities, but he was sorry that such frivolous thoughts as we evinced by his latter request occupied his mind at so awful a time. The trial lasted from ten o'clock on Friday morning till half-past one on Saturday morning.

WREGISTER, 5/105, 26/07/1845

DEATH FROM BURNING. - About five o'clock on Saturday evening, as a female, upwards of sixty years of age, residing at Druitt-street, near the corner of Sussex-street, was in the act of lifting a tea kettle off the fire, her clothes ignited, and before her cries brought assistance she was so dreadfully burned that she expired in five hours after at the Infirmary, whither she had been removed.

SUICIDE. - An inquest was held on Wednesday, at the Ship and mermaid, Miller's Point, on the body of a man named **HENRY THOMPSON**, who put an end to his existence, on the previous night, by cutting his throat. The evidence was, that the deceased, although ordinarily a temperate and sober man, did on some occasions, give way to drinking; that he had been drinking, and under the influence of drink, from Saturday evening up to time of his decease; that some four weeks ago, he attempted to smother or drown himself by placing his head in a bucket of water from which he was dragged by a woman named **MAYNE**, who was lodging in the house, which was rented by Thompson. On Tuesday evening, however, a woman named **HIGGINS**, with whom Thompson was living, gave the alarm that Thompson was going to shoot himself, and Mayne, the husband of the woman before alluded to, went to the room where the deceased was, a pistol and powder flask was removed from the room, and according to the statement of Mayne, the deceased, missing the pistol, said that he should find "something else." Some few minutes afterwards, Mayne going down the

staircase of the house met the deceased, who "clasped him around the neck and gave him a kiss," and at the same time gave him a watch (produced) which he told Mayne to keep for his sake, as he was "going to sea." A few moments afterwards there was an alarm that the deceased had cut his throat, and from all the evidence it appeared that he had done so, and from the wound he had himself inflicted death ensued. The Jury under the direction of the Coroner returned a verdict of *felo de se*.

MAITLAND MERCURY, 3/134, 26/07/1845

CARELESS COMMITTAL. - ESCAPE OF AN ALLEGED MURDERER.

MAURICE JONES was brought before the Central Criminal Court on the 17th instant. He had been committed from the Clarence River for murder; but the Attorney General stated that he was not in a position to place him upon his trial, as he had to send the depositions back to the committing magistrates that further inquiries might be made. On the face of the warrant the prisoner stood committed for felony, without the particular felony being specified. The court animadverted in strong terms on the practice of magistrates committing without closing their inquiries, and without specifying the offence for which they commit. Under the circumstances, there was nothing to justify the detention of the prisoner, and he was therefore discharged.

ATTEMPTED SUICIDE. - On Tuesday, the 15th instant, an old man named **THOMAS VICKERY**, a hair dresser, in a fit of despondency cut his throat with a razor. Dr. **STEWART** was immediately called in, and the unfortunate sufferer is likely to recover, although in a very precarious state. He had been suffering from *delirium tremens*. *Hawkesbury Courier*

WREGISTER, 5/106, 02/08/1845

DEATH OF THE REV. MR. DUNPHY. - It is with feelings of great regret that we have to announce the premature and awfully sudden death by drowning, of the Rev. **JAMES DUNPHY**, which melancholy event occurred on Friday, the 11th instant. The reverend gentleman had been out in the discharge of his pastoral duties, and was returning to Bathurst; but in endeavouring to cross the Mudgee River by some means unknown he seems to have fallen from his horse, and was lost. He was seen to go into the river by a shepherd who was at a short distance from the place and soon afterwards disappeared, and was seen no more. The body of the unfortunate gentleman was not recovered until the following Monday.

INQUEST. - On Saturday afternoon, a Coroner's inquest was held at Barnett's public-house, corner of Market and Sussex-streets, touching the death of **MARY JANE SMITH**, aged two years. It appeared that the deceased, who was labouring under the whooping-cough, had got some cut meat from her father while at breakfast, a piece of which stuck in the throat; her father took her to several places to have it dislodged, but without success, till he carried her to the Infirmary, where Dr. **NATHAN** dislodged it with a probing, but life was extinct before the meat was extracted. Mr. Nathan having certified that death had been caused by suffocation in consequence of a piece of meat having lodged in the gullet, a verdict to that effect was returned.

INQUEST. - On Wednesday, an inquest was held in the "York Hotel," York-street, on the body of **JANE ELIZA BROWN**, a child about 2 years of age, and daughter of Mr. Brown, baker, of York-street, who died on Monday from the effects of injuries received in the following manner:- Mr. **ARTHUR LITTLE**, of Woolloomooloo, was driving along York-street from the barrack gate, and whilst going at a smart trot, the horse's foot struck the deceased, who was in the middle of the road, and it fell, and

received other injury by the horse and gig going over it. Two men who were standing by saw the child lying in the road, and took it to the house of its parents, from which it had strayed two minutes before: but it died from the injuries it had received the same day. It did not appear from the evidence that any blame could attach to Mr. Little, as he was driving at by no means a furious pace, and in a careful manner. Mr. Little did not see the child at all, nor was he aware of the accident until the day after the death of the infant. He expressed much regret that he should have been the unconscious cause of so fatal an occurrence. The Jury found a verdict of "Accidental Death," exonerating Mr. Little from all blame in the transaction, and laid a deodand on the horse of £5.

MAITLAND MERCURY, 3/135, 02/08/1845

SERIOUS ACCIDENT. - On Monday night last, an old man named **JOHN JENKINS**, in the employ of Mr. **DAVIS**, baker, of West Maitland, having got the worse for liquor, so much so as to be unable to undress himself, was put to bed (in his master's house) with his clothes on, but after some hours sleep he got up again, and being heard moving about by the people in the house, they very properly went to look after him, fearing that he might not yet be sober enough to be trusted where there was a fire. They found him in the bake-house enveloped in flames, and trying to tear his clothes off. After extinguishing the flames, they immediately sent for Dr. **LIDDELL**, who promptly attended, and applied the proper remedies to the unfortunate man, whom he found very severely burnt. It was supposed that his apron had been ignited from the oven fire, as it was completely consumed; and it was thought that, but for part of his dress being woollen, he must have died on the spot, as he had evidently been burning for some time.

DEATH FROM BURNING. - On Monday last, a child named **JOHN BOWMAN**, son of a shoemaker of that name in West Maitland, was burnt to death under the following circumstances:- Between seven and eight in the morning, the child was playing, with one still younger, in his night dress; and the younger child having thrown a boot belonging to one of them in the fire, the deceased tried to pluck it out, in doing which his night gown caught fire, and before his mother could come down stairs he was dreadfully burnt. Dr. **SLOANE** promptly attended, and the proper remedies were applied without delay, but the little sufferer expired about two o'clock the following morning. It was found that the action of the fire had penetrated through the coats of the abdomen; otherwise a fatal result was not anticipated. An inquiry was held by the police magistrate on Tuesday.

MAITLAND MERCURY, 3/136, 09/08/1845

JOHN A'HERN. - **JOHN A'HERN**, who was found guilty of the wilful murder of his own niece, **MARY ANN CLARKE**, at the last sitting of the Central Criminal Court, is to be executed on Tuesday next.

SUDDEN DEATH. - Yesterday forenoon a man named **FRANCIS GALLAGHER**, formerly a constable in the Maitland police, was found dead, on Campbell's Hill, West Maitland. An inquest was held on the spot by the police magistrate, in the afternoon, and was postponed till to-day. We therefore refrain from giving further particulars.

WREGISTER, 5/107, 11/08/1845

DOMESTIC INTELLIGENCE

EXECUTION. - The execution of the man **AHERN**, for the murder of his niece, **MARY ANN CLARKE**, has been fixed by the Executive to take place on Tuesday next, the 12th instant, at the New Gaol, Darlinghurst.

MAITLAND MERCURY, 3/137, 16/08/1845

M'LEAY RIVER. - On the 25th ultimo, an inquest was held by Mr. Commissioner **MASSIE** on the body of a man named **CALLAGHER**, a shoemaker, who met his death under the following circumstances:- A policeman named **CLOGGER** had been dispatched by the Commissioner to the neighbourhood of Chapman and Co.'s establishment, to look after a runaway policeman named **GREEN**. He saw a man leap the fence, and gave chase, but the man turned on him, knocked him down, and continued his flight, which Clogger immediately arrested by his carbine. The man turned out to be the shoemaker. He died shortly after. The Commissioner held that act of the policeman justifiable.

AHERN. - On Tuesday morning, **JOHN AHERN**, convicted of the murder of his niece, **MARY ANN CLARKE**, was executed in Sydney. He knelt on the platform, and joined with the Rev. Mr. **M'ENEROE** in prayer, on arising from which he said "Good Christians, I hope you will all pray for me. I am not guilty of the murder. I acknowledge beating the girl, but not with intent to kill her. I stopt with her till she drew her last breath. The whole affair was owing to a few glasses of liquor." The drop was then allowed to fall, and the wretched man's struggles continued at last ten minutes.

WREGISTER, 5/108, 16/08/1845

DETERMINED SUICIDE. - **WILLIAM GREY**, "recently arrived in the colony."

DOMESTIC INTELLIGENCE

EXECUTION. - On Tuesday morning, the extreme sentence of the law was put in force upon the person of **JOHN AHERN**, convicted during the late sittings of the Central Criminal Court, of the murder of his niece, **MARY ANN CLARKE**, aged about fourteen years. After he had taken his place upon the scaffold, he said a few words to the crowd outside the walls, in which he admitted that he was justly ordered for execution, as the unfortunate girl had died from the effects of a beating that he had given her, in consequence of misconduct. He also stated, that after he beat her in Sussex-street, on the Saturday, he being then intoxicated, she accompanied him to Parramatta-street, where, in consequence of her becoming gradually weaker, he was very attentive to her up to the time when she expired, which was on the Sunday morning, while he was absent for some water; on his returning with the water, and finding life extinct, he became horror struck, purchased a quantity of sugar of lead to destroy himself, and set out on the same day overland to Maitland, where he arrived, and was subsequently apprehended with the poison in his possession. After joining in devotional exercises with the Rev. Mr. **M'ENROE**, and having requested those present to pray for him, he was launched into eternity.

MAITLAND MERCURY, 3/138, 23/08/1845

SUDDEN DEATH. - On Monday morning last, a man named **ROBERT MARSHALL**, a fireman in the employ of Mr. **BLAIR**, miller, Dunmore, died in the lock-up house, West Maitland, under the following circumstances:- elicited during two judicial enquiries instituted by the police magistrate, first on the body on Monday, and afterwards at the court house, on Tuesday last:- He left Dunmore on Sunday to go to Maitland, having 8s. 6d. in his pocket, and quite sober. In the course

of the day he got so much the worse for liquor that he was advised by some acquaintances whom he visited in West Maitland to stop for the night, but he would not. He was next seen by the private watchman, under the verandah of Mr. **HEUGH**, whose house he had mistaken for the Albion Inn, and kept calling out for the landlord: the watchman's attention had been called to him by Mr. Heugh on account of the noise he was making. The watchman then took him towards the lock-up, with the intention of lodging him there; but thinking he was able to take care of himself, he changed his mind, and let him go, and did not see him again until about four o'clock, when he found him on the ground near Mr. Solomon's new stores, moaning, and evidently extremely ill. He immediately obtained the assistance of Constable **BOYLAN**, and carried him to the lock-up. His clothes were wet up to the armpits, his feet were much cut, apparently by shells and sharp stones, and from other appearances it was evident he had attempted to ford the river. In the lock-up he was placed beside a fire, had tea made for him, and was otherwise carefully attended to, but he was thought to be only in a feeble state from the effects of drink, and his immersion in the water on a sharp frosty morning; so that medical assistance was not called till about ten o'clock, when he was evidently dying, and before Dr. **SLOANE** arrived he had expired. There was no money except some coppers found on him, but his employer owed him £2 5s. for wages; and £2 of this was appropriated to his funeral, the remainder to the Hospital. He had no friends in the colony.

BATHURST. - An inquest was held on the 8th instant on some human bones found in the bush a few yards off the Sydney road, on the 4th instant, by a man named **HOWARD**, while in search of a bullock. From some fragments of wearing apparel, and a peculiar formation of the teeth, the remains were known to be those of a man named **JOHN ROURKE**, who had been missing four months. Near the spot was a screen of boughs such as persons erect in the bush to shelter themselves from the weather. None of the bones were fractured, and no opinion could be formed of the cause of death.

The bones of another human being (the skull deficient) have been discovered in the neighbourhood of Blackman's Swamp. *Herald*

PENRITH. - On the morning of the 14th instant Mr. **J.L. TEMPLAR** was returning from a party with two friends. His horse took fright and ran off, his friends not being able to keep up with him; and it was not until the following afternoon that he was discovered, quite dead, his skull having been fractured.

MAITLAND MERCURY, 3/139, 30/08/1845

HUNTER RIVER DISTRICT NWS. - NEWCASTLE.

CHILD DROWNED. - We have just heard that a child has been drowned at the Swamps, near Grove's Farm, in consequence of falling into a water-hole. Major **CRUMMER** has proceeded to the spot to hold the necessary inquiry. The father of the child is one **THOMAS CARPENTER**, in the service of Mr. **GROVE**.

SUDDEN DEATH. - On the 21st instant, a man, well known by the name of "**JACK THE PAINTER**," was found at the bottom of Young's Lane, in Sussex-street. The deceased was a frequent visitor at the police office, and it was only two days before his death that he was sent to the mill for 24 hours, for drunkenness. He was in the habit of sleeping about the lime kilns at night. The coroner's jury returned a verdict of apoplexy, induced by habitual drinking.

WREGISTER, 5/111, 06/09/1845

BERRIMA CIRCUIT COURT

Tuesday

JAMES ASTELL, of Yass, was indicted for the wilful murder of **WILLIAM BERRY** alias **WILLIAM BARRY**, at Gundaroo, on the 13th of March last, by shooting at him and inflicting a mortal wound, of which the said Berry alias Barry died. There was a second count charging the offence as manslaughter. Guilty of manslaughter – to be confined in Parramatta Gaol for eighteen months.

DEATH BY DROWNING. - On Saturday evening the body of a young man named **ZANDERS**, a native of Holland, was discovered in the water at the Commercial Wharf, King-street West. The body was subsequently removed to the General Hospital, and an inquest held upon it at Mr. Driver's, on the following day, when it appeared that the deceased had arrived in the colony as an ordinary seaman, and, having purchased a boat for himself, commenced business as a wood dealer. On Saturday night he went to see some of his former ship mates on board the *Maitland* steamer, and became intoxicated. It is supposed that he met his death in the attempt to cross the plank communicating with the wharf. The jury returned a verdict of "found drowned."

MAITLAND MERCURY, 3/140, 06/09/1845

CORONERS. [EDITORIAL].

... There is one feature in the present mode of holding inquiries before magistrates which is highly objectionable, and which requires immediate attention, in the event of coroners not being appointed in each district. We allude to magistrates not having the power of summoning juries. In every case in which an inquiry is necessary touching the cause of death the officer holding such inquiry should be empowered, and should be required, to summon a jury. No single individual ought to be entrusted with the power of saying whether death had been brought about by fair or unfair means.

A case has recently occurred in our own town which shows very strongly the necessity of the alteration suggested. A week or so ago a man [**ROBERT MARSHALL**] in a state of intoxication attempted during the night to ford the river. Being unable to accomplish his purpose, he returned into town; and was found by the private watchman about five o'clock in the morning in a helpless state, with his clothes completely saturated, and suffering much from cold; the weather being severe. He was taken to the lockup by the private watchman and a policeman whom he had called to his assistance. At first, we believe, he was put near a fire, and was afterwards put into a cell, and about eight o'clock some tea was given to him, and shortly after, as the man appeared seriously ill, medical assistance was sent for, but the medical gentleman did not arrive until the man had expired. Two enquiries were held before the police magistrate, who came to the conclusion that the man had died from the effects of his exposure the previous night. Now this is precisely one of those cases in which a jury was absolutely required, to ascertain whether the police did or did not pay the degree of attention to the deceased which in his condition was necessary. We have every confidence in the ability and desire of the police magistrate to do justice, and we have no doubt that if evidence had been adduced to prove any culpable neglect on the part of the police that he would have done his duty; but the decision of this question ought not to have been left to him; the inquiry ought to have taken place before a jury, and their verdict would have been quite sufficient to have prevented the doubts now entertained by some of the townspeople as to the conduct of the police in this matter. [See also Maitland Mercury, 3/148, 01/11/1845: Sydney News; CORONERS.]

CALENDAR OF PRISONERS FOR TRIAL AT THE MAITLAND CIRCUIT COURT.

The Maitland Circuit Court will open on Wednesday next, the 10th instant, before Mr. Justice Dickinson. The following are the prisoners who have been warned for trial up to the 3rd instant:-

JAMES FITZPATRICK and JAMES FITZGERALD, bond, murder.

MARY JOHNSON, free, manslaughter.

WILLIAM GOODBURY, free, sodomy.

INQUEST. - An inquiry was held by the police magistrate, at the Hospital, West Maitland, on Wednesday last, on the body of **JOHN JENKINS**, who had died in the hospital about ten o'clock the same morning from the effects of injuries received in consequence of his clothes taking fire while he was in a state of intoxication, on the 28th July last. After viewing the body, the magistrate adjourned the enquiry till the following day, at the court-house, when Mr. **DAVIS**, the employer of the unfortunate man, and other persons were in attendance, and gave evidence to the above effect.

INQUEST. - On the 26th ult. an inquest was held in Board's public-house, on the body of **WILLIAM SMITH**. It appears that he had been drinking for several days, and Dr. **TIERNEY** certified that he died from inflammation of the stomach and bowels. Verdict accordingly.

WREGISTER, 5/112, 13/09/1845

BERRIMA CIRCUIT COURT

Monday

OWEN WELCH, of Berrima, was indicted for having, on the 17th June last, at Sutton Forest, in the house of one **THOMAS TOOLE**, murder one **JAMES FORD**, by discharging the contents of one of the barrels of a double-barrelled gun at him, and inflicting a mortal wound on the left side of the said James Ford, of which wound Ford shortly after died. Guilty – sentenced to be hanged.

INQUEST. - An Inquest was held on Monday by the coroner, **C. BETHEL LYONS**, Esq., in the Colonial Hospital, on view of the body of **MARIA BUTLER**, then lying dead in that establishment. From the evidence adduced, it appeared that the deceased, about ten or twelve days since, while assisting in burning off some stumps from a small farm where her husband resided, at the Field of Mars, some portion of her dress ignited, on perceiving which, she immediately ran for assistance towards home, but before reaching which, the fire through her running had been formed into a complete blaze; the whole of her apparel was consumed off her, and herself so severely burnt that it was found necessary to immediately remove her to the hospital, where every possible assistance was rendered her, and confident hopes of her recovery entertained until within a few minutes of her decease, which occurred on Saturday morning, and was stated to have been extremely sudden, as after abruptly making an observation that she was going to die, she within a few minutes afterwards expired. Medical testimony having been given as to the cause of disease (sic), the jury returned a verdict of accidental death.

MAITLAND MERCURY, 3/141, 13/09/1845

MAITLAND CIRCUIT COURT. - (Before his Honor Mr. Justice Dickinson)

THURSDAY, SEPTEMBER 11TH, 1845.

MURDER. - **JAMES FITZPATRICK and JAMES FITZGERALD**, bond, were indicted for having, at Newcastle, on the 8th March, 1845, wilfully murdered **PETER M'CORMICK**, a man belonging to the stockade at that place, as did the prisoners

also. The indictment charged Fitzgerald as being present, aiding and abetting, while the other perpetrated the murder.

The case disclosed a fearful amount of depravity on the part of the unhappy men among whom it occurred.

The evidence of **WILLIAM CROOKS**, one of the stockade men, which was given with great clearness, conveys an outline of the case. He said that on the morning of Sunday, the 9th March, he was awoke by M'Cormick, who called his attention to what the prisoners were doing; he added, in the hearing of the prisoners, that he would report them, and he did so, in consequence of which Fitzpatrick was questioned by the serjeant. On returning from the examination, he was asked by several what it was about, and he said that that b----y wretch M'Cormick had been trying to take away his character. One of the men, named **MULLIGAN**, said that if he had done the same by him he would knock his grains out, and the expression was repeated by others. The same day witness heard Fitzpatrick ask Mulligan for a knife, and on the latter saying, "Never mind," he said impatiently, "Let me have it;" Mulligan than gave him a knife. In consequence of fears expressed by M'Cormick, witness took care to be near him that night, as neither of them were liked in the prison; he observed, besides, that Fitzpatrick lay down in his clothes; witness, however, was obliged to leave him for a short time to go to another part of the apartment, when he heard Fitzpatrick cry out, "You b----y wretch, I'll learn you to inform against me." There was immediately a cry of murder from the deceased, and when witness got back to the spot Fitzpatrick was on his knees leaning over M'Cormick, and stabbing him with the "heel of his hand." Witness then called out for assistance, but none coming, he seized Fitzpatrick by himself, and only let him go on being threatened with a similar fate to that of M'Cormick, who by this time had got out of the berth and crossed over to the other side of the room, with his entrails protruding. Fitzpatrick then called out, "Where is he?" and three voices from the other side answered, "Here he is." Fitzpatrick then followed him up and again attacked him, none preventing, while there was a general cry among the men of "The b----y wretch, it serves him right." When witness called for help he meant it for the watchman, **BATEMAN**, and he again appealed to him to call in the military, but he only returned a look of disdain, and went towards the door. Fitzgerald had that night shifted to a berth farther off; he had previously slept in the same berth with Fitzpatrick, M'Cormick, and witness; Mulligan lay convenient to it. When he saw Mulligan hand the knife to Fitzpatrick he did not suspect anything, but he had been told that day that Fitzpatrick was going to commit a murder, but he was afraid to report it, for there was not a man among them that would hesitate to commit a murder. He was sure it was neither Fitzgerald or Mulligan who called out "Here he is."

JOHN BATEMAN (the watchman) was examined, but nothing material was elicited from him; he excused his non-interference by the plea of fear of the men.

JOHN SMITH, another watchman, was examined with as little result; his eyes were "that bad at the time that he could not see a man two yards off;" he heard, however, a general cry of "Give it to him, Towzer" (Fitzpatrick being thereby meant): he could not recognise any of the voices, for he was not acquainted with any of the men, and did not keep company with them.

MICHAEL MULLIGAN, the man who lent the knife, remembered Fitzpatrick saying, when he came from the examination by the serjeant, that M'Cormick had reported him for an unnatural crime; Fitzpatrick had borrowed the knife for the purpose of mending his trousers; at night he heard Fitzgerald say, "You hangman wretch, I'll learn you to report me;" witness was going to assist Crooks in taking off

Fitzpatrick, when he was attacked by Fitzgerald with a knife, who threatened to stick it in his heart if he did not be off; witness then got into his berth from fear; he saw Fitzpatrick stabbing M'Cormick, and when the latter ran across the floor after being stabbed, he saw Fitzgerald follow him, and again retreat to his berth when the serjeant was coming.

SAMUEL WILSON, serjeant of the 99th regiment, deposed that he had not been called by any one, but he went among the prisoners on hearing an alarm of murder; he saw Fitzpatrick strike at the deceased with the "heel of his hand," and then run to a berth, where witness apprehended him, and where he also found the knife produced; Fitzpatrick was covered with blood, and by next morning he done his best to wash it away, apparently with his own urine, as he had no other water at hand.

JOHN KELLY, corporal of the same regiment, corroborated this evidence.

Dr. **BROOKS**, Colonial Surgeon at Newcastle, deposed that the deceased came by his death from nine or ten wounds in the chest and belly, all of which might have been inflicted with the knife produced, except one (in the chest) which must have been inflicted with a longer knife. Death was inevitable from the nature of the wounds; and the man, indeed, in a very bad spirit, seemed determined to die, and resisted what witness attempted to do for him; he died on the 11th.

SAMUEL HOLT, chief constable of Newcastle, identified the knife as the same that was given him by Serjeant Wilson, of the Stockade.

Major **LAST**, commandant of the Stockade, at Newcastle, deposed that in his capacity of justice of the peace he took the deposition of M'Cormick previous to his death. In that deposition he distinctly asserted that he was first struck by Fitzpatrick with a stone, or something like one, and then stabbed by Fitzgerald, whom he positively identified as the man who gave him the first wound. He was not so sure about Fitzpatrick stabbing him, although he knew that he had attacked him in some way.

The deposition was read in court.

The Solicitor General briefly addressed the jury; and put the case as against Fitzpatrick much more strongly than as against the other prisoner.

The learned Judge then summed up the evidence.

In about half an hour the jury returned a verdict of guilty against both prisoners, and sentence of death was immediately passed upon them without hope of mercy. Fitzpatrick, who appeared to suffer a good deal throughout the trial, heard his fate in an extraordinary state of excitement, and at the conclusion of the learned Judge's address, waved his cap over his head, and gave vent with great vehemence to three cheers as if for a triumph – "Hurrah! Hurrah! Hurrah!" He appeared very much flushed, but fainted as soon as removed. The other prisoner heard the sentence with great coolness. Both are young men, the latter remarkably little.

MANSLAUGHTER.

MARY JOHNSON, free, was indicted for having, at Dunmore, on the Paterson River, on the 7th June last, caused the death of **WALTER M'INDOE**, by stabbing him with a pair of scissors.

It appeared from the evidence that the prisoner and her husband **JONAS JOHNSON**, the deceased, and a man named **M'CUTCHEON**, had been drinking together at the Greenhills, from which they returned in company to Dunmore, M'Cutcheon going home by himself, and the others going to Johnson's hut, where there was a good deal of chaff amongst them, which ended in a serious quarrel between the deceased and the prisoner, and blows or slaps were exchanged between them. At length, the husband, Jonas, was drawn into the quarrel, and he and the

deceased were soon outside the hut struggling with each other on the ground; a man named **HALFPENNY**, who was present, then laid hold of the prisoner, seeing she had a knife, and fearing mischief; she struggled to get away, however, but he would not let her till she held out both her hands and shewed him that she had no weapon; she then rushed out, and Halfpenny, following her, saw her strike at the deceased, as if tabbing him. The deceased then got up and went away, and the prisoner and Halfpenny returned to Johnson's hut, where Halfpenny for the first time saw a pair of scissors on the table; they were covered with blood, and the prisoner acknowledged that she had wounded the man with them, asking Halfpenny to follow him and see if she had hurt him much; but he refused, on account of the lateness of the hour. The deceased had gone to M'Cutcheon's hut, where Dr. **BROWN** attended him, but he expired in nine days.

Dr. **LIDDELL**, of West Maitland, proved that death had resulted from three wounds in the back, from such an instrument as the pair of scissors in question.

The prisoner called **ANDREW LANG**, Esq., J.P., of Dunmore, and Dr. **STEWART**, of Newcastle, from whose testimony it appeared that she was not always of sound mind. The latter gentleman stated that she laboured under a complaint called puerperal mania, which had become periodical with her, and which had the effect of causing insanity during its continuance, and an extreme liability at all times to be wrought up to a state of morbid excitement by causes which would be inadequate in ordinary cases.

His Honor told the jury it was for them to consider whether the prisoner was capable of judging between right and wrong on the occasion referred to in the evidence.

The jury, after a few minutes consideration, returned a verdict of not guilty. In answer to a question from the learned Judge, the foreman said that their verdict was a general one of not guilty, and not on the ground of the alleged insanity of the prisoner. His Honor then immediately set her at liberty.

The verdict excited evident surprise in court.

The prisoner appeared to suffer much at intervals during the trial, and while the jury were considering their verdict, she implored the Judge not to send her to Parramatta Factory – she was sure both herself and her child (a young infant at her breast) would die in such a horrid place.

THE STOCKADE MURDERERS. - **FITZPATRICK and FITZGERALD**, the unhappy men who were condemned to death on Thursday last for the murder at the Newcastle Stockade, maintain in prison a similar deportment to that exhibited by them on the trial. The little man (Fitzgerald) said, with great vivacity, that if he could only get half an hour at one of the witnesses he would jump up on the gallows and crow like a cock!

MAITLAND MERCURY, 3/142, 20/09/1845

INQUEST. - An inquest was held by the police magistrate, on Thursday last, at Campbell's Hill, West Maitland, on the body of **JOHN BAXTER**, aged 67. It appeared from the evidence of Mrs. **NICHOLAS**, his landlady, and of **JOHN SCANLAN**, that the deceased had been suffering from a cough for some time, and that he died suddenly the night before, about eight o'clock, after a severe fit of coughing, during which he vomited an immense quantity of blood. Dr. **SLOANE** certified that death had resulted from natural causes.

for life.

ORIGINAL CORRESPONDENCE. *To the Editors of the Maitland Mercury.*

GENTLEMEN - I beg for the insertion of the following lines at the urgent request of **JAMES FITZPATRICK**, who is condemned to die. You have truly stated in your last paper that when his sentence was pronounced he stopped to pick up his cap, and flourished it in the air, and cried, "Hurrah! hurrah!" But you are not aware that immediately after, overwrought by the intense agony of his trial, which lasted from 9 till half-past 5, and by the electrical rush of thought through his mind of what he might have been, what he then was, and what he was going to be, he sunk senseless to the ground; and in that pitiable state were his handcuffs and chains put on, and fresh air and water administered to him before he could be removed.

I made it a point in my attendance on him to ask what motive induced him so to throw up his cap, and he has assured me over and over again, and in the most solemn manner, that he was entirely unconscious of what occurred from the moment of hearing his sentence until he felt the fresh air blowing upon his face, and was awakened to sensation and life by the kind attentions of those around him. And he has earnestly implored me to rectify the erroneous impression that has gone aboard of his conduct. He acknowledges that he has enough, and more than enough, to repent of already, and deprecates having had his mind called off from the awful preparations in which he is engaged by indignant regrets of the bitterness and injustice of the world.

And, in fulfilment of his desire, permit me to add a few words of remonstrance to some strangers in a cart, who were talking of the event and the trial and his unconscious act with noisy merriment and unnatural exultation, to the surprise and shock of the feelings of myself and others as we left the court. I would beg to remind them that an hysterical laugh is no proof of levity of mind, or of callousness of heart. The involuntary *convulsions of the body* affect some with terror, and all with pity; but it is by far more awful to view, as they did, the *convulsions of a soul*. May God in his mercy ever defend *them* from so terrific, so deplorable a visitation; and I trust that upon reflection they will be led to pity the unhappy Fitzpatrick, and fear for themselves. For "we are fearfully and wonderfully made." - I am, gentlemen, your obedient servant,

G.K. RUSDEN, A.M., Chaplain.

15th September, 1845.

SYDNEY NEWS.

BERRIMA. - The Assizes terminated on Tuesday, the 9th instant. **OWEN WELSH**, convicted of the murder of **JAMES FORD**, at Sutton Forest, was on that day sentenced to death. There were no other cases of any importance.

On the same evening, the body of a ticket-of-leave holder named **PROSSER** was discovered in the bush about five miles from the township; he had lost his way, and perished from want.

PARRAMATTA. - On the 8th instant, an inquest was held on the body of **MARIA BUTLER**, who had been burnt to death from her clothes igniting while she was burning some stumps on a farm at the Field of Mars. Verdict, accidental death.

BATHURST. - Mr. **HOOD**, J.P., having enquired into the circumstances of some human bones (wanting those of the head) having been found near Blackman's Swamp, a few days since, it has been ascertained that the remains have been there for several years. It appears also, that a man in Bathurst had said, in a fit of *delirium tremens*, that he murdered a man near this very spot and cut off his head. Mr. Hood communicated these particulars to the coroner, but that gentleman finds himself debarred from enquiring into the matter by the regulation restricting the inquiries of

coroners within their own districts – the spot in question being *one rod out of the police district*.

WREGISTER, 5/113, 20/09/1845

MAITLAND CIRCUIT COURT

Thursday

JAMES FITZPATRICK and **JOHN FITZGERALD**, bond, were indicted for having, at Newcastle, on the 9th March 1845, wilfully murdered **PETER M'CORMICK**. The indictment set forth Fitzpatrick as principal, and Fitzgerald as having been present aiding and abetting him. The jury returned a verdict of guilty against both prisoners, and his Honor immediately passed upon them sentence of death, without giving them a hope of mercy.

MARY JOHNSON, free, was indicted for having, at Dunmore, on the Paterson River, on the 17th June last, caused the death of **WALTER M'INDOE**, by stabbing him with a pair of scissors. Not guilty – discharged.

ATTEMPTED SELF-DESTRUCTION. - Between three and four o'clock on Thursday afternoon, a respectably connected man, named **M'NEALE**, who had been for some time employed as a clerk in Hyde Park barracks, and has lately been lodging at Mrs. Bigge's, Phillip-street, attempted to destroy himself by first endeavouring with a razor to sever the artery of one of the wrists; he then tried to hang himself at the back of the door where he was; but finding the beam too low, he again had recourse to the razor, with which he inflicted a sever wound in his throat, when he fainted, and the noise of his fall alarmed the inmates of the house, who entered the room, and seeing what he had been doing, he was immediately removed to the Sydney Infirmary, where he lies in a very debilitated state from the loss of blood; but it is expected that his life will be saved. The only cause assigned for his conduct is, that he was labouring under depression of spirits, induced by previous intemperance.

INQUEST. - On Wednesday afternoon, an inquiry took place in Leburn's, public-house, the Hope and Anchor, Parramatta-street, before the Coroner and a Jury, touching the cause of death of a female infant, whose body had been found, on the preceding day, lying in the burial ground lane, wrapped up in a piece of india-rubber cloth, when the following evidence was adduced:- **JOHN SULLIVAN**, son of **LAURENCE SULLIVAN**, of George-street, deposed:- I am eleven years of age, and know the nature of an oath; I was going from Parramatta-street towards the Burial-ground, through a place called the Burial-ground lane, on Tuesday morning, when my attention was drawn to something like a black apron, or piece of waterproof cloth, and on examining it, I perceived there was a babe wrapped up in it; I immediately gave information of the circumstances to **BRENNAN**, the keeper of the Roman Catholic Burial-ground, who went and saw the body, which is the same that the Jury have viewed. Dr. **TIERNEY** deposed:- I have viewed the body of an unknown female infant, and have made a *post mortem* examination of the same, which is the subject of this inquiry, and find that both the lungs are very much inflated; I am of opinion that the infant must have been born alive. On examining the scalp, I found a quantity of extravasated blood between the scalp and bones, also a great effusion of blood on the brain itself, which must have been caused by extraordinary pressure; I am of opinion that death was caused by violence, as the symptoms I discovered on the head justified such a conclusion. After hearing the medical evidence, the Jury, under the direction of the Coroner, returned a verdict of Wilful Murder against some person or persons as yet unknown.

MAITLAND MERCURY, 3/143, 27/09/1845

INQUESTS. - On the 17th instant, an inquest was held on the body of an **INFANT** found near the burial ground, and the jury returned a verdict of wilful murder against some person or persons unknown.

At Pitt Town, on the 16th instant, an inquest was held on **WILLIAM DAVIS**, who had died instantaneously from an attack of apoplexy. Verdict accordingly.

At Windsor, on the same day, a verdict of accidental death was given on **THOMAS ROWEN**, killed by a fall from a cart.

WREGISTER, 5/115, 04/10/1845

BATHURST CIRCUIT COURT

Before his Honor the Chief Justice

Thursday

LAURENCE POWER, free by servitude, was indicted for the wilful murder of **JOHN FARREN** *alias* **HAPPY JACK**, at Broken Shaft Creek, in the District of Wellington, on the 20th June last. There were three counts in the indictment: first, by effecting the murder by casting or throwing the deceased on the ground; second, by a piece of timber, and third, by a tomahawk. The jury returned a verdict of guilty on the third count, under peculiarly aggravated circumstances, and strongly recommended him to mercy. Sentence of death recorded.

FELO DE SE. - On Tuesday morning, **WILLIAM FREEMAN**, residing near the entrance to the Balmain-road from the Parramatta-road, having been for some days intoxicated, after telling his wife that he would destroy himself, went into Hearn's stables, in the same vicinity, where he got a horse's halter, which he placed round his neck, and having fastened the ends of it to a saddle rack, hanged himself; when found, at 5 a.m., he was quite dead. An inquest was held on the body on Wednesday afternoon, in Shaw's public house, Parramatta road. The jury returned a verdict of *felo de se*, and the body was ordered to be interred, without funeral service, between the hours of nine and twelve at night. The deceased appeared to be about twenty-eight years of age, and had a wife aged about seventeen years.

MAITLAND MERCURY, 3/144, 04/10/1845

DEATH FROM POISON. - On Wednesday morning last a child of ten months old having been left by its mother, Mrs. **TURNER**, wife of the puntman at Pitnacree, near Maitland, in charge of an elder child, it somehow or other obtained a quantity of laudanum which had been in the house two or three years. The mother came in, and finding the child in the act of swallowing a portion, immediately took it to Dr. Browne's, East Maitland, but not finding him, she took it to Mr. **LIPSCOMB**, in West Maitland, who administered a strong emetic, and sent the unhappy mother on to Dr. **LIDDELL**, who administered further remedies, but without success, as the child expired at one o'clock the following morning. An inquest was held by the coroner yesterday afternoon, but up to the time of going to press we had not heard the result.

WREGISTER, 5/116, 11/10/1845

ORDER FOR EXECUTION. - **JAMES FITZPATRICK**, who was convicted of murder, at the last Maitland Assizes has been ordered for execution at Newcastle, on the 17th instant. In the case of **JOHN FITZGERALD**, who was convicted of the same offence, sentence of death has been commuted to transportation for life.

INQUEST. - UNNATURAL CONDUCT. - On Monday afternoon, a Coroner's enquiry was held in Martin Gill's public-house, George-street, touching the death of

MARGARET HEALY, then lying dead in Malcolm's-lane, who had died of dropsy. As there were some reports afloat that the conduct of the husband and two daughters of the deceased had been unfeeling towards her during her illness, the enquiry occupied upwards of two hours and a-half, and was terminated by the jury returning a verdict that the deceased had died from natural causes, but requesting the Coroner to admonish the husband and his two daughters for their unnatural conduct, and gross neglect of the deceased during the latter part of her illness. After the verdict had been recorded, the three individuals alluded to were called in and admonished, as the jury had suggested.

MAITLAND MERCURY, 3/145, 11/10/1845

INQUEST. - On Friday, the 3rd instant, an inquest, adjourned from the previous day, was held at the Hunter River Hotel, East Maitland, by **J.S. PARKER**, Esq., coroner, to inquire into the cause of death of an infant, ten months old, the daughter of **MALCOLM TURNER**, puntman at Pitnacree, near Maitland. It appeared from the evidence that the child had died from the effects of taking laudanum from a bottle, which had been in the house four years, and that an elder girl (nine years of age) had also partaken of it. It appeared, also, that the mother, in the opinion of some of the witnesses, was of unsound mind. The verdict of the jury was to the effect that death had resulted from the effects of laudanum, but how or by whom administered did not appear; and they attached much blame to the parents.

NEWCASTLE. - **FITZPATRICK AND FITZGERALD**. - The former of these men, both of whom were convicted at the last Circuit Court of the murder of a fellow prisoner in the Newcastle Stockade, has been ordered for execution on the 17th instant. The sentence of Fitzgerald has been commuted to transportation for life, and he is to be forwarded to Sydney.

WREGISTER, 5/117, 15/10/1845

INQUEST. - Yesterday afternoon an enquiry took place before the Coroner and a Jury, in Peter Brenan's public house, Pymont, touching the death of **WILLIAM ALEXANDER BASSETT**, then lying dead in the house of **JOHN LANE**, of Pymont. It appeared the deceased destroyed himself by cutting his throat with two razors, one of which he held in each hand, and applied them at the same instant across the upper part of his throat. According to the evidence of Lane, the deceased had for several months past been drinking very hard, and was labouring under *delirium tremens* when he destroyed himself. A verdict of *felo-de-se* was returned, and the funeral ordered to take place between nine and twelve at night.

MAITLAND MERCURY, 3/146, 18/10/1845

SINGULAR CASE. - On Tuesday last, **THOMAS RAMPLIN**, a native of the colony, was summoned before the bench at the instance of his employer, Mr. **JOHN STEWART**, tailor, West Maitland, under suspicious circumstances. It appeared from the depositions of Mrs. Stewart, and of Dr. **LIDDELL**, and Mr. **W.T. PINHEY**, that on Thursday, the 9th instant, the defendant called at Mr. Pinhey's shop, and stating that his rest had been disturbed in consequence of his having reason to believe that his father had been murdered in New Zealand, procured a pill as a restorative. About ten o'clock the same evening, Mr. Stewart being from home, and it being doubtful whether he would return that night, he gave to his eldest child, a girl of ten years, a portion of tart; another portion of the same he twice offered to Mrs. Stewart, but she declined, and it was left on the table all night; but in the morning it was eaten by the

youngest child, a girl of four years old, who was soon after taken suddenly and seriously ill. Upon this, the defendant, becoming alarmed, went off to Mr. Pinhey's, and told him that he had put the pill into a tart for the purpose of taking it, but had eat the wrong part himself, and the other, containing the pill, had been taken by one of the children, who was very ill in consequence. Mr. Pinhey told him that the pill contained opium, and to make all haste to Dr. Liddell for assistance. He did so accordingly, and the child was recovered from its danger. The pill contained two grains of opium, the greater part of which must have been taken by the youngest child; the other was only slightly ill. There was no evidence to show that the defendant had not eaten part of the tart himself, or that he knew of what the pill consisted: he told Mr. Pinhey not to give him anything that would hurt him. On the other hand, it appeared that he had not been in the habit of taking medicine, and that he was not known to have been suffering from want of sleep. He refused, also, to swallow the pill at the counter, as he had a deal of work to do that night, and it would make him sleep too soon; which statement was untrue, as he had no occasion to work late that night. The case was remanded for further evidence. Next day the case was again gone into, and Mr. Stewart, his eldest daughter, and his servant girl, were examined. Little new light, however, was thrown upon the matter. One point in defendant's favour was, that the two pieces of tart eaten by the children did not form part of the whole tart, and therefore he might have eaten part himself. In defence, he said he pout the pill in a tart because he knew no other way to take it; and that he first broke the tart into three pieces and then put the pill in one, but took the wrong one himself. He was bound over to appear on the 22nd instant, to hear the decision of the Attorney General.

EXECUTION OF JAMES FITZPATRICK.

This wretched man, who was convicted at the last Circuit Court of the murder of **PETER M'CORMICK**, a fellow prisoner in the Newcastle Stockade, on the 8th March, suffered the extreme penalty of the law in front of the gaol, Newcastle, yesterday. He was accompanied by the Rev. **C.P.N. WILTON**, whom he joined in prayer. On passing the gang, his former associates, he bowed, and on the scaffold, which he ascended with a firm step, he exhorted them to take warning by his ignominious death. He did not show on this occasion any of the violent excitement betrayed by him on his trial; his manner on the contrary was firm and collected. The change, however, had been but recently wrought, for in the gaol, on the previous day, he was very unsettled and refractory.

MAITLAND MERCURY, 3/147, 25/10/1845

ORIGINAL CORRESPONDENCE. - *To the Editors of the Maitland Mercury.*

GENTLEMEN – Allow me to correct an error in an article contained in the *Maitland Mercury* of Saturday, the 18th instant, headed “Execution of James Fitzpatrick.” In *justice* to the memory *even of that wretched man*, who, on the night before his execution, in *apparent* penitence, and with expressions of hope in the *Saviour alone* for pardon, fully confessed to me, in the condemned cell, the crime for which he was about to suffer, as well as the manner in which he committed the murder upon Peter M'Cormick, I consider it my duty, having attended and *watched* his conduct closely for the last four months, to state that so far from being “*very unsettled and refractory*” on “*the previous day*” to his execution, *seven* days had elapsed, prior to his awful end, since he had conducted himself in the manner described in the article referred to.#

On occasions such as *these*, it would be well if the *truth* were sought from those *alone* competent to afford it, for then communications founded upon *mere report* would not be put forth to the world. - I remain, gentlemen, your obedient servant,

C. PLEYDELL N. WILTON, Chaplain of H. M. Jail.

Newcastle, October 20th, 1845

SYDNEY NEWS. - BATHURST.

A man named **ARTHUR M'ANLEY** is in custody on suspicion of the murder of **JOHN BURKE**, whose remains were found in the bush in August last; he had then been missing four months.

WREGISTER, 5/118, 25/10/1845

CENTRAL CRIMINAL COURT

Saturday

Before his Honor Mr. Justice a'Beckett

MAURICE JONES, late of the Clarence River, was placed at the bar, and arraigned on a charge of murdering one **THOMAS FINN**, on the 11th October, 1844, at the Clarence River. The prisoner pleaded not guilty, and was remanded until next session for trial.

MAITLAND MERCURY, 3/148, 01/11/1845

MELANCHOLY OCCURRENCE. - On Saturday evening last the family of Mr. **HEALY**, High-street, West Maitland, were thrown into the deepest affliction by his eldest son, **JOHN**, a fine lad of twelve years of age, having been brought home lifeless from the river, where, in company with a number of other boys, he had been bathing, and, having gone beyond his depth, had sunk (it was supposed from the cramp), and was not got out until nearly twenty minutes had elapsed, when of course life was extinct. Dr. **LIDDELL**, however, was immediately called in to the spot, but his exertions were without avail. On the following day an inquiry was held by the police magistrate, who recorded that the deceased had been found drowned. On Monday, the remains of the unfortunate youth, who was very generally liked, were followed to the grave by an immense concourse of persons.

THOMAS RAMPLIN. - The Attorney General has declined to prosecute **THOMAS RAMPLIN**, who was proceeded against a few days since on suspicion of having administered a small quantity of opium to a child.

HUNTER RIVER DISTRICT NEWS. - EDITORIAL NOTE.

[In reference to a complaint of inaccuracy respecting the report of the execution of **JAMES FITZPATRICK**, we beg to say that we did not receive the information from our usual correspondent.]

DEATHS.

On Saturday, the 25th ult., whilst bathing in the river, Master **JOHN JOSEPH HEALY**, aged 19 years, eldest son of Mr. **NICHOLAS HEALY**, store-keeper, West Maitland, sincerely and deservedly regretted by his sorrowing parents and a numerous circle of relatives and friends.

WREGISTER, 5/120, 08/11/1845

MURDER AT YASS. - NOVEMBER 4. - On Friday last, an inquiry was held at Scott's station, Kenilworth, before **HAMILTON HUME**, Esq., J.P., and Dr. **YATE**, on the body of a man named **M'CARTHY**, when it appeared that death had been caused by sundry wounds inflicted with a tomahawk by a man named **ORIGAN**, who had absconded. Arrant was issued for the arrest of Origan, and, Constable

COUSENS having succeeded in capturing him, he was this day brought up for examination. **WILLIAM CLARKE** deposed as follows: On Sunday, 28th October, M'Carthy and Origan had a few words together, when Origan said, "Come on with me, and we will soon settle it;" M'Carthy got up from where he was sitting, and they both walked towards the hut: witness was walking a short distance behind the prisoner, who put up his hand at the back of his jacket and pulled out a tomahawk; he then got behind M'Carthy, and struck him two blows across the head, when M'Carthy fell; he struck him a third blow on the head, and jumped on his belly while he was lying on his back; he lingered until the Thursday following. The prisoner Origan was fully committed to take his trial for the murder of M'Carthy. He was laughing all the time during the examination, though he was frequently checked by the magistrate.

INQUEST. - On Monday afternoon, a coroner's inquest took place at Mr. R. Driver's, corner of King and Elizabeth-streets, on the body of an aged female named **ROSETTA KITE**, whose body had been found in the water at Grose's Wharf, between six and seven o'clock on Sunday morning. It appeared that for some time past the deceased had been troubled in her mind, and towards the close of last week had been found in the Domain tied to a tree with her own shawl. She returned to her lodgings on Saturday evening, and left them for the last time about six o'clock, promising to return on Sunday morning; but instead of doing so, had gone and thrown herself into Darling Harbour. It was also given in evidence that the deceased had been in the colony upwards of thirty-six years, was about sixty-eight years of age, and had been employed for many years past as a dry nurse in several of the older families in Sydney and its vicinity. Dr. **SILVER** having stated that in his opinion death had been caused by drowning, the Coroner instructed the jury that they had no direction before them to justify their finding a verdict that the deceased had either drowned herself, had fallen into the water by accident, or had been thrown in by another party, and a verdict of found drowned was recorded.

MELANCHOLY OCCURRENCE. - On Saturday evening last the family of Mr. **HEALY**, High-street, West Maitland, were thrown into the deepest affliction by his eldest son, **JOHN**, a fine lad of twelve years of age, having been brought home lifeless from the river, where, in company with a number of other boys, he had been bathing, and, having gone beyond his depth, had sunk (it was supposed from the cramp); and was not got out till nearly twenty minutes had elapsed, when of course life was extinct. *Maitland Mercury.*

DEATH BY DROWNING. - On Friday evening last, as a man named **THOMAS BILLINGTON**, a baker, lately in the employ of Mr. **GEORGE SEYMOUR**, was in the act of bathing, near a place on the river known as Sandy Beach, he was, it is supposed, suddenly seized with cramp, and his legs getting entangled in the weeds in deep water, was unable to extricate himself from his perilous condition, and was consequently drowned.

MAITLAND MERCURY, 3/149, 08/11/1845

SUDDEN DEATH. - On Thursday night, between nine and ten o'clock, a private watchman at Redfern went into the house of Mr. **W. HIPGRAVE**, of that place, and asked for a drink of water, which was given to him; and having drunk it, he fell down and expired almost immediately. *Chronicle, Nov. 1*

WREGISTER, 5/121, 15/11/1845

AWFUL DEATH. - Intelligence was received by the Commandant of the Mounted Police in Sydney, on Thursday; of a melancholy occurrence which had happened to

Corporal **KIRK** and trooper **DUNN**, on the new line of road between George's River and Wollongong, by which the former lost his life, and the latter so much injured that it is not expected he can recover. The bush being on fire, the two men were surprised and surrounded by it; and the horses upon which they rode, their arms and accoutrements, except the metallic parts, were reduced to ashes.

MAITLAND MERCURY, 3/150, 15/11/1845

DEATH FROM DROWNING. - On Saturday last an inquiry was held by **E.D. DAY**, Esq., police magistrate, to ascertain the cause of death of **THOMAS HAYNES**, Phoenix Park, near Morpeth. It appeared from the evidence of **ROBERT CANVIN**, proprietor of the punt at Morpeth, that the deceased fell overboard from a small boat alongside the punt, about eleven o'clock on Friday morning. His hat had fallen into the water, and it was supposed he had lost his balance while endeavouring to recover it (a heavy squall blowing at the time), although Mr. Canvin had picked it up for him by the time he fell over. When he looked up, he saw the deceased holding on by the rope of the punt; but before he could be assisted he let go, and never rose again. The body was not recovered until about eight o'clock next morning. The sum of £7 8s. 6d. and a sealed letter were found in the pockets. Mr. **JOHN WRIGHT**, overseer to Mr. **M'DONALD**, farmer, near Morpeth, in whose service the deceased had been as a blacksmith, certified that the latter was perfectly sober when he went down to the river; he was not in the habit of being otherwise. The police magistrate certified that the deceased had been accidentally drowned, no blame being attached to any person in the matter.

HUNTER RIVER DISTRICT NEWS. - DUNGOG.

On Tuesday evening last a man named **PETER DILLON** died suddenly within ten miles of this place. On the following day **J.C. BROWN**, Esq., J.P., and Dr. **M'KINLAY**, J.P., proceeded to institute an investigation into the cause of death; but, to their surprise, they found that Mr. **PARKER**, coroner, from Hinton, had anticipated them, and was then holding an inquest. It was understood that by the late regulations coroners are not allowed to act out of their own districts. In this instance the disappointment the above gentlemen have been subjected to is regretted the more, because it may have the effect of keeping them back on any future occasion of sudden death. The jury returned a verdict of death from natural causes. Dungog, November 8.

SYDNEY NEWS. - YASS. - On the 31st ult. a judicial enquiry was held at Scott's station, Kenilworth, on the body of a man named **M'CARTHY**, who had met his death from a tomahawk wound, inflicted by a man named **ORIGAN**, in a quarrel. The result was, that Origan was committed for trial for murder.

MAITLAND MERCURY, 3/151, 22/11/1845

SIX WHITE MEN FOUND DEAD. - A report has reached Maitland this week of six white men having recently been found lying dead in the bush near the banks of the Balloon River, having no marks of violence upon their persons. The Balloon River is situated about 200 miles north-west of the Barwin, from the point where the Moonee Creek enters the Barwin (the latter place being estimated at about 350 miles from Maitland, by the nearest route), and has only lately been discovered by squatters from the Moonee Creek, who, being pressed for room, have been gradually extending their runs till they reached the Balloon, reported as a small running stream, with a sandy bottom. On referring to the map it will be seen that the position is not far from the parallel of latitude to which Captain Sturt had attained by the last accounts from him,

while it is roughly estimated at 350 or 400 miles east of his position at that time. The report states that the six men found are entirely unknown to the men on the stations near, and it is conjectured that they may be an exploring party sent out by Captain Sturt, who have either been starved to death, or in some way poisoned by the blacks. The latter supposition, however, appears inconsistent with their condition when found, as the aborigines usually mangle the bodies of their enemies after death. The fact of their bodies having been found appears undoubted.

INQUEST. - On Sunday last, the 16th instant, a judicial investigation was held by **E.D. DAY**, Esq., the police magistrate, at the Victoria Dockyard, Miller's Forest, as to the cause of death of **JOSEPH LOW**, a man employed at that place as a cook for the riggers of a vessel. It appeared from the evidence of **JOHN CAMERON**, **WILLIAM BRAMBLE**, and **THOMAS HANSON**, that the deceased had gone to the well on Saturday afternoon for water, and the edge being of clay, and wet and slippery, had fallen in. He was discovered by Bramble, who having gone to the well on a similar errand, found the buckets which the deceased had taken there, his cap, and one of his shoes. On looking into the well he saw the deceased floating with his head just level with the water. Means were immediately used to get him out, and the assistance of Dr. **CADELL** obtained, but life was extinct. There were marks on the ground of the struggle the unfortunate man had made to save himself. One of the witnesses said that the deceased had stated himself to be 49 years of age, but looked 56 or 57: he had heard that he had been deranged in Sydney from the effects of drink. He had only been about three weeks employed at the dockyard. Dr. **J.J. CADELL**, of Raymond Terrace (near the dockyard), certified that death had been caused by drowning; there were no marks of violence further than the deceased might have received during his efforts to scramble out of the well. The police magistrate certified that death had been caused by drowning.

BUSH FIRES. - On Monday, the 10th instant, Corporal **KIRK** and trooper **DUNN**, of the mounted police, stationed on the road between George's town and Wollongong, went out on duty, disregarding a warning given them as to the bush fires, which they said they could ride through. The result was that their horses failed under them, and were left to perish, while themselves barely escaped with life, Dunn being so seriously burnt that his life is despaired of. Another account states that Kirk perished in the flames.

THE SIX MEN FOUND DEAD NEAR THE BALLOON. - Since our last a letter has been received by a gentleman in Maitland stating that about a fortnight or more ago Mr. **MITCHELL**, the Assistant Commissioner, having heard the report that six bodies had been found near the balloon, purposed proceeding to the spot, with a view into examining into the matter. ... [conjectures] ... We shall wait with much anxiety to hear the result of Mr. Mitchell's enquiry, and cannot but hope that the latest information that has reached Maitland may be correct - it is that the report entirely depends on the statement of one man who had been out some days after cattle, and that this man is so much in the habit of telling extravagant tales of his adventures that no dependence can be placed on him. This is stated by a gentleman of this neighbourhood who has just come down from the Barwin, and who heard the tale from the man himself.

HUNTER RIVER DISTRICT NEWS. - **NEWCASTLE.**

FATAL ACCIDENT. - On Friday afternoon last Mr. **WILLIAM THORNTON**, of Blood Tree Farm, about four miles from Newcastle, left home accompanied by his son, a youth of 15 years, for the purpose of shooting dicks on the water at Iron Bark Creek. They were in a very small boat (a dingy), and it was nearly eleven o'clock at

night before they reached Iron Bark Creek on their way home. When under the bridge, a heavy piece of timber fell from it, and lodged on the boat, which immediately began to fill. Young Thornton, it appears, had the paddles to hand at the time, and his father went to the lad's assistance; in doing so he fell into the water. Young Thornton then went to assist his father, whom he heard exclaim – "Oh, my God! – Guerne." These were the last words the son heard – when, finding the current too strong, he returned to the shore, and called aloud for assistance for a quarter of an hour, but no one coming up, the afflicted youth was necessitated to return to his mother and communicate to her the heart-rending intelligence of the fate of his father. Early on Saturday morning the chief constable, young Thornton, and two constables, proceeded to Iron Bark Creek, where, about fifty yards from the bridge, they discovered the body floating, the face being above the water. It was taken up and conveyed in a boat to the Lower Hospital in this town; and an inquiry held on the afternoon of Saturday by Major **CRUMMER** as to the cause of death. The remains of the unfortunate deceased were interred on Sunday last in the Episcopalian Burial ground. It is a source of deep regret to add to the above statement, that the bereaved widow of Mr. Thornton is left in very straightened circumstances, with a family of four children, the youngest child being only four years of age. A subscription has been set on foot to ameliorate the condition of this lady, who is very respectably connected. The present situation of Mrs. Thornton and her family is such as to claim the commiseration and assistance of a humane and charitable public. With this view Messrs. **W. NORTON** and **S. KEMP**, of Newcastle, have kindly consented to receive subscriptions and contributions on her behalf; and it is to be hoped that their kind intentions will so far be successful that all who are in a position to give a trifle in this case of "sorrow and woe" will transmit their donations, as early as convenient, to either of the gentlemen above-named. Newcastle, 4th December.

MAITLAND MERCURY, 3/154, 13/12/1845

THE REPORT OF BODIES FOUND ON THE BALLOON.

We are happy to be enabled to state positively that the report of the bodies of six white men having been found near the Balloon River was entirely without foundation, though when it reached Maitland it appeared to be well authenticated. ... they could not find the slightest foundation for the rumour, and that it was certain no such occurrence had taken place. ... Report had magnified the Balloon into a considerable river, having abundance of fine land near it, but they found it onl a small stream, and the land of indifferent quality.

FATAL ACCIDENT. - On Saturday as a seaman named **ARTHUR CROWE**, belonging to the *Eden Castle*, was engaged aloft, he was seized with a fit, lost his hold, fell on the deck, and was killed on the spot. *Herald, Dec. 8*

A man named **WHITELOCK**, living on Pelican Island, Manning River, was killed lately by an explosion of gunpowder.

WREGISTER, 5/125, 13/12/1845

SUDDEN DEATH. - About eleven o'clock on Sunday forenoon, **JOSEPH CRAWFORD**, one of the seamen belonging to the *Hamlet*, lying at Campbell's Wharf, went into one of the boats astern of that vessel to bathe, and had been but a few minutes in the water when he called for help, and was assisted out of the water. A few minutes afterwards, while putting on his clothes, he fell back and instantly expired.

DIED.

On the 11th November, at Yengarie, near Raymond Terrace, Hunter River, by a fall from her horse, Mrs. **MACANSH**, widow of the late **JOHN MACANSH**, surgeon, R.N.

WREGISTER, 5/126, 20/12/1845

FELO DE SE. - On Monday an inquest was held in the house of William Stone, publican, lower George-street, on the body of **JOHN BAXTER**, a seaman. **THOMAS KIRKWOOD**, surgeon on board the *Surprise* deposed that deceased was second officer on board that vessel; on Monday last, he had informed witness that he had been indulging freely in the use of spirits, and was then very ill; in the opinion of witness he was labouring under *delirium tremens*. Between seven and eight o'clock on Monday evening, witness went below to attend to the Chief Officer, Mr. **PHILPER**, who was then lying ill on board, when witness heard the deceased roaring out, on which witness took a light, went to his berth, and discovered the deceased with a wound about four inches long on the right side of the abdomen, and the intestines protruding through it; witness asked deceased who had inflicted the wound, and what it had been done for; when he replied that he had done it himself with a razor, and pointed downwards; and on looking in the direction pointed to, witness found the razor which he produced, and, with which, in the opinion of the witness, the wound had been inflicted; witness had no doubt but deceased was labouring under previous intemperance. On examining the body, he saw deceased had his trousers on, but thought he had raised his shirt to inflict the wound. Doctors **HOSKING** and **M'KELLAR** were in attendance soon after; the deceased lingered till about half-past ten o'clock on the same evening, when he expired. The deceased was about twenty-eight years of age. Doctor **PETER MANN HOSKING** corroborated the testimony of the preceding witness, and added, that on seeing the deceased, he found him bleeding very much, and saw several portions of the small intestines had been cut through, and were protruding from a wound on the right side of the abdomen; the intestines had been cut through in several places; when asked why he had wounded himself in such a manner, he said he had done it to get ease of a pain he had in that part. The wound was sufficient to cause death. Dr. **F. M'KELLAR** gave similar evidence to that given by the other medical gentlemen, when the jury found a verdict of *felo de se*. On which the body was ordered to be interred between the hours of nine and twelve at night.

WREGISTER, 5/127, 27/12/1845

[final issue]

ATTEMPTED SUICIDE. - A man named **PORTER**, residing in Frazer's-lane, attempted to destroy himself yesterday afternoon, by cutting his throat with a razor whilst intoxicated. Fortunately the wound was not dangerous, and medical assistance being procured, he was conveyed to the hospital, where he now lies.

MAITLAND MERCURY, 3/156, 27/12/1845

INQUESTS. - On Tuesday week an inquest was held on the body of **JOHN BAXTER**, a seaman belonging to the *Surprise*. The deceased had been drinking for a fortnight, and on Monday morning, while labouring under a fit of *delirium tremens*, he cut himself in the stomach with a razor, from the effects of which he died. The jury returned a verdict of *felo de se*.

On the same day an inquest was held on the body of **THOMAS JAMES DIXON**, two years of age. It appeared that the deceased was playing on a bank near

New South Wales Inquests, 1845; 24/03/08

Blackwattle Swamp, where a man was filling a cart with sand. The child fell down the bank and startled the horse, which set off, and the wheel of the cart came in contact with the child's head. The blow produced concussion of the brain, of which the child died. Verdict, accidental death.

SYD1846

SENTINEL, 2/52, 01/01/1846

MURDER. - The individual whose head was cut open with a tomahawk in an unequal combat with two men, in Royal George Alley, on Christmas morning, has expired in the Infirmary on Monday afternoon, never having awoke to consciousness since his admission. It was impossible to ascertain the name or circumstances of the unfortunate man, who is supposed to be either a sawyer or small settler from the interior.

SUDDEN DEATH. - We regret to announce the sudden death of Mr. **PYE**, Baulkham Hills, which took place, after a few hours illness, on Sunday afternoon. An inquest was held on the body on Monday, when it appeared that death was caused by internal injury, received from an accidental fall against a ladder at Steven's public house, on the Friday previously.

MULTUM IN PARVO

A Mr. **L.S. ORMANDY**, a passenger by the Johnstone, from Liverpool to Sydney, destroyed himself in a fit of insanity, as the vessel was beating down Port Phillip Bay.

FATAL ACCIDENT. - On Wednesday afternoon, a female named **ALICE ELLIS [EALES]**, lost her life by a fall from the top of a loaded dray, the wheel of which passed over her neck, and killed her on the spot, in George-street south. An inquest was held on the body the same evening, and a verdict of accidental death was found by the jury.

MAITLAND MERCURY, 4/158, 07/01/1846

INQUESTS. - On Saturday last, two inquests were held at the Sportman's Inn, Pitt-street. The first was on the body of a little girl, **MERY WIER**, aged 7 years, who had been drowned by falling into a well in Durand's Alley, while jumping on the cover of it with other children. The poor child was taken out in a very short time by a neighbour, and Dr. **FULLERTON** sent for, but life was extinct. What renders the death more distressing is that her mother is at present in gaol under sentence of imprisonment, the little girl being left in charge of a neighbour. A verdict was found of accidentally drowned.

The second inquest was held on the body of a young woman, **ELIZABETH OSBORNE**, aged 17 years, who appears to have died from the effects of eating a cucumber for breakfast. She was in her usual health at nine o'clock, but shortly after eating the cucumber she went into the yard and vomited, and then appeared drowsy; all at once she complained of pain in her throat and body, and at half-past ten sprang from her chair, crying "Oh, mother!" and immediately expired. A *post mortem* examination showed that death was caused by a rupture of the right auricle of the heart. The Jury returned a verdict of died by the visitation of God.

SENTINEL, 2/53, 08/01/1846

CORONER'S INQUESTS. - On Monday evening, two inquests were held at le Burn's public house; the first on the body of a female, named **MARY ANN GILBERTHORPE**, which was found in Lane Cove on Saturday morning; the second, on the body of **GEORGE CROFT**, a shoemaker, residing in Sussex-street, who had been admitted into the benevolent asylum on the same day, labouring under excessive debility, of which he expired in a few hours after his admission. On the certificate of Mr. Surgeon **CUTHILL**, of the institution, verdicts were found of "found drowned" in the former, and "died from natural causes" in the latter case.

MANSLAUGHTER. - The man **FORD** who was taken into custody on Christmas Eve for cutting open the head of a man who has since expired in the General Hospital, has been committed to gaol on the coroner's warrant to take his trial for manslaughter on the findings of the jury. It appeared in evidence at the inquest that the prisoner's house in George Alley, was furiously attacked on the night in question by an unruly mob of which the deceased was one of the ring-leaders, and that the fatal blow was struck in self-defence by the prisoner.

MAITLAND MERCURY, 4/159, 10/01/1846

ACCIDENTS. - On Tuesday last, a man named **TAYLOR** stumbled between his dray and the bullock drawing it, when the wheel passed over him, and broke some of his ribs. Attended by Dr. **BEARDMORE**, ... doing well.

ATLAS, 2/59, 10/01/1846

INQUESTS. - On Saturday last, two inquests were held at Mr. James Oatley's public-house, the Sportsman, the corner of Pitt and Goulburn-streets. One was the body of **MARY WIER**, aged about seven years, then lying dead in Durand's-alley, now called Sydney-place, who had been found in a well adjoining. Dr. **FULLERTON** having proved that death had been caused by drowning, the jury found a verdict of accidentally drowned. - Another inquest was also held at the same place on the body of **ELIZABETH OSBORNE**, aged about seventeen years, who suddenly expired about eleven o'clock on Saturday forenoon, also lying dead in Durand's-alley. According to the evidence, the deceased, was in her usual health at nine o'clock on Saturday morning, and went for a cucumber, of which she afterwards partook for breakfast; soon after she went into the yard, vomited something green, and afterwards appeared to be very drowsy, and all at once she complained of a pain in her throat, also of rheumatic pains in different parts of the body; and about half-past ten sprang from her seat, cried, "Oh, my mother!" and immediately after expired. Verdict - Died by the visitation of God.

On Monday evening, two inquests were held in Leburn's public house, the first was on a female whose body had been found in the water, near Onion's Farm, in the Lane Cove district, on Saturday last, named **MARY ANN GILBERTHORPE**, and Mr. **CUTHILL** deposed that her death had been caused by drowning. Verdict - found drowned. - The other inquest was held at the same time and place on the body of **GEORGE CROFT**, late shoemaker, Sussex-street, who had been admitted to the Benevolent Asylum on the same day, in a state of great debility, and had expired within half an hour after his admission to the Asylum. Verdict - died by the visitation of God.

MAITLAND MERCURY, 4/160, 14/01/1846

GOULBURN. - Jan. 5. - Intelligence has just been received by the authorities here of a desperate encounter in that unruly district Lake George. According to the statement of one who said he was an eye-witness, and who gave the information at the police-office, the following are the particulars:- About 11 o'clock this forenoon, Mr. **J. RYAN**, brother to Mrs. **KENNEY**, accompanied by five or six men, went to the late residence of Mrs. Kenney, it is believed, to take possession of the premises; the party now in possession as a Mr. **LOWE**, who is employed by Mrs. **S. TERRY**, of Sydney, and who, we understand, did take possession on the occasion of the temporary absence of Mrs. Kenney. Her brother, with the above number of men, went to the premises, as already stated, when Mr. Lowe came out with a double-barrelled

fowling-piece, and fired one barrel without doing any injury, and on Mr. Ryan advancing a little he fired the second, when he immediately said, "I am shot, I am shot." One of the men who accompanied Mr. Ryan, named **OWEN JONES**, ran forward, saying Mr. Ryan was shot, when Mr. Lowe's son fired upon him from the verandah; another of Mr. Ryan's party came forward, named **THOMAS LANCASTER**, saying they would all be shot, when some one from the premises fired upon him; then another came out of the same premises, fired at random, and wounded a man named **THOMAS COYLE** in the face and arm. As soon as intelligence was received, Dr. **YARNOLD** set out to render his professional services, at the request of Mrs. Kenney. Warrants were issued for the apprehension of Mr. Lowe and his son; and Lieutenant **THOMPSON**, with two of his men, went off to the scene of action without delay. There is a report in the township this morning that two of the men are dead; this word was brought in last night by persons who came from Lake George. By the next mail you shall have further particulars. *Herald*.

BATHURST. - An inquest was been recently held at Bathurst, on the body of a shepherd, who died in consequence of falling into a pit dug for native dogs. The pit, it appears, was seven or eight feet deep, loosely covered over, and the unfortunate man threw his blanket on the covering, and lay down to sleep, when his weight proving too great he fell backwards into the pit, pitching on his head, and the shock dislocating his neck. He lay there some hours, when the men at the station missing him, and proceeding in search, were drawn to the spot by his groans. Medical assistance was procured, and the necessary steps taken by Dr. **MACHATTIE**, and the man was left in a position from which he gave strict instructions he should not be moved. Shortly after, however, the man complained that he could get no rest or ease in that position, and his comrades shifting him, he expired in a few seconds.

MAITLAND MERCURY, 4/161, 17/01/1846

SUDDEN DEATH. - On Monday last a man [**RICHARD ENGLAND**] in the service of Mr. **BOYNE**, of the White Swan Inn, Campbell's-hill, West Maitland, was seized by apoplexy near his master's house, where he was immediately taken, and shortly attended by Dr. **LIDDELL**, who directed his removal to the hospital. He was then quite delirious. In that institution he expired on Wednesday, and an enquiry was held by the police magistrate yesterday as to the cause of death, when Dr. Liddell, who had made a post mortem examination the previous day, gave his opinion that death had been caused by apoplexy, brought on by natural causes. The unfortunate man had been addicted to drinking.

CORONER'S INQUEST. - On Friday, the 9th instant, an inquest was held before **J.S. PARKER**, Esq., coroner, at the house of **ABEL PYERS**, in the parish of Seaham, touching the death of **WILLIAM ROBERTS**, a servant of **H. CARMICHAEL**, Esq. It appeared in evidence that the deceased, five or six weeks before his death, had been drinking in the hut of a man named **FOX**, in company with the said Fox, and two other men named **ADAMS** and **KYLE**. Some angry words passed between the deceased and Kyle, when the latter told Fox that deceased had said something discreditable of him and his wife, upon which Fox, who was only "groggy," struck the deceased, who was very drunk, five or six times in the face, but did not use a stick, kick him, or strike him when down. The deceased spoke lightly of the beating he had thus received, some time afterwards; but on the 7th of this month, the deceased, being in the house of a shoemaker named Pyers, complained of illness, and a pain between the shoulders. He was soon seized with a fit, and while Pyers was absent for assistance he expired. Dr. **F.G. STREET**, who had made a *post mortem*

examination, certified that death had been caused by rupture of an aneurysm of the arch of the aorta, and that both the heart and the liver were diseased. These could not have resulted from blows inflicted five or six weeks previously. The injuries of the hip and shoulder were not of recent date. The jury returned a verdict of "Died by the visitation of God."

GOULBURN. - Jan. 5. - Intelligence has just been received by the authorities here of a desperate encounter in that unruly district Lake George. According to the statement of one who said he was an eye-witness, and who gave the information at the police-office, the following are the particulars: About 11 o'clock this forenoon, Mr. **J. RYAN**, brother to Mrs. **KENNEY**, accompanied by five or six men, went to the late residence of Mrs. Kenney, it is believed, to take possession of the premises: the party now in possession is a Mr. **LOWE**, who is employed by Mr. **S. TERRY**, of Sydney, and who, we understand, did take possession on occasion of the temporary absence of Mrs. Kenney. Her brother, with the above number of men, went to the premises, as already stated, when Mr. Lowe came out with a double barrel fowling-piece, and fired one barrel without doing an injury, and on Mr. Ryan advancing a little he fired the second, the contents of which lodged in Mr. Ryan's side, when he immediately said, "I am shot, I am shot." One of the men who accompanied Mr. Ryan, named **OWEN JONES**, ran forward, saying Mr. Ryan was shot, when Mr. Lowe's son fired upon him from the verandah; another of Mr. Ryan's party came forward, named **THOMAS LANCASTER**, saying they would all be shot, when some one from the premises fired on him; then another came out of the same premises, fired at random, and wounded a man named **THOMAS COYLE** in the face and arm. As soon as intelligence was received, Dr. **YARNOLD** set out to render his professional services, at the request of Mrs. Kenney. Warrants were issued for the apprehension of Mr. Lowe and his son; and Lieutenant **THOMPSON**, with two of his men, went off to the scene of action without delay. There is a report in the township this morning that two of the men are dead; this word was brought in last night by persons who came from Lake George. By the next mail you shall have further particulars. - *Herald*.

BATHURST. - An inquest has been recently held at Bathurst, on the body of a shepherd, who died in consequence of falling into a pit dug for native dogs. The pit, it appears, was seven or eight feet deep, loosely covered over, and the unfortunate man threw his blanket on the covering, and lay down to sleep, when his weight proving too great he fell backwards into the pit, pitching on his head, the shock dislocating his neck. He lay there some hours, when the men at the station missing him, and proceeding in search, were drawn to the spot by his groans. Medical assistance was procured, and the necessary steps taken by Dr. **MACHATTIE**, and the man was left by the doctor in a position from which he gave strict directions he should not be moved. Shortly after, however, the man complained that he could get no ease in that position, and his comrades shifting him, he expired in a few seconds.

GOULBURN. - January 9. - The late outrage at Lake George has been more serious than the report at first led us to expect, for there are six men wounded - one of whom has got about 50 slugs in his body. We are happy to say that the report of two or three being dead is unfounded; they are all in a favourable state and likely to recover, with the exception of Mr. **BYRNE**, who is dangerously ill. Lieutenant **THOMPSON** who went out with his men to bring the guilty to justice, returned on Tuesday, bringing Mr. **LOWE** with him; his son had fled. Sergeant **SNEYD** and Corporal **MAIDENS** brought in another of those who it is said was engaged in the affray; his name is **JOHN WALL**. They also brought in four stands of arms, heavily loaded, and a quantity of ammunition; and yesterday an aboriginal native was brought in, as being

one of those concerned. An investigation will be made concerning this Tipperary affair, as soon as the witnesses are able to attend, when all the circumstances connected with this tragical affair will be brought before the public. *Herald, Jan. 13.*

MAITLAND MERCURY, 4/161, 17/01/1846

CAUTION TO DRAYMEN. - **ROBERT EWEN** pleaded guilty to a breach of the 16th section of the Towns Police Act, by leaving his dray unguarded in the public streets. This was the same dray against which the unfortunate man **SULLIVAN** was thrown from his horse and killed on the 27th ult., and it was for leaving it on that occasion that the defendant was now called to account. The bench inflicted a fine of 5s.

MORETON BAY. - The particulars of Mr. **JOHN UHR**'s murder by the blacks have been published. It seems Mr. Uhr was alone in a hut in the station when the aborigines came clamouring for tobacco, %c., and on his refusal they commenced an attack on him simultaneously, and having murdered him, and mangled his body, threw him into the river, which runs close by the hut. His body has been since found and buried. A party of the military, and another of civilians, had started off to endeavour to capture his murderers.

ATLAS, 2/60, 17/01/1846

INQUEST. - On the 10th, an inquest was held at the City Inn, Kent-street, on the body of **MATILDA FINLAY**, who had been found lying dead in her bed in Royal George-alley, about eight o'clock in the morning of that day. Verdict – died by the visitation of God.

BIRTHS.

On the 9th instant, at Forsyth Cottage, Glebe, the wife of **GEORGE MILLER**, Esq., of a male infant, still born.

MAITLAND MERCURY, 4/162, 21/01/1846

HUNTER RIVER DISTRICT NEWS. - ARMIDALE, NEW ENGLAND.

A lamentable case of homicide occurred lately at one of Jamieson and M'Kenzie's stations. A shepherd and watchman had some dispute; the shepherd struck at the watchman with a knife, when a scuffle ensued, during which the latter obtained possession of the knife, and stabbed the shepherd so that he died. Captain **O'CONNELL** and the Commissioner held an inquest, and have committed the watchman to stand his trial for murder.

MAITLAND MERCURY, 4/163, 24/01/1846

CENTRAL CRIMINAL COURT

On Monday last, Mr. **PUREFOY** moved for the discharge of **MICHAEL KEENE**, in custody on a charge of murder alleged to have been committed four years ago, when the depositions were taken by a magistrate in the absence of the prisoner. Granted.

EDWARD FORD, who had been committed under a coroner's warrant for the manslaughter of **WILLIAM BRAY**, in Royal George Alley, on Christmas day, was discharged, the Attorney General stating that there was no evidence whatever against him, inasmuch as he had not been identified; and that even if he had, the circumstances were such as would most probably amount to a justification.

THE LATE SHOOTING AFFAIR AT GOULBURN. - On Saturday last, there being a full bench in attendance at the Goulburn police office, on account of its being the day appointed for revising the jury list, the late sanguinary affair at Lake George was

brought on for hearing. The prisoners in charge were Mr. **LOWE**, senior, the principal, and **JOHN WALL** and an **aboriginal black named JAMIE**, who were charged with aiding and abetting. The charge on which they were brought up was for shooting at Mr. **BYRNE** and four other persons, named **WILLIAM HAYES, OWEN JONES, RICHARD FIZPATRICK, and THOMAS LANCASTER**. The principal witness against them was Mr. Byrne, licensed victualler, who had received the greatest injury, having been shot in the left eye, the sight of which, Dr. **YARNOLD** stated in his evidence, was irretrievably lost. He was also shot in the neck and in the arm. Six men, it appeared, had been wounded; and the shot used was of various sizes, some of it being the largest buck-shot. The investigation continued from morning until eight o'clock, p.m., and ended in the bench committing Lowe as principal, and the other two, Wall and Jamie, as being present aiding and abetting. The only defence made by Lowe, was, that he fired in self-defence, though it did not appear that anything of an aggressive nature had taken place on the part of Mr. Byrne or his party. *Chronicle, Jan. 21*

ATLAS, 2/61, 24/01/1846
CENTRAL CRIMINAL COURT
Monday, 19

Before their Honors Mr. Justice Dickinson and Mr. Justice a'Beckett.

CHARGE OF MURDER

Mr. **PUREFOY** moved for the discharge of **MICHAEL KEENE**, a prisoner then under committal for murder. The Attorney General consented to the discharge of the prisoner, on the ground that there was not sufficient evidence to warrant a conviction.

GAOL DELIVERY

... and **EDWARD FORD**, who had been committed under the coroner's warrant for manslaughter, ... discharged by proclamation.

MAITLAND MERCURY, 4/164, 28/01/1846

BATHURST. - On Sunday, the 18th, an inquest was held by **J. SUTHERLAND**, Esq., at Evans's Inn, on the body of a man named **JOHN KEAFE**, who came to his death suddenly the previous night, about twelve o'clock. It appeared that the deceased had been living with a woman named **M'COURT**, a most abandoned character, in the kitchen of a lodging-house kept by a Mrs. **GRADY**. In this house an altercation occurred on the previous evening, and the deceased, being a ticket-of-leave holder, and fearing he might get into trouble, hid himself in the water-closet, where he was found in an hour's time quite dead. After a *post mortem* examination, the medical gentlemen came to the conclusion that death had been caused by suffocation arising from the noxious effluvia of the water-closet, and the jury returned a verdict accordingly.

SENTINEL, 2/56, 29/01/1846

ALLEGED MURDER. - On Monday a labouring man named **SIMON HARLEM [IRLAM]**, being drunk and quarrelsome, at Mrs. Thompson's public house, Parramatta road, squared at a man named **NORRIS**, a ginger beer brewer in Sydney, when a servant of Mrs. Thompson's named **ROBERT CARTER** interfered and struck Harlem several severe blows when he fell and striking his head forcible against the pavement, instantly expired.

MELANCHOLY DEATH BY FIRE. - On Monday night Mrs. **WILKINSON** of Fort-street, accidentally set fire to her muslin dress and was so dreadfully scorched

before assistance could be rendered that the unfortunate lady lingered in dreadful agony until yesterday morning, when death put an end to her sufferings.

CORONER'S INQUEST. - An inquest was held at Healey's public-house, Parramatta-street, on Monday afternoon, before Mr. **JOHN RYAN BRENAN**, coroner, on view of the body of **SIMON HARLEM [IRLAM]**, then lying dead in the Benevolent Asylum. It appears from the evidence of several witnesses that the deceased was very much intoxicated on Sunday last, and about six o'clock in the evening of that day he went up to a number of people who were standing on the verandah of Mrs. Thompson's public-house, on the Parramatta-road, and challenged several of them to fight him, and struck one of them, named **[ROBERT] CARTER**, who returned a blow, when Harlem reeled back and fell out of the verandah on to the footway, when several of the lookers-on picked him up; a quantity of froth issued from his mouth, and a couple of minutes after the fall life was extinct. Dr. **SILVER**, who, with Mr. **CUTHILL**, had made a *post mortem* examination, and certified that death had been caused by an effusion of blood on the brain, of which the primary cause might have been a fall, such as the other witnesses had described; at the same time, the effect of such a fall would be far more dangerous to a person in liquor than to one who was perfectly sober. The jury found a verdict of manslaughter, on which Robert Carter was committed to take his trial for that offence.

MAITLAND MERCURY, 4/165, 31/01/1846

ALLEGED MURDER. - About six o'clock on Sunday evening, as a number of travellers were taking refreshment in Mrs. **THOMSON'S** public house, on the Parramatta Road, a man named **SIMON HARLAM [IRLAM?]**, very much intoxicated, insulted several individuals in the front of the house, by abusing them, after which he challenged them to fight, when a man named **ROBERT CARTER** went up to him and struck him several times, when Harlam fell backwards out of the verandah, and instantly expired. As special constable **HARRIS**, superintendent of the city fire brigade, happened to be on the spot, he secured Carter and a ticket-of-leave man named **SYDNEY SMITH**, who was drunk, to give evidence. They were both lodged in the receiving watch-house at nine o'clock on the same evening. The body of Harlam was lodged in the Benevolent Asylum. An inquest will be held this morning at half-past nine. *Herald, Jan. 27*

ATLAS, 2/62, 31/01/1846

THE ANNIVERSARY [REGATTA]

Immediately after the races had been decided, a sailing boat was capsized off Dawes' Point, with six persons on board. Several boats repaired to the spot, and succeeded in rescuing five persons, but **W. BEREY**, office keeper to Messrs. Minithorpe and Gurner, was unfortunately drowned.

INQUESTS. - An inquest was held on Tuesday, in Healy's public-house, Parramatta-street, on the body of **SIMON HARLAM**, then lying in the dead-house of the Asylum. According to the evidence, the deceased was very much intoxicated on Sunday last, and about six o'clock in the evening of that day he went up to a number of people who were standing in the verandah of Mrs. Thompson's public-house, and challenged several of them to fight him, and struck one of them, named **[ROBERT] CARTER**, who returned the blow, when the deceased reeled backward and fell out of the verandah on to the footway, a quantity of froth issued from his mouth, and in a couple of minutes after the fall life was extinct. Dr. **SILVER**, who had made a *post mortem* examination of the body, certified that death had been caused by effusion of

blood on the brain, of which the primary cause might have been a fall, such as the other witnesses had described; at the same time, the effect of such a fall would be far more dangerous to a person in liquor than to one who was perfectly sober. The Jury found a verdict of manslaughter, on which Robert Carter was committed to take his trial for that offence.

Another inquest was held on Wednesday afternoon, at Cole's public house, Prince-street, on the body of Mrs. **LOUISA DINAH WILKINSON**, of Upper Fort-street who had expired in consequence of her clothes igniting about eleven o'clock on the evening of the 26th instant. Verdict – accidental death.

Another inquest was held on Thursday afternoon, at Mr. Toogood's hotel, corner of Pitt and Market-streets, on the body of **JOHN GARDNER**, baker, who had expired on the preceding evening, from the rupture of a blood vessel. Verdict – died by the visitation of God.

DEATHS

On 28th instant, at her residence, Upper Port-street, **LOUISA DINAH WILKINSON**, the beloved wife of Mr. **CHARLES WILKINSON**, the 29th year of her age.

MAITLAND MERCURY, 4/166, 04/02/1846

THE LATE BOAT ACCIDENT. - We understand that two persons were unfortunately drowned on Monday last, the Anniversary Day, by the upsetting and sinking of a boat, with six persons in it, between **MOORE's** Wharf, and the Waterman's Stairs at the end of Windmill-street. Parties were engaged the whole of Tuesday, and also on Wednesday morning, in endeavouring to recover the bodies. About eleven o'clock on Wednesday morning the boat was got up. The hat and coat of one of the men who was drowned were found in it; but neither of the bodies of the unfortunate individuals have yet been recovered. *Chronicle, Jan. 31.*

INQUESTS. - On Monday morning last, the police magistrate, **E.D. DAY**, Esq., instituted judicial inquiries into the causes of the sudden death occurring in two instances in the Maitland Hospital. The investigation took place in that institution. One was the case of **JOHN ALLWORTH [SMALLWORTH]**, who had been brought into the Hospital on Saturday last, from the Albion Inn, where he had been sent from the country for the purpose of obtaining medical aid. He had burst a blood vessel, and vomited blood copiously, from the effects of which he died on Sunday morning. - The other was the case of **JOHN SMITH**, a man well known in West Maitland as a scissors-grinder. He had been in the Hospital from the 1st November, suffering from a disease of the heart. He had apparently recovered, however, and it was intended to have discharged him on the very day he died. On the previous day (Sunday) he went to the Wesleyan Chapel, and appeared to be in good spirits. That night, however, he was seized with another paroxysm of his complaint, and died in twenty minutes. Both the unfortunate men had been attended by Dr. **LIDDELL**, who gave evidence before the magistrate, and the conclusion arrived at in both cases was, that it had resulted from natural causes. - There are only eight patients now in the hospital, and they are all so far convalescent as to be able to walk about.

SENTINEL, 2/57, 05/02/1846

A JUVENILE CRIMINAL. - A little boy named **FULLER** has been committed for trial on a charge of manslaughter for accidentally causing the death of another boy named **NORRIS**, by striking him with a clod of earth, at the Baulkham Hills. The quarrel was a childish one, about the possession of a peach, which took place on

returning from school, after the youthful criminal had been irritated by his companions.

INQUEST. - On Monday afternoon, a coroner's inquest was held in Mr. Toogood's hotel, corner of Pitt and Market-streets, on the body of **JOHN GARDEN [GARDINER]**, baker, who expired on the preceding evening, under the following circumstances:- **JOHN WARNER**, baker, of Market-street, deposed – that the deceased was his landlord, and during Wednesday last was in his usual health; witness had known him for about four years and a half; up till within the last three months deceased had been a hard drinker; but since that time he had been more moderate than usual. About seven o'clock on Wednesday evening, while the deceased was sweeping the back yard of the premises, which witness rented from him, he began spitting blood, and became so unwell that witness and another man had to help him to a seat, when the flow of blood from the mouth increasing, witness ran for Dr. **CAMPBELL**, of Castlereagh-street, who attended as soon as called on; but before he arrived, life was extinct. Dr. Campbell having certified that death had been caused by the rupture of a blood vessel in the region of the lungs, a verdict of died by the visitation of God was recorded.

MULTUM IN PARVO. - About seven o'clock on Wednesday evening, Mr. **JOHN GARDINER**, baker, at the corner of Pitt and Market streets, while sitting on a chair in the back yard of his premises became suddenly very unwell, vomited a quantity of blood, fell from his seat, and instantly expired.

MAITLAND MERCURY, 4/167, 07/02/1846

PARRAMATTA. - About a fortnight since a report of an inquest appeared in the *Sydney Morning Herald* of an inquest held at Balkham Hills, on the body of a child named **FRANCIS NORRIS**, who was accidentally killed by a second child named **REUBEN FULLER** throwing a clod of earth at him, under the irritation of Norris having refused to give him (Fuller) a peach which he had in his hands. The finding of the jury was reported as justifiable homicide; but on the depositions reaching the Attorney General that official at once decided that manslaughter had been committed, and Fuller, a child who was stated by his parents to be six years and eight months old, was apprehended, and evidence respecting this melancholy affair taken before the Parramatta bench. It appeared that the clod used by Fuller was about the size of a man's fist, and that Norris, when struck down by it, never rose again, and died the same night. The deceased was a bigger and older boy than Fuller, who was fully committed for trial for manslaughter, but allowed bail. The deceased was an orphan.

HUNTER RIVER DISTRICT NEWS

[FROM OUR CORRESPONDENT]

DUNGOG

A most melancholy accident occurred in this neighbourhood on Saturday night last. As Mr. **WILLIAM NEWELL**, settler in this district, was returning home with a loaded dray, and within a quarter of a mile of his house, the wheel of the dray came in contact with a dead tree, when it fell forward, and struck Mr. Newell with such force that instant death was the result. An investigation was held yesterday before **THOMAS COOK**, Esq., J.P., and Dr. **M'KINLAY**, J.P., who came to the conclusion that the cause of death was wholly accidental. The deceased emigrated to this colony about four years ago from the county Cavan, Ireland.

ATLAS, 2/63, 07/02/1846

FRANCES CAMPBELL, M.D., Letter re a Lying-in Hospital.

INQUESTS. - On Monday afternoon, two inquests were held in the Cottage of Content public-house, corner of Pitt and Bathurst-streets. The first was on the body of a boy named **DANIEL DALEY**, who had received an injury on his left foot, several weeks ago, while attempting to climb over a wall, when one of the coping-stones being loose, fell, and by striking his foot inflicted a wound which ultimately resolved itself into a mortification of the limb, of which the deceased died. It appeared also that the deceased had been under the treatment of several medical gentlemen. Verdict – died in consequence of an injury received on the foot by a stone falling on it. In putting his case to the Jury, the Coroner stated, that as the whole of the evidence would be submitted to the review of the Attorney-General, if there was anything improper in the medical treatment of the case, the party who had done so would in all probability have an opportunity of explaining the same.

The other inquisition was held on the body of an infant aged twenty-seven months, who, according to the evidence of Mr. Surgeon **BENNETT**, had died in consequence of exhaustion, induced by one of his arms being severely scalded some weeks ago. Verdict – accidental death.

Another inquest was held on Thursday morning, in Valentine's Pilot Inn, George-street South, on the body of **RICHARD JAMES WATSON**, aged about one year and nine months, who had been drowned in a well on the preceding day at Ultimo. Verdict – accidentally drowned.

MAITLAND MERCURY, 4/168, 11/02/1846

HUNTER RIVER DISTRICT NEWS

[From Our Correspondents]

HINTON

MELANCHOLY ACCIDENT. - I am sorry to inform you that tidings reached here this morning of the melancholy death of Mr. **SCOTT**, master of the cutter *Young Queen*: It appears Mr. Scott wanted to cross the Paterson above Woodville, and tried to get a boat for that purpose, but could not obtain one; he therefore endeavoured to swim across, but when about half-way over was observed to be sinking, and was heard to cry for assistance, but before any one could reach him he sunk, and was drowned. It is supposed he must have been seized with cramp. Mr. Scott had been many years engaged in the coasting trade between the Paterson River and Sydney, and was very much liked and esteemed on the river. He was in the habit of acting as agent for the settlers in disposing of their produce in Sydney, and his loss will be much felt by them. Mr. **PARKER** has gone up to hold an Inquest on the body, but I have not yet heard the verdict of the jury. February 10, 1848.

INQUESTS. - On Monday afternoon two inquests were held in the Cottage of Content public-house, corner of Pitt and Bathurst-streets. The first was on the body of a boy named **DANIEL DALEY**, who had received an injury on his left foot, several weeks ago, while attempting to climb over a wall, when one of the coping-stones being loose, fell, and by striking his foot inflicted a wound which ultimately resolved itself into a mortification of the limb, which induced *tetanus*, popularly known as lock-jaw, of which the deceased died. It also appeared that the deceased had been under the treatment of several medical gentlemen. Verdict – died in consequence of an injury received on the foot by a stone falling on it. In putting this case to the jury, the Coroner stated that, as the whole of the evidence would be submitted to the review of the Attorney-General, if there was anything improper in the medical treatment of the case, the party who had done so would in all probability have an opportunity of explaining the same.

Another inquest was held on Thursday evening, in Valentine's Pilot Inn, George-street South, on the body of **RICHARD JAMES WATSON**, aged about one year and nine months, who had been drowned in a well on the preceding day, at Ultimo. Verdict – accidentally drowned.

SENTINEL, 2/58, 12/02/1846

INQUEST. - On Thursday afternoon, an inquest was held at the Three Tuns (Driver's) public house, corner of King and Elizabeth-streets, on the body of an old pensioner named **PETER RAY**, who had expired at his lodgings in Castlereagh-street, on the Sunday afternoon. On the evidence of Dr. **SILVER**, assistant Colonial surgeon, the jury returned a verdict of "Died from natural causes."

MULTUM IN PARVO

An inquest was held at the Talbot Inn, George-street, on Thursday morning, on the body of a male child, aged one year and nine months, named **RICHARD JAMES WATSON**, the son of a carpenter at Ultimo, who came to his death on the previous day, by falling into a well on his father's premises, and being drowned. A verdict to that effect was recorded.

COUNTRY NEWS

BATHURST. - INQUEST. - On the 2nd Instant, an inquest was held at Read's Inn, before **J. SUTHERLAND**, Esq., on the body of a man named **JOHN [JAMES] STAPLETON**, who died rather suddenly in the Gaol the previous day; he had been committed for trial on a charge of cattle-stealing; about Wednesday last he was taken ill, and death ensued from inflammation of the bowels. A verdict of death from natural causes was recorded.

MAITLAND MERCURY, 4/169, 14/02/1846

MORPETH, Thursday, Feb. 12

Yesterday the remains of poor Captain **SCOTT**, of the *Young Queen*, whose untimely end was recorded in your last *Mercury*, were conveyed through Morpeth to their last resting place – the grave. It was indeed a melancholy spectacle, and cold and insensate must have been the heart that could gaze upon it unmoved; for it was the very day appointed for the poor fellow's marriage with the daughter of a neighbouring settler; and she whose brows were to have been adorned by the bridal wreath, was following the funeral procession, arrayed in "sable stole." Fiction sometimes presents, reality but seldom, so touching an appeal to our common humanity. *Correspondent.*

TWENTY POUNDS REWARD, OR A CONDITIONAL PARDON.

Whereas it has been represented to the government that, on the morning of the 2nd January last, a man named **JAMES LANE**, who was employed as a shepherd at a station of Messrs. Cheeke and Broadhurst, in the district of Liverpool Plains, discharged a gun, loaded with shot, at his fellow servant, **SAMUEL GLEDHILL**, and wounded him in the face, from the effects of which wound the said Samuel Gledhill died, and that the above James Lane has absconded, ... Description:- Name, James Lane, country, England; condition, free by servitude; height, about 5 feet 5 inches; complexion, dark; hair, black and straight; eyes, black and rather small; age, about 33 years; remarks, very small head, very low forehead, dark heavy eyebrows, with a down look or scowl upon his countenance; at the time of his absconding he wore black whiskers, very large, upper teeth project outwards and are of a large size. *Government Gazette, Feb. 10*

MURDER.

On the 23rd January, **ISAAC BAXTER**, an assigned servant at Pittwater, was convicted of the murder of **ALEXANDER MICKIE**, by stabbing him in the neck with a fork on the 25th December last. Sentence of death was passed upon him.

ATLAS, 2/64, 14/02/1846

INQUESTS. - On Tuesday afternoon an inquest was held at the Three Tuns Tavern, corner of King and Elizabeth-streets, on the body of **PETER RAY**, then lying dead in the General Hospital. From the evidence, it appeared that death had arisen from natural causes, and a verdict of died by the visitation of God was returned.

On Thursday, three inquests were held in Mr. Michael Hurley's public house, Parramatta-street. The first was on the body of **WILLIAM MARKLEY**, who had been accidentally killed while falling a tree at Cook's River – verdict, accidental death. The second inquest was held on the body of **MARY ANN LEATHES**, wife of **MATTHEW LEIGHT STANGAR LEATHES**, grocer, Parramatta-street, who had died suddenly in bed, on the morning of the 11th inst. – Verdict, died by the visitation of God. The third inquisition was on the body of a female infant, which had been found by the grave digger of the Catholic burial ground interred without his knowledge – verdict of found dead, how, or by what means (in the absence of evidence) the jury could not say.

MAITLAND MERCURY, 4/170, 18/02/1846

INQUESTS. - On Thursday last, three inquests were held at the public-house of Michael Hurley, Parramatta-street. The first was on the body of Mr. **MARKLEY**, who was killed on the spot, in the neighbourhood of Cook's River, on Wednesday morning, by the falling of a tree which he was engaged in felling. A verdict of accidental death was returned.

The second inquest was held on the body of **MARY ANN LEATHES**, residing in Parramatta-street. On Tuesday night the deceased went to bed with her husband, who was awake in the night by hearing a gurgling sound in her throat, and in a very short time she gave two long heavy sighs, and expired. Dr. **SILVER** made a *post mortem* examination of the body, and certified that death had arisen from natural causes, and a verdict to that effect was returned.

The third inquest was on the body of a female infant, discovered by **RICHARD BRENNAN**, gravedigger to the Catholic burial ground, on Tuesday last. Perceiving that the mould had been disturbed in one part of the burial ground, he removed some of the soil and discovered a box, the lid of which was loose, and in which the body was contained. There were no marks of violence on the body, and Dr. **SILVER** certified that the infant had been born alive. The jury returned a verdict of found dead, but how or by what means death had been caused there was no evidence to determine. *Australian, Feb. 14*

SENTINEL, 2/59, 19/02/1846

INQUESTS. - On Thursday last three inquests were held at Hurley's public house, Parramatta-street. The first was on the body of a person named **MARKLEY**, who was killed by the falling of a tree on him in the neighbourhood of Cook's River, on the previous day. The second was on the body of **MARY ANN LEATHES**, a married woman, who expired suddenly in bed on Tuesday night. Dr. **SILVER** made a *post mortem* examination, and certified that death was the result of natural causes. The third inquest was on the body of a female infant found by the grave digger of the Roman Catholic Burial Ground on Tuesday last, enclosed in a box a few feet below

the surface. There were no marks of violence on the body, and Dr. **SILVER** certified that the child had been born alive. The jury, therefore, brought in a verdict of "found dead," there being no evidence to prove the cause of death.

MAITLAND MERCURY, 4/171, 21/02/1846

PARRAMATTA. - An accident, attended with a fatal result, occurred on Saturday afternoon, to a prisoner attached to the District Council, by falling from a coach. By the evidence adduced at an inquest, held on Sunday evening, it appeared that the deceased fell from the Sydney coach, at Longbottom; and on the accident being discovered, (which was almost immediately), it was found that the jaw-bones had been broken, but whether from the fall on the road or from the wheel passing over his face could not be satisfactorily explained, as the deceased was wholly insensible, and so sudden had been his falling from his seat, that he had not even been missed by a person sitting with him on the coach. The unfortunate man was conveyed into the colonial hospital, where, in a few minutes, he expired. Dr. **ROBERTSON**, at present in charge of the hospital, certified that death had resulted from compression of the brain, and a verdict of accidental death was recorded. *Herald, Feb. 18*

LOWER MURRUMBIDGEE.

A short time since a horseman was driving a fat bullock across the Murrumbidgee River, at Gundagai, and not being well acquainted with the ford, forced the beast into deep water, and, I regret to say, both man and horse were drowned in the attempt to follow. I have not heard the poor fellow's name, or if his body was recovered.

ATLAS, 2/65, 21/02/1846

DOMESTIC

INQUEST. - An inquest was held on Thursday morning, in Levy's public-house, at the corner of Druitt and Kent-streets, on the body of **MARGARET MEYLAND**, a married female, aged about twenty-four years. It appeared that the deceased had been greatly addicted to drinking for some years past, and about eight days ago appeared determined to make every exertion to gratify her thirst for intoxicating liquors, and in order to procure them, sold whatever articles of clothing and household furniture were in her power, and kept herself intoxicated until the beginning of the week, when symptoms of debility showed themselves, and she was compelled to take to her bed. Mr. **MARKHAM**, surgeon, was called in, and found her labouring under *delirium tremens*, for which he applied the usual remedies, but without effect, as she expired at ten o'clock on Wednesday morning. The Jury found a verdict of died from the effects of excessive intemperance.

BIRTHS

On 12th instant, at Elizabeth Cottage, Parramatta, the lady of **HENRY WATSON PARKER**, Esq., of a daughter, which only a short time survived its birth.

MAITLAND MERCURY, 4/172, 25/02/1846

BATHURST

On the 13th, an inquest was held at Blackman's Swamp before Mr. **J. SUTHERLAND**, on the body of a woman named **MARY ANN PARSONS**, who was found dead on the morning of the 12th. It appeared that on the night before, she had gone to bed apparently in good health, although somewhat the worse for liquor. A verdict of natural death was recorded.

On Wednesday, the 11th, an enquiry was held by **W.M. ROTHREY**, Esq., at Carcoar, as to the cause of death of **ARCHIBALD HORMAN**. The deceased was a

shepherd in the employ of Mr. **G. LUCK**, and had gone out with his flock on the morning of Thursday, the 5th instant; on the evening of that day the sheep came home without the shepherd; no suspicion was excited amongst the people at the station to which the deceased was attached, it being the opinion that he had bolted from his employ. On Sunday, the 8th instant, one of the men from the station happened to be in Carcoar, when the necessity of an enquiry after the deceased was suggested; this man, on returning to the station, was met by a dog that was known to belong to the deceased; he was coaxed to the hut at the station, and detained all night, and in the morning, as soon as he was released, he started off in a direction where the body was afterwards found, followed by some of the people at the station, and on coming up to where the body was lying, the faithful animal crouched between its legs, and made a strong resistance to the party who approached the body: it was conjectured that the dog had remained watching the body from the Thursday until the following Sunday – another remarkable instance of the faithfulness and instinct of these useful animals. Dr. **HARRIS** attended the enquiry, and after a *post mortem* examination of the body, certified that death had arisen from the bursting of a blood vessel. Verdict, died by the visitation of God.

On the following day (Thursday), another enquiry was held at Carcoar, by **W.F. JONES**, Esq., J.P., as to the cause of death of one **JOHN FINLAYSON**, when it appeared that the deceased (who was an *overseer* of Mr. **LUCK'S**) had been employed with a horse and cart to fetch in the body of **HORMAN** from where he was found, to Carcoar, and after the enquiry had conveyed the body to the grave, on his return homewards. After performing these duties, and partaking some necessary refreshments, the wheel of the cart on which he was riding came in contact with a log, and the cart was capsized, and a part of the cart falling on the neck of the deceased, he was suffocated. Verdict, accidental death.

On Sunday, the 8th, an inquest was held by **J. SUTHERLAND**, Esq., at a station of Mr. **RICHARD'S**, Turen River, on the body of a man named **JAMES M'GUINNESS**, who had died suddenly on the previous Friday. It appeared that the deceased had been some time ill with a disease of the heart; on the night he died, a horse had got into a paddock that adjoins the hut in which deceased lived; he got up to chase the horse away, it escaped into an adjoining paddock, and it appeared that he had followed to drive the animal from it; after deceased had been about three-quarters of an hour, the other inmates of the hut became alarmed, and went in search of him, and found the deceased lying on his back near the fence of the paddock; he was removed into the hut, and died a few minutes after. Verdict, died by the visitation of God. *Herald, Feb. 20*

FATAL ACCIDENT. - About six o'clock on Sunday evening last, a lad named **THOMAS M'CORMACK**, riding on the Wollombi road, discovered in Callaghan's paddock, about seven miles from Maitland, a cart upset, with a man lying dead under it, and the horse dead in the shafts. He was so frightened that without dismounting he turned back to Clift's farm, and told what he had seen. He was desired to go to Maitland and give information to the chief constable, which he did the same night. In the mean time **WILLIAM CORK**, a horse-breaker in Maitland, returning from the Sugar Loaf, heard of the circumstance from Mr. **JOHN BULL**, and accompanied him to the spot, where they were joined by four other men; they tilted up the cart, and found that the unfortunate man, from the state of the body, had been dead a considerable length of time. A temporary bar of wood, fixed across the cart, and supporting some sheets of bark, rested on his chest, and the front of the cart on his neck. The sum of 4s. 7d., a silver watch, some tobacco, and other articles, were found

upon him. Mr. **DAY**, the police magistrate, Dr. **WILTON**, and the chief constable were on the spot the same evening, when a preliminary enquiry was held, and the body was removed to the Court-house next morning, that a further investigation might take place. It appeared that the deceased was a young unmarried man, a native of the colony, named **WILLIAM CAMPBELL**, and servant to Mr. **GEORGE SIMS**, of Wollombi. He had been sent by his master to Mr. **OWEN'S** stores, in West Maitland, with some pigs and poultry, and the bark found in the cart had been fixed by means of the wooden bar across for the purpose of confining them. He left Mr. Owen's at eleven o'clock on Saturday morning, with a leading horse, besides the one found in the shafts. He was then quite sober, and went straight in the direction of his home by a near cut, after which he would have no public house to pass. The horses appeared to be quiet. Dr. Wilton stated that the body had the appearance of having been deprived of life for a day or two. It was conjectured that the deceased had been asleep, and lying on his face on the bark covering of the cart, which had been upset by one of the wheels coming in contact with a tree. The mark of the wheel was visible on a tree at a short distance, and the ground sloped from the tree to the cart, so as to make this probable. A man named **WILLIAM PITT**, at the request of the police magistrate, remained by the body all night, as it could not be conveniently removed to Maitland until next morning. One of the witnesses, named **GEORGE TAYLOR**, had known the deceased for six years, and never knew him to be drunk during that time: he had been four years in Mr. Sim's service. He was twenty-three or twenty-four years of age. The enquiry before the police magistrate was not finally concluded until yesterday morning, when Dr. Wilton and Mr. Owen were examined. The conclusion arrived at by the police magistrate was, that the deceased had met his death by the accidental upsetting of a cart.

BOAT ACCIDENT. - About half-past one yesterday afternoon, a sailing-boat belonging to Mr. **WAKE**, of Bridge-street, in which was Mr. W. and a young man named **HASBURY**, when off Long Nose Point a gust of wind suddenly took her, and she immediately filled and sank. Mr. Wake saved himself by swimming, but the young man Hasbury was unfortunately drowned. The body has not yet been found.
Herald, Feb. 23

SUSPICION OF MURDER. - The bench was occupied three or four hours yesterday investigating circumstances involving a suspicion of murder against **WILLIAM SHEA**, a small farmer at Hillsborough, near Maitland. It appeared that he and a Scotchman named **ANDREW MENZIES** were joint-tenants of Mr. **HUDSON**, at Hillsborough, where they cultivated land in partnership. A few days before Christmas last, Shea circulated a report among his neighbours that Menzies was going to leave him; and accordingly, either on the Saturday before Christmas, or the Saturday preceding that, he disappeared. Since then, however, circumstances have gradually come to light calculated to throw on Shea a suspicion of having made away with him. He was seen at work in a tobacco field late on the Friday night, and up to that time he had made no mention of his intention to leave, but on the contrary had said, in answer to a question, that he had no such intention. He has never been seen, however, since that night. It was known that he was the owner of three or four bullocks and other property used in the partnership concern, and that he had sold a dray to a man named **THOMAS PARSONS**, for which he had only received part payment. He had also been on very intimate terms with Parsons, and it was thought strange that he should go away without seeing him or any one else, and even without any intimation of his intention. These circumstances naturally caused a suspicion that he had met with some unfair play, and the subject became the talk of the neighbourhood. The

statement given out by Shea was, that he had agreed with Menzies for his bullocks, &c., and paid him part cash, so that he had nothing bulky to take away with him, and had chosen to go away quietly on the Saturday morning. On the other hand, it was known that both Shea and Menzies were very poor, so that they had been obliged to get wheat on credit from Mr. **HUDSON**, that they might have the means of living. It was thought impossible, therefore, that Shea could have money by him. It was rumoured, moreover, that a suspicious shot had been heard in the neighbourhood of the farm. These particulars were elicited from the above named Parsons and two young men (brothers) named **DONALD and MALCOLM GILLIES**, neighbours of the parties. The prisoner himself made a lengthy statement, which was carefully taken down, after his having been advised not to say anything to criminate himself; but the publication of his statement at the present time would be premature. In the mean time the prisoner was remanded in custody, with strict injunctions to the police that no person whatever should be allowed to communicate with him; and Mr. **DAY**, our active police magistrate, is to proceed to the spot today, in search of Menzies, whose remains only, it is feared, are in existence.

PUBLIC NOTICE: Suspicion of Murder of **ANDREW MENZIES**, aged 50-60; description. By **E.D. DAY**, Police Magistrate, 24th February, 1846.
WANTED NOTICE: **JAMES LANE** for the murder of **SAMUEL GLEDHILL**, 24th February, 1846.

SENTINEL, 2/60, 26/02/1846

DEATH BY DROWNING. - The corpse of an aged female named **BEATRICE BOURKE**, was found floating in a water hole, in a paddock near the southern extremity of the Parramatta Road, between eight and nine o'clock on Saturday morning.

BOAT ACCIDENT. - Between one and two on Monday a sailing boat belonging to Mr. **WAKE** of Bridge-street, capsized in a gust of wind off Nose Point, and a young man named **HERBURY** who was with Mr. Wake was unfortunately drowned.

MULTUM IN PARVO. - An inquest was held at the Red Cross (Levy's) public house, at the corner of Kent and Druitt-streets, on Thursday, on the body of a woman named **MARGARET MEYLAND**, who died on Wednesday morning of *delirium tremens*. Verdict, died from the effects of excessive intemperance.

MAITLAND MERCURY, 4/173, 28/02/1846

INQUEST. - A coroner's inquest took place yesterday morning in Le Burn's old public-house, the "Hope and Anchor," opposite the Benevolent Asylum, on the body of a female named **BOURKE**, who had been drowned between Friday night and Saturday morning in a waterhole adjoining the residence of Mrs. **CRAMPTON**, at the south end of Parramatta-street. According to the evidence, the deceased had been seen wandering about in the vicinity of the waterhole where her body was found; she was then perfectly sober. As there was no evidence adduced to show the jury that any injury had been inflicted on the body they found a verdict of found drowned by accident in a waterhole. *Herald, Feb. 24*

CARCOAR.

On the 2nd instant, a little girl, five years old, the daughter of a man named **DEMPSEY**, residing within five miles of Carcoar, and who had been left in charge of a younger child while her mother went out to the field to her father, in attempting to

fill some tea from a teapot which stood on the hearth, her clothes became ignited, and she was so dreadfully burned as to expire within two or three hours after.

INQUEST.

ON Monday, the 16th instant, a coroner's inquest was held by **J. SUTHERLAND**, Esq., at Wathan's farm. Kelso, on the body of a woman named **DEBORAH HARRIS**, who died suddenly that morning. From the evidence it appeared that the deceased, who was upwards of sixty years of age, had been living with a man named **WATHAN**, a blacksmith, and that she died from taking a quantity of corrosive sublimate (used by Wathan in his business), while in a state of insanity, in which she had been some time. *Herald, Feb. 24*

THE MURDER AT HILLSBOROUGH.

The bench was occupied nearly the whole of Thursday and yesterday in further examination of the case of **WILLIAM SHEA**, who was reported in our last as having a first examination on suspicion of murdering his partner, **ANDREW MENZIES**, at Hillsborough, 8 or 10 miles from Maitland.

Since then, the suspicions entertained against Shea have been strengthened by the finding of the body. This took place on Wednesday last, on which day the Police Magistrate proceeded to Hillsborough, with a force of constables, and four blackfellows. They had not searched long, when the blackfellows made the discovery in a manner which shows in a very striking light their singular acuteness of observation. About half-way between the hut of Shea and that formerly occupied by the deceased Menzies, they were attracted by a number of ants, and perceiving some of them carrying a maggot, they immediately traced them to the spot where the remains of the unfortunate man lay, in a hole caused by the burning out of the stump of a tree, around which they observed the marks of a spade. The earth was accordingly carefully removed, and about two feet under the surface was found the body of a man corresponding in every particular with the description of Menzies, as far as was compatible with its advanced state of decomposition.

On this discovery the Police Magistrate sent into town for Drs. **LIDDELL and SLOANE**, who promptly attended and examined the remains. They found that the skull had been beaten in at the back of the head, both shoulder blades broken, and also the collar bone at one side. There was no injury at the front of the head, except that one tooth had been knocked out, apparently at the same time as the other injuries, and from dirt sticking amongst the teeth, seemingly from violence. They were of opinion that the body had lain in that position from six weeks to two months, and that the perpetrator of the violence of which it bore the marks must have placed it there. It was possible, they thought, that death might have been caused by some other means, and that the injuries then visible might have been inflicted afterwards, but certainly not in the act of exhumation. These observations of the medical men were partly made on the following day, when the body had been removed into the town. On that day, also, they examined a tomahawk which was found by the chief constable in Shea's hut, concealed with several pieces of old iron, under some sheets of bark and a quantity of leaf tobacco; they were of opinion that the fractures exhibited by the body might have been caused by such an instrument, as some of them appeared very closely to fit the back part of it. The tomahawk had spots on it apparently of blood, but the greater part of the handle had been scraped as if to remove such an appearance. There was also sticking in the eye (or part where the handle is inserted) a grey hair, corresponding to the hair on the skull of the body, and also to what the witnesses remembered of Menzies' hair. The shirt, trousers, and braces found on the body also agreed with those Menzies was last seen to wear. The shirt was a common

check, the braces were of white cotton, and the trousers a combination of various stuffs, mostly white, and very much patched and ragged. Menzies was a man between fifty and sixty years of age, but nearer the latter. Some grains of wheat were found in one of the pockets, and it was shown in evidence that Menzies had been engaged in reaping wheat some days before his disappearance.

Besides Drs. Liddell and Sloane, there were also examined, on Thursday, **MATTHEW THOMPSON, THOMAS EAST, MALCOLM GILLIES, and JOHN PARSONS**, neighbours of the prisoner and his former partner; and yesterday, Mr. **BERESFORD HUDSON**, the proprietor of the estate, and the landlord of the prisoner, his partner, and most of the witnesses; **ELIZA PARSONS**, wife of the before named John Parsons; **DONALD GILLIES**, brother of Malcolm Gillies; **DANIEL M'DONALD and JOHN MACDONALD**, two other tenants; **JOHN SAUNDERS**, a blacksmith at Reid's farm; **WILLIAM TRAVERS**, a hawker of West Maitland; and **GEORGE WOOD**, the chief constable of Maitland.

The principal facts elicited from these witnesses were as follows:- On the 1st of May last Mr. Hudson let Shea 27 acres on a clearing lease for four years, and Menzies entered into a partnership with him, bringing with him, for the use of the partnership, three bullocks, and old fan, and an old harrow. They subsequently bought another bullock, for 35s., of which Shea, according to his own account, paid 15s. and Menzies £1. Menzies also had a dray, which he sold to Parsons for £2, and received 30s. in cash, and the rest by a promissory note, due in January last. It was known that they were very poor, so much so, that Menzies had been heard to complain of want of proper nourishment, and he and his partner became indebted to Mr. Hudson for ten bushels of wheat, on the representation that they were totally unable to pay cash for it, and yet could not go on without it.

A few days before Christmas Shea industriously spread a report that Menzies was going to leave the farm; but Menzies himself, on being spoken to on the subject by Donald Gillies, denied any intention of the kind. On the Saturday before Christmas, however, he disappeared accordingly, to the surprise of all the neighbours, among whom he appears to have been well liked, and who thought it strange that he should go away without speaking to one of them. He was last seen the evening before planting or digging holes for tobacco with his partner, and up to that time had betrayed no intention of leaving the place, but on the contrary, as before stated, had denied it when imputed to him. On the Saturday morning, Shea proceeded to pull down Menzies' fire-place, adjoining his hut, and a few days afterwards appropriated the slabs to his own use. He gave out that Menzies had gone to some other part of the country, and that he (Shea) had bought his cattle and whatever else belonged to him.

To Mr. Hudson, his landlord, who questioned him on the subject, he said that he had given him £15 - £5 in cash, £5 by a promissory note, and £5 which Menzies owed him. He also said that he did not know where Menzies had gone to, but he heard in Maitland, a day or two before, that he had gone to Port Stephens. On Mr. Hudson expressing his surprise that he should have had so much ready money, Shea still persisted in the statement; and on Mr. Hudson further alluding to the promissory note for the ten bushels of wheat (then two months over due), he made no reply. This statement does not at all agree with his subsequent statement, nor with his statement to Donald Gillies, which was, that he had given Menzies £10 for the property - £5 in hand, and £5 when he should get a crop of wheat. Part of the £5 he had by him, and part he borrowed from a friend.

On one occasion, Shea voluntarily alluded to the suspicions which were whispered against him, and said, pointing to the hut of Menzies, "How could I kill a man in such

a part as that, without being noticed by stockkeepers passing this way, or the cattle smelling the blood, or the thing being traced out in some way.”

Shea had given out that a man who went by the name of “**Jim Crow**” had seen Menzies crossing Lamb’s Valley on his way from the farm. This man has since that time been in the service of Saunders, the blacksmith at Reid’s farm, where Shea had twice been with a ploughshare to be repaired, but Saunders could not remember whether he saw Jim Crow on either of those times; he only stopped about a week altogether. He has been heard of by the police, and is expected to be produced as a witness this day, when the prisoner is to be again (and probably finally) examined.

When Shea was apprehended by Mr. Wood, the chief constable, on Monday last, he found him outside his hut. He said, “I suppose you’ve come for me?” laughed, and expressed his readiness to go. He and Mr. Wood then went inside, and he made no remark while the latter attentively examined the tomahawk, considering whether it might not have been used in putting the old man out of the world, if he really had been murdered; but (the body, with the marks of violence on it, not having then been found) it did not occur to Mr. Wood to take the weapon with him, and it was left there till Wednesday, till the body was found. An old musket was also found in the hut, but it has not been produced in evidence. The clothes found upon the murdered man, an old coat of his and a rug found in Shea’s hut, and some other articles, were produced in court yesterday, and identified by the witnesses.

Shea is a stout-built Irishman, apparently about forty years of age. Since his jocularly on his apprehension by the chief constable, his conduct has gradually become more grave, and his appearance more distressed (at least while in court). He has been very cool throughout, and has shown great coolness and acuteness in cross-examining the witnesses, to whom he listens with riveted attention. Upon the whole, although he is quite a coarse and uneducated man, he impresses an observer with the idea that his intellect is not of the meanest order. He has a wife and five young children, whose fate, deprived of their natural protector, he declares is the only cause of his uneasiness.

Menzies was a man of some education. He is known, at all events, to have been able to read and write, and is stated by Shea to have written the note for £5, but to have taken all his writing materials with him. He is a single man, and in the opinion of most of the witnesses was approaching 60 years of age. He appears to have been a very mild, inoffensive man, so that the declaration of Shea, that an angry word never passed between them, is probably true.

Shea and Menzies did not live together, but their huts were about 400 paces apart. The stump-hole in which threw body was found is exactly 200 paces from Shea’s hut. Both huts are in the shape of tents, thatched down to the ground, and Menzies’s had a fire-place built of slabs, outside, and separate from the hut.

ATLAS, 2/66, 28/02/1846

SUPREME COURT

Saturday, 21

(Before his Honor Mr. Justice Dickinson, and a Jury of four.)

DOUGLAS v SILVER

The declaration alleged that the defendant, **JOHN SILVER**, had, on the 1st of May, 1845, seduced one **CAROLINE SARAH CHANTRY**, the servant of the plaintiff, **ALEXANDER DOUGLASS**. It then went on to assert that the intercourse between the defendant and the said Caroline Sarah Chantry terminated in the *accouchement* of the latter, on the 3rd of January, 1846, and that by the expenses attendant on this event

– by the subsequent burial of the infant, which died shortly after its birth, and by the loss of the woman's services during her confinement, &c., - the plaintiff had sustained damages to the extent of £200. To this defendant had pleaded not guilty.

Mr. **LOWE** counsel for the plaintiff, and Messrs. **WINDEYER** and **DARVALL** for the defendant.

Verdict for the plaintiff – damages, £25.

We understand that notice of motion for a new trial in the above cause has been given.

INQUEST. - A coroner's inquest took place on Monday morning, at the Hope and Anchor, public house, opposite the Benevolent Asylum, on the body of a female named **BOURKE**, who had been drowned between Friday night and Saturday morning in a waterhole adjoining the residence of Mrs. **CRAMPTON**, at the south end of Parramatta-street. Verdict – found drowned.

SUSPICION OF MURDER

The bench was occupied three or four hours yesterday investigating circumstances involving a suspicion of murder against **WILLIAM SHEA**, a small farmer at Hillsborough, near Maitland. It appeared that he and a Scotchman named **ANDREW MENZIES** were joint-tenants of Mr. **HUDSON**, at Hillsborough, where they cultivated land in partnership. A few days before Christmas last, Shea circulated a report among his neighbours that Menzies was going to leave him; and accordingly, either on the Saturday before Christmas, or the Saturday preceding that, he disappeared. Since then, however, circumstances have gradually come to light calculated to throw on Shea a suspicion of having made away with him. He was seen at work in a tobacco field late on Friday night, and up to that time he had made no mention of his intention to leave, but on the contrary had said, in answer to a question, that he had no such intention. He has never been seen, however, since that night. It was known that he was the owner of three or four bullocks and other property used in the partnership concern, and that he had sold a dray to a man named **THOMAS PARSONS**, for which he had only received part payment. He had also been on very intimate terms with Parsons, and it was thought strange that he should go away without seeing him or any one else, and even without any intimation of his intention. These circumstances naturally caused a suspicion that he had met with some unfair play, and the subject became the talk of the neighbourhood. The statement given out by Shea was, that he had agreed with Menzies for his bullocks, &c., and paid him part cash, so that he had nothing bulky to take away with him, and he had chosen to go away quietly on the Saturday morning. On the other hand, it was known that both Shea and Menzies were very poor, so that they had been obliged to get wheat on credit from Mr. Hudson, that they might have the means of living. It was thought impossible, therefore, that Shea could have had money by him. It was rumoured, moreover, that a suspicious shot had been heard in the neighbourhood of the farm. These particulars were elicited from the above named Parsons and two young men (brothers) named **DONALD** and **MALCOLM GILLIES**, neighbours of the parties. The prisoner himself made a lengthy statement, which was carefully taken down, after his having been advised not to say any thing to criminate himself, but the publication of his statement at the present time would be premature. In the meantime the prisoner was remanded in custody, with strict instructions to the police that no person whatever should be allowed to communicate with him; and Mr. **DAY**, our active police magistrate, is to proceed to the spot to-day, in search of Menzies, whose remains only, it is feared, are in existence. - *Maitland Mercury*.

MAITLAND MERCURY, 4/174, 04/03/1846

INQUEST AT THE GAOL. - On Friday morning an inquest was held by **C.B. LYONS**, Esq., on the body of **THOMAS ROBERT POPPY**, who was lodged there on his way to Sydney, to answer a charge of obtaining money under false pretences. The deceased was discovered hanging from a staple driven in the wall, and intended to receive the hinges of an iron door, with which the cells are to be furnished; life was extinct; he had been noticed to be depressed in spirits, but otherwise rational. Verdict, temporary insanity. *Parramatta Chronicle, Feb. 28*

INQUEST. - An inquest was held on Monday last, before the Coroner, **J. DOWE**, Esq., touching the death of one **MARY ANNE TOWELL**, who was found in Cope's paddock, on the previous Friday morning about nine o'clock, in a state of insensibility, caused by drunkenness. A *post mortem* examination of the body was made by Dr. **STEWART**, and the brain was found to be in a very diseased state. The jury found a verdict of - Died from apoplexy, caused by previous intemperate habits, and recent intoxication. *Hawkesbury Chronicle, Feb. 26*

COMMITTAL OF WILLIAM SHEA. - This man was, on Monday, fully committed for trial for the murder of **ANDREW MENZIES**, at Hillsborough, near Maitland. The man known by the name of "**Jim Crow**," but whose real name is **BERNARD DOLAN**, was examined; but his evidence was so full of contradictions that he is still detained in custody until the bench decide whether he is to be committed for perjury. If the statement of Shea (that Jim Crow told him he saw Menzies on his way to Port Stephens) had been true, this man would have been an important witness in his favour. Instead of this being the case, however, Dolan went the length of saying that Shea had actually confessed the murder to him, and showed him a knife with which he said it was done. He also said that he saw Shea burning down Menzies' hut, and that Shea told him he would pay him a balance of wages he owed him, and pay him a large sum besides, if he would raise a report that he saw Menzies on his way to Port Stephens. It was evident, however, that this man had never even seen Menzies' hut, or that in which Shea lived latterly. He described Menzies' hut as being close to Shea's, whereas it is at least 400 yards from it. At the time Dolan was in Shea's service, the latter lived in an outhouse of Mr. Hudson's. Dolan was brought down from Dungog on Saturday last, and on his way was very communicative, and the statements he made were at variance both with the facts of the case and with his subsequent evidence.

INQUESTS. - On Saturday last an inquest was held on the body of **ROBERT PARSONS**, who had fallen from a house in Goulburn-street on which he was at work. The deceased was seventy years of age. It appears that internal hemorrhage of the chest was the immediate cause of death. - Another inquest was held the same day on the body of an infant named **ELEANOR JANE MILGATE**. It appeared that sudden death had resulted from natural causes.

QUENABEYAN. - An inquest was lately held in this neighbourhood on a body which was found in the bed of the Queanbeyan River, near Mr. Hatch's garden, by some children who were playing there. It was so decomposed that neither sex nor colour could be ascertained until a medical examination was made, the result of which proved it to be the body of an adult male, about five feet six high, and about thirty years of age. There was a very extensive fracture on the left side of the skull, evidently made with some blunt unstrument; not a vestigae of clothing was found. The body must have been thrown in the river near where it was found, and been under water some months. The verdict was - that the deceased had been murdered and thrown into the river to void the identity, and the clothes burned.

SENTINEL, 2/61, 05/03/1846

MULTUM IN PARVO. - On Thursday, the 17th ultimo, a man named **ROBERT POPPEY**, confined in the Windsor gaol, attempted to put a period to his existence by cutting his throat with a razor, but it was generally believed that he did not intend to consummate the act, from the slightness of the scars visible on the skin.

An inquest was held on the previous day, on the body of a married woman of dissolute habits, named **BRIDGET FARRELL**, who expired in gaol on the previous Saturday in consequence of ill-treatment by a parcel of miscreants who, after violating her person, when in a state of intoxication, tied her under clothing round her shoulders, and threw her, in a state of semi-nudity, into a water-hole, where she was found insensible and conveyed to gaol.

INQUEST. - On Saturday last an inquest was held at Healy's public house, Parramatta-street, on view of the body of an old man named **ROBERT PARSONS**, then lying dead in the Benevolent Asylum, who came to his death in consequence of injuries received by a fall from a ladder when assisting in stuccoing a house in Goulburn street on the previous day. The deceased was upwards of 70 years of age.

Another inquest was held on the same day, at Jones's public house, Chippendale, on the body of a female child aged six months, named **ELEANOR JANE MILGATE**, who expired in fits (to which she was subject) on the previous evening. Verdict, died by the visitation of God.

QUEANBEYAN.

An inquest was held lately in this neighbourhood, on a body which was found in the bed of the Queanbeyan River, near Mr. **HATCH**'s garden, by some children who were playing there; it was so decomposed that neither sex nor colour could be ascertained until a medical examination was made, the result which proved it to be that of an adult male, about five feet six inches high, and 30 years of age. There was an extensive fracture on the left side of the skull, evidently made with some blunt instrument; not a vestige of clothing was to be found. The body must have been thrown in near to where it was found, and had been under water some months. The verdict was – that the deceased had been murdered and thrown into the river to avoid the identity, and the clothes burnt.

ATLAS, 2/67, 07/03/1846

INQUESTS. - The following inquests were held on Saturday last: The first on the body of **ROBERT PARSONS**, then lying dead in the Benevolent Asylum, when evidence to the following effect was adduced – **JAMES DEVLIN**, of Clarence-street, deposed, that he knew the deceased; on Thursday, the 26th ultimo, between four and five o'clock, as he was stuccoing the outside of a chimney in Goulburn-street, and was in the act of pulling up a small ladder, he lost his balance, and fell from a height of twenty-five or thirty feet. The Jury being satisfied that the death was caused by a fall, returned a verdict accordingly.

The second inquest was held on the body of an infant female named **ELEANOR JANE MILGATE**, lying dead in Wellington-street, Chippendale. The mother of the deceased deposed, that about 9 o'clock on the preceding evening she put the deceased (age about six months) to bed, and about a quarter to ten the same evening on witness going to bed she took the deceased in her arms, when she was quite cold and dead; when deceased was alive she was subject to fits, and had a very severe fit when about two months old. Verdict, died by the visitation of God.

MAITLAND MERCURY, 4/175, 07/03/1846

THE HILLSBOROUGH MURDER. - **BERNARD DOLAN**, or "**Jim Crow**," the man who was brought from Dungog to give evidence in the case of **WILLIAM SHEA**, is still in custody until it can be ascertained whether he is a free man. On Thursday last, Mr. **THOMAS RYAN** stated to the bench that a few months ago he employed Dolan for Mr. **WILLIAM NICHOLSON**; he then presented a document showing him to be a free man, but he could not say whether it was genuine or not.

MAITLAND MERCURY, 4/176, 11/03/1846

BERRIM A CIRCUIT COURT.

JAMES HARRIGAN was found guilty of the murder of **MICHAEL M'CARTHY**, at Kenilworth, on the 26th October last, by striking him on the head with a tomahawk. By the evidence adduced in this case, it appeared that both the prisoner and deceased were in the employment of Mr. **SCOTT**, at his station of Kenilworth, the former being a shepherd, and the latter a watchman. The assault which led to such fatal results was committed on Sunday evening, after most of the men about the place appeared to have been indulging in liquor. The principal witness was a man named **COOK**, a shepherd in the same employment. It appeared that the deceased and the prisoner, who, with others, had been drinking, quarrelled, and the deceased challenged the prisoner to fight, whereupon the latter took a tomahawk from under his jacket, where it had been concealed, and inflicted the blows which were the cause of death. His Honor passed sentence of death, and gave no hope of mercy.

PATRICK FOX was found guilty of assaulting, with intent to do grievous bodily harm, **ARCHIBALD M'DONALD**, by striking him with a tomahawk, and **MICHAEL FOX and DANIEL O'BRIEN** were found guilty of aiding and abetting the same. His Honor sentenced Patrick Fox to be transported for life, Michael Fox to be transported for twenty years, and Daniel O'Brien to be transported for fifteen years.

On Wednesday, **JAMES LOWE, JOHN WALL, JEMMY (an aborigine), JAMES GALLAGHER** and **MARK GALLAGHER**, were charged, the first with having, at Lake George, on the 5th February last, fired at **JOHN BYRNE**, with intent to murder him, and the others with being present aiding and abetting. The prisoner Lowe obtained a postponement of the trial to allow time for the attendance of a material witness from Sydney; and by consent of the public prosecutor and the prisoners the evidence of Mr. **G. YARNOLD**, surgeon, of Goulburn, was taken down in writing, instead of his being detained longer from his business. His Honor also expressed his surprise that this provision was not more frequently taken advantage of, as it was one which might in very many instances be resorted to with great benefit, in the case of medical witnesses and others, whose testimony was of such a nature as not to render a cross-examination in open court indispensably necessary.

BATHURST. - On Thursday, the 26th, an inquest was held at the White Horse Inn, in our town, before **J. SUTHERLAND**, Esq., on the body of a man named **THOMAS KELLY**, a resident at King's Plains, who met his death the previous day from being thrown from his horse, and died very shortly after; the accident occurred within a short distance of the White Horse Inn, and the body was conveyed there. The jury returned a verdict accordingly. *Herald, March 7*

CIIRCUIT COURT. - ... Among the prisoners from Newcastle is **WILLIAM SHEA**, the alleged perpetrator of the murder at Hillsborough. We understand he is to be brought to trial if possible; but owing to the shortness of the time since his committal, it is doubtful if the prosecution can be duly prepared in time.

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

Two very distressing and fatal accidents occurred within a short distance of this town last week. On the 2nd instant, a daughter of Mr. **M'DONALD**, settler, Castle Forbes, accompanied by a junior brother, wandered to the river, which is not far from their dwelling, and while amusing themselves on the bank, the little girl, who was about seven years of age, went into the water, it is supposed, to gather rushes, and fell into a deep hole, and was unfortunately drowned ere assistance could be procured. The mother thought the little ones were long in returning, and went in search of them, and found the boy sitting by the bank, who, in reply to his mother's inquiry where his sister was, said she had gone home; but the agonised mother, on walking a little down the river, saw the bonnet of her daughter floating on the surface of the water. Assistance having been speedily obtained, the body was got, but life was extinct.

On Friday last, about sunset, at Rosemount, about a mile from the scene of the preceding casualty, a little girl was sent by her mother with a firestick to her father, who is a miller, and on her way to the mill, it is imagined, a spark must have fallen on her dress and set it on fire. Although nearer the mill when the accident happened, the little sufferer, enveloped in flames, turned round, and ran home screaming for aid. The father, seeing his daughter's clothes on fire, lost no time in rushing to her assistance; but, ere he arrived, the child had received such extensive injury, in consequence of the whole of her clothes having been nearly consumed, that she died in about three hours and a half after.

Thus have two respectable families been grievously visited; and the melancholy events show the necessity of parents impressing on the minds of their children the great danger of a too near approach either to fire or water. March 9th.

ATLAS, 2/68, 14/03/1846

INQUEST. - An inquest was held on Wednesday afternoon, in Healy's public-house, Parramatta-street, on the body of **SAMUEL MYERS**, then lying dead in the Jew's Burial-ground. - Verdict, died by the visitation of God.

MAITLAND MERCURY, 4/177, 14/03/1846

THE HILLSBOROUGH MURDER. - We understand the witnesses against **WILLIAM SHEA**, for the murder of **ANDREW MENZIES**, at Hillsborough, near Maitland, have been summoned for the present assizes.

BERRIMA CIRCUIT COURT. - On Thursday week, **JAMES LOWE**, **JOHN WALL**, **JEMMY**, an aboriginal, **JAMES GALLAGHER**, and **MASTER GALLAGHER**, were again arraigned for shooting at **JOHN BYRNE**, with intent to murder him, or do him some grievous bodily harm. Lowe was found guilty of firing at Byrne with intent to do him some bodily harm, and was remanded for sentence; the others were acquitted.

MARGARET DODD was indicted for having fired at one **MARY GATELY**, with intent to murder her, or do her some grievous bodily harm. The affair arose out of a quarrel between the two women: the evidence was not very clear against the prisoner, and she was acquitted.

On Monday, the prisoners who had been convicted and remanded were brought up for sentence. ... **JAMES LOWE**, for shooting at **JOHN BYRNE**, fifteen years' transportation; ... The sentence on **DANIEL O'BRIEN**, who had been found guilty of being an accessory to an attempt at murder, was commuted from fifteen years' transportation to three years' hard labour in Berrima Gaol.

MAITLAND MERCURY, 4/178, 18/03/1846

MAITLAND CIRCUIT COURT. - MONDAY, MARCH 10, 1846

ATTEMPT TO MURDER. - **THOMAS KING** was indicted for having, in a garden, at William's River, on the 21st January last, presented a loaded musket at **GEORGE HOLMES**, with intent to murder him. Another count laid the offence as an attempt to discharge the said musket, with the intention of preventing his lawful detainer by the said George Holmes.

Mr. Purefoy appeared for the prisoner.

It was observed that in swearing the jury, the Chief Constable, who handed the book to each juror as his name was called by the Clerk of Arraignment, was caused to walk from the opposite side of the court-house on hearing his name called, and then deliver the book, thus giving the prisoner ample time to challenge. He availed himself of it in several instances.

George Holmes, son of **THOMAS HOLMES**, took King prisoner; about eleven at night he found him in the garden stealing apples, and told him to stand; gave him in charge to a man; his father was absent, but he had charge of the place for him; the next morning at day-break prisoner snatched up witness's gun, and said, if he followed he would blow witness's brains out; witness said he would rather lose his life than him, and thereupon followed him 50 yards, when he put the gun to his shoulder and pulled the trigger, saying he would blow witness's brains out; the gun, however, missed fire; the muzzle was not more than 12 inches from witness's breast; witness wrenched the gun from him, and he escaped; prisoner again got the gun, and attempted to fire, but before he had time to fire (he had put the hammer up again) witness again disarmed him, and kept him in the kitchen till a constable came from Paterson, and he gave him in charge. Witness subsequently took out the charge, and found it to consist of gunpowder and duck shot, with priming in the pan; it was a flint musket.

Cross-examined: Witness loaded the gun himself, about three days before, and unloaded it in the presence of witnesses ten minutes after he took the prisoner; witness did not leave the prisoner during the night he had him in custody except for twenty or thirty seconds, and then another person had him in charge: he had been an assigned servant to witness's father, but was not at that time. Witness would have shot the prisoner rather than let him escape, but not in a vital part; but he had no opportunity of doing so; a Mr. **BUTTERFIELD** saw witness draw the charge; he did so in consequence of the prisoner saying that the gun was not loaded; witness threatened to shoot the prisoner, but it was only with a stick, which he pretended was a gun (laughter). It was a moonlight night, and cloudy, and prisoner might not have been able to distinguish that it was only a stick witness held in his hand; never presented a gun at prisoner; it was a servant named **PENWARREN** who first laid hands upon the prisoner; the gun was at full cock when the prisoner snatched it up; the prisoner had an apple in his hand when taken. Nothing but fruit grew in the place, and witness should call it an orchard.

JOHN PENWARREN corroborated this statement, but could not undertake to say the prisoner snapped the gun; the prisoner was four or five yards from Holmes when witness saw him present the gun; witness then went away, because he had something else to attend to (laughter). This occurred in the garden; witness had always called it a garden, and not an orchard; it contained nothing but fruit.

Cross-examined: Witness saw the prisoner and Mr. Holmes struggling in the creek, and went to the assistance of the latter; this was after he had seen the gun pointed at Mr. Holmes, at four or five yards distance.

Mr. Purefoy contended that besides this being an orchard, and not a garden, as laid in the indictment, there was no proof that Mr. Holmes had any right to detain the prisoner; he merely found him under an apple tree with an apple in his hand, and there was no proof that he had stolen it. Even if the act of apprehension of the prisoner was lawful, his detainer all night was clearly unlawful, as the act required that persons taken in the act of trespass by the owner of the property, or his deputy, should be taken before a magistrate "forthwith."

The Attorney General would have concurred in this view if the occurrence had taken place in the day time, but it had occurred in the night, when no magistrate could be reasonably expected to be found. Besides, the witness Holmes had sent for a constable the first thing, but could not find one.

George Holmes re-called: Sent his brother to Clarence Town for a constable immediately on taking the prisoner, and on his return from thence without one (in an hour and a half) sent him to Paterson, where he succeeded in finding one.

His Honor decided that the case should go to the jury.

Mr. Purefoy very briefly addressed the jury, contending that they must either acquit the prisoner, or at most convict him of a common assault.

The learned Judge, in summing up, expressed a decided opinion that the prisoner had been lawfully apprehended and detained by Holmes.

George Holmes re-called: Could not possibly be mistaken in saying that the prisoner pulled the trigger when he presented the gun; he saw him distinctly put his finger to the trigger and pull it.

The jury retired for a few minutes, when they found the prisoner not guilty on the first count, and guilty on the second. He was remanded for sentence.

MURDEROUS ASSAULT. - About eight o'clock on Thursday evening, a woman named **YATES**, assigned to her husband, a shoemaker, residing in Wilshire's Buildings, George-street South, having been drinking during the day, with her husband, who was then in bed, attacked him with his hammer, and inflicted four or five wounds of a very serious description on the back of his head; she was soon secured, and her husband, whose life is despaired of, lodged in the hospital. Within the last twelve months, the same woman has undergone a sentence of imprisonment in the Female Factory for attempting to cut her husband's throat with one of his shoemaker's knives. *Herald, March 14*

SENTINEL, 2/63, 19/03/1846

INQUEST. - On Monday last an inquest was held at Mr. Driver's public house, the Three Tuns, corner of King and Elizabeth-streets, on the body of **JAMES RUSSELL**, who died in consequence of lock-jaw, occasioned by a violent blow on the mouth, given by his master, Mr. **WALL**, butcher, of Brickfield Hill. Wall and a man named **HAYES** were present during the inquest, the deceased having received an injury on the eye some time previously in an altercation with the latter. A verdict of manslaughter was returned against Wall, and he was removed to Woolloomooloo Gaol.

An inquest was held on the body of a man named **MYERS**, on Wednesday, who, it is supposed came by his death from violence, used towards him by Mr. **DOUGLAS** of the Bull's Head, George-street, but, after a lengthened investigation, it was ascertained that death was the result of natural causes.

MULTUM IN PARVO. - On Friday the 6th instant, Mr. **WALL**, butcher, struck one of his men in the mouth with his clenched fist, and shortly afterwards he was seized

with *tetanus* OR LOCK-JAW FROM WHICH HE DIED ON Monday last. Mr. Wall has been held to bail for his appearance when called upon.

On Friday afternoon, an inquest was held at Harwell's public house, Kent-street, on the body of an old blind man named **WILLIAM DONOHOE** who kept a brothel in Royal George Alley, off Clarence-street, who died on the previous day from the effects of intemperance. When the Jury went to view the body, they found the wife of the deceased lying drunk in the gutter before the door, and the only other living inmate [**ANN LOGAN**] of the house in a similar condition lying beside the corpse.

ATLAS, 2/69, 21/03/1846

INQUESTS. - On Monday last, an inquiry was held at the Three Tuns, King-street east, on the body of **JAMES RUSSELL**, then lying dead in the Sydney Infirmary. The following was the principal evidence adduced – first, the deposition of the deceased, as taken before Alderman **FLOOD**, *in extremis*:- “James Russell, labourer, now lying in Sydney Infirmary, maketh oath and saith, before **EDWARD FLOOD**, a magistrate of the city aforesaid: about half-past seven o'clock, last Friday evening, I was killing some sheep belonging to Mr. **THOMAS WALL**, who came out to me a short time afterwards, and enquired if I had cleaned off the offal; I do not recollect that I made him any answer; he then called me a d-----d scoundrel, and struck me a blow in the mouth with his fist, which knocked me down, causing my elbow to get scraped; about a minute afterwards I got up, and carried the offal into the kitchen, and was engaged about twenty minutes cleaning it when my eyes became dim, which I attribute to the blow I had received; I then went to bed, got up the next morning, and recommenced work; I was not very able to work, labouring under illness, but still I managed to perform my work up to Monday last; about a fortnight previous to Wall striking me, I received a blow over the left temple, which affected my left eye, causing it to run, but not seriously to injure it; I was drunk at the time I received the blow over my eye; I had been quarrelling with a man named **HAYES**, who pushed me down; the reason I did not complain of Mr. Wall striking me on the Saturday morning was, that if I could get well, I should not have complained, but finding myself so bad during the last two or three days I complained this morning at the Police-office; my object was to get medical assistance, as well as making Wall's assault on me known; I have been five weeks in Wall's employ; I have not been drinking since I was struck by him.”

“Cross-examined by Wall: I never complained that I have been labouring under ill-health, but on Monday morning I had an impediment in my speech; I was under the care of Dr. **M'PHEE** who attended me, and on his enquiry as to the cause of my illness, I said it was caused by Wall striking me.”

The deceased had been under the surgical attendance of Mr. **D. M'PHEE** for a few days, but was removed to the Infirmary on Friday last. Dr. **FARQUHAR M'CRAE**: Had been in attendance of the deceased from Friday afternoon till his death. When witness first saw him his jaw was almost locked – he could not open his mouth above a quarter of an inch; he was in a very debilitated state, and complained of severe twitchings in the neighbourhood of a wound near the right angle of the lip; the wound was about three lines in depth; it was of the size and shape of the second incisor tooth of the upper jaw; there was also a cicatrix of a recent wound, rather more than an inch in length, over the left eyebrow, but he complained of no pain from it. When he was first admitted into the Infirmary it appeared from the resident house surgeon that he had rigid spasms of the lower extremities, which were removed by a hot bath, but these could be reproduced by touching the wound on the lip with a spoon, which was

necessary in administering medicine: he stated that he had been struck on the 6th instant on the lip, which cut it, and bled powerfully; that on the Saturday following he first found the pain in his jaws, which increased in intensity till he died, particularly the convulsions of the lower extremities when the wound on the lip was touched; he also complained of a little of pain in the spine, opposite the fore lower artery, but he did not say it was severe; witness had made a *post mortem* examination of the body sixteen hours after death, of which he handed in the following report:- “I have this day made a *post mortem* examination of the body, and found that the exterior displayed considerable emaciation. Over the right eye brow, the cicatrix of a recent wound, rather more than an inch in length, was noticed, but the injury on examination was found to be quite superficial. On laying open the mouth at the right angle, a wound was found on the lower lip, corresponding in shape and opposite to the second incisor tooth of the right side. The wound was in a state of suppuration, and about three lines in depth. The tongue near to the lip was wounded on both sides, as if it had been recently bitten there. The brain and its appendages, and the viscera of the thorax and abdomen, were minutely examined, and exhibited unusually healthy appearances. Particular attention was directed to the spinal marrow and its membranes, but there did not appear any decided traces of disease. From the symptoms during the patient’s life, and the appearances produced by the *post mortem* examination of the body, I am of opinion that he died of lock-jaw, produced by the wound on the lip before described.” The jury found a verdict of manslaughter against Thomas Wall, on which he was committed to Darlinghurst Gaol for the offence.

On Thursday afternoon, an enquiry took place in Leggatt’s public-house, corner of Druit and Sussex-streets, touching the death of **JOHN O’BRIEN**, an infant, aged ten days, then lying dead, in Druitt-street. Verdict – died by the visitation of God.

MAITLAND MERCURY, 4/179, 21/03/1846

MAITLAND CIRCUIT COURT. - THURSDAY, MARCH 19, 1846.

MANSLAUGHTER. - **ANDREW GLENNON** was indicted for having, at New England, on the 1st December last, with a knife held in his right hand, stabbed and cut the left breast of **JAMES MARTIN**, thereby inflicting a mortal wound, and causing the death of the said Martin.

The Attorney General having intimated that he was not prepared to proceed with the trial at this assizes.

Mr. Holroyd applied to have the prisoner liberated on his own recognizances. New England was 300 miles distant, and it could not be expected that the prisoner should be able to find friends so far from home.

The Attorney General would not consent to this, but did not object to a small amount of bail. It was ultimately arranged that two sureties for £12 10s. each should be furnished.

MAITLAND CIRCUIT COURT. - WEDNESDAY, MARCH 18, 1846

The Court was opened at nine o’clock this morning.

MURDER.

WILLIAM SHEA was placed at the bar, charged with the murder of **ANDREW MENZIES**, at Hillsborough, near Maitland, on the 20th December, 1846. The indictment alleged the crime to have been committed with a tomahawk held in the right hand of the said William Shea, and the wounds to have been inflicted on the front, back, left side, or right side of the head.

Mr. Holroyd appeared for the defence.

The prisoner was very much altered since his committal. He had then a full colour, and had a vigorous and hardy appearance. He now looked pale and emaciated, and his manner was subdued and his air melancholy.

A request preferred by a juror that the witnesses should be kept out of Court after as well as before their examination was acceded to by the Court.

The Attorney General stated to the jury the facts of the case, differing little from the account published in the *Mercury* of the 28th February. In the course of his lucid statement, the learned gentleman said that, as a matter of course, it must be proved that Andrew Menzies was really dead, or the case must fall to the ground. The witnesses, however, he understood, were in a condition to swear that to the best of their belief the body found was that of Andrew Menzies. He also informed the jury that some of the circumstances which had been communicated to him as facts were of such a nature that he did not credit them himself, and therefore he would not be justified in stating them to the jury as facts. As to the weapon with which the murder was supposed to have been committed, it was not necessary for him to prove that it was done with that particular weapon: any blunt instrument would make similar marks.

EDWARD DENNY DAY, J.P., police magistrate of Maitland, got information (from Mr. **BERESFORD HUDSON**) on the 23rd February that Menzies had disappeared, and had Shea apprehended the same day; he was brought before witness the following day, when he was told that Menzies was thought to have had foul play, and that witness was ready to hear any explanation he had to make; that it would be taken in writing, but that he was not bound to say anything he did not please; that what he did say might be used against him if necessary. Witness remembered making a memorandum at the time of having given such a caution, but it had been mislaid. Another magistrate, Mr. **LANG**, was present most of the time. He was examined more than once. His statement was read over to him, and he affixed his mark to it; he made the statement calmly and deliberately, and appeared to weigh well what he said. The statement was made partly in answer to questions, and partly voluntary; one question was put as to his assertion that Menzies had gone to Port Stephens; he did not touch upon that point voluntarily; all other questions put to him arose out of his own statement.

Cross-examined: Quite sure the proper warning was given the prisoner.

Re-examined: No other witnesses were examined the same day; witness had arranged to go to Hillsborough next day (25th), eight or nine miles off; four blacks accompanied witness there. Besides the chief constable and constable **BOYLAN**; saw prisoner's wife there. In going to prisoner's hut, was shown near a slip panel where Menzies' hut had stood; it was there no longer; a man named **THOMSON**, a tenant of Mr. Hudson's, the owner of the property, accompanied witness; witness then sent to collect the neighbours, and in the meantime went to prisoner's hut, about 400 paces from the spot where Menzies' hut had stood; saw prisoner's wife there; saw the blacks go to a spot in the paddock, about 200 yards off, and, according to witness's pacing, 235 yards from the site of Menzies' hut, which was in the same paddock; heard a noise amongst the blacks, and chief constable **WOOD** went to them and signalled for witness, who then followed him; he then saw a stump-hole, nine or eleven feet in diameter, filled up to within twelve or fifteen inches of the level of the ground, with spade marks round the edges, as if the soil had been dug into the hole; one of the blacks had a large white maggot, such as putrid flesh would produce; the blacks pointed out a hole in the soil where the ants (black ones) were going up and down; the earth was then dug up, when the remains of a human body were found three or four

feet below the surface of the surrounding ground, and about two feet under the earthy which was immediately over it; the head of the body was under a portion of the root of the burned stump which had been left in the hole; the body appeared to have been laid on its face, with the legs higher than the rest, by which they came upon the thighs first; a shirt, and trousers, and braces, were on the body, with the head separated; it remained in the hole after the body was taken out; long grey hair was on the head; witness sent to Maitland for surgeons, and Drs. **LIDDELL and SLOAN** came; pieces were cut from the shirt and trousers, and washed before it could be seen what they were made of; the trousers were fustian or moleskin, and the shirt check; the remains, with the exception of the head, were buried in the paddock; saw a tomahawk brought to the hole, and examined it; seemed to have marks of blood, but not undoubtedly; in the eye of the weapon (in which the handle fitted) was one human hair, grey or whitish; the tomahawk was not placed near the head of the body, so that one of the hairs might have stuck to it; part of the handle seemed to have been scraped, while the part by which it would be held was very dirty. [The prisoner smiled on the production of the tomahawk, and while the witness endeavoured to get it in a light by which he could perceive the hair: he did perceive it, and pointed it out to the jury]. The hair was not precisely in the same position in the eye of the tomahawk. When the body was found, Dr. Liddell took out of the trowsers pocket a few grains of wheat.

Cross-examined: The prisoner was in the lockup in Maitland when the body was found.

The witness here removed the hair from the tomahawk and showed it to the Court and the jury. When the handle was removed, the part which had been in the eye was found to be dirty, like the other end, and the intermediate part only clean or scraped.

By the jury: The features were not traceable.

By Mr. Holroyd: Never saw hair so grey but that of an old man. When witness now saw the hair on dark ground (it was placed on a piece of dark blue cloth), he did not think it so light in color as he formerly took it to be. Never examined the sex of the body; the bones were too much disjoined to admit of witness perceiving the sex of the body; the doctors, however, examined the body; should think he (witness) could not possible have ascertained the sex.

By the Attorney General: The hut of the prisoner was about 400 paces from Menzies', and the body was found nearly in a straight line between them, a little to the right; it was about 150 yards from a tobacco field.

On a copy of the prisoner's deposition being produced, Mr. Holroyd objected that it did not appear on the face of it that the prisoner had been warned that whatever he said might be used in evidence against him. It his Honor thought that the defect was cured by Mr. Day's evidence, of course the deposition would be read, but he requested his Honor, at all events, to take a note of the objection. This was acceded to by the learned Judge, and the document, as follows, was put in and read by the clerk of arraigns, the prisoner listening very attentively:-

"Andrew Menzies came to me before we jointly took Mr. Hudson's ground together; he brought with him three bullocks and a dray; the dray he afterwards sold to Tom Parsons, whom he lived with at one time. Menzies and I bought another bullock between us, for which he paid 20s. and I 15s.; I made the bargain; he came to me, I n April, on the Paterson, but we did not join in work till we took the piece of ground of Mr. Hudson together. When we were about to part, I asked him which of us would pay the other for the bullock; he asked me how much I gave towards it, and I told him 15s.; I told him besides that he had three white shirts and a pair of boots bought with my money; he then reminded me of eleven bushels of wheat he had brought with him, besides a small bag of flour, and a bag of siftings. O then said, 'Are you going to go, or stay? – all the neighbours ask me if you are going, and say you are'; he said he had heard so; I said I would not believe he would go, but asked him what he would do

with the bullocks – if he would take the three or the four, or how he would manage; he said ‘I do not care how, but, by right, I ought to have it.’ I said, ‘How, right?’ and he answered, on account of the wheat he had brought. I then said ‘You can go, but I can’t – I have a heavy family – how shall we decide?’ ‘Leave the bullock against the wheat,’ he replied; but I said I had been at more loss than that, and that the shirts and boots were worth more than the wheat. To that he replied that he had been at £14 loss; and on my saying that he had laid out no money, he said it was by not hiring with Mr. Townshend, by which he had lost the year’s wages of £14. I then said, ‘I did not prevent you – did I not send an answer by Ryan, the man who came for you, that I would not prevent you doing what you thought proper?’ To which he answered, ‘I know that.’ I then asked him ‘How shall we settle the £2 10s. we owe Mr. Hudson for wheat?’ I reply to which he asked ‘Did you not talk of selling the wheat?’ I then said ‘What shall we do for wheat to eat?’ and he said he did not know; I said I did not think there was enough for seed and food till the next crop of wheat be got in; he said he did not know how much wheat there would be on it (the crop), but Parsons told him there would be from 40 to 50 bushels. This conversation took place in a field, while we were at work rolling logs together to burn, three or four days before Menzies left. No more was said till that night at supper; we had no room to smoke inside the hit, and sat outside (he and I, with my wife and children). I said to my wife, ‘Andrew is going to leave us.’ She said ‘Are you, Andrew?’ and I said, ‘He tells me so.’ She continued, ‘For what reason are you going?’ and he answered that he saw no prospect of corn that year, and the longer he staid the more he would be out of pocket. My wife said it might not be so another year; but he said he had been £14 out of pocket. ‘In what way?’ said she; and he replied, in wages he would have earned from Mr. Townshend. I said that could not be, for it was not two months since he went there, but he said it was more. My wife said, if he left he might not get a place to suit him, and then he would be at a loss. She then asked him if he would sell the bullocks, and what he would take for them; ‘In what way?’ said he. ‘Some credit, and some money,’ she answered. He then said he would take £12; but I said I could get two better bullocks than any of those for £5. I asked him what he would give if he were going to buy such bullocks as his at a sale, and he said he did not know. I then said ‘Is there any one who’d buy Lively?’ and Menzies replied that he’d keep him until wheat sowing. I then said ‘How do you propose to keep these bullocks of you are going? – I cannot keep them, because I must look out for others, and you know I have only grass for six.’ This ended the conversation. On one occasion Ryan told me he’d let me have some bullocks, and Crawford said he’d not let me be short of them; this occurred at a conversation in Crawford’s house; after Ryan left Crawford asked me if I could buy a pair of Menzies’ bullocks; I said I thought I could, he then said that if I’d be short he’d get a friend to give it me. ‘If it comes to that,’ he added, ‘I’ll let you thresh 20 bushels of wheat and sell it. At the conversation before mentioned with Menzies outside my hut, my wife and children had been passing to and fro from the fire. Two days passed over, and I said to a man named Thomson, at Mr. Hudson’s, that Menzies intended to sell his bullocks, and leave. Thomson then said he’d buy Boxer, unless I intended buying him. I told this to Menzies, but he said he’d not sell one bullock by itself. He asked me if I could raise the money, and I said he expected too much for them, or else I could – but half the money would be nearer the price; he then said that he’d give the harrow and fan in. I said he asked 10s. for the fan the other day, but I did not think it value for 5s. Menzies said ‘It would be useful for you any how.’ I then asked him the value he put on the bullocks, and he said £10. I asked if he’d give 12 months’ credit for the half; he said if I’d give him £5 in hand, a note of hand for £5, and pay Mr. Hudson the £2 10s. for the wheat, I should have the bullocks. I gave him the note of hand for £5 that night at supper; that was on a Friday night, either immediately before Christmas or a week before that. He left next morning; I did not see him going, as I was milking the cows; he slept about 80 rods from me; one of the Gillieses and me took his place (a few sticks thatched over) down, to pout the thatch on a stack, as a squall happened to be coming on; that was on a day or two after New Year’s Day. The five pound note would be due in next January. Mrs. Parsons told me that Menzies passed through Lamb’s Valley; she heard it from an old man who lived at Farrell’s. A man called John, Jim Crow, or Jack, who once worked with me, told me he had met Andrew on the roads to Port Stephens. I have a gun in my house, but it has not been fired for two years. I got a receipt from Menzies, which I believe is at home. My wife had most of the £5 to pay for lying-in expenses and christening, the rest I had by me since I sold the corn, but cannot say to whom; I got some wheat from Menzies, and have not paid for it yet; since May I got 19s. 6d. from John Tierney for leaf tobacco; Menzies sold £5 worth of tobacco to Mr. Townshend – no, to Mr. Boydell, and got part in cash

(in July); my wife got money by washing, &c. Menzies never told me where he intended to go; I told one of the Gillies he had gone, the same day; he left nothing in his place but an old coat. Menzies wrote the receipt; he was a scholar; he took his pens and ink with him. I was milking on the Saturday morning; it was just night-fall as we left labour the night before; I never worked by moonlight with Menzies in the tobacco field. I did not see him on the Saturday he left."

The above contains all the matter of Shea's deposition, as read in court. It is not in precisely the same words, as it is not a copy of the written documents, but taken from Shea's own mouth.

By consent of the prisoner's counsel, Mr. Day remained in court after his examination.

MATTHEW THOMSON, of Hillsborough, produced a plan of Mr. Hudson's farm there; lived 500 or 600 yards from the prisoner; knew Menzies, whom he generally saw once or twice a day; but saw him seven or eight days before Christmas, when prisoner and he were reaping wheat; all the wheat was not reaped; Menzies had four bullocks and a dray; did not know what else; in harvest time (in November) prisoner told him Menzies was going away; saw Menzies after that, but had no conversation; at another time, afterwards, prisoner said Menzies was going away; he said also he was on the point of buying Menzies' bullocks; he said too he would rather than £5 he was gone; witness never spoke to Menzies about his going; last time witness saw him he had fustian trowsers patched in front, a check shirt, and a brown coat.

The witness here pointed out the localities on the map.

Resumed: Saw the body after it was found by Mr. Day; the trousers on it were patched in the same manner; pointed out two particular patches which he remembered seeing on Menzies when alive; the shirt on the body resembled that of Menzies; remembered him buying the trousers before they were patched, which was done after he had reaped for witness (in November); the coat produced was the very coat which Menzies wore; certain of it; saw it at Shea's hut on the day the body was found; he had a velveteen jacket also; he wore no waistcoat, but on Sundays a check one; the fragments produced resembled it in color and pattern; the hair on the body found resembled that of Menzies; the skull resembled his very much, both in shape and in the hair it bore; he had a long face; did not notice the teeth; he believed the body to be that of Menzies; first missed Menzies two or three days before Christmas; never questioned prisoner about him; it did not interest witness; saw Menzies' bullocks used by prisoner after the former was missed; prisoner had been in witness's place, but they never spoke about the missing man.

Cross-examined: Witness said he should buy the near side bullock from Menzies unless the prisoner wanted to buy it; could not say that "Boxer" was the name of the bullock; saw Menzies in the waistcoat about a fortnight before he disappeared; the body found was that of a man; only knew that by the hair and the long face; did not examine the body more minutely as to sex; never noticed Menzies' teeth; his age was 50 or 60.

By the jury: Was at the hole when the body was taken out; saw the braces, which were like those of Menzies; there was no flesh on his face, and no beard.

ANDREW LIDDELL, surgeon, of West Maitland, saw a body in a stump hole at Hillsborough, which was pointed out by Mr. Day. It was much decomposed, the bones falling asunder. The sex could only be seen by the bones, but believed it to be a man from those – by the form of the head, and the strong impression of the muscles on the bones – by the sharpness of the angles of the bones; could judge of the age by the bones, which become thinner by the action of the muscles in advanced age and by absorption; such was the state of the bones in question; should say the body was

about 50 years old; the complete state of the teeth showed the person had not arrived at extreme old age; could not say the height distinctly; not tall; the back part of the head had been driven in.

The witness's examination was here discontinued, in consequence of his not having the skull in question, which was sent for to West Maitland.

GEORGE WOOD apprehended the prisoner on Monday, the 23rd February; he said "I suppose, gentlemen, you've come for me?" He gave his name Shea, and began talking about Menzies before he was told anything; he asked how long he would be kept, and when he must get ready; witness did not ask about Menzies, because he had been directed not to do so; but he asked him if he had any property about the place; he said there was nothing of Menzies but the old coat produced (mentioned by Thomson); he said he had no papers; witness searched, and found the tomahawk among some old iron in the hut; he did not take it then; he looked hard at it, but thought nothing of it; next time (another day) he found it in the middle of the hut; saw nothing else on the Monday; on the other day (Wednesday) he went with the police magistrate and saw the body found. He corroborated the evidence of Mr. Day as to the finding of the body in every particular.

Cross-examined: When he first found the tomahawk (on the Monday) he left it there, and found it there (in the middle of the hut) on the second occasion (Wednesday). Prisoner's wife might have seen witness take up the tomahawk and put it down again, on the Monday. Did not recollect speaking of more than one maggot until to-day. Never told Mr. Day there were more maggots than one.

By the Attorney General: Mr. Day was present, and could see the maggots without witness pointing them out.

MALCOLM GILLIES, of Hillsborough, lived about 500 yards from the prisoner; knew Menzies, whom he last saw on the Friday before he was missed (the Friday before Christmas); he was planting tobacco with the prisoner, after sunset; asked them if they had any more plants, and Menzies said he would have more in a month or a fortnight; Menzies said it was "blindman's holiday," and wished to leave off work; prisoner asked witness to lend him as much flour as would do till Saturday; witness said he would not see him short; prisoner said he would not stop making the tobacco holes till they were finished; Menzies however did not continue to work; witness then left them together; that was about 213 yards from witness's hut; he had stepped it since; Menzies was then in a dirty check shirt, and patched trousers, such as he usually wore; the trousers were fustian, with cotton braces; the trousers produced resembled them (the braces were not with them, having fallen to pieces); the patches witness could not swear to; the piece of the brace attached to the trousers was of the same kind. Witness went home after seeing them in the tobacco field, and did not see them again; but he heard two or three heavy blows from the direction of the spot about ten minutes after he got home; they were like heavy blows on something solid; the blows might be made with the hoe Shea worked with at the time; witness was near enough to hear such a blow as the hoe striking a stump; witness was alone in the hut, but his sister was outside; after his examination at the police office those blows recurred to his memory. Shea told witness that Menzies intended to leave a few days before he disappeared; he complained at the time that Menzies was not well enough to plough, and that he had sold his dray and intended to leave; witness heard a conversation with his brother and Menzies, when the latter said, in answer to a question as to his intention of leaving, "is that because I sold the dray that they're talking that way?" Witness heard no more. On Saturday (the day after he had seen them planting the tobacco), witness saw Shea throw down the slabs of Menzies' hut;

it was about breakfast time. On a subsequent day Shea told witness Andrew had left, and he had bought his bullocks; witness asked how much he gave; he said £10 for the four, with yokes and chains, and an old harrow, and a fan; he had paid £5 in hand, and had credit for the rest till he got a crop of wheat off; Menzies had been in the habit of calling on witness, and he was therefore surprised that he went away without looking in; Menzies was a countryman of witness's (a Scotchman); Shea was Irish. When witness asked Menzies if he meant to go he said he did not. One day Shea said he had met Colin Cowan (witness's brother-in-law) in Maitland, who asked him what he did with Menzies; Shea said that was an old talk, and that was the first time he heard of it; could not understand what he meant by saying it was an old talk, and yet that was the first time he had heard of it. After witness saw Shea pull down the slabs he saw an old coat of Menzies' in Shea's hut. Witness saw the body taken up, and believed the skull to be that of Menzies by the hair and the shape; he had a long visage; he had not noticed his teeth; he might be near 60 years old; the fragments of a waistcoat were like a waistcoat Menzies wore; witness saw it found in a stump-hole about half way from where the body was found to where the two men were last seen at work; it was found on a Sunday after the body; witness left the waistcoat where he found it; it was Macdonald, who was with witness, who dug it out with a spade.

Y the Court: At that time Menzies and Shea (partners) had five acres of wheat half reaped, and three quarters of an acre of tobacco.

Cross-examined: Shea's paddock was enclosed by a three rail fence; witness could see from his hut the spot where he saw the two men at work, and also the spot where the body was found, unless a tree stopped his view; could also see Menzies' hut, but not the prisoner's; could see the place where the waistcoat was found; was not in Shea's paddock the day after he saw him planting tobacco; could not undertake to swear it was the Friday before Christmas he saw them in the paddock, but it was to the best of his belief. Saw a hoe when they were planting tobacco, but not a tomahawk; could not describe the hoe. On one occasion, when Menzies was away for a few days, he did not tell witness he was going, but witness was not at home at the time. Witness was examined by the magistrate a few days after the body was found; it was not till after that that he mentioned about hearing the blows; that was in a deposition n before Mr. Day, the day before yesterday; he intended to have mentioned the circumstance. Never fell out with Shea, unless a few words about leaving slip rails down; he would not call that a falling out. Lives with his brother, and had often talked to him about Menzies. It was about 213 yards from where he saw the tobacco planting to witness's hut. When he heard the blows it was ten minutes after he got home, and within half an hour after he left the men; he might not have taken the direct road home; it was dark, but not so dark but what he might have walked in a direct line, which he believed he did. He got home within the half hour. The prisoner and Menzies appeared to be on friendly terms when he saw them on the Friday. Did not recollect about the blows when was first examined; if he had been asked he might have remembered it.

By the jury: Did not recollect his teeth at all; did not know if he had lost a front hone.

Dr. Liddell re-called: Produced the skull. [The prisoner eyed it very attentively, but without betraying any emotion]. Judging from the bone, the subject would not have had a flat nose, nor yet very high. The hair in the tomahawk resembled those on the skull, the hair on which was darker then when first examined. The fractures appeared to have been made with a blunt instrument, such as the tomahawk; any of them would have caused death. Both shoulder blades (produced) were broken, and the collar

bone. A portion of the skull had been driven in to the right orbit; could not say why that piece of bone was not produced; did not know what had become of it. The examination on the ground was quite of a cursory nature.

Cross-examined: The appearances in the skull which led witness to the belief that it was that of a man might be found in the skull of an old woman, but if he took the skull from a hundred he should say it was a man's. If a female skull, she must have been of masculine habits; had had much experience in examining skulls, both in Edinburgh and here. Witness derived part of his experience from examination of diseased heads in Dr. Thatcher's collection in Edinburgh; his examination of those would enable him still better to judge of a healthy skull; the fractures could not have been caused by throwing the body into the sump hole; witness would have been able to recognize any one he knew by the forehead and the hair of such a skull; the appearance of the lower jaw is reckoned a stronger indication of sex; the lower jaw was not attached; if a female skull it was a rarity.

By the Attorney General: Examined the lower jaw, and found no marks of violence on it; many of the teeth gone; the red spots on the shirt were not uncommon in decomposition; blood might flow from a body recently dead of a brilliant red colour, or become so afterwards.

DAVID SLOAN, surgeon, of West Maitland, saw the remains of a human body at Hillsborough, in the last stage of decomposition; the skull produced was deficient of some bones; the skull at Hillsborough had some of the bone of the back part driven into the right orbit; there was also a fracture on the right side of the skull, and another on the left side; such an instrument as the tomahawk might have caused them; should not hesitate in calling it the skull of a male; formed the same opinion of the sex at the time the body was found, from the general appearance of the bones, as well as from the lower jaw, the skull, the pelvis, also from the hair; the view he took of the body was not a cursory one, but very careful; the appearances which led to the belief that the remains were those of a male could not exist in a female. Was educated in Edinburgh, and had frequent opportunities of examining bodies which had come by violent death, some decomposed, others not; had examined about sixty within the fifteen years he had been in the colony; it must have been an unfortunate district (laughter, in which the prisoner heartily joined); drew his experience partly from Dr. Hamilton; Dr. Liddell and himself examined the body together, but did not compare notes particularly; the pelvis was the best means of judging of the sex, and the attention of both was directed to it.

By the Attorney General: The body appeared to have been dead a month, six weeks, or two months, according to the weather, judging from the state of which at the time, he thought the body was just in the state six weeks would have brought it to.

By Mr. Holroyd: The soft parts which were left after decomposition were just becoming *adiposea* – it had scarcely become *adiposea*; the sun would have great effect on a body two feet under ground, and if the body had been six months under ground it must have been much more decomposed.

DONALD GILLIES, brother of Malcolm, last saw Menzies on the Friday before Christmas; gave the same account of his dress and appearance as his brother, and expressed the same belief of the remains found being those of Menzies. He also corroborated his brother as to Shea pulling down the slabs of Menzies' place, reporting that Menzies was going away, and Menzies' disavowal of such intention, although not quite so distinctly on the latter point. Heard Shea's statement of having bought Menzies' bullocks, but thought at the time that he had not £5 for such a purpose.

Cross-examined: Never had words with Shea; had been in the habit of crossing his cultivated ground, and once left the slip rails down. Could see from his hut the hole where the body was found, also Shea's hut, unless screened from observation by trees; could also see Menzies' hut, and took the great coat from there to Shea's. Had talked with the prisoner about the suspicions; Shea said, "Howe could I kill a man in such a hut as that (pointing to Menzies'), without stock-keepers passing, or cattle smelling the blood?" Had been in the habit of crossing the paddock both before and after the affair. Knew it was the Friday before Christmas he last saw Menzies, by working it up from the following Sunday. Could not say how Shea (sic) was dressed on the Friday, but he had his usual dress on (fustian trowsers, check shirt, and cabbage-tree hat).

By the Attorney General: It was customary for the neighbours to cross each other's paddocks. It was several days after he saw Menzies last when he saw Shea ;pulling down the hut. The great-coat was thrown over witness's shoulders by Shea because it rained (when they pulled down the hut), saying, "Here's Andrew's old coat to keep out the rain." Did not think Menzies would have left such a coat behind him.

By Mr. Holroyd: After the disappearance of Menzies witness gave a day's work to Shea in exchange for one from him. He did the day's work in the paddock, and in drawing wheat through it must have passed within ten or twelve rods of the stump-hole, where the body was found, with a fence between; they went through the usual slip panel; it was the only one on that side; when witness helped Shea to pull down Menzies' hut he appeared to have his usual dress on, but took no particular observation.

DANIEL MACDONALD, of Hillsborough, last saw Menzies reaping with Shea; it was a few days before Christmas; believed the body found to be that of Menzies; judged by the hair and the skull, but did not notice the teeth; saw the waistcoat where it was found by Donald Gillies; knew Menzies to have worn one like it.

JOHN PARSONS, of Hillsborough, knew Shea and his partner Menzies; it was twelve months to-day since they became partners; saw Menzies last a week or ten days before Christmas reaping wheat; bought a dray from him; paid 30s. down, and the rest was to be paid after Christmas; gave a note for it, to be paid in January; he said to be sure to pay it then, but he never came for it; he said he owed Mr. Hudson, his landlord, money, and would have to pay him when he got his crop off. Believed the body found to be that of Menzies; judged by the hair. The great-coat produced Menzies got from witness for £1, just two years ago; did not think he would throw that coat away, because he was an old man, and used to wear it on cold days. The bag produced belonged to Menzies, who used it for wheat. Before the body was found he asked Shea if he had heard of Andrew lately; Shea answered that he had gone to Port Stephens, so he need not mind about him; he said he had bought all Andrew had got for £10 - £5 in hand, and £5 credit; did not mention the coat or the wheat.

Cross-examined: The word property might not have been used by the prisoner, but he said "all he had got." Shea never said he had heard from "Jim Crow" that Menzies had gone to Port Stephens. Menzies said to witness he would leave as soon as the crop was off.

THOMAS EAST, of Hillsborough, last saw Menzies here or four weeks before Christmas, on a Sunday; he saw Shea opening sheaves on his own ground, when he said Andrew had left him, and wanted to leave the bullocks till he could sell them, but he had refused to keep them, because he wanted the grass for his own cattle; but he had agreed to buy them from him for £10; he had borrowed £5 from a friend, with which he paid him in part; the other £5 was to be paid in twelve months. On witness

asking him if that was for half the crop as well as the other property, he said the crop was a mere trifle, as he (Shea) had been supporting the house himself all that time.

BERESFORD HUDSON, landlord of the prisoner, deposed that Menzies and Shea rented 27 acres jointly on a clearing lease; saw Menzies last in the middle of August; saw Shea on the 7th or 8th of January last, when he alluded to a promissory note of his own which he could not take up; had heard from Thomson by that time that Menzies had left; on the 23rd February he saw the prisoner again, when he said he would take up the note when he had the wheat threshed; witness asked what had become of Menzies; he said he could not tell, but had heard a day or two since in Maitland that he had gone to Port Stephens; he said he had bought all Menzies' property for £5 in cash, Menzies owed him £5, and he gave him a note for £5 more, making £15 in all. Witness expressed his astonishment, and asked him if he was not bound as an honest man to take up the note (over due two months) if he had £5 in cash by him; Shea still adhered to his statement; witness did not press him further, as he then suspected him of the crime laid to his charge.

Cross-examined: The note (which was for £2 10s., for 10 bushels of wheat) was given by Shea while he was partner with Menzies; the £2 10s. might have formed part of Shea's reckoning with Menzies.

ELIZA PARSONS, wife of John Parsons, heard tell of Menzies being missed, and talked to Shea about him; never told him that she had seen him going up Lamb's Valley; she asked "old Daniel" if he had seen him go; he said he might have gone through the Valley. The Attorney General explained that this witness was intended to contradict Bernard Doolan.

DANIEL FARRELL, of Lamb's Valley, last saw Menzies in October in Lamb's Valley, and again in November, going up Lamb's Valley for the corn. Never spoke to Shea about him.

Cross-examined: Told Mrs. Parsons that he had seen him go up Lamb's Valley for the corn, and go back again to Shea's; he staid a night at witness's place. Menzies had hair like that on the skull produced. Knew "Jim Crow," who stopped with witness the same night as Menzies, but they had no quarrel.

COLIN COWAN, living on Mr. M'Dougall's ground near Maitland, knew Menzies only by report of his brother-in-law; after Christmas spoke to Shea about him in Maitland; after New Year's Day he asked Shea what he had done with Andrew; he gave him no answer; witness was in Maitland selling wheat, and on going back met Shea, near Owen's stores; he turned off very quick from witness, which surprised him, as they used to talk about one thing or another; was quite sober that day; had only one glass of beer. Had seen Shea and Menzies together two or three months before Christmas.

Cross-examined: Shea turned away from witness as if angry for asking him about Menzies; it had been said by that time that Shea had made away with him. Never saw Shea afterwards till he was apprehended.

By the jury: Before Christmas saw something like a quarrel between Shea and Menzies, and said those two parties would not agree long together.

JOHN MACDONALD, of Hillsborough, last saw Menzies a fortnight before Christmas; to the best of his belief the body found was his; did not notice his teeth while alive; judged from his hair. The waistcoat produced had what seemed to be blood on it when found; it looked more like blood then.

The Attorney General here stated to the Court that there was a witness named Bernard Doolan, who had been examined by the police bench; but his statement was so incredible that he was not entitled to the slightest belief. He was not therefore to be

called, unless the learned counsel for the prisoner wished to exercise his right of having him brought forward.

Mr. Holroyd declined.

Mr. Holroyd applied to look at the indictment: If the Clerk of Arraigns had read it aright, the prisoner was charged with a murder committed on or about December, 1846.

The Court said the indictment was so framed.

Mr. Holroyd then said the case was so clear that the prisoner must be discharged that it did not require argument. A precedent had occurred in Sydney.

The Attorney General argued that the discrepancy was immaterial, as the offence was proved to have been committed before the filing of the indictment – it was laid under a *videlicet*.

Mr. Holroyd still held that the defect was fatal, inasmuch as the offence was said to have been committed on an impossible day, and one on which the prisoner might be alive. The indictment was laid under a *videlicet*, but it went on to state that so and so was done with a certain tomahawk on the day and year aforesaid – that day being the 20th December, 1846. But the evidence showed that those acts were done on the 20th December, 1845.

The Attorney General held that the information was good, unless it could be shown by the evidence that death had occurred after the filing of the indictment.

The learned Judge took the same view; but assured the learned counsel for the prisoner that the point should be reserved, and that it should receive the fullest consideration. In the mean time the trial must go on.

The prisoner listened to this discussion with the most intense interest.

Mr. Holroyd then addressed the jury on behalf of his client. In the course of a lengthy and eloquent appeal, the following points were handled by the learned counsel. First, as to the evidence of Gillies, who said he heard sounds which it was insinuated arose from the blows of a tomahawk inflicted by the prisoner on the head of Menzies: the jury could not believe that such blows could be heard at a distance of 213 yards, even if the tomahawk had been shown to have been there, which it was not. The tomahawk was found by chief constable Wood in the hut of the prisoner, just where it was likely to be found. As to the important point of the identity of the body, the discrepancies in the evidence bearing on the point were so great, that one witness said Menzies had a long face, another a short one; and he particularly remarked that the medical gentlemen had not been asked their opinion of the length of the face in the remains found, as far as they could judge from the bones. In the evidence they did give the medical witnesses were at variance. The jury could not but have remarked from what different reasons they arrived at the same conclusion, namely, that the remains found were those of a male. It is well known that the bones of the pelvis were by far the most important in deciding that point, and yet those bones had been withheld, and all the jury had to rely on was that they had been pronounced to be the pelvis of a male, after what Dr. Liddell admitted to have been a very cursory examination, under circumstances, too, in which a satisfactory examination could not be made, the bones being partly surrounded by soft matter, and therefore more or less undistinguishable. Those bones should have been carefully washed, brought into Court, and carefully compared with the admitted authorities to see if they exhibited the characters by which the bones of the male pelvis are distinguished from those of the female. The lower jaw, also, had been admitted to be important, but had not been produced; and in the jaw which had been produced a tooth was wanting, and yet not one of the numerous witnesses remembered seeing

Menzies without a tooth, although he had been seen almost up to the hour of his being missed. That did not look as if the skull found was identical with that of Menzies, at all events. As to his clothes, those found on the remains were certainly said to resemble them, but no wonder – they were the common clothes worn in the country, and the mere general resemblance (which was all that was sworn to) therefore went for nothing. As to the supposed poverty of the prisoner, and the supposition that he could not possibly have had £5 in cash, for anything to the contrary the understanding might have been that what was called a payment in cash was letting some former payments made by Shea on account of Menzies stand for it; for instance, the note for £2 10s. Shea had given Mr. Hudson, and the money he had given for a bullock on Menzies' account. Again, it appeared that the prisoner had requested Gillies to give him a day's work, and had thus hired him to work in the very paddock where the body was buried, with the spade marks round the spot. Could the jury believe that the prisoner knew a body was so buried there? Could he thus invite observation and detection? For it appeared Gillies had passed within a few rods of the very spot under the prisoner's guidance, several times during the day? The jury had been shown a hair in the eye of the tomahawk, and they were expected to infer that was a hair of Menzies; but it appeared that hair was not at all like Menzies'; the old man Farrell, with hair as white as it could well be, said that Menzies' hair was almost as light as his own. The jury had seen for themselves that the hair in the tomahawk was quite a dark one. Farrell's other statement, that he had told "Jim Crow" that he had seen Menzies going through Lamb's Valley was not one that could be relied on; seeing the great age of the witness, and his evident incoherence, he could not be expected to remember well minute facts. In conclusion, great stress had been laid on a certain waistcoat found in the paddock; but it was scarcely necessary to point out that it had never been satisfactorily traced to Menzies, and not in the slightest degree to the prisoner. Even admitting it was Menzies' vest, it appeared to have been thrown away like any other worn-out article of dress. The conduct of the accused was always held to be important in cases of this kind. What had been the conduct of Shea, after he knew that he was suspected? Did he attempt to flee from justice? No: when the chief constable went to apprehend him, he found him peacefully attending to his business and his family, and when told he was wanted, he answered boldly "Here I am." And when plainly questioned by Cowan in Maitland as to the fate of Menzies, he did not betray the terror of a guilty mind, but merely turned away in disgust. These were the principal points raised; and the learned gentleman concluded by a powerful appeal to the jury in behalf of the wretched man at the bar and his wife and family of five helpless children.

Before his Honor began to sum up, Mr. Holroyd stated that Mr. Day had found the memorandum referred to in his evidence, and that it did not bear him out in saying that the prisoner had been cautioned that his deposition might be used against him on his trial.

Mr. Day rose, and said that notwithstanding he had omitted to note the fact in the memorandum, his recollection of having given such a caution was perfect.

The learned Judge then proceeded to sum up the evidence, the whole of which he recapitulated and commented upon at great length. It occupied his Honor between three and four hours.

The jury retired for nearly an hour, when they returned a verdict of guilty.

Mr. Holroyd moved for arrest of judgement on the ground of the defect in the indictment already pointed out. His Honor, however, would not accede, and the prisoner was remanded for sentence.

It was then half-past eleven o'clock, the trial having lasted 14½ hours.

The prisoner heard the verdict apparently unmoved. He had gradually become more and more haggard in his looks as the trial proceeded, and was deathly pale at this time. His unhappy wife, also, who stood or sat by him during the whole trial, did not betray any emotion.

The Court was crowded up to the last moment.

MAITLAND CIRCUIT COURT. - [FRIDAY, MARCH 20, 1846]
SENTENCE OF DEATH.

WILLIAM SHEA being placed at the bar,

Mr. Holroyd called the attention of the Court to the points raised by him in the course of the trial, with reference to the evidence of Mr. **DAY**, who had sworn that he had given the prisoner Shea a warning that the deposition he made before the police bench might be used as evidence against him at his trial, and that a memorandum in which he had noted that warning had been mislaid. In the course of the trial, however, Mr. Day recovered the memorandum, and finding that it did not contain the warning he had sworn to, honourably produced it. It was remarkable, also, that the memorandum and the introductory part of the deposition corresponded, while the verbal evidence of Mr. Day was at variance with both. He was far from imputing anything but a lack of memory on this point to Mr. Day; but he submitted that under such circumstances, his Honor would pause before he pronounced the awful sentence of the law on the unhappy man at the bar.

The Attorney General maintained that there was no rule or practice which required that the warning should be committed to writing: Mr. Day had stated his recollection of having given the warning to be perfect.

The Court concurred that the verbal warning was the main thing to be considered; the principle was, indeed, that no deposition should be admitted in evidence if anything in the nature of a threat had been used.

Silence was then proclaimed, and the Court proceeded to pass sentence. In answer to the usual interrogatory, the prisoner said, "I can't say more than that I am innocent of the charge; I am willing to go before my Lord with a clear conscience."

His Honor then impressively addressed the prisoner as follows:- William Shea – After a trial commenced at nine o'clock in the forenoon, and not concluded until nearly midnight, you have been convicted of the wilful murder of **ANDREW MENZIES**. You have been convicted, 'tis true, on circumstantial evidence. More than twice, in the course of my address to the jury, I advised and conjured them not to find you guilty unless, in the language of an eminent English Judge, Baron Alderson, they were satisfied, 'not only that those circumstances were consistent with your having committed the act, but unless they were also satisfied that the facts were such as to be inconsistent with any other rational conclusion than that you were the guilty person.' After an earnest and frequent inculcation of this admonition on the minds of the jury, and after having submitted the whole case to their consideration, they have found you guilty of the wilful murder of Andrew Menzies, your partner in a small farm – your mate and your friend, and with whom, up to the last moments you were seen together, you were on terms of peace and amity. Though there was no direct evidence of the commission of the offence charged against you, there was abundant direct evidence of circumstances from which the commission of the act may be and was presumed by the jury.' His Honor then proceeded at considerable length to point out minutely the circumstances on which the conclusion of guilt was founded, dwelling on the singularity of the prisoner's refusing to leave off work at sun down; on the blows heard by Malcolm Gillies about half an hour after he left the prisoner

and Menzies together, when the latter had left off work for the evening; on the fact of the body having been found, after an interval of six weeks, within 100 yards of that very spot, in a stump hole, covered with two feet of earth – taking occasion to notice the energy and promptitude of the search for the body instituted by the police magistrate of Maitland, and the skill and sharp attention evinced by the blacks he employed in tracing the body to its hiding-place from observing the movements of an ant loaded with a white maggot, of the description usually found in putrid flesh, Menzies' body being found covered with them, on digging at the stump-hole from whence the ant had come out. His Honor proceeded to point out the peculiarities of hair, dress, &c., by which the neighbours were enabled to recognize the body; the fact of the prisoner's tomahawk being found with the lower part of the handle newly scraped, but with a single human grey hair still sticking between the iron and the wood, just similar to the hair found on the head of the murdered Menzies, and the wounds on his head being just such as would have been given by the blows from such a weapon; the remarkable promptitude with which the prisoner proceeded the next morning to pull down the hut of his partner, with whom he had been seen at work at sundown the previous evening; the care with which, before the murder, the prisoner had spread reports of Menzies being about to leave, and the contradictions given to the report by Menzies himself; the contradictory statements made by the prisoner, after the murder. Relative to where Menzies had gone, and the price which he had paid him for his share of the farm property, the former of which had been all proved to be false, and the latter was wholly inconsistent with what was known of his means at the time, and with each other; and lastly, the extreme probability of Menzies having left the farm without calling on his neighbours and intimate friends to tell them of his intention. Having pointed out all these circumstances with great distinctness, his Honor proceeded: "These are only some of the prominent facts which implicate you in the guilt of the crime of which you have been convicted. And then, when we come to consider the motive that urged you to the commission of this foul deed, we are amazed at how utterly inadequate and disproportionate was that motive to the enormity of the crime, from which our nature is abhorrent. It was not anger – it was not hatred – it was not revenge – no, it was deep-seated, low, and guilty avarice, the avarice of becoming possessed of this poor old man's few head of cattle, and the few bushels of wheat to which he was entitled. For this paltry gain, and in order that you might become, instead of the partner as hitherto, the sole proprietor of the little farm which you held in partnership with Menzies, you imbrued your hands in his blood, and committed this foul deed, attended with such circumstances as are the manifest symptoms of a wicked, depraved, and malignant spirit; of a heart regardless of social duty, and bent on mischief. For the guilty gratification of your avaricious appetit for this poor man's property, altogether scarcely worth £10, you have done a deed which will separate you from your wife and children. Torn from them in the prime of manhood, and doomed by the laws of your country to an ignominious death, the example of your fate will not, I trust, be lost on the community of which you will soon cease to be a member, and will impress all with a wholesome determination to resist the prompting suggestions of avarice, and impress them with the conviction that property only which is gained by honest acquisition is alone that which it is lawful to desire, or safe to enjoy. A jury of your country have found you guilty, and it is my painful duty to declare to you that I can hold out no expectation or hope to you that you will escape the punishment which the law awards to your crime. That punishment, 'tis true, is fearful, but the crime to which it is attached is a fearful crime against the laws of God and man. It only remains for me to advise and adjure you to

give the little interval of time between the present time, and that at which the grave will soon close over you, to that religious assistance and consolation which the minister of religion will afford you. This I implore you to seek, and hope you may find mercy with him whose power is almighty, whose justice is perfect, yet whose mercy, too, we know is infinite. Imploring you to give your whole attention to this one great object, the consideration of the world in which you are about to enter, it is my deeply painful office to pronounce upon you the sentence of the law, which is, that you, William Shea, be taken hence to the gaol from whence you came, and that you be taken thence to a place of execution, at such time as his Excellency the Governor may appoint, and that you be then hanged by the neck until your body be dead, and may God have mercy on your immortal soul."

The prisoner's appearance was much the same as on his trial. He listened very attentively, but without betraying any emotion. His voice was firm, clear, and strong. On hearing the sentence he said, in a quick and rather excited manner, "Thank God, I can go before my Lord innocent of it."

The unhappy man's wife stood by. She had three of the younger of her children with her during the morning, but not at that moment.

THE WIFE OF SHEA.

Yesterday, after sentence was passed on the unfortunate man **SHEA**, a subscription was opened by the police magistrate for his wife and children, who are in the most destitute and helpless circumstances, being almost entirely without food and clothing. We have not heard the exact amount collected, but about the middle of the day it was upwards of £14.

OTHER SENTENCES.

JOHN TAYLOR, for robbery, was sentenced to fifteen years' transportation beyond seas. The fact of the prisoner having offered no personal violence or insult to Mrs. **ARNOLD** was stated by the Judge as the reason why the utmost punishment allowed by law was not inflicted.

THOMAS KING, for drawing the trigger of a musket with intent to prevent lawful detainer, was sentenced to twelve months' imprisonment in Newcastle gaol, subject to the point raised by his counsel, Mr. Purefoy, namely, that he was not at the time lawfully detained. If that point should be decided in the prisoner's favour, his Honor would take care that he should have the benefit of it.

ATTEMPTED SUICIDE.

About 7 o'clock on Wednesday morning, **WILLIAM CAIN**, who had the previous day been convicted of perjury, as reported in our last publication, attempted to destroy himself, in the gaol, by shooting himself in the back part of the head with a pistol. Dr. **WILTON** was immediately called in, and it was found that the wound was not a dangerous one, the bullet having only torn up the scalp, as it were, without entering the head. He was insensible for some time, but is considered entirely out of danger. Cain stated afterwards to the gaoler that he had concealed the pistol under his thigh, inside his shirt, and had brought it with the intention of shooting Mr. **KINGSMILL** (who was a material witness in the case), but had in the first place been unable to find an opportunity of getting at the pistol, though he had obtained permission from the Court to go below for a few minutes during the trial, mainly with that intention; and, secondly, Mr. Kingsmill never sat near enough to him in court to make him certain of striking him. This statement is considered improbable, however, from circumstances, and it is believed he kept the pistol about him for the purpose of shooting himself, in case of conviction. Cain professes to be very sorry he did not kill himself.

MANSLAUGHTER. - On Monday last an inquest was held in Sydney on the body of **JAMES RUSSELL**, who had died that morning in the Sydney Infirmary, of locked jaw. It appeared from the evidence that the deceased had been in the employ of a Mr. **WALL**, butcher, of Sydney, and that on the 6th instant, after he had been slaughtering sheep, he took tea about seven o'clock; and before he had left Mr. Wall came in and began scolding Russell for not clearing up the offal. Russell then went out, Wall following him, and in the yard Wall struck Russell a violent blow in the mouth with his fist, which cut his lip, and made his mouth bleed inside a good deal. Russell proceeded with his work till his eyes grew dim, and he then went to bed; next morning he felt unfit for work, but continued at work till Monday the 9th, though feeling great and increasing pain in his lower jaw. On that day he left Wall's and went to Dr. **M'PHEE'S** shop to get his advice as to his jaw, then very stiff. He then went to the house of a man named **HILL**, in Sussex-street, and Dr. M'Phee being sent for on Wednesday evening, found him much worse, being only able to open his mouth a little with difficulty. On Friday he was taken into the Infirmary, and notwithstanding every attention was paid him locked jaw came on, and on Monday morning he died. Dr. **M'CRAE** was of opinion that deceased had died of lock-jaw, produced by the wound in the lip. Russell had, about a fortnight previous to receiving this blow, fallen in a struggle with a man named **HAYES**, and his head coming in contact with the edge of a tub, he received a cut over the eye, which was still visible, though perfectly healed, at the time of his death; the doctors agreed it had no share in bringing on lock-jaw. The jury returned a verdict of manslaughter against **THOMAS WALL**, who was forthwith committed by the Coroner for trial. On Wednesday Wall was brought up habeas corpus before the Chief Justice in chambers, and admitted to bail, himself in £400, and two sureties in £200 each.

INQUEST. - An inquest was held at Colo, on Wednesday last, on the body of a man named **THOMAS LEYS**, who came to his death by drowning. He was one of the collectors engaged to take the census at Colo, and was crossing the ford at the Colo River in a boat, on Tuesday last, along with one **RICHARD CROMPTON**, another collector, when the boat being frail and leaky, it filled with water and sunk; Crompton was miraculously saved by clinging to his dog, and assistance was brought; and as neither of them could swim, and Leys not receiving timely assistance, he sank into a watery grave. *Herald*

MAITLAND MERCURY, 4/180, 25/03/1846

THE WIFE OF SHEA. - We are glad to be enabled to state that the amount already collected by Mr. Day for this poor woman and her children amounts to £17 11s. The exact mode of applying the amount has not been determined on, but will lay at the police-office for inspection as soon as decided. Meantime the list of contributions can be seen at the police-office.

CASE OF INSANITY. - One of those very painful cases of insanity that occasionally arise came before the bench yesterday, Mr. Day and Mr. Lang being the sitting magistrates. It appeared that for some time past Mrs. **RANKIN**, the wife of a respectable small settler at Miller's Forest, and the mother of a family, has been labouring under occasional lunacy. Latterly she has at intervals been violent, and on Sunday, the 8th instant, she suddenly seized a knife from the dinner table, and declaring she would stab **JAMES M'FARLANE**, a hired servant of her husband's, and then sitting down with them, she ran at him to effect her purpose. M'Farlane ran for his life, and just got out of the house as she had got close to him. By consent of her friends, M'Farlane made an affidavit to this effect before Mr. Day, and yesterday

Rankin and his unfortunate wife attended at court, together with Drs. **CADELL and WILTON**, who have each been professionally attending Mrs. Rankin. M'Farlane, by some oversight, was not present, but his affidavit was read over, stating the above circumstance, with his belief that Mrs. Rankin's being at large was dangerous, particularly to her husband and children, and concluding by stating that he had known Mr. and Mrs. Rankin for three years, and that Rankin had always behaved kindly to his wife, as far as he knew. Dr. Cadell deposed that nine months ago, as well as recently, he attended Mrs. Rankin, and that then she was decidedly insane, but not violent, but he had no doubt from the affidavit of M'Farlane that she was at times a dangerous lunatic, and unfit to be at large. Dr. Wilton deposed that he had attended Mrs. Rankin for about a month, and that from what he had heard and seen he had no hesitation in giving it as his opinion that she was a dangerous lunatic, and ought to be placed under restraint. An order was then made by the bench that she should be removed to Newcastle gaol, to remain there until the visiting magistrate could communicate with his Excellency, whose order is necessary for her being forwarded to the Lunatic Asylum at Tarban Creek. The inquiry took place in open court. The poor woman appeared perfectly unaware that proceedings so important to her were going forward. She sat on a chair quietly the whole time, except while the affidavit of M'Farlane was being read, when she leaned forward, as if endeavouring to conceal irrepressible laughter. Her husband stood by her, evidently deeply grieved that such a proceeding was necessary, and when the bench requested him to stay with his unfortunate wife till she was placed on board the steamer, he assented readily, and left the room, his wife following him closely.

INQUEST. - An inquest was held in Sydney, last Saturday, on the body of a woman named **ANN LOGAN**, who had died the previous day in the Infirmary. It appeared that the deceased was only 23 years old, but had been of the most depraved habits. She had been living in a brothel in Royal George Alley, Clarence-street, a locality becoming famous in inquest reports, and had for some time been in a state of speechless drunkenness every day. Falling ill she had been immediately sent off to the Infirmary by the agent for the landlord of the hovels in the alley, and had got gradually worse, generally insensible, and exhibiting by word and act the most awful depravity when in a state of consciousness, till she died as above. The jury returned a verdict of died from the effects of intoxication.

SENTINEL, 2/64, 26/03/1846

EDITORIAL re Conduct and Composition of Juries.

INQUEST. - On Saturday morning an inquest was held on the body of an unfortunate female, named **ANN LOGAN**, lately a resident of Royal George Alley, off Clarence-street, who died from the effects of excessive intemperance in the Dispensary, on the previous day. This was the unfortunate woman who was an inmate of the disorderly house, kept by an old blind man named **DONOHOE**, upon whom an inquest was held about a week since, and who was found lying speechless drunk beside the corpse by the Coroner's Jury, while the wife of the deceased was lying insensible in the gutter before the door.

ACCIDENT. - On the 2nd instant, a young man a native of the colony, named **JOSEPH BOSTON**, met his death by a fall from his horse, whilst collecting cattle at Mr. **PIE's**, on the Lachlan.

An inquest was held at Leggatt's public house, corner of Druitt and Sussex-streets, on Tuesday, on the body of an infant named **JOHN O'BRIEN**, aged ten days, who died in Druitt-street, on the previous day, from natural causes.

MAITLAND CIRCUIT COURT

Wednesday, March 6.

WILLIAM SHEA for the murder of **ANDREW MENZIES**, 24/12/1846. Two cols.

ATLAS, 2/70, 28/03/1846

INQUESTS. - An inquest was held in Driver's public-house, on Saturday morning, on the body of **ANN LOGAN**, late of Royal George-alley, Clarence-street, then lying dead in the Sydney Dispensary. Dr. **MACFARLANE**, N.D., one of the physicians of the Sydney Infirmary, deposed. That she had been received into the Infirmary about nine o'clock on the morning of the 17th instant, she was then perfectly unconscious; there was a tendency of blood to the head, and also to epilepsy; the usual remedies were applied, and consciousness was partially restored; when by her language and actions she exhibited one of the most awful instances of human depravity the witness had ever been cognizant of. She then relapsed into insensibility and partial gleams of consciousness, and sunk on Friday morning. According to the opinion of witness, death had been caused by the excessive use of intoxicating liquors and gross sensuality of the worst description. The Jury found a verdict accordingly.

Another enquiry took place at the Yorkshire Stingo, corner of Goulburn and Castlereagh-streets, on the body of **JOHN MILSON**, when the jury returned a verdict of died by the visitation of God.

Another inquest was held on Wednesday afternoon, at Graham's public-house, the Labour in Vain, adjoining the Albion Wharf, Sussex-street, touching the death of a child named **ANDREW O'NEIL**, then lying dead at the residence of his father in Sussex-street, when evidence to the following effect was adduced: **CATHERINE O'NEIL**, the mother of the deceased, deposed that he was about four and a half years old; that about half-past six on Tuesday evening he left her husband's house with some other children; that on his being missed in about twenty minutes after, a search was made for him, when his body was found by his father, floating in the water; when brought to the shore the body was quite warm. - Verdict, found drowned.

MAITLAND MERCURY, 4/181, 28/03/1846

MELANCHOLY ACCIDENT. - On Thursday, about mid-day, a little boy named **ROBERT HANNELL SLOAN**, aged five years, the son of Mr. **WILLIAM SLOAN**, cabinet maker, of West Maitland, accompanied by his eldest brother, aged twelve years, went to the river side to fish. The place they chose was at the back of Mr. Sterling's, where the bank is pretty steep and high, and the water deep close to the shore. After fishing for some time, their companions (two other boys) having gone to dinner, the eldest Sloan said to his brother, "Come, Bobby, let's go to dinner," and turning round, went up the bank, and believing his brother was following him, proceeded homewards, but had hardly breached the street when he heard that his brother had fallen into the water. Running back, he found it but too true, as his brother, whom he had left a few moments before alone on the bank, had disappeared, and although several persons jumped into the water, the body could not be found for about fifteen minutes, when it was taken home, and Dr. **BEARDMORE**, who was quickly in attendance, used every means to restore animation, but in vain. An inquiry was held yesterday by the police magistrate, when the above testimony was given, with the testimony of Dr. Beardmore that there was not the slightest mark of violence on the body. A verdict was recorded of accidental death by drowning.

MAITLAND MERCURY, 4/182, 01/04/1846

MURDERS BY THE BLACKS. - Intelligence was received yesterday, in Sydney, from the Bellinger River, dated the 17th inst., stating that **DANIEL DEVLIN**, his wife, and **DENNIS CHEYNE**, all living on John Robertson's cedar cutting station, had been inhumanely murdered by the blacks. The same letter also stated that a civilised black, who had been living for a considerable time with Commissioner **MASSIE**, had been decoyed away and murdered by the Maitland tribe on the M'Leay River. The white population of these districts are said to be out in pursuit of the savages. The particulars may be expected in Sydney in a few days. Mrs. Devlin has left a child nine months old. Her parents reside at the Five Islands. *Herald, March 30*
SYDNEY NEWS.

BATHURST CIRCUIT COURT. - This court was opened on Monday, the 23rd instant, before Mr. Justice Dickinson. The first trial was that of **DUNCAN CLARK** (16 years of age), for the murder of his step-father, **JOHN ROBERTS**, at Tunnabutta, near Mudgee, on the 11th December last. The Solicitor General stated in the outset that he did not expect the charge of murder would be made out, but that the jury would have to decide whether the act committed was one of manslaughter, or a common assault. It appeared that the prisoner, who was in the service of Mr. **BOWMAN**, at Tunnabutta, had a quarrel with his step-father in the same employ, in which the latter struck him to the ground, and kicked him when down. The mother of the prisoner, seeing this, laid her hand on her husband's shoulder, and implored him to desist, when he turned upon her and grasped her by the throat until she fainted. Before she lost her senses, she heard a blow fall on her husband's head, but did not see by whom it was inflicted, and when she recovered she found her husband on the ground, and the prisoner standing over him with an axe handle in his hand. Previous to the recovery of the mother, Mr. Bowman's overseer had come up, and saw the prisoner strike the deceased, while on the ground, with the axe handle. An iron pot was close to the head of the deceased as he fell, but the medical evidence proved that the fractures of the skull must have been caused by some blunt instrument. It was urged in palliation of the offence that the prisoner was justified in having made the attack in defence of his mother, the deceased having threatened to "settle her too." The jury returned a verdict of not guilty.

SUSPICION OF MURDER. - The woman **BRIDGET PARKER**, who as for some days past been undergoing examinations at the police office, under suspicion of having murdered her twin infant children, was yesterday remanded to the custody of the bench at Campbelltown, as there is no proof of her having had the children in possession since her arrival in Sydney. The fate of the unfortunate infants remains involved in mystery, neither the evidence of the husband nor the statement of the prisoner herself affording any clue to their discovery. *Herald, March 28*

SENTINEL, 2/65, 02/04/1846

ATTEMPT AT SUICIDE. - A young man named **KING**, who has for some years been employed in Mr. **W. THURLOW**'s office as conveyance clerk, attempted to commit suicide yesterday morning. Before the razor reached his throat, however, his arm was fortunately arrested. He was secured as soon as possible, and lodged in the watch-house for protection.

MURDER BY THE BLACKS. - A letter was received in Sydney on Sunday last, dated the 17th ultimo, containing a report that a man named **DANIEL DEVLIN**, his wife, and one **DENNIS CHEYNE**, had been inhumanly murdered by the blacks on the cedar cutting station of a man named **ROBINSON**, on the Bellinger River. It also states that a civilised black had also been decoyed away, and murdered. The white

population are out in pursuit of them. The parents of Mrs. Devlin reside at the Five Islands, and she has left a child aged nine months old to deplore her loss.

ATTEMPT AT MURDER. - On Sunday afternoon a man named **JACKSON**, while labouring under a fit of *delirium tremens*, went to the public house kept by Mr. Ford, at the corner of Kent and Windmill-streets, with a loaded musket and a brace of pistols, the former of which he deliberately discharged at Mr. Ford's head, but fortunately without effect. The only motive that can be assigned for the insane act is that Mr. Ford had previously accused Jackson of theft. He was forwarded to the hospital.

MULTUM IN PARVO. - On Tuesday last a little boy named **O'NEALE**, whose parents live in Sussex-street, near Moon's Wharf, was found drowned near the premises.

A woman named **BRIDGET PARKER** is in custody on suspicion of murdering her twin daughter, at Campbelltown, in December last.

MELANCHOLY ACCIDENT. - On Tuesday, about midday a little boy named **ROBERT HANNEL SLOAN**, aged 5 years, the son of Mr. **WILLIAM SLOAN**, cabinet maker of West Maitland, accompanied by his eldest brother, aged twelve years, went to the river side to fish. The place they choose was at the back of Mr. **STERLING'S** where the bank is pretty steep and high, and the water deep close to the shore. After fishing for some time, their companions, (two other boys) having gone to dinner, the eldest Sloan said to his brother, "Come Bobby, let's go to dinner," and turning round went up the bank and believing his brother was following him, proceeded homewards, but he had hardly reached the street, when he heard that his brother had fallen into the water. Running back, he found it but too true. For his brother whom he had left a few moments ago, had disappeared, and although several persons jumped into the water, the body could not be found for fifteen minutes, when it was taken home, and Dr. **BEARDMORE** who was quickly in attendance, used every means to restore animation, but in vain. An inquiry was held yesterday by the police magistrate, when the above testimony was given with the evidence of Dr. Beardmore that there was not the least mark of violence on the body. A verdict of accidental death, by drowning was recorded.

DEATH WARRANTS. - The Executive Council has confirmed the sentences of death passed upon the three men at the late criminal sittings of the Supreme Court, held before Mr. Justice Montague, and the warrants have been directed to the Sheriff for their execution on Tuesday next, the 24th of March. Their names are, **ALFRED LANGDON**, for an attempt to murder Lieutenant **GRAVES**, overseer at Swanport ??? Is this Melbourne???

ATLAS, 2/71, 04/04/1846

DEATH

On 2nd instant, **DANIEL**, infant son of Mr. **S.B. DOWSETT**, aged seven days.

MAITLAND MERCURY, 4/184, 08/04/1846

INQUESTS. - An inquest was held at Castle Hill, near Parramatta, on Wednesday, touching the death of a man named **WILLIAM LYONS**. From the evidence adduced, it appeared that the deceased, who was a sawyer, while on the previous day driving a cart, suddenly dropped down and expired. A post mortem examination was made by Dr. **GWYNNE**, who deposed that death had resulted from an affection of the heart. A verdict was returned of death by the visitation of God.

This is the fourth of fifth instance within nearly as many months, of sudden death from a similar cause.

Yesterday afternoon an inquest was held in the Royal Oak public-house, Miller's Point, on the body of **BAROO**, a coolie per the *Orwell*, who died yesterday morning, between ten and eleven o'clock. After an investigation of upwards of five hours the jury found that deceased had died from exposure to cold and want of sufficient nourishment while on the passage from India to this port. *Herald, April 4*

SUDDEN DEATH. - About seven o'clock last night, constable **CLINTON** observed a woman sitting on the stones of an unfinished building in Clarence-street, and finding that she was without a home, proceeded to take her to a lodging-house. On her way thither she fainted on his arm, and appearing very weak, Clinton, assisted by Inspector **MOORE**, put her into a cab and drove her to the Colonial Hospital, but before their arrival there she had expired. The deceased woman's name was **ANNE WADE**. *Herald, April 3*

MAITLAND QUARTER SESSIONS. - TUESDAY, APRIL 7, 1846

ASSAULT. - **JAMES NICHOLSON**, on bail, was indicted for having, at Black Creek, assaulted, by cutting and wounding, one **EDWARD RISDON**; a second count laid the offence as with intent to disfigure; a third count as with intent to disable; and a fourth count as with intent to do some grievous bodily harm.

Mr. Holroyd appeared for the prosecution.

Edward Risdon, a labourer, residing in Patrick's Plains, deposed that on Friday or Saturday, the 5th or 6th of March, he went to the house of a shoemaker who went by the name of **WATTY**, with the intention of buying a pair of shoes; he was accompanied by **DOMINICK GILLESPIE**; some words passed between Gillespie and the prisoner about a pair of boots which the prisoner asked 8s. for, and Gillespie offered him 6s; witness said he was a treacherous old man, and they had better leave him; with that they went into the street, but the prisoner followed and knocked down witness with a large piece of wood; he was insensible at first, and was unable to work for a week.

Dominick Gillespie, of Black Creek, saw the assault committed by the prisoner with a piece of wood, which looked like a hand-spike; he gave Risdon two blows on the head; the first knocked him down, and as he attempted to rise a second blow made him senseless.

PATRICK DENT, of Black Creek, also witnessed the assault, of which he gave an account similar to that given by the last witness. None of the parties were drunk. The weapon was as thick as a man's wrist, and three or four feet long.

The prisoner called **JOHN EMERTON**, who said that the prisoner told Gillespie to come in the morning, when he was sober, if he wanted a pair of boots. The first abusive words were used by Gillespie, who both used threats, and stood in a threatening attitude. He also called **JOHN PYNE**, who could not say much about the matter, as he had left the house because he thought there would be a row. He heard the sound of blows at a distance. Another witness for the defence could only say that he heard the sound of blows at a distance.

The jury retired for a few minutes, and found the prisoner guilty of the fourth count. He was remanded for sentence.

SENTENCE.

JAMES NICHOLSON, found guilty of assault, was sentenced to six months' hard labour in Newcastle gaol.

WILLIAM SHEA. - This man, under sentence of death for the murder of **ANDREW MENZIES**, at Hillsborough, near Maitland, on the 20th December last, and now in

Newcastle gaol, has been ordered for execution at Newcastle, on Friday, the 17th instant. His demeanour, since his conviction, has been remarkably quiet and decorous. He has not as yet made any confession publicly, but he has been attended by the Rev. Mr. Dowling, Roman Catholic clergyman, his communications to whom have of course not transpired. On Saturday last the wretched man saw his wife and children for the last time.

SENTINEL, 2/66, 09/04/1846

EDITORIAL re Coolies, mentions the inquest on **BARROO**.

DEATH OF A COOLIE.

On Friday last, an inquest was held in Bond's, Royal Oak, public house, Miller's Point, on the body of one of the Coolies per ship Orwell, named **BARROO**, when the Jury found, after a few minutes consultation, that the deceased had died from exposure and want of sufficient nourishment while on the voyage to this colony. The Coroner having hesitated to record the verdict, **HASSAN ALI**, the native doctor, was recalled, on his testimony confirmed the finding of the Jury, which was then confirmed and recorded.

CORONER'S INQUESTS. - On Saturday evening, an inquest was held at Mr. Driver's, the Three Tuns public house, corner of King and Elizabeth-streets, on the body of a female named **ANN WADE**, who expired on Thursday evening in a cab, when being conveyed to the hospital by the Police, by whom she was found in Clarence-street, in a state of destitution.

Another inquest was held on Monday afternoon on the body of **ROBERT PAMSFORD**, at the Odd Fellow's Hall, George-street, who expired suddenly in Dishington's public house, on Sunday afternoon, in a fit of apoplexy, (superinduced by habitual intemperance.

Another inquest was held the same day, on the body of **GEORGE IRWIN**, Ford's, the Napoleon Inn, Miller's Point, who had been ailing for some months previously. In all the above cases, the Juries found verdicts of "Died by the visitation of God."

CONVICTS AND SENTENCE OF DEATH. - **SHEA**, convicted of murder at the last Maitland assizes, is ordered for execution on Friday the 17th instant. The man **HARRIGAN**, convicted at the Berrima Assizes, has had his sentence commuted to transportation for life.

MULTUM IN PARVO. - A woman named **ANN WADE** died suddenly in a cab on her way to the General Hospital on Thursday evening. She was found by a constable sitting on a step in Clarence-street, being houseless and destitute.

ATLAS, 2/72, 11/04/1846

CENTRAL CRIMINAL COURT

Thursday, 9

(Before His Honor Mr. Justice Dickinson)

MANSLAUGHTER

ROBERT CARTER was indicted for having, at the Parramatta Road, on the 25th January last, assaulted one **SIMON HARLAM**, and so far injured him as to cause his death. Not guilty.

INQUESTS. - On Saturday, an inquest was held at the Three Tuns Tavern, King-street, on the body of **ANN WADE**. Verdict – died by the visitation of God.

Another inquest was held on Monday, on the body of **ROBERT PAMSFORD**, at the Odd Fellows Hall, George-street, who expired suddenly on Sunday afternoon. Verdict – died by the visitation of God.

Another inquest was held on the same day, on the body of **GEORGE IRWIN**, who had been ailing for the last twelve months, and had for some time past been an inmate of the Dispensary. Verdict – died by the visitation of God.

MAITLAND MERCURY, 4/185, 11/04/1846

THE MURDERS BY THE BLACKS AT THE BELLINGER. - Yesterday morning the cutter *George*, Captain **TAITE**, arrived from the Bellinger River, and brought the following additional particulars respecting the murders committed in that district by the native blacks. About the 17th ultimo a child belonging to **THOMAS WOOD**, a sawyer, went out to gather wild strawberries, and soon after returned home in a fright, stating that she saw Mrs. **DEVLIN** lying very still in bed in the hut where she and her husband lived. In consequence of which Woods went to the hut and found Mrs. Devlin murdered in bed, and also obtained sufficient evidence to induce him to believe that she had been murdered by the blacks. Several of the children living about the place subsequently stated to Woods how they had seen the blacks behaving while Mrs. Devlin was walking about the place. On searching near the saw-pit where **SHEAN and DEVLIN** had been at work, their bodies were found covered over with a quantity of bark, and dreadfully mutilated, a blackfellow's spear having passed through Shean's arm and through his body, while Devlin was perforated by several spear wounds through the thighs, and also through the arms. As it was known that Mrs. Devlin had an infant about nine months old, a search was commenced for it, and after three days the helpless being was found lying in the bush at a short distance from Devlin's hut, and a large cat belonging to the father apparently doing its utmost to keep the infant warm. The infant was immediately after removed from the spot where it was discovered, and every means resorted to to prolong its existence, but without success, as it died on the following day. Mr. Commissioner **MASSEY** having received information of the above circumstances, had the Border Police turned out for the purpose of having "**BLUE SHIRT**", an **aboriginal**, and several others of the same tribe, secured, but without success. It appears also, by the intelligence per the *George*, that the M'Leay blacks are spearing the cattle all round the Bellinger district, and that upwards of one hundred and twenty sawyers, who were cutting cedar in the vicinity of that river, have left the grounds, in order to avoid the fate of Shean and the Devlins. *Sydney Herald, April 9*

CENTRAL CRIMINAL COURT, SYDNEY.

EDWARD MAHER was indicted for assaulting **JOSEPH THOMAS DIGBY**, superintendent of the Lunatic Asylum, with intent to do him grievous bodily harm, at Tarban Creek, on the 15th January last. The prisoner was a convict attached to the establishment. He was convicted of a common assault, and remanded for sentence.

OWEN MULHERRAN was indicted for having fired at **WILLIAM BYRNES, MARY M'KENZIE, and JANE M'KENZIE**, with intent to do them grievous bodily harm. Byrtnes being absent, and the other witnesses not giving positive testimony, a verdict of acquittal was returned under the direction of the Court.

MAITLAND MERCURY, 4/186, 15/04/1846

INQUEST. - On Monday last an inquest was held in the Northumberland Hotel, before **J.S. PARKER**, Esq., coroner, touching the death of **JOHN HILL**, a ticket-of-leave holder, and latterly in the employ of Mr. **CROFT**, at Hinton. The inquest sat to a late hour, and was adjourned till this morning. We therefore defer publishing the particulars until Saturday, except that when the man was found by the police in

Morpeth he was dreadfully burnt, but alive, and that two men are in custody on suspicion. Hill died in the hospital on Monday, and was buried yesterday.

CENTRAL CRIMINAL COURT, SYDNEY.

On Thursday last **THOMAS JACKSON** was found guilty of discharging a musket at **WILLIAM FORD**, of the Napoleon Inn, Windmill-street, Sydney, on the 29th March last, with intent to do him some grievous bodily harm. He was sentenced to twenty years' transportation.

ROBERT CARTER was acquitted of a charge of manslaughter on the person of **SIMON HARLAM**, on the Parramatta-road, on the 25th January last.

ACCIDENT. - About one o'clock yesterday morning **JAMES WHITTAKER**, a tinman, residing in Durand's-alley, Goulburn-street, while pursuing one of his sons (for being from home at an unseasonable hours) along the precipice on the east side of the Market Wharf, Sussex-street, took a false step, fell over the rock, and had his skull so fractured that he died between six and seven o'clock on the same morning. In the forenoon a coroner's inquest was held in James Oatley's public-house, corner of Goulburn and Pitt-streets, on the body. It appeared that the deceased had died from the effects of a fall while in a state of intoxication, concussion of the brain being the immediate cause of death. Verdict accordingly. *Herald, April 11*

MACDONALD RIVER. - A desperate suicide was committed on Thursday, the 28th of March, by the mother of a large family, named Mrs. **BAILEY**, who took and loaded a musket with a brace of balls, placing the muzzle in her mouth, and the toe of the right foot on the trigger, and thereby exploded it, by which she shattered her skull into fragments. No cause for the perpetration of this rash act can be traced, but Mrs. B. was heard to say something, the day before this happened, about the Lunatic Asylum.

The man who went for some trimmings for the coffin for this woman, was thrown from his horse, and got his jaw-bone broken, and it is supposed a fractured skull; there are, however, hopes entertained of his recovery. *Cumberland Times, April 11*

SENTINEL, 2/67, 16/04/1846

CORONER'S INQUESTS. - On Monday afternoon, an inquest was held at the Woolpress public-house, Gloucester-street, on the body of a still-born infant. Another inquest was held at Crampton's public-house, Parramatta-street, the same day, on the body of a coachsmith, named **CHARLES HUTCHINS**, residing in Kensington-street, who expired in bed at an early hour on the same morning, in consequence of the rupture of a blood-vessel in the heart.

MANSLAUGHTER. - **THOMAS WALL**, late of Sydney, butcher, was convicted of manslaughter before the Criminal Court on Monday, and will be brought up for sentence this day.

THE MURDER BY THE BLACKS. - On Thursday morning the cutter George, Captain Taite, arrived from the Bellinger River, and brought the following additional particulars respecting the murders committed in that district by the native blacks. About the 17th ultimo a child belonging to **THOMAS WOOD**, a sawyer, went out to gather wild strawberries, and soon after returned home in a fright, saying that she saw Mrs. **DEVLIN** lying very still in bed in the hut where she and her husband lived. In consequence of which Woods went to the hut and found Mrs. Devlin murdered in bed, and also obtained sufficient evidence to induce him to believe that she had been murdered by the blacks. Several of the children living about the place subsequently stated to Woods that they had seen the blacks behaving while Mrs. Devlin was walking about the place. On searching near the saw-pit where **SHEAN** and Devlin

had been at work, their bodies were found covered over with a quantity of bark, and dreadfully mutilated, a black fellow's spear having passed through Shean's arm and through his body, while Devlin was perforated by several spear wounds through the thighs, and also through the arms. As it was known that Mrs. Devlin had an infant about nine months old, search was commenced for it, and after three days the helpless being was found lying in the bush a short distance from Devlin's hut, and a large cat belonging to the father apparently doing its utmost to keep the infant warm. The infant was immediately after removed from the spot where it was discovered, and every means resorted to to prolong its existence, but without success, as it died on the following day. Mr. Commissioner **MASSEY** having received information of the above circumstances, had the Border Police turned out for the purpose of having "Blue Shirt," an aboriginal, and several others of the same tribe, secured, but without success. It appears also, by the intelligence per the George, that the M'Leay blacks are spearing the cattle round the Bellinger district, and that upwards of one hundred and twenty sawyers, who were cutting cedar in the vicinity of that river, have left the grounds, in order to avoid the fate of Shean and the Devlins.

MULTUM IN PARVO. - **HENRY KECK**, Esq., Governor of Darlinghurst Gaol, has received instructions to proceed to Newcastle, as acting Sheriff, to attend the execution of **WILLIAM SHEA**, who was convicted of murder at the last Maitland circuit. The execution is to take place on Friday, the 17th instant.

About one o'clock on Thursday morning, **JAMES WHITTAKER**, a tinman residing in Durand's Alley, Goulburn-street, while pursuing one of his sons (for being from home at unreasonable hours) along the precipice on the east side of the Market Wharf, Sussex-street, took a false step, fell over the rock, and had his skull so fractured that he died between six and seven o'clock on the same morning.

ATLAS, 2/73, 18/04/1846

CENTRAL CRIMINAL COURT

Monday, April 13

(Before his Honor the Chief Justice)

MANSLAUGHTER

THOMAS WALL, late of Sydney, butcher, was indicted for killing and slaying **JAMES RUSSELL**, by striking him on the lip with his fist, upon the 6th of March last, thereby inflicting certain mortal wounds, and from the effects of which the said James Russell expired in ten days afterwards.

The prisoner was defended by Mr. **LOWE**.

The evidence adduced, was the same in effect as that which was given on the Coroner's Inquest. The death of Russell was proved by the evidence of the Wardsman at the Infirmary.

THE QUEEN v THOMAS WALL

THOMAS WALL, who had been convicted for manslaughter, having been called up for judgement.

Mr. **LOWE** moved, in arrest of judgement upon the two points reserved at the trial; first, that the evidence went to establish a case of murder rather than of manslaughter, and would not sustain an indictment for the latter offence; and secondly, that a deposition of the deceased **WILLIAM** (sic) [**JAMES**] **RUSSELL** had been improperly admitted in evidence, inasmuch as there was no proof of jurisdiction on the part of the magistrate. The learned gentleman argued both these points at great length, contending that manslaughter and murder were in point of fact distinct offences, involving different degrees of criminality, and entailing different degrees of

punishment. With regard to the second point, he contended that there was no evidence whatever of any charge having been made against the prisoner at the time the deposition was taken, which alone could give the proceeding that judicial character which would enable it to be used as evidence on the trial. This evidence could not be obtained from the deposition itself, but must be gathered from some document or fact apart from that record, in order to render the latter admissible.

The SOLICITOR-GENERAL contended, in answer to the first objection, which was the main point relied on, that the essence of the charge was the depriving a fellow-creature of life, and the crime would amount to murder or manslaughter, according to the degree of malice, apparent or implied.

Their Honors held the objections to be not tenable, and sentenced the prisoner to one month's imprisonment in Sydney Gaol, and to pay a fine of £50 to the Queen, and to be further imprisoned till the fine is paid.

INQUESTS. - On Saturday forenoon a coroner's inquest was held in Oatley's public-house, at the corner of Goulburn and Pitt-streets, on the body of **JAMES WHITTAKER**, then lying dead in Durand's-alley, when the following evidence was adduced:- **JAMES WHITTAKER**, aged upwards of thirty years, deposed, that the deceased was his father; on Wednesday last deceased had been drinking, and after sleeping about two hours rose and went out to look for witness's brother, and while ascending the rocks opposite the Market Wharf, his foot slipped and he fell backwards into Sussex-street; before the body reached the ground, the head struck the stones several times, by which it was severely cut; after the fall, deceased got up and walked towards home; on the way he lost a great deal of blood, and when near his own door he fell down from weakness; Dr. **FULLERTON** was sent for, who dressed the wounds, but he died about half-past six o'clock on Thursday morning. Verdict died from the effects of a fall while in a state of intoxication.

On Monday afternoon two inquests were held - The first at the Wool Press, public-house, Gloucester-street, on the body of a still-born infant, which being established by the evidence of Dr. **MACKELLAR**, and that of the midwife, a verdict to that effect was recorded.

Another inquest was subsequently held at Crampton's public-house, Parramatta-street, on the body of **CHARLES HUTCHINS**, residing in Kensington-street, who had died suddenly, early on Monday morning. Mr. **THOMAS PHILLIPS**, surgeon, of Chippendale, deposed, that he had been called on early in the day to attend the deceased, but on arriving at his residence he found him dead; he appeared to have expired without a struggle; witness was of opinion that deceased had been labouring under aneurism of the aorta, and that death was attributable to the rupture of a blood vessel in the heart. The Jury found a verdict of died by the visitation of God.

On Wednesday afternoon, an inquest was held at the Crispin Arms, Clarence-street, on the body of **MARY ANN CONNOR**, an infant, when after examination of the medical officer in attendance, the jury returned a verdict of - Died by the visitation of God.

MAITLAND MERCURY, 4/187, 18/04/1846

THE CASE OF JOHN HILL. - ADJOURNED INQUEST. - The inquest on **JOHN HILL**, who was found dreadfully burnt at Morpeth, commenced on Monday last, before **J.S. PARKER**, Esq., Coroner, still stands adjourned, in the hope of further light being thrown on the mysterious manner he came by his death. A strong suspicion exists of his having been robbed, but there is no clue as to how he came by

the injuries of which he died. The next meeting of the inquest is to take place on Monday next, at the Northumberland Hotel, West Maitland.

EXECUTION OF SHEA. - Mr. **KECK**, the Sheriff's deputy, arrived yesterday with the warrant for the execution of **SHEA**, and I understand preparations are making for that awful event, on the sands near the gaol.

EXECUTION OF WILLIAM SHEA.

The execution of this man took place at Newcastle yesterday morning. We have not received any account of his conduct on the scaffold, nor has it transpired whether or not he has confessed the crime which he has thus ignominiously expiated. He was attended during the preceding night by the Rev. Dean Lynch, and the Rev. Mr. Magennis, but the nature of his communications with those reverend gentlemen is unknown.

CENTRAL CRIMINAL COURT. - MONDAY, APRIL 13, 1846

THOMAS WALL, butcher, of Sydney, was indicted for killing and slaying **JAMES RUSSELL**, by striking him on the lip with his fist. The deceased had been in the employ of the prisoner, who struck him a violent blow on the lip, which caused tetanus, from which deceased died. The prisoner was found guilty, but was strongly recommended to mercy by the jury. He was remanded for sentence.

MEDICAL CASES AT THE POLICE OFFICE. - Yesterday there were no less than three cases at the Police Office, which had been previously remanded fro day to day, in which medical examination was required by the bench as to the state of mind of offenders.

The first of these was a man of the name of **LOWRY**, convicted of assaulting his wife, and remanded to the hospital in a state of *delirium tremens*. The prisoner appeared much debilitated in body and shaken in mind, and after consulting with Drs. **AIKEN and SILVER**, the bench ordered him to be remanded to her Majesty's gaol at Darlinghurst, there to be kept in safe custody until discharged according to law.

The second case was that of **WILLIAM BLORE HALDEN**, formerly a publican residing in Cumberland-street, but latterly showing strong symptoms of insanity, and frequently betrayed into acts of violence. He was apprehended about a week ago for an assault on one **SIMEON HENRY PEARCE**, and being in a state for raving excitement when placed in the dock, was remanded to the cells. He was examined by Drs. **SILVER and AIKIN**, but was again remanded till his state of mind should be more distinctly ascertained.

The third enquiry was into the sanity of a certain eccentric personage named **JOHN RILEY**. As it appeared he was harmless, although his eccentricities made him a pest to the police office, he was discharged. *Herald, April 16*

MAITLAND MERCURY, 4/188, 22/04/1846

SYDNEY NEWS.

CENTRAL CRIMINAL COURT. - On Thursday last, **EDWARD MAHER**, convicted of a grievous assault upon Mr. **DIGBY**, the superintendent of the Lunatic Asylum, Tarban Creek (the prisoner being a convict attached to that establishment), was sentenced to three years' hard labour in Parramatta gaol.

... The calendar was then gone through, after which **THOMAS WALL**, who had been convicted before the Chief Justice of manslaughter, was brought up for sentence. Mr. Lowe moved for arrest of judgement, upon two points reserved at the trial, namely, that the evidence went to establish a case of murder rather than of manslaughter, and that the deposition of the deceased, **WILLIAM RUSSELL**, had been improperly admitted, inasmuch as there was no proof of jurisdiction of the

magistrate who took it. The Chief Justice then sentenced the prisoner to one months' imprisonment in Sydney gaol, and a fine of £50, stating that the Court had taken into consideration the very excellent character which the prisoner had received.

INQUEST. - The adjourned inquest on **JOHN HILL**, who was found burnt in the bush at Morpeth a few days ago, and died in the hospital at Maitland, was concluded on Monday last, at the Northumberland Hotel, when the jury returned a verdict of accidental death, and two men, named **NIMMO and ROGERS**, who had been in custody on suspicion of having maltreated or robbed the man, or both, were discharged. It appeared that Hill was last seen in health in Mrs. Cornelious's public house in Morpeth. He left there much intoxicated in company with the two men abovenamed, and was found next morning, in the bush at no great distance from the house, lying beside the remains of a burning tree, and himself dreadfully burnt. There was reason to think he had £1 or upwards when he left the house, but when found there was only a shilling or two about him; the pound note might have been burned. The jury attached some degree of blame to Nimmo for not taking better care of his companion, but acquitted Rogers of all blame.

ATTEMPTED SUICIDE. - About sunset last evening, an old man named **LAURENCE KELLY**, who has been upwards of thirty years in the colony, and arrived in Sydney about a week ago from Lake Bathurst, with about £9 in his possession (being the balance of his wages as a farm servant), went to the Liverpool-street wharf, threw himself into the water, and before he could be extricated life to all appearance was extinct. Mr. **M'PHEE**, surgeon, was sent for, and succeeded (after about half an hour's exertions) in restoring animation so far that the poor creature was able, with the assistance of three constables, to reach the receiving watch-house, from which he was afterwards removed to the Infirmary. The causes assigned by Kelly for attempting to destroy himself are, that since his arrival in Sydney he had spent all his money in liquor, and was now friendless. *Herald, April 20*

WINDSOR – SUDDEN DEATH. - On Sunday last, an inquest was held before **J. DOWE**, Esq., and a respectable jury, at the Fat Sheep Inn, belonging to Mr. **W. ONUS**, of Richmond, on the remains of a man named **LEWIS HANCOCK**, aged 35 years. From the evidence it appeared that the deceased was cutting down timber at the Chain of Ponds on the previous day, when he suddenly called to his mate to hold the saw, and fell down and instantly expired. There was no third party present. The jury, after a short consultation, returned a verdict of "died by the visitation of God." *Hawkesbury Courier, April 20*

SENTINEL, 2/68, 23/04/1846

DEATH FROM INTEMPERANCE. - An inquest was held on Saturday last at Healy's public house, the Rising Sun, Parramatta-street, on the body of one **LOUIS PIEGET**, who expired at the Benevolent Asylum on the previous morning, of apoplexy, induced by intemperance. The jury returned a verdict accordingly.

ATTEMPTED SELF-DESTRUCTION. - On Sunday afternoon, a middle aged man named **LAURENCE KELLY**, was rescued from a watery grave near Dunn's Wharf, at the end of Liverpool-street, by a young man named **HENRY TARBUTT**, who observed him struggling in the water, apparently with the determination of drowning himself. The unfortunate man was insensible when brought to the wharf, and was with difficulty restored to life and consciousness by the humane exertions of Dr. **M'PHEE**. He was thence conveyed to the watch-house for protection, and subsequently to the General Hospital.

EXECUTION.

The unhappy man, **SHEA**, who was convicted at the last Maitland Assizes, of the murder of **ANDREW MENZIES**, underwent the extreme penalty of the law, in pursuance of his sentence at Newcastle, on Friday last. He was attended to the fatal drop by priests **LYNCH** and **MAGENNIS**.

INFANTICIDE.

The wretched woman, **BRIDGET PARKER**, who was apprehended in Sydney some time since, on suspicion of having murdered her twin daughter, after undergoing a tedious examination before the Campbell Town bench, has been fully committed for trial.

DEATH BY FIRE. - A fine little girl, aged three years, the daughter of a woman named **BRENAN** residing at Appin, was burned to death by her clothes catching fire, in the absence of her mother, on Good Friday (the 17th instant.) She was, unfortunately, left in the house by herself, with a lighted candle, on the evening of that day, and her mother had not proceeded many yards from the house, when she heard the screams of the child who, naturally, ran out of the house for assistance, when the draught of air set her in a flame. With the assistance of a neighbour the flames were extinguished, but the injuries sustained by the poor little sufferer caused her death.

MAITLAND MERCURY, 4/189, 25/04/1846

INQUEST. - An inquest was held on Saturday last, at the Rising Sun public-house, Parramatta-street, on the body of a man named **LOUIS PIAGET**, who had died in the Benevolent Asylum. It appeared from the evidence that the deceased, although a man of quiet disposition, was much addicted to habits of intemperance, and had several attacks of delirium tremens. When removed to the asylum he was labouring under the effects of an apoplectic fit, of which he died. The jury returned a verdict that the deceased had died from apoplexy, induced by previous habits of intemperance. *Chronicle, Apl. 22*

SENTINEL, 2/69, 30/04/1846

COUNTRY NEWS

ALLEGED MURDER AT BRAIDWOOD

WILLIAM HENRY THOMSON – ROSETTA SMITH

ATLAS, 2/75, 02/05/1846

INQUEST. - On Monday morning, an inquest was held in the Rising Sun public-house, Parramatta-street, on the body of **ESTHER MOORE**, when evidence was given that her death had been caused by her clothes taking fire accidentally; the jury returned a verdict to that effect.

On Tuesday afternoon a coroner's inquest was held in Driver's tavern, King-street, upon the body of **JAMES BRIDGE**, then lying dead in the General Hospital. Dr, **SILVER**, M.D., Assistant Colonial Surgeon, deposed: The deceased was received into the General Hospital about four o'clock on Sunday afternoon, and died about nine o'clock on Monday morning; there were no marks of violence on the body; from its appearance as well as the history of the case, witness was of opinion that death had been the result of natural causes, - probably apoplexy or disease of the heart. Verdict of died by the visitation of God.

DEATHS.

On 27th ultimo, at his residence, O'Connell-street, the infant daughter of Mr. Justice **DICKINSON**, aged eleven days.

MAITLAND MERCURY, 4/191, 02/05/1846

INQUEST. - An inquest was held on Monday last, at the "Rising Sun" public-house, Parramatta-street, on the body of **ESTHER MOORE**, a child about four years of age. It appeared that the parents of the deceased resided at King's Grove, several miles from Sydney, and on Friday last she was observed running out of the house with her clothes in flames. The flames were extinguished as speedily as possible, but not until the poor child was terribly burnt about the lower parts of the body. The father obtained some medicine from Mr. Surgeon **CUTHILL**, but the child died on Saturday afternoon. The jury returned a verdict of accidental death from burning. *Chronicle, April 20*

BRAIDWOOD - ALLEGED MURDER. - **WILLIAM HENRY THOMSON**, an aged settler in this district, has been committed for trial for having, on Tuesday, the 6th day of January last, murdered one **ROSETTA SMITH**. From the evidence adduced, it appeared that the deceased resided at Thomson's farm in the capacity of a house servant, during which time she had been confined of a still-born child, of which rumour had fixed Thomson as being the father; it also appeared that about the date laid in the information, Thomson discharged the deceased from his service, paying her wages in full (by a promissory note for the sum of £17 5s. 10d.), up to the time of which settlement all parties appeared perfectly satisfied. On the 6th January Thomson was preparing to proceed to Braidwood with a dray, but on the deceased expressing her determination to accompany him, he staid at home, and sent the dray by a man named **MASON**, the deceased going with the latter. About six miles from the house Thomson overtook the dray, and the deceased asked him to accompany her to Braidwood, but he refused, and rode off. The deceased then left the dray with the intention of returning to Thomson's house. Mason then proceeded nearly two miles further on the road, when he saw Thomson sitting at the foot of a tree with his saddle lying beside him, as he had turned his horse into the bush. He mounted the dray and accompanied Mason to Braidwood. From that time the woman was never seen, and a search having been made, the body was found in a water-hole three or four miles from where she had been last seen. Mason, in giving his evidence, stated that Thomson could not possibly have been at the water-hole from the time he overtook him on the road to the time when he saw him sitting under the tree. He was committed for trial, however, but admitted to bail, himself in £200, and two sureties in £100 each.

MAITLAND MERCURY, 4/192, 06/05/1846

SUDDEN DEATH. - On Thursday morning Mr. **LEGGETT**, publican, of Sussex-street, whilst engaged reading the morning newspaper, fell from his chair, and on assistance being rendered, he was discovered to have breathed his last. *Australian, May 2*

HUNTER RIVER DISTRICT NEWS. - WOLLOMBI.

ATTEMPT AT MURDER. - About one o'clock on Sunday morning last the residents at Elalang, in the district of Wollombi, were thrown into the utmost consternation by the report of fire-arms. Mr. **CRAWFORD**, the proprietor, had gone to rest about ten, and somewhere about twelve o'clock he was awoken by the discharge of two shots, from a double-barrelled gun, which entered his bed-room window, and passed within an inch of his head. One was a ball, and the other slugs, which lodged in the opposite wall. There was a good fire and a candle burning in the adjoining room, the door of which being open, and the bed-room window uncovered, gave the wretch a perfect opportunity of covering his victim; but the hand of an all-seeing Providence directed otherwise, and the escape of Mr. C. from destruction may be

considered almost miraculous, for he was not more than about three yards distant from where the shots entered. We earnestly hope, when the matter is made known to the Executive, that a suitable reward or a pardon will be offered. The recklessness and lawlessness of this once quiet district is now the subject of general observation. If such acts as the one now mentioned become general there will be no security for wither persons or property. May 4th, 1846

BODY FOUND. - Yesterday morning, soon after daylight set in, the body of an elderly man was discovered at Grose's Wharf, Liverpool-street South. It was immediastely after taken out and sent to the General Hospital, there to abide the result of c coroner's inquest. The deceased is sais to be a journeyman pastrycook. *Herald, May 4*

SENTINEL, 2/70, 07/05/1846

SUDDEN DEATHS. - On Monday night a shoemaker, named **MICHAEL M'CREAGH**, who resided at the corner of Market and Elizabeth-streets, went to visit a next door neighbour, named **QUIN**, apparently in his usual health, and having lighted his pipe and smoked a little, fell back, exclaiming that he felt "something coming over him," and he thought he was dying. Quin supported him in his arms, while Mr. **HOUSTON**, the surgeon, was sent for, who promptly attended, but found the man quite dead. An inquest was held at the Globe Tavern, Market-street, on the following day, and the jury, on the medical certificate of Mr. Houston, that death had been produced by the sudden rupture of a blood vessel in the region of the heart, returned a verdict of "died by the visitation of God." On the same evening (Tuesday) an old inhabitant of Sydney, formerly in the police force, and latterly a proprietor of cabs, named **THOMAS HEALEY**, suddenly expired. Since Monday morning he had complained of a pain in his chest, and yesterday applied to Dr. **HOSKING**, who gave him some medicine. He was not, however, prevented from attending to his business, and was out with his cab until about five o'clock on Monday afternoon, when he went home and expired about eight o'clock. He was sixty-five years of age, and was a Waterloo man.

THE COOLIES.

The Attorney-General has returned to the Coroner's Office the report of the inquest held some weeks ago, on the body of a Coolie who died at Town's Wharf, with directions to place the same in the hands of the police authorities, in order that the whole matter may be investigated before the Police Court.

ATLAS, 2/76, 09/05/1846

LEADING ARTICLE

SATURDAY: SYDNEY, May 9, 1846

We have been requested to state, that Mr. **CHISHOLM**, one of the magistrates on whose conduct we recently commented, for examining a woman's husband as a witness against her, on a charge of murder, was not present at the time of the committal; and we have been further requested to say, that although the testimony of the husband was taken, the magistrates at Campbelltown were perfectly aware of the illegality of such a course, but only did so out of compliment to the mayor of Sydney, who had previously examined the man, and sent his deposition to Campbelltown. The magistrates also assure us that the Committal was ordered without reference to the husband's evidence.

INQUESTS. - On Monday, two inquests were held; the first at Mr. Driver's, Three Tuns Tavern, corner of King and Elizabeth-streets, on the body of **JOHN**

SAUNDERS, then lying dead in the General Hospital, evidence of his having been found floating in the water, at the bottom of Bathurst-street, having been given, the Jury returned a verdict of found drowned. Another inquest was afterwards held in Shaw's public-house, Parramatta-road, on the body of **MARY FRANCIS**, then lying dead there, when the following evidence was adduced:- **THOMAS FRANCIS**, of Bathurst, deposed that the deceased was his daughter; she was nearly fourteen years of age; she slept with witness under the dray on Sunday night, till Monday morning, as they were returning from Sydney to Bathurst; witness rose early, and after some time awoke her, when she assisted to put some things on the dray; while in the act of folding a blanket, she exclaimed "Oh!" and fell down dead. Dr. **SILVER** had made a *post mortem* examination of the body, and found a great quantity of water in the covering of the heart, and the heart was in such a diseased state as sufficiently to account for death. Verdict, died by the visitation of God.

On Tuesday morning an inquest was held at the Globe Tavern, corner of Castlereagh and Market-streets, on the body of **MICHAEL M'CREAGH**, then lying dead in an adjoining house, whose death had taken place suddenly, on the preceding evening. Mr. **WILLIAM HOUSTON**, surgeon, corner of Catlreagh and Market-streets, deposed that he had been called in on Monday evening to see the deceased, and found him quite dead. On viewing the body since death witness perceived that there was blood flowing from the nose and mouth, which with other symptoms induced him to believe that death had been caused by the rupture of a blood vessel in the region of the heart. The jury found a verdict of died by the visitation of God.

On Wednesday an inquest was held on the body of **THOMAS HEALEY**, who had died on the preceding night suddenly. The medical evidence showed that death had been caused by an enlargement of the heart in consequence of the rupture of a blood vessel.

Another inquest was also held on the body of **ANN LEVERICK**, aged about thirty years. It appeared that the deceased had led an intemperate life for some time, and the medical gentleman in attendance, stated that the liver was so diseased as to cause death. The jury found a verdict of died by the visitation of God, accelerated by the use of ardent spirits.

MAITLAND MERCURY, 4/193, 09/05/1846

INQUEST AT HINTON. - On Tuesday, the 28th ultimo, an inquest was held before **J.S. PARKER**, Esq., coroner, at the house of **SAMUEL BRYANT**, at Wallalong, near Hinton, touching the death of **SAMUEL BRYANT**, a boy of nine years of age, son of the before named Samuel Bryant. The boy had been employed in driving bullocks for his father, and was a stout healthy lad. There were several marks of wounds about him, but none of recent date, except a very slight wound or abrasion of the skin on the thigh, caused by his father having struck him with a whip on the 14th ultimo. Six days after that he appeared unwell, and sat about on the wet grass while herding cattle. On the ninth day he was lame in the knee of the same leg, and complained of spasms. He grew gradually worse from that time, and died on the 27th. According to the evidence of Dr. **STREET**, death was caused by idiopathic tetanus, which might be brought on by a blow, or by a sudden transition from great heat to a moist and cold atmosphere, or other causes. Dr. Street was of opinion that the blow had no share in causing death in this instance. The jury found that the boy had died from natural causes, and that the slight punishment inflicted by his parent was not at all a proximate cause of death.

HUNTER RIVER DISTRICT NEWS. - WOLLOMBI.

A man named **HUGH CULLEN**, an assigned servant to Mr. **CRAWFORD**, of Ellalong, whose life was attempted on Sunday last, when a shot was fired close to him as he lay in bed, is suspected of being the person who discharged the piece. He is said to have been heard to use threatening language towards his master a few days previously. This man, with three other servants, occupied a hut about forty yards distant from Mr. Crawford's residence. The hut was promptly examined when the occurrence took place, and all the men were found in it; they all denied any knowledge of what had taken place, except hearing the report of the gun: one of them, who had a fowling piece, alleged that it had not been used for a considerable time, by himself or any one else. The man Cullen was, however, taken into custody, and on Tuesday an inquiry took place before **D. DUNLOP**, and **R.A. RODD**, Esquires: it lasted seven hours, during which time eight persons were examined; but owing to the proceedings having taken place with closed doors, we cannot say further than that Cullen was remanded until next Tuesday. Wollombi, May 8

SUDDEN DEATH. - Last evening an old inhabitant of Sydney, formerly in the police force, and latterly a proprietor of cabs, named **THOMAS HEALY**, suddenly expired. Since Monday morning he had complained of a pain in his chest, and yesterday applied to Dr. **HOSKING**, who gave him some medicine. He was sixty-five years of age, and was a Waterloo man. *Herald, May 6*

SUDDEN DEATH. - On Monday evening last. Mr. **CREAGH**, shoemaker, of Market-street, went into a neighbour's house apparently in his usual health, to smoke his pipe, and after exchanging a few words, fell down and expired immediately. Mr. Creagh was a member of the St. Patrick's Total Abstinence and Benefit Societies. *Chronicle, May 6*

THE COOLIES AGAIN. - Within these few days the Attorney General has returned to the Coroner's office the report of the inquest held some weeks ago on the body of a Coolie who died at Town's Wharf, with directions to place the same in the hands of the police authorities, in order that the whole matter may be investigated before the police court. *Herald, May 6*

MAITLAND MERCURY, 4/195, 16/05/1846

WOLLOMBI. - **HUGH CULLEN**, in custody on a charge of shooting at Mr. **CRAWFORD**, of Ellalong, was further examined on Tuesday last, and again remanded. A reward of £25 has been offered by the government for such information as will lead to the conviction of the perpetrator. [page 4 f]

SENTINEL, 2/72, 21/05/1846

SUDDEN DEATH. - Yesterday afternoon an aged female, apparently in the last stage of exhaustion and human wretchedness, was observed to raise her hand with a convulsive effort above her head, and fell on the road at the junction of Market and York-streets, opposite Lowater's public house. On being raised and carried to the foot-path, she immediately expired. A constable was in view at the time, and although called upon by the person who lifted her, he made his escape, to avoid trouble. Shortly afterwards, she was conveyed to the General Hospital in a cart by half a dozen of convicts, and an inquest will be held at the Three Tuns, Driver's public-house, in King-street west, this day, when we trust, the inhumanity and dereliction of duty on the part of the constable who refused to assist in removing the deceased, will be represented by the Coroner to the Commissioner of Police in their true light, and that his immediate dismissal from the force will be the natural consequence, as an example to others.

MYSTERIOUS DEATH. - On Saturday morning the body of a man named **WILLIAM SEARS**, who was formerly a messenger in the Colonial Secretary's Office, but who, for some time past, resided at Hunter's Hill, and followed the occupation of a market gardener, was found dead with a wound on his head, near the Hay and Cattle Markets. The circumstance created considerable excitement in the neighbourhood, and it was believed he had been murdered, at an early hour, when driving in his cart laden with market produce. The body was, therefore, conveyed to the public house, known as the Yorkshire Stingo in Castlereagh-street, where a Coroner's jury was empaneled in the afternoon, which was adjourned, after viewing the body, until the following Monday. On the afternoon of that day, the inquest resumed, and several witnesses examined, on whose testimony the jury found a verdict of accidental death.

CORONER'S INQUESTS. - An inquest was held at the Three Tuns (Mr. Driver's) public-house, at the corner of King and Elizabeth-streets, on the body of **PATRICK FINNIGAN**, then lying dead in the General Hospital, who died of apoplexy produced by immersion in the water, into which he leaped out of a boat near Balmain, when under the influence of liquor. The jury found a verdict accordingly.

Another inquest was held, on the same day at Conlan's public-house, Clarence-street, on the body of a female named **CATHERINE NAUGHTON**, who was found dead and extended on the floor of her lodgings the same morning. Dr. **TIERNEY** having made a *post mortem* examination, certified that death was caused by the rupture of a blood-vessel in the heart, and the jury found a verdict accordingly.

ATLAS, 2/78, 23/05/1846

SUPREME COURT

Thursday, 21

(Before his Honor Mr. Justice Dickinson and a Jury of four.)

This was an action of slander, in which **JOHN SILVER** was plaintiff, and **ALEXANDER DOUGLASS** was defendant ... The Court refused the application, and the plaintiff was non-suited.

MAITLAND MERCURY, 4/197, 23/05/1846

HUNTER RIVER DISTRICT NEWS. - WOLLOMBI

On Tuesday the man **CULLEN**, who was suspected for an attempt on Mr. Crawford's life, underwent a final examination before the bench, when nothing further having transpired to confirm the suspicion against him, he was ordered to be forwarded to Hyde Park Barracks.

SYDNEY NEWS.

INQUESTS. - On Saturday afternoon an inquest was commenced in the Yorkshire Stingo, at the corner of Castlereagh and Goulburn-streets, on the body of **WILLIAM SEARS**, aged about thirty-seven years, then lying dead in Campbell-street, Marker-place. It appeared that the deceased was found dead near the pond, surrounded by a pool of blood, proceeding from his head, which had evidently been crushed by a cart-wheel, but there was no evidence to show who was to blame. The deceased was a man of temperate habits. Verdict, accidental death. *Herald, May 10*

MAITLAND MERCURY, 4/198, 27/05/1846

INQUEST. - On Sunday last an inquest was held at the Blue Bell Inn, East Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **WILLIAM M'GILL**, who died at ten o'clock on Saturday evening, in a hut adjoining the residence of **E.D. DAY**,

Esq., in whose service the man had formerly been. It appeared that the deceased had been received into the Maitland Hospital on Thursday, not as a permanent patient, it being contrary to the rules of the institution that ticket-of-leave holders should be admitted, but merely until steps could be taken for his relief. On Saturday the deceased was sent to Mr. Day, as police magistrate, in whose premises, as before stated, he expired, although every attention was paid him. Dr. **EDYE**, who had made a *post mortem* examination, stated that death had been caused by inflammation of the lungs, and that, from the extent of the disease, death must have been inevitable. He could not say that it had been at all accelerated by removal from the hospital. Mr. Day stated that when the deceased was brought from the hospital he did not appear to be in a dangerous state. The verdict of the jury was simply that death had resulted from natural causes.

SUDDEN DEATH. - Yesterday evening an inquest was held by **E.D. DAY**, Esq., in the house of Mr. **BRETT**, butcher, West Maitland, touching the death of an infant son of Mr. Brett's, named **CHARLES**, which died in convulsions during Monday night, although apparently in good health the day before. It appeared that a nurse had in the first place been called by the parents, and afterwards Dr. **LIDDELL**, but neither saw the child alive. It appeared to Dr. Liddell to have been dead nearly an hour when he first saw it. His opinion was that death had been caused by an effusion of water on the brain. The police magistrate certified accordingly.

BITE OF A SNAKE. - On Monday last, Mr. **JAMES CUNNEEN**, of South Creek, while on his way to Windsor, came in contact with a black snake, about even feet long. Mr. C. finding that the reptile coiled round his leg, endeavoured to extricate himself, and when he succeeded in doing so, he pursued his way, not thinking that he had been wounded; but he had not proceeded far, when the irritation in his leg but too painfully told that the virus had been communicated to him. Dr. **STEWART**, of Windsor, was shortly in attendance, and the usual remedies were applied, but it is feared too late, as up to yesterday morning Mr. C. was in a very dangerous state. *Chronicle, May 23*

SUDDEN DEATH. - On Wednesday last, a poor old woman named **SULLIVAN**, a little before one o'clock, fell down and expired. On Thursday afternoon, an inquest was held upon the body, when Dr. **SILVER**, who had made a *post mortem* examination, stated that death was caused by the rupture of a blood vessel in connection with the heart. The jury returned a verdict of died by the visitation of God. *Chronicle, May 23*

MAITLAND MERCURY, 4/199, 30/05/1846

ACCIDENT. - On Tuesday last a man named **MATTHEW MALLISON**, a servant of Mr. **LONG**, on Mrs. Cobb's farm, Anambah, near Maitland, was gored by a cow which he had incautiously approached soon after she had dropped a calf. The animal rushed at him with the greatest fury, and before any assistance could be rendered, ripped him so that his bowels protruded. He was shortly removed to the Maitland Hospital, where he was attended by Dr. **SLOAN**, and still lies in a very precarious state, his bowels not having performed their natural functions since the accident. His life, in fact, is despaired of. The unfortunate man has a family in England.

MOLONG. - Last week a shepherd in the employ of Mr. **BARTON**, of Boree Nyrang, while proceeding to that gentleman's head station complained of a pain in his head, and on reaching the station of Messrs. Hood, he fell down, and expired in a few moments.

MAITLAND MERCURY, 4/200, 03/06/1846

WINDSOR. - The young man named **JAMES CUNEEN**, who was bitten by a black snake, although he has had a week of severe suffering, is now fast recovering.

MAN FOUND DROWNED. - On Saturday morning last the body of a man was found floating in the river at M'Dougall's Falls, West Maitland. He was soon known to be **WILLIAM FARRELL**, latterly employed among the shell boats which land shells at that part of the river. He was a man of intemperate habits, and had been missing some days by his companion, named **MACNAB**, who was, we believe, the first to discover his body, which had apparently been in the water a day or two. The body was immediately removed to the hospital, and an inquiry was shortly instituted by the police magistrate.

ATLAS, 2/80, 06/06/1846

INQUEST. - On Thursday afternoon, a coroner's inquisition was held in Mr. Crampton's public-house, the Struggler, Parramatta-street, on the body of **WILLIAM OLIVER**, a woolsorter, aged upwards of fifty years, then lying in his own residence, in the same street. Verdict died by the visitation of God.

BIRTHS.

On 31st ultimo, at Domain-terrace, Mrs. **W.FOOT**, of a son, still born.

MAITLAND MERCURY, 4/201, 06/06/1846

CORONER'S INQUEST. - COMMITTAL FOR MURDER.

Yesterday an inquest, adjourned from the previous day, was held in the Waterloo Inn, West Maitland, by **J.S. PARKER**, Esq., coroner, touching the death of **BRIDGET JOHNSTON**, the wife of **JAMES JOHNSTON**, tinman, keeping a small shop for the sale of tin wares, nearly opposite the Waterloo. It appeared from the evidence that on Tuesday evening last, Johnston, the husband of the deceased, irritated by jealousy, furiously attacked her in the presence of a man named **KING**, and his wife, and another man named **O'KEEFE**, kicking her in the stomach until she was unable to stand, before these parties could rescue her. They at length pacified him, got the deceased to bed, and left. The next day, in the afternoon, Johnston proceeded to the shop of Mr. **LIPSCOMB**, and said he wanted some gentle opening medicine for his wife, as he had given her salts, and it would not remain on her stomach. The shopman gave him some simple aperitive as required, but advised him to procure medical advice. Between eight and nine o'clock the same evening he went to Dr. **LIDDELL**, and described the state in which his wife was, saying that she had fallen over a dog-chain and seemed to have hurt herself a good deal. The doctor expressed his willingness to attend upon her, but declined giving medicine without seeing her, as the case appeared too serious for such a course. As Johnston still refused to allow him to visit his wife, he advised him to come again in the morning if she grew worse, and he would immediately attend to her, and in the meantime to foment her stomach. He promised to do so, and went away. In about two hours he came again to say that his wife was dead. The doctor directly went to his house, examined the body, which was still warm. He saw no marks of violence, but observed that his instructions had not been complied with. On the next morning (Thursday) Johnston again waited on Dr. Liddell, and said that his wife must have been poisoned by what he procured for her at the druggists', through a mistake of the shopman: he (Johnston) was drunk. Dr. Liddell's suspicions being then roused, he lost no time in communicating the facts to the police magistrate, and the result was, that an inquest took place as above stated,

and a post mortem examination of the body by Dr. Liddell, who was perfectly satisfied that death had been caused solely by the kicks the deceased had received, although there were little or no marks of violence, but inwardly the intestines were greatly inflamed and perforated. Johnston was committed for trial for murder by the coroner.

DEATHS IN THE HOSPITAL. - Two deaths occurred in Maitland Hospital on Wednesday last: one was the man named **MALLISON**, who was gored by a cow on Mrs. Cobb's farm a few days ago. An inquiry was held by the police magistrate, who certified to accidental death. ...

HUNTER RIVER DISTRICT NEWS. - JERRY'S PLAINS.

A MURDER. - On Tuesday evening a step-son of Mr. Harpur's, the postmaster, who had been in the bush looking for cattle, brought home a quantity of human bones, which he had discovered in a gully about three or four miles from Jerry's Plains. As they were evidently the remains of a human being, and the youth stated that there were more of a similar kind, half reduced to ashes amongst the embers of a fire that had been made in the same place, together with burnt portions of clothing (a specimen of which he had also brought with him), Mr. **HARPUR** gave notice to the serjeant of the Mounted Police, and this morning, in company with that gentleman, Mr. **DONNELLY**, and the boy, started to make an examination of the place described. Between three and four miles from Jerry's Plains, in a gully leading from Red-bank Creek, and within a short distance of Mr. Hale's fence, they at length succeeded in finding the place, where, from what presented itself to their inspection, there can be no doubt the awful crime of murder had been consummated only a few weeks previously. The fire had been made in the bottom of a water-course that ran through the gully, between two shelving banks of red earth, and the wood for it had apparently been collected here and there on either side of the gully. On the surface of the coals and ashes, for some of the wood remained, there were the arm-bones, ribs, &c., of a human being; portions of clothing also, adhering to the flesh, which had been reduced by the fire to a black, porous, shining sort of substance, were plentifully scattered through the whole. Supposing, from the difficulty of consuming the heads, that it might have been secreted elsewhere, a search was made at the end of the fire where, from the position of the body, it should have lain, and portions of the skull, jawbones, and some of the teeth, were raked out. At the opposite end of the heap were also found the charred heels of a pair of strong boots, the shoemaker's springs still sticking in them in regular rows. On top of the bank, immediately above the fire, were the signs of a considerable quantity of blood, as if the body had been laid there for some time previously to being rolled down, or probably, as was supposed, the murder had been there committed. About a couple of yards from the spot the serjeant picked up the haft of a knife, resembling the haft of a shoemaker's knife, but composed of colonial wood; and, after making some remarks about it, it was suggested that the blade might be found in the ashes. A fresh search was accordingly made, and just about the middle of the fire a sharp-pointed blade, about seven inches long, was pointed out, a quantity of burnt blood still adhering to it, and which fitted exactly to the handle previously found. I will send you further particulars in my next, as well as respecting the "robbery and violence" case. June 3rd, 1846

MAITLAND MERCURY, 4/202, 10/06/1846

HUNTER RIVER DISTRICT NEWS. - JERRY'S PLAINS.

THE MURDER AT REDBANK. - On Friday last Captain **RUSSELL**, J.P., and Dr. **VALLACK**, arrived from Singleton to hold an inquest upon the remains of the

human skeleton that had been discovered near the Redbank Creek. After inspecting that portion of the remains that had been brought to the post-office, consisting of the *sacrum*, of the *lumbar*, and a part of the *dorsal* vertebrae, with some of the ribs attached – the upper part of the thigh-bone and hip (the *os femoris* and *pelvis*), still connected in their sockets by their natural ligaments, which appeared quite unctuous and fresh – Captain Russell took the depositions of the persons who had discovered them, and then, accompanied by the Doctor, Mr. **HARPUR**, and Serjeant **EDWARDS**, proceeded to Redbank for the purpose of making a personal and more particular examination of the spot in which the body had been consumed. On reaching it, the Captain remarked, in reference to the wild and desolate character of the surrounding scenery, “that it was indeed a fitting place for the perpetration of a deed of darkness.” The fire had evidently been made and carefully tended by the murderer with the view of consuming the body of his victim: not a particle of the wood remained unburned, and even the coals appeared to have been so kept together as to be mostly reduced to ashes. But thickly mixed through the ashes, and even prepondering in quantity, were the bones, most of them entirely calcined, yet retaining their form, and quite a few fresh, as if but recently stripped of the integuments, together with lumps of charred flesh and burnt fragments of clothing. After inspecting the place and the marks of blood at a few yards distance, Captain Russell fully concurred in the opinion that a murder had been committed, and an attempt there made to make away with the remains of the murdered individual. The Doctor was of opinion that it might have taken place within the last two months or less. The fragments of clothing found unconsumed in the ashes consist of a small piece of a blue-striped flannel frock or shirt (the stripes of which, when worn, it is supposed, would be in a sideways or lateral direction), and of a somewhat larger portion of a Guernsey frock, striped with chains of blue triangular spots, which stripes, it is supposed, in the wearing would take an up-and-down or perpendicular direction. The latter frock is likely to have been worn over the former. It is the sort of clothing generally worn by bullock-drivers and their mates, amongst which class of persons this horrible transaction is supposed to have taken place. It is to be hoped that all persons, and particularly those in the habit of travelling with teams, will communicate any suspicious circumstances that may happen to fall within their knowledge to the police, it being an acknowledged rule in all grades of society to render every assistance towards the detection of a murderer.

NEWCASTLE.

FATAL ACCIDENT. - A dreadful accident occurred at the works of the A.A. Company, about nine o'clock at night, on Thursday last, the 4th instant. A poor industrious man, named **MOTTRAM**, who had that day engaged as a night watchman, while in the act of lighting his pipe at the coal pit mouth, fell down the shaft, a depth of about 42 yards. The body was immediately brought up, but life was extinct, the back being dislocated, head fractured, and one thigh broken, and the whole person dreadfully bruised. A widow and three small children are left.

CASSILIS.

The most interesting news in this quarter is the discovery of the murder of an **aboriginal native** named **TOMMY**, by his sable brethren. The body was discovered on Saturday last by the chief constable of Cassilis, accompanied by the overseer of a sheep station called **DERIGERY**, and a black gin who lived with Tommy, and who is supposed to have been the cause of the murder: it was concealed in one of the ridges near Reedy Creek, about four miles from the above station. The blacks have not been seen since the murder was reported, although great pains have been taken to search

them out, as the magistrates are determined to get to the bottom of the affair, in consequence of a suspicion that the blacks have been instigated by a white man, with whom the same gin formerly lived, and who is said to have offered a reward to the blacks to bring her back to him. Tommy was a superior specimen of his race, having been taught habits of industry by some person now living in Parramatta: he was latterly employed on the sheep station above named, and would demand a settlement with his employer the same as a white man. The murder is supposed to have been committed on the 24th May; it was reported to the overseer on the 29th; and on Saturday last the overseer reported it to the police.

SUDDEN DEATH. - On Wednesday evening last, Mr. **WILLIAM OLIVER**, woollorter, Parramatta-street, after conversing with a few friends respecting the probability of a war arising from the Oregon question, sat down in his chair, leaned back, and was instantaneously a corpse. Dr. **CUTHILL**, who was immediately sent for, promptly attended, but stated that death having ensued from palpitation of the heart, medical assistance at the moment of attack could have been of no avail. An inquest was held at Crampton's Hotej, Parramatta-street, when the jury returned a verdict of died by the visitation of God. *Australian, June 6*

ALLEGED MURDER. - Intelligence reached Sydney yesterday from Penrith, that a settler named **KENDALL**, who was on his way to Sydney about the time of the Homebush races, together with some teams from the interior, came up with his driver, named **GORRICK**, after leaving Penrith. Gorrick, who was in liquor, became abusive, on which Kendall struck him on the head with the butt end of a loaded whip, which felled him to the ground. Gorrick has since died, and an inquest has been held on the body, which (report says) has terminated by a verdict of wilful murder, and charged Kendall as the guilty party. *Herald, June 5*

SENTINEL, 2/75, 11/06/1846

COUNTRY NEWS

(From the Maitland Mercury)

CORONER'S INQUEST. - COMMITTAL FOR MURDER. - Yesterday an inquest, adjourned from the previous day, was held in the Waterloo Inn, West Maitland, by **J.S. PARKER**, Esq., coroner, touching the death of **BRIDGET JOHNSTONE**, the wife of **JAMES JOHNSTONE**, tinman, keeping a small shop for the sale of wares, nearly opposite the Waterloo. It appeared from the evidence that on Tuesday evening last, Johnstone, the husband of the deceased, irritated by jealousy, furiously attacked her in the presence of a man named **KING**, and his wife, and another man named **O'KEEFE**, kicking her in the stomach until she was unable to stand, before these parties could rescue her. They at length pacified him, got the deceased to bed, and left. The next day, in the afternoon, Johnstone proceeded to the shop of Mr. **LIPSCOMB**, and said he wanted some gentle opening medicine for his wife, as he had given her salts, and it would not remain on her stomach. The shopman gave him some simple operatives as required, but advised him to procure medical advice. Between eight and nine o'clock the same evening he went to Dr. **LIDDELL**, and described the state in which his wife was, saying that she had fallen over a dog-chain and seemed to have hurt herself a good deal. The doctor expressed his willingness to attend upon her, but declined giving medicine without seeing her, as the case appeared too serious for such a course. As Johnstone still refused to allow him to visit his wife, he advised him to come again in the morning if she grew worse, and he would immediately attend, and in the meantime to foment her stomach. He promised to do so, and went away. In about two hours he came again to say that his wife was

dead. The doctor directly went to his house, examined the body, which was still warm. He saw no marks of violence, but observed that his instructions had not been complied with. On the next morning (Thursday) Johnstone again waited on Dr. Liddell, and said that his wife must have been poisoned by what he procured for her from the druggists', through a mistake of the shopman; he (Johnstone) was drunk. Dr. Liddell's suspicions being then aroused, he lost no time in communicating the facts to the police magistrate, and the result was, that an inquest took place as above, and a post mortem examination of the body by Dr. Liddle, who was perfectly satisfied that death had been caused solely by the kicks the deceased had received, although there were little or no marks of violence, but inwardly the intestines were greatly inflamed and perforated. Johnstone was committed for trial for murder by the coroner.

DEATH IN THE HOSPITAL. - Two deaths occurred in the Maitland Hospital on Wednesday last: one was the man named **MALLISON**, who was gored by a cow on Mrs. **GOBB'S** farm a few days ago. An inquiry was held by the police magistrate, who certified to accidental death. The other was a female, who had died from the effects of a lingering illness.

JERRY'S PLAINS. - A MURDER. [stepson of Harpur]

ATLAS, 2/81, 13/6/1846

DEATHS.

On 3rd instant, Mr. **WILLIAM OLIVER**, of Parramatta-street.

JERRY'S PLAINS. - THE MURDER AT REDBANK.

Re skeleton. *Maitland Mercury*.

MAITLAND MERCURY, 4/203, 13/06/1846

FATAL ACCIDENT. - On Wednesday afternoon last, as a man named **JOHN BATES** was assisting in taking some cedar logs from a dray in West Maitland, a handspike he was using was suddenly jerked out of his hands by the weight of a log coming suddenly upon it. It struck him with great force in the stomach, but he appeared to be so little injured, that he walked home, a distance of about a mile. He was in the service of Mr. **TROWBRIDGE**, a settler within that distance of the town; he was there attended by Dr. **LIDDELL**, but was found to be beyond medical skill. Perforation and consequent inflammation of the bowels had taken place. The case, in fact, was exactly similar to that of the female **JOHNSTON**, who died the other day from kicks in the stomach, for inflicting which her husband has been committed for trial by the coroner. There were no external marks in either case.

MAITLAND MERCURY, 4/204, 17/06/1846

SINGULAR CASE OF DEATH FROM FRIGHT. - On Saturday evening last a little boy named **THOMAS SULLIVAN**, aged three years and a half, the son of **THOMAS SULLIVAN**, of Mr. Eales's farm, Berry Park, near Morpeth, met his death from the effects of a fright caused by having burnt his foot by treading on a burnt coal on the hearth. The burn was so slight that the skin was not broken or blistered, but merely hardened slightly. The poor little fellow, however, who up to that time had enjoyed good health, immediately fell into convulsions. Dr. **STREET** was sent for, and was in attendance in two hours after the accident, but the convulsions continued for an hour and a half longer, when death took place. The doctor had no doubt that the convulsions had been induced by fright. The police magistrate held an enquiry on Monday, and certified that death had been caused by convulsions induced by fright.

REPORTED MURDER. - **GEORGE KENDALL**, who was reported a few days since to be in custody for the murder of a man named **GARRICK**, has been committed for trial for manslaughter. The circumstances, as elicited at the inquest held by **C. SIMS**, Esq., the coroner for the district, appear to be as follows:- Kendall, who is a small farmer residing within a mile of the town, was at Homebush on the last day of the races with his wife, when the latter observing the deceased Garrick, who was in Kendall's employ, coming galloping along the road from the direction of Sydney, lying on a cart which was being driven by some strange men, directed her husband's attention to the circumstance. Kendall then went towards the cart, and on coming up found Garrick in a state of intoxication. Kendall, began to abuse him, and some very angry words ensued, and on Garrick's refusing to quit the team, and saying he would take it home, Kendall, who was very much exasperated, struck him on the head with the brass hammer attached to the end of the whip he had in his hand. Only one blow was struck, but, according to the medical evidence, such was the force of it, that it penetrated into the substance of the brain, lodging in it a portion of the cabbage-tree hat he was wearing. Garrick then left the team, and made his way to the Western Road, where, on the Penrith side of the toll-bar, he was picked up and placed on a dray, and conveyed to the Eastern Creek, from whence he walked home, a distance of nine miles, with the fearful wound already described in his head. On his arrival in Penrith on the following (Saturday) morning, he refused to allow medical aid to be sent for, but which nevertheless was called in on Sunday morning, and Dr. **GLISSON** informing the Coroner of Garrick's state, Mr. **SIMS**, with praiseworthy promptness, procured the attendance of Mr. **LETHBRIDGE** to take his deposition, but the deranged state the deceased was then in prevented any statement being got, and Garrick expired the same evening. At the holding of the inquest, it being stated that a man of the name of **CUMMINGS**, residing at Hartley, had been heard to mention that he knew the whole particulars of this unfortunate affair, the inquiry was adjourned, and a subpoena sent for Cummings, but which he disregarded, and he at length had to be brought down on warrant, when the testimony he gave was distinguished by gross prevarication from the statement he had previously given as to his knowledge of the affair. There does not seem to have been any blow given by Garrick. It is rather singular, and deeply to be regretted, that notwithstanding every exertion had been employed, no tidings or trace can be discovered of the parties in charge of the team which conveyed Garrick from the Western Road to the Eastern Creek. Kendall is well known in the district as having been at one time the driver of one of the coaches travelling through it. The affair has excited considerable stir in this quiet and peaceful town. *Herald, July 15 (sic)*

SENTINEL, 2/76, 18/06/1846

LOCAL INTELLIGENCE. - MELANCHOLY SUICIDE.

On Monday morning an inquisition took place in the residence of Mr. **GEORGE BENNETT**, Surgeon, Elizabeth-street, touching the death of Mrs. **JULIA LUDIVINIA BENNETT**, his wife, then lying dead in one of the apartments of the same house. After the body had been viewed by the jurors, the following evidence was adduced:- **ELEANOR LARTER** deposed that she had been a servant in the employ of Dr. Bennett for six months previous to last Christmas, at which time she left and went to another place. She had returned to his service about the beginning of the present month, and still continued in it; since her return she had heard the deceased say there were some bills due by her, and that she had nothing to meet them

with, on which witness suggested to her to let the bills spoken of come in to the Doctor with the other accounts, and he would settle them as usual with the others, but she said she would not; these bills seemed to sit very heavy on her mind, and she seemed very low spirited for the last fortnight, and particularly so during the last week; witness recollected her going out between three and four o'clock on Saturday afternoon; she appeared to be very high spirited when she came back about half-past four o'clock; witness had observed at different times that she appeared to be very much excited in her mind – particularly so during Friday and Saturday. As soon as she returned home on Saturday afternoon, she came into the kitchen, and took a wine glass from off a shelf, and returned with it into the back parlour. In that room there is a small escrutoire in which the Doctor keeps medicine and papers. Deceased had not the key of the escrutoire; deceased had not left the kitchen above three minutes when she returned and said, "Well, I will see what good that will do." She then washed the wine glass with some water, which she took either from the cask, as she was entering the kitchen, or from the water in the warm boiler, and placed the glass on the shelf from which she had taken it. Something struck the witness that Mrs. Bennett had taken something she should not have taken, on which witness exclaimed, "Oh, my God, what have you done," when deceased said, "Oh, give me a drink of water – quick, quick." These were the last words witness heard her utter; witness was not certain whether deceased took the water which she took in the glass from the boiler, or from the barrel; deceased did not have any water till she had returned to the kitchen with the wine glass; when she was returning with the wine glass, witness saw that she had something in it, which witness supposed she had drunk of, and which she threw on the manure heap; when witness got the water she gave it to the deceased, and had barely time to catch her in her arms, as she was apparently fainting, or in a fit; witness with the assistance of the other servant laid her on the floor; and then ran for assistance, and returned in about twenty minutes with Dr. **M'FARLANE**, when Dr. Bennett also came in; on looking over the parlour where Mrs. Bennett had gone from the kitchen, Dr. Bennett pointed out that the lock of the escrutoire had been forced, the upper part of the wood into which the bolt shoots appearing to have been pressed upwards; he also showed a small phial, and said he feared she had taken what it contained; after the doctors came there was breath in the deceased, but she never moved or spoke after, and died in about two hours after they had been called in; when witness first entered Dr. Bennett's service, Mrs. Bennett occasionally appeared to be very much depressed in spirits, and for the last week deceased has very frequently appeared to forget what she had just said, by repeating the same thing over and over as if she had never said it before; witness thought she was troubled in her intellect, and at times did not seem to know her own mind; during the last week she used very often to fret and cry, and appeared to be very melancholy; witness thought she lived from about 5pm to 8pm. When witness told Dr. B. her suspicions of her having taken laudanum, he opened the escrutoire, and took out the bottle produced, saying he feared it had contained what she had taken. The bottle showed by the doctor was like the one before the Court. Doctor Macfarlane was the doctor witness brought with her when she went for aid. Deceased had previously told witness that the unpaid bills which gave her uneasiness were the ones from Mr. Bourne's, and another from Mr. Jones's, both of which she said Dr. Bennett did not know of. Witness knew that deceased was never in want of money for the expenses of the family, and witness knew that deceased always had the care of Dr. B.'s money, as she kept the key of the place where it was deposited. Witness in order to relieve the mind of deceased, suggested to her either to tell the doctor of Messrs. Bourne's and Jones's bills, or to

write to him to inform him that they were unpaid, but she always said she would not either tell him or write to him on the subject. The bills referred to were not bills for things supplied for the use of the house; she never wanted money for the use of the family, as all the doctor's money (to witness's knowledge) was under her charge, and she took it when she required it. Dr. **JOHN MACFARLANE** deposed, that he was called in to deceased between four and five o'clock on Saturday afternoon, by Dr. **COLYER**, who said he had heard that deceased had taken a fit; when witness arrived he found her insensible and partly convulsed; soon after her distressed husband came in, and said he feared she had taken something, and that he had come to that conclusion from what the servant had told him – and that as there was cause to suspect that she had taken prussic acid, from the vial being nearly empty, the usual remedies were resorted to, including the stomach pump, but without success; she expired about two hours after witness had been called in; just before she expired she appeared to recover her senses for about a minute or two; Dr. Bennett asked her if she had taken prussic acid, but she merely mumbled something, which was not intelligible. Witness then asked if she had taken anything from the escrutoire, in reply to which she gave a nod of assent. From all the symptoms while in life, as well as the history of the case, in the opinion of witness death had been caused by the deceased taking part of the contents of the phial he held in his hand, which was labelled “poison – concentrated prussic acid;” two drops was a medium dose, six drops of the same would cause death. The Jury immediately found that death had been caused by the deceased taking poison while labouring under temporary insanity.

DEATHS. - At Bathurst-street West, (the residence of her parents,) after a short but painful illness of ten days, **CHRISTIANA M'NABB**, aged 2 years, and 5 months, the only daughter of **JOHN** and **JANE M'NAB**, by whom she is deeply lamented; her death having been occasioned by an unfortunate accident, which defied all medical skill.

ATLAS, 2/82, 20/06/1846

MELANCHOLY SUICIDE.

Exact proceedings, JAL Bennett.

INQUESTS. - On Wednesday, three inquests were held. The first was in the Blue Lion, public-house, corner of Market and Clarence-streets, on the body of **MARY ANN BYRNES**, ten weeks old. Mr. **SAMUEL MABERLY**, Surgeon, had been called in to see deceased yesterday morning, and from the appearance of the hands and the livid colour of the face, he was of opinion death had been caused by convulsions. Verdict, died by the visitation of God.

The second inquest was held in the house of Mr. **JOHN ISAACS**, publican, George-street on the body of **JAMES NEWLANDS**, then lying dead in the same street. Verdict, died of *delirium tremens*, the result of previous intoxication.

The third enquiry was held in the Lord Nelson Hotel, corner of Kent and Fort-streets, on the body of **JAMES PEACOCK**, then lying dead in the same house. **GEORGE PATON**, builder, residing in Kent-street North, deposed that between eight and nine o'clock on Tuesday evening, his attention was attracted to the rear of his house, by the barking of his dogs; on going to see what was the matter, he found deceased lying on his back in a water hole; a man named **STEWART** assisted witness to carry deceased into his, Paton's, house; he had fallen over the precipice at the rear of the house; the water hole is close to the precipice, of which the top is 42 feet from the surface of the water, which is about three feet deep; the precipice is the western front of the flag-staff hill; there is no fence around it, in consequence of which it is a

dangerous place: it was in the knowledge of witness, that within three years three persons had been killed by falling over the same precipice, and twice that number had been seriously injured by the same cause. The jury, after having expressed their regret that a place of so much danger, and which had been the cause of so many deaths, was not properly fenced round, found a verdict that the deceased had died of injuries received by falling over an unfenced and dangerous precipice on the reserved ground known as Flag-Staff Hill.

MAITLAND MERCURY, 4/205, 20/06/1846

HUNTER RIVER DISTRICT NEWS. - CASSILIS.

The bench has been occupied in examining witnesses relative to the supposed murder of **TOMMY, the blackfellow**, whose body was found at Reedy Creek, near the Derigery station. It had been said that a white man with whom Tommy's gin had lived had been the instigator of the murder, and that he had offered money to the blackfellows to bring her back to him. Of six witnesses who were examined, not one could say that money had been offered, although such appears to have been the case according to the story of the gin and some of her sable brethren. As the case stands adjourned, we abstain from entering further into particulars at present.

SYDNEY NEWS.

MELANCHOLY SUICIDE. - Yesterday morning an inquisition took place in the residence of Mr. **GEORGE BENNETT**, Surgeon, Elizabeth-street, touching the death of Mrs. **JULIA ANNE LUDIVINIA BENNETT**, his wife, then lying dead in one of the apartments of the same house. The following jury was impanelled:- Mr. **THOMAS WOOLLEY**, foreman, Messrs. **G.D. ARMITAGE, J. SPYERS, GODFREY J. COHEN, THOMAS CRAVAN, L.J. SPYERS, EDWARD SALAMON, M. WOOLLEY, J.G. COLYER, ---- RATTRAY, J.DALGARNO, and W.S. WALL**. After the body had been viewed by the jurors, the following evidence was adduced:- **ELEANOR LARNER** deposed that she had been a servant in the employ of Dr. Bennett for six months previous to last Christmas, at which time she left and went to another place. She had returned to his service about the beginning of the present month, and still continued in it; since her return she had heard the deceased say there were some bills due by her, and that she had nothing to meet them with, on which witness suggested to her to let the bills she spoke of come in to the Doctor with the other accounts, and he would settle them as usual with others, but she said she would not; these bills seemed to sit very heavy on her mind, and she seemed very low spirited for the last fortnight, and particularly so during the last week; witness recollected her going out between three and four o'clock on Saturday afternoon; she appeared to be very high spirited when she came back, about half-past four o'clock; witness had observed at different times that she appeared to be very much excited in her mind, particularly during Friday and Saturday. As soon as she returned home on Saturday afternoon, she came into the kitchen and took a wine-glass from off a shelf, and returned with it into the back parlour. In that room there is a small escrutoire in which the Doctor keeps medicine and papers. Deceased had not the key of the escrutoire; deceased had not left the kitchen above three minutes when she returned and said, "Well, I will see what good that will do." She then washed the wine-glass with some water, which she took either from the cask, as she was entering the kitchen, or from the water in the warm boiler, and placed the glass on the shelf from which she had taken it. Something struck the witness that Mrs. Bennett had taken something she should not have taken, on which witness exclaimed, "Oh, my God, what have you done," when deceased said, Oh, give me a drink of water - quick,

quick." These were the last words witness heard her utter; witness was not certain whether deceased took the water which she took in the glass from the boiler or from the barrel; deceased did not take any water till she had returned to the kitchen with the wine-glass; when she was returning with the wine-glass, witness saw that she had something in it; which witness supposed she had drunk of, and which she threw on the manure heap; when witness got the water she gave it to the deceased, and had barely time to catch her in her arms, as she was apparently fainting or in a fit; witness, with the assistance of the other servant, laid her on the floor; witness then ran for assistance, and returned in about twenty minutes with Dr. **M'FARLANE**, when Dr. Bennett also came in; on looking over the parlour where Mrs. Bennett had gone from the kitchen, Dr. Bennett pointed out that the lock on the escrutoire had been forced, the upper part of the wood into which the bolt shoots appearing to have been pressed upwards; he also showed a small phial, and said he feared she had taken what it contained; after the doctors came there was breath in the deceased, but she never moved or spoke after, and died in about two hours after they had been called in; when witness first entered Dr. Bennett's service, Mrs. Bennett occasionally appeared to be very much depressed in spirits, and for the last week deceased had very frequently appeared to forget what she had just said, by repeating the same thing over and over as if she had never said it before; witness thought she was troubled in her intellect, and at times did not seem to know her own mind; during the last week she used very often to fret and cry, and appeared to be very melancholy; witness thought she lived from about 5 p.m., till 8 p.m. When witness told Dr. B. her suspicions of her having taken laudanum, he opened the escrutoire, and took out the bottle produced, saying he feared it had contained she had taken. The bottle showed by the doctor was like the one before the court. Dr. Macfarlane was the doctor witness brought with her when she went for aid. Deceased had previously told witness that the unpaid bills which gave her uneasiness were one from Mr. Bourne's, and another from Mr. Jones's, both of which she said Dr. Bennett did not know of. Witness knew that deceased never was in want of money for the expenses of the family, and witness knew that deceased always had the care of Dr. B.'s money, as she kept the key of the place where it was deposited. Witness in order to relieve the mind of the deceased suggested to her either to tell the doctor of Messrs, Bourne and Jones's bills, or to write to him to inform him that they were unpaid, but she always said she could not either tell him or write to him on the subject. The bills referred to were not bills for things supplied for the use of the house; she never wanted money for the use of the family, as all the doctor's money (to witness's knowledge) was under her charge, and she took it when she required it. Dr. John Macfarlane deposed, that he was called in to deceased between four and five o'clock on Saturday afternoon by Dr. **COLYER**, who said he had heard that deceased had taken a fit; when witness arrived he found her insensible and partly convulsed; soon after her distressed husband came in, and said he feared she had taken something, and that he had come to that conclusion from what the servant had told him – and as there was cause to suspect that she had taken prussic acid, from the phial being nearly empty, the usual remedies were resorted to, including the stomach pump, but without success; she expired about two hours after witness had been called in; just before she expired she appeared to recover her senses for about a minute or two; Dr. Bennett asked her if she had taken prussic acid, but she merely mumbled something, which was not intelligible. Witness then asked if she had taken anything from the escrutoire, in reply to which she gave a nod of assent. From all the symptoms while in life, as well as the history of the case, in the opinion of witness death had been caused by deceased taking part of the contents of the phial

he held in his hand, which as labelled “poison-concentrated prussic acid;” two drops was a medium dose, six drops of the same acid would cause death. The jury immediately found that death had been caused by the deceased taking poison while labouring under temporary insanity. *Herald, June 16*

MAITLAND MERCURY, 4/206, 24/06/1846

HABEAS CORPUS. - **GEORGE KENDALE**, committed, under a coroner’s warrant, to taker his trial at the next Criminal Sessions for the manslaughter of a man named **GARRICK**, on the Penrityh road, appeared before his Honor Mr. Juystice Dickinson, yesterday, by virtue of a writ of *habeas corpus*, and by the order of his Honor was discharged from the custody of the Parramatta gaoler, the porisoner being admitted to bail, himself in £200, with two sureties of £100 each, to appear at the said Central Criminal Sessions to take his trial for the offence with which he stands charged. *Australian, June 20*

SENTINEL, 2/77, 25/06/1846

SUDDEN DEATH.

During the week there have been an unusual number of inquisitions held by the Coroner on the bodies of individuals who have expired suddenly. In the majority of cases, death has been accelerated by intemperance, and the severity of the weather operating on a decayed constitution.

RETRIBUTIVE JUSTICE. - The man **SKINNER**, who was committed by the Coroner, on the clearest possible circumstantial evidence, for the inhuman murder of the late Mrs. **MARY HOADLEY**, and acquitted on his trial, has been convicted before the Quarter Sessions at Bathurst, of a store robbery, and sentenced to ten years transportation.

NOTICE OF RETIREMENT.

Mr. **CUTHILL** retires from Benevolent Asylum, June 15th.

ATLAS, 2/83, 27/06/1846

INQUESTS. - On Monday afternoon, an inquest was held in Mrs. Watkins’s public-house, at the corner of Liverpool and Pitt-streets, on the body of **CATHERINE SMITH**, then lying dead in her lodgings in Pitt-street. Dr. **MACFARLANE** deposed: he had been called in to see the deceased during her lifetime and had prescribed for her; from the difficulty of her respiration and other symptoms, death in his opinion had been caused by the rupture of one of the large blood vessels in the region of the heart. The jury found a verdict of died by the visitation of God.

Another inquest was held on Tuesday, in Solomon’s Temple tavern, at the corner of Erskine and Clarence-streets, on the body of **MARY CUMMINS**, then lying dead in a hut in Clarence-street. **WILLIAM CUMMINS**, labourer, of Clerence-street, deposed: The deceased was his mother; she was seventy-five years of age; for the last eight months she has been of unsound mind; she always wanted to leave the house, and fancied that I was about to take away my brother (who is a cripple) and destroy him; on last Monday week, about midnight, my brother called to me that our mother was dying, on which I immediately went into the room found her with a razor in her hand, her throat cut, and a quantity of blood on the bed. There was a fire in the room, by the light of which my brother could see the deceased; he is unable to walk, and it was his calling that woke me; I brought Mr. **GAIN**, the druggist, who closed the wound, until Mr. Surgeon **MABERLY** was brought by a constable. Mr. Maberly said he could do no more for her than was already done by Mr. Gain; Mr. Maberly did not

afterwards visit her; a constable wished to take her in a cab to the Dispensary, but he could not get a cab. In the morning between eight and nine o'clock, Mr. Gain saw her, and stitched up the wound; he attended her ever since, twice a day, up till the time of her death; she died about noon on Monday; she has frequently spoken since she inflicted the wound on her throat, and was quite sensible. The Jury found a verdict that death had been the result of a wound inflicted by deceased while labouring under temporary insanity.

Another inquest was held on the same day in Mr. C. Doyle's public-house, the Builders' Arms, at the corner of Castlereagh and Liverpool-streets, on the body of **WILLIAM WHITE**, then lying dead in Elizabeth-street. The jury found a verdict that death had been caused by the rupture of a blood vessel on the brain, while labouring under *delirium tremens*.

MAITLAND MERCURY, 4/208, 01/07/1846

JIM CROW. - Our readers may remember that during the time that **WILLIAM SHEA**, the man who committed the murder at Hillsborough, was in custody, a person whom he called "**Jim Crow**," was alluded to by the wretched man as a witness in his behalf, but he could not be found for some time. When he was at length forthcoming, his name turned out to be **BERNARD DOOLAN**. This young man was yesterday brought before the bench on a charge of drunkenness, and he certainly presented the *beau ideal* of a drunkard, his clothing, or what had been such, being literally one mass of rags and filth, and his weather-beaten but squalid features and husky voice giving the ideas of a broken constitution. There was associated with him in the charge an old woman named **SARAH TURLEY**. Both pleaded guilty, and were sentenced to pay a fine of ten shillings each, or be confined for twenty-four hours on bread and water. Doolan was informed that if he should be found again within a week, and unable to show any means of subsistence, he would be dealt with as a rogue and vagabond.

SHIPPING INTELLIGENCE.

During the passage of the *Ganges* from London, one of the passengers, Mrs. **O'BRIEN**, threw herself overboard in a fit of temporary insanity, and was drowned.

SENTINEL, 2/78, 02/07/1846

OFFICIAL CORRESPONDENCE re precipice at Fort Phillip, mentions **JAMES PEACOCK**.

ATLAS, 2/84, 04/07/1846

DOMESTIC

INQUESTS. - On the 29th ult., a Coroner's enquiry was commenced and continued by adjournment till Wednesday, in Coleson's public-house, the George and Dragon, Market Wharf, Sussex-street, on the body of **JOHN GRAYSTOCK**, superintendent, from the Barwin River, then lying dead at Mr. **WALTER GRAY'S**, near Brierley's Stores, Sussex-street, when evidence to the following effect was adduced. That about midnight on Saturday night last, the deceased was passing along Pitt-street on his way homeward on horseback, a cab, without any lights, ran against him, of which the pole struck him in the groin, and the horse's head striking him low in the body, threw him with violence from his seat; on recovering himself he did not feel seriously injured, and therefore mounted his horse, rode to Cankett's stables, with whom the horse was stabled. **FREDERICK MACKELLAR**, M.D., deposed that he had been called in on Monday morning, about four o'clock, to visit the deceased, then lying in the hostler's bed, at Cankett's stables, Prince-street; he was then in a state of great collapse,

complaining much of great pain in the left thigh, and found it much discoloured, bruised and swollen; deceased stated to witness that he had been struck by the pole of a cab, in Pitt-street, the cab was coming at a great rate without lights, &c., turning the corner sharply, the pole of the cab hit him in the thigh, and the head of the horse struck his stomach; witness understood from his expressions that he (the deceased) was not riding fast at the time of the accident. Witness asked if he had been drinking, when he said he had had a glass of brandy and water, but was perfectly sober; he appeared so when witness saw him, and quite collected; witness drew the water from the bladder, and he recommended that two dozen leeches should be applied to the lower part of the belly. Previously to witness seeing him again he expired. Witness had made a *post mortem* examination of the body, and found the left thigh much bruised, with effusion of blood where he had been struck by the pole. He had opened the abdomen, and found effusion of blood on the surface of the intestines, and the membrane conveying them, with violent inflammation; he had died from the effusion of blood, subsequent inflammation, and the shock on the nervous system, all occasioned by the blow on the stomach which deceased mentioned he had received. The jury found a verdict of death, caused by injuries accidentally received from a horse, the owner of which was unknown, and laid a deodand of £1. 1s. on the animal which had struck the deceased with its head.

Another inquest was held on Thursday evening, in Baker's public-house, at the corner of Phillip and Hunter-streets, on the body of Mr. **ABRAHAM BELSHAM**, whose body was then lying in his residence, Domain-terrace. From the evidence adduced the Jury found a verdict, that the deceased destroyed himself while labouring under a fit of temporary insanity.

MAITLAND MERCURY, 4/209, 04/07/1846

MELANCHOLY CIRCUMSTANCE. - On Saturday night, between eleven and twelve o'clock, Mr. **JOHN GRAY**, superintendent of a station at the Barwin River, belonging to his brother, Mr. Gray, Sydney, having visited Mr. **MOORE**, auctioneer, Hart's Buildings, Pitt-street, mounted his horse, and was making his way to Market-street for his lodgings at Mr. Brierley's, Sussex-street, when his horse was run against by a cab (running at great speed without lights), which threw him from his horse, and injured him so severely that he expired on Sunday night. An inquest was commenced on the body yesterday, at Mr. Coleson's public-house, Sussex-street, which was adjourned till to-day, in order to allow time for the discovery of the person in charge of the cab. *Herald, June 30*

MAITLAND MERCURY, 4/210, 08/07/1846

DEATHS BY BURNING. - During the last week two children, one fourteen and the other two years of age, lost their lives in consequence of their clothes catching fire in their parents' houses. The circumstances under which these melancholy events took place are detailed in the subjoined reports of the inquests which were held on the bodies of the sufferers:- On Saturday last an inquest was held at Cunningham's hotel, corner of King and Castlereagh-streets, on the body of **HENRIETTA BROWN**, aged fourteen years, then lying dead in the Sydney Infirmary, when the following evidence was adduced: **WILLIAM BROWN**, residing at Cook's River, deposed, that he was the father of the deceased; about eight o'clock on the morning of Thursday last, witness ordered his two boys to go into Sydney, after which he brought one of them back, and gave the deceased Henrietta leave to go in his stead; witness then went into the garden, where he had only been a very short time, when he heard

some one calling "Father, father." He, seeing a smoke issuing from his house, ran as fast as he could towards it; but before he reached it, he saw the clothes of the deceased in a flame; after he heard the cries he saw the deceased running towards him for about twenty yards, but when he got to her the flames arose to the height of ten feet; he did what he could to put out the flames; she afterwards told him that as she was standing close to the fire-place her clothes accidentally ignited. He had her removed to the infirmary during the course of Thursday, but she expired on the evening of the same day. Dr. **F. M'CRAE**, one of the surgeons of the Sydney Dispensary, deposed, that she had been received into the infirmary about one o'clock on Thursday last, and died at nine o'clock on the same evening; she was very severely burnt all over the body, which caused death. The jury found a verdict of death caused by injuries received by the deceased being accidentally burned.

Another inquest was held on the afternoon of the same day, at the house of **WILLIAM PHILLIPS**, Chippendale, on the body of **NORAH RYAN**, then lying dead at her father's house, when the following evidence was adduced:-**ELIZABETH WOOFENDEN**, of Chippendale, deposed that she was passing the house of the father of the deceased on Friday morning, and saw a little girl crying inside the window; witness asked what was the matter, when she said her sister was burning; witness went round to the back door, which was open, when she found the deceased child lying on the floor burning; the front door was locked; when she saw the child's clothes on fire, witness tore some of them off, and called Mr. **SUTHERLAND**, who assisted witness to get the clothes off, and the fire extinguished; after which, he wrapped the child in a cloth and took her to Mr. Phillips, the surgeon; witness lives next door to the father of the deceased; the child who called witness is about four years old; there was a fire on the hearth, but it was a small one; there was no person in the house at the time but the two children; she has known them to be frequently left together by themselves in the house with the front door locked, while the mother was going round with milk; she is generally absent three quarters of an hour, during which time the front door is locked, but the back one is generally open; the gate leading into Ryan's yard opens into the front street; up to the last two months the parents had a little girl to look after the children; the parents are in comfortable circumstances; the child died between six and seven o'clock on Friday evening; witness believed the burning was accidental. Mr. **THOMAS PHILLIPS**, surgeon, deposed that the deceased child was brought to his house non Friday morning; the integuments covering the posterior part of the neck, thorax, abdomen, and extremities, were burned to such an extent as to render the child's recovery hopeless; he had no doubt but the burning described had been the cause of death. The jury found a verdict of death being caused by being accidentally burned. *Herald, July 10*

SYDNEY NEWS. - INQUEST. - An inquest was holden at Baker's public house, corner of Philip and Hunter-streets, on Thursday afternoon, touching the death of Mr. **ABRAHAM BELSHAM**, whose body was found that morning, about six o'clock, floating near the Circular Quay, where it was picked up by a seaman of the schooner *Scotia*, which was lying alongside the wharf. The crew heard a splashing in the water, as if the plank had fallen in. The deceased was not seen to struggle nor heard to cry out, a slight motion of the arm alone gave indication of life when he was first discovered, but no signs of animation were perceptible when he was taken out of the water; shortly after which he was conveyed to his own residence in Domain Terrace. From evidence given by Surgeon **JOHN Y. RUTTER**, it appeared that for the last six months the deceased had not been in a sound state of mind, arising from the effects of

liquor on an irritable and weakly constitution, the energies of which had been overtaxed and exhausted by incessant application in transcribing the report of the Bank case, to which he had devoted 18 or 19 hours a day. So much had the nervous system been weakened by this extensive application, that he was morbidly susceptible to the influence of the slightest *stimuli*, one glass of spirits being sufficient to produce excitement. The jury returned a verdict to the effect that the deceased had put a period to his existence while labouring under a fit of temporary insanity. *Australian*, July 4

DEATH FROM BURNING. - An inquest was held on Tuesday, by **C.B. LYONS**, Esq., at Mr. M'Kay's, touching the death of **MARY ANN WHITE**, then lying dead in the house of Mr. **QUINLAN**, in Church-street. The particulars of the case disclosed as perhaps as painful and horrible a death as has ever been recorded. It appeared that a little after eight o'clock on Monday morning, some screams were heard by a neighbour issuing from Mrs. Quinlan's house, where the deceased resided. Little attention was paid at the moment, but smoke being observed on the premises, a rush was made, and the front door, which was locked, forced, and on entering Miss W.'s room, she was found in one mass of flamer; her clothes, with the exception of her stays, which were then in a state of ignition, and partly destroyed, burnt off; her hair burnt from her head, and also her combs; and, it may be added, her stay busk had heated, and curved into her body, and was burning the flesh. Miss W. was found standing screaming, and this position is only to be accounted for by the supposition that she became paralysed by the rapidity with which the flames spread, and was also of rather imbecile mind. From what could be collected, it appeared her clothes ignited while standing with her back to the fire reading a book, and there being no one in the house her cry for assistance was unattended to, and help delayed by the door being locked. The medical assistance of Dr. **RUTTER** was immediately procured, but the extent of the injuries received prevented such being of avail, and after laying in the most excruciating agony until five o'clock in the afternoon she expired. The jury returned a verdict of accidental death from burning.

SENTINEL, 2/79, 09/07/1846

CENTRAL CRIMINAL SESSIONS

GEORGE KENDALL, manslaughter (on bail); ...

INQUEST. - An inquest was holden at Baker's public house, corner of Phillip and Hunter-streets, on Thursday afternoon, touching the death of Mr. **ABRAHAM BELSHAM**, whose body was found that morning, about 6 o'clock, floating near the Circular Quay, where it was picked up by a seaman of the schooner Scotia, which was lying alongside the wharf. The crew heard a splashing in the water, as if the plank had fallen in. The deceased was not seen to struggle, nor heard to cry out, a slight motion of the arm alone gave indication of life when he was first discovered, but no signs of animation were perceptible when taken out of the water; shortly after which, he was conveyed to his own residence in Domain Terrace. From evidence given by Surgeon **JOHN Y RUTTER**, it appeared that for the last six months, the deceased had not been in a sound state of mind, arising from the effects of liquor on an irritable and weakly constitution, the energies of which had been overtaxed and exhausted, by incessant application, in transcribing the report of the Bank case, to which he had devoted 18 or 19 hours a day. So much had the nervous system been weakened by this extensive application that he was morbidly susceptible to the influence of the slightest *stimuli*, one glass of spirits being sufficient to produce excitement. **THOMAS FOSTER** of the AUSTRALIAN had known the deceased for as number

of years, and was instrumental in obtaining from His Excellency an order for his admission, on Sunday last, into the Infirmary. He corroborated the evidence of Mr. Rutter, as to the excitement produced by a single glass of beer or spirits, which was sufficient to deprive him of all control over his actions. It was stated by a gentleman present that the deceased had been in the habit of taking *morphia* by the direction of his medical attendant, to a very great extent, in some instances as much as ten or twelve grains a day. The late Mr. Belsham was esteemed a man of considerable ability, and has left a widow and two children in very indifferent circumstances. The friends of the deceased are exerting themselves to raise a subscription for their relief, and enable them to proceed to England. (We, therefore, beg to recommend the hapless case of Mrs. Belsham to the charitable and humane. – EDS.)

INQUESTS.

The adjourned inquest on the remains of Mr. **JOHN GRAY**, was terminated on Friday. The constabulary had not been able to make any discovery relative to the cab which was the alleged cause of his death. Mr. **MOORE** auctioneer, of Pitt-street, stated that deceased supped with him on Saturday night, and left his house just before 12 o'clock, perfectly sober, having taken only one glass of brandy and water. A watchman saw a man in Pitt-street, about 12 o'clock, who claimed from him a horse, which he (the watchman) had found without a rider, and who told him that he had been knocked off his horse by a cab, but so suddenly, that he could not see who the driver was. He mounted his horse and rode off towards the Theatre at a brisk pace. The same witness saw deceased leave Mr. Moore's house, which he did at a galloping pace, along the kerb; and witness, shortly afterwards, discovered the horse without a rider, as before stated, just opposite the Mayor Inn. Another witness, a constable, deposed that he saw a gentleman and another person looking for a stirrup-iron, which was subsequently found near Mr. Koston's, the pork butcher, in Pitt-street, towards Hunter-street. The Jury found a verdict of accidental death, with a deodand of 20s. on the horse which deceased had said struck him with its head.

Another inquest was held on Monday, in George Francis's Paddington Hotel, Paddington, on the body of **ESTHER WHEELER**, then lying dead at the residence of **SAMUEL ACRE**, when the following evidence was adduced:- Samuel Acre deposed, that the deceased had lived with him for many years; she was in her usual health on Saturday evening last; witness went that night to Doddery's public house to get paid, where he had four glasses of rum; on his way home he had another glass, and took a gill home with him, out of which the deceased had one glass; in the morning he found her undressed and lying on her face in the bed; she was then dead; she was addicted to drinking, but of late she could get nothing to drink except what any person brought to her, as she was blind; she was about sixty years of age; she had lived with him about seventeen years. Mr. **ROBERT ROGERS**, surgeon, residing on the South Head Road, deposed, that he was called in about eight o'clock on Sunday morning to see the deceased, but when he saw her she was dead, although the body was still warm. From the appearance of the features, and the discolouration presented by them, witness was of opinion that she had been suffocated by lying on her face. The Jury found a verdict of died of suffocation, caused by taking ardent spirits.

Another inquest was held on Tuesday afternoon, in the house of Constable **HARRIS**, at Newtown, on the body of **MICHAEL DALEY**, then lying dead in his father's house there, when the following evidence was adduced:- **MARGARET DALY** deposed that she was the mother of the deceased child, who was about four years of age; between one and two o'clock on Tuesday afternoon witness went into

the garden where her husband was at work, and remained there for about five minutes, till the eldest child came running out and called to her; on turning towards the hut she saw the deceased coming out of it in flames, and screaming with pain; she and his father ran to him, tore the burning clothes off him, and put him into a pail of water; they then took him to Mr. Surgeon **LITTLE**, who told them how to treat him, but he died about four o'clock on Monday morning; there was only a small fire on the hearth at the time, and she had been informed by her eldest child, that while deceased was playing with a pannican and water at the fire, his clothes ignited. Mr. Surgeon Little deposed, that when deceased was brought to him, he was very severely burnt, chiefly on the integuments covering the abdomen; in fact the deceased was burned to such a degree as to render recovery hopeless, and he had no doubt that the burnings had been the cause of death. A verdict of died from injuries by being accidentally burned, was recorded.

ATTEMPTED SUICIDE. - About half-past two o'clock on Tuesday afternoon, as Constable **LUCAS** was passing through the Domain near Lady Macquarie's Chair, he found a man lying with his throat cut. A razor with which he had mangled himself was lying on the opposite side of the road to where he was lying - as he was still alive, he was removed to the Infirmary; little hopes are entertained of his recovery. He has of late been frequently seen walking about the Domain in a sailor's dress; his name has been ascertained to be **HENRY SHEPPECK**, of the Margaret whaler.

MAITLAND MERCURY, 4/211, 11/07/1846

HUNTER RIVER DISTRICT NEWS. - **NEWCASTLE.**

FATAL OCCURRENCES. - On Saturday last, as Constable **LEDGERWOOD** was on his way from Hexham to Newcastle, he observed the body of a man on the beach near Newcastle, which proved to be that of one of the men attached to the steam dredge, named **DENNIS CREAMER**, who had been missing for some time.

Today an inquiry was held by Major **CRUMMER** touching the death of **GEORGE WALTERS**, attached to the stockade, who was killed by the earth falling on him while at work excavating on Nobby's Island yesterday. Another man was injured at the same time, and is not expected to recover.

TWEED RIVER. - We are sorry to be obliged to report the death of two sawyers, named **COLLINS and HAUGHFEENY**, who were murdered by the blacks on the 4th ultimo. The murder was discovered by a sawyer named **GUOSLIL**, who, having occasion to go to their camp for water (there being a scarcity below the falls), saw the body of Collins lying beside the pit, but could nowhere see the other man. In a state of fright he made his way to his mate, **DENNIS**, who was working about two miles distant; they proceeded down the river immediately to consult with other parties as to what was best to be done. Five vessels were at this time lying down at the heads bar-bound. Mr. **LAST**, owner of the *Petrel* schooner, waiting there, Mr. **WILLIAM SCOTT**, in conjunction with Mr. **WILSON**, overseer to Mr. **CAFFREY**, Mr. **DOLLMAN**, overseer to Mr. **BURGISS**, with several sawyers, proceeded up the river without delay, with the hopes of finding the man Haughfeeny secreted somewhere near the spot. Upon arriving at the pit they searched, and found his body lying about thirty yards distant from the other. Everything belonging to them, provisions, clothing, tools, &c., had been carried away, clearly showing the object of the blacks had been for plunder. The murdered men were known to be exceedingly kind to the blacks, and constantly employing them. The murder must have taken place in the morning, and while Collins was getting a log of cedar upon the pit. The attack on Collins had been seen by his mate while setting the saw, for the body was

found as if he had been running away to the creek, where the boat was kept, to escape from the blacks. The sawyers made a coffin, and the men were buried in the pit. The funeral service was read by Mr. Dollman. These poor men were well conducted, and respected by sawyers and dealers. *Herald, July 9*

SYDNEY NEWS.

DEATH FROM SUFFOCATION. - Yesterday an inquest was held in George Francis's, Paddington Hotel, Paddington, on the body of **ESTHER WHEELER**, then lying dead at the residence of **SAMUEL ACRE**, when the following evidence was adduced:- Samuel Acre deposed that the deceased had lived with him for many years; she was in her usual health on Saturday evening last; witness went that night to Doddrey's public-house to get paid, where he had four glasses of rum; on his way home he had another glass, and took a gill home with him, out of which the deceased had one glass; in the morning he found her undressed, and lying on her face in the bed; she was then dead; she was addicted to drinking, but of late she could get nothing to drink except what any person brought to her, as she was blind; she was about sixty years of age; she had lived with him about seventeen years. Mr. **ROBERT ROGERS**, surgeon, was of opinion that she had been suffocated by lying on her face. The jury found a verdict of died from suffocation, caused by taking ardent spirits. *Herald, July 7*

ANOTHER DEATH FROM BURNING. - An inquest was held yesterday afternoon, in the home of constable **HARRIS**, at Newtown, on the body of **MICHAEL DALY**, then lying dead in his father's house there, when the following evidence was adduced:- **MARGARET DALY** deposed that she was the mother of the deceased child, who was about four years of age; between one and two o'clock on Tuesday afternoon, witness went into the garden where her husband was at work, and remained there for about five minutes, till her eldest child came running out and called to her; on turning towards the hut she saw the deceased coming out of it in flames, and screaming with pain; she and his father ran to him, tore the burning clothes off him, and put him into a pail of water; they then took him to Mr. Surgeon **LITTLE**, who told them how to treat him, which they did, but he died about four o'clock yesterday morning; there was only as small fire on the hearth at the time, and she had been informed by the eldest child that while deceased was playing with a pannakin and water at the fire, his clothes ignited. A verdict of died from injuries by being accidentally burned was recorded. *Herald, July 8*

DEATH FROM APOPLEXY. - An inquest was held yesterday in John Brown's public house, the Old Cheshire Cheese, Parramatta Road, on the body of **JAMES HENLEY**, then lying dead in the house of Mrs. **BEESON**, when the following evidence was adduced:- **JAMES KEELY**, a servant in the employ of Mrs. Beeson, deposed, the deceased was to all appearance in his usual health on Sunday forenoon; about one o'clock on that day he was standing at the kitchen fire, where some meat was roasting, which witness requested him to attend to, while witness went to the Saracen's Head for some ale; witness might have been about ten minutes absent; and on returning to the kitchen he found deceased lying across the fireplace, his head lying upon the hearth, where the fire was burning; his hat was half burnt, and his clothes were on fire as far down as the waistband of his trowsers; witness immediately pulled him out of the fire, and threw a bucket of water over him, but he was quite dead; he was sober when witness went for the ale; deceased was a gardener, and had been in the employ of Mrs. Beeson since last Wednesday. Dr. **TIERNEY** was of opinion deceased had died of apoplexy. The jury found a verdict of died of apoplexy. *Herald, July 7*

MAITLAND MERCURY, 4/212, 15/07/1846

SYDNEY NEWS. - INQUESTS.

On Thursday evening a coroner's inquest took place in the house of Mr. **JOHN WILLIAM WOOD**, at the Glebe, on the body of **ELIZA LUDBROOK**, aged thirty months, then lying dead on Mr. Wood's premises. The evidence adduced was as follows:- **WILLIAM LUDBROOK** deposed that he was the father of the deceased; about half-past eight o'clock on Wednesday morning his attention was attracted to the screams of the deceased proceeding from the kitchen; he and her mother pushed the door open, when they saw her enveloped in flames; they pulled the clothes off her as quickly as possible, and extinguished the fire; she was afterwards carried to an apothecary's, in Parramatta-street, who dressed the wounds, and on returning home Dr. **CUTHILL** was called in; at the time the child was burnt there was a small fire on the hearth; he had seen deceased about two minutes before she was burnt; he thought her clothes had ignited while she was playing with a little dog; she subsequently told him that her pinafore was the first part of her clothes that caught fire; she expired about seven o'clock on Wednesday evening; he had no doubt but the burning occurred accidentally. The jury found a verdict of died from injuries caused by being accidentally burned. The above is the fifth death that has occurred in the same portion of the Sydney district within the last six days.

On Friday afternoon an inquest took place in Mr. R. Driver's, Three Tuns tavern, King and Elizabeth-streets, on the body of **EDWARD JONES**, then lying dead in the Sydney Infirmary, when the following evidence was adduced:- **MICHAEL BROWNE**, a wardsman in the City Infirmary, deposed that the deceased had been received into that house, at half-past ten o'clock on the 21st June last, labouring under a severe scald; he was unable to walk, and witness had to carry him into the ward; he said he was lifting a large pot of boiling water from off a fire, when the water accidentally fell over him; he was about fifty years of age, and died at eight o'clock on Thursday evening. Mr. **CHARLES NATHAN**, surgeon, deposed that when the deceased was received into the Infirmary he was labouring under a severe scald. On the evening of the 5th instant symptoms of tetanus set in, of which he died on Thursday evening. The jury returned a verdict of death from tetanus, induced by being accidentally scalded. *Herald*

BATHURST. - CORONER'S INQUESTS.

On the 21st ultimo, an inquest was held before **J. SUTHERLAND**, Esq., at the inn on the Rocks, about twelve miles from Bathurst, on the Wellington road, on the body of a man named **THOMAS SEARS**, who had died suddenly on the previous day. It appeared that the deceased, who was in the employ of Mr. **ANDREW KERR**, had been unwell for some time, and was proceeding to Bathurst for the benefit of medical advice; on his arrival at the Rocks, he became unable to proceed, and died there on the night of Saturday. Dr. **MACHATTIE** certified, that death arose from aneurism of the arch of the aorta, and hypertrophy of the heart. Verdict, died by the visitation of God.

On Sunday, 28th ultimo, an inquest was also held by the same gentleman, at Summer Hill, on the road to Wellington, on the body of a man named **JAMES MOORE**. It appeared that the deceased, who was also in the employ of Mr. **KERR**, had been ploughing on the day previous in a paddock; his master and a boy, who was driving the team, heard the deceased utter an exclamation, and saw him fall between the handles of the plough; he was removed to an adjacent hut, and almost immediately expired, having been speechless from the time of his falling. Verdict, died by the visitation of God.

On Monday, the 29th, another inquest was held by the coroner, at Guyong, also on the Wellington road, on the body of a man named **JAMES DELL**, who had died suddenly on the Saturday previous. It appeared that the deceased had fallen from a dray, on which he had been sitting, and in the fall had fractured his skull, which had caused his death. He had been removed from Phillips's public-house, where the accident occurred, to another inn kept by M'Cabe, ten miles nearer Bathurst, with the view of procuring medical assistance; but he expired before any medical aid could be obtained, having remained speechless from the time of his fall, which was supposed to have arisen from a fit. Verdict, died by the visitation of God.

On Friday, 3rd instant, another inquest was held at the Fish River, on the body of **MARY CURRAN**, aged four years, who had died the previous day. It appeared that the deceased had been left in a hut with two other children, one seven, the other two years old, while the mother had gone to a paddock about a quarter of a mile distant, to assist her husband in clearing some wood off for ploughing; the deceased had got so near the fire, that her clothes became ignited, and she was so seriously burnt before assistance could be afforded, that she died from the injuries received on the day following the accident. Verdict, accidental death. *Herald, July 10*

SENTINEL, 2/80, 16/07/1846

LOCAL INTELLIGENCE

DEATH BY DROWNING. - About one o'clock on Sunday morning last, the body of a man named **THOMAS GRADY**, late in the employ of Mr. **INDER**, builder, York-street, was found by **JAMES BRENNAN** floating near Jaques's Wharf. It was removed to the dead-house, at the General Hospital, for a coroner's inquest to be held on it.

DEATH BY DROWNING. - INQUEST. - On Tuesday an Inquest was held in Mr. Driver's, Three Tuns tavern, corner of King and Elizabeth-streets, on the body of **THOMAS GRADY**, then lying dead in the General Hospital, when the following evidence was adduced:- **WILLIAM RYAN**, residing in Clarence-street, deposed that the deceased had lived with him since the death of his wife, which took place on the 26th of last month; on Thursday last he returned to his lodgings and stated that he had engaged to work with Mr. **ROBERTS**; he was then intoxicated; on Saturday morning he again returned to witness's house, having a gun with him, which he said he had bought from Mr. **CRAMPTON**, he was then also intoxicated; he went out and returned in the evening, when witness left him for the purpose of going to market; on returning witness's wife, told him, that deceased had been endeavouring to stab himself with a knife; witness did not wish to leave him alone while he went to market, and therefore got another person to attend on him during witness's absence; he remained in the house all Saturday night; he was in liquor and appeared to be greatly excited; on Sunday morning he said he would go out and take a walk, which he did, and again returned in about half an hour; he also went out about half-past twelve for the last time, and witness did not see him again till he heard that he was drowned in Darling Harbour; witness went to Jaques's Wharf and saw his dead body; he most certainly was insane; since the death of his wife he had drunk very hard, but previously he was not addicted to intemperance. He was about thirty years of age, and was a carter. **JAMES BRENNAN**, of Graham's otherwise Jaques's Wharf, deposed that about one o'clock on Sunday afternoon, while on the wharf, he saw a hat floating on the top of the water, when he got a grappling apparatus, and after using it for some time, he found the body of the deceased. **JOHN SILVER**, M.D., deposed that the body had been received into the General Hospital on Sunday last; on

examination is presented the usual appearance of suffocation by drowning; there were no marks of violence on it. The jury found a verdict of death caused by drowning.

ATLAS, 2/86, 18/07/1846

CENTRAL CRIMINAL COURT

Monday, 13

(Before his Honor Mr. Justice Dickinson)

MANSLAUGHTER

GEORGE KENDALL was indicted for having, on the 29th May, at Homebush, assaulted one **GEORGE GARLICK**, and inflicted certain wounds upon his head from which he died. Guilty of a common assault only. Remanded.

Thursday, 16

GEORGE KENDALL, tried for manslaughter, but convicted of a common assault only, was sentenced to fourteen days imprisonment in Sydney Gaol.

MAITLAND MERCURY, 4/213, 18/07/1846

MELANCHOLY ACCIDENT. - A most melancholy accident occurred at Mr. Keddie's pit, in East Maitland, on Thursday last. About half-past one on that day a collier named **ELIAS JONES**, who resided on the Morpeth roads, and who was about to enter Mr. Keddie's service, went to examine the pit. Thinking he could lower himself down, he put his leg through a loop at one end of a rope which was over a sheave at the mouth of the pit, caught hold of the other end, and swung himself off. He had no sooner done so that his weight overpowered his strength, and he fell to the bottom of the pit, a distance of about forty-five feet. A little boy, a son of Mr. Keddie's groom, who was standing by, seeing the man disappear so suddenly, ran and told his mother, who immediately gave the alarm. A new rope was obtained with as little delay as possible, and Mr. Keddie was lowered down into the pit. When he raised Jones up, the poor fellow opened his eyes, and expired almost immediately. The body was brought up; and on examination by Dr. **WILTON** it was found that one of the deceased's legs was broken at the thigh and the ankle, and one of his arms at the wrist. His head was also cut severely, and he was otherwise much bruised. The same afternoon an inquiry, touching the cause of death, was held by the Police Magistrate, who certified that deceased was killed by accidentally falling into a coal pit. Jones has left a widow and s step-son.

THE MANSLAUGHTER AT HOMEBUSH. - In the Supreme Court, on Saturday last, **GEORGE KENDALL** was indicted for manslaughter, and charged with making an assault upon one **GEORGE GARLICK**, and with a certain whip-handle inflicting a wound on the right temple of Garlick, on the 29th of May last, at Homebush, of which wound the said Garlick, on the 31st of the same month, died. It appeared from the evidence, and from the prisoner's confession before the coroner, that the deceased was in the employ of the prisoner as a drayman or carter, and that as the prisoner and his wife were returning from the Homebush Races to their residence at Penrith, he saw his dray coming on the road at a furious pace, and being driven by a strange man; that the prisoner halted, and got down from his gig, and went to the dray, where he saw the deceased lying in the dray in a state of intoxication; that he roused him, and an altercation ensued, the prisoner stating to deceased that he would drive his dray himself, but that the deceased would not allow him; that the deceased chased the prisoner round the dray several times, when the prisoner struck the deceased with his whip. The witnesses who were called stated that they heard the altercation between the prisoner and the deceased, but none of them saw the blow struck. After the

altercation, the deceased went to a witness named **BUCKLEY**, who washed the wound on his head, and advised him to remain all night; but which he refused, saying that he would go and be revenged on the prisoner. The deceased was much intoxicated at the time. The deceased arrived at his brother's, **WILLIAM GARLICK**, at Cotter's Mills, on the following day, when he complained of his head, and his brother dressed it. On the following day a surgeon was sent for, who probed the wound. There was a fracture on deceased's skull about an inch deep. The deceased died the same day the surgeon was sent for. The jury retired for a short time, and returned a verdict of common assault. The prisoner was remanded for sentence.

SYDNEY NEWS.

DEATH BY DROWNING. - INQUEST.

Yesterday afternoon, and inquest was held in M. Richard Driver's, Three Tuns Tavern, corner of King and Elizabeth-streets, on the body of **THOMAS GRADY**, then lying dead in the General Hospital, when the following evidence was adduced:-**WILLIAM RYAN**, residing in Clarence-street, deposed that the deceased had lived with him since the death of his wife, which took place on the 26th of last month; on Thursday last he returned to his lodgings, and stated that he had engaged to work with Mr. **ROBERTS**; he was then intoxicated; on Saturday morning he again returned to witness's house, having a gun with him, which he said he had bought from Mr. **CRAMPTON**; he was then also intoxicated; he went out, and returned in the evening, when witness left him for the purpose of going to market; on returning, witness's wife told him the deceased had been endeavouring to stab himself with a knife; witness did not wish to leave him alone while he went to market, and therefore got another person to attend to him during witness's absence; deceased remained in the house all Saturday night; he was in liquor, and appeared to be greatly excited; on Sunday morning he said he would go out and take a walk, which he did, and again returned in about half an hour; he also went out at half-past twelve for the last time, and witness did not see him again till he heard that he was drowned in Darling Harbour; witness went to Jaques's Wharf, and saw his dead body; he most certainly was insane; since the death of his wife he had drunk very hard, but previously he was not addicted to intemperance. Her was about thirty years of age, and was a carter. The jury found a verdict of death caused by drowning. During the time the inquest was being held, some person stole an umbrella belonging to the Coroner's clerk, and also some grave clothes, which Mrs. **RYAN**, the wife of the witness, had provided to put on the corpse previous to its being interred. *Herald, July 15*

INQUEST. - An inquisition took place before the Coroner and a jury, on Saturday evening, in Mr. Driver's, Three Tuns Tavern, Elizabeth-street, touching the death of **JOHN CARTY**, late a fruiterer, Market-street South, then lying dead in the Infirmary, King-street South, when evidence to the following effect was recorded:-**CHARLES GILLIVER**, servant to Mr. Lowater, publican, at the corner of Market and York-streets, deposed, that he recognised the body as that of John Carty; he had seen him at Lowater's public-house, during the day of last Tuesday, he was there also about nine o'clock on the same evening, he being somewhat in liquor, when a scuffle took place between him and a man named **HARRY TAYLOR**; when witness saw them, Carty was lying on the floor beneath Harry; witness lifted him up, when he said his leg was broken; on placing him on a sofa, witness saw that the leg was broken, on which a cab was procured, in which deceased was placed, in order to convey him to his own house, from which he was conveyed to the Infirmary. **RICHARD LOWATER**, publican, deposed, that the deceased was in his house between eight

and nine o'clock at night; deceased and Taylor had some words about the latter being a barrowman; soon after deceased struck at Taylor, who is a very short-sighted man; on being struck at, Taylor started up, and ran at Carty, when they both fell on the floor, Carty being undermost; witness separated them, and on taking Carty into an adjoining room, he said he believed his leg was broken; a cab was got and deceased was placed in it, and despatched for his home; witness had known him for upwards of twelve months; he had frequently seen him in liquor, but never incapable of transacting business; witness believed his leg was broken by accident, and was not intended to be broken by Taylor. Mr. **HUGH HOUSTON**, resident surgeon in the Sydney Infirmary, deposed, that deceased had said that while he was striking at the man Taylor, who had struck at him, his foot slipped, and he fell and broke his leg. On Thursday morning deceased was seized with delirium, when he got up, tore the splint off, hurt his leg, and broke the splint. He died early on Saturday morning. The delirium was not the result of the fever under which he laboured, nor of the breaking of his leg, but was *delirium tremens*, the result of previous intemperance. The jury found a verdict of died from the effects of *delirium tremens*. *Herald, July 20*

ACCIDENTAL DEATH. - On Wednesday last, a man named **CHARLES CROKER** was working on the Glebe land, and had been getting clay out of a bank for the purpose of making bricks, when a mass of the bank which had been undermined fell on the deceased, and killed him on the spot. He was a widower with four children, the oldest of whom was only ten years old. An inquest was holden on his remains on Thursday, and a verdict of accidental death recorded. *Australian, July 18*

BATHURST. - **ANOTHER DEATH FROM BURNING.**

An inquest was held in this town, before **J. SUTHERLAND**, Esq., coroner for the district, on the body of a child named **JAMES KELLY**, who died from injuries received from his clothes catching fire. It appeared from the evidence elicited, that the mother, a poor woman, who obtained her living by washing, was hanging some clothes to dry; a pot containing clothes, which was boiling on the fire, boiled over, and a sister of the deceased, in taking the pot from the fire, drew some fire towards the deceased, who was standing by, when his clothes ignited. Every assistance was rendered by the neighbours, who heard the screams of the children, but the deceased was burnt so much that he died in a few hours. *Chronicle, July 18*

THE HOMEBUSH ASSAULT.

In the Supreme Court, on Thursday last, **GEORGE KENDALL**, who had been tried for manslaughter, and convicted of a common assault, was brought up for sentence. Mr. **LOWE** appeared, on the part of the prisoner, to argue a point which had been reserved on his trial, whether a certain portion of the constable's evidence should be admitted, as to certain admissions made by the prisoner against himself to the constable. Their Honors were of opinion that the evidence was admissible. Mr. Justice Dickinson addressed the prisoner, and stated that in consequence of the high testimonials which had been placed before him of his (the prisoner's) previous good character, he should sentence him to be imprisoned in Darlinghurst gaol for fourteen days. *Australian, July 18*

SENTINEL, 2/81, 23/07/1846

LOCAL INTELLIGENCE

DEATH FROM DELIRIUM TREMENS. - **JOHN CARTY** who kept a fruiterer's shop in Market-street, went on Thursday last in a public house at the corner of Market

and York-streets, and about eight or nine o'clock had some words with a man named **TAYLOR**, whom he met there, when Carty aimed a blow at Taylor, who it appeared was somewhat short-sighted; the latter then ran at Carty, and throwing him fell upon him; and it was discovered that Carty's leg was broken just above the ankle. He was then conveyed to his home, and subsequently to the Infirmary, where he stated that whilst striking at Taylor he slipped and in falling broke his leg. On Thursday morning *delirium tremens* supervening, Carty got up, and tore the splint from his leg, and he died on the Saturday morning following. An inquest was held on the remains at Mr. Driver's, the Three Tuns tavern, corner of Elizabeth and King-street, on Saturday evening, and from the evidence taken, the foregoing facts were elicited; it also appeared that the deceased was in liquor at the time the scuffle took place between him and Taylor, and that he was frequently intoxicated, but scarcely ever to such an extent as to render him incapable of transacting business. There was nothing to prove that the broken leg was anything more than the effect of accident, or that Taylor had any intention to do him, deceased an injury. The evidence of Mr. **HOUSTON** went to shew that the deceased died from the effects of *delirium tremens*, resulting from previous intemperance, and not arising from fever occasioned by the broken limb. A verdict was returned accordingly.

MURDER BY THE BLACKS.

Intelligence reached the settlement yesterday that **HUGH PHEENY** and a man named **COLLINS**, who were employed by Mr. **JOHN BURGESS** in sawing timber on the Tweed, had been treacherously murdered by the natives about a month ago, for the sake of their rations. It appears they were attacked while at work in a creek which connects the north and south arms of the river. The bodies were discovered by **THOMAS GORSILL**, who immediately gave information to Mr. **DOLLMAN**, Mr. Burgess's superintendent. Mr. Dollman and some of his sawyers subsequently went to the spot, and buried them. This dreadful transaction has created much confusion on the river. The blacks in this locality have been known as the most ferocious wretches in the district, and it is deeply to be regretted that there is no means of bringing them to justice. The unfortunate men who have become their victims, were well-known to many in Brisbane as hard working peaceable individuals.

ATLAS, 2/87, 25/07/1846

MURDERS BY THE BLACKS. - Intelligence reached the settlement yesterday that **HUGH PHEENY** and a man named **COLLINS**, who were employed by Mr. **JOHN BURGESS** in sawing timber on the Tweed had been treacherously murdered by the natives about a month ago, for the sake of their rations. The bodies were discovered by **THOMAS GORSILL**, who immediately gave information to Mr. **DOLLMAN**, Mr. Burgess's superintendent. Mr. Dollman and some of the sawyers subsequently went to the spot, and buried them. This dreadful transaction had reated (sic) much confusion on the river. The unfortunate men were well known to many in Brisbane, as hard-working peaceable individuals. *Moreton Bay Courier*.

MAITLAND MERCURY, 4/215, 25/07/1846

SUDDEN DEATH. - Yesterday afternoon an inquest was held on the body of **WILLIAM BOWMAN**, a waterman, then lying dead at the Hunter River Wharf, when **JOHN FIFE**, of Union-street, engineer, deposed that he had known the deceased for about three months; he was a very sober man; he had been for some time employed taking the workmen of the Hunter River Company to and from Pymont; yesterday morning he was not across in time, but soon after he was observed pulling

very strongly towards the wharf of the Balmain side, and all of a sudden he ceased, when the witness and another man conceiving something was the matter, they put off, and found him lying in the bottom of the boat; he was insensible; he died about eight o'clock, and his body was brought to the Sydney side. Dr. **HOSKING** certified that from the appearance of the body, and the history of the case, death had been caused by the rupture of a bloodvessel in the heart. The jury found a verdict of died by the visitation of God. *Herald July 23*

MAITLAND MERCURY, 4/216, 29/07/1846

INQUEST. - Yesterday afternoon, an inquisition was held on the body of **JOSEPH STAPELY**, a carter, then lying dead in the Benevolent Asylum, when the following evidence was adduced:- **RICHARD GOUGH**, a quarryman, was at work in the same quarry with deceased at Five Dock. About four weeks ago witness saw him in a fit in the quarry; when seized he was standing at his work; without warning he fell backwards and cut his head. After he had been recovered he got his head dressed and resumed his work as usual. On the morning of Monday week, when going to his work in the quarry, he found the deceased lying on his side, apparently after recovering from a fit on the Five Dock road; there was a cart and horse there at the time, which was about seven o'clock; he was brought into the quarry, where he recovered; and he was subsequently removed to the Benevolent Asylum. Mr. **JAMES CHARLES RUSSELL**, resident surgeon in the Benevolent Asylum, deposed that the deceased had been received into that institution on the evening of the 14th instant, labouring under injury of the spine, and consequent paralysis of the extremities; he expired on Thursday morning. A verdict of died by the visitation of God was recorded.

CAMPBELLTOWN.

An enquiry was held at the Police Office, on Monday, July 13, before **EDWARD HOWE**, Esq., J.P., touching the circumstances attending the death of **THOMAS HYNES**, a married man, who has left a wife and two children. It appeared that, on the previous day, deceased, in company with two others, passed the court-house on horse-back; one of his companions said to deceased, "Good night," to which he replied, "Good morning;" he then rode off at a furious rate down the street, and just opposite the King's Arms Inn the animal he rode shied at the sign post; the deceased immediately fell from his seat on one side, and pitched on his head on the ground; the blood gushed from his mouth, ears, and nose; he died immediately, never having spoken after his fall. Dr. **SCOULER** attended immediately, without being enabled to render any assistance to the unfortunate man; he deposed as to the nature of the injuries on the head, and a verdict of accidental death was recorded. *Herald's Correspondent, July 24*

GOULBURN. - There was an inquest held on the 13th instant, at the Goulburn Inn, on the body of **JOHN FOX**. Death was occasioned by a fall from his horse, while in a state of intoxication on the Saturday evening previous. Just before he left the town he was cautioned as to his ability to ride, to which he replied in oaths and imprecations, and before he got half a mile from the town he fell from his horse, and was killed on the spot. Verdict – died by injuries sustained by a fall from a horse, while in a state of intoxication.

About the same time that the preceding event occurred, intimation of another case of death, which required the investigation of the coroner's court, came into town; but occurring at the distance of 85 miles, and being out of his district, our coroner did not attend. From what we have heard, it is the case of a gentleman well off in the world, but who, from some circumstance which preyed on his mind, destroyed himself by

taking strychnine, and died three hours after he took it. We believe he called for his superintendent when he was suffering under it, to see if he could relieve him. His name is Mr. **C. HALL**, and resides at a place called Dryburgh, Burrawa. *Correspondent of Herald, July 21*

ATLAS, 2/88, 01/08/1846

INQUESTS. - On Friday afternoon, an inquisition was held in Michael Healy's public house, the Rising Sun, Parramatta-street, on the body of **JOSEPH STAPELY**, a carter, then lying dead in the Benevolent Asylum – verdict, died by the visitation of God.

Another inquisition was held on Wednesday afternoon, in Michael Healy's public house, the Rising Sun, Parramatta-street, touching the death of Mr. **JOHN PETERS**, an immigrant surgeon, per the *Orestes*, 1841, aged forty-six years, then lying dead in the Benevolent Asylum. Mr. **JAMES CHAPMAN RUSSELL**, resident surgeon in the Benevolent Asylum, deposed, the deceased was received into that institution on Monday last; he stated that for about five weeks previous he had been under medical treatment for pleurisy; witness had reason to believe he had disease of the heart, which opinion he stated to deceased, who, being a medical man himself, stated that such was also his opinion; he died suddenly during the absence of witness from the Asylum; in the opinion of witness, death was the result of natural causes – a verdict of died by the visitation of God was recorded.

MAITLAND MERCURY, 4/218, 05/08/1846

ACCIDENT. - On Thursday evening a man named **WIDDOWES**, employed as a carter at Cadell's brewery at Windsor, met with a serious accident. He was, according to his own statement, going along and sitting carefully on the shafts of his dray, when, unexpectedly, the wheels came in contact with a large stone, and he was, in the jerk, thrown out with great violence, fracturing his leg just above the ankle in the severest manner possible. The bone protruded through the skin, and the leg was otherwise dreadfully lacerated. Dr. **STEWART** was called on to attend the unfortunate man, and the nature of the fracture being so serious, it is feared that amputation will be necessary. *Herald Correspondent, August 1*

DEATH BY DROWNING. - A melancholy case of drowning happened on Tuesday evening to a son of Mr. **WILLIAM PHILLIPS**, of the Kurrajong. The lad (aged ten years) was crossing a pond of water on a dry log, when he slipped, fell in, and was drowned. He lay in the water it is thought for above half an hour before he was missed, and had it not been that his hat was observed floating on the surface, he might have lain for no one knows how long before being discovered. An inquest was held on the body on Wednesday, and a verdict returned of accidental drowning. Mr. Phillips, the parent, is a very respectable man, and his grief and that of his family may be easily conceived. *Spectator, August 1*

ATLAS, 2/89, 08/08/1846

BIRTHS

On the 24th ultimo, at Singleton, Mrs. **R. WAYLAND**, of Twins, Still born.

MAITLAND MERCURY, 4/219, 08/08/1846

SHOCKING DEATH. - On Tuesday morning last, the 4th instant, a labouring man named **GEORGE WAITLEY**, about fifty years of age, in the employment of a small farmer named **JOHN PRESLAND**, residing at Seaham, went out after breakfast to

fall some trees, at a short distance from the house. At dinner time a young lad went to call him to his meal, but receiving no answer, the boy proceeded to look for him, when he saw him lying on his back, with a log across his legs. Much frightened at receiving no answer, the lad went and called his brother, who came, accompanied with another man, to the spot. They there found the unfortunate man quite dead, with a tree he had fallen lying across his legs. As no person was working with him, it is impossible to say precisely how the accident occurred; but there is no doubt that it was caused by injuries received from the tree striking him. An inquest was held on the body, at the residence of **W. SCOTT**, Esq., J.P., at Seaham, before **J.S. PARKER**, Esq., Coroner for the district, when Dr. **STREET** having certified that, on a *post mortem* examination of the body, he found a wound on the right temple (bone not fractured), together with abrasions of the skin of the right elbow and arm, the left shoulder and the back, and the right leg fractured, such injuries being doubtless caused by the falling of a tree – the jury returned a verdict of “accidental death.”

MAITLAND MERCURY, 4/220, 12/08/1846

INQUISITION. - On Sunday morning last, an inquisition was held by **E.D. DAY**, Esq., Police magistrate, touching the death of **ELIZABETH BURNETT, alias WILSON**. It appeared that the deceased, who was cohabiting with a sawyer named Wilson, residing near the Falls in West Maitland, had been ill for the last two or three months. On Saturday morning last, she was pretty well – at all events, not worse than usual; but in the evening she got suddenly from her bed, and requested that one of her neighbours, a Mrs. **LOVELL**, might be sent for, as she was dying. She then seemed very ill, and before half an hour elapsed she expired. Dr. **LIDDELL** certified that death was the result of natural causes, he having told the deceased, some time back, that she could not recover.

DEATHS.

Died, at his residence, West Maitland, after a severe illness of five weeks (resulting from a fall from his horse), Mr. **FORBES MUDIE**, aged 32 years. He has left a widow and two young children to lament his untimely end. Upright in principle, and remarkable unassuming and conciliatory in his manner, the deceased had won the respect and goodwill of all who knew him; and his death has caused a very general and sincere feeling of regret amongst his friends.

INQUEST. - On Tuesday, 28th, an inquest was held by the coroner at Limestone Flat, about forty miles from Bathurst, on the body of a woman named **ELLEN BOLTON**, the wife of a shepherd, who had died suddenly on the previous Saturday; it appeared that the husband of the deceased had gone out with his flock in the morning, leaving his wife at home, to all appearance in her usual state of good health; on his return home in the evening he found her on the floor dead. Dr. **BUSBY**, who attended the coroner on the occasion, held a *post mortem* examination on the body, and certified that death had arisen from inflammation of the lungs. Verdict: died by the visitation of God. *Herald Correspondent, August 7*

PHRENOLOGICAL OBSCURITIES.

From Australian Medical Journal, mentions: **JOHN A'HEARN**, “who was executed for murder last year, was an example of this anomaly. His cruelty to the victim of his lust did not consist in one act, but in a series of acts, perpetrated in the course of months, and generally with deliberation; the means he used, too, at once suggests a settled ferocity.”

CLARENCE RIVER. - A most atrocious murder has been committed by an aborigine at the heifer station of Mr. **WARD STEPHENS**, on the Richmond River.

The victim was a recently arrived emigrant, from Scotland, named **CONNEL**, and who was employed as a hutkeeper at the station where the outrage occurred. Connel is represented to have been a man of the mildest disposition, and had always treated with marked kindness his murderer, a black of the name of **JEMMY JEMMY**, and who had been for some time employed at the station in cutting wood, carrying water, and making himself generally useful, and for which services he was well fed and clothed. The circumstances attending the murder, as far as can be gleaned, are that Connel was sitting alone in his hut, mending a tin pot, and that Jemmy Jemmy must have come behind him and struck him down, and subsequently murdered him with a tomahawk. Connel's body was frightfully mutilated. The only possible inciting cause is the possession of a damper and the tomahawk,, as these were found to be missing from the hut. When the murder was discovered, which was shortly after its commission, Jemmy Jemmy had fled, and it is to be deeply regretted that up to the time of the steamer's leaving no trace of him could be discovered.

DREADFUL ACCIDENT. - An inquest was held at the Coronation Inn, George-street, Sydney, on the body of **ALEXANDER EDWARDS**, an infant aged four years, who met his death in the following manner:- On the Tuesday afternoon previous, a man named **GEORGE HALL** was driving a horse and cart in George-street, and when near Tooth's Brewery the horse became unmanageable, broke away from him, notwithstanding all his exertions to hold him in by the reins, and dashed furiously down the street towards the Hay-market. Some children happened to be in the road playing, deceased amongst them, but on seeing the cart coming they ran away, but the unfortunate deceased was not quick enough: he was knocked down by the horse, and the cart wheel passed over his head. Constable **BURNS**, who was on duty at the Toll-bar, luckily succeeded in stopping the horse, and on the driver, Hall, coming up, took him into custody. Mr. Surgeon **CUTHILL** having deposed to the cause of death, the jury returned a verdict of "death from injuries caused by a cart wheel passing over deceased's head."

ATLAS, 2/90, 15/08/1846

DEATHS

Lately, at his residence, West Maitland, (resulting from a fall from his horse), Mr. **FORBES MUDIE**, aged 32 years.

INQUESTS. - On Monday afternoon an inquisition was held in Israel Solomon's public-house, the Crooked Billet, corner of George-street and Owen's-place, on the body of **STEPHEN NOBLE**, aged five months, then lying dead in the house of his mother in Queen's-place. It appeared from the evidence, that the mother had, while in a state of intoxication, overlaid the child and caused its death by suffocation. Dr. **SILVER** having made a *post mortem* examination, deposed that death had been caused by the above means. The jury found a verdict of manslaughter against the mother, and she was committed on the Coroner's warrant for the offence.

An inquiry took place on Tuesday afternoon, in James Cavenagh's public-house, the Cheshire Cheese, Elizabeth-street south, on the body of a male infant which had been found enclosed in a coffin, in a paddock in front of Tooth's Brewery. There was no evidence to show in what way the child came by its death, or by whom it had been deserted, the jury consequently returned a verdict of found dead.

Another inquisition took place on Wednesday afternoon, at the Three Tuns Tavern, corner of King and Elizabeth-streets, on the body of **ELI HILDERS**, then lying dead in the Sydney Infirmary; it appeared from the evidence that the deceased was in the employ of Messrs. Tooth, Brewers, and while on the road home with a wagon, near

Ireland's public-house, he was accidentally knocked down by one of the horses he was driving, the wheels went over him, and his left thigh was broken, besides other wounds, of which he died. Verdict – accidental death.

MAITLAND MERCURY, 4/221, 15/08/1846

CORONER'S INQUEST. - An inquest was held on Sunday, the 9th August instant, at the dwelling-house of Mr. **CHARLES REYNOLDS**, at Tocal, Paterson River, on the body of **WILLIAM WOOLARD**, a ticket-of-leave holder. Deceased was stumping, on the day previous, in a field belonging to Mr. Charles Reynolds. He had complained of a pain in the chest on going to work, and whilst digging he fell down quite dead. Mr. **ISAAC SCOTT NIND**, surgeon, having made a *post mortem* examination of the body, deposed that there were no marks of violence on the body, but death had been caused by a rupture of a blood-vessel of the heart. Verdict, "Death from natural causes."

INQUEST. - An inquisition took place yesterday afternoon, at Mr. Driver's, "Three Tuns Tavern," corner of King and Elizabeth-streets, on the body of **ELI HILDERS**, then lying dead in the Sydney Infirmary, when the following evidence was adduced:- **DAVID MOON**, residing in Parramatta-street, deposed that he knew the deceased, who was employed with him as a workman in Tooth's Brewery; on last Friday fortnight witness was driving a waggon, and deceased was standing on the shaft holding by the wagon, near Ireland's public house, on the Parramatta Road, when the driver of Watsford's Parramatta coach, which was passing at the time, gave a crack with his whip, which made the horses in the waggon start; witness ran to the head of the leading horse, but the coachman giving another crack with his whip, when the horses with the wagon started off, on which deceased leaped from the shaft of the waggon and ran towards the head of the shaft horse; as he was running alongside the horse it struck him with its fore leg, so as to knock him down, when both wheels of the wagon passed over him; the deceased was immediately taken up and conveyed to the Infirmary; the thigh-bone on the left side was broken, and the right leg from the knee to the foot severely lacerated; this was on the 20th of last month, and mortification ensuing, amputation was found necessary. This operation was performed, but deceased died on Monday evening. The jury returned a verdict of accidental death.

SYDNEY NEWS. - INQUEST.

An inquest was held on Monday last, at the Crooked Billet, George-street, on the body of **STEPHEN NOBLE**, a child five months old, which was found dead in bed on Sunday night, about seven o'clock. The mother of the child, **ELIZABETH NOBLE**, was in custody. It appeared from the evidence of **CATHERINE WALSH**, that on Sunday afternoon the mother went to bed in her clothes somewhat tipsy; that Mrs. Walsh put the breast to the child's mouth, and left them in bed; this was about half-past four o'clock, and about seven o'clock witness saw the mother sitting at the table with witness's husband and the father of the child; witness had occasion to go in to the room where the child was in bed shortly afterwards, and found it quite dead. Dr. **BLAMEY** saw the child about twenty minutes past eight o'clock on Sunday evening, and thought it had been dead about an hour. Dr. **SILVER** made a *post mortem* examination, and found the left lung and the brain congested, and an unusual quantity of blood on the right side of the heart. He was of opinion that the child had been suffocated, and suffocation might have been produced either by the weight of the mother's body, or by the breast. Some other evidence was taken as to the woman being taken into custody by the police; and the coroner having summed up, the jury

returned a verdict of manslaughter against the mother, who was committed to gaol for trial. *Chronicle, August 12*

MYSTERIOUS. - A small coffin, containing the dead body of a child, was found yesterday morning within the paling of the burial ground, where it had been left the previous night by some unknown person. A medical gentleman inspected the body, and, as we are informed, pronounced it to be the body of an infant who had lived some short time. *Chronicle, August 12*

MAITLAND MERCURY, 4/222, 19/08/1846

MAN DROWNED. - We have been informed that as the *Cornubia* steamer was coming out of the heads of Port Jackson on Monday night last, one of the passengers, named [RICHARD] **JONES**, unfortunately fell overboard, and was drowned. The vessel lay to for about ten minutes, but nothing could be seen of the unfortunate man.

INQUEST. - A coroner's inquisition was held on Saturday afternoon, in William Wells's, Lord Nelson tavern, Argyle-street, on the body of **THOMAS PATERSON**, late a seaman belonging to the barque *Waverly*, then lying dead in Kent-street North, when the following evidence was adduced:- **THOMAS BELL** of Miller's Point, deposed that, about one o'clock on Saturday afternoon, as he was passing the corner of Kent-street and Miller's-row, he saw the deceased lying on a bag of potatoes apparently in a fit; the deceased soon after expired, when the body was placed on a shutter and removed to Wells's public-house. Captain **JAMES MORGAN** deposed, that the deceased was one of the seamen of the *Waverly*; he had belonged to that vessel since the 1st of April last; within the last fourteen or fifteen days he had been complaining of a difficulty in breathing, and a pain in the chest, for which he had been blistered; about half-past nine on Saturday morning, the deceased applied to witness to be sent to the hospital, and was on his way thither when he went into the place where he died, he being unable to go further. Dr. **TIERNEY** made a *post mortem* examination of the body of deceased; the lungs were in a very diseased state, and there was a very large quantity of water on the chest, and which witness thought had caused death. The jury found a verdict of died by the visitation of God, in consequence of water on the chest. *Herald, Aug. 17*

DEATH FROM BURNING. - INQUEST.

An inquisition took place yesterday afternoon before the coroner and a jury, in Thomas May's public house, the Sportsman's Arms, Parramatta-street, on the body of **LUCY MERCHANT**, then lying dead in Athlone-place. The evidence adduced was as follows:- **JANE JONES** deposed that she knew the deceased and her parents, with whom she lived; on last Monday week witness was in the yard attached to her own house when, leaning over the fence, she saw a little girl run out of the house where deceased lived, and heard another screaming in side which induced witness to run into the house to ascertain the cause, when she saw the clothes of the deceased in flames; witness did her utmost to extinguish them, without effect; the clothes were entirely burned; a man came and assisted to tear and cut them off; deceased was about seven years of age; the child's mother was from home at the time the accident occurred, but returned soon after, when she threw some water on the deceased to cool her; several of the neighbours also suggested other applications, which were resorted to; she had no doubt but the burning was accidental; the deceased died on Wednesday morning. Mr. **THOMAS PHILLIPS**, surgeon, deposed that he had been called in on Friday last to see the deceased; he found the integuments covering the upper part of the thighs and the abdomen severely burnt; witness applied the usual remedies, but without effect; the burns he had described were sufficient to cause death; deceased

New South Wales Inquests, 1846; 24/03/08

had been visited by some medical man previous to witness seeing her, but the case was a hopeless one. The jury returned a verdict of died from injuries caused by being accidentally burned. *Herald, August 15*

ATLAS, 2/91, 22/08/1846

INQUESTS. - On Tuesday two inquests were held in the Rising Sun, Parramatta-street, on the bodies of two females, then lying in the Benevolent Asylum. The first was on the body of **MARY ANN COLEMAN**. It appeared from the evidence, that the deceased had surreptitiously obtained some opium, while an inmate of the Asylum, of which she took such a quantity as caused her death. The jury returned a verdict accordingly. The other inquest was on the body of **ELIZABETH SIMMONS**, who had been admitted into the asylum, in consequence of injuries sustained by a cart wheel going over her foot, which ended in mortification. Verdict accident death.

On Thursday afternoon, an inquisition took place before the Coroner, in Christopher Flinn's public-house, Parramatta-street, on the body of **JOSEPH LINDEN**, then lying dead in the Benevolent Asylum. The evidence was of a nature to show that he died of natural causes – the Jury returned a verdict to that effect.

MAITLAND MERCURY, 4/223, 22/08/1846

SUSPECTED MURDER. - On Wednesday evening, an aboriginal black reported to Mr. **SLACK**, of the Rose Inn, that some other blackfellows had murdered his gin. Enquiries were immediately made into the circumstances, but no further information could be obtained, as the black who brought the news was not afterwards seen. It is to be feared that if the poor creature has been slain, her tribe have managed to hush the affair up between them.

ACCIDENT. - About five o'clock on Saturday afternoon. An aged man, who was employed at some buildings erecting by Mr. **JENKINS** in Parramatta-street, near Valentine's-court, fell from the top of the building, a height of between twenty and thirty feet, and was so severely injured that, on being removed to the Benevolent Asylum, he died almost immediately after his admission. *Herald, Sept. 7 (sic)* [Repeated again 4/228, 09/09/1846]

SUDDEN DEATH. - Owing to the inclemency of the weather on Saturday night, the keeper of M'Keon's Wharf, Sussex-street, gave permission to two Shoalhaven aborigines, named **PORT ALLICK and STEWART**, to pass the night in his kitchen. On rising yesterday morning one of the (Stewart) was found dead. His body has been conveyed to the Benevolent Asylum, to abide the result of an inquest. *Herald, Sept. 7* [Repeated again 4/228, 09/09/1846]

MAITLAND MERCURY, 4/224, 26/08/1846

DEATH BY DROWNING. - A paragraph appeared in this journal a few days ago, stating that one of the passengers per the *Cornubia*, from this port to Maitland, had been drowned on the voyage thither. It appears that the deceased was named **RICHARD JONES**, that he was drunk at the time, and lost his balance while sitting on the vessel's bulwarks. He was well known amongst the Sydney police as one of the most expert thieves they had to keep a look out for. Amongst the last visits he paid to the Sydney police bar was one on a charge of making and uttering base coin. When he met his death he was on his way to the Maitland races, and would probably have finished his trip by a professional tour at the expense of the inhabitants of the Hunter River district. *Sydney Herald, August 22*

WINDSOR. - ACCIDENTS.

On Tuesday, the 28th ultimo, a drayman, named **JAMES WIDDOWES**, in the employment of **THOMAS CADELL**, Esq., was returning from Parramatta with a number of empty casks, when the horse became frightened, and the man jumped on the road, when one of the wheels of the dray threw him down and passed over his ankle, causing a compound dislocation of that joint, the inner ankle protruding about two and a quarter inches. It was found necessary to remove a portion of the bone, which Dr. **STEWART** performed in the presence of Drs. **WHITTAKER** and **BELL**, when the sufferer experienced the greatest relief from this operation. Notwithstanding the great skill and expedition with which this operation has been performed, and the kindest attention and treatment on the part of Mr. Cadell and Dr. Stewart, we regret the poor man is still in a very dangerous condition; and it is almost feared that amputation of the limb will be necessary to preserve life. *Hawkesbury Courier, August 20*

ATLAS, 2/92, 29/08/1846

INQUEST. - A coroner's inquisition was held yesterday in J.R. Clayton's public-house, the Cooper's Arms, Sussex-street, on the body of **JOHN CLARK WARD**, then lying dead in his lodgings in the same street. The evidence adduced was that the deceased had been seized with a fit on Friday last, from which he never recovered. Verdict died by the visitation of God.

MAITLAND MERCURY, 4/225, 29/08/1846

MELANCHOLY OCCURRENCE. - The *Dove*, **HART**, master and owner, bound for Shoalhaven, put in at Wollongong, and it appears that yesterday (Sunday), about nine o'clock, the only two men belonging to her went out schnapper fishing, and when off Fairy reef, the boat, or rather dingy, was upset, and the unfortunate men drowned. The bodies have not been found up to this time, nor is it at all likely that they will. The names of the two men are **JOHN MARSHALL** and **THOMAS HAINS**. The miniature boat was found on the shore uninjured. *Herald Correspondent, August 26*

ATLAS, 2/93, 05/09/1846

INQUEST. - An inquisition took place yesterday afternoon, in the Yorkshire Stingo, on the body of **ANNE REID**, then lying dead in a house in Castlereagh-street. The evidence adduced was that the deceased had been subject to palpitation of the heart, and Dr. **SILVER**, who had made a *post mortem* examination of the body, found that death had been occasioned by disease of the heart, which had caused effusion into the pericardium, thereby impeding the functions of the heart. The jury found a verdict of died by the visitation of God.

MURRUMBIDGEE, August 28. It is with deep regret that I have to acquaint you with the distressing intelligence of the death of **EDWIN CRISP**, Esq., by drowning, on the afternoon of Thursday, the 27th instant. The unfortunate young gentleman had received information that a shepherd in his service had on that day attempted to cross the Murrumbidgee in a canoe, which swamped, and that the man was then on a log in the river. Mr. Crisp, immediately ordered a horse, and proceeded with all possible speed to the place, and after folding a rope round his body attempted to reach the man, but, it is supposed from his getting entangled in the rope, or more probably from cramp, caused by the extensive coldness of the water at this season, he sank to rise no more. I am sorry to add that they body has not yet been found, but it is expected it will be got out of the river tomorrow. The most unpleasant reflection arises from the

fact that there was no necessity for Mr. Crisp to attempt to extricate the man in the way he unfortunately did, as the man was on a firm log, and remained there until the boat from Mr. **SIMPSON'S** punt arrived shortly after Mr. Crisp disappeared. There can be no doubt, however, that Mr. Crisp laboured under the impression that the man was in danger, and stimulated by a noble and generous impulse, that of rescuing a fellow-creature from a watery grave, sacrificed his own life. Mr. Crisp was son of **THOMAS CRISP**, Esq., of Gedgrave Hall, Suffolk, and although a short time resident in the neighbourhood of Gundagai, had won the esteem of all who had the pleasure of his acquaintance. To his personal friends here, his loss will not easily be supplied, whilst all classes unite in one common expression of regret for his memory, and the deepest, though unavailing, regret for his untimely death. *Herald*.

DEATHS.

Same day [On the 1st instant] at Balmain, the lady of **HENRY WADE**, Esq., of a son, still born.

MAITLAND MERCURY, 4/227, 05/09/1846

SERIOUS ACCIDENT. - On Wednesday afternoon last, as the Rev. Mr. **SMITH** was driving towards Hexham, in his gig, accompanied by a gentleman named **GRANT**, the wheel of the vehicle came in contact with a stump, and the sudden jerk caused by the collision threw the reverend gentleman with considerable force out of the gig. Unfortunately he fell upon his head, and was picked up senseless. Mr. Grant, in his endeavour to save his companion, was also thrown out, but received no serious injury. The Rev. Mr. Smith now lies in a very dangerous state, from concussion of the brain, though hopes are entertained of his recovery.

FATAL ACCIDENT. - On Wednesday morning, the 26th August, a man who keeps a small shop in Morpeth, named **THOMAS RUTTER**, went from his home, leaving two of his children behind, one aged nine years, the other seven, with strict injunctions to go to school at the proper time. In lieu of this, however, on their father's departure, they went down to Mr. Portus's mill yard, and finding there a man named **WILLIAM MITCHELL**, with whom they were acquainted, about to proceed into the bush with a timber carriage, they begged to accompany him. After some demur on the part of the man, they were allowed to do so; but they had not proceeded far before the two boys mounted on the carriage for a ride - the youngest, **WILLIAM**, getting over the short wheels in the front. Passing the brick kilns, the horses, going up a hill, began to trot, when the little boy lost his balance and fell off the carriage, both wheels passing over him. He was immediately carried into a neighbouring house, the poor woman who lived there paying him every attention, and at length placing a pillow on a wheelbarrow and taking him home. The poor little fellow lingered, in great pain, notwithstanding the constant attention of Dr. **LIDDELL**, for two days, when he expired. Dr. Liddell made a *post mortem* examination of the body, and found that the bladder was seriously inflamed, the wheel having grazed over the hip on the left side. He had no doubt but that death had resulted from such injuries. Under these circumstances, the Police Magistrate certified that death had resulted from a wheel having accidentally passed over deceased's body.

MURRUMBIDGEE, AUGUST 28. - It is with deep regret that I have to acquaint you with the distressing intelligence of the death of **EDWIN CRISP**, Esq., by drowning, on the afternoon of Thursday, 27th instant. The unfortunate young gentleman had received information that a shepherd in his service had on that day attempted to cross the Murrumbidgee in a canoe, which swamped, and that the man

was then on a log in the river. Mr. Crisp immediately ordered a horse, and proceeded with all possible speed to the place, and, after folding a rope round his body, attempted to reach the man, but, it is supposed from his getting entangled in the rope, or, more probably, from cramp, caused by the excessive coldness of the water at this season, he sank to rise no more. *Herald, Sept. 3*

MAITLAND MERCURY, 4/228, 09/09/1846

MAITLAND CIRCUIT COURT.

This court will be opened this day week (the 16th instant) ... The names of those who have been already warned for trial we subjoin:-

MARY CORBAN, secretly disposing of the body of a certain child, whereof she had been delivered, to conceal the birth thereof.

JAMES JOHNSTONE, murder

TOMMY TOMBO, an aboriginal, assault with intent to commit a rape.

MELANCHOLY DEATH. - It is with sincere regret that we have to announce the death of the Rev. **J.J. SMITH**, which melancholy event took place at Ms. Muir's Hotel, in East Maitland, yesterday afternoon. From the first his medical attendants had but little hopes of his recovery, the unfortunate gentleman having been insensible from the time of the accident taking place, with the exception of a few short lucid intervals, to the moment of his death.

DEATH BY DROWNING. - On Tuesday, the 25th, a woman named **CLANCY**, the wife of a shepherd living at Molong Flat, Bathurst, went to a waterhole to get a bucket of water. It appeared that she landed the bucket on the usual resting-place, and it was supposed her foot slipped, and she fell into the waterhole and was drowned. Having been missed, and the bucket being found at the usual place for drawing water, a search was made for the body, which was found on the following day. *Herald Correspondent, Sept. 4*

INQUEST. - Inquisition was held yesterday afternoon, in the Royal Oak Tavern, Miller's Point, on the body of **MEHMET ALI**, an Indian seaman, then lying dead on board the *Emily Jane*, at Moore's Wharf. Dr. **F. MACKELLAR** deposed that he had been attending deceased for the last three days, at the instance of Captain **WILSON**, commander of the *Emily Jane*; he was labouring under a cold or chronic bronchitis; he was affected with asthma, and was in the habit of eating opium; he died from disease of the bronchial tubes, accelerated by eating opium, which has the effect of creating an unusual flow of spirits, as in the case of intoxication by liquors; after the first effects are worn off, a re-action commences, which is put off by the person again taking opium. In the present case, the deceased had taken a very large piece of opium some hours before his death. The jury found a verdict of died from disease of the lungs. *Sydney Herald, Sept. 5*

ATLAS, 2/94, 12/09/1846

DEATHS.

On the 27th ultimo, **EDMUND CRISP**, Esq., aged 27 years, late of Billy Bong, in this colony, and formerly of Gedgrave Hall, Suffolk, who was unfortunately drowned in the Murrumbidgee River, in endeavouring to rescue one of his servants from a similar fate.

INQUESTS. - A Coroner's inquest was held on Saturday last, in Flynn's public-house, Parramatta-street, on the body of **ANNE M'CARTHEY**, then lying dead in the Benevolent Asylum: from the evidence adduced, it appeared that the deceased had

long suffered from a palpitation of the heart, and of which at the time of her being received into the Asylum, she still complained. Verdict, died by the visitation of God.

On Monday, three inquests were held, viz:- The first on **WILLIAM HARKWICK**, killed by falling off a ladder near the Benevolent Asylum, on Saturday afternoon. Verdict, accidental death. The second on **JACK STEWART**, an aborigine, who had died on Sunday morning at M'Keon's Wharf, of disease of the lungs. Verdict, died of natural causes. And the third on the body of **JOHN WILSON**, a wood cutter, who had died at Middle Harbour of apoplexy, induced by injuries the effects of a fall fourteen days previously while intoxicated in Sydney. Verdict, died of apoplexy.

On Tuesday last, an inquiry took place in O'Donnell's public house, Market-street, touching the death of **THOMAS DEANE**, aged twenty-five months, for which his father, **THOMAS DEANE**, baker, was in charge. The evidence adduced was as follows:- **CATHERINE FLANAGAN**, residing in Kent-street, deposed, that she was the mother of the deceased, and resided with Thomas Deane, his father, then before the Court. About two o'clock on Thursday fortnight past, she was giving the deceased some food, when his father put his arms around her neck, when witness said he smelled of liquor, on which a struggle took place between her and the prisoner, by which the table was capsized, and a plate which was on it fell on the deceased, who was sitting on the floor. It was a heavy china plate, and broke in two pieces on his head. When Dr. **MABERLY**, who attended the child after the accident had happened, subsequently made a *post mortem* examination of the body of deceased, and on raising the scalp he found a deep indentation in the anterior wound, penetrating through the bone and integuments of the brain into its substance; there was matter beneath the membrane which accounted for the convulsions the child had; from the nature of the wound, in his opinion it was impossible that a plate merely falling from the table on the child's head could have produced such injuries; it must have struck the child with much greater violence than could be produced by merely falling from the table; these injuries, in his opinion, were the cause of death; the indentation he had described might have been produced by the edge of a plate. The Jury, after consultation, returned a verdict of died of injuries accidentally received; on which the prisoner Thomas Deane was discharged.

MAITLAND MERCURY, 4/229, 12/09/1846

ACCIDENT. - Yesterday evening, a bullock team, driven by a man named **PETER CROW**, suddenly broke away from the yard of Mr. **PELLING**, and dashing furiously through into the street, notwithstanding his efforts to stop them, ran on to the pathway at Nicholson's Inn, where the driver was knocked down, the wheel passing over him. The unfortunate man was immediately carried into the inn, where every attention was paid him, and medical assistance sent for. Dr. **LIDDELL** was promptly in attendance, and on examining his patient, found that there was a compound fracture of the bone a little above the ankle joint. The poor man is now lying in a state of great agony.

MURDER BY THE BLACKS. - The distressing intelligence reached town yesterday morning of a dreadful murder committed by the blacks at the Murray, in which a fine young gentleman of the name of **BEVERIDGE**, the eldest son of Mr. **A. BEVERIDGE**, of the Hunter's Rest, on the Sydney road, is the victim. It seems that on Sunday week (the 23rd ult.) Mr. Beveridge was in his hut, with two white man and a black belonging to the station, when hearing a noise outside he went out, and saw two blacks cooeing in the vicinity of the hut, and recognising them as two of the principals in a late robbery of his sheep, he charged them with the theft, when one of

the blacks without a moment's warning threw his spear, which struck Mr. B. in the abdomen, inflicting a sever wound. Mr. Beveridge immediately called out to the men in the hut to take to their arms, and himself made towards the door, which he had nearly reached, when he was struck in the back by a second spear, and fell dead on the spot. The blacks immediately made off and succeeded in making their escape; both, however, are well known. The victim of this outrage was a young gentleman of high promise; he was educated for the ministry of the Church of Scotland, and had attained the degree of Master of Arts. His loss will be deeply regretted by all who had the please of his acquaintance. *Melbourne Argus, Sept. 1*

CHARGE OF MANSLAUGHTER. - **THOMAS DEAN**, baker, of Clarence-street, near Market-street, was apprehended by the police on a charge of having killed his child, aged two years. It appeared that a few days ago, while quarrelling with the mother of the deceased, with whom prisoner lived, he flung a plate at the mother, which missed her and struck the deceased over the ear, inflicting a severe wound, of which she lingered for some days, and expired yesterday morning. *Herald, Sept. 9*

INQUESTS. - Yesterday three inquests were held, viz., The first on **WILLIAM HARDWICK**, killed by falling off a ladder near the Benevolent Asylum, on Saturday afternoon; verdict, accidental death. - The second on **JACK STEWART, an aborigine**, who had died on Sunday morning, at M'Keon's Wharf, of disease of the lungs; verdict, died of natural causes. And the third on the body of **JOHN WILSON**, a wood-cutter, who died at Middle Harbour of apoplexy, induced by injuries from a fall fourteen days previously, while intoxicated in Sydney; verdict, died of apoplexy, the effect of a fall. *Herald, Sept. 6*

MAITLAND MERCURY, 4/230, 16/09/1846

SYDNEY NEWS.

BERRIMA ASSIZES. - MONDAY, SEPT. 7

WILLIAM HENRY THOMPSON was acquitted of a charge of murdering **ROSANNA SMITH**, at Braidwood, by casting her into a water hole.

BRIDGET MITCHELL was found guilty of murdering her newly-born male child, at Goulburn, on the 14th of February, by pressing her hand upon his neck and nostrils, and sentenced to be transported for life.

JOHN RENSHAW was found guilty of manslaughter, for having killed one **JAMES FORAN**, by stabbing him with a knife in the left ventricle of the heart, whereof he instantly died, and was sentenced to be imprisoned for six months.

TETANUS. - A man named **GOLLAGAR**, whilst engaged in putting up some paling at Parramatta on Monday, stepped on a shingle nail, which penetrated his big toe. He subsequently complained of a soreness in his throat, and went to Mr. **WHITTAKER**, the apothecary, for something to relieve it, upon which, Mr. W. remarked that he thought the soreness proceeded from the wound in the man's foot. The man took no further action at the time, thinking that he would soon get better, but on Thursday night, *tetanus* ensued, and notwithstanding every effort of three medical gentlemen, one of whom tried the galvanic battery, the man expired. *Australian, Sept. 12*

GUNDAGAI. - A report from the Broken River has reached here; it appears that Mr. **POTTS**, who had charge of Campbell and Curlewis's stations in that direction, was unfortunately drowned while endeavouring to save some sheep in a flood. He was a highly respectable man, and has left a family. *Herald Correspondent, Sept. 12*

MAITLAND MERCURY, 4/231, 19/09/1846

MAITLAND CIRCUIT COURT.

SHOOTING WITH INTENT

JOHN CROW, of Raymond Terrace, was placed at the bar, arraigned on a charge of shooting at one **EDMUND CONNORS**, with intent to do grievous bodily harm.

The prisoner having pleaded not guilty, the Solicitor General briefly stated the circumstances of the case, and called

Edmund Connors, who having stated that his named was **EDWARD**, not Edmund, Connors, although on the deposition his name appeared throughout, even as signed by himself, as Edmund Connors, his Honor ordered the jury to return a verdict of not guilty.

SHOOTING WITH INTENT

JOHN CROW, of Raymond Terrace, was arraigned on a charge of shooting at one **EDWARD CONNORS**, with intent to do grievous bodily harm.

THOMAS REYNOLDS : I know Connors, but do not know his Christian name; I saw Connors at Crow's place, at Tenebla, near Port Stephens; Crow is gardener to Mr. Caswell; Connors, **GEDLOW, WHEELAND**, and myself were there, as there had been a christening, on the previous Sunday, of Crow's child; we had been treated by Crow, and had some wine to drink; Connors was picking a quarrel with Crow all the evening, and took several weapons to strike Crow; he had a smoothing-iron first, then a pair of hedge clippers, and afterwards a spade, with which he made a chop at Crow, and cut the door-post; witness took the different weapons from Connors; Crow went into his bed-room, and Connors, who was outside, took up two large stones, and said he would have Crow's life; just at this time I heard a shot from Crow's window, and I saw Connors running away; I stopped him, and turned him round, and I saw him all black on the side and the shoulder; he had no shirt on, but I saw no blood or wound; I afterwards heard Crow tell Wheeland that if he did not leave the kitchen he would serve him the same as the other man; Connors had previously demanded his fowling-piece from Crow, and had smashed it to pieces, and burnt the stock; he had also destroyed some crockery and other things.

Cross-examined by the prisoner: You left a gun with me when you went to get your child christened; it was then charged with powder only; Connors threatened you with a knife, and said he had been sent to the country for murder, and would stand the same again for you; when you went into your bed-room, Connors and Wheeland said that if you did not bring out more wine, they would break open Mr. Caswell's store. In a lengthy cross-examination, the prisoner then showed that Connors and Wheeland had behaved in a most violent manner.

Edward Connors: I was at Crow's house on the 10th April; a man named Reynolds and myself had a few words together, when Crow interfered and struck me; Reynolds struck me too, and turned me out, and whilst I was staggering from the blow, Crow came to the kitchen door and fired at me with a gun; I recollect no other provocation given that what I have stated; after firing the gun, Wheeland took me by the hand to lead me into the kitchen, when prisoner called for his powder, and after driving us away, said that if we showed our heads he would shoot us; I was not violent; I took no weapons to Crow, nor did I break any bottles or crockery.

Cross-examined by the prisoner: I came out a prisoner, and was transported for beating a man about the head with a stick. The witness denied all the allegations against him by the previous witness.

JAMES JOHN CADELL, M.D., deposed to having taken some portions of shot from prosecutor's side; they evidently appeared as if they had been struck against a wall previous to wounding him; they had barely penetrated the skin; had a shot been

fired direct at a distance of 10 yards the wound would have been more severe, and the shot would not have had the same appearance.

WILLIAM GEDLOW, an assistant gardener, deposed: I was present on the night of the riot; I heard the row from the house, and when I came up I saw Connors in the kitchen, with an axe and a piece of a scythe in his hands, shaking them at Crow; Connors said he had come out for murder, and would murder the prisoner before he was done; I saw Connors bring four large stones, and plant them under a window, and then go round to the back of the house; I went into the kitchen, and Wheeland put me out; I planted then, and saw prisoner go towards his bed-room; they were then all quiet, and shortly afterwards I went down to the garden, when I heard a shot fired, and, on coming up, saw Connors wounded; I saw that the plates, bottles, and crockery were broken.

Cross-examined by the prisoner: I really considered your life to be in danger.

George Wheeland deposed: I was at Crow's place on the night of the row; I was sober; Crow sent to me for a christening. We had some drink, and I then went away for half an hour; when I came back, Crow was making a noise, and asked if I thought him a coward. He then went up to Connors, and gave him a box, and Reynolds gave him another; they then turned him out, and Crow went and got a gun and shot Connors. Before I went out Connors was making a noise shouting, and breaking some bottles. Crow was outside the kitchen door, about four yards out, when he fired the shot, between the kitchen and the bed-room doors. Connors was then standing out in front of the porch. There were some mugs and crockery broken. When Connors was shot, I brought him into the kitchen.

By his Honor: Connors was about eight yards when the shot was fired. We were all outside the house.

By the prisoner: There was quarrelling in the kitchen, but I cannot say what about. I told Gedlow to go home, but did not turn him out. Connors was running down the yard with his back to you when you fired. The morning after the row Connors and myself met Mr. Caswell; Connors was driving a team of bullocks.

The prisoner then out in a written defence, which was read by the Prothonotary; and called

Mr. **WILLIAM CASWELL**, who deposed: Prisoner has been two years in my service. Reynolds told me that Connors had been shot. I went up to the station, and on the road I met Connors and Wheeland; Connors was driving a dray, and expressed himself sorry that Reynolds had told me, and said that he was a blackguard, and deserved all he had got; and wished me very much to turn back. In consequence of what I had heard I examined the wall of my house, and saw where the powder and shot had struck it. Prisoner is a sober, quiet man, and I had a good character with him.

CORNELIOUS M'CRUSKY deposed that Connors had told him that Crow was a fool for not coming and settling the business, and told him to go and tell this to Crow.

This closed the case for the defence, when his Honor summed up at great length, stating that in case the prosecutor was acquitted, he should feel it his duty to have the prosecutor placed on his trial for perjury.

The jury retired for about twenty minutes, and then returned a verdict of not guilty.

His Honor then directed that the prosecutor should be taken into custody; but allowed him bail, himself in £50 and two sureties in £25 each, to appear and take his trial on that day week.

The Court then adjourned to the following day at ten o'clock.

MORE MURDERS BY THE BLACKS.

At the heifer station of Mr. **WARD STEPHENS**, on the Richmond River, a stockman and his hut-keeper have been most brutally murdered. On Tuesday, the 25th August, some blacks came to their hut and behaved in a manner apparently the most friendly until they got them separated, when they attacked and destroyed them. The stockman rushed to his horse, which was standing at the door of the hut ready saddled, but in great fright, broke the bridle, and galloped off, and left the poor man at the mercy of his cannibal assailants; the fire-arms which were in the hut were useless. The murder was not discovered for some days. The hutkeeper had a son of about eight years of age, whom they did not touch, and from him, who was found nearly starved, the above particulars have been learned. The blacks took upwards of 1500 lbs. of flour, besides all the clothes they could lay their hands on. The bodies were about 200 yards apart from each other when they were found – the head and arms completely eaten away. These make the second and third murders that have recently been committed at Mr. Stephens's station, and the sixth on the Richmond River. Why is no protection given to the settlers in that country? – and why are such scenes allowed to take place without any sufficient means being employed to detect and punish the criminals? Surely a police is as necessary for the country as for the city; and some of the mounted police ought to be despatched thither immediately, for the protection of life and property. *Herald, Sept. 15*

MAITLAND MERCURY, 4/232, 23/09/1846

DISCOVERY OF HUMAN BONES. - A few days since, as one of the labourers employed by Mr. **SAVARY** in building his new house, was digging in the garden, at the back of the premises, he discovered part of a human skeleton, with irons on the legs, similar to those worn by the prisoners during the time this place was a penal settlement. It is conjectured that the bones are the remains of some poor wretch who had, in all probability, been murdered by a fellow prisoner, and afterwards placed by him under the sod to escape detection. *Moreton Bay Courier, Sept. 12*

MAITLAND CIRCUIT COURT. - SATURDAY, SEPTEMBER 10
CONCEALING A BIRTH.

MARY CORBIN, of Scone, was indicted for concealing the birth of a child, which had been born alive on the 8th April, 1846. A second count charged her with concealing the birth of a child born dead.

Mr. Holroyd appeared for the prisoner.

The particulars of the case are totally unfit for publication; the only reason assigned for concealing the birth being, that, at the time of her delivery she had been only six months married, and had consequently wished to conceal the birth of her child from her husband. The prisoner admitted that she had buried the child, but thought it was no harm, as the child was born dead.

Mr. Holroyd addressed the jury in an eloquent and forcible manner.

The Judge proceeded to sum up, when the jury stopped his Honor, and returned a verdict of not guilty.

JUDGEMENT ARRESTED.

In the matter of **WILLIAM CAIN**, who had been convicted, before his Honor Mr. Justice Therry, of perjury, the prisoner having been placed at the bar,

His Honor said that, on the trial, the counsel for the prisoner, Mr. Purefoy, had raised an objection, which had been considered by the three Judges in Sydney, and held to be valid. Their Honors had held that the indictment could not be good, inasmuch as the prisoner had sworn to give "evidence in the *respective* cases then before the Court," as such an oath was illegal and unbinding, as every witness should

be sworn in each particular case respectively, and that although the man might be guilty of false swearing, yet he could not be guilty of perjury, and they consequently ordered the judgement to be arrested. But, before discharging the prisoner from the custody of the Sheriff, he should call on him to find bail to keep the peace, for he had handed to him several affidavits, in which it was sworn that the prisoner had threatened the lives of Messrs. **KINGSMILL, HICKEY and GRACE**, and consequently he did not think him a fit person, especially from his having attempted self-destruction, to go at large, unless some responsible persons would become sureties for him. He therefore ordered that he should find bail, himself in £100, and sureties to the amount of another £100.

ASSAULT.

PATRICK DRYDEN and THOMAS FOGARTY were indicted for assaulting **WILLIAM LINDONIS**, of Raymond Terrace, on the 11th of April last.

Mr. Dowling appeared for the prisoners.

William Lindonis, carpenter, residing at Raymond Terrace; on the 11th April, at eleven o'clock at night, heard a noise in the front of his house, and looking out, saw the two prisoners, armed with sticks. Dryden said that the witness was a b----- rogue, and he would murder him that night. Witness asked what they were doing there, when Fogarty said, "We'll show you," and, forcing the door open, struck at him with a stick. Witness closed the door, when Fogarty went round to the back of the house and broke the lower sash with a stick, and drove a bullock's head through the upper sash; Dryden at the same time threatening to murder witness if he got in. His wife then made an outcry, and when she went into the bed-room, the two prisoners went to it and smashed the windows of that room with a stick. Prisoners then went away, after throwing a brickbat through the window. Witness then went out for a constable, and went towards the blacksmith's, when he met prisoner Dryden with a paling in his hand. He raised the paling to strike witness, when witness closed with him, and he was secured, swearing strongly all the time that he would have revenge. Almost at the same time, Fogarty came up, and attacked witness, but was also secured. Witness had a son much reduced by the hooping cough, and, from the fright, the child died the next evening.

Cross-examined: Prisoners were both sober; was sure they were sober. Considered a man sober when he struck four or five times with all his strength with a stick, and could not bring him down.

FRANCIS HAMILTON, shoemaker, at Raymond Terrace, on the 11th April went to bed about eleven, when he heard some one cry, "Tipperary for ever," and also heard a man say, "If ye'es don't come with me, ye'es will offend me." It was Dryden said this. Witness then heard some men pulling palings out of a fence, crying, "every Orange or English b----- comes before me, I'll cut his head off." They then went off, and witness heard them do as Lindonis described. Witness then went towards Lindonis's house, and saw Dryden and another man going away. Saw two men come back again, and then went to the assistance of Lindonis. The constables were fetched, and the prisoners taken into custody.

THOMAS JONES, constable in the Raymond Terrace police, corroborated a portion of Lindonis's testimony.

Mr. Dowling proceeded to address the jury at some length, and contended that the prisoners intended nothing more than a mere drunken spree, and having raised their spirits with liquor, and being Tipperary men, nothing would satisfy them but to ape their betters, and get up to a bit of a lark.

His Honor summed up on the evidence, stating that he was sorry to see religious disputes and quarrelling introduced into this colony, which, in the end, were sure to result in bloodshed. This introduction would only take place by parties refusing to prosecute, and from the default of constables or magistrates, or from the judge passing an insufficient sentence. For his part, he was determined to put down such unbecoming strife with a firm and unflinching hand, and to mark, by a heavy sentence, the determination to prevent such disputes at their outset.

The jury, without leaving the box, returned a verdict of guilty.

His Honor, in passing sentence, said a more gross and scandalous outrage he had never heard of in the colony; it was as bad as some of the outrageous scenes they heard of as taking place in the most disturbed parts of Ireland; and if such habits were introduced into this country, no person would be safe. He had received three certificates of character in favour of Dryden, and he would get the benefit of it; but any person daring to commit such an outrage should always at his hands receive the most condign punishment. His Honor then sentenced Patrick Dryden to be imprisoned for twelve months, and Fogarty to be imprisoned for two years; at the end of that time, to find sureties to keep the peace, themselves in £100, and two sureties each in £100. He considered the crime as little less than an attempt at murder, and thus would punish it in proportion.

MAITLAND CIRCUIT COURT. - SATURDAY, SEPTEMBER 19, 1846

MANSLAUGHTER.

ANDREW GLENNON, of New England, was indicted for the manslaughter of **JAMES MARTIN**, on the 1st December, 1845, at Wolka, by stabbing him with a knife, thereby inflicting a wound whereof he died.

Mr. Holroyd appeared for the prisoner.

The Solicitor General, in opening, said there were extenuating circumstances in the case, which brought the charge below that of murder.

WILLIAM MADDEN was a shepherd in the employment of Messrs. Jamieson and MacKenzie; knew prisoner and the deceased. On the 1st December, about sunrise, witness and prisoner were at breakfast, when Martin, who was watchman, came in from the hurdles. Some words arose between prisoner and deceased about some flour, when deceased went over and struck prisoner in the face with his fist. A scuffle then ensued between them for a minute or two, when Martin suddenly fell to the ground. Witness could not lift him up, as he was too heavy, and so he called in another shepherd, named **SMITH** – Smith said, when he came in, that deceased was only stunned, and would come round in a minute. Prisoner said he would not recover, as he had stabbed him. Deceased then drew a long breath, and died. Smith went in to the head station to report the death, and after he started, prisoner gave himself up to witness. There were two knives on the breakfast table; those produced were them. Prisoner and deceased always seemed friendly together.

Cross-examined by Mr. Holroyd: There was a stool in the hut, fixed to the ground. Deceased fell alongside this stool, his head about two feet from it. When deceased was dead, witness noticed a bruise on his left eye. Deceased fell sideways to the ground, on the side on which the scar was. Prisoner was eating his breakfast when Martin struck him. Witness did not hear prisoner and deceased joking together that morning.

WILLIAM SMITH was out at the hurdles with deceased on the morning he was killed. Deceased went into the hut, and a few minutes afterwards, witness was called into the hut, and found deceased lying insensible on the ground. Witness said that

deceased was only stunned, and would come round in a few minutes, when prisoner said he would not come round, as he had stabbed him.

Cross-examined by Mr. Holroyd: Saw a severe bruise over deceased's eye. They all seemed on good terms together; and prisoner and deceased were joking together a few minutes before the quarrel.

---- **MACKENZIE** had some conversation with prisoner after deceased's death. Prisoner said that he and deceased had had a quarrel about some flour, when deceased struck him; deceased was a more powerful man than him, and he had a knife in his hand and struck him; he said he did not intend killing the man, and was sorry for it. Witness examined the deceased, and found a slight bruise over the eye, and also a small wound about an inch and a half from the nipple of the left breast, between that and the point of the shoulder. There was some blood on the ground, about a wine glass full, under where deceased was lying.

Cross-examined by Mr. Holroyd: Thought deceased had a black eye, but was not sure; there were certainly bruises on his face.

Mr. Holroyd addressed the jury on behalf of the prisoner, and called their attention to the fact of the prisoner having been eating at the time of the assault, and that therefore he might have killed the deceased accidentally.

His Honor summed up the evidence at some length, commenting on the various features of the case.

The jury, after consulting for ten minutes, returned a verdict of guilty of manslaughter, under great provocation, and recommended the prisoner strongly to mercy.

The prisoner having been called up for sentence, his Honor, in a short address, sentenced him to be imprisoned in Newcastle gaol for one calendar month, the first and last week in solitary confinement.

MURDER.

JAMES JOHNSTON was indicted for the wilful murder of **BRIDGET JOHNSTON**, at Maitland, on the 2nd June, 1846, by throwing her on the ground, and whilst there, striking and kicking her with hands and feet.

Mr. Holroyd, at the request of his Honor, consented to conduct the defence.

The Solicitor General, in opening the case, said it hardly called for lengthy comments from him, as it was not one of circumstantial evidence, but one where there had been witnesses to the transactions throughout. - He then called

MARY COBBEY: I knew the deceased, she was called Mrs. Johnston, and lived with the prisoner as his wife; deceased lived near a shop in West Maitland; deceased was talking to me the evening before her death; she was then quite well, and talking to me at the pork butcher's opposite to Mr. Brackenreg's. I went down the next morning, about some dresses I was to make for her, and found her in bed. She said she was ill, and that nothing would rest on her stomach. She did not seem alarmed, but she said she hoped she would be better in the morning. Prisoner came in, whilst I was there; deceased then told him that I was the young woman she had been talking to the previous day. Prisoner said nothing, but smiled, and went out of the room. I saw her the next morning, when she was dead.

ANDREW LIDDELL, surgeon, examined: I am a surgeon practising in West Maitland. On the evening of the 4th of June, prisoner called on me, saying that his wife was ill, and requesting me to give him some medicine that would be useful for her. He described her illness as being constipation, caused by her tripping over a dog chain and falling on a stake. I told him that her illness was of too serious a nature to have medicine sent to her, but that I would willingly attend and see her. He then

seemed to hesitate for some time, when I said "You don't seem to like that," and told him that the simplest thing he could do would be to foment the stomach. Prisoner said very well, and if she was not better in the morning that he would come for me then. About an hour and a half or two hours afterwards he came back, a good deal excited, and said that his wife was dead; and he feared he had injured her by giving her so much opening medicine without effect. I then told him that I desired to accompany him to the house to see the body; and he said he had no objection to my doing so. I went with him, and saw the body; but as it was candle light, I did not notice anything remarkable, with the exception of a good deal of bilious matter about the mouth. The following day I again examined the body, and saw two very faint spots on the right side of the stomach, very low down, immediately above the hip. I afterwards opened the body, on the Thursday, the 5th June; I opened the abdomen, and saw very strong marks of inflammation, generally throughout the bowels, but particularly in one part, on the right side, immediately over the marks I discovered. The inflammation had passed on to its last stage, and perforation of the bowels had taken place, and the contents of the bowels had been diffused into the cavity of the abdomen. The perforation had been caused by the sloughing of the inflammation, and was placed in the centre or commencing point of the inflammation. The organs generally were healthy, though the lungs had suffered from inflammation, which had originated from a violent blow. The external coat of the gut was also lacerated, immediately adjoining the perforation; a violent blow would cause such a laceration without lacerating the integuments or outer flesh of the stomach. Had inflammation arisen from any other cause, the laceration would not have been caused by it; it must have been from extreme violence. In cases of restriction of the bowels there is always a peculiar mark immediately adjoining the seat of the disease; that mark was not to be found in deceased's bowels. Prisoner said he had got some powders from an apothecary's shop, and had given her Epsom salts.

Cross-examined by Mr. Holroyd: No other medical gentleman was present at the examination of the body. The laceration was about an inch in length; the perforation was circular, and in its collapsed state about a quarter of an inch in diameter, and on the opposite side to the laceration. They were both very minute, in the collapsed state of the bowels, and required considerable search. The witness then underwent a long cross-examination as to the seat of the injury. Deceased was a muscular woman, between forty and fifty years of age, but was not fat. I should say that the disease must have been of forty-eight hours standing, from the time of the injury to the perforation of the bowel; I think forty-eight hours a short time. The laceration of the peritoneum, such as I have described, would be sufficient of itself to cause death; and I should think any person who escaped with such a laceration to be very lucky.

Re-examined: The rapidity of inflammation is always more or less, according to the amount of violence used. In the usual course of natural diseases, eight or nine days would be the term at which perforation would have taken place from inflammation. It is in my experience that I have had a patient die in forty hours, from a blow on the stomach, and death might occur within 30 hours. The laceration might occur on the opposite side from that on which the blow was given; and also it was impossible to say which portion of the bowels was nearest to the part injured, as in life the bowels were continually in motion.

ARTHUR KING deposed: I know the prisoner, and knew Mrs. Johnston; I lodged in the same house with him, and recollect, on Tuesday evening, 2nd June, about half-past six, when I came home from work. Prisoner had some words with his wife; they were both sitting by the fire, and Johnston began talking about a pork butcher.

Deceased said she had not spoken to him for some time. Prisoner then said, "You b--- -- w----, do you mean to say that?" and after some other scolding, I saw the prisoner lick the deceased in the right side as she was rising from the ground; he kicked with considerable force. Deceased then crawled along the ground to get away, when prisoner took her by the hair of the head, and dragged her along the floor, and kicked her at several times, but I could not say whether he did kick her. Deceased was then lying on her face and hands on the ground. My wife then told **O'KEEFE** to save her, and O'Keefe getting up, prisoner left off. Deceased was then lifted up, and put on O'Keefe's bed. She complained much of her belly, and said she was severely hurt. Deceased seemed to be a very quiet woman. Prisoner was quite sober at the time. She died about half-past nine the next evening. Deceased afterwards told prisoner that he had hurt her innocently. She asked to be lifted up from the ground.

Cross-examined by Mr. Holroyd: O'Keefe and my wife were present. The prisoner and deceased seemed to be very fond of each other, and never quarrelled. The scuffle ensued immediately after the words spoken by the prisoner.

MARY KING deposed: I am wife to the preceding witness. On the Tuesday evening, Johnston and his mate came in from work, and deceased was then by the fire, frying beef-steaks. Johnston asked if there was a pork butcher in town? O'Keefe said there was. Deceased said there was, but that she had not been there for some time. Prisoner then called her some names, and said, "Haven't you?" and knocked her down, and kicked her several times. The witness then corroborated the testimony of the former witness. Prisoner gave the deceased a dose of salts the following morning. Deceased was in good health before her husband beat her.

Cross-examined by Mr. Holroyd: I got three pennyworth of castor oil, and gave it to the deceased, after she had taken the salts; there was about two table spoonfuls. She got some powders also, which her husband gave her. She got another dose of castor oil afterwards. Her husband then went to the doctor.

By his Honor: Prisoner said that he would say that deceased had fallen over the dog chain; this was after deceased's death; and he said also that his life lay with me, or something of that sort.

MICHAEL O'KEEFE, partner of the prisoner, corroborated the preceding testimony.

This closed the case for the crown.

Mr. Holroyd opened the case on behalf of the prisoner by stating that he laboured under considerable disadvantage by taking so serious a case as one of murder at so short a notice; and that he might consequently miss many points of importance in the case. In this case there were many peculiar features, but none of so aggravated a nature as to substantiate a charge of murder. To make good a charge of murder, premeditated malice must be shown; but of this no evidence was shown; on the contrary, prisoner and his wife not only lived on the best terms, but had also been very fond of each other. The learned gentleman then commented at great length on the evidence of the various witnesses.

His Honor then summed up, and said that it was clearly proved that the deceased had been assaulted by the prisoner. The first point for the consideration of the jury was, whether the deceased woman died from the wounds she had received from the prisoner; and on this point went at great length into the evidence of Dr. Liddell, and dwelt on the fact of her having had no previous illness; and directed the jury to acquit the prisoner, even of homicide, in case they should find that the woman's death had not been so caused. The next point then was, supposing the prisoner had killed her, whether the evidence went to justify them in returning a verdict of murder. At first he

would advert to the observations of prisoner's counsel as to premeditated malice, and the doctrine thus advanced by the gentleman he must repudiate, as being utterly ungrounded on any doctrine of English law. It was one that must result in the greatest injuries to the public generally if it were necessary to show that there had been premeditated malice in cases of murder, as there were many instances where it would be utterly impossible, nor did the law require it; as, should it do so, there were many murders that would escape punishment. His Honor then quoted several cases to the jury, bearing out his opinion, and said that he felt it his duty to tell them that murder consisted in deliberately taking life – in doing any action that might end in the taking of human life – or in taking life without some legal justification or excuse. His Honor then went at great length into the evidence, and stated, as his opinion, that they could not, on the evidence, reduce the crime from murder to that of manslaughter. In conclusion, his Honor dwelt with great force on the too frequent cases of illusage of wives by their husbands, which he denounced, in very forcible and glowing language, as unmanly and brutal in the extreme.

The jury retired for about five minutes, and returned a verdict of guilty.

His Honor ordered the prisoner to be remanded for sentence, telling him at the same time that he did not think his case was one that called for the highest penalty of the law.

The prisoner was subsequently brought up, and sentenced to fourteen years' transportation.

MAITLAND MERCURY, 4/233, 26/09/1846

HUNTER RIVER DISTRICT NEWS. - DUNGOG.

[Re the road from Clarence Town] ... The present road is so narrow and crooked in many parts, that drivers of teams have to head in their bullocks at the risk of their lives. Not long ago, a respectable young man was killed by the side of his team; the wheel having caught a dead tree, brought it down upon him with dreadful violence; and another driver had his limb shattered above the knee, by a dray with a ton of cedar passing over it – an accident which he only survived a few days. Such sad occurrences cry loudly for the appointment of a road inspector.

MAITLAND CIRCUIT COURT. - TUESDAY, SEPTEMBER 22, 1846

IN THE MATTER OF PATRICK DRYDEN.

His Honor said that he had received a petition in favour of this prisoner, who had been convicted of a most atrocious assault, which he considered as next to an attempt at murder, committed in a township, and at the dead of night, and which it was a mere chance had not ended in the sacrifice of human life. This man had been sentenced to six months imprisonment, which he (his Honor) considered to be a most lenient sentence, in proportion to the grossness of the case. The petition prayed for a further mitigation of the sentence, which he was sorry he could not yield to. The court were always desirous of carrying the good opinion of the public with it, as, where the public received the impression that the sentences were too severe, it injured the efficacy of punishment, by inducing sympathy for the prisoners. This that Court were particularly anxious to avoid. He had made some enquiries, and had learnt that the general impression was, that the sentence of the prisoner was not too severe. If the jury also had thought this prisoner's case worthy of mercy, they would assuredly have given such a recommendation. He could not therefore mitigate the sentence, and, moreover, he should consider it to be his duty to oppose any application for mitigation in any other quarter.

PERJURY.

EDWARD CONNORS was indicted for wilful and corrupt perjury, in giving evidence before the Court of Assize, at Maitland, on the 16th September.

The Solicitor General opened the case by detailing the particulars on the various points upon which the prisoner had committed perjury.

J.P.F. GREGORY, Prothonotary of the Supreme Court, and acting as Clerk of Arraignment at the present Court of Assize, knew the prisoner, who had been sworn to give evidence, in the usual manner, on the Bible, in a case against **JOHN CROW**, indicted for shooting with intent. The prisoner had then sworn that Crow had pushed him out of the kitchen door, when he stumbled and fell, and that Crow shot at him with a gun while he was rising from the ground. His Honor's notes of the evidence given by the prisoner were in substance similar to the evidence of the prisoner as published in a former number.

JOHN CROW, overseer to Mr. Caswell, fired off a gun on the night of the 10th April, but did not fire it at the prisoner, but wide of him, for the purpose of intimidating him. Witness fired from his bed-room window, and did not fire any shot from the kitchen door. Just before witness fired, prisoner was coming up to the bed-room with two large stones in his hand. The first disturbance that occurred that evening was about a pistol that prisoner had lent witness. Prisoner then took up a gun, which witness and **REYNOLDS** took from him. Prisoner also took up a smoothing-iron and a knife, and threatened witness. There was also a fowling-piece that he smashed to pieces, and threw the stock into the fire. He also broke some crockery and bottles, and was exceedingly violent and outrageous.

AGNES CROW, wife of the former witness, and **JOHN REYNOLDS**, a labourer, corroborated the above testimony, the whole of which was precisely similar to that given on the previous trial.

Mr. **WILLIAM CASWELL** and **JOHN GEDLOW** also corroborated portions of the evidence of the witness Crow.

The prisoner did not address the jury, but called

GEORGE WHEELAND, whose evidence coincided exactly with that given last Wednesday, and was entirely at variance with that given by the former witness. He was examined by his Honor, and cross-examined at great length by the Solicitor General.

His Honor summed up, and gave the jury a history of the case as connected with the previous trial; and concluded by saying that he wished the case to go to them with but few observations from him, as, being the committing party, he might be thought to be somewhat prejudiced in the case.

The jury, without leaving the box, returned a verdict of guilty.

The Solicitor General having prayed the judgement of the Court,

His Honor addressed the prisoner in the most impressive manner, and said that of all the wicked men he had ever met, he had never met a worse one than the prisoner, for he had deliberately preferred a charge against his fellow servant – a man with a wife and young child – which would have entailed upon him a punishment of fifteen years' transportation, when he knew that charge to be most malicious, wicked, and false; and yet he had given way to that diabolical feeling of revenge; because his fellow servant had struck, and afterwards wounded him, he had, whilst smarting under the pain, preferred this charge against him, which, if proved, would have torn him from his wife and child for a period of twice the length of that which he (prisoner) was now to suffer. This punishment Crow would have received, but for what might be called the special interposition of Providence, for, by the mark on the wall, it had been clearly shown that the shot could not have been fired from any other place than the bed-room

window; and however much witness might lie, circumstances could not, and no doubt had therefore been left on his (his Honor's) mind of Crow's innocence. None but a wicked and depraved wretch could stand calmly, as prisoner had done, and consign another to a cruel and undeserved punishment. The sentence of the Court was, that he should be transported for seven years, and he (his Honor) should recommend that prisoner should be sent to Norfolk Island for the whole of that term.

His Honor then directed Wheeland to be taken into custody, to undergo his trial for perjury.

PERJURY.

GEORGE WHEELAND was indicted for wilful and corrupt perjury, on the 23rd September, before his Honor the Chief Justice.

The Solicitor General detailed the circumstances of the case.

Mr. **G.P.F. GREGORY**, Clerk of Arraigns, deposed that **EDWARD CONNORS** was tried and convicted the previous day of perjury; prisoner was examined as a witness in that case. His evidence was taken down by Mr. **KINGSMILL**, witness overlooking at the time; prisoner swore the shot was fired outside the kitchen door; that Crow struck Connors without provocation, turned him out of the kitchen, and fired at him when about seven or eight yards from the door; that there was no wall or anything to stop the shot between them, when the shot was fired; that Connors was standing up and facing down the yard, and that Crow fired at him whilst his back was turned; that Connors was not rising up from the ground, but going away from the house; that Connors was standing down for-nest against the door; that the shot was not fired from the bedroom window; and that he never saw Connors take up any weapons.

JOHN KINGSMILL took down notes of the prisoner's evidence yesterday; they were the same as those stated by the preceding witness.

JOHN CROW: Fired a gun at Connors from the bed-room window; fired between Connors and the wall; Connors was using threatening language towards witness at the time, and was coming towards the window; had only put powder into the gun; Connors and Wheeland had attacked witness on the previous part of the evening; Reynolds and witness's wife had taken prisoner off him, and he knocked Connors down. Witness then went into his bed-room, and fastened the door; prisoner was in the kitchen at the time Connors broker the gun; witness did not strike Connors, and push him out of the place in the manner described by prisoner. Witness did not take down the gun and shoot Connors as the witness had sworn; and did not fire *at* Connors at all, nor point the gun at him; fired between Connors and the wall; never fired from outside the door.

Cross-examined: During the time the prisoner was at the station he behaved himself well.

By his Honor: Had left the gun in charge of Reynolds at one time that witness went away. It was loaded with powder only, but Connors had put in some shot one night to intimidate Reynolds to get some wine from him. On the night in question, witness, not knowing the gun was loaded, put in some powder without ramming it down, for the purpose of frightening Connors and prisoner, who were very violent. Had witness wished to do so, could have shot Connors in the breast, he was so near.

AGNES CROW, wife of former witness, **THOMAS REYNOLDS**, and Mr. **W. CASWELL**, corroborated the previous evidence.

His Honor, in summing up, addressed some very forcible remarks on the heinous nature of the offence, stating that it was one of a most atrocious nature, and placed the lives and liberties of honest people at the disposal of a set of ruffians who might band

themselves together for such a purpose. He was determined, and so were the other judges, to put down such atrocities by all the lawful means in their power.

The jury, without leaving the box, returned a verdict of guilty.

The prisoner was then brought up for sentence.

His Honor said he was extremely sorry for the wife and children of the prisoner, but, under the circumstances, he felt it to be his sacred duty to inflict on the prisoner the extreme penalty that the law allowed. There were no extenuating circumstances in the case, for it was the most conspicuous and plain that had ever fell under his observation. He would hold out a solemn warning that if people would commit wickedness, that punishment would most certainly follow; for the arm of the law was strong enough to reach, and he would show that when it did fall, it should fall in such a manner as to strike evil doers with terror. His Honor then sentenced the prisoner to be transported for seven years, and said that he should send in a recommendation that the term be served at Port Arthur.

His Honor then thanked the gentlemen of the jury for their punctuality, and the attention they had shown, and the Court adjourned *sine die*.

MAITLAND MERCURY, 4/234, 30/09/1846

HUNTER RIVER DISTRICT NEWS. - MERTON

It is our painful duty to report a melancholy accident which took place at Miller's crossing-place, on the evening of Wednesday last, as one of Captain Pike's horse-teams was on its way from Pickering to Maitland. The team was drawn by six horses, and accompanied by two men, the one the driver, whose name we have not been able to ascertain, but who went under the cognomen of "**LITTLE JACK**;" the other a man in the same employ, named **GEORGE CONK**. When they reached the crossing-place, the river was much swollen; but the driver, in spite of the expostulations of many who were assembled on the banks, persisted in his intention of going across, saying that there was no danger; and accordingly made the attempt, when the horses and team were swept down by the velocity of the current to an island in the bed of the river, where, after much difficulty, they effected a landing. The driver still persisted in his determination of crossing, and again made the attempt; but before the team had reached the middle of the stream it upset, throwing the men into the current, who were then forced to swim for their lives. They might have both been saved had not the driver, "Little Jack," made several futile attempts to save the horses. Conk states that he repeatedly called on him to save himself, and not mind the horses; but the only answer he got was, "There are four horses gone, I must save the other two;" and he continued in his attempt till he suddenly sank, and was seen no more. His body had not yet been found, though several of the horses have been thrown ashore, some miles from the place where the accident happened. Sept. 28, 1846.

SCONE.

MELANCHOLY AND FATAL ACCIDENT.

Yesterday, about two o'clock in the afternoon, as Mr. **THOMAS O'BRIEN**, of Beltrees, superintendant to Mr. **W.C. WENTWORTH**, Esq., M.C., was proceeding to his usual residence, he was accidentally killed on this side the river, at Aberdeen. He had crossed the river, when it is supposed the winkers of the horse he was driving in the cart came off, and it took fright. As he was dragged some distance, and the cart went over him, when assistance came to his aid he was insensible, and did not live ten minutes, being very much bruised and mangled by the fall. An inquest was held on his body this day, and a verdict given of accidental death. His remains will be interred tomorrow, at the Catholic burial ground, Muscle Brook. Mr. O'Brien was

very much respected in this neighbourhood, and this melancholy event is much regretted by all who knew him. He has left a widow and seven or eight children to deplore his loss. It is only a few weeks since Mr. O'Brien was nearly killed by a violent throw from his horse, and from which he had not recovered, as many scars were noticed before this melancholy accident happened. Sept. 28, 1846

DEATH FROM DROWNING.

An inquest was held on Thursday, at the King's Arms, George-street North, on the body of **JOHN LENNOX COOPER**, an apprentice belonging to the ship *William Hyde*, lying at Campbell's Wharf. The deceased had been ordered, about six o'clock on Tuesday, to go on the poop to remove some sails, for which purpose he had to get on a rail which was slippery from the rain, and it was conjectured he had fallen off into the water. The deceased was missed, but it was thought that he had gone ashore, as the vessel was lying alongside the wharf, and he had frequently done so on former occasions. The body was found on Thursday morning, a short distance from the vessel, and presented an appearance such as is exhibited by persons drowned. Deceased could not swim. Verdict, drowned accidentally. *Australian, Sept. 26*

MAITLAND MERCURY, 4/235, 03/10/1846

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

On the afternoon of Sunday, the 27th ult., about three o'clock, a little girl named **SARAH ANNE WHELHAM**, nearly two years old, the daughter of Mr. **S. WHELHAM**, earthenware manufacturer, at Tucker's Bridge, was unfortunately drowned in a water-hole near the houses. When the body was found life was quite extinct, as it must have been in the water nearly an hour.

MORETON BAY.

INQUEST. - An inquest was held on Monday last at the Waterloo Mills, on the body of **JAMES BARKER**, a child aged two years and four months, son of Mr. **THOMAS BARKER**, jun., of the Waterloo Mills. The child had gone out by itself to the back of the house, and fallen into the mill dam, where it had been drowned, being quite dead when taken out. Verdict, accidental death.

A HEARTLESS MOTHER.

A case of brutal and long continued ill-usage has been brought to light in Sydney, by a coroner's inquest. A woman named **MASON** had an illegitimate female child named **ELIZA WATSON**, which child she was in the habit of beating and using in the most barbarous manner, by putting her in cold water during the winter; and making her stand in the yard naked for some hours, by seating her on hot bricks, and innumerable other cruelties which resulted in the death of the child, who was buried secretly. The jury returned a verdict of manslaughter against the inhuman parent.

SYDNEY NEWS.

INQUEST. - An inquest was held on Wednesday, at the Red Lion public house, corner of Pitt and Goulburn streets, on the body of **ANN WHITTAKER**. It appeared that deceased was about thirty-six years of age, and a woman of very intemperate habits. On Tuesday evening she went into a neighbour's house to ask for some tobacco, and whilst there she fell down; she was with some difficulty removed and got to be, the neighbours thinking she was intoxicated; soon afterwards she died. Dr. **TIERNEY** made a *post mortem* examination, and was of opinion that death had been caused by apoplexy, doubtless accelerated by previous intemperance. - This woman's husband was killed not long ago by falling over some rocks in Goulburn-street, and by her death four children (one of them a helpless cripple) have been left without any natural protector. *Chronicle, Oct. 3*

ATLAS, 2/98. 10/10/1846

LEADING ARTICLE.

A few weeks ago, we had occasion to call the attention of our readers to the fact, that Dr. **M'CRAE** and Mr. **NATHAN**, surgeons of the Sydney Infirmary, would not act together, and that the public interests suffered thereby. We are happy now to announce, that the directors of this Institution have taken decided steps in this matter – at a meeting of that body, on Tuesday, 6th instant, Mr. Surgeon Nathan was called upon to resign. We therefore trust, that the difficulty having been removed, so valuable an Institution may now receive that increased support from the public which it so well deserves.

DEATHS.

On the 1st ultimo, at the station of Messrs. Campbell and Curlewis, at the Broken River, Mr. **ROBERT POTTS**, eldest son of Robert Potts, Esq., of Hartlepool, England, aged 34 years. He lost his life in a most praiseworthy attempt to assist a stockman who was in danger of being drowned.

INQUESTS. - An inquisition was held on Monday afternoon, in the Old Black Swan public-house, George-street south, on the body of **JOHN MULVEHILL**, late a water carter, then lying dead in that vicinity; the jury found a verdict of apoplexy, induced by previous habits of intemperance.

Two several inquests were holden on Tuesday, at the Red Cross, Lower George-street, on the bodies of **CLARA** and **EMILY DAVIS**. The mother of the children deposed that she dwelt in a sort of cave near Bradley's Head, on the North Shore, inclosed with slabs. The father of the children, who is a shell gatherer, was from home and she went to look for a boatman, who was to bring her provisions, leaving the two deceased children, Clara, just turned five years, and Emily, about eighteen months, with another girl named **HARRIETT**, about three years of age, in bed, in the dwelling. There was a small fire outside the slabs. About five or ten minutes after she had left the place, the child Harriett ran after her, and told her that her sisters were burnt. On returning to the spot, she found both the children lying on the ground, apparently dead, and all the clothes burnt off them. There was no one at hand to lend her assistance. She procured a boat as soon as possible, and conveyed both the bodies to Sydney: but the child Clara was dead before the boat reached the stairs. The only way in which she could account for the accident, was, that the younger child had gone too near to the fire, and the flames caught her clothes; and that the eldest had shared a similar fate in endeavouring to put out the flames. Dr. **MACKELLAR**, who viewed the bodies, certified that death had been caused by fire; and a verdict in both cases was returned accordingly. Great praise is due to Dr. Mackellar, who, on the spot, set on foot a subscription for the afflicted mother, who is near her confinement, and we understand that he has collected upwards of £20.

MAITLAND MERCURY, 4/237, 10/10/1846

SYDNEY NEWS.

SHOCKING DEATH. - On Saturday last, a boy, between twelve and thirteen years of age, who was in the habit of driving a water cart for Mr. **GEORGE HILL**, butcher, of Pott-street, was killed by the cart tilting up, whereby he was crushed between the water cart and a large trough standing in the yard. A coroner's jury returned a verdict of "accidental death."

SUDDEN DEATH. - Mr. **JAMES CARLAND**, late quarter-master of the 58th Regiment, expired suddenly at the residence of Mr. Lavenach, at Portland Head, on

the evening of Tuesday week, by the rupture of a blood vessel. Verdict, "died by the visitation of God."

MAITLAND MERCURY, 4/238, 14/10/1846
SYDNEY NEWS.

ACCIDENT. - Yesterday forenoon, a man [**DENNIS GLEESON**] employed at Cooper's Distillery, Parramatta-street, slipt his foot while passing a large vessel of boiling liquor, into which he fell, and was so severely scalded that his life is despaired of. *Herald, October 9*

ACCIDENT AT NEWCASTLE.

On Saturday evening last a serious accident happened to one of the men in the employ of the A.A. Company, named **GEE**. As he was returning from his work he fell off a cliff, and fractured one of his thighs. He was shortly after conveyed to the hospital; but we have not heard how he is going on.

SHOCKING ACCIDENT. - On Monday morning last, a well sinker, named **HENRY HOWARD**, was clearing out an old well at the rear of the Albion Brewery, and was at the bottom of the well at work, when a sudden slip of earth from the top took place, and falling into the well (a depth of forty feet), struck the unfortunate man, and nearly buried him beneath the mass. The most prompt assistance was immediately rendered, and with some difficulty the sufferer was drawn from below the heap of earth, beneath which he was prematurely buried, and was borne insensible to the Hospital. There, under the care of Drs. **SLOAN and BEARDMORE**, he was, after some hours, restored to recollection, though much injured about the loins and back, and every hope is entertained of his recovery.

ACCIDENT AT MR. COOPER'S DISTILLERY. - **DENNIS GLEESON**, who fell into a tub of boiling liquor at Mr. Cooper's Distillery, on Thursday last, expired on Saturday morning. An inquest was held the same afternoon, when a verdict was returned that deceased died from injuries received caused by scalding.

DEATHS.

Died, at Tamworth, on the 7th instant, from a fall from his horse, Mr. **HENRY TAIT**; deeply regretted by his numerous friends.

MAITLAND MERCURY, 4/239, 17/10/1846
SHIPPING INTELLIGENCE.

The *Bombay* has had a very long passage from Greenock, having been 101 days out; ... A passenger, (Mr. **W. MACFARLANE**) died on the passage out, from scurvy.

CENTRAL CRIMINAL COURT. - TUESDAY.

JOHN RAYNOR was indicted for manslaughter, for killing and slaying one **PHILLIP MACAULLY**, by throwing him on the ground and against a log of wood, and by beating, kicking, and ill-treating him, at Liverpool, on the 3rd September. He was found guilty, and sentenced to be imprisoned for four months.

RICHARD EDSALL was found guilty of stabbing one **JAMES THOMPSON** in the forehead, with intent to do him some grievous bodily harm, at Sydney, on the 2nd August, and was remanded for sentence.

ELIZABETH NOBLE was indicted for the manslaughter of her infant child, on the 9th of August, by suffocating the child in laying on it whilst she was in liquor. She was acquitted.

WEDNESDAY

HENRY CREIGHTON was indicted for violently assaulting one **EDWARD CUMMINS**, on the 27th September, at Sydney, and stabbing and wounding him with

a harpoon, with intent to do him some grievous bodily harm. He was found guilty of a common assault, and remanded for sentence.

MAITLAND QUARTER SESSIONS. WEDNESDAY, OCTOBER 14, 1846

PRESENTING LOADED FIREARMS. - **WILLIAM HICKS** was indicted for presenting a loaded musket at **CATHERINE SHEA**, of Narrowgut, on the 29th June.

The prisoner pleaded guilty, and the Court sentenced him to be imprisoned in Newcastle gaol for three months.

CENTRAL CRIMINAL COURT. - FRIDAY.

JOHN GREGORY was found guilty of an assault with intent to commit a rape, upon one **CATHERINE KING**, eleven years of age, at the Parramatta road, on the 12th August last; and was remanded for sentence.

JOHN CUMBERLAND was found guilty of manslaughter, for having beat and kicked his wife, **ANN CUMBERLAND**, in such a manner as to have caused her death, on the 29th September; and was remanded for sentence.

MONDAY.

PATRICK BAILEY was indicted for maliciously firing at and wounding one **DONALD BEATSON**, with intent to murder him, at the Nepean, on the 19th September last, and was found guilty of a common assault, and sentenced to twelve months imprisonment in Sydney gaol.

CATHERINE MASON was indicted for killing and slaying **ELIZA EMILY WATSON**, an infant two years of age, by continued neglect from the 2nd May to the 2nd October, by neglecting to furnish her with food, exposing her to the weather, immersing her in water, and seating her on burning bricks. She was found not guilty, and discharged.

MAITLAND MERCURY, 4/240, 21/10/1846

BODY FOUND. - SUSPECTED MURDER

On Saturday morning last, the inhabitants of East Maitland were thrown into a state of considerable excitement, by the report that the body of a man had been found in the bush, in the vicinity of the Morpeth Road. This report was shortly found to be strictly correct, and several of the police force hastened to the spot, which was pointed out to them by a woman named **JANE MACDONALD**, who first discovered the corpse of the unlucky man.

The body was discovered lying across a ridge, at the head of a gully, in front of Mrs. Eckford's house. A huge gun-tree, which had been burning for the last two months, lay smouldering and smoking immediately in front of the body, which had merely been thrown upon the ground amongst a thick clump of prickly furze, uncovered and unconcealed, save only by the thick shrubs that grew around it. Nothing was left of the unfortunate being but the mere skeleton, with here and there a few portions of dried skin and flesh adhering to the bones. He had on a linen shirt, a Guernsey shirt, and two waistcoats, one of dark cloth, the other of corduroy; the hat and boots were wanting, as also were his trowsers, though from a pair of white cotton braces being found close to the body, there is but little doubt that this article of dress, as well as the hat and boots, were taken away by the murderer.

The body was laying face downwards, and on the right side of the skull appeared a large hole, the bone having been not only fractured, but actually driven in. Search was made in the strictest manner about the spot, but no weapon, or other trace to give a clue to this fearful deed, could be found. On searching the remains of the clothing, an ear of wheat, together with some wheat chaff, was found in one pocket, and a

paper in the other, but so rotted, and the writing so obliterated by damp and the exhalations of the decaying body, as to be completely illegible.

The remains of the unfortunate individual were then removed to the cellar under the Court-house in East Maitland, where they underwent an examination by Dr. **EDYE**. The bones of the left hand and three bones of the ribs were found to be missing, but these had possibly been carried off either by native dogs, or by some of the many domestic dogs in the neighbourhood. The clothing was also torn in several places, but no doubt from the same cause.

J.S. PARKER, Esq., having been informed of the circumstances, was quickly in attendance, and proceeded to empanel a jury of the inhabitants of East Maitland, at Mayo's Hotel, adjoining the Court-house, the same day.

The jury having examined the body, proceeded to investigate the case, but as it appeared that the police, from the short time the information had been received, were not in possession of an evidence bearing on the subject, the inquest was adjourned to the following Monday.

On Monday, the jury again assembled at Mayo's Hotel, at twelve o'clock, and the first witness called was

JANE MACDONALD, who deposed that she lived in a hut at the rear of Mrs. Eckford's, and on Thursday evening last she went into the bush, in front of that house, to look for some stuff to make brooms; when going up the gulley, in front of the house, she was going through some furze, when she nearly walked upon the body of a man that was lying amongst it. She was horror struck at the sight, and it was some time before she could recover herself sufficiently to look upon it. With some trouble she got home, and told her husband what she had seen; but the fright had been so great, that she took ill, and had to keep her bed. She was so ill that she could not go into Maitland the next day to report what she had seen, but at the instance of her husband she got up on Saturday morning, and reported it.

By the jury: Had told her husband the same night, but had told nobody else. Her husband was working on the road, and could not leave his work to go in and report the occurrence. Believed he had told the overseer and the other men at work.

By the Coroner: Had thought that as she first found the body, she was the proper person to report it.

GEORGE BARTON deposed: About six weeks back, between nine and ten o'clock in the evening, just after he had gone to bed, he heard cries of "Oh! oh!" which seemed to proceed from the new gaol in East Maitland, and were evidently given by some person in great trouble. He got up and went to the door, on opening which he heard the groans very distinctly, as they were uttered in a loud tone, and the night was particularly fine and still. He then heard the sounds get further and farther off, towards the bush at the back of the gaol, as though some one had come to the man's assistance, and was carrying or dragging him off. The sounds got fainter, not as though the voice weakened, but as if the person was carried away. The sound retreated towards the direction of Four-mile Creek.

By the jury: Had spoken of the circumstance to his own family at the time, as they heard the noise the same as himself; but thought no more of it in the morning, as he imagined it to be only some drunken spree.

By the Coroner: Hearing of the body being found, brought the noise he had that night heard to his recollection.

A.O. EDYE, Esq., having been sworn, handed in the following medical certificate: "I this day examined the remains of the body of a man unknown. The skull was fractured, and a portion of it, an inch and a half in breadth and two in length, was

completely driven in and lost; this was on the right side. His hair was light, and there was a portion of skin remaining on the left blade bone. The fracture of the skull I consider to have been done by some blunt instrument, and from the position of the body, lying face downwards, I have no hesitation in stating it to be my belief that the man was murdered. The remains were partly invested with a Guernsey shirt, a light linen one, and two waistcoats, one of dark cloth and the other of corduroy. The trowsers were not there, though he had a pair of white cotton braces. There was neither hat nor coat. His height must have been five feet four or five. His hands and feet were very small, and from the appearance of his teeth I should imagine him to have been a great smoker. He had lost two teeth from the upper jaw, but none from the under one.”

By the jury: I should think that the body had been lying some six or eight weeks on the ground. Decomposition takes place very quickly in this weather; a beast in the bush has nothing but its bones left in three or four weeks.

Several witnesses were then called in, but they had not been near the spot for the last seven or eight weeks; previous to that time, it was stated that the body could not have been there without its being discovered by them.

The Coroner summed up, and regretted that the evidence that could be had was so meagre. He would therefore advise the jury to return such a verdict as would leave the matter open for enquiry.

The jury, without the least hesitation, returned a verdict of “wilful murder against some person or persons unknown.”

The fearful deed is still enveloped in mystery. No clue can be gained as to who the unhappy victim was. No one about Morpeth or Maitland has gone missing, and it is thought that the deceased must have been a recent arrival from the country.

SUDDEN DEATH. - On Monday morning last, a man named **RICHARD PHEENY**, but better known as “**Irish Dick**,” was about to return to Maitland from the Sugarloaf, to which place he had been on business, when, previous to starting, he went into the hut of a man named **HUSBAND**, and bidding him good day, proceeded to light his pipe. Before he reached the fire, however, he was observed to stagger and fall, without uttering a word; and notwithstanding every assistance the people could render him, he ceased to breathe within two minutes afterwards. An enquiry was held into the cause of his death by **KNOX CHILD**, Esq., J.P., when Dr. **WILTON** certified that death was the result of natural causes, arising no doubt from disease of the heart. The magistrate certified accordingly.#

HUNTER RIVER DISTRICT NEWS. - **DUNGOG.**

We regret to say that the aboriginal natives of this part have had a serious encounter with the natives of Port Stephens. ...Since the execution of “**CHARLIE**” the blackfellow, at Dungog, in 1838, for the murder of five shepherds, the blacks dread the soldiers; and it is to be hoped that their appearance amongst them at this time will again subdue their savage propensities.

SYDNEY NEWS.

CENTRAL CRIMINAL COURT. - **THURSDAY.**

WILLIAM BUNN was indicted for the wilful murder of his wife, **CHARLOTTE BUNN**, by beating, kicking, and ill-using her, at Parramatta, on the 11th April, so that she died on the 17th of September; and was found guilty of a common assault, and sentenced to be imprisoned for three years.

FRIGHTFUL ACCIDENT. - **INQUEST.**

On Friday last, about 6 o'clock, p.m., as a man named **JOHN PERKINS**, an old and confidential servant in the employment of Mr. **EDMUND BURKE**, of Windsor, was

proceeding to the river with his master's horse and water-cart, he in cautiously attempted to get upon the shaft, and having overbalanced himself fell between the shafts and the horse, with his head in such a perilous situation that one of the wheels passed over the upper part of his chest and neck. The horse ran off with the truck, and instead of taking the river, turned to the left down the steep embankments, and got capsized in one of the broad ruts, where he lay for some little time, until extricated, and strange to say without sustaining any injury. The water-barrel bounded like a ball into the river. Dr. **BELL** was immediately sent for to visit Perkins, and found him affected with paralysis of the lower half of his body, caused by the fracture of the fifth and sixth bones of the neck; the skin about the neck and upper part of the chest was swelled out to a great extent from the admission of air, in consequence of a fracture of the upper ribs on the left side, and injury to the lungs. Dr. Bell pronounced the case hopeless, but continued his attendance upon the unfortunate man to three p.m. next day (Saturday) when death relieved the sufferer. An inquest was held on Sunday morning, by **J. DOWE**, Esq., Coroner, on the remains of the deceased, when a verdict of "accidental death" was returned. *Herald Correspondent*

MAITLAND MERCURY, 4/241, 24/10/1846

THE LATELY DISCOVERED MURDER. - We have learnt that there is some reason to think that the identity of the unfortunate man whose body was found last week will be proved. Mr. **WISDOM** suspects him to be an itinerant thresher, who had been for some time working about the farms in his neighbourhood, and who has been missing for the last six or seven weeks. As yet this is only surmise.

FATAL ACCIDENT. - On Tuesday morning last, a bullock driver in the employment of **W. DANGAR**, Esq., of Turanville, whilst driving through the town of Singleton, mounted on the pole of his dray to ride, when, on passing by Lumley's Inn, a sudden jolt threw him off, and one of the wheels passed over his body and head, killing him almost instantaneously.

SELF DESTRUCTION. - On Wednesday afternoon last an inquest was held at the Downshire Arms, South Head Road, on the body of **JAMES WATSON**, who had been found drowned in a well at the rear of the house. Deceased had been in a desponding state for some time, from having contracted liabilities to the amount of £400 for another person, which he was fearful he would have to pay. On Wednesday morning, on his being called to breakfast and no answer made, his room was entered by the window, which was found open, and deceased's night cap having been found in the well, drags were procured, and his body drawn up - he was then quite dead. The jury returned a verdict that deceased had destroyed himself whilst labouring under temporary insanity.

CENTRAL CRIMINAL COURT.

JOHN GREGORY, convicted of assault with intent, was sentenced to two years imprisonment with hard labour.

HENRY CREIGHTON, convicted of a common assault, was sentenced to twelve months imprisonment.

JAMES CUMBERLAND, convicted of manslaughter, was sentenced to transportation for life.

RICHARD EDSALL, convicted of wounding with intent to do grievous bodily harm, was sentenced to three years imprisonment.

ATLAS, 2/100, 24/10/1846

BODY FOUND. - SUSPECTED MURDER.

Full column; male body, wilful murder by person or persons unknown.

MAITLAND MERCURY, 4/242, 28/10/1846

SYDNEY NEWS. - BATHURST.

... At Wellington, the river became flooded and impassable for several days; one man was drowned, and a trooper of the mounted police very narrowly escaped the same fate.

MORETON BAY.

DREADFUL MURDER COMMITTED BY THE BLACKS.

(Abridged from the Sydney Morning Herald, Oct. 26)

The blacks have added another foul massacre to their many treacherous acts of cruelty to the isolated portions of our squatting community. Mr. **ANDREW GREGOR**, a settler on the Pine River, thirty-five miles from Brisbane, brother to the Rev. **JOHN GREGOR**, clergyman of this town, and a woman named **SHANNON**, wife of Mr. G.'s stockman, were cruelly murdered by the blacks, on Sunday, the 18th instant. The following particulars were elicited by Captain **WICKHAM**, police magistrate, who, with Dr. **SIMPSON**, Commissioner of Crown Lands, proceeded immediately after receiving the intelligence to the scene of the outrage.

THOMAS SHANNON, being duly sworn, states – I am the hired servant of the late Mr. Andrew Gregor, and the husband of the later **MARY SHANNON**. Yesterday (Sunday, 18th October) Mr. Gregor sent four black fellows to cut bark, named **JEMMY, MILLBONG JEMMY, DICK BEN, and JACKKEY**, who went away for that purpose about eight or nine o'clock. During their absence twenty other black fellows came to the hut; about an hour after the blacks sent for the bark returned to the hut; in the mean time Mr. Gregor had driven the twenty blacks away. The last time I saw Mr. Gregor alive he was standing at the door of the hut; I was at the water-hole, about two hundred yards distant. The last time I saw my wife was just previous to my going to the water-hole. About ten minutes after this, whilst at the water-hole, I heard my eldest child scream. I immediately proceeded towards the house, when I was attacked by a black fellow, who threw a spear at me; afterwards I was attacked by another black fellow, at whom I fired my gun, having it with me at the time. On account of the great number of black fellows about the premises I had taken the precaution of having a gun with me. Immediately after this I came away towards Mr. Griffin's station, pursued for a while by a black fellow, when I met Mr. **HALY**, about four miles off, to whom I reported that the blacks were robbing the hut, and that I feared Mr. Gregor and my wife were killed. After the child screamed, I heard the blacks shouting to each other; I observed a great number of blacks running towards the hut from the creek; I saw them enter the hut and carry away blankets and other things out of the hut; I saw this as I was running away.

Mr. **O'GRADY HALY** being sworn, states: I was yesterday morning (Sunday, the 18th of October) travelling from the station n of Mr. Griffin to the station of Mr. Andrew Gregor; when I had proceeded about seven miles on my road I saw a man running towards me, accompanied by a black boy; I pulled up and asked the man how far it was to Mr. Gregor's, to which he replied that he supposed Mr. Gregor to be killed, as well as the woman, by the blacks; I then returned to Mr. Griffin's. The three sons of Mr. Griffin accompanied me back, armed, to Mr. Gregor's; on arriving in sight of Mr. Gregor's station I saw two black fellows in front of the door, who ran away towards the scrub; the dead body of the woman, with the head dreadfully cut, was lying in front of the door, and the body of Mr. Gregor by the side of some bark, near the stick-yard, with the head and face beaten in.

RALPH WILLIAM BALLOW, being examined, stated: I am a native of Wellington, in the colony, and was educated by M r. Turton, and was christened by the Lord Bishop of Australia, but don't know how old I am; I was sent to the Rev. Mr. Gregor by the Bishop, and afterwards sent by the Rev. Mr. Gregor into the bush, to his brother, by whom I am employed herding cattle; I know that it is wrong to tell lies. I was on the other side of the creek yesterday morning, on horseback, and could see the hut, and saw the blacks killing the people; they killed Mr. Gregor first; Dick Ben and Jackey killed Mr. Gregor, by hitting him on the neck with a waddy; it was near the stock-yard. I saw two blackfellows named **MOGGEY MOGGEY and MILLBONG JEMMY** kill the white woman, by striking her on the neck with a waddy – she was in front of the hut. I heard Jackey, Dick Ben, Millbong Jemmy, and Moggey Moggey, two days before the murder took place, talking, when they said they would mumcull (kill) Mr. Gregor, white woman, white man, and the children, “cause they give us no feed.”

Such are the particulars of this atrocious outrage. Since the report of these murders I have heard also of two men being killed at Mr. Cootes' station, who it will be recollected was a short time since bailed up in his house by the blacks; the present is the second attack of these scoundrels. The escape of Shannon's three children may be considered most providential; it is supposed the timely arrival of Mr. Haly and the Messrs. Griffin saved these poor creatures. Dr. Simpson, the Commissioner of Crown Lands, and some mounted police, with the Messrs. Griffin, are out after the villains.

ATLAS, 2/101, 31/10/1846

INQUESTS. - A coroner's inquisition was held on Tuesday, in the Royal Oak, public-house, Miller's Point, on the body of **TOMMY**, a native of Roach's Island, then lying dead on Town's Wharf, near the barque *Arabian*. The evidence adduced was to the following effect:- that it having been determined to fumigate the ship, for the purpose of destroying vermin, on Saturday evening the men were all removed from the ship, the deceased included, and the hatches made fast to prevent the escape of the fumigating vapour. It appeared that the deceased, without any order, had gone on board the ship, removed the fore-castle hatch, and descended, when it is supposed that immediate suffocation took place, as he was afterwards found in the fore-castle, on his back, quite dead. Verdict – died from being accidentally suffocated by going on board the *Arabian* while undergoing fumigation.

On Tuesday afternoon, another inquisition was held in the Madeira Inn, Strawberry Hill, on the body of **JOHN NOBLE**, then lying dead in the vicinity of the same public-house. The evidence adduced was to the following effect:- that the deceased while employed in carrying some building materials had sat down to rest, immediately upon which he fell back and shortly expired. Doctor **TIERNEY**, had made a *post mortem* examination of the body, and found the lungs, liver, and stomach, and particularly the lungs, extensively diseased; the heart was very much enlarged, and a blood vessel in the right lung was ruptured, which was sufficient to account for sudden death. The jury found a verdict of died by the visitation of God.

MAITLAND MERCURY, 4/243, 31/10/1846

ANOTHER ACCIDENT FROM STEAMER.

We regret to state that the steamer *Thistle* has again been the cause of the death of a fellow creature, having run down a wood-boat, in which, fortunately, there was only one man. The boat was fetching a load of wood from Lane Cove to the Market Wharf, and it is supposed that the only man on board, named **NICHOLAS WELCH**,

was asleep at the time. The accident occurred yesterday, at 2 a.m., the *Thistle* was within a few hundred yards from her destination, and was steering for the wharf, with very little speed on, when the alarm was given that a boat was under the bows. The engines were stopped, and the boat was athwart the cutwater about half a minute without capsizing, when every effort was used by the men on board to induce Welch to climb on board; a rope was thrown on him, of which he took no heed, and appeared to be perfectly paralysed. The boat having filled and capsized, nothing further was seen of the unfortunate sufferer. *Herald, Oct. 29*

ACCIDENT. - DROWNING.

An aged man named **THOMAS FULTON**, in the employment of Mr. **THOMAS CHASELING**, of Pitt-town, met his death by drowning in the Hawkesbury River, near the Pitt Town punt, on Saturday afternoon last, whilst swimming across the river in order to fetch the punt over for some people on the other side. The body has not since been found. *Herald Correspondent, Oct. 29*

SYDNEY NEWS.

SHOCKING DEATH. - On Tuesday last an inquest was held in Sydney, on the body of **TOMMY, a native of Roach's Island**, and a seaman on board the barque *Arabian*, who had come to his death by going on board the above vessel whilst she was being fumigated, whereby he had been suffocated. He had been particularly cautioned not to go on board on the previous day. The jury returned a verdict of accidentally suffocated.

MAITLAND MERCURY, 4/244, 04/11/1846

MELANCHOLY ACCIDENT. - On Sunday afternoon last, Mr. **WILLIAM HICKEY**, a settler residing in the neighbourhood of Raymond Terrace, went with his two brothers, Messrs. **EDWIN and JOHN HICKEY**, on the Hunter River in his brother's yacht the *Beeswing*, for the purpose of crossing the river to his brother's house. When about forty yards from the shore, the boat was thrown on her beam ends by a sudden gust of wind, and immediately filled, and the three brothers, and three other persons who were in the boat with them, were immersed in the river. The sails for a short time kept the mast above water, and along this Mr. John Hickey was enabled to get a hold of the hull of the boat. Mr. Edwin Hickey also managed to carry an oar to his brother William; but the latter, who could not swim at all, lost all presence of mind, and having been thrown some distance from the boat, sank to rise no more, notwithstanding every exertion on the part of one of the men in the boat, as well as of his brother, to save him. The man was not a good swimmer, and closely risked his own life to save his master, having been taken down once by the struggles of the drowning man. Every exertion was used to recover the body, but without success, until the following morning, when it was found a short distance from the scene of the accident. A most remarkable thing was that, whilst sitting in the boat, Mr. Hickey had a walking-stick in his hand, and when the body was found, the walking-stick was still tightly grasped by the deceased. An inquest was held on the body on Monday last, before the coroner, **J.S. PARKER**, Esq., when the above facts were elicited, and a verdict of "accidental death" was returned.

BODY FOUND.

The body of **WELSH**, the man who lost his life by the steamer *Thistle* running against his wood-boat, off Miller's Point, on Wednesday last, was found yesterday morning floating in the upper part of Darling Harbour. The body was conveyed to the Infirmary, where an inquest will be held on it to-day. *Herald, Nov. 2*

ACCIDENT. - A few weeks since, Mr. **R.J. BARTON**, J.P., was thrown from his gig, near his residence at Boree Narang, Bathurst, and received a very severe compound comminutive fracture in his left leg, and has remained in a very dangerous state; his medical attendants, however, we are happy to hear, entertain expectations of his recovery. *Herald Correspondent, Oct. 30*

SUDDEN DEATH. - On Wednesday evening last, a man named **JAMES THORNBERRY**, living in the town of Windsor, who had been indulging rather copiously in drink for some days past, went down to the banks of the river, to one of Mr. Beddek's cottages, occupied by a man named **JOHNSTON**, who is married to a sister of Thornberry's wife, and after some altercation, he was either pushed violently out of the door, or fell, and died in a few minutes. Dr. **BELL** was on the spot in a short time after the accident, and although he tried every means to restore animation, life was extinct. An inquest was convened today (Thursday), at Freeman's, Cricketers' Arms, but adjourned until to-morrow, in order to allow time for a *post mortem* examination, to ascertain the cause of death. From the evidence adduced to-day, the coroner felt bound to commit Johnstone's wife to the lockup. *Herald Correspondent, Oct. 31*

ATLAS, 2/102, 07/11/1846

INQUESTS. - A coroner's inquisition was held in the Wheat Sheaf Inn, Parramatta-street, last Saturday afternoon, on the body of **DAVID DAVIES**, then lying dead in the Benevolent Asylum, when evidence to the following effect was adduced: That the deceased had been removed from his lodgings in Gloucester-street, on Friday last, he being at the time in a greatly debilitated state, and about four hours after his removal to the Asylum he expired. Mr. Surgeon **RUSSELL** proved that when deceased arrived in the Asylum he was insensible and speechless, but such means had been employed to restore him as the symptoms seemed to require; he had made a *post mortem* examination of the body, and found the lungs in a diseased state. There was also mortification of the bowels going on, which had caused death. Verdict – died from natural causes.

On Monday afternoon, an inquest was held in the Union Inn, Newtown, on the body of an infant named **MARTIN WALKER**, who had been found dead in bed by his mother about six o'clock in the morning. A *post mortem* examination of the body was made, after which the jury returned a verdict of death caused by being accidentally suffocated.

Another inquest was held on the body of **MARIA SUSANNAH PUSEY**, late a servant to Mr. **BLIGH**, the Confectioner, from whose statement it appeared that from her being so unwell he sent her home to her friends on Sunday last, when it was discovered that she had taken arsenic, the usual means were adopted, but she expired during the day. Verdict – temporary insanity.

MAITLAND MERCURY, 4/245, 07/11/1846

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

FATAL ACCIDENT. - A man named **CANTON**, a carpenter, being in a state of bad health, met with his death under the following circumstances. He had gone to bed on Sunday night, or Monday morning, and shortly afterwards, on getting out of bed (the bedroom being in the top floor), he fell over, there being no banister to the stair-case, severely wounding the upper and back part of his head. His wife did not immediately send for medical aid. Getting alarmed, however, towards the afternoon of Monday Dr. **JOHN STEWART** was called in, who bled poor Canton, and did everything in

his power to relieve or cure him. Canton, however, died on Tuesday morning, about four o'clock. The Senior Magistrate held an inquiry, and requested Dr. John Stewart to conduct a *post mortem* examination of the body, the result of which, we understand, went to show that the extravasation of blood, and the compression that extravasation would occasion, was quite sufficient to account for death. Canton has left a wife and five children. 5th Nov., 1846

THE STEAMBOAT ACCIDENT.

Pursuant to adjournment, the coroner's enquiry as to the cause of death of **NICHOLAS WELCH** was resumed in the "Oraculum," public-house, Phillip-street, when it was proved by **MACDOUGALL**, engineer of the *Thistle*, iron steamer, that from the time of her entering the Heads till her arrival at the wharf, the engine had been kept at less than half speed. Sergeant **WILLIAM ADSON**, of the Sydney Police, also proved that Captain **MULHALL** had kept lights at the mast head, as well as at the bow of the vessel, from the time she came within the Heads till she reached the wharf in Darling Harbour, and that the bell had been kept ringing during the whole of the time the vessel was coming up the harbour. The chief officer deposed that he and two of the men on board the *Thistle* were forward on the look-out, from the time the vessel entered the Heads; that on seeing the wood boat, in which Welch was, the words "boat ahead, close under the bow," were passed by them to the captain, by whose orders the engine was not only stopped but backed, and that the instant the wood-boat went down, the *Thistle's* boat was lowered from her quarter, and every possible exertion made to render assistance. **B. BOYCE** proved, that had the steamer struck with anything like force there could not have been any portion of the boat found, whereas only three of her planks had been broken by the concussion. The jury, after a few minutes consultation, returned a verdict of accidental death; and added, that in their opinion no blame what-ever was attributable to any one on board the *Thistle* at the time the accident occurred. The Coroner said he fully coincided in the view of the case taken by the jury, and that it was highly creditable to Captain Mulhall, the commander of the *Thistle*, that he had not only complied with the port regulations relative to steamers ion the harbour, but had used all the caution which it appeared possible the commander of any steam vessel could exercise in coming up the harbour. *Herald, Nov. 5*

SYDNEY NEWS.

WILFUL MURDER. - On Thursday, the 29th, and afterwards by adjournment, on Friday, the 30th ultimo, a coroner's inquest was held at Freeman's, Cricketers' Arms, Windsor, on the body of **JAMES THORNBERRY**, late a shoemaker residing in Fitzgerald-street, who came to his end on the previous Wednesday, the 28th ult., under the following circumstances:- Deceased and his wife had quarrelled, when the latter left her home, and took shelter in the house of her sister, who was married to a man named **JOHNSTON**, (who, with his wife, was in custody during the inquest), taking with her a quantity of property. Deceased went there with a constable to recover the property, when Mrs. Johnston refused to give it up, and threatened to knock deceased's brains out with a saucepan he had in her hand, if he did not go away. Deceased and the female prisoner had however been previously drinking together that afternoon, between two and three o'clock, when they had also some altercation, and she, having been turned out of doors by the deceased, said "I'll do for the ----- orange scoundrel before night is over" - deceased being a Protestant, and she a Catholic - and had then taken up an iron window bar and threatened him with it. Shortly after seven o'clock the same evening, deceased had again gone over to Johnston's house; there were then no marks of violence on the right side of his head,

but there was a small wound on the left temple, where he had struck his head against the bedpost. A quarter of an hour had not elapsed before the alarm was given that deceased was dead, and his wife and others going to the house of Johnston, found deceased lying under the verandah. His heart had then ceased to beat, and pulsation had ceased. He was lying on his back, and there was no blood about his person, with the exception of two drops in his nostrils, though it was apparent that the face had just been washed, as the hair was quite wet. Mr. **WILLIAM BELL**, surgeon, was immediately sent for, but life was by the time of his arrival, quite extinct, and every remedy proved unavailing. On examining the body, a quantity of extravasated blood was found in the anterior portion of the base of the brain, quite sufficient to cause instantaneous death, and corresponding in extent and situation with some contusions about the right eye and forehead; such injuries might have been caused by a violent blow from such an instrument as a saucepan. Mr. Bell certified to the above effect, and that the same causes had produced the external appearance produced also the internal injuries, and that the injuries could not have been received by a fall, as the spot where deceased was lying was very soft and grassy. The jury, after deliberating for a short time, found **MARGARET JOHNSTON** guilty of wilful murder, and her husband, **JOHN ALEXANDER JOHNSTON**, guilty of being an accessory to the same.

INQUEST. - Yesterday afternoon an inquest was held at the Union Inn, Newcastle, on the body of an infant named **MARTHA WALKER**, who had been found dead in bed by her mother about six o'clock in the morning. A *post mortem* examination of the body was made, after which the jury returned a verdict of "death caused by being accidentally suffocated."

TEMPORARY INSANITY. - Early on Sunday last, a female named **MARIA SUSANNAH PUZEY**, servant to Mr. Bligh, George-street, became so unwell that he felt it his duty to send her home to her parents. Soon after her arrival at her father's, it was discovered that she had taken arsenic. Means were employed to counteract its effect, but without success, as she expired during the course of the day. A coroner's inquest was held on the body yesterday, when a verdict was returned of "died in consequence of having taken arsenic while labouring under temporary insanity." *Herald, Nov. 3*

ATLAS, 2/103, 14/11/1846

INQUEST. - A coroner's inquisition was held on Wednesday afternoon, in the Oraculum, public-house, Phillip-street, on the body of **JOHN DENNISON**, then lying dead in the Sydney Infirmary, when evidence to the following effect was recorded: **MICHAEL BROWN**, wardman of the Infirmary, deposed, that deceased had been received into that Infirmary on the 3rd instant, about eight o'clock in the evening, and was then in a paralysed state from the hip downwards, and subsequently stated to witness, that in consequence of his making a false step when going down the fore hatchway of the *Urgent*, to which vessel he belonged, as cook, he fell into the fore-castle of the ship, and hurt himself; he complained of being hurt all over the upper part of the body, particularly in the spine. The deceased lingered until the 10th instant, when he expired. Verdict – accidental death.

MAITLAND MERCURY, 4/247, 14/11/1846

INQUEST. - An inquest was held on Wednesday, the 28th ultimo, at Cobcroft's farm, Wilberforce, on the body of the unfortunate man named **THOMAS FULTON**, who came to his death by drowning, in endeavouring while drunk to swim the

Hawkesbury, near Pitt Town Ferry, on the previous Saturday. The jury returned a verdict of accidental drowning. *Herald, Nov. 10*

CORONER'S INQUESTS. - An inquest was held at Parramatta on Wednesday last, on the body of **PETER NELSON**, a lance corporal in the 58th regiment, who had killed himself on the previous evening, when confined in the guard-room, by taking a cartridge out of the cartouche box of one of the guards, and loading a musket. Placing the muzzle against his head, he took off his shoes and stockings, and pulling the trigger with his toes, met an instantaneous death. The verdict returned was, "Shot himself in a fit of temporary insanity." - An inquest was held in Sydney on the same day, on the body of **JOHN DENNISON**, who had met his death from injuries received by making a false step, whilst going down the fore-hatchway of the *Urgent*, and falling into the fore-castle. Paralysis and death had ultimately ensued. Verdict, "accidental death."

MAITLAND MERCURY, 4/248, 18/11/1846

ACCIDENT IN THE DISTRICT OF CABRAMATTA. - On Saturday last, as one of the small settlers in this district was riding near his own residence, he was thrown from his saddle, and so seriously injured that he expired in a few hours afterwards. *Herald, Nov. 14*

SUDDEN DEATHS. - It is our melancholy duty to record the fearful fact of two sudden deaths having occurred on Saturday last; one being that of **THOMAS MACK**, a labouring man, in the employment of Mr. Reynolds, of Louth Park, and the other that of **WILLIAM WALTERS**, in the employment of Mr. Nowlan, of Hunter's Hill. The cases were nearly similar, both occurring after dinner, of which meal both men partook heartily, and in seeming good health. Both men were likewise employed in haymaking, and were seized suddenly while at work in the field; the only difference in the cases being that Walters died instantaneously, while Mack lingered for six hours in a state of insensibility. On both cases death was the result of apoplexy. An inquest was held on the body of Walters on Sunday, and a verdict of "died by the visitation of God" returned. In the case of Mack, an inquiry was commenced before the acting police magistrate on Monday, and terminated yesterday, when a verdict to a similar effect was returned. We are sorry to hear that the latter has left a widow and several young children in very destitute circumstances.

SHOCKING DEATH.

News has just arrived in Maitland that an individual, whose name we have not heard, but who was generally known by the nickname of **Happy Jack**, came to his end in a dreadful manner a few days ago. Whilst riding a young and fiery horse in the neighbourhood of Mr. Healey's station at Wambo, the animal became restive, and threw him, casting him with such violence against a tree as to cause instant death. The deceased when picked up presented a most frightful appearance, the front of his head having been completely driven in.

FRIGHTFUL ACCIDENT. - A most fearful accident occurred yesterday, shortly after noon. A poor woman named **TOOMER**, residing down the lane adjoining the house of Mr. **S. CLIFT**, in West Maitland, and leading to Rathluba, was taking her husband's dinner to him in the field where he was at work, when, in passing through one of the fields, she was attacked by a heifer. The animal threw her down, and trampled fiercely on her, wounding her seriously about the body. She also attempted to gore her several times, and at last succeeded in thrusting her horn into the poor woman's throat, lacerating the muscles of the neck, and completely laying bare the jugular vein. With much trouble the almost insensible woman was rescued from her

savage assailant, and borne home. Dr. **HARRINGTON** was, we believe, the first in attendance on the sufferer, and hopes are entertained, notwithstanding the serious injuries she has received, she may ultimately recover.

HUNTER RIVER DISTRICT NEWS. - DUNGOG.

A most melancholy event took place in this township on Saturday evening last, about eight o'clock. The eldest daughter of Mr. **WILLIAM CRAWFORD**, aged about seventeen years, made away with herself by drinking a quantity of bluestone water. As soon as it was discovered that she had taken the poison, medical assistance was sent for, and Dr. **M'KINLAY** was almost immediately in attendance. All that medical skill could do for the un fortunate sufferer was done, but, we regret to say, without effect, for she expired on Sunday morning about two o'clock, six hours after taking the deadly draught. The reason of her committing so rash an act is a perfect mystery, as to the last she refused to mention the cause that had tempted her to its commission. **T. COOK**, Esq., J.P., held an enquiry into the cause of death, when none of the witnesses could assign any reason for the deed, and a verdict of "died from the effects of bluestone water taken whilst labouring under temporary insanity" was recorded. The deceased was a most amiable young woman, and died deeply regretted by all who knew her.

CAUTION TO BIRD-NESTERS. - On Monday last, a boy named **ALGER**, aged about thirteen years, was bird-nesting with one of his companions on the banks of the South Creek, when Alger, having climbed up a tree, the limb on which he was standing gave way, and precipitated him into the water, when he immediately sank. He was taken out soon after, but not before life was extinct. From the circumstances of two of the teeth knocked out when the body was recovered, it is supposed that he must have been stunned by coming in contact with some obstacle when falling with the broken branch. *Herald, Nov. 16*

INQUEST. - An inquest was held yesterday afternoon, in the Currency Lass public-house, Brickfield-hill, on the body of **ELIZABETH PACK**, aged about thirty-five years, who had been in her usual health till Thursday evening, when she suddenly became very unwell, on which Dr. **FULLERTON** was called in and prescribed for her; but she expired about four o'clock yesterday morning. Dr. Fullerton made a *post mortem* examination of the body, and found that death had been caused by acute inflammation of the lungs. A verdict of died by the visitation of God was recorded. *Herald, Nov.14*

MAITLAND MERCURY, 4/249, 21/11/1846

LAMENTABLE DEATH. - On Tuesday morning last Mr. **HART**, publican, of the Junction Inn, Raymond Terrace, was missed from his home when the family rose from their beds. The matter was the more serious because his clothes that he had worn on the preceding day were found lying about his bed-room in the same position, seemingly, as when he had thrown them off him on the preceding night. From these circumstances, as well as from the fact of footsteps having been found on the river bank, it was surmised that he had either fallen or thrown himself into the river. Boats were immediately employed to drag the river in that neighbourhood; and the *Rose* steamer, in passing the same morning, fired as gun, in the hope that that would raise the body, but without effect. Towards one o'clock in the afternoon, however, the body was found near the punt wharf. It was dressed in a shirt and trousers alone, and appeared to have been many hours immersed in the water. A coroner's inquest has since been held on the body, but we have not yet heard the result.

ACCIDENT. - Yesterday morning as a young son of a person named **FULLARD** was running after a horse in a paddock, near West Maitland, by some means the animal kicked him on the head, inflicting a sever wound on the skull, which laid him senseless. Some passers by saw the boy, and immediately rendered assistance, but at present there is only little hope of his recovery.

HUNTER RIVER DISTRICT NEWS. - JERRY'S PLAINS.

A frightful accident occurred here on Saturday last, the 14th instant. A man named **JOHN FLETCHER**, in the employ of Mr. Hale, of Wambo, came into the township on some business of his master's, riding a sprightly horse. Unfortunately falling in with some acquaintances at a public-house, he became intoxicated, and with the view of showing his horsemanship, commenced playing tricks with his horse, until the animal became utterly infuriated. The day was also one of the hottest we have had this season. Returning home he called at the post-office for his master's letters, and on obtaining them started off at full gallop through the bush, and was never seen afterwards *alive*. About five o'clock he was found dead, about half way between Mr. Doyle's and the post-office. He had been thrown against a tree, with which his head appears to have come in contact about four feet from the ground, a quantity of blood and hair adhering to the bark, which was also otherwise grazed in several places. At the foot of the tree he lay, his skull quite driven in, and it is said his neck broken. An inquest was held by Lieut. **GALL**, and an opinion arrived at in accordance with the particulars detailed. November 19, 1846

DUNGOG.

The late lamentable suicide has cast a gloom over this neighbourhood, which has not hitherto been experienced. The unfortunate deceased [Crawford] was a girl of much promise, amiable and interesting; and her decease has left a sad blank in the affections of many, to whom she had endeared herself, which will not soon be filled up. Conjecture is all that can be advanced as to her motive in committing the rash act; the secret cause she has carried with her to the grave. *Requiescat in pace!* November 18, 1846.

WINDSOR. - An inquest was held on Saturday last, on the remains of a child, aged about eighteen months, who was drowned on Friday afternoon. The child being missed for several hours by the mother, was found in a duck pond quite suffocated. The jury gave a verdict of accidental drowning. - Another inquest was held on Sunday morning, on the body of a labouring man, named **JOHN WALKER**, who died suddenly on Saturday afternoon last, whilst reaping at the Peninsula Farm for Mr. **JOHN TEBBUTT**, having been perfectly overcome with the excessive heat of the day, coupled with the hard work in which he was engaged. The jury returned a verdict of died of apoplexy, brought on by the heat of the weather. *Herald Correspondent, Nov. 17*

MAITLAND MERCURY, 4/250, 25/11/1846

BOYS MISSING. - On Thursday morning, a colored lad, in the employ of the Rev. Mr. Turner, of Ryde, left the house of his master with a lad named **CARPENTER**, who carried milk round the neighbourhood of Kissing Point, for the purpose, as was supposed, of bathing. Up to yesterday morning no tidings had been heard of them. Two other lads are also missing from the same neighbourhood. *Australian, Nov. 21*

ATLAS, 2/105, 28/11/1846

INQUEST. - A coroner's inquisition was held on Saturday afternoon, in the Light-house public-house, corner of Bathurst and Sussex-streets, on the body of **JOHN**

CONNOR, a barrowman, whose body was found floating in Darling Harbour, near Gross's Wharf, about five o'clock that morning. Dr. **TIERNEY** deposed that he had viewed the body; there were no external marks of violence upon it; from the appearance of the body, and the history of the case, he was of opinion that death had been caused by suffocation from drowning; from the appearance of the body it had not been long in the water. The jury returned a verdict of found drowned, but by what means in the absence of evidence they could not say.

MAITLAND MERCURY, 4/252, 02/12/1846

A BLACK MURDERER SHOT. - Our pen has been so often employed this week in recording the loss of life among the white population, the death of one of whom, at least, is to be attributed to the blacks, that we have something like satisfaction in informing our readers that the hand of retributive justice has reached one of its victims, and that one no minor offender against the laws which bind society together. **MILLBONG JEMMY**, the principal in no less than five murders, within a comparatively short space of time, was killed yesterday morning. It appears that this horrible villain, accompanied by a number of other blacks, after driving Mr. Richards away from his station at Eagle Farm, on Wednesday, and, finding him self hotly pursued, retreated across the river to Doboy Creek on the same evening. Yesterday morning he appeared at the hut on the creek occupied by some sawyers, and demanded rations, which were given him. Not being satisfied, he asked for more, and on being refused, attempted to rush the hut. At this critical moment, one of the sawyers and a bullock-driver happened to return to the hut, when a contest commenced. Millbong Jemmy, armed with a waddie, struck one of the sawyers on the arm, and made him retreat to the hut. This party then brought his gun, and shot him on the spot, two balls having penetrated the brain. He survived upwards of two hours. The other blacks, on seeing their ringleader fall, instantly decamped, and made for the scrubs. The body of the black was brought on the dray to Brisbane the same morning, when an enquiry took place before the police magistrate. A clearer case of justifiable homicide we never before heard, and it is to be hoped that the death of this native will teach the others as lesson which they will not soon forget. Our limited space precludes us from furnishing minor details. *Moreton Bay Courier, Nov. 7*

ANOTHER BLACK OUTRAGE.

About two o'clock on Wednesday afternoon, as a hutkeeper at captain Griffin's station, on the Pine River, was at work behind the hut, he received a blow on the forehead between the eyes, from the hands of one of the blacks, who, it appeared, concealed himself behind a tree near the hut, and threw a waddie, or some other sharp instrument, at the poor fellow's head, with unerring aim. The hut-keeper, finding himself severely wounded, managed to let the dog loose, and retreat in to the hut. He then fired his gun off several times, in order that the parties at the head station might come to render him assistance. The reports of the gun having reached Captain **GRIFFIN**, he and one of his sons immediately proceeded to the hut, where they found the hut-keeper bleeding, with his face horribly cut and disfigured by the wound he had received. Dr. **CANNAN** attended on the wounded man the following day, and rendered him every assistance in his power. The sufferer has since been conveyed to the hospital. There is, we understand, some chance of his recovery. *M. Bay Courier, Nov. 27*

BLACKS CAPTURED. ... Yesterday, another native named **MULLROBIN**, and who is the chief of the South Brisbane tribe, was brought to town (having been captured at Ipswich on the 18th instant), and placed in the lock-up. We believe that

evidence will shortly be brought forward to prove that he was one of the murderers of the late Mr. **UHR**, on the Brisbane River. In the meantime, it is satisfactory to learn, that it will be out of his power to do any more mischief for some time to come – we hope for ever. He has been long known as a most dangerous character, and should not be suffered again to go at large. *M. Bay Courier, Nov. 21*

SERIOUS ACCIDENT. - On Thursday last a fine boy, about ten years of age, son of Mr. **BISSLAND**, of the “Sir Walter Scott” public-house, Sussex-street, was riding on the shaft of a dray, whilst the drayman was sitting on the opposite shaft. As the vehicle was crossing the foot of Erskine-street, the wheel came into a hole, and the poor boy was thrown to the ground. The wheel of the dray passed over both his thighs. When taken up he did not complain of being hurt. He was carried in Mr. Stewart’s house, at the corner of Erskine and Sussex streets, so severely injured that he died in half an hour after the accident occurred. *Chronicle, Nov. 28*

SHOCKING DEATH. - An old man, named **WILLIAM CONNELL**, better known as the “**Commodore**,” who was upwards of seventy years of age, and who had been for the last six or seven years in the employment of Mr. **MITCHELL**, of Melville, obtained permission on Monday to go from the farm to Maitland on business. Returning however on horseback, about half-past seven yesterday morning, the river at the crossing place was very much swollen, and he was warned by several persons not to attempt to cross. He still persisted, and two or three persons who were on the shore saw him enter the river, and after going a few yards only, lose his seat in the saddle and sink. Those who were watching him unfortunately could not swim, and whilst seeking for assistance the body of the unfortunate man was whirled down the stream, and all hope of saving him was lost. Drags were shortly procured, but without effect, as the rapid current of the river, at that time risen to seven feet above its ordinary level, left but little hopes of its recovery. Up to yesterday afternoon the body had not been found.

DEATH FROM DROWNING. - On Sunday afternoon, as some little boys were playing on the bank of the river in West Maitland, nearly opposite the residence of Mr. **MACDOUGALL**, a child about seven years of age, son of **SAMUEL MORRIS**, better known as “**Sam the Oysterman**,” fell into the water. The cries of the other youngsters brought assistance to the spot in a very short time, but notwithstanding, all was discovered to be useless; although taken out of the water within a few minutes of falling in, life was quite extinct. Dr. **LIDDELL** was also promptly in attendance, and used the most approved methods for restoring animation without avail. An enquiry was held by the acting police magistrate into the cause of death, when a return of accidental death was sent in.

SYDNEY NEWS. ... Mr. **FISHER**, the barrister, I am happy to say, is fast recovering from the injuries he received.

A melancholy accident occurred on Saturday night, at Cockatoo Island. A soldier of the 99th regiment was asleep in bed, when the ceiling of the room in which he was fell in, and so injured him that he died shortly afterwards. The sentry on guard heard the crash and the poor fellow crying out that he was killed. Assistance was therefore obtained at once, and the man got out, when he asked for a drink of water, and soon after expired.

Another sudden death occurred on Saturday, in the White Hart public-house, corner of King and Clarence streets. A man named **GRAHAME** had had a glass of ale there, and the landlady asked him to go in to dinner. He sat down to table, but eat nothing. After dinner the family left the room, leaving him still at the table. Some time after, the landlady went into the room, and perceived a strange smell; she saw the

man sitting at the table, with his head on his hand, and supposing him to be asleep, sent her husband to awaken him; but on shaking him he was found to be quite dead.

MORETON BAY. - A melancholy accident occurred at the Germans' station, at Eagle Farm; a fine girl named **CAROLINE GERICKE**, a daughter of one of the German missionaries, as they are called, was, during the absence of her parents, burnt to death, by the accidental ignition of her clothes; the bereaved parents found the body of their unfortunate child on their return home lying at the threshold of the door, nearly scorched to a cinder, and beyond the reach of medical assistance. *Herald Correspondent, Nov. 30*

ATLAS, 2/106, 05/12/1846

DOMESTIC

INQUESTS. - A coroner's inquisition was held on Sunday last, in the "Sir Joseph Banks," Botany, on the body of **HENRY DAVIS**, who had unfortunately been drowned with a Mr. **LONGFIELD**, on Sunday, the 22nd November last, while crossing Botany Bay in a boat, which was capsized by a squall of wind. The Jury found a verdict that deceased had been accidentally drowned by the upsetting of a boat on the 22nd November.

Two inquests were held on Monday, in the "Hen and Chickens" public-house, Cumberland-street. The first was on the body of **RICHARD SMITH**, then lying dead in the Military Hospital, Prince-street; Corporal **CASSIDY**, of H.M. 99th regiment, deposed that the deceased belonged to the same regiment with him; they with others of the same regiment were stationed on Cockatoo Island some weeks ago; on the 23rd November, deceased was in his usual health at bed time, and turned in about nine o'clock at night; the bed in which deceased and another man lay was at the distance of several yards from that occupied by witness; about four o'clock on the following morning witness was alarmed by the noise of a quantity of plaster falling from the ceiling of the back-room (sic) where their beds were; immediately after he heard deceased crying out in agony, "Oh! I am done for, I am killed," and went to ascertain the cause, when he saw that several yards of the plaster had fallen from the ceiling on the bed where deceased was. The Jury found a verdict of died of injuries accidentally received by the falling of a portion of the ceiling of the barrack-room on Cockatoo Island.

Another inquest was afterwards held in the same public-house, on the body of **THOMAS GRAHAM**, a tailor, then lying dead in an adjoining house in Cumberland-street. The Jury returned a verdict of died by the visitation of God of disease (sic) of the heart.

On Tuesday, an inquest was held in the Settlers' Arms, Castlereagh-street, on the body of an infant aged six months, then lying dead in Brougham-place. According to the evidence, the deceased had been weaned when about four months old, at the suggestion of Mr. Surgeon **HOUSTON**, of Castlereagh-street, as the mother, from ill-health, was unable to bring it up at her breast. Mr. Houston, surgeon, proved that death had been the result of the same disease (affection of the chest), under which the mother is at present labouring. It was shown that all care and attention had been given to deceased, according to their means. The Jury found a verdict of death from natural causes, and expressed their conviction that no blame whatever was attributable to the parents. As it was evident from the appearance of the mother that the family is in abject poverty. The Coroner handed over to the mother the amount of his fee for holding the inquest, in order to enable her to procure such nourishment as her

condition rendered necessary. Several of those present also followed Mr. **BRENAN'S** example, and gave her what change they had in their pockets.

An inquisition was held on Thursday last, at the Hunter River Hotel, Hunter River Steam Navigation Company's Wharf, on the body of **GEORGE SEYMOUR**, ship keeper of the *James Watt*, steamer, who was drowned on Monday evening. It appeared in evidence that his wife had gone on board the vessel infuriated with liquor, and after creating some disturbance, threatened to drown herself, and leaped from the gangway of the vessel for that purpose. A person on the wharf hearing the splash, pushed out a plank from the shore, which she seized hold of, and was safely landed. Her husband fearing that she would be drowned, leaped into the water almost immediately after her, and sank instantaneously; his body remained submerged till Tuesday afternoon, when it was found under the bows of the *James Watt*, and conveyed to the wharf, where the inquest was held. The Jury returned a verdict of accidentally drowned. [see also MM 5/294, 28/04/1847]

MAITLAND MERCURY, 4/253, 05/12/1846

SHOCKING ACCIDENT FROM FIRE. - A girl named **EMILY JAMIESON**, between 12 and 13 years of age, in the service of Mr. Whitaker, blacksmith, of East Maitland, was on Thursday morning taking a kettle off the fire, in the kitchen at the rear of the dwelling, using the end of her frock to prevent the iron from burning her hand. Unluckily, the flames caught the end of her frock, and in an instant she was enveloped in flames. She immediately ran screaming into the street, and so great was her fright that some time elapsed before any person was able to catch her and extinguish the flames. This, however, was ultimately done, and Dr. **HARRINGTON**, who resides nearly opposite, was instantly in attendance, and used the most approved methods of allaying the pains of the burns. Her legs and the upper part of her body were much burnt, but happily the stomach had escaped with only slight injury, and hopes are entertained of her recovery.

SYDNEY NEWS.

SERIOUS CAB ACCIDENT. - Between ten and eleven o'clock on Sunday morning, as **WILLIAM JACKSON SPEARKE** was proceeding, with his two children, to church, while crossing Clarence-street, a cab came at full speed round the corner into Clarence-street, when Spearkes shouted to the driver to stop, but the latter only gave him abuse, and on his trying to get him stopped, cut at him with his whip, and one of the horses came against his child. Knocked her down, trampled on the side of her head, after which both wheels of the carriage passed over her body. The girl was immediately taken home, where she lies dangerously ill. The driver, **THOMAS HUGHES**, was apprehended on Sunday evening, and brought before the police court yesterday, when the above statement was given in evidence against him. He was remanded till the girl is able to give her evidence. *Herald, Dec. 1*

DEATH FROM DROWNING. - A coroner's inquest was held at Botany, on Sunday last, on the body of **HENRY DAVIS**, the servant man who was with Mr. **LONGFIELD** in the boat at the time she capsized. The body was much decomposed, and mutilated by fishes. The jury returned a verdict of accidentally drowned.

DEATH BY DROWNING. - On Monday night, while **GEORGE SEYMOUR**, shipkeeper of the steamer *James Watt*, lying off Pymont, was at his post on board that vessel, he was joined by his wife, who was very much intoxicated, so much so that about eleven o'clock she either fell or leaped off the gangway into the water. Her husband, on the impulse of the moment, (although no swimmer) leaped overboard after her to save her, and sank almost immediately; an alarm was given, and the

woman was got out alive; but although every exertion was made to recover the body of the husband, it was not got hold of till yesterday, when it was fished up from under the *James Watt's* bows. After the woman was got out she was so infuriated with the liquor she had swallowed, that it became necessary to lodge her in the lock-up at Pymont for protection. *Herald, Dec. 2*

MAITLAND MERCURY, 4/254, 09/12/1846

FALSE NOTIONS. - In the course of the enquiry into the cause of death of **WILLIAM CONNELL**, detailed in another paragraph, the sitting Justice had occasion to remark upon the very unfeeling manner in which the body of the deceased had been left on the mill-bank at the spot where it was found. It certainly does seem a strange thing that people still retain the old fangled notions of leaving a body in the exact spot and position in which it was found, until the arrival of the coroner. In certain cases this is well enough, but where the cause of death is so well known, as it was in the case alluded to, it certainly does seem indecorous and unbecoming to shock the public sense of decency by leaving the corpse of the unhappy man exposed to the attacks of bird and beast, as in the present instance.

BODY FOUND. - The body of the unfortunate man **WILLIAM CONNELL**, who was drowned on Tuesday last in attempting to cross the river, near Melville, was found on Saturday last near the Bolwarra Estate, on the bank of the river. Information was immediately given to the acting police magistrate, who, the following day, held an inquiry into the cause of death, when the facts as stated in a former number were elicited – that deceased had been in Maitland, and had attempted to cross the river, notwithstanding the increased volume and current of the water, and had thus unfortunately lost his life. A verdict of “accidentally drowned” has been sent in.

MURDER. - CARCOAR.

On Tuesday, the 17th Nov., a man named **BARNEY M'QUIRK** went into the hut of a shepherd in Mr. Icely's employ, at a station called Connowndrea, and threatened to beat the shepherd, **WALSH**, with a stick he had, and it is said that M'Quirk had often made the same threat before. Walsh on the present occasion picked up the blade of a sheepshear lying on the floor of the hut, and observing the menacing attitude of the deceased, ran at and struck the blade into the belly of M'Quirk and ripped it up; M'Quirk fell, and almost immediately expired. Walsh was immediately taken in to custody, and on the following day an investigation of the matter was taken by Mr. **W.M. ROTHERY**, J.P., and on Tuesday the 26th November, Walsh was fully committed for trial on a charge of murder. *Herald Correspondent, Dec. 4*

MAITLAND MERCURY, 4/255, 12/12/1846

ORIGINAL CORRESPONDENCE

To the Editor of the Maitland Mercury

SIR – I have to remark on a paragraph in the last impression of the *Mercury*, headed “False Motions,” reflecting on the unfeeling manner in which the body of **WILLIAM CONNELL** was left on the mill-bank after its recovery.

The facts are simply these:- The body, in a decomposed state, was floating on the river. I had it removed to the bank, on the Maitland side, in order to give every facility to the proper authorities, who would have found difficulty in crossing the river at the time. The necessary information was given to the acting police magistrate, and it was **HIS DUTY** to issue instructions as to the removal or further disposal of the corpse. There was a house at hand, to which the unhappy man could have been removed, had there been any desire on the part of officials to do so, or even a wish

expressed to that purpose. But it appears that unless private individuals take upon themselves the necessary duties of the public-plaid officers, the sitting justice is at liberty to reflect publicly on their "unfeeling conduct."

As to the body being exposed to the attack of bird and beast, the police are highly culpable if it was so. For their credit I am prepared to say that such was not the case.
Your obedient servant,

JOHN REYNOLDS.

Bolwarra, Dec. 11th, 1846

CORONER'S INQUEST.

An inquest was held on Wednesday last, in Sydney, on the body of an infant which had been found lying near the cistern in Hyde Park. It was taken to the Benevolent Asylum, where, although a nurse was procured for it, it declined rapidly, and in the course of a short time died in convulsions. Verdict, "death from natural causes." The police had been unable to discover the unnatural parents of the child.

SHOCKING DEATH. - An inquest was held in Market-street, on Tuesday last, on the body of an old man upwards of seventy years of age, who had perished whilst under the influence of liquor, from falling off a chair into the fire, as it was supposed, in a fit of apoplexy. When he was found the next morning, he was lying on the fire, many parts of his body completely charred from burning. A verdict was returned, that deceased had died from burning received whilst labouring under apoplexy, induced by previous intemperance.

INQUESTS AT GOULBURN. - Three inquests have been held here within a short time. The first on **JOHN WEBB**, who from an injury received in his finger, was forced to have it amputated. Having been previously drinking, *delirium tremens* was induced, which resulted in death. Verdict, "died by the visitation of God." - The second was on one **LUKE FOX**, who was drowned by accidentally slipping into the Goulburn river when considerably swollen. Verdict, "Accidental death." - The last, on the body of a child, four years of age, who was found drowned in the same river. Verdict, "Found drowned."

MAITLAND MERCURY, 4/256, 16/12/1846

A WILD COW. - Yesterday morning, previous to the departure of the steamer from Morpeth, some men were endeavouring to drive several head of cattle on board the vessel, when one of them, a fine fat cow, that had several times refused to cross the plank, at length got furious, and rushed upon the men who were forcing her forward. One of them, more daring than the rest, endeavoured to turn her, when she immediately made at him, and before he could escape, horned him in the back, tearing up his clothes, and piercing him between the ribs to a depth of three or four inches. The man was luckily rescued from the infuriated beast by some of the men present, and was carried away senseless to Hook's public-house, where he now lies in a dangerous state.

DEATH FROM LOCKJAW. - On Monday afternoon last, the unfortunate girl, **EMILY JAMIESON**, who, as we mentioned in a former number, had accidentally set fire to her clothes while lifting a pot from the fire, expired from tetanus, or lockjaw, induced by the injuries she had received from the flames. An inquiry was held into the cause of her death yesterday, by the acting police magistrate, when the facts, as already stated in this paper, having been deposed to, and Dr. **HARRINGTON** having testified that death had resulted from the injuries received from burning, a return of accidental death from fire was sent in.

MORETON BAY. - DECEMBER 7.

... The reward of £25 and a conditional pardon offered by the government for the black murderers of Mr. **GREGOR** and **MARY SHANNON** has caused several parties to attempt their capture. One party, principally composed of prisoners of the crown, gave the scoundrels a close push, so much so, that in their flight they dropped their dillies, (a sort of haversack carried on their backs) with their contents, consisting of a portion of the unfortunate woman's wearing apparel, and sun dry other articles stolen from the hut, which they brought in to the police magistrate. One of the actual murderers of Mr. **UHR**, has, I hear, been shot in the neighbourhood of Ipswich.

Herald Correspondent

BUNGENDORE. - **MELANCHOLY SUICIDE.**

On Monday evening, 30th November, the body of a man named **JOHN TUCKER**, late a stonemason in the service of **W.E. KING**, Esq., Gidleigh, was found hanging in a tree near the church at Bungendore. It appeared that on Sunday he asked Mr. Dwyer, the publican at Bungendore, for some spirits, but he only gave him one glass; deceased then endeavoured to procure some from the men about the place, but did not succeed. He was last seen that night about ten o'clock sober, and said that he should go home; but in the morning he was found by a boy. From appearances, and the marks on the tree, he must have climbed up about ten feet to a branch – then, with two handkerchiefs tied together – one round his neck, the other to a branch, he must have launched himself into eternity. The body presented a most ghastly appearance, and an awful instance of the effects of drunkenness; for, although not intoxicated at the time, he was and had been for some days previous under the influence of liquor. It is to be hoped that this fearful event will tend to check some of the unfortunate victims of intemperance in their career, and deter others from indulging in what can only be considered as the greatest curse in the colony. Two other men have been drowned from the same cause during last week: one at Queanbeyan, and another at the Long Swamp. *Herald Correspondent, Dec. 11*

CORONER'S INQUEST. - On Tuesday, the 1st instant, an inquest was held by **J. SUTHERLAND**, Esq., coroner, at Battersby, near Bathurst, the residence of Mr. Foster, on the body of a man named **JAMES WALKER**, who had been drowned the previous day; it appeared that the deceased, who was in the employ of Mr. Foster, had been engaged fixing a stand for sheep washing, when he got out of his depth, and was drowned. The body was not got out of the water until too late to restore animation. Verdict, accidental death. *Herald Correspondent, Dec. 11*

SUICIDE. - On Thursday night last, a soldier on duty at the Woolloomooloo Stockade, after calling out the hour (ten o'clock), took off his boots, and deliberately shot himself. Yesterday an inquest was held on the body, at the Queen's Arms, Darlinghurst, when it appeared that deceased's name was **THOMAS FINNIGAN**, a private of the 58th regiment. It also appeared that some time ago he had a fall while at Parramatta, and received a severe injury, which at times affected his intellect. A verdict was returned to the effect the deceased had shot himself while labouring under a fit of temporary insanity. *Chronicle, Dec. 12*

MAITLAND MERCURY, 4/257, 19/12/1846

INQUEST. - On inquest was held yesterday morning at the Rainbow Tavern, on the body of a female infant thirteen weeks old, whose mother, widow **CLARKE**, had put her to bed in her usual health about half-past eleven on Sunday evening, and found her dead about four o'clock on Monday morning. It was given in evidence that deceased was a seven months' infant, and consequently very delicate, so much so that she had been under the medical care of Mr. **HARPUR**, surgeon, for the last months.

He deposed that death had been caused by convulsions, and the jury found a verdict of "Died by the visitation of God." *Herald, Dec. 16*

MAITLAND MERCURY, 4/259, 26/12/1846

AWFUL DEATH. - During the short but furious storm on Saturday afternoon last, a married woman, named **CUMMINS**, was struck dead in the yard of the Parramatta Female Factory by the electric fluid.

MYSTERIOUS DISAPPEARANCE. - A man named **HUDSON**, living in one of Cooper's houses, Parramatta-street, has been missing since this day fortnight. He then had some few pounds about him, and it is feared that he may have been waylaid, or has met with an accident. A description of his person was advertised in the *Herald* last week, but no tidings have been gained in consequence. *Herald, Oct. 22*

INQUEST.

A coroner's inquisition was held yesterday afternoon, in the Oraculum public-house, Phillip-street, on the body of **PETER HENRY KEARNEY**, then lying dead in the Sydney Dispensary. It appeared from the evidence that the deceased had come across the country from the Port Phillip district some time since with stock. On Sunday evening he mounted a vicious mare, his own property, at his lodging, York-street, and rode out in company with a fellow lodger, till they came near St. Mary's Chapel, Hyde Park, when the animal became restive, ran off, and threw him soon after. He was removed to the Sydney Infirmary in a state of insensibility, and died about four o'clock yesterday morning. Mr. **NATHAN**, surgeon, had seen the deceased on his admission to the Infirmary, and found him labouring under severe concussion of the brain, which might have been caused by the deceased being thrown from a horse, of which injuries there were some marks exhibited on the head. Several witnesses stated that the injuries had been accidentally inflicted, on which a verdict of "died in consequence of injuries received by being accidentally thrown from a horse on the evening of the 20th instant," was recorded. *Herald, Dec. 22*

ATLAS, 2/109, 26/12/1846

INQUESTS. - An inquisition was held before the Coroner on Tuesday afternoon in the "Royal Oak" public-house, Miller's Point, on the body of **JAMES ANDREWS**, then lying dead on Deloitte's Wharf. The deceased was steward of the *Thomas Lowry*, Captain Graham, and was last seen alive about ten o'clock on Saturday evening, apparently quite sober. Captain **GRAHAM** deposed that the deceased was a sober, well conducted man, and had been seven years in the ship; in his opinion he must have fallen between the shore and the vessel, as it was blowing very hard about the time he was last seen alive; his body was discovered floating on the water on Tuesday morning alongside the ship, after several guns had been previously fired, in order by their concussion to raise the body. Dr. **SILVER** having certified that death had been caused by drowning, and that there were no marks of violence on the body, the jury returned a verdict of found drowned.

Another inquest was held yesterday afternoon, in the "Corporation Inn," Surry Hills, on the body of **ELIZABETH BROWNLOW**, who had destroyed herself by taking a quantity of arsenic, which she had previously purchased from Mr. **GRANT**, Chemist, Pitt-street South, stating that it was for the purpose of poisoning rats that she wanted the arsenic. The jury returned a verdict that the deceased died in consequence of taking poison, while labouring under temporary insanity.

DEATHS.

New South Wales Inquests, 1846; 24/03/08

On Saturday, the 17th instant, **JAMES ANDREWS**, Steward of the ship *Thomas Lowry*, accidentally drowned when returning on board during the heavy squall that was blowing on the above evening.

MAITLAND MERCURY, 4/260, 30/12/1846
SYDNEY NEWS.

The Criminal Sittings of the Supreme Court commenced this morning [Dec. 28th] at the Court-house, Woolloomooloo.

PATRICK REARDON was indicted for stabbing one **JAMES MURRAY**, a bailiff, on the 26th November last, with intent to do him some grievous bodily harm. Guilty of a common assault; remanded.

BILL ROBERTS, an aborigine, was indicted for assaulting one **FANNY HASELTON**, with intent to do her some grievous bodily harm, by striking her on the head with a tomahawk, at Illawarra, on the 22nd October last. Guilty; remanded.

ALICE CAVENAGH was indicted for wounding one **CHARLES PURLISS**, with intent to do him some grievous bodily harm. Guilty of a common assault; remanded.

BODY FOUND.

The body of **PATRICK MARKENEY**, a boatman, was found yesterday morning near the Liverpool-street Wharf. As Markenev and three other men were seen leaving the wharf at Liverpool-street about sunset on Thursday evening, in a boat which was subsequently picked up near the place where the body was found, fears are entertained that the other three men have been drowned, as up to four o'clock yesterday (Friday) afternoon, notwithstanding every inquiry being made for them, they had not been traced. The body of Markenev was removed to the General Hospital yesterday, at noon, preparatory to an inquest to be held to-day. *Herald, Dec. 26*

SYD 1847

ATLAS, 3/110, 02/01/1847

INQUESTS. - An inquest was held on Saturday, in the Oraculum, public-house, on the body of **PATRICK MARKEY [MARKENEY]**, then lying dead in the General Hospital. **PETER WILSON**, of Balmain, deposed, that he knew Markey, by residing near him; that he saw him about four o'clock on Thursday afternoon, when he had a glass of rum; after which deceased agreed to take some articles home for him, but he saw no more of deceased till Friday morning, when he saw him dead on the Liverpool-street wharf, about seven o'clock. **THOMAS CARROLL** proved that he knew deceased, whose body was found by him floating off the Liverpool-steer Wharf between seven and eight o'clock on Friday morning; he also deposed that about eight o'clock on Thursday evening, he saw deceased and three other men getting into a boat in Liverpool-street Wharf; the four men were all in liquor; they got into the same boat, which had since been found in Darling Harbour, opposite Liverpool-street, with two bottles of rum in it. Dr. **SILVER** having deposed that the body exhibited no marks of violence, but was apparently deprived of life by drowning. The jury returned a verdict of found drowned.

Another inquest was held in the "Wheat Sheaf Inn," George-street South, on the body of **JAMES WHITTAKER**, then lying dead in the Benevolent Asylum. It was given in evidence that the deceased had been in the employ of Mr. **PROUT**, Deputy Sheriff; that he was a very old man, and had been at his usual work on Thursday evening; that he was not seen again till Friday afternoon, when his body was found in a waterhole near Mr. Prout's residence. Mr. **RUSSELL**, Resident Surgeon in the Benevolent Asylum, having certified that the deceased had formerly been an inmate of that institution, from which he had been hired by Mr. Prout; also that the body exhibited the usual marks of death caused by drowning. A verdict to that effect was recorded.

MAITLAND MERCURY, 5/261, 02/01/1847

DEATH FROM DROWNING. - On Thursday morning last, a man named **CORKE**, in the employment of Mr. **JEREMIAH LEDSAM**, auctioneer, of West Maitland, was proceeding to Trevallyn, to post some bills of a sale there, and reached the punt at Pitnacree. He called the puntman, and descended the bank towards the river, but in the course of a few minutes, when the puntman descended the road the horse was observed swimming in the river without his rider. The animal was secured on reaching the shore, and the alarm being given, a number of persons were speedily assembled on the spot, and every means used, by dragging the river, to recover the body of the hapless man, but, we regret to say, up to last night without effect. None saw the accident occur, but it is supposed that endeavouring to force his horse (a young and fiery animal, hardly broken in), on board the punt, it got terrified, and sprang into the river, where the unfortunate man losing his presence of mind, relinquished his seat in the saddle, and, being no swimmer, thus met a watery grave.

SUPREME COURT. - CRIMINAL SESSIONS.

CORNELIUS HUGHES was found guilty of having, with a small pistol, fired at one **WILLIAM DUCKER**, with intent to do him some grievous bodily harm; and was sentenced from the bar to be transported for fifteen years.

DANIEL DEERING MATTHEWS, indicted for having, on the 4th October last, fired at one **WILLIAM BOOKER**, with intent to murder him, was found guilty of an assault only; the prisoner declaring that he had merely used the fire-arms to intimidate

Booker, who was his brother-in-law, and to induce him to give up possession of a house, which he occupied. Several respectable persons spoke of the prisoner as a quiet, inoffensive, and humane man, incapable of wilfully injuring any one. He was sentenced to twelve months imprisonment.

MARGARET JOHNSON, as principal, and **JOHN ALEXANDER JOHNSON**, as accessory, were indicted for having, on the 28th October last, wilfully murdered one **JOHN THORNBURY**, by striking him on the head with an iron bar. There was no actual proof of the blow, which caused death, having been given by either of the prisoners. The deceased was found dead near their door; but it was shown that a previous quarrel had occurred, and that threats against the deceased had been used by the female prisoner. The testimony of the medical witness went to the effect that the deceased, whilst intoxicated, as he was shown to have been, might have struck his head against the verandah post, and that such an event would have caused the same appearances. The jury, after about two hours' deliberation, acquitted the male prisoner, and found the female guilty of manslaughter. She was sentenced to twelve months' imprisonment. *Australian, Dec. 31*

MAITLAND MERCURY, 5/262, 06/01/1847

DEATH FROM DROWNING. - The body of the unfortunate man **JOHN CORK**, who was drowned on the previous Thursday, whilst about to cross the river at the Pitnacree punt on a young horse, was found, on Saturday last, by dragging, a little below where the accident occurred. At the time it was found the body of the hapless man was in an advanced stage of decomposition. An inquiry was held into the cause of death, the same day, by the police magistrate, and a return of accidental death sent in. - The body was buried in the course of the afternoon.

DEATH.

Died, on Thursday last, the 31st ultimo, Mr. **WILLIAM CORK**, aged 36 years – a consistent member of the Wesleyan Methodist Society, in Maitland, during the last few years. He met his untimely end from drowning, near Pitnacree punt.

THE DRAPERS' RACES.

... There was a damp gthrown over the scene by an accident which occurred during the race for the Union Purse. The well-known jockey **GEORGE MARSDEN**, while riding a valuable mare, was so severely injured, that he was carried off the course in a state of insensibility, and was not expected to survive the night. It appears that the accident was caused by his endeavouring to shoot ahead of the leading horse, by passing between him and a post, when his mare came against the post with such violence as to throw it down, knocking in one of her eyes, and also smashing her shoulder when she fell, and threw her rider over her head several feet. It is supposed Marsden's head also came against the post, and when he was picked up his skull was found to be fractured. ...*Herald, Jan. 1.* [We have since learnt that Marsden died the same night.]

SENTINEL, 3/105, 07/01/1847

INQUESTS. - Last Saturday afternoon, there were two inquests held at the Wheat Sheaf public house, Parramatta-street, on two inmates of the Benevolent Asylum; one was on the body of **WILLIAM LUCAS**, who had been received into the Asylum on the 31st December, complaining of dysentery, and died that evening. Mr. Surgeon **RUSSELL**, the only witness examined, deposed that his death had been the result of natural causes, and a verdict to that effect was returned.

The other inquisition was on the body of **JOHN HOWARD**, who had died on the Friday morning. It appeared the deceased belonged to the infirm ward, and had dropped down on the floor of his room while making his bed, and instantly expired. On Mr. Surgeon **RUSSELL** first viewing the body the features were convulsed, from other appearances, and from previous knowledge of the deceased, he considered death had been the result of natural causes, probably apoplexy. The jury returned a verdict of died by the visitation of God.

Two inquests were held on Tuesday, the first, in the Dove Inn, Erskine-street, on the body of **ELLEN PULLEN**. The evidence adduced was to the following effect:-**WILLIAM MURRAY**, who lived at Lane Cove with an aunt of the deceased, where the latter was also living, deposed, that about seven o'clock on the Saturday evening, the aunt of the deceased called him out of the house, saying, the girl had been bitten by a snake; on going to the girl, he observed that one of the fingers bore the mark of a snake's fangs; he also found the snake in the box where she had been bitten by it; it was a black snake, about four feet long; the box sat up on one end, and the side of it was open; both deceased and her aunt required him to chop the finger off, which, after considerable entreaty, and to save the child's life, he did; they then bound the stump up with cob-webs and pitch, and made deceased walk about all night, early on Sunday morning, he took her to a doctor at Kissing Point, who dressed the finger, and administered two powders, and stated to witness that the girl was in no danger; the stump bled very freely after being chopped off, until she was taken to Kissing Point, and even after that, but not so much; as she appeared to be getting worse, he brought her to Sydney to her parents on Sunday night; the name of the Kissing Point doctor is **NEWCOMBE**. Mr. Surgeon **HARPUR**, of King-street, had been called on to see deceased on Sunday night, when he found the finger very badly dressed, the hand being merely enveloped in a bundle of rags, and still bleeding; he dressed it, and also gave some stimulants to rouse the girl, when she rallied for about half an hour, but sank again and died in two or three hours afterwards; the body was quite cold, but by administering stimulants heat was somewhat restored; in his opinion death had been caused by hemorrhage, but under the circumstances it was impossible to say whether the bite had any influence or not. The jury found a verdict of died from the bite of a snake and the hemorrhage consequent on the cutting off the finger which had been bitten.

ATLAS, 3/111, 09/01/1847

On Tuesday last an inquest was held at the Dove Inn, Erskine-street, on the body of **ELLEN PULLEN**. The evidence adduced at the inquest was to the following effect:-**WILLIAM MURRAY**, who lived at Lane Cove with an aunt of the deceased, where the latter was also living, deposed, that about 7 o'clock on Saturday evening the aunt of the deceased called witness out of the house, saying, the girl had been bitten by a snake; on going to the girl, he observed that one of the fingers bore the marks of a snake's fangs; a black snake about four feet long had been found in the box; both deceased and her aunt requested him to chop the finger off, which after considerable entreaty and to save the child's life, he did; they then bound the stump up with cobwebs and pitch, and made deceased walk about all night; early on Sunday morning he took her to a doctor at Kissing-Point, who bandaged the finger and administered two powders, and stated to witness that the girl was in no danger; the stump bled very freely after being chopped off until she was taken to Kissing-point, and even after that, but no so much; as she appeared to be getting worse he brought her to Sydney, to her parents, on Sunday night; Mr. Surgeon **HARPUR**, of King-street, had been called

out to see deceased on Sunday night between six and seven o'clock, when he found her finger very badly dressed, the hand being merely enveloped in a bundle of rags and still bleeding; he dressed, and also gave some stimulants to revive the girl, when she rallied for about half-an-hour but sank again, and died in two or three hours afterwards; the body was quite cold, but by administering stimulants heat was somewhat restored; in his opinion death had been caused by hemorrhage, but under the circumstances it was impossible to say whether the bite had any influence or not. The jury found a verdict of "died from the bite of a snake and the hemorrhage consequent on the cutting off the finger which had been bitten."

Another inquest was afterwards held in the Wheat-sheaf, Parramatta-street, on the body of **JOSEPH JONES [JOHNS]**, whose body had been found in a water-hole on Grose Farm, as the junction of the Newtown and Parramatta roads. It appeared that the deceased had last been seen alive on Saturday afternoon, when he got a pass from Hyde Park Barracks to go to Goulburn, and was found drowned, in the water-hole already spoken of, about noon on Monday last. Mr. Surgeon **RUSSELL** deposed, that the discoloured appearance of the body might have been caused by the length of time it had been in the water, or by his being seized with a fit of apoplexy at the time he fell into the water. Having certified that death had been caused by drowning, a verdict of "found drowned" was recorded.

MAITLAND MERCURY, 5/263, 09/01/1847

INQUEST. - A coroner's inquest was held at Mr. S. Bailey's, Cottage of Content, East Maitland, on the body of an infant four months old, named **MARGARET WILD**, who had died in convulsions on the previous day. From the parents having had a quarrel on the night of the child's death, a rumour had gone abroad that there had been foul play in the matter, but Dr. **WILTON**, having made a *post mortem* examination of the body, certified that death had been the result of convulsive fits, induced by natural causes. A verdict of "natural death" was returned.

SUDDEN DEATH. - On Tuesday evening last, a young lady, about eighteen years of age, eldest daughter of Mrs. **JAMES**, of Hinton, was in the store of Mr. **T. SKINNER**, of Morpeth, in company with her mother, when she suddenly complained of a pain in her head, and in a few minutes got so very unwell that she was compelled to lay down. Medical assistance was sent for, and Dr. **LIDDELL** was promptly in attendance, who did all that the case seemed to require, by bleeding, &c.; but the unfortunate girl sank rapidly into insensibility, and died on the following morning. An inquiry into the cause of death was held on Wednesday by the police magistrate, when a return of death from natural causes was sent in.

DREADFUL DEATH.

On the 1st instant, as a man named **WILSON**, a servant to Mr. Campbell, of Wingello, was passing Mr. Alexander's establishment, at Irishtown, four dogs rushed out on him, and attacked him, tearing large pieces of flesh from different parts of his body. The attack was seen by a man named **TAYLOR**, who was travelling on the road, but before he could reach Willson, the greater part of the injuries had been inflicted, and it was with difficulty he was rescued and the dogs kept at bay. Constable **SHEPHERD** coming up, Wilson was removed to Liverpool and placed in the hospital, where, notwithstanding everything that medical skill could devise was done for him, after suffering excruciating agony until Monday night, he expired. It is stated that there was not a portion of Wilson's body, from the head to the feet, which was not more or less disfigured; on some of the limbs the flesh had been torn so as to leave the bones bare. Captain **MOORE** held an enquiry into the death of Wilson, on Tuesday, the

result of which did not reach our informant. We yesterday noticed the dog nuisance with reprobation, but did not anticipate that it would be our painful duty to report such a glaring and fearful illustration. *Herald, Jan. 7*

DEATH.

Died, on the 6th instant, after a few hours illness, **JANE ELIZABETH**, the eldest daughter of Mrs. And the late Captain **JOHN JAMES**, of Hinton, aged 18 years, much regretted by a numerous circle of friends. [Also on 13/01/1847]

SYDNEY NEWS.

INQUEST. - On Tuesday, 29th ult., an inquest was held by the coroner, at Ben Bullen, on the Mudgee road, on the body of **MICHAEL KEENAN**, who came to his death in rather a singular manner, on the 27th, about 2 p.m. The deceased came to this colony nearly twenty years since, a private in the 57th regiment; by the industry and perseverance of a careful helpmate, he had been enabled to scrape together a few pounds; he procured his discharge, and succeeded in erecting premises at Hassan's Walls, for which he obtained a publican's license, and was doing well for some years; but in consequence of habits of intemperance, he failed in this speculation, and removed to Ben Bullen, with a herd of cattle. Here, by the united exertions of his wife and family, he was soon enabled to move respectably; in time, however, he again took to his old habits of intemperance. It appeared that in the premises occupied by deceased and his family there was a store, in which, amongst other articles, was a quantity of bottled ale and porter; the wife of the deceased, knowing her husband's propensity, usually kept the store locked, and the key in her possession; Keenan, however, had on several occasions defeated his wife's precautions, by climbing over the door; the partition dividing the store from the other part of the premises was slabbed, and about a foot above the doorway was a beam, the space between being open; it was through this aperture Keenan had often gained access to the store; on the morning of the 27th, the deceased had been in a very excited state, although not intoxicated, breaking and destroying various articles; he again attempted to get into the store, and had managed to get his body through the aperture, but his head somehow got jammed between the door-frame and the beam, and he was thus strangled; his wife was the first to discover his situation, and with a ready presence of mind, gave the head a jerk, which brought the body to the ground, but it was immediately discovered life was extinct. Verdict – died by the effects of strangulation, occasioned by accidentally slipping whilst climbing over his own store door. *Herald Correspondent, Jan. 5*

BODY FOUND. - Yesterday afternoon the body of a man was found in a pond close to the round-house, near the junctions of the Parramatta and Newtown roads; part of his clothing was missing, but in his trousers pocket the police found a Hyde Park Barrack pass for **JOSEPH JONES** to proceed to Goulburn, dated 2nd January 1847. The body was removed to the hospital. An inquest will be held on it to-day. *Herald, Jan. 5*

DEATH FROM THE BITE OF A SNAKE. - About six o'clock on Saturday evening, **ELLEN PULLEN**, aged eleven years, was bit on the tip of the dexter finger by a black snake, while residing with her uncle, **WILLIAM MURRAY**, of Kissing Point. He afterwards cut off the part bit by the reptile, and brought her to her parents in Sydney on Sunday; but notwithstanding every exertion to prolong her life, she died about ten o'clock the same evening she returned home. *Herald, Jan. 5*

INQUEST. - An inquest was held on Friday, by the coroner, **C. BETHEL LYONS**, Esq., in the house of Mr. Kingsbury, Kissing Point, touching the death of his son, **FRA NCIS KINGSBURY**, then lying dead therein. From the evidence adduced, it

appeared that the deceased, who was a lad of about fifteen years of age, was employed by Mr. Devlin, of Kissing Point, to deliver meat to his customers in the neighbourhood, and that on the previous day the deceased, on re-crossing the Lane Cove River, where he had been delivering some meat, the man who was rowing the boat in which he was, remarked that he would have, in consequence of the intense heat prevailing, a bathe, and the deceased agreed to join him. On their landing, both stripped and went into the river, but the deceased it would appear must have almost immediately been seized with the cramp, as the party who had gone into the water with him swam no great distance when he was alarmed by a cry for help, uttered by him; on which he immediately made for the spot, where he had a few minutes previously seen him, and discovered him lying in the bed of the river, at the depth of twelve feet of water; he immediately dived and brought him on shore, but although only half a dozen minutes had elapsed from the time the deceased must have sank, he was found to be dead. The jury returned a verdict of accidental death from drowning. *Herald Correspondent, Jan. 6*

MAITLAND MERCURY, 5/264, 13/01/1847

THE JOCKEY MARSDEN. - **MARSDEN**, who, it will be recollected, met an accident at Homebush on the 1st instant, which, from its serious nature, was apprehended would have a fatal termination, is fast recovering. *Herald, Jan. 11*

MELANCHOLY SUICIDE. - We have received intelligence from Brago, in the Twofold Bay district, of the melancholy death of Dr. **GEORGE IMLAY**, which we regret to state took place under his own hand, under the following circumstances:- On the morning of the 26th December he went out early, telling his family that he had received information of some bulls he had previously lost, and that he should go in search of them, and might probably be absent four or five days. He declined taking his blankets of anything to eat with him, and would not allow any person or even his dogs to accompany him. He said he should go round the mountains at Brago, but took quite a different direction, into a small thick scrub. Suspicion having been aroused by his horse coming home, Mr. **PETER IMLAY**, accompanied by twelve men, went in search of him, when, after a search of four days, they by chance hit upon the body, lying in a dreadful state. The unfortunate gentleman had apparently laid himself down, and tying the trigger of his gun to his spurs, had shot himself. There can be no doubt, from the lonely nature of the place to which he retired to effect his deadly purpose, that he did not intend that his body should be found. *Herald, Jan. 11*

ACCIDENT BY BURNING. - Between twelve and one o'clock on Saturday morning, while a female named **ELLEN SULLIVAN**, who resides in Sussex-street South, was lying in her bed-room, a candle which she had left burning over the place where she was lying, fell down, ignited her clothes, and before assistance reached her, the bedding caught fire; she was so severely burned that no hopes are entertained of her recovery. She was immediately removed to the Benevolent Asylum. *Herald, Jan. 11*

CHILD DROWNED. - Between three and four o'clock on Saturday a boy, aged four years, whose father resides at the corner of the Cook's River road, strayed from its house, and was not seen again till five o'clock yesterday morning, when it was found drowned in the water which had settled in an unenclosed foundation, on some ground belonging to Mr. **ROBERT COOPER**, at a short distance from his father's residence. *Herald, Jan. 11*

INQUEST. - DEATH FROM CHOLERA.

An inquest was held yesterday morning, in the Nelson Inn, corner of Hunter and Phillip streets, on the body of **JAMES HAWKINS**, who had died suddenly on Wednesday morning. According to the evidence, the deceased was a carpenter, aged about thirty-seven years; he was very delicate for some months past, and during the last six months had been very temperate; On Sunday last he ate very freely of some peaches, and soon after was seized with a severe pain in the stomach. Mr. **W. HOUSTON**, surgeon, Castlereagh-street, was called in, and found from the symptoms (pain in the intestines, with cramp, &c.,) that he was labouring under English cholera, which, in his opinion, had been induced by his eating of the peaches to excess. The usual remedies were applied, but from the feeble state of the patient he sunk under the disease, from which, had he been stronger, it was probable he would have recovered. The jury returned a verdict of died by the visitation of God. *Herald, Jan. 8*

MILLBONG JEMMY. - A correspondent of the *Moreton Bay Courier*, gives the following facts from the history of this black, in answer to the correspondence on the subject of his death in the *Sydney Chronicle* some time previously:- "In 1842, he, with several others, attacked two men belonging to a boat's crew, and after beating them severely, proceeded to roast them on the fire. The return of the commandant and the remainder of the crew fortunately saved the lives of the men, but they were both in the hospital for nearly twelve months, and never fully recovered. About seven years ago, he broke open the government mill, to steal flour, and being caught in the act by Mr. **THOMSON**, the acting chief constable, he stabbed him (Mr. Thomson) in the chest with a knife. He attacked the government station at Eagle Farm, and since the district has been opened has repeatedly threatened the lives of Mr. **WESTAWAY** and his family, who now reside there. At the death of Mr. **GREGOR** and his servant, Millbong jemmy was the most active of the murderers, as is proved by the depositions on which the government issued a notice offering rewards for his apprehension. On the day preceding his death, he, with a large party of armed blacks, committed several robberies on parties residing at Breakfast Creek; and crossing the river to avoid pursuit, accidentally met with a boat in Doughboy Creek, containing three men, and in defending themselves one of the crew was accidentally shot by his comrade who was handing him a gun. The next morning Millbong Jemmy and his party went to the hut of some sawyers, and with threats demanded provisions and tobacco. Fortunately, assistance arrived at the time, and attempts were made to capture him - he being engaged in an unlawful and violent act, and a proclaimed murderer. In this one of the men was severely hurt, and the sawyers in self-defence had recourse to fire-arms; when, as is truly stated by the writer in the *Sydney Chronicle*, he was shot with three balls. He was immediately brought to the settlement, but died on the road. His body was subsequently placed in the same room with that of the victim of his attack on the boat on the evening before. An inquest was held on both the same day."

HUMAN BONES FOUND.

Some day during the last week, the skeleton of a man was found by an aboriginal blackfellow on Mr. Doyle's farm run, Portland Head. The bones, which were not entire, were found near the edge of a rocky ridge, at the bottom of which was a pool of water. There was also found near the remains four copper pence, and a crown pardon to the unfortunate victim, whose name was discovered to be **GILLESPIE**. Information having been given to the police, it was ascertained that the deceased, who was a Scotchman, had been a schoolmaster to Mr. **JOSEPH KENNEDY**, Macdonald River, and that about two years ago, with a considerable sum of money in his pocket, he had wandered into the bush, where it is conjectured having missed his way he got

lost, and died. An inquest will be held on the remains on Saturday next, when we trust full particulars of this mysterious and awful matter will be brought to light. *Herald Correspondent, Jan. 9*

DEATH BY LIGHTNING. - During a heavy thunderstorm at Goulburn, on Tuesday last, a man named **JOHN TURNER**, in the employ of Mr. Fitzpatrick, and who was at work in a large unfinished building as a carpenter, had, it is supposed, for security, went and stood in a recess by the side of a fire-place connected with the flues, when the lightning came down and struck him dead on the spot, his head falling against the wall. It appears he was struck on the right arm, which is quite rigid, and also on the same side, which is scorched, and with marks like small holes; the hair of his head was singed, particularly on the right side, and his shirt was nearly all consumed by fire, fragments of which were forced into crevices of the wall made by the lightning in its downward course. The building, which is one of the strongest in the township, has suffered considerably; none of the doors or windows were in, and it is hard to say what the general effects would have been had they been so; but what has been done shows the awful power that the Almighty has placed in electric fire. *Herald Correspondent, Jan. 9*

SENTINEL, 3/106, 14/01/1847

SHOCKING DEATH. - On Friday, the 1st of January, as a man, named **WILSON**, was passing Alexander's establishment, at Irish town, four large dogs rushed out and attacked him in a most ferocious manner, tearing large pieces of flesh from off different parts of his body. The attack was seen by a man named **TAYLOR**, who was travelling along the road at the same time, but before he had time to reach poor Wilson, the greater portion of the dreadful injuries had been inflicted, and it was with the utmost difficulty and danger that the furious animals were kept at bay. Constable **SHEPHERD** fortunately coming up, Wilson was removed to Liverpool and placed at the hospital, where, notwithstanding every thing that medical skill could devise was done for him, after suffering excruciating agony until Monday night, he expired. It is stated that there was not a portion of Wilson's body from the head to the feet which was not more or less disfigured; on some of the limbs the flesh had been torn so as to leave the bone bare. Captain **MOORE** held an enquiry on Wilson, on Tuesday the 5th, the result of which we have not heard. We hope that something will be done in this matter. Some effective measures should be taken to abate the dog nuisance, which is growing daily worse. We have a fearful example before us in the death of Wilson, of the danger to human life of allowing dogs to go at large so near a public thoroughfare.

MELANCHOLY SUICIDE. - Intelligence from Bargo, in the Twofold Bay district, of the melancholy death of Dr. **GEORGE IMLAY**, which we regret to state took place under his own hand, under the following circumstances. On the morning of the 26th December, he went out early, telling his family that he had received information of some bulls he had previously lost, and that he should go in search of them, and might probably be absent for four or five days. He declined taking his blankets or any thing to eat with him, and would not allow any person or even his dogs to accompany him. He said he should go round the mountains at Bargo, but took quite a different direction, into a small thick scrub. Suspicion having been aroused by his horse coming home, Mr. **PETER IMLAY**, accompanied by twelve men, went in search of him, when after a search of four days they by chance hit upon the body lying in a dreadful state. The unfortunate gentleman had apparently laid himself down, and after tying the trigger of his gun to his spurs, had shot himself. There can be no doubt

from the lonely nature of the place to which he retired to effect his deadly purpose, that he did not intend that his body should be found.

ATLAS, 3/112, 16/01/1847

HORRID MURDER AND INQUEST

On Wednesday, 6th instant, an inquest was held at the sheep station of Mr. **PATRICK WHITE**, called Wattle Flat, about twenty miles from Bathurst, on the body of **CHARLES DELANEY**, who had been murdered on the previous Monday. There was another man employed as shepherd, named **DAN**, who was a material witness in the case. It appeared that a man named **MICHAEL BUTLER**, was employed at another station a few miles distant, who had been in the habit of making frequent visits at Delaney's. The deceased had lately gone to Bathurst to procure medicine for a sick child, and other necessaries; during his absence Butler had been much at Delaney's hut, who, it appeared was a welcome guest with Delaney's wife. The deceased had observed, and expressed dissatisfaction at the familiarity of his wife with Butler. On Monday, the 4th, the woman had been washing some linen, which she placed to dry in a paddock about two hundred yards from the hut; this was quite unusual. About sundown the same evening, Delaney came down with his flock, which he secured in the yard, and then went to his hut, when his wife requested him to get some water from water holes about a hundred yards from the hut; he being desirous of avoiding unnecessary labour, wished at the same time to get the linen in from the paddock; his wife, however, persuaded him not to do so then; the water was brought to the hut, and then the woman requested her husband to accompany her to get the linen in from the paddock; he went for that purpose; Dan, the other shepherd, began to have misgivings that all was not right, and he walked from the hut to about fifty yards from the paddock, and stationed himself to notice what was going on in the paddock; he had not been there very long when he saw the woman collect some linen in a great hurry, and come in a direction towards the hut; on arriving where Dan had stationed himself, she started with surprise to find him there, and waved her hand for him to return, saying that there were three men murdering her husband in the wheat paddock; Dan wished to go and see if he could not aid Delaney, but the woman strongly persuaded him not, saying if he went he would most probably be murdered also; Dan and the woman returned to the hut; in about an hour after this the woman requested Dan to go to the paddock, and see what had happened to Delaney, but it being then dark he refused; on the following morning at daybreak, he found the body of the deceased stretched out on its back, in such a way as would lead some to suppose he had died a natural and quiet death. On examination of the body at the inquest, several contusions were discovered about the head, and a dreadful fracture of the skull, a portion of it nearly three inches long, by two inches in breadth, having been battered in. The Jury after a long and patient investigation returned a verdict of wilful murder against some person or persons unknown. The wife of the deceased, being accessory to the fact, she was committed on the coroner's warrant, and safely lodged in gaol. On the following Friday, a warrant was also issued for the apprehension of Butler, who was taken and placed in Bathurst lock-up. During the investigation a rumour reached the ears of the coroner that a child of Delaney's about two years old, had recently died, and had been buried without ceremony. The Jury suggested that the body be taken from the grave and submitted to examination; but it was found impossible to ascertain the cause of death.

MAITLAND MERCURY, 5/265, 16/01/1847

SUDDEN DEATH. - Yesterday evening, between seven and eight o'clock, the wife of Mr. **A. MEEK**, tailor, of High-street, West Maitland, dropped down suddenly and died, in her residence. Her husband was absent at the time, and there was, we believe, no person in the house but her children.

MURDER. - On Wednesday, the 6th instant, an inquest was held at a sheep station of Mr. Patrick White's, called Wattle Flat, and about twenty miles from Bathurst, on the body of **CHARLES DELANEY**, who had been some time in the employ of Mr. White, as shepherd, and who had been murdered on the previous Monday at the same station. There was another shepherd employed, named **DAN**, who was a material witness in the case. It appeared that a man named **MICHAEL BUTLER**, who was employed at a station a few miles distant, had been in the habit of making frequent friendly visits at Delaney's. On one occasion lately the deceased had gone into Bathurst to procure medicine for a sick child, and purchase other necessaries. During his absence, Butler had been almost constantly at Delaney's hut, and it was very evident he was rather too welcome a guest with Delaney's wife, at which he had expressed some dissatisfaction. On Monday, the 4th instant, his wife had placed some clothes out to dry in a wheat paddock about two hundred yards from the hut, and in the evening was observed by Dan to go with her husband to collect them. As they were a long time away, Dan thought something was wrong, and went behind a tree about fifty yards from the paddock to swatch what was going on. Shortly afterwards he saw deceased's wife, much agitated, gather up some of the clothes, and come towards the hut. On seeing Dan, however, she started, and said that there were three men in the paddock murdering her husband. She prevented him from going down then, but on the following morning, at daybreak, he went and found the body of the deceased stretched on its back, and the limbs composed in such a way as would lead someone to suppose he had died a natural and quiet death. On examination of the body at the inquest, a severe contusion was discovered on the back of the head, as if inflicted by some blunt weapon; several incisions under the chin were also observed, caused by some sharp instrument, and on the left side of the head a dreadful fracture of the skull, a portion of it nearly three inches long, by two inches in breadth, having been battered in and the brains forced out. The jury, after a patient investigation, returned a verdict of wilful murder against some person or persons unknown. The wife of the deceased, **MARGARET DELANEY**, being accessory to the fact, she was committed on the coroner's warrant, and safely lodged in gaol. On the following Friday, a warrant was also issued for the apprehension of Butler, who was the same day taken and placed in Bathurst lock-up. *Herald Correspondent, Jan. 13*

INQUEST.

On Saturday, the 2nd instant, an inquest was held by the coroner, on some human bones that had been discovered a few days previous, by a shepherd, in the bed of the Turen River, Bathurst, near a station of Mr. **J.B. RICHARDS**. It appears the bones were found within a few yards of the bank of the river, and in a situation where they were not very likely to be washed away, unless in case of very heavy rain. The greater portion of the bones had been reduced to ashes by the effect of fire, but still there were many fragments of rib, thigh, and other bones in so perfect a state as to induce a fair conclusion that they were a portion of the remains of a male European. On the spot, where the body had been evidently consumed by fire, several buttons, and two buckles of rather peculiar manufacture, were found; and within a few yards, a tin pot or pannican, which had the name "**Brookes**" rudely engraved on the side and bottom. Another name had been engraved on the sides, attempts having been made to obliterate it. The name appeared to be "**Thomas Jones, Belabula.**" The prevailing

opinion entertained seems to be that a man had been murdered, having been most probably previously robbed, and the body burnt to avoid detection; but this is mere conjecture. *Herald Correspondent, Jan. 13*

MAITLAND MERCURY, 5/266, 20/01/1847

SINGULAR COMMITTAL. - We understand that Mr. **ALEXANDER**, the owner of the dogs that caused the death of the unfortunate man, **WILSON**, at Irishtown, on the 1st instant, has been committed for trial for the offence of his canine favourites; and, stranger still, it is rumoured that the course adopted by the bench was suggested or ordered by the Attorney General. *Bell's Life in Sydney, Jan. 16*

SUDDEN DEATHS. - On Friday evening last, between seven and eight o'clock, as mentioned in our last number, the wife of Mr. **I.A. MEEK**, tailor, of West Maitland, expired suddenly in her dwelling. Unluckily, no person was present at the time she was attacked, and when assistance arrived, life had fled. An inquiry into the cause of death was held by **A. LANG**, Esq., (in the absence of the police magistrate), and a return of "death from natural causes" was sent in. - The following day, Saturday, another case of sudden death occurred at Bloomfield. Mrs. **CROFTON**, whilst talking to her children, suddenly fell down and expired almost instantaneously. An inquest was held on the body the following day, by the coroner, **J.S. PARKER**, Esq., when a verdict of "died by the visitation of God" was returned.

THE JOCKEY MARSDEN. - This young man, who it may be recollected received a very serious injury at the Drapers' Races, on the 1st inst., expired at an early hour on Saturday morning. The immediate cause of death was the formation of matter on the membranes of the brain. *Herald, Jan. 18*

SENTINEL, 3/107, 21/01/1847

INQUEST. - A coroner's inquest was held yesterday afternoon, in the "Wheat Sheaf Inn," opposite the Benevolent Asylum, at the junction of George and Parramattastreets, on the body of **THOMAS RAVENHALL [RAVENALL]**, then lying dead in the Asylum. The evidence adduced was to the following effect: **WILLIAM ERSKINE**, an inmate of the Asylum, had seen deceased on Saturday last, and having remarked that he had been crying, asked him the cause, when he replied that he thought some persons were looking black at him, in consequence of a robbery which had taken place up country. **HENRY DAVIES**, another inmate of the Asylum, deposed that a woman named **SMITH** having told him that she had seen a hat floating in the well, witness got a hook, with which he searched the well, and found deceased in it, he was quite dead; witness saw him alive about five o'clock the same evening. **JOSEPH TOWNSEND**, another inmate of the Asylum, had seen the deceased on Saturday afternoon, when he commenced crying, and acting in such a way as induced witness to think he was insane; about an hour and a half afterwards the body of the deceased was found in the well on the premises. Mr. Surgeon **RUSSELL** deposed that he had examined the body, and was of opinion that death had been caused by suffocation from drowning. The jury found that deceased had drowned himself whilst labouring under temporary insanity.

MURDER. - On Monday, the 9th instant, an inquest was held at a sheep station of Mr. **PATRICK WHITE'S**, called Wattle Flat, and about twenty miles from Bathurst, on the body of **CHARLES DELANEY**, who had been some time in the employ of Mr. White, as a shepherd, and who had been murdered at the same station on the previous Monday. There was another shepherd employed, named **DAN**, who was a material witness in the case. It appeared that a man named **MICHAEL BUTLER**,

who was employed at a station a few miles distant, had been in the habit of making frequent friendly visits at Delaney's. On one occasion lately the deceased had gone into Bathurst to procure medicine for a sick child, and purchase other necessaries. During his absence, Butler had been almost constantly at Delaney's hut, and it was very evident, he was rather too welcome as a guest with Delaney's wife, at which he had expressed some dissatisfaction. On Monday, the 4th instant, his wife had placed some clothes out to dry in a paddock about two hundred yards from the hut, and in the morning was observed by Dan to go with her husband to collect them. As they were a long time away, Dan thought something was wrong, and went behind a tree to watch what was going on. Shortly afterwards he saw deceased's wife, much agitated, gather up some of the clothes and come towards the hut. On seeing Dan, however, she stated that there were three men in the paddock murdering her husband. She prevented him from going down then, but on the following morning, at day break, he went, and found the body of the deceased stretched on his back, and the limbs composed in such a way as would lead some to suppose he had died a natural death. On examination of the body at the inquest, a severe contusion was discovered on the back of the head, as if inflicted by some blunt weapon; several incisions near the chin were also observed, caused by some sharp instrument, and on the left side of the head a dreadful fracture of the skull, a portion of it nearly three inches long, by two inches in breadth, having been battered in and the brains forced out. The jury, after a patient investigation, returned a verdict of wilful murder against some person or persons unknown. The wife of the deceased, **MARGARET DELANEY**, being accessory to the fact, she was committed on the coroner's warrant and safely lodged in gaol. On the following Friday, a warrant was also issued for the apprehension of Butler, who was the same day taken and placed in Bathurst lock-up. *Herald Correspondent, Jan. 13*

INQUEST. - On Saturday, the 2nd instant, an inquest was held by the coroner, on some human bones that had been discovered a few days previous, by a shepherd, in the bed of the Turon River Bathurst, near a station of Mr. **J.B. RICHARDS**. It appears the bones were found within a few yards of the bank of the river, and in a situation where they were not likely to be washed away, unless in the case of a very heavy rain. The greater portion of the bones have been reduced to ashes by the effect of fire, but still there were many fragments of ribs, thigh, and other bones in so perfect a state as to induce a fair conclusion that they were a portion of the remains of a male European. On the spot where the body had evidently been consumed by fire, several buttons, and two buckles of a rather peculiar manufacture were found, and within a few yards a tin pot or pannican, which had the name of "**BROOKES**" rudely engraved on the side and bottom. Another name has been engraved on the sides, attempts having been made to obliterate it. The name appeared to be **THOMAS JONES, Belabula.**" The prevailing opinion entertained seemed to be that a man had been murdered, having been most probably previously robbed, and the body burnt to avoid detection, but this is mere conjecture. *Herald Correspondent, Jan. 13*

MAITLAND MERCURY, 5/267, 23/01/1847

INQUEST ON MARSDEN THE JOCKEY. - After a protracted investigation into the circumstances which caused the death of the jockey **MARSDEN** - who, it will be recollected by our readers, received a serious concussion of the brain at the Drapers' Races - the jury returned a verdict that deceased met his death by the jockey **GILLIGAN'S** accidentally running against him. A deodand of £25 was laid on the mare, and the jury censured the conduct of Gilligan. *Australian, Jan. 21*
INQUEST.

A coroner's inquest was held yesterday afternoon, in the Wheat Sheaf Inn," at the junction of George and Parramatta-streets, on the body of **THOMAS RAVENHALL**, then lying dead in the Asylum. The evidence adduced was to the following effect:- **WILLIAM ERSKINE**, an inmate of the Asylum, had seen deceased on Saturday last, and having remarked that he had been crying, asked him the cause, when he replied that he thought some persons were looking black at him, in consequence of a robbery which had taken place up the country. **HENRY DAVIES**, another inmate of the Asylum, deposed that a woman named **SMITH** having told him that she had seen a hat floating in the well, witness got a hook, with which he searched the well, and found deceased in it, he was quite dead; witness saw him alive about five o'clock the same evening. Mr. Surgeon **RUSSELL** having deposed that death had resulted from drowning, the jury found that the deceased had destroyed himself in a fit of temporary insanity. *Herald, Jan. 10*

MAITLAND MERCURY, 5/268, 27/01/1847

MURDER AT CAMPBELLFIELD. - On Friday afternoon, the inhabitants of the town of Campbellfield were thrown into a state of consternation and horror by the report of a most cruel and barbarous murder having been perpetrated in the early part of that day, on the body of **ELLEN HYNDES**, a widow, residing at Campbellfield, on the Sydney side of Campbelltown, and within the police boundaries of that district. It appears that the body was found in a scrubby part of the bush near the woman's dwelling, by one of her neighbours, named **FITZGERALD**, while on his way to her house to make enquiry after a saddle and bridle which he had lent, on Tuesday last, to a ticket-of-leave man named **JOHN KEAN**, who is supposed to have committed this atrocious outrage. Fitzgerald, while passing through the ground towards deceased's house, seeing a number of cattle gathered round the scrub already referred to, thinking it might be his saddle and bridle that was attracting the notice of the cattle, went to satisfy himself, when he was horror struck at discovering that the cause of the animals congregating round that spot was the body of Ellen Hyndes, lying on her back, with the face and upper part of the body smeared over with clotted blood, which had recently flowed from a long and deep gash across the throat, of which the deceased must have died almost instantaneously, and which had probably been inflicted with a razor, three or four hours before he found the body, as although the latter was quite stiff and dead, yet the fresh appearance of the blood showed that only a few hours had elapsed since the wound was inflicted. An alarm was immediately given, and in the course of the afternoon the body was removed to Campbelltown, to abide the result of an inquisition before the coroner. As soon as the fate of widow Hyndes became known among those residing in her immediate neighbourhood, all who were in any way acquainted with her affairs, cast their suspicions on the ticket of leave man John Kean, especially as he was not to be found, although it was known that he was a near neighbour, and a frequent visitor of her domicile since her husband's death, which occurred about three months ago, and was almost instantaneous, being caused by a fall from his horse. It appears that soon after her late husband was killed, Kean paid his addresses to the widow, and obtained her consent to become his wife, in consequence of which he purchased some furniture and put it on her premises; that she afterwards refused to have the marriage solemnised, and returned his furniture to him, which he sold off; that they again became so far reconciled that he re-purchased part of the furniture, and returned it to her in the belief that she would yet become his spouse, although there was a backwardness on her part which was anything but pleasing to Kean. On Monday evening last, a bay horse, fourteen hands high, with a

star in the forehead, shirt tail, and branded V on the left shoulder [sign = reversed A], was stolen from the paddock of a Mr. **HENDERSON**, residing at Campbellfield. On Tuesday last Kean went to Fitzgerald and borrowed the saddle and bridle already spoken of, pretending that a person he named had promised him the loan of a horse. This has already been ascertained to be a false statement made by Kean, in order to obtain the loan of the saddle and bridle from Fitzgerald. As neither Henderson's horse nor Fitzgerald's saddle had been recovered up to the mail leaving for Sydney on Saturday morning, Mr. Henderson came down by it, and by his inquiries along the road, as well as what he learned in Sydney, ascertained that Kean came to Sydney on his horse either on Tuesday or Wednesday. The public house where he put up at on Wednesday night had also been discovered, where, on speaking of horses to the landlord, he told him he had sold a fine bay mare that day, cheap; but who to is not yet known. When putting up at the house referred to, he was dressed in a blue frock coat, a Manila or cabbage-tree hat, with a broad yellow ribbon, and moleskin trousers, which are supposed to have been purchased with the proceeds of Henderson's horse and Fitzgerald's saddle. Before Mr. Henderson reached Campbellfield it was ascertained that Kean had been seen in that neighbourhood on Thursday afternoon, and also early on Friday, and which shows that he must have returned to that quarter from Sydney, probably by taking the near cuts and bush tracks on foot. He was also seen by some persons at a distance, not far from the place where the body was, about half an hour before Fitzgerald discovered it, and when the mail left Campbelltown on Saturday morning, the district and mounted police, as well as many of the inhabitants, were making a very strict search for him, although it is probable that, favoured by the darkness of the preceding night (Friday), he has left that part of the country, and not unlikely found his way back to Sydney through the bye-roads, before intelligence of the murder arrived. The following is the description given of him in the Hyde Park Barracks books: John Kean, per *Buckwell*, 1835, servant, present age 37 years, five feet seven and a quarter inches in height, dark ruddy and freckled complexion, dark brown hair, and grey eyes, nose a little cocked, little finger of each hand a little contracted, has a scar on the back of the little finger of the left hand, and when he arrived knew but little English.

INQUESTS. - An inquest was held at the Sydney Arms, in Castlereagh-street, on last Thursday, on the body of **CAROLINE LYNCH**, aged about fifteen months, and who died in the steamer *Cornubia*, on her passage from Newcastle to Sydney, in the care of a female. She had been subject to fits consequent on teething. The mother of the child has been for some time in the Lunatic Asylum, but the deceased had been taken every care of. Verdict, "died by the visitation of God on her passage from Newcastle to Sydney in the steamer." - An inquest was also held last evening at the Wool-press public house, in Gloucester-street, touching the death of a female named **MARGARET MICHEL**, who died suddenly on Thursday evening, in a house in Gloucester-street, kept by a woman named **SOPHIA LEE**. She had formerly lived in Sydney, and about twelve months ago went to Maitland, whence she returned about three weeks since. She had been almost constantly intoxicated since her return, and was otherwise an ill-conducted woman; and a verdict was returned to the effect that death had been caused by long continued habits of intemperance. *Australian*, Jan. 23

SENTINEL, 3/108, 28/01/1847

INQUEST

An inquest was held on Monday last, in Killick's public house, on the body of **GRAHAM HALPIN**, then lying dead in the General Hospital, when evidence to the

following effect was adduced:- **GEORGE MORRISON** deposed, that he was landlord of the Forbes Hotel; he knew the deceased, who had frequently called at his house; he had slept one night in the Forbes Hotel: he was there on Monday last, but did not appear to be either drunk or excited; Captain **TALLANT** was with him. **JAMES M'KEON**, a constable, arrested the deceased on the stairs of the Forbes Hotel, on Tuesday last, on a charge of having taken two watches. **THOMAS RUSSELL DUIGAN** deposed, he had known the deceased, who was a medical gentleman, for about a month or five weeks; he was of intemperate habits, and he often seen him in a state of great excitement and alarm from previous intoxication; the first remarkable circumstance that brought him into collision with deceased was hearing that he had lately fought a duel on the North Shore, the next was that of hearing that he was charged with stealing a watch, and for which he was in custody, when witness and Captain Tallant became bail for him. He was then labouring under delirium tremens. He surrendered himself to appear on the next day, Wednesday. In the early part of the day the case was not called on and when it was called he was nowhere to be found. It therefore became necessary for witness and Captain Tallant to go in search of him, when they found him in Kirkman's public house, Fort street. He was lying on a sofa, and they did not then speak to him. He was taken to the watch-house that evening. Witness saw him there on the following day (Thursday) and had some conversation with him. He was evidently greatly excited, with lucid intervals. Witness told him he regretted his leaving, as otherwise he thought things might have been arranged, when he said, "forgive me. I did not know what I was doing." He was ordered a little brandy, as it was absolutely necessary, in the opinion of witness, to administer some stimulants. He directed the constables to give him the brandy. He saw him eat some sandwiches, which had been brought for him by Captain Tallant. Witness saw him again about eleven o'clock on Friday night, he then complained severely of cold, and witness procured him a bed and bedding. He saw him again on Saturday morning, when there were no symptoms of exhaustion, but he appeared to be suffering from intense mental anxiety. It was on Thursday last when witness appeared at the Police Office, and applied to the Bench, stating that he was not fit to be brought to the bar on any charge. On Friday he certified that he was unfit to appear on that of the watches, or any other charge, and requested that he should be forwarded to the hospital. Mr. **WEARING**, Chief Inspector of Police, also saw the deceased for the purpose of being able to state to the Bench his views of the necessity for his removal, but he was not removed from the Police Office the Saturday morning, although Mr. **WINDEYER** had promised on Friday that he would be forwarded to the hospital, but by some mistake the order was not made out on Friday. When removed between nine and ten o'clock on Saturday he was still labouring under delirium tremens. He was of a phlegmatic habit and sanguine temperament; in similar cases opium is sometimes given, but from the circumstances of the deceased being confined in the watch-house that mode of treatment was not resorted to. **WILLIAM FAULKENOR**, wardsman in the General Hospital, proved that deceased when received into it was very nervous, and imagined that he had fallen into a vessel of oil. He appeared to be going on very favourably for the whole of Saturday. Dr. **SILVER** saw him on his admission, and he remained under his care up to the time of his death, which occurred about two o'clock on Sunday morning: from ten o'clock on Saturday night till he died he was very violent. John Silver, M.D., deposed that he was in the hospital on Saturday morning when deceased was received there labouring under great exhaustion and strong excitement. His body was bedewed with a cold clammy perspiration, and he laboured under such delusions as persons under delirium tremens

are subject; witness had no doubt that he was suffering from delirium tremens, and he gradually sunk, notwithstanding the usual treatment was applied, he had no doubt that he died from exhaustion, consequent upon the excitement attendant on delirium tremens; his chances of recovery were very much diminished by the time which had elapsed from his first attack up to the period of his admission into the hospital; had he been removed on Thursday morning, as suggested by Dr. Duigan, the chance of recovery would have been much greater than on Saturday morning; it would not have been possible for a medical man to have done justice to the case while he was confined in the watch-house. Dr. **RICHARDSON** concurred in witness's treatment of the case. **THOMAS BAILEY**, residing at the Adelphi Hotel, had known the deceased for about a month; on last Thursday week witness first discovered that he was labouring under delirium tremens, and advised him to take some remedies for it, which he said he would; he was a native of the South of Ireland, his father being a highly respectable clergyman. The Jury after consulting for about twenty minutes, found a verdict that the deceased had died of delirium tremens, under which he had been labouring for more than ten days, and brought on by continual intemperance.

DEATH.

Died on Sunday the 24th of January 1847, **GRAHAM C. HALPIN**, Esq., Surgeon, son of the Rev. Dean Halpin of Dublin. Deeply and sincerely regretted by those who had the pleasure of his intimate acquaintance.

MURDER.

On Friday afternoon, the inhabitants of the town of Campbelltown were thrown into a state of consternation and terror by the report of a most cruel and barbarous murder having been perpetrated in the early part of that day, on the body of **ELLEN HYNDES**, a widow, residing at Campbellfield, on the Sydney side of Campbelltown, and within the police boundaries of that township. It appears that the body was found in a scrubby part of the bush near the woman's dwelling, by one of her neighbours, named **FITZGERALD**, while on his way to her home to make enquiry after a saddle and bridle he had lent, on Tuesday last to a ticket-of-leave holder named **JOHN KEAN**, who is supposed to have committed this atrocious outrage. Fitzgerald while passing through the ground towards deceased's house, seeing a number of cattle gathered round the scrub already referred to, thinking it might be his saddle and bridle that was attracting the notice of the cattle, went to satisfy himself, when he was horror struck at discovering that the cause of the animals congregating round the spot was the body of Ellen Hyndes, lying on her back with the face and upper-part of the body smeared over with clotted blood, which had recently flowed from a long and deep gash across the throat, of which the deceased must have died instantaneously, and which had probably been inflicted by a razor three or four hours before he found the body, as although the latter was quite dead and stiff, yet the fresh appearance of the blood showed that only a few hours had elapsed since the wound had been inflicted. An alarm was immediately given, and in the course of the afternoon the body was removed to Campbelltown to abide the result of an inquisition before the coroner.

As soon as the fate of widow Hyndes became generally known among those residing in her immediate neighbourhood, all who were in any way acquainted with her affairs cast their suspicions on the ticket-of-leave man, **JOHN KEAN**, especially as he was not to be found, although it was known that he was a near neighbour, and a frequent visitor of her domicile since her husband's death, which occurred about three months ago, and was almost instantaneous, being caused by a fall from his horse. [not yet located] It appears that soon after her husband was killed, Kean paid his addresses to the widow, and obtained her consent to become his wife, in consequence

of which he purchased some furniture and put it on her premises, that she afterwards refused to have the marriage solemnized, and returned his furniture to him, which he sold off; that they again became so far reconciled that he repurchased part of the furniture, and restored it to her in the belief that she would yet become his spouse although there was a backwardness on her part which Kean did not altogether like. On Monday evening last, a bay horse, fourteen hands high, with a star in the forehead, short tail, and branded V on the left shoulder, was stolen from the paddock of a Mr. **HENDERSON**, residing in Campbellfield. On Tuesday last, Kean went to Fitzgerald, and borrowed the saddle and bridle already spoken of, pretending that a person he named had promised him the loan of a horse. This has already been ascertained to be a false statement made by Kean, in order to obtain the loan of the saddle and bridle from Fitzgerald. As neither Henderson's horse nor Fitzgerald's saddle had been recovered up to the mail leaving for Sydney on Saturday morning, Mr. Henderson came down by it, and by his enquiries along the road, as well as what he learned in Sydney, ascertained that Kean came to Sydney on his horse either on Tuesday or Wednesday; the public house where he had put up on Wednesday night had also been discovered, where on speaking of horses to the landlord he told him he had sold a fine bay horse that day cheap, but who to is not yet known.

The murderer was apprehended on the afternoon of Saturday at Narellan. It appears he was endeavouring to make his way up country in company with a team, but delayed at Reeve's public house, where he dozed off to sleep by laying his head on the tap-room table, until he was surprised by the foot-steps of a horse approaching, when he lifted his head and recognised the visitor to be one of Campbelltown's constables, who had been dispatched by the Chief Constable on horseback, with others of the force, in pursuit of the supposed murderer. Kean jumped up and ran threw the passage leading into the yard, where he was pursued by the landlord and another man named **SCOTT**, who succeeded in apprehending him before the constable came up, after sunning some distance, not indeed before Scott had to knock him down, when he called out to Scott he would give him some money he had, not to be the cause of his being hanged. He was then handcuffed and brought to Campbelltown lock-up, where he now remains to the great satisfaction of the whole town, who flocked round and hooted him as he passed in a cart, he held his head down concealed in his jacket.

MAITLAND MERCURY, 5/269, 30/01/1847

ACCIDENT. - A stickman named **CORBILL**, whilst driving cattle over the Broken Shaft Creek, near Wellington, was unfortunately carried away by the current of the flooded creek, and drowned.

THE LATE MURDER. - The widow of the unfortunate man **DELANEY**, the shepherd who was murdered some time back at Bathurst, has at last confessed that **MICHAEL BUTLER**, who had already been apprehended, was the man who committed the murder. She states that she went, with her husband, to pick up the clothes which were drying in an adjoining paddock, and that whilst she was collecting them she heard something pass close to her, and looking up she saw her husband, who was sitting on a post, fall down. Butler then jumped over the fence, and pounded deceased on the head with a stone until he killed him. She alleges, as the cause of the vindictive feeling, that Delaney at Christmas last had, during a drinking bout, struck Butler over the head with a stick, and rendered him insensible.

CAMPBELLTOWN. - The man **KEAN**, alluded to in the *Morning Herald* of yesterday, was apprehended on the afternoon of Saturday, at Narellan. It appears he

was endeavouring to make his way up the country in company with a team, but delayed at Reeves's public-house, when he dozed off to sleep by laying his head on the tap-room table, until he was surprised by the footsteps of a horse approaching, when he lifted his head and recognised the visitor to be one of the Campbelltown constables, who had been despatched by the chief constable on horseback, with others of the force, in pursuit of the supposed murderer. Kean jumped up and ran through the passage leading into the yard, where he was pursued by the landlord and another man named **SCOTT**, who succeeded in apprehending him before the constable came up, after running some distance, not indeed before Scott had to knock him down, when he cried out to Scott that he would give him some money he had, not to be the cause of his being hanged. He was then hand cuffed and brought to Campbelltown lock-up, where he now remains, to the great satisfaction of the whole town, who flocked round and hooted him as he passed in a cart; he held his head down concealed with his jacket. He will get a hearing as soon as the necessary witnesses are in attendance. Too much praise cannot be given to Mr. **M'ALISTER** for the immediate and active steps taken in having this man apprehended, and in procuring a chain of evidence. *Herald Correspondent, Jan. 26*

MAITLAND MERCURY, 5/270, 03/02/1847 [Should be 5/260]

FATAL ACCIDENT. - On Thursday morning last, a man was found dead on the road, a few miles from Penrith. It is supposed he fell from the dray he was conducting, and the wheel passed over his body. He was attached to Captain Perry's surveying party, and was employed at the time in conveying rations up the country. *Parramatta Messenger, Jan. 30*

SENTINEL, 3/109, 04/02/1847

ESCAPE OF A LUNATIC. - **LUCIUS O'BRIEN**, the young man who shot Dr. **MERRICK** about two years ago, and who was found of insane mind at his trial for the murder of that gentleman, in consequence of which he was ordered to be confined in the lunatic asylum at Tarban Creek for life, contrived to break out of his place of confinement in that establishment late on Saturday evening or early on Sunday morning, ... [continues]

MAITLAND MERCURY, 5/271, 06/02/1847

SERIOUS ACCIDENT. - On Tuesday afternoon last a horsebreaker, named **CUTTS**, proceeded on a young horse to the bush in the neighbourhood of Captain Hungerford's farm, when, by some accident, his horse fell with him and threw him, and as the animal tried to rise, it again stumbled and fell with its whole weight upon the unlucky man, rolling over him, and fracturing his collar bone, and so severely injuring and pressing his chest as to leave but little hope of recovery. He was brought home the same day to Maitland, and has since been attended by Dr. **LIDDELL**.

TARBAN CREEK. - **LUCIUS O'BRIEN**. - A letter has arrived in Sydney, since the notice of the recapture of **O'BRIEN** appeared in the *Herald*, stating that O'Brien never complained of ill-usage received in that establishment, and enclosing the following note from him, which, in justice to Mr. **DIGBY**, is now published:- "Tarban Creek, 2nd February, 1847. From the time of my leaving the Asylum to the time of my return, I did not utter one word against the Tarban Creek establishment, nor any one connected with it. - L. O'Brien." *Herald, Feb. 4*

THE MURDER AT CAMPBELLTOWN. - On the 29th ultimo, **JOHN KEAN**, who is charged with the murder of **ELLEN HYNDES**, having expressed a wish to make

his confession, and having been cautioned as usual, made the following declaration before **WILLIAM and EDWARD HOWE**, Esqrs., J.P.'s:- "I murdered the woman, and wish to suffer for it. I came to Campbelltown on Thursday, and went to James Hogan's house, in which his mother resides. We began talking about Ellen Hyndes, and about a brother of his, named **MICHAEL HOGAN**, marrying her. We talked about nothing else that evening. I remained there that night, and next morning pretty early **JAMES HOGAN** and I left the house together, taking different roads, and we both met in the bush, not far from Ellen Hyndes's house, and after waiting some time, we saw her coming towards us. James Hogan first took hold of the woman and threw her down, and tore her shawl; she got up and ran away, and I got hold of her and threw her down again, and James Hogan then gave me the razor that he had purposely brought to kill the woman; I then cut her throat. The night previous we had arranged how we were to murder her: that one was to hold the woman, while the other cut her throat. The reason for Hogan joining me was, that he did not wish his brother to marry her. After we had murdered her, we both returned by different roads to Hogan's house. I got to the house first, and he about ten minutes after; this was about 11 a.m. After I had cut her throat with only one cut of the razor, I gave the razor back to Hogan; no blood came on my clothes. The mother of Hogan came into Campbelltown that day, and on her return, said there was a report about my stealing a horse. I then left the house and went over to Reeves's public-house on the Cowpasture-road, and remained there until the next day, when I was taken and brought into Campbelltown by constable **CHARLES BAMFORD**. No one knew of the murder but our two selves; Mrs. Hogan did not know of it, and Michael Hogan was not at home. I was aggravated by the jeering of the Hogans and others." James Hogan is in custody on the charge, as well as Kean. *Chronicle, Feb. 3*

LAMENTABLE OCCURRENCE. - On Thursday, the 28th ultimo, an account reached Bathurst that Mr. **JOHN STEWART**, nephew of Major General Stewart, of Mount Pleasant, had died from exhaustion in the bush. It appears that he had left the Lachlan district in company with three men, to cross to the Murrumbidgee, to endeavour to select a cattle station; that after being some days on their journey they came to a desert spot, and were three days without water; one of the horses died, and another went mad and was killed, the party drinking the blood of the animal. Mr. Stewart shortly after became delirious, and in that state died. Two of the men made their way back to a station on the Lachlan; the other man remained with Mr. Stewart until his death, and then with much difficulty made his way back to the Lachlan, and reported the circumstance to Mr. **BECKHAM**, the Commissioner for that district, who immediately went in search for the body. As soon as the account reached Bathurst Mr. **NEIL STEWART**, brother of the deceased, left Mount Pleasant with the same object. *Herald Correspondent, Feb. 3*

ESCAPE OF A LUNATIC FROM TARBAN CREEK. - **LUCIUS O'BRIEN**, the young man who shot Dr. **MERRICK** in Sydney streets about two years ago, and who was found of insane mind at his trial for the murder of that gentleman, in consequence of which he was ordered to be confined in the Lunatic Asylum at Tarban Creek for life, contrived to break out of his place of confinement in that establishment late on Saturday evening or early on Sunday morning, by means of a chisel, which was subsequently found on him, with which he picked away the wood work in one of the windows, which was secured by an iron bar, which in consequence of the removal of the wood he was able to remove aside, and made his escape into the walking-yard belonging to the establishment; from thence he made his way to the water-side, got into a boat, and contrived to get it moored alongside a vessel lying at the Circular

Quay, where he disembarked and ran to the residence of a friend, who subsequently took such precautions as led to the apprehension of the maniac, and to his being returned to his quarters at the Tarban Creek establishment. It appears that O'Brien had such coolness of mind in effecting his escape from Tarban Creek Asylum, that he not only removed all his own property from his cell and brought it with him to Sydney, but was very violent to those who took him in charge. After being conveyed back to Tarban Creek, he saw some of the officials belonging to the establishment, and tried to persuade them that the ill-usage he had received in it was the only reason why he had attempted to escape from it. *Herald, February 2*

MAITLAND MERCURY, 5/272, 10/02/1847

DEATH FROM DROWNING. - On Saturday last, the Police Magistrate held an inquiry touching the death of **JAMES INGRAM**, about eighteen months old, son of Mr. **RICE INGRAM**, a small settler at Dagworth. On the previous afternoon (Friday), about half-past three, **THOMAS HOLMES**, in the employ of Ingram, observed the child playing near the bank of Wallis's Creek, when he took him towards the house, and told him to go to his mother. A short time after this, he saw Mrs. Ingram, and asked her if the child had reached home. On ascertaining that it had not, a search was immediately commenced by the parents and neighbours, but without success that evening. On Saturday morning, however, at daylight, the father found the body of the child floating in the creek. Dr. **PARNELL** certified that death had resulted from drowning; and the Police Magistrate directed a return to be sent in that the deceased had been accidentally drowned.

INQUEST ON THE HUMAN BONES.

The coroner's inquest, which we noticed some time previously, on the remains of a human being found in the bush near Maroula, on the roads between Windsor and Wiseman's Ferry, was brought to a close on Monday last, the 1st instant. It appears that a native black, named **DIGBY**, communicated to a settler on the Lower Hawkesbury named **STEPHEN GREENTREE**, that he had seen the bones of a white fellow in the bush. Greentree accompanied him to the place, about three months ago, and ascertained the fact, on which he, Greentree, acquainted Constable **PHILLIPS**, and afterwards assisted him in the search. They found the skull complete, some of the ribs, vertebrae, and the shafts of the long bones, with the articulating ends destroyed, a portion of the pelvis also. An the skull that the right side there was a fracture, extending through the parietal and temporal bones, ending posteriorly in two or three fissures in the occipital bones; there were no depressions or shelving in the bones, and the left half of the skull was buried in the sand, and had been exposed to the action of fire; the right side was quite bleached from the action of the air. Dr. **STEWART** gave it as his opinion that death had resulted from violence, and the fracture in the skull was the cause of death; while, on the contrary, Dr. **BELL** and Dr. **DAY** were of opinion that the fissures or fractures were caused after death, and most probably from the action of the atmosphere; the long bones presented the same appearance with the fissures as the skull did, and they also were quite bleached. It appeared from the evidence of Mr. **JAMES G. DOYLE**, that a person named **JAMES GILLEN**, aged about sixty, had been employed by him as a schoolmaster, and left his service now moiré than three years, intending to go to Windsor; he gave him a cheque for £6 odd, which had never been presented to this day at the Bank of New South Wales. Besides the bones, there was found a tin box, with a certificate of freedom, with the name "James Gillen" written thereon quite distinct, and from his not having been heard of since, it is supposed he lost his way in the bush, and thus

perished. Bush fires in summer are generally rather prevalent in that thick part of the bush where the remains were found, which fact may perhaps account for the burning. The jury, in the absence of evidence to account for the deceased's death, brought in a verdict of "found dead." *Herald Correspondent, Feb. 6*

ACCIDENTAL DEATH. - On Tuesday last, **JAMES ELLIOTT**, a sawyer, residing at Cook's River, when endeavouring to move a log by a lever, was struck by the log in the lower part of the stomach, which injured him so much that he was brought to Sydney on Thursday last for medical aid, and left at Dr. Cuthill's, who having seen the circumstances in which the poor man was, ordered some remedies to be applied, which, proving of no avail, recommended his removal to the Benevolent Asylum, where similar treatment was subsequently applied without effect, as Elliott expired about ten o'clock the same evening. An inquest was held on the body yesterday afternoon, when Drs. **CUTHILL and RUSSELL** having given evidence as to the cause of death, a verdict of died of injuries accidentally received was recorded. The deceased has left a wife and two infant children entirely unprovided for. *Herald, Feb. 6*

SENTINEL, 3/110, 11/02/1847

INQUEST. - An inquisition was held on Tuesday, in the 'Old Bay Horse' public-house, Parramatta-street, when the following evidence was adduced:- Mr. **MICHAEL EGAN MURNIN**, of Petersham House, deposed that deceased had been on a visit at his house for the last fortnight, he occasionally complained of indigestion, but was apparently in good health; he was quite well on Monday morning about midnight he got out of his bed, called witness, and informed him that he had a pain in the stomach, and requested a little brandy and water; he appeared in great pain, and before witness got the brandy from the sideboard, he fell down and almost instantly expired. He was about 44 years of age, and complained of fullness of the chest; was occasionally affected with a difficulty of breathing; he was a man of very temperate habits. Dr. **MACKELLAR** had made a *post mortem* examination of the body, and found enlargement of the heart and softening, with dilatation of the cavities, which was quite sufficient to account for his sudden death, as described by the preceding witness. A verdict of died by the visitation of God was recorded.

DISTRESSING ACCIDENT. - On Tuesday afternoon, a shocking accident occurred in Bathurst-street west, near Barker's Mills. Two little children, respectively about two and three years, whilst playing in the upper room of a two-storied house adjoining the one occupied by the Rev. Mr. **THRELKELD**, fell through the window into the street upon the hard pavement, and were frightfully injured. Of one of the little sufferers there is some hope, but none at all of the other.

BERRIMA, ASSIZE INTELLIGENCE.

February 6.

GEORGE BEATON was indicted for that he, on the 24th December, 1846, at Ommear Creek, not having the fear of God before his eyes, did with a knife wilfully, maliciously, and feloniously strike, thrust, and kill one **JOHN KELLY**, inflicting one mortal wound, of which the said John Kelly did instantly die. The prisoner pleaded not guilty, and put in an application to have counsel assigned him.

His Honor regretted it was not in his power to grant the application, as there was no learned gentleman present, but he doubted not that every particular of evidence would have the fullest attention of the jury, and that justice would be done.

A number of witnesses were examined which clearly proved the case against the prisoner, and the declaration of Kelly was put in and read, which was as follows:

John Kelly hereby solemnly declares, that about eleven or twelve o'clock last night he was in bed, when he heard some persons throwing stones on the hut; that he got up and went out in his shirt, when he saw George Beaton, accompanied with a native black named Jack the Boatman; that Beaton, when asked what he meant by throwing stones on the hut, abused him, and challenged him to come out to fight; the declarant desired him to go away, or he would let the dogs loose upon him; and that Beaton sprang upon him unawares with an open knife, and stabbed him, first upon the belly, and then upon the chin, and then ran; that he is quite sure that the person who inflicted the wounds was the said George Beaton, and declarant never had any dispute or quarrel with him.

The Jury retired for a few minutes only, and returned with a verdict of wilful murder. His Honor then proceeded, in a most impressive manner to pass sentence of death on the prisoner.

THE MURDER AT CAMPBELLTOWN. - On the 29th ultimo, **JOHN KEAN**, who was charged with the murder of **ELLEN HYNDES**, having expressed a wish to make his confession, and having been cautioned as usual, made the following declaration before **WILLIAM and EDWARD HOWE**, Esqrs., J.P.'s: "I murdered the woman, and wish to suffer for it. I came to Campbelltown on Thursday, and went to James Hogan's house, in which his mother resides. I arrived there about two or three in the afternoon. We began talking about Ellen Hyndes, and about a brother of his named Michael Hogan, marrying her. We talked about nothing else that evening. I remained there that night, and next morning pretty early James Hogan and I left the house together, taking different roads, and we both met in the bush, not far from Ellen Hyndes's house, and after waiting some time, we saw her coming towards us. James Hogan first took hold of the woman and threw her down, and tore her shawl, she got up and ran away, and I got hold of her and threw her down again, and James Hogan then gave me the razor that he had purposely brought to kill the woman; I then cut her throat. The night previous we had arranged how we were to murder her: that one was to hold the woman, while the other was to cut her throat. The reason for Hogan joining with me to murder the woman was, that he did not wish his brother to marry her. After we had murdered her, we both returned by different roads to Hogan's house. I got to the house first, and he about ten minutes after; this was about 11 a.m. After I had cut her throat with only one cut of the razor, I gave the razor back to Hogan; no blood came on my clothes. The mother of Hogan came into town that day, and on her return, said that their (sic) was a report about my stealing a horse. I then left the house and went to Reeves's public house on the Cowpastures road, and remained there until next day, when I was taken and brought into Campbelltown by constable Charles Bamford. No one knew of the murder but ourselves, Mrs. Hogan did not know of it, and Michael Hogan was not at home. I was aggravated to the deed by the jeering of the Hogans and others." **JAMES HOGAN** is in Custody on the charge, as well as Kean.

MAITLAND MERCURY, 5/273, 13/02/1847

BERRIMA ASSIZES, FEB. 4

GEORGE BEATON was found guilty of the wilful murder of **JOHN KELLY**, at Ornmeir Creek, on the 24th December. The prisoner attacked deceased's house in the night without provocation, and when deceased came out to remonstrate with him, prisoner attacked him, and stabbed him in the belly with a knife. Prisoner, in defence, said that the deceased had followed him and beat him with a stick till he was insensible, and he did not know what occurred afterwards. Mr. Justice Therry passed sentence of death on him, holding out no hopes of mercy.

DISTRESSING ACCIDENT. - Yesterday afternoon, a shocking accident occurred in Bathurst-street West, near Barker's Mills. Two little children, aged respectively about two and three years, whilst playing in the upper room of a two-storied house adjoining the one occupied by the Rev. Mr. **THRELKELD**, fell through the window into the street upon the hard pavement, and were frightfully injured. Of one of the little sufferers there is some slight hope, but none at all of the other. *Herald, Feb. 10*

SUDDEN DEATH. - An inquest was held on Tuesday last on the body of **HOMAS M. PARTRIDGE**, who had expired on the previous day suddenly, at Petersham-house, where he was living with a friend. He had had no previous disorder, with the exception of being troubled occasionally with indigestion, and was a remarkable temperate man. Dr. **M'KELLAR** having certified that death had been caused by disease of the heart, a verdict of "died by the visitation of God" was returned.

MAITLAND MERCURY, 5/274, 17/02/1847

MAITLAND CIRCUIT COURT. - TUESDAY, FEBRUARY 16, 1847.

MANSLAUGHTER.

JOHN GOODWIN, surgeon, of Scone, was indicted for having feloniously injured **NORAH HATHERALL**, at St. Aubin's, during her confinement, to such an extent as to cause her instant death, on the 24th July, 1846. The indictment contained three counts, the last of which charged him with having done Mrs. Hatherall the injury by attempting to deliver her while he was intoxicated.

The prisoner, for whom Mr. Lowe appeared, pleaded not guilty.

The Attorney General opened the case by stating briefly the general nature of the charge, and quoting different cases to show that the law on the subject was, that the mere fact of a woman suffering injury or death during her confinement was not sufficient to form any charge against the medical man who attended her, but that if such injury or death was proved to arise, either from gross ignorance, criminal inattention, or unnecessary violence, on the part of the accoucheur, or from his having drunk brandy or wine to excess to as to render himself unfit to perform any operation, the accoucheur was liable to the charge of manslaughter. In the present case the prisoner was charged with having unskilfully, unlawfully, and feloniously injured the unfortunate woman Norah Hatherall, while professing to deliver her as an accoucheur, and with having so wounded her as to cause her instant death after delivery; and he was further charged with having drunk brandy to such excess as to be unfit to perform the necessary operations, and to have thereby performed them with such unnecessary violence as to cause her death. His Honor would, however, instruct the jury as to the law of the case, and they would judge from the evidence which would be laid before them whether Dr. Goodwin was guilty of manslaughter or not. The Attorney General then called

JOB HATHERALL, who deposed that he was living at St. Aubin's, Scone, and was absent from his house on the 27th July last, and when returning on the afternoon of the 28th, Dr. Goodwin, the prisoner, who had been previously engaged to attend witness's wife during her confinement, called to him from a house a short distance from witness's own, and told witness his wife was very ill in pains of labour, and that the child was dead. Prisoner also cautioned him not to go and dishearten his wife. Dr. Goodwin then appeared to witness to have been drinking, and spoke very loudly and rashly, quite different from his ordinary manner. Witness felt much hurt, and went home and saw his wife, who said she was murdered by Dr. Goodwin. Immediately after prisoner came in, and witness, feeling unable to remain in the room, went outside, whither prisoner shortly followed him, and witness asked if it was necessary to call in another doctor; prisoner said no, he could do all that was necessary; witness replied that he should go for another doctor, and prisoner said he had no objection, and would pay all the expenses, but that witness had better consult Mrs. Hatherall what doctor she would like to have; witness went accordingly to his wife and asked her, when she said it was of no use his putting himself to unnecessary expense, as it was too late, Dr. Goodwin had murdered her. Witness went for Dr.

FOWLER, who came shortly, and ordered her some medicine, for which witness went after Dr. Fowler to his house and brought back in a bottle, with a note to prisoner. Prisoner then gave her part of the medicine. Witness's wife died about one in the morning of the 29th July. Witness could not say what passed after Dr. Fowler, who came back shortly after the medicine was administered, returned, as he was only in and out of the bedroom occasionally. During this witness's examination, several objections were raised by Mr. Lowe as to the admission of what was said by Mrs. Hatherall to her husband, but his Honor decided that, as she evidently thought herself dying, what she then said as to the cause of her death must be taken as her dying declaration, in which light the Attorney General had claimed its admission.

ANNE MILLER was then sworn, and deposed that she was sent for to Mrs. Hatherall's about half-past two on the morning of the 28th of July; she had been engaged by her to wash and dress the baby; she found Mrs. Hatherall sitting down, and shortly after she got into bed, complaining of great pain. The remainder of the evidence, relating to the delivery, is unfit for publication. In the course of it, it appeared that Mrs. Miller gave Mrs. Hatherall, with the prisoner's consent, a glass of weak punch, and that the bottle which she left partly full of liquor in the outer room she afterwards found empty; when she left the room with the punch, she left Dr. Goodwin there alone, and she thought she heard some one pouring liquor from the bottle into a teacup, but she could not say that no one else had access to the room prior to her finding the bottle empty. Dr. Goodwin appeared to her to be the worse for liquor, when he first used his instruments, and he appeared to exert great force on the second occasion of his using them.

ELIZABETH DUNBAR was next called, and deposed that she was called in to assist in Mrs. Hatherall's confinement. This witness's evidence was corroborative of Mrs. Miller's, with occasional variations, and considerable uncertainty as to the hour when particular things occurred. Her evidence as to Dr. Goodwin's drinking was more positive, as she actually saw him pouring brandy out of the bottle previously to using instruments at all, and she saw him drinking both from a cup and a tumbler.

THOMAS HOLLINGSWORTH FOWLER was then called, and deposed that he was a legally qualified medical practitioner, and had been residing in the district of Scone many years, and had been occasionally practising his profession there the whole of that time. He was called to attend Mrs. Hatherall about three or four o'clock on the afternoon of the 28th July; he met Dr. Goodwin outside the house, and was told by him that the woman had been many hours in labour, and he had found difficulty in the case. They then went together into Mrs. Hatherall's bed-room, and Dr. Goodwin showed him what had been done. They consulted, and agreed to give the woman some soothing medicine, and muriate of morphine being agreed on, witness went home and sent down by Job Hatherall six grains, dissolved in four ounces of water, in a phial bottle. Witness did not immediately return to the house, but when he returned, in about half-an-hour, he saw Dr. Goodwin outside, and was told by him, to his surprise, that he had administered the whole of the medicine to the woman, but that she had thrown off the greater part from her stomach. A second examination afterwards was made by them both, and after a brief period the child was delivered still-born. During the latter part of their attendance, Dr. Goodwin was so intoxicated that he was hardly conscious of what was going on, but witness did not observe that he was so until they were taking tea together at Mrs. Llewellyn's, some short time before Mrs. Hatherall was finally delivered. Instruments had been used by Dr. Goodwin, without administering medicine, in a way witness would not have ventured on. The woman died from hemorrhage caused by rupture, which must have taken

place some hours before delivery. Very much of Dr. Fowler's evidence was of a nature of course unfit for publication.

ANN LLEWELLYN deposed to being present at the confinement, and her testimony was generally corroborative of Miller's and Dunbar's, but less precise in details. Witness saw no brandy or wine about the house.

JON HATHERALL was recalled, and deposed that the document put into his hands he received from Mrs. Llewellyn; witness knew Mr. Goodwin's handwriting; he received it the Monday after his wife's death. The document was read in court, and was a certificate stating that Mrs. Hatherall's death was caused by injuries sustained from her delivery by Mr. Fowler and Anne Miller, and from undue violence used by them, and was signed John Goodwin.

ANDREW LIDDELL was then called, and deposed that he was a legally qualified surgeon and accoucheur; witness had heard all the evidence in this case; in his opinion the instruments should not have been used without trying medicine first; instruments were very dangerous to use in such cases, but must, nevertheless, be used sometimes, and required great steadiness of hand, and command of faculties. The medicine given was in excess, he thought, very much. Death, in his opinion, resulted greatly from a cause induced by the long and difficult delivery, and only partly, if at all, from laceration by the instruments.

DAVID SLOAN was then called, and deposed that he was a legally qualified surgeon, and had heard the whole evidence of the case. He thought the use of instruments was necessary, although he would have given medicine himself first. Death in his opinion resulted entirely from exhaustion. He thought there was no rupture. He thought Dr. Goodwin's treatment quite correct, though somewhat rough. He could not see that as a medical man Dr. Goodwin was grossly negligent, but rather that he was anxious to do something. He thought the medicine was given in too strong a dose.

This closed the case for the prosecution.

Mfr. Lowe then addressed the jury, for the defence, in a long and brilliant speech, and said he was not going to quarrel with the law as laid down by his learned friend the Attorney General, or as would no doubt be explained to them by his Honor; but he would call their earnest attention to the point, that it was not on the mere fact of the woman's dying after her delivery that they were to find Dr. Goodwin guilty of manslaughter; but that they must be of opinion, before doing so, that he was guilty of gross neglect, of criminal inattention, and of great violence, and that her death arose entirely from injuries caused by him in that way. A man placed as Dr. Goodwin was, a medical man living in a district so scattered that possibilities for consulting seldom arose, must not have his actions or his practice scrutinised so severely as man living in large towns, having ample time and opportunity for caution and advice before proceeding to act in difficult cases, but must be protected in his practice. But he would show them that according to the evidence before them, and particularly that of the medical witnesses, they must conclude that if Dr. Godwin erred at all in his practice, he was too forbearing, too kind, too unwilling to resort to his instruments, until the woman was in such imminent danger that he felt absolutely obliged to use them. The learned gentleman then went into a long and careful examination of the evidence, much of it medical, and concluded by reminding the jury that they had two points to try – first, whether the woman died by Dr. Goodwin's hand; and, secondly, whether she died from his gross neglect, inattention, and violence; and on both these points he confidently looked for their returning a verdict of acquittal.

His Honor then proceeded to charge the jury, and commenced by explaining in a few words the exact charge laid against the prisoner. If the jury were satisfied that the prisoner was guilty of causing the death of the woman by laceration or injury from any instruments, it did not matter whether they were the same instruments as those named in the indictment. His Honor then laid down the law in cases of this description, and confirmed the statements of the Attorney General and Mr. Lowe on this point; dwelling emphatically on the necessity for the jury being fully satisfied of the prisoner having acted with gross negligence and criminal inattention as a medical man before they could find him guilty. That in this view the question of Dr. Goodwin being or not being in liquor, to the extent of being unable to do his duty as a medical man, must be taken into their serious consideration. Then, going carefully over the whole of the evidence, his Honor left it to the jury to decide whether or not Dr. Goodwin was guilty of the indictment laid against him.

After retiring for a few minutes, the jury returned a verdict of not guilty, and Dr. Goodwin was forthwith discharged.

The Court then adjourned to ten o'clock this morning (Wednesday).

SUDDEN DEATH. - On Thursday morning a man named **PATRICK BAGNALL** died at Lysaght's lodging-house, West Maitland. It appears Bagnall went to the lodging-house on Wednesday last, and when Mr. **LYSAGHT** came home in the evening, he found Bagnall, who was a stranger to him, complaining of being very ill, in consequence of having bathed in a creek a fortnight or so before. At deceased's request Dr. **M'CARTNEY** was sent for, and he prescribed some medicine for him, which Bagnall took, and after eating a hearty supper went to bed. Throughout the night, however, he could get no sleep, and getting worse he died at daybreak, before Dr. M'Cartney saw him again. An inquiry was held before the police magistrate on Thursday, and Dr. M'Cartney having made a post mortem examination deposed that he found no marks of violence on the body, and that he had no doubt the deceased died from disease of the lungs. A verdict of died from natural causes was recorded.

SENTINEL, 3/111, 18/02/1847

EDITORIAL : mentions **JOHN TERRY HUGHES** and **DANIEL SHEA**.

INQUEST. - A coroner's inquisition was held in the Oraculum public house, Phillip-street, on Monday afternoon, on the body of **JOHN PASSWAY**, then lying dead in the General Hospital, when the following evidence was adduced:- Mr. **C. PHELPS**, of George-street, deposed that deceased had been in his employ, on and off, for fifteen years; he was occasionally addicted to intemperance: witness let him into the house about half-past ten on Saturday evening; he was then intoxicated; on being let in he went towards the place where he usually slept, and he saw no more of him until the following morning, when he saw him dead; he had frequently come home at night in a similar state. Mr. **ARTHUR SAVAGE**, surgeon, R.N., had seen the body of the deceased, and was of opinion that he died from suffocation while intoxicated. The Jury found a verdict in terms of the medical evidence.

MAITLAND MERCURY, 5/276, 24/02/1847

ORIGINAL CORRESPONDENCE. - *To the Editor of the Maitland Mercury*

SIR - The report of my trial for manslaughter, as published in your paper of the 17th, is very incorrect, and it is also imperfect. The whole of the cross-examination is wanting. Even Mrs. Llewellyn's testimony is said to be generally corroborative of the evidence of **MILLER** and **DUNBAR**. This certainly was not the case, and never was; the reverse is the fact. The witnesses for the prosecution so completely

disproved each other's statements, as to render it unnecessary for me to produce other evidence to do so – evidence which was in waiting, and which would have met the accusation of intemperance, not only on the day in question, but on any other day, with a direct negative.

With regard to the morphia being given in too large a dose, I beg to state that the *sixth part* of a grain was the *dose* that was *exhibited* in a table spoon; it was administered all at once, and not repeated. Mr. Fowler sent a solution of one half of a grain, and I administered one third, and to prevent accidents threw the remaining two thirds away! This is the fact, let Mr. **FOWLER** say what he may now. In such cases, I would give no medicine, and I strongly object to the exhibition of any in this case.

I beg also to observe that you have committed a very material error in reporting the evidence of Mr. **SLOAN** on that point. You make that gentleman say that he would have given medicine before he used instruments; and he said the very reverse of that, namely – “he would not have given medicines himself first, as it might do harm, and could do no good;” and he is fully supported in his opinion by the celebrated Dr. **SMELLIE**, who says, in a parallel case, “*the woman should have been delivered, and no medicine would do any service.*”

The above accusation was concocted in private, and behind my back; so was the investigation conducted. Or had I known the finding of the magistrates (one of whom pretends to an anatomical knowledge of the parts, and to have some skill in medicine), I would have demonstrated the absurdity of that finding, and saved both them and myself from having occupied the ridiculous position which we now do.

The insertion of the above will oblige me, concerning whom all manner of evil, in this case, has been falsely said.

JOHN GOODWIN.

Scone, February 20, 1847

[Our report of the trial was necessarily imperfect, because much of the evidence was unfit for publication in a newspaper. We have omitted Mr. Goodwin's comments on Mr. Fowler's evidence and conduct in the case for much the same reason. – Ed. M.M.]

SENTINEL, 3/112, 25/02/1847

MULTUM IN PARVO

A man servant on the station of **R.E. MACKENZIE**, of New England, in a fit of insanity, murdered his wife by cutting her throat, and then put an end to his existence in the same manner.

INQUEST. - An inquisition took place on Monday afternoon, in the “Redfern Inn,” respecting the death of **CATHERINE M'INTYRE**, aged two years, whose body had been found floating in an open drain, near her father's house, on the afternoon of Saturday last. Dr. **TIERNEY** having certified that he had examined the body, which presented no marks of violence, and that death had been the result of suffocation caused by drowning, a verdict of death caused by accident was returned.

THE CAMPBELLFIELD MURDER. The man named **CAIN [KEAN]**, who was apprehended about three weeks ago on a charge of having murdered a widow at Campbellfield, near Campbelltown, was yesterday received into Woolloomooloo Gaol.

MAITLAND MERCURY, 5/277, 27/02/1847

LACHLAN. - DEATH OF THE LATE MR. STEWART.

A statement of this event having recently appeared in this paper, which did not give the details of that unfortunate event, we are furnished with the following particulars, taken from one of the party, and may therefore be relied on:- Mr. **STEWART** started from Merangelo, in the Bland Country, a distance of about 260 miles, nearly west, from Sydney, with a party consisting of **JAMES GRAHAM**, **WILLIAM GARDINER**, and a **black boy**, on the 18th of January, for the purpose of exploring the country lying between the Lachlan and Murrumbidgee Rivers in search of a locality suitable for stock. Their intention was to make short stages, in consequence of their horses having to carry a considerable quantity of provisions, together with fire-arms, ammunition, &c. On that evening they reached Buck's Creek, a distance of twenty-five miles from Merangelo, the farthest out-station in that direction, where they camped for the night. Started from there next morning, and travelled through a tolerably good country, which gradually deteriorated as they proceeded to the westward, in pursuing which course, at about thirty miles further forward, they came upon a sandy creek, which was quite dry on the surface, but upon scraping with their hands to some depth they found water, and next morning pursued their journey, travelling nearly the same course. After travelling some hours, they found themselves in a very desert scrubby country, where the heat was intense, and no water could be found. Our travellers, as well as the horses, suffered very much from thirst, and during that day they surmounted three hills of considerable height, rising abruptly from the dead level all round, in hopes of finding water, but without success. Having travelled about sixty miles this day, without a drop of water, under a burning sun, it cannot be wondered at that themselves and horses were dreadfully exhausted from fatigue and thirst, and were obliged to camp at the foot of one of those hills which they had ascended to look around, but the prospect from which presented nothing to the eye but a barren and hopeless waste, in consequence of which they relinquished their intention of penetrating further, and resolved to return homewards next morning. The horses all that night were tied up, there being no herbage on which they could feed. They proceeded at a very slow pace next day, from their extreme weakness, until about noon, when the heat became intensely oppressive, and when, from these causes, the black boy's horse fell down in a dying state, and the others, within a few yards, also gave in – one of which became frantic, and bit, first at Gardner, and then at Graham, but without injuring them. This catastrophe caused such distraction, that Mr. Stewart and party gave up all hopes of being able to make the water they had left two days previously, which was about twenty-five or thirty miles distant from them. At the spot where the horses fell they rested for a considerable time. On attempting to sit down, so great was the heat of the sand that they had to scrape to some depth before they could rest. Their thirst now becoming intolerable, one of them suggested the expedient of bleeding the horses, that they might drink the blood, which they partook of – from four to five quarts each; at first they sickened at the nauseous draught, but non a second attempt it remained on the stomach, and they felt their sufferings in some measure alleviated. They had now no alternative but to proceed on foot, leaving all their effects where the dead horse lay, with the exception of a light gun and a quart pot, which the aboriginal, being more inured to such hardships, was enabled to carry. In this manner, battered, torn, and bleeding from the prickly shrubs of the desert, they pursued their course, making little progress, and continued to travel even by moonlight, during which they alternately fell down in an exhausted state, and were unable to rise without the assistance of one another. Mr. Stewart, being of a weaker constitution than the others, frequently expressed his inability to accompany them any farther, and appeared perfectly resigned to the melancholy fate which he knew

awaited him; after struggling on for a short time, and falling down frequently, it was evident that he could not hold out much longer, and about midnight this unfortunate gentleman sunk upon the sand, and soon after expired., The native black being struck with the horror of this nocturnal scene, became deeply affected, and cried like a child. The others were equally alarmed for their own preservation, despairing of being able to reach the desired spot where water was to be found; in fact every energy being almost exhausted, they cared little about attempting to go farther, had they not been entreated and pulled by the hair of the head by the aboriginal, who held forth the prospect of soon reaching water, which was then fifteen miles distant. After using their utmost exertions, it was about ten o'clock next morning before they reached the creek. So correct was the instinct of their sable guide, that when daylight appeared they perceived their former tracks, which of course was a grateful sight to them. They reached Graham's station the following day, about two o'clock, after enduring the most dreadful suffering, and several days elapsed before they recovered. The remains of the late Mr. S. have not as yet been found, although a diligent search has been made, it being impossible for any one to remain any length of time in such a barren, scrubby country, moiré especially at this season of the year, where it is supposed the thermometer must stand considerably above one hundred in the shade; but another attempt is about to be made, which we have to doubt will be successful. *Herald, February 22*

DREADFUL MURDER AND SUICIDE OF THE MURDERER. - By the overland mail from New England, intelligence reached Brisbane on Thursday that a dreadful catastrophe took place at Tenterfield, the station of Mr. **R.R. MACKENZIE**, about the middle of last month. It appears that a man servant in a fit of phrensy murdered his wife, by cutting her throat in a most barbarous manner. She died almost immediately after he had inflicted the wound. As soon as he had effected the destruction of his unfortunate wife, he cut his own throat so effectually that in a few minutes after the act he died also. The man had been labouring some days previously under depression of spirits, but having had medical aid, he was so much better that his poor wife, on the day before her tragic end, pronounced her husband to be quite recovered. *Moreton Bay Courier, Feb. 13*

ENQUIRY AT MORETON BAY. - An enquiry was held at Moreton Bay on the 5th February, at the instance of the Attorney General, touching the death of **HUSE JEMMY, an aboriginal** shot by one of the men attached to the government stock establishment at Moreton Bay, on the 1st December last, while resisting the execution of a warrant which had been issued for his apprehension. **DAVID DOYLE**, the first witness examined, stated the circumstances under which himself and two other men attached to the stock establishment started to apprehend Huse Jemmy and two other blacks for stealing government cattle, and also with another warrant against Huse Jemmy as the murderer of Mr. **UHR**. Doyle found Huse Jemmy with about 200 other blacks, in a rosewood scrub, and having induced Huse Jemmy to accompany him some distance from the camp with another black, he told them, on their refusing to proceed further, that he had a warrant for the apprehension of Jemmy, and, laying hold of both the blacks, a struggle ensued, and the blacks got him down, and got away from him; one of them then threw a waddie at him, and they both ran away coeying for the other blacks; Doyle then fired at Huse Jemmy with a pistol, and Doyle's companions, who were not far off, fired off their pieces also to keep the blacks off. Doyle's shot took effect on Huse Jemmy, who shortly after tripped over a vine, and, laying there, the party of white men went up and found him badly wounded; they attempted to carry him to the nearest station, but he died on the way. Other witnesses

corroborated this evidence. – Another enquiry was also gone into respecting the alleged shooting of the blacks at York's Hollow, near Brisbane, on the 20th December last. In this case also, a party of three white men had started with a warrant to apprehend **JACKEY JACKEY**, a black charged with murdering three whites; the party approached the native camp at York's Hollow by night, and a black named **Jackey**, who accompanied them, having been into the camp, led them to where Jackey Jackey was lying, under a tree, by himself. Jackey attempted to slip a noose round his head, but Jackey Jackey waking, started up and ran away. The three white men all tried to fire at him, but only one gun, that of constable **CONNOR**, went off; whether the contents struck Jackey Jackey or not had never been ascertained; no trace of blood could be found there the next morning, and two blacks had stated that they had seen him afterwards at different times, and believed he was now in the bunya-bunya scrub, keeping out of the way. A native woman had died a few days after this occurred, and her father had stated to Mr. **DUNCAN** that it was in consequence of fright from hearing the shots fired in the camp by night, and all the blacks running away, causing a premature confinement, she being then pregnant. This matter was left in some doubt by the enquiry, the father and another black stating then that **KITTY, the black woman**, had been killed by a black, who struck her on the head with a waddie, because he could not get her away for himself.

COMMITTAL FOR MANSLAUGHTER.

ROBERT HULL, free by servitude, was yesterday afternoon forwarded to the Police Office by a coroner's jury, on a charge of manslaughter, by having ill-used his wife, **MARY HULL**, to such an extent as to accelerate her death. *Herald, Feb. 25*

MAITLAND MERCURY, 5/278, 03/03/1847

CAUTION TO PARENTS. - On Monday last, a boy named **RIDLEY**, residing with Mr. **ROBERT BEST**, at Baulkham Hills, met with a very severe accident by incautiously throwing gunpowder on some lighted embers, by which his face was dreadfully burnt. The services of Dr. **GWYNNE** were immediately put into requisition, who succeeded in allaying the excruciating agony under which the boy was suffering, and reducing the inflammation; but strong fears are still entertained as to the ultimate recovery of his vision. *Parramatta Messenger, Feb. 27*

SENTINEL, 3/113, 04/03/1847

INQUEST. - About four o'clock on Friday afternoon, **THOMAS GARRETT**, a sawyer, while at work in Sussex-street, feeling himself very unwell, left the pit, and sat down on a log, from which he fell back and instantly expired. An inquest was held on the body at the "Lighthouse" tavern, on Saturday, when a verdict of "died by the visitation of God" was recorded.

ANNE HOWARD, brutal assault by **ROBERT HUNT??**

BATHURST CIRCUIT COURT.

Wednesday, February 24.

Before his Honor Sir A. Stephen, Chief Justice.

MICHAEL BUTLER, native of Tipperary, ticket-of-leave, was indicted for the wilful murder of **CHARLES DELANEY**, at Wattle Flat, a sheep station of Mr. **PATRICK WHITE**'s, about twenty-five miles from Bathurst, on the 4th January last; the prisoner was defended by Mr. **HOLROYD**, who challenged several of the jurors, mostly Wesleyans. The first witness called was **MARGARET DELANEY**, wife of the deceased, who stated she had been married to him for nine years, and had five children by him, two only now alive; that deceased and another man named **DANIEL**

DONOVAN were employed at Mr. White's station as shepherds, and that she acted as housekeeper; herself and husband had been in the employ two years, and Donovan twelve months; that the prisoner had been in the habit of occasionally visiting at their hut for three or four months before the murder of her husband and he on one occasion stopped there a week, and at other times two, three, or four days; he came there for two days before last Christmas, and remained until Christmas Eve; when he left saying he was going to Bathurst; he went on horseback; on Boxing Day the prisoner returned to our place, bringing with him two kegs that had in them about a gallon of rum, mixed with water; it was put by until after breakfast, when it was warmed and drunk by my husband and the prisoner, until they both became intoxicated and quarrelled, and my husband inflicted a wound with a flat iron on prisoner's head; I did not again see the prisoner until Monday, the 4th January last, when he rode up to our hut about noon; he rode up to the hut and dismounted, my son holding his horse, he came into the hut and had some tea, but nothing to eat; about an hour after his departure my husband came home, and noticed the horse tracks about the hut; these were the tracks of the prisoner's horse; this was about two o'clock; my husband went out again with his flock, and did not return till about sundown; Donovan, the other shepherd, had returned home with his flock before, and had put his sheep into a yard; I requested my husband to get me two buckets of water from the usual place we get it from; about a hundred yards from the hut; he did so, and on his return spoke about some clothes that I had left to dry in a paddock two or three hundred yards from the hut, and recommended my getting them in, as he thought there might be rain that night; I got over the fence, and was collecting the clothes together; my husband had mounted a sort of stile, and was standing on one of the blocks of it; I heard him roar out, and on looking round observed him fall in his knees on a part of the ground which was soft from the recent rains, and noticed that in falling his knees were embedded very deep in the earth; I also saw the prisoner standing a short distance from him, with his hand uplifted as if he had thrown or was in the act of throwing some missile; the prisoner was then near my husband; I heard my husband exclaim, "Oh, Michael Butler, spare my life for the sake of my little children --- Dan --- Dan." The prisoner then jumped over the fence into the paddock, and seized my husband by the bosom, and there was a struggle between them, and I saw my husband lifted up, as if by the back of his trousers, and thrown down with great violence on the earth, when he fell on his back; I then saw the prisoner take something either from his breast or pocket, and strike the deceased a blow on the head; I then rushed up, threw myself across the body of my husband, and desired the prisoner not to commit murder: my husband was at this time breathing hard; the prisoner caught me by my gown and pulled me off the body, and whilst doing so was kicking my husband with the heel of his boot on the stomach and bottom of the belly; the prisoner then caught hold of me, and threw me over the fence, told me to take up the linen that was in the paddock, and go to the hut, and to prevent Dan from coming to the paddock, and that if I uttered a word of what had taken place he would take all the ----- lives of everyone at the station, --- saying, "I have only one life to lose, and I am satisfied to lose it since I have had my revenge." I picked up some of the linen, and proceeded towards the hut, and about mid-way between it and the paddock met Dan Donovan, the other shepherd, and told him to go back to the hut, as there were three men in the paddock murdering my husband, and that if he went down there he would share the same fate; that two of the men had one dark clothing, and one light or white, and that one had either a gun or musket or something resembling; I told the same story at the inquest, but related this account under the impression of fear from the threats of the prisoner, knowing well

that if I had stated the truth that my life would be in danger, and my children left destitute; I had also in the paddock some wheat nearly ripe, which I was anxious to get in, for the benefit of myself and children, and I knew well that if I had named the prisoner as the murder, my life would not have been secure for an hour. On the morning after the murder Donovan and me went down to the paddock, and saw the body of my husband stretched out dead, having two severe wounds on the head. Near the body, within about three yards, I found the red silk handkerchief that I had lent the prisoner to tie round his head a week before; the waistcoat now shown me is the one the prisoner had when he called on the day of the murder. She admitted having twice slept with the prisoner, and that she came to the colony under sentence of transportation for seven years. When questioned what offence she was transported for she refused to answer, but said it was not for perjury.

DAN DONOVAN, the other shepherd, was next examined at some length; he contradicted the statement made by the witness in many particulars, but in the main points he corroborated her account.

Several other witnesses were called, who, in part corroborated the woman's statement.

Dr. **MACHATTIE** was called, who said that the wound on the left side of the head, where the skull was broken and a part forced into the brain, was sufficient to cause immediate death. He then described the other wounds and bruises about the head and body.

His Honor summed up at very considerable length, and the jury, after an absence of an hour, returned a verdict of guilty against the prisoner, when sentence of death was immediately passed on him.

MAITLAND MERCURY, 5/279, 06/03/1847

CENTRAL CRIMINAL COURT. - Wednesday, March 3.

LEWIS ALEXANDER was indicted for allowing three ferocious dogs to go at large on his farm, near the Liverpool road. It appeared that a man named **JOHN WILSON** was proceeding along the road on the 31st December, when he was attacked by the three dogs, and so severely bitten before they were taken off by the men in charge of the farm that he died the next day in the Liverpool Hospital. Mr. Alexander, on hearing of it, had the dogs destroyed at once; after an hour's deliberation, the jury returned a verdict of not guilty; discharged.

JOSEPH FRANCISCO, a Portuguese sailor, was indicted for having maliciously stabbed **FRANCIS HUDSON**, on the 16th February. It appeared Francisco and Hudson were cousins, and had been drinking together, when Hudson asked Francisco for his pipe, which he suspected he had taken; Francisco told him to be off, on which Hudson shook him by the collar, and Francisco, opening a clasp knife, stabbed him. Guilty; twelve months' imprisonment in Sydney gaol.

SYDNEY NEWS.

BATHURST CIRCUIT COURT. - On Wednesday, the 24th ultimo, **MICHAEL BUTLER** was indicted for the wilful murder of **CHARLES DELANEY**, on the 4th January last. About Christmas the parties had a quarrel, when deceased beat prisoner very severely, and Butler then threatened to have revenge. The following account of the way in which the murder was committed was given in evidence by the wife of the deceased, between whom and prisoner there had been an improper intimacy:- "My husband went out again with his flock, and did not return till about sundown. **DONOVAN**, the other shepherd, had returned home with his flock before, and had put his sheep into a yard. I requested my husband to get me two buckets of water

from the usual place we got it from, about a hundred yards from the hut. He did so, and on his return spoke about some clothes that I had left to dry in a paddock, two or three hundred yards from the hut, and recommended my getting them in, as he thought there might be rain that night. I got over the fence, and was standing on one of the blocks of it; I heard him roar out, and on looking round observed him fall on his knees on a part of the ground which was soft from the recent rains, and noticed that in falling his knees were embedded very deep in the earth. I also saw the prisoner standing a short distance from him, with his hand uplifted as if he had thrown, or was in the act of throwing, some missile. The prisoner was then near my husband, but the latter's back was towards the prisoner. I heard my husband exclaim, 'Oh, Michael Butler, Michael Butler, spare my life for the sake of my little children – Dan – Dan.' The prisoner then jumped over the fence into the paddock, and seized my husband by the bosom, and there was a struggle between them, and I saw my husband lifted up, as if by the back of the trousers, and thrown down with great violence upon the earth, when he fell on his back. I then saw the prisoner take something either from his breast or pocket, and strike the deceased a violent blow on the head. I then rushed up, threw myself across the body of my husband, and desired the prisoner not to commit murder. My husband was at this time breathing hard. The prisoner caught me by the gown, and pulled me off the body, and whilst doing so was kicking my husband on the stomach and bottom of the belly. The prisoner then caught hold of me, and threw me over the fence, told me to take up the linen that was in the paddock, and go to the hut, and to prevent Dan from coming to the paddock, and that if I uttered a word of what had taken place, he would take all the ----- lives of every one at the station – saying, 'I have only one life to lose, and I am satisfied to lose it, since I have had my revenge.' I picked up some of the linen, and proceeded towards the hut, and about midway between it and the paddock met **DAN DONOVAN**, the other shepherd, and told him to go back to the hut, as there were three men in the paddock murdering my husband, and that if he went down there he would meet with the same fate." The evidence of the woman was corroborated in the main points by Donovan, and the jury found the prisoner guilty, when sentence of death was immediately passed on him.

Abridged from the Herald.

COLONIAL NEWS. - PORT PHILLIP.

SINGULAR CASE OF SUICIDE AT SEA. - An unfortunate man, named **SMITH**, during the passage of the *Phoebe* from Sydney to this port, jumped overboard. Although boats were instantly lowered, and every attempt made to save him, he met with a watery grave. The man had been suffering for some days with a severe attack of *delirium tremens*, and notwithstanding every vigilance was used to keep him below, he contrived to release himself, rushed on deck, and committed the rash act.
Patriot, Feb. 25

MAITLAND MERCURY, 5/280, 10/03/1847

SYDNEY NEWS

BATHURST CIRCUIT COURT. - Thursday, Feb. 25.

JOHN WALSH was indicted for the murder of **BERNARD M'QUIRK**, at Cannondura, on the 17th November last. It appeared an old grudge existed between them, and on that day, after drinking together and quarrelling, M'Quirk, who was the strongest man, followed Walsh to his hut, and insisted on coming in; after he was admitted he commenced abusing Walsh, who kept in an inner room, but at length on his coming out armed with a weapon M'Quirk closed with him, and a desperate struggle ensued, during which Walsh stabbed him with a sheep shear so deeply that he

died before the next morning. Guilty of manslaughter; twelve months' imprisonment and hard labour. *Abridged from the Herald.*

CENTRAL CRIMINAL COURT. - Thursday, March 4.

JOHN KEAN was indicted for the murder of **ELLEN HYNDES**, at Campbellfield, on the 21st January. The evidence was entirely circumstantial, but the prisoner had made a voluntary confession of his guilt, a few days after he was apprehended, to a magistrate, in which he stated that he cut the poor woman's throat with a razor, a man named **JAMES HOGAN** aiding him. Guilty; sentenced to be hung.

Friday, March 5.

ROBERT HULL was indicted for having beaten his wife and driven her out of his house during inclement weather, whereby she died, on the 16th February, thirteen days after. Guilty of a common assault; two years' imprisonment with hard labour.

JOSEPH LYONS was indicted for having stabbed **JOSEPH MORRISON** in the face on the 15th February. Guilty of a common assault; six months' imprisonment and hard labour.

THOMAS LIDDELL was indicted for having stabbed **EZEKIEL KING** in the neck on the 4th February. Not guilty; discharged.

SENTINEL, 3/114, 11/03/1847

INQUEST. - An inquest took place on Monday afternoon, in Mr. Driver's tavern, corner of King and Elizabeth-streets, on the body of **WILLIAM WILLIAMS**, a ticket-of-leave holder from the district of Liverpool, aged 55 years. Dr. **TIERNEY** having made a *post mortem* examination of it, certified that death had been caused by water on the chest; he also stated that the lungs were in a very diseased state. A verdict of death being the result of natural causes was recorded.

ATTEMPTED SELF-DESTRUCTION. - About five o'clock on Monday afternoon, **WILLIAM RICHARDS**, a licensed waterman, in Gloucester-street, inflicted a wound on the right side of his throat, with a pen-knife; his avowed intention previous to so using the knife being to cut his throat in consequence of the woman he has for some time been cohabiting with threatening to leave him.

MULTUM IN PARVO. - A man named **J. SMITH**, a passenger per the schooner Phoebe, threw himself overboard in a fit of *delirium tremens*, and was drowned. [Not in the published passenger list for this voyage, so probably steerage?]

MAITLAND MERCURY, 5/281, 13/03/1847

INQUEST. - An inquest was holden yesterday at Mr. Driver's, the Three Tuns, Elizabeth-street, touching the death of **JOHN RIDDLE**, a youth about 15 years of age, who was a "knifer" in the employ of Messrs. Raynor, cloth manufacturers in Goulburn-street, and who died in the Sydney Infirmary on the 2nd instant, in consequence of wounds and injuries he had received by having been accidentally caught in a strap which carried him round the shaft of the mill. It appeared from the evidence that the deceased was perfectly sober at the time of the accident, and that no blame was attached to any one. The opinion of Surgeon **ROLLAND**, of the Infirmary, was that Riddle's death was caused by diarrhoea, from which he had been suffering for some time previously, but his dissolution was no doubt accelerated by the injuries he had received. Verdict, died from diarrhoea, accelerated by injuries accidentally received. *Australian, March 11*

MAITLAND MERCURY, 5/282, 17/03/1847

SUDDEN DEATH. - On Friday forenoon, Mr. **JASPER MORLEY**, of Kent-street, near Druitt-street, became unwell, and sent for the medical assistance of his next door neighbour, Dr. **RUTTER**; but notwithstanding every exertion was made to prolong life, he died before midnight. The deceased was an old colonist, who had amassed considerable property in houses, and was generally respected. *S.M. Herald, March 15* ADVERTISEMENT.

“Peter Pidgeon.”

A Warrant having been issued for the apprehension of the above-named person on a charge of MURDER, all Constables and others belonging to the Police are required to use their best exertions for apprehending him.

PETER PIDGEON is about forty-eight years of age, dark sallow complexion, and about five feet seven inches in height. He has been well known on the Hunter and Paterson Rivers for many years. He was seen in West Maitland about one o'clock on Wednesday last, the 10th of this month. He then wore a blue jacket, cabbage tree hat, and barragon or fustian trowsers.

E.D. DAY, Pol. Mag.

Police Office, Maitland,
16th March, 1847.

SENTINEL, 3/115, 18/03/1847

INQUESTS. - A Coroner's Inquisition was held in the "Victoria Inn" South Head Road, on the body of **HENRY WILLIAM HIGGS**, aged about six weeks. The evidence showed that deceased had been accidentally suffocated while lying at his mother's breast. Another inquest was held yesterday afternoon, before the Coroner, in the "St. John's Tavern," Newtown, on the body of **ELIZABETH SPILSTEAD**, aged ten years, who had died at her father's residence, at Newtown, on Saturday evening, in consequence of injuries received by her from her clothes igniting while she was lighting a fire to cook some victuals for her mother, who is confined to bed. The jury returned a verdict of died from accidental injuries.

MURDER BY THE BLACKS. - By the arrival of the William the Fourth steamer from the Clarence River, we learn that a shepherd in the employ of Captain **THOMAS COUTTS** was murdered, and his body horribly mutilated, by the blacks, near his master's head station, on Kangaroo Creek, on the 23rd February last.

MAITLAND MERCURY, 5/283, 20/03/1847

SUPPOSED DISCOVERY OF A MURDERER. - Some of our readers may remember that in October last we gave a report of an inquest held in East Maitland on the body of a man, which had been found in the bush near the Morpeth road. The body had been accidentally found lying in a thick clump of prickly furze, and from the state it was in had evidently been lying there some weeks. The body was that of a man of about five feet four or five inches high, but no legible papers or other matters were found about the body which could afford any information as to whose it was, nor had any person been missing recently in Maitland or Morpeth. The body was lying face downwards, and on the right side of the head appeared a large hole, the bone having been not only fractured, but actually driven in. No weapon could be found anywhere about. The jury returned a verdict of wilful murder against some person or persons unknown, and the unfortunate man was concluded to have been some stranger recently arrived from the country.

About May or June last year a man named **PETER PIDGEON**, who had been for some years located in this part of the country, sometimes travelling about as a hawker,

sometimes employed other ways, but who always appeared very poor, went down to Wollongong. While there he got intimate with a fisherman, named **TAYLOR**, who had a horse and cart, and other small property, of his own there. This man Pidgeon persuaded him to come up to this district with him, and they left the Illawarra district to come overland, bringing Taylor's horse and cart with them. What became of them from that day for some weeks there is at present little known with certainty, but at the end of several weeks Pidgeon re-appeared at Wollongong, bringing back the horse and cart, but unaccompanied by Taylor. This excited the astonishment of Taylor's former neighbours, and they questioned Pidgeon about it. He told them that they had reached Maitland in company, and that after being there some little time he had bought the horse and cart from Taylor for £13, and that when he returned he left Taylor in Maitland. Time passed on, and no tidings reached Wollongong from or relative to the missing man, and suspicion becoming more and more excited, Pidgeon was at length summoned before the bench at Wollongong to account for his possession of the property. Here he told nearly the same tale, and was remanded at first till the bench could communicate with the Maitland bench relative to the matter. No trace of the two men being seen together here could be found, nor at first of Pidgeon's being seen in possession of a horse and cart, but the particulars were sent up from Wollongong, and the date of Taylor's disappearance, agreeing with the date and circumstances attending the body of the murdered man found here, induced a suspicion that Taylor had been the victim, and that Pidgeon must be the murderer. Enquiries were made, and are still going forward, which have elicited various minute and corroborating incidents, and an exact description of the body found was sent down to the Wollongong bench, including a remarkable appearance in the teeth. Last week an answer was received from Wollongong which renders it almost certain that Taylor was the murdered man, and giving the information that Pidgeon had been discharged, and had immediately left the district, telling one or two of the neighbours that he would go to Maitland and return with Taylor, who he was sure he could find. After he left the police were sent to apprehend him again on the receipt of the letter from Maitland, but found him gone, and in searching his hut they found various articles of clothing which were identified as having belonged to Taylor. It appears that Pidgeon did actually come to Maitland, apparently overland, and was here on Wednesday the 10th instant, about the middle of the day, looking travel-worn. He appears, however, to have left again the same day, as he has not since been heard of. A warrant is out for his apprehension. He is described as a spare made man of about five feet four inches high, of a dark sallow complexion latterly, and in appearance about fifty years old; his eyes are grey, and dark brown hair mixed with grey. A reward of £20 or a conditional pardon is offered by the government for his apprehension.

MURDER BY THE BLACKS. - We regret to hear, by the arrival of the steamer from the Clarence River, that a shepherd in the employ of Captain **THOMAS COUTTS** was murdered, and the body cruelly mutilated, by the blacks, near his master's head station, on Kangaroo Creek, on the 23rd last month. *Herald*

MALICIOUS ATTEMPT.

On the morning of Saturday last, a package addressed to the wife of Constable **M'KEON**, was conveyed to her through the post-office, which, on being opened by her, exploded with a noise equal to that produced by the discharge of a horse pistol. Her arm was severely injured by the explosion, but luckily no other injury was inflicted. *Herald*

MAITLAND MERCURY, 5/284, 24/03/1847

SYDNEY NEWS

GOULBURN. - Human bones have been found lately in the Barrow district; they are supposed to be the remains of some unfortunate man drowned in the late floods.

An inquest has been lately held at Bungonia on the body of a man who was killed by a blow behind the ear while looking on at a fight following a drinking party; nothing satisfactory could be elicited, however, and the verdict left the matter open for further investigation. *Abstracted from the S.H. Herald of March 20*

PARRAMATTA. - On Thursday a man named **TATUM** was brought before the bench, charged with committing an assault on a man named **JOSEPH**, [Kirkland] whose head was so severely cut that his life was in danger. It appeared that Joseph had, on the Friday previous, fallen from a cab in Sydney, and that on Monday evening, the 15th March, Tatum, who was a postman on the Parramatta River, went home unexpectedly, and found his wife dressed and just starting off to a tea-party in company with Joseph. A quarrel ensued between the two men, when Tatum confessed that he had given Joseph a severe beating. Dr. **HILL**, who had attended Joseph, was of opinion that the injury on the head had been caused by a blow, and not by a fall; it had produced an extensive fracture of the skull, with depression of the bone on the brain, which made it necessary that the bone should be removed. The case was remanded till Saturday, Tatum being allowed bail. *Abridged from the S.M. Herald, March 20*

THE EXPLLOSIVE MATERIALS.

A native of America, named **ROBERT D'AUMILLE** was brought before the Police Court yesterday, as being the individual who sent the packet of explosive materials to constable **M'KEON's** wife, through the post office, on Saturday last. Since then a second letter has been forwarded to the same prosecutrix, subscribed in Greek characters **DAMION APPOLYON**. As the case is still before the bench, it would be acting injudiciously to give publicity at present to the evidence placed on the record against the prisoner, who was remanded till to-day. *Herald, March 19*

SENTINEL, 3/116, 25/03/1847

SUPPOSED DISCOVERY OF A MURDER. - Some of our readers may remember that in October last we gave a report of an inquest held in East Maitland on the body of a man, which had been found in the bush near the Morpeth road. The body had been accidentally found lying in a thick clump of prickly furze, and from the state it was in had evidently been lying there some weeks. The body was that of a man about five feet four or five inches high, but no legible papers or other matters were found about the body which could afford any information as to whose it was, nor had any person been missing recently in Maitland or Morpeth. The body was lying face downwards, and on the right side of the head appeared a large hole, the bone having been not only fractured, but actually driven in. No weapon could be found anywhere about. The jury returned a verdict of wilful murder against some person or psreons unknown, and the unfortunate man was concluded to have been some stranger recently arrived from the country.

About May or June last year a man named **PETER PIDGEON**, who had been for some years located in this part of the country, sometimes travelling about as a hawker, sometimes employed in other ways, but who always appeared very poor, went down to Wollongong. While there he got intimate with a fisherman, named **TAYLOR**, who had a horse and cart, and other small property, of his own there. This man Pidgeon persuaded to come up to this district with him, and they left the Illawarra district to come overland, bringing Taylor's horse and cart with them. What became of them

from that day for some weeks there is at present little known with any certainty, but at the end of several weeks Pidgeon re-appeared at Wollongong, bringing back the horse and cart, but unaccompanied by Taylor. This excited the astonishment of Taylor's former neighbours, and they questioned Pidgeon about it. He told them that they had reached Maitland in company, and that after being there some little he had bought the horse and cart from Taylor for £13, and that when he returned he left Taylor in Maitland. Time passed on, and no tidings reached Wollongong from or relative to the missing man, and suspicion becoming more and more excited, Pidgeon as at length summoned before the bench at Wollongong to account for his possession of the property. Here he told nearly the same tale, and was remanded at first till the bench could communicate with the Maitland bench relative to the matter. No traces of the two men being seen together here could be found nor at first of Pidgeon's being seen in possession of a horse and cart, but the particulars sent up from Wollongong, and the date of Taylor's disappearance, agreeing with the date and circumstances attending the body of the murdered man found here, induced a suspicion that Taylor had been the victim, and that Pidgeon must be the murderer. Enquiries were made and are still going forward, which have elicited various minute and corroborating incidents, and an exact description of the body found was sent down to Wollongong bench, including a remarkable appearance in the teeth. Last week an answer was received from Wollongong which renders it almost certain that Taylor was the murdered man, and giving the information that Pidgeon had been discharged, and had immediately left the district, telling one or two of the neighbours that he would go to Maitland and return with Taylor, who he was sure he could find. After he left the police were sent to apprehend him again on the receipt of the letter from Maitland, but found him gone, and in searching his hut they found various articles of clothing which were identified as having belonged to Taylor. It appears that Pidgeon did actually come to Maitland, apparently overland, and was here on Wednesday the 10th instant, about the middle of the day, looking travel-worn. He appears, however, to have left again the same day, as he has not since been heard of. A warrant is out for his apprehension. He is described as a spare made man of about five feet four inches high, of a dark sullen complexion latterly, and in appearance about fifty years old; his eyes are grey, and hair dark brown mixed with grey. A reward of £20 or a conditional pardon is offered by the Government for his apprehension. - *Maitland Mercury*.

MAITLAND MERCURY, 5/285, 27/03/1847

DISTRESSING CIRCUMSTANCE. - On Monday evening last, Mr. **ROBERT RICKERBY**, fell-monger, of this town, who had been on a visit to his father-in-law, at Mulberry Creek, parted from Mrs. Rickerby with the intention of crossing the creek to his house, on the other side, but within sight of the place where he left Mrs. Rickerby. As he did not arrive there, although expected, the family inquired the reason at once, but no tidings could be heard of him that night nor the next day, although vigorous search was made. The search was continued on Wednesday, and on Thursday Mr. **GRAY** started with two assistants on horseback from Maitland to assist in the search. Yesterday evening Mr. Gray returned, unsuccessful in regard to finding Mr. Rickerby, but having found the spot at which he crossed the creek, at some distance from where his direct path to the house would have led him. Beyond the creek was his track again in crossing a fence, but no further trace of him could be found. In the direction he was apparently making he would get into the mountains almost immediately, and unless lost among their intricacies, would probably have broken out in a bush road to the Wollombi. All endeavours to find him, however,

have so far proved fruitless. He was a man of middle size, about five feet six inches high, wearing a tweed coat, a Manila hat, and tweed trousers, and carrying, when last seen, a bundle wrapped in a red silk handkerchief.

AWFUL DEATH. - On Thursday an enquiry was held in the Maitland Hospital, on the body of **SAMUEL MARSDEN**, who had died in the hospital on Wednesday morning. From the evidence of Mr. **REEVES** and Mr. **GORRICK**, it appeared that the deceased, who was a well-known character about Maitland, had obtained his living by hawking oysters, fish, and other things, and was always of very intemperate habits, frequently drinking to excess. Latterly he had quarrelled with his wife, who had left him, and a little boy of his had been drowned, and since then he had got worse than ever, being seldom sober. For some time past he had been lying about where he could, and Mr. Reeves had repeatedly seen him come out of his hayloft of a morning, as if he had spent the night there. On Monday morning, about nine o'clock, Mr. Reeves found the unfortunate man lying under a shed in his yard, playing with an opossum cloak, which he was speaking to as if it were his dog. Mr. Reeves spoke to him several times, but could get no coherent answer from him; and observing that Marsden was trembling and shaking all over, and was evidently out of his mind, he sent for Dr. **SLOAN**, who found him labouring under *delirium tremens*, and directed his immediate removal to the hospital. When taken there, he was found to be in a most filthy state, and to be very weak, as well from the attack he was labouring under as from previous want and destitution. His case was pronounced hopeless from the first, and notwithstanding every care on the part of the medical men, he died about noon on Wednesday, having been delirious the greater part of the time. Dr. Sloan having certified to the cause of death, a verdict was recorded of died from *delirium tremens* and the effects of destitution.

DEATH FROM DROWNING. - On Monday, the 22nd instant, a man named **JOHN BRIGHT** escaped from the Steam Dredge, Newcastle, and warrants were issued after him as a run-away. Early on Thursday morning the body of a man was observed floating in the river Hunter, at Morpeth. A man named **WILLIAM CHAMBERS** procured a boat, and going to the body drew it on shore, and it was placed on the bank in Mr. Portus's yard. When Chambers reached the body he found it floating face downwards, with a pair of boots hanging under the chin, and a bundle of clothes on the shoulder, secured by a strap; the poor fellow having apparently stripped with the intent ion of swimming across the river, and tied his clothes round his neck, which probably caused his death. A torn pass in his pocket, and the exact identity of the size and description, established the fact that it was Bright's body. An enquiry was held the same day before **E.D. DAY**, Esq., P.M., and a verdict recorded that the man was drowned in attempting to cross the river Hunter, somewhere above the town of Morpeth.

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

SUDDEN DEATH. - I regret to state that a very worthy and respectable person, Mr. **FINDLAY KERR**, late clerk at H.M. gaol at New castle, was taken suddenly ill yesterday (Tuesday) afternoon, at his residence, adjoining the gaol, when no other person was present. His son, a boy of eight or nine years, on returning home, found his father lying on his back, speechless, on the floor. The gaol messenger then came in and placed Mr. Kerr, who was evidently in a dying state, on his bed, when Mr. **TRISTRAM**, the gaoler, also came in, and medical aid was immediately sent for, but all to no effect. The unfortunate man never spoke again, but lingered until about eleven p.m., when he expired. I hear that an inquiry relative to his death was held this day by Major Crummer, also a *post mortem* by Mr. **STEWART**, the result of which I

have not heard, further than that the deceased had been labouring under severe rheumatic pains in the head. The deceased was much respected, and has left a widow and three children in the most destitute circumstances, for whom it is to be hoped something will be done by a benevolent public. The deceased was in his 40th year.

ROBERT D'AUMAILE. - This individual, who had been in the custody of the police for the last week, on suspicion of sending a letter containing explosive materials to the wife of constable **M'KEON**, on the 9th instant, with intent to do her some grievous bodily harm, was discharged yesterday, as the magistrates before whom the case was investigated did not think there was enough evidence adduced before them sufficient to justify them in sending it before a jury. *Herald, March 23*

ALLEGED SERIOUS CHARGE. - The unfortunate man **JOHN KIRKLAND**, who is reported in our last to have received a serious wound on the head, either by a fall from a cab, or in a struggle with a man named **TATUM**, expired in the Parramatta Hospital early on Monday morning. Tatum is in custody, awaiting the result of an inquest on Kirkland's body, which sat on Monday and Tuesday, and was again adjourned till Wednesday, the 24th. *Parramatta Correspondent of the Herald.*

MAITLAND MERCURY, 5/286, 31/03/1847

INQUEST. - An inquest was held at Cooly Camp on the 23rd instant, before **J.S. PARKER**, Esq., coroner, on the body of **ELIZA NEAL**, the wife of a small settler there. It appeared that for some time past Mrs. Neal had complained of not enjoying her usual health, but did not feel so ill as to require a medical man; but on the 22nd instant, after taking dinner with her husband and a man named **DAVIES**, who resided with them, she was suddenly taken very unwell, and her husband left to get a doctor. About five o'clock Mrs. Neal called Davies into her hut, and begged him to get some assistance for her, which Davies immediately left to procure. Shortly after, a man named **FELIX SWAINSTON**, who was passing, was called in by Mrs. Neal, who told him she felt a great pain in the chest and head, and asked him if he could do anything for her. Swainston made some tea for her. She then appeared to be in violent pain, and in a few minutes died, before either her husband or Davies had returned. Dr. **STREET** made a *post mortem* examination, and found that deceased had died from inflammation of the lungs, and a verdict of died from natural causes was returned.

MR. R. RICKERBY. - On Saturday morning Messrs. **GRAY and HOLDSTOCK** started off again for Mulberry Creek, to search for Mr. **RICKERBY**, taking with them two men. The police magistrate also despatched four constables and four of the mounted police, and endeavoured to procure the assistance of several black-fellows, but only two of them could be prevailed upon to go out. On their way out Mr. Gray induced two blacks and their gins, whom they met, to go with them also. On Sunday morning early the whole party commenced the search, aided by more than a dozen of the residents on Mulberry Creek; but even the blacks could find no further trace of Mr. Rickerby than the foot-tracks previously seen by Mr. Gray. At sundown the party returned to Mulberry Creek, and Messrs. Gray and Holdstock came on to Maitland, the mounted police remaining, with the intention of resuming the search in other directions. The residents on Mulberry Creek have been throughout most persevering in their humane endeavours to find Mr. Rickerby. Up to last evening no authentic intelligence of his being discovered has reached town.

GREAT SUFFERING. - On Sunday last, an inquiry was held in the Maitland Hospital, before the Police Magistrate, touching the death of **WILLIAM KANE**, who had died there the previous day, sixteen hours after he was admitted. It appeared that

the deceased had come down the country with a dray of Mr. Commissioner Mitchell's, and having been for some time affected with inflammation of the lungs, the disease increased so much on the journey that for nineteen days before reaching Maitland he had not slept, and was obliged to ride on the dray. When admitted into the hospital his case was evidently hopeless, and he described his sufferings on the journey as having been terrible, from the state he was reduced to. Dr. **SLOAN** having certified that he died from inflammation of the lungs, a verdict to that effect was recorded.

HUMAN SKELETON DISCOVERED. - Some time on Wednesday last, as some black-fellows were out with their dogs at a place called Foybrook Creek, catching 'possums, they discovered a human skeleton laying in the creek, at about a mile and a half from where the road turns off to Muswell Brook, and about five miles from Ravensworth. Information was immediately carried by them to the station, when several persons hastened to the spot. The skeleton was found to be in a perfect state, and a pair of boots were still on the feet; the remains of a cloth cap were also found near the spot; also, a charge or two of shot, and some tin pots, one of which was marked with the initials **P.I.** There is no doubt whatever that the remains are those of an European, and that the poor fellow must have been drowned in attempting to cross the creek at the time of the last fresh. An inquest was held on Friday last before Messrs. **JAMES and HENRY GLENNIE**, when a verdict of "found drowned" was recorded.

MR. KERR'S DEATH. - Referring to the report of the sudden death of Mr. **FINDLAY KERR**, which appeared in the *Mercury* of last Saturday, which event took place on Tuesday night, at half-past ten o'clock, I beg to state that he was for many years a clerk at the gaol, Newcastle, and has left a large circle of friends, who deeply regret his loss, and a widow with three helpless children to lament their bereavement. Owing to the suddenness of his death, he having been but a few hours previous well and in apparent good health, it was deemed necessary that a coroner's inquest should be held, or at least an investigation, to satisfy the public mind, at which Dr. **STEWART**, who had been in attendance previously, was called upon to give his opinion, at the request of Major Crummer, the Police Magistrate. During the enquiry, it was further deemed necessary to hold a *post mortem* examination, and for such purpose the body was opened in the presence of Mr. **FLOOD** and the messenger of the gaol. Major Crummer made repeated exertions, both by note and otherwise, to ascertain the opinion of Dr. Stewart relative to the death of the deceased, but he was finally obliged to summons him to attend on Thursday at three o'clock. This summons Dr. Stewart did not think fit to attend to, although well aware that the remains were without burial, and all the friends of the deceased anxiously awaiting their interment. March 29th, 1847

INQUEST. - An inquest was held yesterday, at the red Lion public-house, Parramatta-road, on the body of **JANE CARDWELL**, who died at Camperdown, on Thursday afternoon, in consequence of a blow she received across the abdomen with a rail that was forced from the fence of a stock-yard, from which a cow was attempting to escape, about eleven o'clock in the forenoon of the preceding day. She was about twenty-nine years of age, and had four children, the youngest of which is only two months old. From the evidence of Surgeon **CUTHILL**, it appeared that the blow had ruptured the bowels, and was the immediate cause of death, and that no medical assistance could have saved her life. Verdict – accidental death. *Australian, March*

FATAL OCCURRENCE. - A few weeks since a Frenchman, named **JEAN BAPTISTE SOLISLE**, lost his life under the following circumstances:- It appears that the man was proceeding from the Macintyre Brook to Mr. Fitz's station on the River Severn. On reaching one of Mr. Bowman's out stations, he found the river bank high, and having tethered the mule which he brought with him, swam across the stream, and reached the opposite bank in safety. Two days afterwards, Solisle, wishing to ascertain whether the animal was in the same spot where he left it, determined upon swimming across the river for that purpose. Prior to making the attempt he had prevailed upon the men at the hut to fix a rope round his neck, and in this manner he endeavoured to reach the opposite bank. So strong, however, was the current, that he was taken some distance down, and the rope having been run out, was found to be too short for the purpose. Solisle then called out to the men to pull him back, when, unfortunately, the poor fellow came in contact with the fork of a tree in the river, and was dragged under the water. The men who had hold of the rope continued to pull at the body, but finding it was immovable, at last desisted, and made fast the rope in a tree. About twenty-four hours afterwards the body of the unfortunate man was brought to land, when it was found that his head had been nearly severed from his body. An inquisition was subsequently taken by Mr. **TRAILL**, a magistrate, on the remains, when a verdict of "accidentally drowned" was returned. An order for £19 4s. was found upon his person, and is now in the hands of the stockman at Mr. Bowman's station. The men must have lost all presence of mind, or they would have let go the rope when they found a dead pull against them. They also showed extreme ignorance in fixing the rope round the neck instead of the body. *Moreton Bay Courier.*

PARRAMATTA. - The inquest in the case of the man **TATUM** was, after three days' duration, brought to a termination late on Wednesday evening. The jury, after taking four hours to consider their verdict, brought in that the death of the deceased, **JOSEPH KIRKLAND**, was caused by a fracture of the skull; that there was a scuffle on the night of the 15th instant between Tatum and the deceased, and that blows were exchanged, but there was no direct, although much circumstantial, evidence that Tatum inflicted the blow which caused death. The legal construction placed on this verdict by the coroner was, that it was one of manslaughter, and accordingly committed the prisoner (who has been in the custody of the police since the 18th instant) for trial. Tatum was present during the whole of the proceedings, but put no questions to any of the witnesses. *Australian, March 27*

SENTINEL, 3/117, 01/04/1847

TUMUT. - The following is from a correspondent at the Tumut: - "I must relate to you a circumstance which occurred in this neighbourhood, concerning a shepherd who was lost whilst out with his flock. He having fallen asleep, the sheep came home to his employer's place, and for five days he was not seen or heard of, till at last he was found crawling to a hut a long distance from home, completely exhausted, where he lingered for a couple of days and expired. He was a very old man and subject to what is called falling sickness."

INQUEST. - An inquest was held in the Three Tuns, Tavern, King and Elizabeth-streets, on the body of **PETER MORAN**. According to the evidence the dray was passing up Bathurst-street on its way to the Glenmore Distillery, when the horses started at the corner of Bathurst and George-streets, and ran down towards Brickfield-hill, when deceased, who was a little behind the vehicle, ran after the animals to stop them, but being unable to get up with the leader, he tried to stop the shaft horse, and in

doing so he fell before the wheel which passed over him. He was bled by Surgeon **M'PHEE** and removed to the Dispensary on Saturday afternoon, in consequence of the injuries received combined with the previous state of his body. Mr. **ROWLANDS**, Visiting Surgeon to the Dispensary, having given evidence as to the cause of death, a verdict of accidental death was recorded.

DISTRESSING CIRCUMSTANCE; Mispers: Robert Rickerby, Mulberry Creek??

SUDDEN DEATH. - I regret to state that a very worthy and respectable person, Mr. **FINDLAY KERR**, late clerk at H.M. gaol at Newcastle, was taken suddenly ill yesterday (Tuesday) afternoon, at his residence, adjoining the gaol, when no other person was present. His son, a boy of eight or nine years, on returning home, found his father lying on his back, speechless, on the floor (sic). The gaol messenger then came in, and placed Mr. Kerr, who was evidently in a dying state, on his bed, when Mr. **TRISTRAM**, the gaoler, also came in, and medical aid was immediately sent for, but all to no effect. The unfortunate gentleman never spoke again, but lingered until about eleven p.m., when he expired. I hear that an inquiry relative to his death was held this day by Major **CRUMMER**, also a *post mortem* examination by Mr. **STEWART**, the result I have not heard, further than that the deceased had been labouring under severe rheumatic pains in the head. The deceased was much respected, and has left a widow and three children in the most destitute circumstances, for whom it is to be hoped something will be done by a benevolent public. The deceased was in his 46th year.

MAITLAND MERCURY, 5/287, 03/04/1847

INQUEST. - On Sunday and Monday last an inquest was held at the Black Horse, East Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **EDWARD PALLING**, who was found dead in the stable of that inn on Sunday morning. **HENRY ADAMS** deposed that he was landlord of the Black Horse, and had seen the deceased about the house on Saturday, employed in drawing water for the place; witness did not notice him after ten o'clock in the morning, but in the evening, about six o'clock, witness had occasion to go to the stable, and found deceased laying there on some straw, on his side; as he appeared to be drunk witness did not disturb him; witness went into the stable again between eight and nine, and found deceased still there, asleep, and as he was a very noisy character if disturbed out of his sleep while in liquor, witness left him there; the next morning, at seven o'clock, witness was told that he had been found dead in the stable. **NAOMI ADAMS** deposed that she was the daughter of the last witness, and was serving in the bar on Saturday; deceased was drinking in the tap-room in the middle of the day, and between three and four o'clock fell off his stool on the floor from drunkenness; he was laying in the way, and was taken out by a man named **JOSIAS RALFE**; deceased was in the habit of frequenting the house, and seldom left sober; he had frequently been placed in the stable for safety. Josias Ralfe deposed that he had been staying at Mr. Adams's a few days, and that, on Saturday afternoon, seeing deceased fall down drunk in the tap-room, he took him out to the stable with the assistance of the cook, and laid deceased down on his left side, placing some straw under his head as a pillow; Mr. Adams was absent, and witness did this of his own accord; deceased's shirt was then torn on his right shoulder, but how it became so witness did not know; the next morning witness heard Mr. **NORRIS** say that deceased was dead, and on going to the stable he found deceased lying there, but in a different position from the one he placed him in. **JOHN HOARE**, cook at the Black Horse, corroborated Ralfe's evidence. **REBECCA NORRIS** deposed that Palling had been in her husband's employ for ten years as a

blacksmith, but that on Saturday last he was getting water for Mr. Adams, by their permission, as Mr. Adams's cook was ill; Palling was always very fond of drink; on Saturday evening witness went to see for him, and was informed by Mr. Adams he was laying down in the stable; as he had often done so before when in liquor, witness returned home; the next morning witness was told by Mr. Adams's daughter, who came across to her, that Palling was lying dead in the stable. Dr. **EDYE**, having made a *post mortem* examination, certified that death had been caused by suffocation, and that there were no marks of violence on the body; the body, when first seen by him, was lying on some hay, face downwards. The jury returned a verdict of "Died from the effects of liquor, and being left in a stable from six o'clock on Saturday evening till seven o'clock the next morning unlooked after; but the jurors consider Mr. Adams deserves censure, as he was the last person that saw deceased in the stable on Saturday evening."

MAITLAND MERCURY, 5/288, 07/04/1847

SUDDEN DEATH. - Yesterday afternoon, an old man, known as "**ISAAC, THE SHOEMAKER,**" who had left the Asylum about six months ago, and has since then been living at Michael Joice's, the broker, at the south-end of Clarence-street, having laid down a little before dinner, was called to take his place at the table, and making no answer, the inmates went to awake him, thinking he was asleep, and found him dead. He was speaking in his usual manner about ten minutes before he expired. *Herald, April 5*

INQUEST. - An in quest was held on Saturday last, in the Wheat Sheaf Inn, George-street south, on the body of **MARGARET GUEST**, then lying dead in the Benevolent Asylum, who had been found drowned in Cook's River, near Prout's Bridge, on Thursday afternoon. It appeared the deceased was addicted to drink, and while intoxicated was in the habit of saying she would make away with herself; her husband was an inmate of the Benevolent Asylum at the time she was last seen alive, as well as when her body was found. Mr. **J.C. RUSSELL**, resident surgeon in the Asylum, having certified that there were no marks of violence on the body, and that it presented an appearance as if death had been caused by suffocation from drowning, a verdict of found drowned was recorded. *Herald, April 3*

INQUEST. - Yesterday afternoon, a coroner's inquiry was held in the Currency Lass public house, corner of Pitt and Hunter-streets, on the body of **HENRY AIMES**, a groom, then lying dead in Davis's livery stables, Pitt-street, when the following evidence was adduced:- **JAMES SQUIRE**, a groom employed in the same stables where the body was, knew the deceased for the last nine or ten days, being all the time the witness had been in the same employ; about seven o'clock yesterday (Friday) morning, Aimes went into No. 1 stable, of which he was groom, and which contained six horses; a few minutes after he had entered it witness heard a noise, and saw an entire horse running down the yard from the stable deceased had entered; on which witness stopped the animal from getting into the street, and called deceased by his name - Henry, but getting no answer he went into No. 1, and found him lying on his face, groaning, near the centre of the stable, between two stalls: he was not dead, but speechless and insensible; he lived for about three or four minutes. After Mr. **DAVIS** had entered the stable, the examined the body of deceased, who was alive, and found a mark on the lower part of the chest, extending between the ribs on each side; the mark was quite discoloured. Mr. Davis went for Dr. **BLAND** before deceased died, and returned with him in six or seven minutes. The entire horse stood in a stall at the end of the stable, and it was directly behind that stall that deceased was found. Dr.

Bland arrived within ten minutes after the deceased was seen by witness lying on the stable floor; when the horse was secured, witness observed that the head-stall was broken. **ANN LLOYD** corroborated the testimony of the preceding witness, and stated in addition she heard the horse stamp twice, when hearing groans from the stable she ran out and called for help, not only to get the horse stopped from getting into the street, but also to get assistance for the deceased, whom she saw lying on the ground. Dr. Bland having made a *post mortem* examination of the body, corroborated the evidence of the preceding witnesses as to the external injuries, and said that on opening the body and examining under the surface where the external injuries were visible, he discovered a large wound in the posterior and upper surface of the right lobe of the liver, which injury must have been followed by a shock of the nervous system, and was the cause of death. The jury found a verdict of died of injury caused by being accidentally kicked by a horse. *Herald, April 3*

SENTINEL, 3/118, 08/04/1847

INQUESTS. - An inquest was held on Saturday last, in the Wheat Sheaf Inn, George-street south, on the body of **MARGARET GUEST**, then lying dead in the benevolent Asylum, who had been found drowned in Cook's River, near Prout's Bridge, on Thursday afternoon. Mr. **J.C. RUSSELL**, resident surgeon in the Asylum, having certified that there were no marks of violence on the body, and that it presented an appearance as if death had been caused by suffocation from drowning. A verdict of found drowned was recorded. - A second inquest was held at the same place on the body of an old man named **JOHN MURPHY**, also lying dead in the Benevolent Asylum, into which he had been admitted on Thursday, the 31st ultimo, and had died early on the following day (Good Friday.) Mr. **RUSSELL** certified that when deceased was admitted into the Asylum he was in a dying state, but when roused appeared to be quite sensible; he made no complaints against any person; Mr. Russell attributed his death to age and infirmity, influenced by pre-existing disease. A verdict of death, the result of natural causes, was recorded. - A third inquest was held at the same place, on Tuesday afternoon before the coroner and a jury, touching the death of **ISAAC ROGERS [REGUS]**, then lying dead in the Benevolent Asylum, whither it had been removed after death from the house of **MICHAEL JOICE**, Clarence-street. Mr. Surgeon **RUSSELL** had viewed the body, and with the exception of bruises on the knees and toes, which might have been occasioned by deceased falling down, there were no marks of violence on it. From the appearance of the body and the history of the case death (in his opinion) had been the result of natural causes. A verdict of died by the visitation of God was returned.

MAITLAND MERCURY, 5/289, 10/04/1847

WINDSOR. - DREADFUL ACCIDENT. - As a resident in this district, named **JOHN NOWLAN**, was sitting on his dray, coming towards Windsor, on the Sydney Road, near Box Hill, the leading horse took fright at a dead animal lying across the road, and bolting off drew the shafter round, and upset the dray on the body of **NOBLE** (sic). The poor man lay in this most helpless and distressing state, with the dray over him, for three hours, when a traveller coming up released him from his dangerous position, and brought him to the hospital in Windsor. On being examined, it was found that he had received most dreadful injuries, both internally and externally; his ribs are nearly all broken, also his collar bone, and his flesh mutilated in a shocking manner. He is lying in the hospital in a most dangerous state, and in our opinion it will be the merest chance should he recover. *Herald, April 6*

MAITLAND MERCURY, 5/290, 14/04/1847

THE CONVICT KEAN. - This unfortunate man, who was convicted of wilful murder at the last criminal sessions, has been ordered for execution on Friday, the 30th instant. The prisoner was convicted before Mr. Justice Terry, on the 4th February last, at Sydney, of the murder of **ELLEN HYNDES**, at Campbellfield, in the district of Campbelltown, on the 21st January last. *Herald, April 10*

SENTINEL, 3/119, 15/04/1847

ACCIDENT BY LIGHTNING. - On Tuesday afternoon, during the thunderstorm that happened in Sydney, the electric fluid struck the ketch Ebenezer, lying off Whittle's wharf. The vessel was not injured, but we regret to say that the lightning struck Captain **NORRIS**, singeing the flannel shirt he wore and his clothes down to his feet, taking a portion of the boot off. Several of the men at work on board were also struck, and so severely injured as to be obliged to be conveyed home, and doubts exist whether some of them will survive.

THE CONVICT KEAN. - This unfortunate man who was convicted of wilful murder at the last criminal session, has been ordered for execution on Friday the 30th instant. The prisoner was convicted before Mr. Justice Therry, of the murder of **ELLEN HYNDES**, at Campbellfield, in the district of Campbelltown, on the 21st January last.

INQUEST. - A Coroner's Inquisition was held at the Bark Huts public house, Liverpool Road, on the body of **MARY KILFOY**, then lying dead in a house on the Liverpool Road. The evidence was as follows:- **MARY ROWLINS** of Bourke Town deposed that she had practised as a midwife, that on Wednesday last she was called to attend the deceased, who was then in labour; witness had reason to believe that deceased had been drinking on Sunday as well as on Monday previous to her confinement; soon after witness saw deceased, the latter was delivered of a child, which did not live more than one minute after it came into the world; there were marks on the body of the child, but they were not marks of violence; after the birth the mother complained of a severe pain in her stomach; when witness directed warm water to be applied to the place where the pain was, and it did not relieve the pain, a doctor was sent for, soon after he had been sent for a person came and told witness not to be deceived, as Mrs. Kilfoy was dead; she never complained of being ill-used or ill-treated by any one; when witness confined deceased she was at her full time, and was the mother of nine children; when witness was called in to attend deceased there was some brandy in the house, of which witness gave her about half a glass full with sugar, and warm water. Mr. **D.J. TIERNEY**, M.D., deposed that he had made a *post mortem* examination of the body of deceased and that he believed the hemorrhage after delivery had been the cause of death; also, that he had opened the body of the infant, and from the appearance it was alive when born; there were no marks of violence on the body of either the mother or the infant. The Jury found a verdict of died from hemorrhage consequent upon the want of proper medical aid in child-birth.

MAITLAND MERCURY, 5/291, 17/04/1847

THE MURDER IN EAST MAITLAND

On Thursday last, **PETER PIDGEON**, who is charged with the murder of **WILLIAM TAYLOR**, late of Illawarra, was finally examined before the Maitland bench, and having declined to make any statement, was committed for trial. As the summary of the case against him published in the *Mercury* of the 20th March was

imperfect, we have made the following abstract of the evidence from the lengthy depositions taken in Maitland and Wollongong:-

It appears Taylor many years ago drove the mailcoach between Singleton and Maitland, but had been for some years settled in Illawarra, where he had a cart, two horses, and some little property, and got a living by selling fish, and by the use of his horse and cart. He was known by the name of "**Coachey**," and is described as a small-made man, about five feet two inches high, with remarkable small hands and feet; and as being a great smoker. Pidgeon was also pretty well known in the Illawarra district, having worked there formerly as a farm labourer for about a year and a half. He left that district about two years and a half ago, and appears to have come to this part of the country about that time. About a year ago Pidgeon again removed to Illawarra, and representing himself to have been ill to a farmer there, named **WATERS**, who had known him many years, he obtained permission to live in a skillion attached to Waters's house, and did rough jobs about the place for his food.

Renewing his acquaintanceship with Taylor, Pidgeon told him he had a horse and cart in this district, and was doing well with them, there being a great demand for carts to convey coals to Morpeth. He thus persuaded Taylor that he would make a very good thing of it, if he brought up his own cart and two horses to be employed in the same work, and they finally left Illawarra together to come overland. The date of this has not been ascertained exactly, but it appears to have been early in June last. Pidgeon said nothing to Waters of Taylor's leaving with him, but merely told him he was himself returning to this district. When they left, Taylor had on a pair of greenish drab moleskin trousers, a blue-striped Guernsey shirt next his skin, a corduroy waistcoat, and a red plush waistcoat with sleeves. He had also with him in a box a Jum Crow hat with the glaze off, which he usually wore when travelling.

It appears that they travelled on all right as far as the Wollombi at least, for they reached the house of a farmer there named **MEDHURST** on a Saturday, being then about forty miles from Maitland, and on the Great Northern Road from Sydney to this district. Here they stopped the night, and told Medhurst they were going to settle near Maitland, and next morning, after getting a feed for their horses, they started again on their journey. At Mr. M'Dougall's public-house they again called (in June, Mr. M'Dougall thought), and stopped there an hour and a half, watering their horses. Taylor here reminded Mr. M'Dougall of his having known him formerly, when he (Taylor) was driver of the mail from Singleton; and Mr. M'Dougall having asked if he would sell the shaft-horse, he refused, saying they depended on their cart and horses for a living in Maitland, where they were not strangers. This is the last trace at present discovered of the two men being seen together, or of Taylor's being seen alive.

The next trace there is of Pidgeon is at a farmer's named **MINSLOW**, residing between Hinton and Nelson's Plains, about seven or eight miles from East Maitland, near which the body of the murdered man was found, as formerly stated, on the 17th of October. Pidgeon arrived at Minslow's, who had known him for ten or twelve years, in the month of June, bringing with him a cart and two horses, but having no companion. He asked Minslow if he might leave them at his place for a day or two, till he had a place for them, telling him that he had come overland from Wollongong, where he had bought them as they stood. Minslow agreed, and Pidgeon left there, but took away one of the horses, a brown one, in a few days; and at the end of about three weeks, during which time he had been often backwards and forwards to Minslow's place, he took away the other horse and the cart, saying that he would return at the ensuing races, when they would go to them together. It was proved that Pidgeon had

sold the brown horse to a man named **MICHAEL DOWNEY**, and the receipt is dated 13th July. Pidgeon appears, when he left Mislows, to have stopped one night in West Maitland, with the horse and cart, at a lodging-house kept by Mr. **JOHN MAHER**, near the Northumberland Hotel. He told Maher that he had bought the horse and cart that same day in Maitland, and had given £13 for them. This surprised Maher, in whose house he had often lodged before, and who had always found him very poor, and often unable to pay for his lodging. The next morning, when he left, he told Maher that he was going overland to Illawarra.

On his way back Pidgeon was not seen by Mr. M'Dougall, but when passing Mr. Medhurst's the latter saw and hailed him, and Pidgeon stopped for a few minutes. Little more than three weeks having elapsed, Medhurst was surprised to see him alone, and with only one horse, and asked him if he was leaving for Maitland. Pidgeon replied yes, he could do no good there, and was going back to where he came from. Medhurst asked what he had done with his mate. He replied that he had gone round by water, and was going to meet him at the other side of the country. Pidgeon then left, and went on his journey.

Pidgeon re-appeared in Illawarra alone, and on foot, about three or four weeks after he had left it, and applied to Waters for the loan of £2, towards buying Taylor's horse and cart, saying he had left him at Maitland, and had come down himself by sea, as he had not sufficient to buy them at once. In a few days Waters obtained the money, and gave it to Pidgeon, who then left, and returned in less than a fortnight with the cart and one of the horses (a bald-faced horse). When asked what Taylor was going to do, he said he was going to buy a light cart, and work his other horse.

About the beginning of November, Pidgeon again left Illawarra, riding the bald-faced horse, but leaving the cart there. He put up again at Maher's, and in a day or two he put the horse to grass in a paddock of Mr. Wood's, in East Maitland. At this time he called on Minslow, and borrowed £1 from him, and in a day or two after went to work for him during the harvest. He remained there nearly six weeks, and leaving on the 14th January, he received £5 odd for wages from Minslow. Returning apparently to Maher's, he became anxious to sell his remaining horse in a few days, and on the 25th January he sold him to Mr. **BROWN**, of the coal works, East Maitland, for £7. He then left the next morning for Illawarra by sea.

When he returned there without the horse surprise was again excited, and he stated, in answer to queries, that he had left the horse at Wiseman's Ferry, where he got crippled. Suspicion increased, however, and he was at length required by the Wollongong bench to appear and account for his possession of the property. He stated that he had bought the cart and horse in East Maitland, at Mr. Nicholson's inn, in the presence of a man named **HYNES**, and could readily find him, or even Taylor himself. As nothing definite could be brought against him, the Wollongong bench, after communicating with the Maitland bench, allowed him to depart.

Pidgeon immediately left for Maitland, and arrived at Maher's on Wednesday, the 10th of March, about dinner time. Maher had been examined by Mr. **DAY** only a day or two before, in consequence of the communications from Wollongong, and he now immediately spoke to Pidgeon about the affair. Pidgeon appeared surprised, but stated that he had bought the things honestly, and had a witnessed receipt of it. Maher told him no one charged with murder should stop in his house, and Pidgeon left Maitland again immediately after dinner, and appears to have gone back to Illawarra at once.

Meanwhile the preliminary examinations taken here had reached Wollongong, and the bench there immediately issued a warrant for Pidgeon's apprehension, and search

being made in his room at Waters's, a variety of clothing belonging to Taylor was found there, and was later taken possession of by the police, who also took the cart. On Pidgeon's arrival at Waters's, on the 27th March, Waters took him in custody, having been instructed to do so. Being handed over to the police, Pidgeon made various statements as to what had become of the horses – saying that he had sold one by Taylor's own request, and had handed the money over to him in some street in Maitland, no person being present at the time. Of the clothing found in his room, Pidgeon claimed several articles sworn to have been Taylor's, saying that they had always been his, but to the lockup keeper at Wollongong Pidgeon stated that he had bought the things from Taylor.

The proof of Taylor's being the unfortunate man whose body was found near East Maitland rests mainly on the evidence of a married woman named **HARRIET ORPHAN**, living at Illawarra, near Taylor's, and who for many years had washed for him, mended his clothing, and put his house in order for him. She positively identified a fragment of a corduroy waistcoat found on the body as having been Taylor's, it still having on it a piece of moleskin with which she herself covered a hole in the waistcoat pocket. Of the other remnants of clothing she was nearly equally certain. Of his hair she appeared to entertain no doubt, and of the skull she said she had not the least doubt of it being Taylor's, from the teeth, the general shape, the nose, and the height to which the hair reached. Taylor was a great smoker, and had two teeth out; **WILLIAM WHITE** thought they were missing from the lower left jaw; **JAMES KENT** thought from the upper jaw. White had lived with Taylor for some time, and often slept in the same room with him; and Kent had known him well. In the skull of the body found, two teeth were missing from the lower jaw. The clothing found on the body agreed with the description of that worn by Taylor when he left, and was considered by Kent and M'Dougall to resemble exactly what they had observed Taylor wearing when he left Illawarra, and when he passed through Wollombi.

Scarcely a question was put by Pidgeon to any of the witnesses, and he maintained, during the examinations, a quiet, unembarrassed demeanour.

ACCIDENT BY LIGHTNING. - On Tuesday afternoon, during the thunderstorm that prevailed in Sydney, the electric fluid struck the ketch *Ebenezer*, lying off Whittle's Wharf. The vessel was not injured, but we regret to say that the lightning struck Captain **NORRIS**, singeing the flannel shirt he wore and his clothes down to his feet, taking a portion of the boot off. Several of the men at work on board the vessel were also struck, and so severely injured as to be obliged to be conveyed home, and doubts exist whether some of them will recover. *Herald, April 14*

MAITLAND MERCURY, 5/292, 21/04/1847

FATAL ACCIDENT. - On Saturday a carter [**PATRICK DONAGHEY**] employed by Mr. **P. GREEN** was passing through the flour mill while a bag of wheat was being hoisted into an upper storey, when it slipped from its fastenings and fell on the unfortunate man, striking him on the back of the neck. He was extricated immediately, and being found to be seriously injured, he was removed to the hospital, where he lingered until yesterday evening, when he expired.

AWFULLY SUDDEN DEATH. - In the course of yesterday (Thursday), intelligence reached Parramatta of an old man who gains a precarious livelihood by charcoal-burning, while proceeding from his residence in the Liverpool district, on reaching Smithfield suddenly fell off a cart he was driving, and on a person who had observed

the occurrence, in a few minutes afterwards going to him, observed he was lying on the ground quite dead. *Herald, April 16*

SENTINEL, 3/120, 22/04/1847

INQUEST. - A Coroner's Inquisition was held on Monday afternoon, in the Harp of Erin, public house, Sussex-street, on the body of **GEO. LOYAL**, then lying dead in the same locality. According to the evidence the deceased had been complaining for twelve months past, but was able to move about. On Sunday morning he rose, went into the back yard, and alarmed his wife and several other inmates by his screams, when he was carried back into his house, where he remained in sensible till he expired on Monday morning before daybreak. Mr. **MONTGOMERY**, apothecary, having deposed that death had been caused by inflammation of the pleura and disease of the stomach, a verdict of died by the visitation of God was recorded.

COUNTRY NEWS.

THE MURDER IN EAST MAITLAND.

(*Maitland Mercury, April*)

Long account.

BUTLER, THE MURDERER. - Intelligence has reached Bathurst that this man has been relieved, and his sentence of death has been commuted to transportation for life.

PARRAMATTA.

AWFULLY SUDDEN DEATH. - In the course of yesterday, (Thursday), intelligence reached Parramatta of an old man who gained a precarious livelihood by charcoal-burning, while proceeding from his residence in the Liverpool District, on reaching Smithfield suddenly fell off a cart he was driving, and on a person who had observed the occurrence, in a few minutes afterwards going to him, observed he was lying on the ground quite dead.

MAITLAND MERCURY, 5/293, 24/034/1847

THE LATE FATAL ACCIDENT. - On Wednesday an enquiry was held at the Maitland Hospital, before **E.D. DAY**, Esq., P.M., into the cause of death of **PATRICK DONAGHEY**. From the evidence then given, it appeared that on Saturday last, about one o'clock, a bag of wheat, containing three bushels, was being hoisted up to the fourth floor of Mr. P. Green's flour mill, Campbell's Hill, when Mr. **GREEN**, who was standing on the second floor, observing the hold of the tackle was not secure, called out "stand from under, that bag will fall." The bag had just reached the fourth floor, when the miller, **HENRY GURR**, who was standing there, tried to take hold of the bag and land it, but at the moment it slipped from the tackle, and fell through the trap-door on to the first floor. At this instant poor Donaghey, who was passing on the first floor, and had not heard the alarm, was just underneath the trap-door, and the falling bag struck him on the side of the temple, and knocked him down. Mr. Green saw the accident, and ran down instantly, exclaiming that the man was killed. On raising the poor fellow, however, Mr. Green found he was sensible, and able to speak, but that he was unable to move a limb. He was taken out to the air, and a doctor sent for, the man himself being anxious that he should be bled without delay. Dr. **BEARDMORE** arrived in about twenty minutes, and bled him, and also applied a mustard poultice, but finding that he continued labouring under paralysis of the whole body, he had him removed to the Hospital on Sunday morning. Under the care of Drs. Beardmore and **M'CARTNEY** everything was done for him, but without avail, and on Tuesday afternoon he died. The deceased was a widower, and has left four young

children, all boys. He had been for some time in Mr. Green's employ as a carter and waterman, and Mr. Green has very kindly taken charge of two of the poor children, and we are happy to hear both the others have also found protectors, although we have been unable to learn their names.

INQUEST. - A coroner's inquisition was held yesterday afternoon, in the Harp of Erin public-house, Sussex-street, on the body of **GEORGE LOYAL**, then lying dead in the same locality. According to the evidence, the deceased had been complaining for twelve months past, but was able to move about. On Sunday morning he rose, went into the back yard, and alarmed his wife and several other inmates by his screams, when he was carried back into the house, where he remained insensible till he expired yesterday morning before daybreak. Mr. **MONTGOMERY**, apothecary, having deposed that death had been caused by inflammation of the pleura and disease of the stomach, a verdict of died by the visitation of God was recorded. *Herald, April 26*

BUTLER, CONVICTED OF MURDER. - Intelligence has reached Bathurst that this man has been reprieved, and his sentence of death has been commuted to transportation for life. *Herald, April 21*

MAITLAND MERCURY, 5/294, 28/04/1847

ACCIDENT. - Yesterday information reached Maitland that a man in the employ of a farmer named **KELLY [KEEFE]**, at Swan Reach, had met with severe injuries from getting entangled with the works of a thrashing machine. Medical assistance was sent for, but we had not heard the result last evening.

SUICIDE. - On Monday evening a woman named **SEYMOUR** was crossing the Hunter at Morpeth in the punt, when she suddenly jumped overboard and was drowned. Up to noon yesterday her body had not been found. The unfortunate woman had been staying a short time, we believe, at Mr. Burgess's, at Hinton, and left there that evening. She had been drinking, it is said, but was not drunk when she entered the punt. It is rather a singular circumstance that some months ago she is said to have jumped overboard from a boat in Sydney Harbour, when her husband [**GEORGE SEYMOUR**] sprang in after her, endeavouring to save her life; she was saved, but her husband was drowned. [see also Atlas, 2/106, 05/12/1846]

MAITLAND MERCURY, 5/295, 01/05/1847

SUDDEN DEATH. - On Wednesday an inquiry was held before **E.D. DAY**, Esq., P.M., at Mr. Callaghan's, Plough-in n, West Maitland, into the cause of the death of **JAMES BURNS**, who died in the house the same morning. It appeared that Burns had been labouring some months under inflammation of the lungs, originating from a cold, and had a great reluctance to consider himself really ill, or to follow the directions of the medical man to whom he applied in New England, where he had resided for some years. Burns at length determined to come down to Maitland to get cured, and he accordingly came down with **JOHN HOPKINS**, a carrier, about Christmas last; his aversion to medical advice returning, he went back to New England, after having purchased some medicine. He got worse again on arriving there, and once more came down with Hopkins. They arrived at Maitland on the 10th of April, and put up at Mr. Callaghan's, and for above a fortnight Burns thinking he felt better, refused to get medical advice. On Monday last, however, he got a blister, and the next day, when Hopkins started again for New England, he said he felt better, and would stop and get cured, and overtake him on the mail in a few days. About twelve o'clock on Tuesday night, however, Mr. Callaghan was aroused by Burns,

whom he found very ill, and Dr. **M'CARTNEY** being sent for, Burns was bled, and medicine administered, although the doctor saw there was no hope of his recovery. A messenger being sent after Hopkins, he returned, and remained with Burns till he died, about five in the morning. Dr. M'Cartney having stated that he died of disease of the lungs, a verdict was recorded of natural death.

THE TRASHING MACHINE ACCIDENT. - We are sorry to hear the poor man **KEEFE**, whose leg was injured by getting entangled with a thrashing machine, as noticed by us last Wednesday, continues in a very precarious state. The injury was of a very serious nature, the whole of the inner part of the leg, above the instep, having been crushed to a shapeless mass by the machine.

SYDNEY NEWS. - The unfortunate man **KEAN**, who was convicted of the murder of **ELLEN HYNDES**, at Campbellfield, is to be executed tomorrow.

MAITLAND MERCURY, 5/296, 05/05/1847

SYDNEY NEWS.

EXECUTION. - Yesterday, **JOHN KEAN** underwent the extreme punishment of the law on the drop at Darlinghurst Gaol, in pursuance of the sentence passed on him at the last Supreme Court Sessions, for the murder of **ELLEN HYNDES** at Campbellfield. It appears there *were* no extenuating circumstances which could be produced in his trial, for a mitigation of his sentence. As regards religion this man when he became an inmate of the gaol was in the utmost ignorance or darkness, but since his condemnation, by the unremitting exertions of his clergy, who were most assiduous in instructing him in the knowledge of religion, he became penitent, and his conduct and demeanour have been uniformly pious, always anxious to be instructed in the tenets of his persuasion. Since his confinement he had become very corpulent. His *appétit* never fulfilled him up to the day before his execution. The *early* part of the night previous to his execution was passed in prayer, *after* which he retired to rest, and slept soundly until nearly Ave (sic) o'clock the following morning, when he was roused from his sleep by the watchmen on duty. At five minutes past nine the Under Sheriff went to his cell and read the warrant to him, when he came forth attended by the Rev. Mr. **M'CORMACK** and the Rev. Mr. **ROOHE**. His walk was quick from the cell to the scaffold, and after being engaged in prayer for some minutes he was placed under the fatal beam, when the Her. (sic) Mr. M'Cormack went forward and addressed the multitude, stating that Kean had desired him thus publicly to proclaim that he acknowledged the Justice of the punishment he was about to undergo, and that **HOGAN**, the man whom he had once implicated in the murder, was totally and entirely innocent, and that he (Hogan) had no act, part, or deed in the murder, either directly or indirectly, and he beseeched all who were present to pray for his [soul?]. The Rev. gentleman then retired. On the signal being given, the drop fell, and the unfortunate individual died after a few struggles. After the body had remained the usual time, it was taken down, and immediately conveyed in a cart to the General Hospital for dissection. The concourse of people to witness this horrible spectacle, although numerous, was not so great as on former occasions, but as usual, females and children made up the majority of the spectators. *Australian, May 1*

SENTINEL, 3/122, 06/05/1847

COURT OF QUARTER SESSIONS

MONDAY

THE EXECUTION OF KEANE. - The unfortunate **KEAN**, who was found guilty, at the last Criminal Sessions of the wilful murder of **ELLEN HYNDES**, at

Campbelltown, suffered the extreme penalty of the law on Friday, morning last, in front of Darlinghurst Goal (sic). The prisoner was accompanied to the scaffold by two Romanish Priests, by whom he was aided in his last devotions. The Rev. Mr. **M'CORMACK** then came forward to the front of the stage, and addressed the multitude on the part of the unhappy criminal. He stated that he had been authorized by the prisoner to declare publicly, that he (the prisoner) acknowledged the justice of his sentence, and that the man **HOGAN**, whom he had accused was wholly innocent, and knew nothing whatever of the matter. The Rev. gentleman then withdrew, and the executioner having completed his arrangements, in a few moments the wretched being was launched into eternity.

The crowd assembled was very great, no similar spectacle having been exhibited in Sydney for about two years. As usual, a great number of females were on the ground, the appetite of the sex for sights of horror being always the same, and affording a melancholy proof of the innate depravity of the natural taste. We are not prepared wholly to abolish capital punishments, but we do think that the great object proposed by all punishments, viz. the preventing of crime in others, would be more effectually answered by private executions than by such disgusting exhibitions as that to which the women and children of Sydney hurried on Friday evening last, as though it were some grand entertainment.

MAITLAND MERCURY, 5/297, 08/05/1847

FATAL ACCIDENT. - On Saturday evening, as the wife of a shoemaker, residing at Newtown, was cutting down a candle for her husband's use, she fell, when the knife entered her throat, and deprived her of life. An inquest was held on the body yesterday afternoon, when it appeared that the unfortunate deceased had ran for some distance towards a neighbour's house after she had been wounded, holding her apron to her neck to prevent the blood flowing. She was found lying on the ground by **GEORGE HARGRAVE**, a boy; the boy ran for his father, who went to her, and found her dying. Dr. **CUTHILL** was sent for, but she died before his arrival. Her husband and an apprentice who lived with them were both absent when the accident occurred. It had been reported that she was drunk at the time, but no evidence was adduced in proof of it. The jury returned a verdict of died in consequence of a wound accidentally received in the throat. *Herald, May 4*

FATAL ACCIDENT. - On Wednesday evening, about sundown, four persons started from Maitland for Lochinvar in a bullock dray, belonging to Mr. **ALLAN**. The parties were, **WILLIAM COLE** (driver), **ELIZABETH WALLIS**, **ALEXANDER JOHNSON**, and **HENRY LANDER**. Lander had been drinking during the day, but was not drunk, and on arriving at Mr. Wright's, Rutherford, they all alighted and got something to drink. Lander here drank two glasses of rum, but was sober enough to talk quite collectedly to Mr. Allan, who came up just before they again started from Wright's, and accompanied them on horse-back for some distance. The party appear to have gone on all right till they came within sight of Lochinvar, when Lander called Mrs. Wallis's attention to the lights visible, saying they should soon be home. In two minutes after Mrs. Wallis heard a groan, and turning her head missed Lander, who had been sitting near her, and found he was lying on the road, and that the wheel was going over him. She called out, and all springing out of the dray, they ran and lifted up poor Lander, who only spoke once after the accident, and died before they could convey him to Lochinvar, the wheel having gone over his chest. An inquiry was held on the body on Thursday, before **E.D. DAY**, Esq., P.M., and a verdict returned of accidental death.

CHARGE OF MURDER. - On Sunday last, two men, named **JOHN RYAN** and **JOHN DONAHOE**, in the employ of Mr. Dawson, were at Black Creek the greater part of the day, Donahoe, in particular, having drunk a good deal. About nine o'clock, Mr. Lloyd, of the Bush Inn, supplied Ryan and a man named **JOHN GRADY** with a bottle of rum. Between Grady and Donahoe, who had been long acquainted, it appears a grudge had arisen not long since, from Donahoe having called Mrs. Grady names. At this time Donahoe was in bed at Mr. Lloyd's, Mr. L. having with much difficulty persuaded him to lie down. About ten, however, he got up, and insisted on having his mare and saddle. He then left, riding the mare. Some time after he called again, and wanted more drink, but Mr. **LLOYD** refused. He then turned away, as if to go across the creek homewards, leading the mare. Near the creek side stands the hut of a man named **MICHAEL O'BRIEN**, past which Donahoe was seen to go soon after, towards the creek. Grady, whose hut is not far off, on the other side of the creek, had also passed by O'Brien's hut about half an hour before, on his way homewards, parting with Ryan at O'Brien's hut, into which Ryan went and remained for two hours. Mrs. O'Brien, her daughter, and Ryan, all saw or heard Donahoe go by the hut, and shortly after Mrs. O'Brien heard angry cries from the creek. She called her husband out, who also heard them, and Ryan also heard an angry exclamation from the creek. About two hours after Ryan called at Grady's, on his way home, and asked Grady where his mate was, to which he received no answer. The next morning Ryan again called early at Grady's, and found Donahoe lying in some straw outside, and having in vain tried to induce him to rise, Ryan threw a rug over him and left. Some time after he called again, and finding him still lying there, he called Grady, and they together got Donahoe into Grady's hut, and laid him on a sofa. Donahoe appeared much hurt, but said it was his own fault. Continuing very ill, Donahoe sent for Mr. **DAWSON** the next day, but made no distinct statement as to how he was injured, further than that he fell from his mare. As he did not appear seriously ill, Mr. Dawson did not anticipate that the injury would prove fatal so soon, but sent for Dr. **GLENNIE**. The deceased lingered, however, till Wednesday evening, when he expired. Ryan and Mr. Dawson's overseer were with him when he died, and had been for some hours. Grady has been apprehended on a charge of murder, and several depositions have been taken, but as the examination is still going on, we abstain from giving full particulars.

INQUEST. - On Saturday last an inquest was held at Hinton, before **J.S. PARKER**, Esq., coroner, on the body of the unfortunate woman, **CATHERINE SEYMOUR**. We mentioned in the *Mercury* of the 28th April that she had thrown herself out of the Hinton punt into the river, on the Monday previous, and was drowned. The body was not found till last Saturday morning, when a man named **ANDREW BYRNS** discovered it floating in the river, about a quarter of a mile below the punt. It appeared by the evidence that Mrs. Seymour had been for about eleven weeks in the service of Mr. **BURGESS**, of Hinton, and had been discharged and paid off on the morning of Monday, the 26th April. At her own request she accompanied Mrs. Burgess to Maitland in a spring cart, but getting very drunk and abusive, Mrs. Burgess would not take her back again in the cart. In the evening she called at Mr. Burgess's for her bundle, and was refused admission, and Mr. Burgess's son took her bundle out to her. She cried bitterly at this, and appeared quite despairing, and Mr. **GRAHAM**, of the punt, in vain tried to persuade her to go into his house, or to go on to Morpeth. He left her, and went into his house for a minute, and was astonished when he came out again by a cry from his puntman, **JOHN CLANDILLON**, that some person was in the river. Mr. G. put off in a boat for the object, appearing like a bundle of clothes,

that had attracted Clandillon's attention, but it went down before he could reach the spot. He had left the unfortunate woman sitting by the punt, and no one saw her jump in, but on searching the punt he found her bonnet lying in it. Deceased was much given to drinking, and appeared scarcely in her right mind when drunk. The jury returned a verdict that the deceased destroyed herself when labouring under great excitement from various causes.

THE STEAMER "THISTLE." - An unfortunate occurrence took place on board this steamer yesterday, whilst on her passage from the Hunter to Sydney. When about two miles to the northward of Caper Three Points, a cry of person being overboard was heard from the fore part of the vessel. Captain **MULHALL** immediately stopped the engines, and reversed them; the boat was instantly lowered, and the vessel rounded to, but nothing could be seen of the person reported to be overboard. Upon inquiry, however, of the passengers forward it was ascertained that a female, who had come on board at Newcastle, had thrown herself over the side, that one or two of them had endeavoured to frustrate her purpose, but her shawl coming off in their hands, they were unable to do so. There is no doubt that the unfortunate woman was drowned, but every exertion was made by the master, officers, and crew to save her, to a statement bearing testimony of which the whole of the passengers on board have signed their names. *Sydney Morning Herald, May 5*

SERIOUS ACCIDENT FROM DRUNKENNESS. - On Thursday a number of labourers in the employ of Mr. **CROFT**, farmer, of Cooley Camp, were paid their wages, and resolving to have a spree, they procured some rum, and got gloriously drunk. One of them, an elderly man, named **JAMES NIMMO**, on the course of the evening went off with a horse and cart to fetch some water from a water hole, and, although the horse was vicious-tempered, Nimmo carelessly started without putting on the blinkers. He had got a very short distance from the house when the horse started and ran away. Nimmo was thrown from his seat, and dragged for some distance, as he persisted in holding the reins till they broke, although meantime the wheel had passed over his loins, head, and the lower part of his leg, breaking two ribs, and his leg just above the ankle. A messenger was immediately despatched into Maitland for medical assistance, and on the arrival of the doctor at Cooley Camp, he found the man suffering from compound fracture of the leg, but otherwise not much injured.

MAITLAND MERCURY, 5/298, 12/05/1847

SYDNEY NEWS.

SUICIDE. - A female, about thirty years of age, named **MARY LANG**, who was sent to the gaol at Darlinghurst, on the 5th instant, as a disorderly person, was found yesterday morning in her cell suspended by the neck from the iron gate therein, she having made use of her blanket for that purpose. She had been frequently confined in gaol on similar charges; and on receiving the last sentence she told another female who was with her in the watchhouse, that she would hang herself some time or other. An inquest was held yesterday at the gaol, and a verdict of *felo de se* was returned. *Australian, May 8*

SENTINEL, 3/123, 13/05/1847

ATTEMPTED SUICIDE. - On Monday, about noon, **THOMAS BOUNCE**, carpenter and joiner, residing in Erskine-street, was given in charge to constable **M'KEON**, for attempted suicide. It appears, that just before he was placed in custody Mr. **WHITELOVE**, a hawkler, residing in that locality, was called in by a man who was lodging in Bounce's house, to help him prevent Bounce from destroying himself,

when Whitelove ran in, and found Bounce hanging from one of the rafters, by a clothes line, and life nearly gone. He cut him down, and he recovered so far as to walk to the watch-house. He has made several attempts some time since, and is the same man who was accused some years ago of setting fire to the Victoria Theatre, for which he was tried, but acquitted, the proof being considered defective.

MAITLAND MERCURY, 5/299, 15/5/1847

THE MURDER AT BLACK CREEK. - On Thursday **DARBY DOWD** and **JOHN GRADY**, the two men charged with the murder of **JOHN DONAHOE**, at Black Creek, were fully committed for trial. The examinations have occupied several days, and numerous depositions have been taken. As we are rather pressed for room in this number, we will reserve the particulars for publication in our next.

JAMES NIMMO. - In the *Mercury* of last Saturday, we mentioned that a man named **JAMES NIMMO**, residing at Cooley Camp, had met with a serious accident while driving a cart, by the horse running away, when the wheel passed over Nimmo's loins, head, and leg above the ankle. It was found impracticable to set the leg, from the nature of the fracture, and Nimmo having been removed into the Maitland Hospital, his leg was amputated on Thursday by Dr. **M'CARTNEY**, assisted by Drs. **SLOAN and NEARDMORE**. Nimmo bore the operation with great fortitude, although at first he was unwilling to submit to it. Up to yesterday evening the patient was doing remarkable well.

ATTEMPTED SUICIDE. - On Monday, about noon, **JAMES BUNCE**, carpenter and joiner, residing in Erskine-street, was given in charge to constable **KEON**, for attempted suicide. It appears, that just before he was placed in custody, Mr. **WHITELOW**, a baker, residing in that locality, was called in by a man lodging in Bunce's house, to help him prevent Bunce from destroying himself, when Whitelove ran in, and found Bunce hanging from one of the rafters, by a clothes-line, and life nearly gone. He instantly cut him down, when life not being extinct, he was soon so far recovered as to walk to the watch-house. He has made several attempts some time since, of a similar description, and is the same man who was accused some years ago of setting fire to the Victoria Theatre, for which he was tried but acquitted, the proof being considered defective. On Tuesday Bunce was brought before Captain **INNES**, charged with attempting suicide, when evidence was given of the condition in which he was when Mr. Whitelove cut him down; also that a few days previous he had attempted to drown himself. In answer to the question from the bench, "You hear what has been sworn against you," the prisoner replied, "I admit all that has been sworn to be true; I had been drinking, and whenever I drink it makes me mad, as I had a hurt on my head which makes the liquor affect my brain; but I am in my right senses now, and if your Worship will pardon me this time, I will never take any more liquor or attempt to take my own life." The bench, after expressing a hope that he would keep his promise, ordered him to be discharged. *Herald, May 13*

THE MURDER AT BLACK CREEK. - In our last publication we mentioned that **DARBY DOWD** and **JOHN GRADY** were committed for trial, on Thursday last, for the wilful murder of **JOHN DONAHOE**, at Black Creek. In this case very lengthened depositions have been taken, and the following is an abstract of the evidence.

It appears that on the night of St. Patrick's Day last Grady was in Maitland, leaving his wife and children at home. About the usual hour Mrs. Grady and her children retired to rest, and a man named **JOHN BOWMAN**, who had been working for

Grady some time, laid down on a sofa. Shortly afterwards a man named **SHEEDY**, an intimate friend, knocked at the door, and being admitted and finding the family retired to bed, he laid down on an old coat, and went to sleep. Soon afterwards a noise being heard in a skillion attached to the hut, Mrs. Grady called Bowman, who got up, and going in saw a man get out at the window. On reporting this, Mrs. Grady said it must be Donahoe, as the dogs had not barked. Immediately after this a tap was heard at the door, and Bowman opening it he was knocked down as he stepped out, on which he called to Sheedy, who came out and commenced fighting with the man, who was recognised by Mrs. Grady to be Donahoe. After a few rounds the two men parted, Donahoe going away, and Sheedy and the family retiring again to rest. Since this occurrence it appears Grady and Donahoe have been on bad terms, having previously been very friendly. Donahoe has several times since applied opprobrious epithets to Mrs. Grady, and in particular did so on passing their hut on the morning of Sunday, the 2nd May.

During the course of Sunday it appears that Donahoe had been drinking a good deal at Mr. Lloyd's public house, and other places, and during the same day several men, namely, **DARBY DOWD**, **THOMAS JAMES**, and **JOHN RYAN** (the latter Donahoe's mate), had been drinking at the house of a man named **ROGER CAVENAGH**, in Black Creek. Just before sundown Grady also entered Cavenagh's house, and joined the party. After a short time Grady called Cavenagh aside, and asked his advice as to what steps he should take relative to Donahoe's abusing his wife, saying that he thought of applying to Mr. **DAWSON**, Donahoe's employer. Cavenagh advised him to do so. After this nothing further appears to have been said in Cavenagh's house. Between nine and ten o'clock Grady and Ryan left Cavenagh's house together, and appear to have gone to Mr. Lloyd's, where Grady obtained a bottle of rum, with which they left. Just at this time Donahoe, who was very drunk, returned to Mr. Lloyd's for more drink, but Mr. Lloyd refusing him, he told Ryan that he should go home. Grady was standing with Ryan at the time, but no conversation passed between him and Donahoe. Donahoe, who was leading a young horse, then turned off to go homewards by the road, while Ryan and Grady went towards the latter's hut by a short cut. When they got to the hut of a man named **MICHAEL O'BRIEN**, however, Ryan stopped and went in, while Grady went on to his home.

Past this hut also, it appears, lay Donahoe's shortest road home and in about a quarter, or half an hour (for the evidence varies), Donahoe passed, and Ryan opened the slip rails for him. The lane which passes O'Brien's leads immediately after down to the bed of the creek, which it crosses, and ascending the opposite bank passes Grady's hut, the distance between the two huts by this lane being about 250 yards.

Whether from the reports previously current, or from conversation passing that evening, does not clearly appear, but Mrs. O'Brien seems to have been apprehensive of some collision between Grady and Donahoe, and hearing angry voices from the bed of the creek immediately after Donahoe went down the bank, she called her husband, who, with Ryan, came out and listened. Michael O'Brien deposes that he heard Grady, on the other side of the creek, say, "You old rascal, you called my wife a w----"; that Donahoe replied, "I am a better man than you ever was." To which Grady replied, "No, I am a better man than you; I am a man every inch of me, and high ho for Ireland." That, after going on this way for some time, Grady said, "You old vagabond, I have got you at last." That, after this, hearing no further words, O'Brien concluded Grady was taking Donahoe to the lockup, and went into his house again; and that he heard no blows struck. Mrs. O'Brien deposes to hearing the same words nearly, and also to hearing Grady say, "Come on, come on," several times; the last she

heard being from Grady, "Come on, you old vagabond, I have got you at last"; and that she heard no blows struck, nor any other voices than Grady's and Donahoe's. Ryan deposes to hearing only a few words uttered by Grady, viz., "Come on, come on," although to whom he spoke he could not tell, nor did he heard any words from Donahoe; but in a second deposition Ryan swears that he heard only Grady's and Donahoe's voices from the creek. After this Ryan and Mrs. O'Brien went into O'Brien's hut, and Ryan left O'Brien's place about an hour after, and went on to Grady's, where he found Grady, his wife, and three men, namely, Darby Dowd, Thomas James, and Roger Cavenagh. Ryan deposes that he asked where Donahoe was, but he got no answer.

It further appears that James and Dowd, who were in Cavenagh's when Grady and Ryan left his house, also left some time after them, and James, at Dowd's invitation, accompanied the latter homewards. Their path taking them near Grady's, they went towards his hut, and met with him standing still at about 30 yards from his hut, on the side furthest from O'Brien's. When they came up Grady called out, "Is that you, Dowd?" Dowd replied, yes, and Grady then went with them into his place. They had scarcely sat down when some one passed, and Mrs. Grady said, "There's Donahoe going past, and he called me a w---- to-day." Dowd opened the door, and said, "Where is he?" Dowd went after Donahoe, and asked him why he called her names, and they continued "jawing" for some minutes, when Grady followed them, and in five minutes after James deposes that he went down too. When James got to them, he found Donahoe with his shirt off, Dowd with his waistcoat off, and Grady standing by, no horse being visible. Just at that moment Donahoe was following Dowd, wanting him to fight. James endeavoured to part them, but finding them bent on fighting, he stood by, and witnessed one severe round between them, which ended by both falling heavily, Dowd uppermost, and across Donahoe's belly. Dowd then attempted to rise, when Donahoe caught him by the shirt and brace, and Dowd kicked him, as James thought, on the shoulder. James then persuaded Dowd to go up to the hut with him, leaving Grady, who had not spoken a word, James states, with Donahoe. Grady remained about ten minutes away, and when he entered the hut, said he had put Donahoe's shirt on. Donahoe had said nothing in James's presence of being struck by any one else. About a quarter of an hour after the fight, Cavenagh came in Grady's house, having been attracted by the noise he heard; and in about half an hour after the fight Ryan came in.

No one appears to remember Ryan having asked any questions, but Cavenagh asked what the row had been about, and some one e replied that there had been a fight between Donahoe and Dowd. Some time afterwards, after Ryan had come, Cavenagh asked where Donahoe was, and some one, he believed it was Grady, replied that they did not know. Cavenagh rose to go away shortly afterwards, and Mrs. Grady asked him to go and see if Donahoe was still lying near the stockyard. Accordingly Cavenagh, Dowd, and Mrs. Grady went out to look, and they found Donahoe in the corner of the stock-yard, on his side, and unable to get up. Cavenagh asked Donahoe if he knew him. Donahoe replied, "Yes, well." Cavenagh asked him to come in out of the cold. Donahoe replied, "For Heaven's sake let me lie here a bit, and put something over me." Cavenagh observed that his shirt was off, and laid it over him, and they left him there, Cavenagh remarking that he would get better in an hour when he got sober; Cavenagh's impression being that Donahoe was then very drunk. Cavenagh then went home. Some little time after James and Dowd left also, but Ryan remained, and slept at Grady's that night.

In the morning early Ryan deposes that he went out and found Donahoe still lying in the straw, and asked him to go home with him, but that Donahoe refused, and that he then put a rug over him, and left him, going over himself to O'Brien's, where he stopped all day; that in the evening he crossed over again to Grady's, and found Donahoe still lying in the straw, and that, getting Grady to assist him, they removed Donahoe into Grady's hut, and laid him on the sofa. Ryan states that shortly after he went home (to Mr. Dawson's), not much conversation having passed between himself and Donahoe. On Tuesday morning Ryan states that he again visited Donahoe for a short time, but that little conversation passed between them, and that Donahoe made no complaint.

On Tuesday morning Mr. Dawson first received information that Donahoe had got hurt in a drunken row, and in the afternoon he went to see him, after having sent off for Dr. **GLENNIE**. Mr. Dawson found Donahoe lying on the sofa or pallet with his clothes on; he complained of pain in the stomach, of vomiting blood, and of being able to retain nothing on his stomach; but he spoke and looked so little different from usual that Mr. Dawson hardly thought him in danger. He asked Donahoe how it happened; Donahoe replied that he had fallen from his mare and got hurt; Mr. Dawson asked him how he could tell falsehoods when lying on what might be his death-bed; Donahoe then acknowledged that he had not told the truth, but said he was so drunk that he did not know how it happened or who did it. Grady gave Mr. Dawson no account of the affair. The same afternoon constable **SMITH** visited Donahoe, but not being left alone with him for a moment he did not press him with questions, and only heard from Grady that Donahoe and Dowd had been fighting, when Donahoe made no remark.

About twelve or one o'clock on Tuesday night Grady went for Ryan, whom he told that Donahoe had sent him to fetch him. Ryan deposes that he then went to Grady's hut, and remained with Donahoe till he died; that Donahoe never complained of any one having ill-used him, and said several times that it was his own fault. About mid-day on the Wednesday constable Smith again visited Donahoe, whom he found outside lying in the straw; Smith pressed him to go in, out of the cold, but Donahoe refused; Smith remarked that more than one person must have been beating him, to have left him in that state, but Donahoe only replied, "Any how I am done for." Dr. Glennie was not able to visit Donahoe till Wednesday, when he found him complaining of great pain in his abdomen, particularly the lower part. Dr. Glennie used the catheter, and prescribed for him, but before he could again visit him he had died.

On Wednesday evening **JAMES O'CONNELL**, Mr. Dawson's overseer, took the medicine to Donahoe that Dr. Glennie had ordered, which Donahoe took. O'Connell deposes that he remained with Donahoe for three hours, when he died; during this time he was never alone with him, and could not gather from him how the affair occurred. Ryan and Mrs. Grady were attending on Donahoe also, but Grady was not home till after the death, on learning which Grady said he was very sorry for it. Dowd had also remarked to James, during Wednesday, on learning how ill Donahoe was, that he was very sorry for it.

Dr. Glennie made a post mortem examination, when he found the posterior part of the bladder torn through, and the whole of the intestines in a high state of inflammation. Dr. Glennie certified that he considered Donahoe's death to have been occasioned by the escape of urine into the cavity of the abdomen, caused by the rupture of the bladder; and that he had noticed several bruises about the head and face.

Constable Smith has since measured and gone over the ground with James and O'Brien, and it appears that the spot where Donahoe and Dowd fought must be 150 yards from the spot where Grady and Donahoe were quarrelling when O'Brien heard them, Grady's hut being also between the two places; O'Brien deposed that the voices he heard could not have come from the spot where Donahoe and Dowd fought.

INQUEST. - Yesterday an inquest was held at the Cross Keys inn, West Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **ALEXANDER WELCH**. It appeared that about the end of April Welch had been drinking a good deal, and that on Wednesday, the 28th April, he returned home drunk about three o'clock in the afternoon, and went to bed. In about an hour he began to feel pains in the back, to which it appears he was subject, and for which he had been recommended to rub his back well before the fire. He got out of bed for this purpose, and seeing his son in the room, who had charge of the house in the absence of his mother, he asked him for a shilling; the lad refused, saying that he would only go and get drink with it. The father attempted to lay hold of him, but the lad ran out of doors. Welch then appears to have sat down on the hearth, with his back to the fire, in order to rub it, for in a few minutes he was heard crying out, and his youngest son, peeping through the window, saw his father in flames. He called out to his brother, who ran in, and found the back of his father's shirt in a blaze; he tore it off as quickly as he could, and then ran for Mr. **WHITTLE**, a neighbour, Mrs. Welch being at this time in East Maitland. Mr. Whittle found Welch dreadfully burned all over the back and on both hands; and calling in another neighbour, they rubbed his back and hands with linseed oil, and put him to bed. Mrs. Welch came home as soon as she heard of the accident, and the next morning Welch consented to see a doctor. Dr. **HARRINGTON** accordingly attended him every day, but in spite of all care he died on Monday last; the previous intoxication having heightened the inflammation. A verdict of died from burns received while in a state of intoxication, was returned. Welch has left a widow and three children.

MURDER AT PENRITH.

It is with deep pain we record another frightful murder, which was committed about the beginning of the present month, at or near Penrith. The unfortunate victim was a Mrs. **ELIZA MOSS**, of Mudgee, who, accompanied by her servant, **FRANCIS MORLEY**, came down to Sydney for the purpose of purchasing supplies. On their return homewards, it would appear the dreadful crime was committed by Morley, under circumstances too horrible to put on paper. The murdered has just been lodged in Darlinghurst gaol, and will be tried at the next Criminal Sessions. *Sydney Correspondent of the P.P. Herald*

SENTINEL, 3/124, 20/05/1847

DRAY ACCIDENT. - INQUEST. - About five o'clock on Friday evening, as **JAMES PURVIS**, of Sutton Forest, was returning from Sydney, along the Parramatta Road, on his way home with a bullock team drawing a dray with about two tons weight of stores on it, he took his seat on the pole of the dray, and remained there till they arrived near Thomson's public-house, when he was jolted off, and the dray passed over his chest, which breaking his ribs and otherwise injuring the trunk of the body, caused instantaneous death. An inquest was held on the body on Monday afternoon, in the Red Lion public-house, Parramatta Road, when Dr. **CUTHILL** having certified as to the extent of the injuries, that they were probably produced by the means already stated, and must have caused instantaneous death. The Jury returned a verdict of died from injuries, accidentally received by a dray wheel passing

over his body. The deceased has left a widow and two infant children to lament his fate. He was generally known and respected among the inhabitants of the Berrima district as a sober, industrious, and persevering immigrant.

MURDER. - A report reached Bathurst, on Sunday the 16th instant, of a murder committed at O'Connell Plains, on the previous night, by the sister of Butler [**MARY LACEY**] (tried and convicted of the wilful murder), who stabbed her husband [**JOHN LACEY**] in the belly with a pair of shears. From what we can collect at present, it would appear that the deceased, his wife, and others, were at Bathurst on Saturday, and did not leave until eight o'clock in the evening, when they were all rather intoxicated. Some altercation and angry words took place, when the woman took up a pair of shears and struck the deceased in the belly; from the wound inflicted, the man shortly after died. Further particulars we shall be able to forward by next post. *Berrima Correspondent of the Herald.*

MAITLAND MERCURY, 5/301, 22/05/1847

REPORTED MURDER. - A report was current yesterday in Maitland that a murder was committed in or near Singleton on Wednesday, the rumour being that a bullock driver had murdered a woman.

DEATH BY DROWNING. - Yesterday morning the body of a man was seen floating in the river, neat the Catholic chapel. **THOMAS HOLMES** and some of the neighbours got a boat and brought the body ashore, when it was recognised as being that of **JOHN POTTER**, a man who had been employed by Mrs. **M'DONALD** as a shell-boat man. He has been missing, it appears, since last Saturday evening, having been last seen alive about seven o'clock, in company with **HUGH M'DONALD**, a man who had also been in Mrs. M'Donald's employ, but who had left her service the previous day. The two men were seen proceeding towards High-street, at seven o'clock on Saturday evening by Mr. **WALL**; they were then conversing in a very friendly manner, appeared to have had some drink, but were neither of them drunk. Neither of the two men have since been seen alive, so far as was known yesterday afternoon, when an inquiry was held on the body by **E.D. DAY**, Esq., P.M., at Mr. Callaghan's. Dr. **M'CARTNEY** examined the body, but found no marks of violence on it; from its condition and appearance he had no doubt that death was caused by drowning. The inquiry was adjourned, to allow of inquiries being made for Hugh M'Donald.

SUDDEN DEATH. - Yesterday morning a man [female **BRANDY**] died suddenly in a boat, while crossing the river near Morpeth. We have not heard his name, nor the result of the inquiry held on the body yesterday afternoon.

HUNTER RIVER DISTRICT NEWS. - **RAYMOND TERRACE.**

MELANCHOLY OCCURRENCE. - A poor old man, of rather unsound mind, left this on Tuesday last, to walk to Port Stephens; he called at Irrawang, which place he left on Wednesday. One of the men there gave him some provisions to carry with him for his use. It appears the poor creature had soon wandered from the road, for on Sunday morning he was found lying nearly naked in the bush, only about two miles from Irrawang, in an almost lifeless state. The efforts made to save his life were unavailing; he soon ceased to breathe. Notice was received here, and the body was taken charge of by the officials, who brought it immediately into the township. On Monday a judicial inquiry was made by them as to the cause and circumstances of his death. Dr. **CADELL** performed an after death examination of the body; the stomach was empty but healthy; the lungs had been at one time in a state of acute inflammation, and were considerably injured; the *matter* covering the brain exhibited

marked disease; there was no mark or suspicion of violence; he appeared about sixty years of age. No doubt the morbid state of his mind made him wander into the trackless forest; he had lost his provisions and part of his clothes; being naturally of a weak constitution, having suffered much from disease, the want of food, the wet and the cold, had caused his death.

MURDER.

A report reached Bathurst on Sunday, the 16th instant, of a murder committed at O'Connell Plains, on the previous night, by the sister [**MARY**] of **BUTLER** (tried and convicted at the late Assizes of wilful murder), who stabbed her husband [**JOHN LACEY**] in the belly with a pair of shears. From what we can collect at present, it would appear that the deceased, his wife, and others, were at Bathurst, on Saturday, and did not leave until eight o'clock in the evening, when they were all rather intoxicated. Some altercation and angry words ensued, when the woman took up a pair of shears and struck the deceased in the belly; and, from the wound inflicted, the man shortly after died. Further particulars we shall be able to forward by next post. *Bathurst Correspondent of the Herald.*

SUDDEN DEATH. - We mentioned in our last that a man had died on the morning of Friday, the 21st instant, in a boat near Morpeth. It appears that it was not a man, but a half-caste native woman, named **BRANDY**. For several years Brandy had been in the service of Mr. Hyde, a farmer, at Coolie Camp, and about eleven o'clock on Friday morning she started from Coolie Camp in a boat for Morpeth, accompanied by Mrs. Hyde, the master of the *Young Queen* cutter, and a black man named **DIDO**. Brandy, who was a stout, hearty woman, had been pulling for some distance, and was joking and laughing with her companions, when she suddenly fell over the oar she was pulling, and when raised up was found quite dead. She had not uttered either sob or groan, and up to the fatal moment had appeared in perfect health. The occurrence took place opposite Captain Pattison's house, and her companions proceeded up the river as far as Mr. Ballard's wharf, where they landed. In the afternoon an inquiry was held into the cause of her death before **E.D. DAY**, Esq., P.M., when the above evidence was given by Mrs. **HYDE** and **JAMES MAW**, the master of the cutter. Dr. **EDYE** made a *post mortem* examination, and found that deceased had died from disease of the heart, and it was his opinion from the symptoms that she must have died suddenly, and without warning. A verdict was returned of died from natural causes.

MAITLAND MERCURY, 5/302, 26/05/1847

ANOTHER DEATH FROM DROWNING. - It is reported that another death from drowning has occurred this week, a man having been found floating near Pitnacree on Monday. We cannot say whether the report is correct.

DELIRIUM TREMENS. - On Friday last **JOHN MARTIN** died in the Hospital from the effects of delirium tremens, brought on by excessive drinking. It is somewhat remarkable that this was the messenger sent in by Mr. **CROFT**, from Coolie Camp, for a doctor at the time **NIMMO** met with the accident; Martin was then so drunk that he led the doctor about five miles out of his course, although it was a clear night. Nimmo, we are glad to hear, is doing very well.

SERIOUS CASE. - Information was brought to the chief constable of Parramatta on the Homebush course that some time in the forenoon a fight had taken place between two men on the Liverpool road, and that one [**PATRICK FOLEY**] was killed by a blow from the other. The man was stated to have been immediately taken in charge by a ticket-of-leave holder who saw the occurrence. Mr. **RYAN** at once sent off constables to remove him into Parramatta. *Herald, May 22*

SENTINEL, 3/125, 27/05/1847

MURDER AT BATHURST. - INQUEST. - On Sunday the 16th instant, an inquest was held at Macquarie Plains, on the body of **JOHN LACEY**, who died early on the morning of that day; when a verdict of wilful murder was returned against **MARY LACEY**, the wife of the deceased. On Sunday night, she was safely lodged in Bathurst Gaol, to await her trial at the next assizes.

THE MURDER AT BLACK CREEK

(From the Maitland Mercury)

In our last publication we mentioned that **DARBY DOWD** and **JOHN GRANY** were committed for trial, on Thursday last, for the wilful murder of **JOHN DONAHOE**, at Black Creek. [Two columns]

INQUESTS. - An inquest was held on Saturday, by the Coroner for the district of Parramatta, **C. BETHEL LYONS**, Esqr., at the Angel Inn, on the Liverpool Road, touching the death of **PATRICK FOLEY**. Four men were in custody – **ALEXANDER** and **THOMAS MACARTHUR**, **PATRICK O'BRIEN**, and **GEORGE GODFREY**. The particulars of the case appear to be that the deceased, who was in the service of Mr. **WILD**, M.C., who attended the inquest, was on Friday proceeding along the Liverpool Road in company with a man of the name of Godfrey, who had at one time been Foley's overseer; Godfrey driving a cart, and having got into some dispute with O'Brien, one of the prisoners, about being on the wrong side of the road, after some sharp words had been exchanged, they commenced fighting. The two Macarthurs then came up and endeavoured to separate the combatants, the deceased went up to Godfrey, and a regular melee, which lasted some few minutes, seem to have ensued, and at the conclusion of which the deceased was seen lying on the ground – and on Godfrey's lifting him up, he was found to be insensible, and in about ten minutes afterwards he expired. All the witnesses, with the exception of a boy, distinctly stated that no person struck the deceased, and although the boy averred that the deceased was struck by O'Brien with his whip, yet as the testimony of the other parties examined was positive, that at the time alluded to O'Brien, who appears to be of rather violent temperament, struck Godfrey with the whip as that person had just picked up the deceased, and was removing him to the road side, there was every reason for believing a mistake had been made in the identity of persons, more particularly as, whilst some of the evidence was close to the spot, the boy was at some little distance from it. Dr. **W.S. BROWN** deposed, that on examining the deceased he found considerable swelling on the right side of the neck, with great discolouration on it, as also on the back, extending to the collar bone, and on making a *post mortem* examination of the head, found great effusion of blood under the external appearances; but there was no fracture, the brain was very much congested, the ventricles full, the right one containing about two ounces of blood and serum, together with clots of coagulated blood; and there was laceration of the external jugular. Comprehension (sic) of the brain must have been the consequence of this effusion, and the cause of death. There was nothing externally beyond the swelling to indicate the nature of the injury, which might have been caused by a blow. The skin, however, was not broken, and it is possible death might have been the result of a fit; but which could not have produced the external swelling, although coming into contact with a solid substance might have done so. It was improbable that a fall would have done it. A wish being expressed that the evidence of Godfrey should be taken, he was discharged. His statement confirmed that of the previous witnesses, and he felt perfectly satisfied that the deceased was not struck by any one; but at the spot where

he fell there was an inequality in the road – a sort of bank. A man named **BURROUGHS** having at this stage of the proceedings stated that a man in the employ of Mr. **HOSKINGS**, at Campbellfield, had reported the deceased had been kicked in the stomach and neck, an adjournment was mooted for the purpose of procuring the attendance of this party, but after some little consultation the statement in question being merely a report from Burroughs, and the whole of the evidence taken agreeing in the particulars of the occurrence, the Jury expressed themselves satisfied with it, and brought in the verdict, that the death of Foley was caused by accident but there was no evidence before them to show how the accident occurred. The Chief constable stated that he should make every inquiry to ascertain the correctness of the report ascribed to Mr. Hoskings's man, and in the event of proving so, further proceedings will doubtless be taken. The three remaining parties in custody were then discharged.

On Monday last, four inquests were held in Sydney, one of which was held in the Yorkshire Stingo, corner of Castlereagh and Goulburn-streets, on the body of **JOSEPH LANLEY [LANGLEY]**, whose death according to the evidence of Dr. **FULLERTON** had been caused by the rupture of an aneurism of the ascending *aorta*. The aneurism was very large, and its rupture must have produced instantaneous death. A verdict of died by the visitation of God was recorded.

Two other inquisitions were also held at the Three Tuns Tavern, corner of Elizabeth and King-streets, one was on the body of **MARGARET O'MARRA [O'MARN]**, then lying dead in Elizabeth street, aged about sixty-seven years, who had died on the afternoon of Sunday last, according to the evidence of Dr. **TIERNEY**, in consequence of her labouring under dropsy. In this case a verdict of died from natural causes was placed on the record.

There was another inquest held in the same premises, on an aged man named **JOHN QUIN**, who had died in brougham-place, on Sunday last, according to Dr. **TIERNEY'S** evidence, of *hydrothorax*. In this case the jury returned a verdict of death by the visitation of God.

A fourth inquest was held on the body of **WILLIAM KABLE**, in the Canterbury Arms, Canterbury, who had been found drowned in a water hole in that locality on Sunday afternoon. A verdict of found drowned was returned by the Jury.

Another inquisition was held Tuesday afternoon, in the Wheat Sheaf public-house near the Benevolent Asylum, on the body of **WILLIAM CLARKE**, late an inmate of the Benevolent Asylum, where his body was viewed by the jury. Verdict of died by the visitation of God was returned by the Jury.

MAITLAND MERCURY, 5/304, 02/06/1847

BATHURST. - MURDER. - On Sunday, the 16th May, an inquest was held at Macquarie Plains, on the body of **JOHN LACEY**, who died early on the morning of that day. It appeared that Lacey and his wife had quarrelled the previous night in their bed-room, in consequence of the wife returning home intoxicated at a late hour, when Lacey suddenly ran out of the room, exclaiming, "I'm a murdered man," and it was found that he had been wounded in the side with a pair of sheep-shears. He died before medical aid could reach him. There was no evidence to prove how he was wounded, nor did he make any dying declaration, but his wife, on her apprehension, said, "She had butchered her husband, and was willing to suffer for it." It also appeared that the woman had been much ill-used. A verdict of wilful murder was returned against Mary Lacey, the wife of the deceased; and on Sunday night, about eleven o'clock, she was safely lodged in Bathurst gaol, to await her trial at the next

assizes. She is sister to **BUTLER**, convicted at the assizes in January last of wilful murder, and had been indefatigable in her exertions to save her brother's life. *Herald*, May 26

CASSILIS. - A report had reached Cassilis that a man named **PALFRAY**, residing on the Goulburn River, was missing.

DEATH BY FIRE. - On the 15th May, **MARY M'GILLIVRAY**, daughter of a small settler on Mr. Hickey's farm, below Hinton, was left in the hut but for a few minutes with two smaller children, when suddenly she ran out calling for her mother; her father, who was near, saw that her clothes were on fire, and he ran to her, and tore off her clothes, and covering her over with flour, he left her with her mother while he went for Dr. **STREET**, of Hinton. Dr. Street promptly attended, and found the poor girl very extensively burnt on her back and legs. She lingered for nearly a fortnight in great agony, and then died. From an impediment in her speech, she could not tell how the accident occurred, and the other children were too young; but she had probably gone to the fire to warm herself, as it was a cold morning. An inquest was held on the body on Friday last, before **J.S. PARKER**, Esq., coroner, when a verdict was returned of died from burns received by her clothes accidentally taking fire.

To the Editor of the Maitland Mercury.

SIR - We were glad to see in your paper of Wednesday last a correction of your report in your paper of Saturday, with regard to the poor black woman "**BRANDY**." But still this is not satisfactory, as we do not see any reason why this poor creature, although her skin was black, should not be treated like any other British subject who died in a similar way. According to your report she was, so far as the inquiry went; but after that her body was given over to the blacks, who brought her to Hinton in a boat, and said the constables lent it to them to bring her away (apparently glad to get rid of her without further trouble), out of which they took and laid her on the bank of the river, in the same state as the doctor left her after having made a *post mortem* examination, with nothing to cover her more than the few tattered rags she had on, and those all covered with blood, which made it appear more like the treatment of a beast than a human being. Now as the government furnishes the means to bury the dead in such cases, we want to know who is to blame, as it was not done in this instance.

The inhabitants of Hinton would have been much annoyed had they not got up a subscription to provide a coffin. This was done with the hope that the blacks would have removed her, but as only three were there they could not do so, when Mr. **THOMAS HYLAND**, near whose door the body was laid, kindly took it away with his horse and cart to the place where the blacks wanted to bury her.

Apologising for taking up so much of your time and space in your widely circulated journal, we are, sir, your obedient servants,

INHABITANTS.

Hinton, May 27, 1847

SENTINEL, 3/126, 03/06/1847

INQUEST. - Two inquests were held on Monday afternoon, in Cunningham's tavern, corner of King and Clarence-streets, one on the body of **MARGARET LYNCH**, then lying dead in her residence in Clarence-street. It appeared that the deceased lived in a miserable hovel, opposite, the Old Court House, where one of her neighbours saw her alive about seven o'clock on Sunday evening; she had been complaining for the last two months of her legs and a severe cough, but had no medical attendance. The same neighbour went to see her about six o'clock on Monday morning, and found her dead. She was about fifty-five years of age. Dr. **SILVER** had made a post mortem examination of the body, and was of opinion that death had been occasioned by the combined effects of advanced age and disease of the heart. Verdict, died by the visitation of God.

The other inquest was on **CROPPER SMITH**. Mr. **MACFARLANE** was of opinion that death was caused by suffocation in consequence of deceased over cramming his mouth with food, whilst labouring under incapacity of mind. The jury returned a verdict to that affect.

SUPREME COURT

Monday

Before his Honor Mr. Justice Therry.

GEORGE TATUM, was indicted for the manslaughter of **JOSEPH KIKRLAND**, at Parramatta, on the 15th of march last. Not guilty – discharged.

INQUEST. - An inquisition was held on Friday afternoon, in Victoria-street, Darlinghurst, on the body of **LOUISA M’GEE**, which had been found in a well near her husband’s residence of the preceding day. It appeared by the evidence that she had for some time been of unsound mind, and had thrown herself into the well some hours before her husband left his bed. A verdict of found drowned was recorded.

MAITLAND MERCURY, 5/305, 05/06/1847

ORIGINAL CORRESPONDENCE.

To the Editor of the Maitland Mercury

SIR – Having observed in your last number a letter signed “Inhabitants,” imputing blame to the police for not taking sufficient care that the poor black woman “**BRANDY**” was buried decently, after the inquest, I beg to hand you the following statement of facts.

Soon after the inquest had terminated, I informed Mrs. Hyde that I had orders from Mr. Day to get a coffin made for the deceased, when she desired that the body might not be removed from Mr. Ballard’s house by any person, as she would send a boat early next morning, and have the deceased removed to her own house, and bury her. A similar request was made by an aboriginal native, who was then present, and claimed the deceased as his sister. The body was accordingly allowed to remain on the premises of Mr. Ballard, and was taken away on the following morning by the sister of deceased, a half-caste native, and two others. Had it not been the express wish of Mrs. Hyde and the black man, that the body should remain until they fetched it away, a coffin would have been provided with the least possible delay, and the deceased would have been interred on the following morn ing. - I am, sir, your obedient servant,

JAMES M’GUINNESS,

District Constable.

Morpeth, June 3, 1847

SUPREME COURT.

CRIMINAL SIDE. - MONDAY, MAY 31.

CUTTING AND STABBING. - **SAMUEL NIXON** was indicted for cutting and stabbing his wife, **ELLEN NIXON**, on 13th May. He was found guilty of a common assault, but remanded.

MANSLAUGHTER. - **GEORGE TATUM** was indicted for the manslaughter of **JOSEPH KIRKLAND**, at Parramatta, on the 15th March last.

It appeared that prisoner and deceased had quarrelled, and blows had been exchanged, when it was proved the prisoner had struck deceased with his fist. According to medical evidence the deceased’s death had been caused by a cut on the head, which must have been done with some blunt instrument. It was also proved that deceased had a cut on his head previously, which he said had been caused by a fall.

The jury returned a verdict of not guilty, and the prisoner was discharged.

Tuesday, June 1st.

STABBING. - **WILLIAM WHITE** was indicted for having stabbed **STEPHEN GRAY** with a knife, on the 24th March last.

The evidence for the prosecution proved that on that morning White and Gray had a struggle to prevent some goods being placed in a cab, and that White was seen to have

a knife in his hand, which was bloody after the struggle, from which Gray arose stabbed in several places. The evidence for the defence went to prove that White, in his trade, had to carry a knife about him, and that on this occasion Gray wanted to fight him after the struggle, while the knife had been held by two hands during it. The prisoner, in defence, said that Gray must have cut himself with the knife after he had seized hold of it from the prisoner's breast.

The jury retired, and returned with a verdict of not guilty.

STABBING. - **CEDRO LASCO** was indicted for having cut and wounded **MOONBARUCK**, an Arab, with a sharp instrument, on the 16th May.

Very contradictory evidence was given in this case, the prosecutor and his witnesses stating that he was wounded without provocation by Lasco, while other witnesses stated the prosecutor was only pushed out of the house by the prisoner, when he fell down the steps and cut his head.

The jury returned a verdict of not guilty.

MANSLAUGHTER. - Yesterday four men were brought before the Parramatta bench, charged with the manslaughter of **PATRICK FOLEY**; their names are **THOMAS and ALEXANDER MACARTHUR, PATRICK O'BRIEN, and GEORGE GODFREY**. Foley's death occurred on the 21st May, on the Liverpool Road, and an inquest was held on the body, when a verdict was returned that his death was caused by accident, but there was no evidence before the jury to show how the accident occurred. The above four men, who had previously been in custody, were discharged after the inquest, but fresh evidence having been obtained, they were re-apprehended. By the evidence before the bench it appeared that the four men and the deceased were all engaged in a fight on the Liverpool roads, and the deceased was knocked down by a blow from O'Brien, who then kicked him in the neck, after which Foley never moved. This was only witnessed by one man, the other witnesses going to prove that Foley was injured by the fall. The post mortem examination by Dr. **BROWN** went to show that death had been the result of compression of the brain, arising from an injury on the neck, just behind the ear; the injury had been caused by a blow of some kind in Dr. Brown's opinion. The four men were all committed for manslaughter. *Herald, June 3*

ACCIDENT. - Several inquests have been held on persons who have fallen over the precipices around Fort Phillip. The last was on a seaman killed by falling over into Kent-street. The jury who sat on the inquest held on his body, through the coroner, called the attention of the government to the dangerous state of that locality; to which an answer was subsequently returned (which answer, for the satisfaction of the jury, was published in the *Herald*), stating that the proper officer had been instructed to get the place securely fenced in. As yet it remains as it was before the representation was made. The consequence of this delay in getting the fence erected, is, that since then several persons have tumbled over, and been more or less injured. The last occurrence of this kind reported occurred about seven o'clock on Monday evening, when **RACHEL HARWOOD**, of Prince-street, fell from the top of the rock into the quarry in Argyle-street, and was so severely injured that, although no bones were broken, she had to be removed to her own house on a door. *Herald, June 3*

MAITLAND MERCURY, 5/305, 09/06/1847

JOHN POTTER. - In the *Mercury* of the 22nd ult., we published the particulars of an enquiry before Mr. Day into the death of this man, whose body was found floating in the river. Since that day it has been said that he was seen alive in Maitland on the following Monday or Tuesday evening following the Saturday on which he was

missed. On enquiry, however, this has turned out to be very doubtful, and it is still believed the last time he was seen alive was on the Saturday evening, in company with **HUGH M'DONALD**. M'Donald proceeded to Sydney on the Tuesday morning following, and nothing has been heard of him since. There appears no reason to doubt that poor **POTTER** was drowned accidentally, probably while intoxicated, but it is considered desirable that the evidence of M'Donald should be obtained, as he may be able to prove more nearly the probable cause of death.

HUNTER RIVER DISTRICT NEWS. - CASSILIS.

SUSPECTED MURDER. - I informed you in my last that the chief constable of this place had gone to the Goulburn to assist in the search for Mr. **JOSEPH PALFREY**, who had been missed under suspicious circumstances.

Mr. Palfrey had resided at the junction of the Lett and Goulburn Rivers, and was in partnership with a person named **JOHN PURCELL**. About the middle of May he disappeared suddenly, and strong suspicions were entertained that he had been murdered. A strict search was commenced by several of his friends, headed by two of his half brothers, the Messrs. **JONES**, but to no purpose, and suspicions being strongly excited against Purcell, notice was sent to the Cassilis police. Chief constable **KERR** and the sergeant of the mounted police immediately proceeded to the spot, and the search was resumed, but without success. Purcell was, however, apprehended, and forwarded to Cassilis.

Among the parties assisting in the search were Mr. **BLACKSTONE**, of Mudgee; Mr. **CLARKE**, overseer to Mr. B., and Mr. **BRADY**, overseer to another gentleman.

After all search was given up as fruitless, Mr. Brady, with one of his men, went to the river Lett to form a sheep station, and in doing so chancing to pass about a hundred yards from Mr. Palfrey's late residence, he observed his dog scraping away the sand from a particular spot very diligently. Stopping to watch the dog, Mr. B. observed some flies about the place; he drew the ramrod from his gun, and thrust it into the earth, which he found to be loose, but that something hard was beneath. On drawing up the rod, he saw as it were two *threads* adhering to the top of it, and noticed that the flies began to pass down the hole which the rod had made. A spade was sent for, and after digging a hole to the depth of about eighteen inches, Mr. Brady and his assistant came to what they thought was the stump or root of a tree, and were about to abandon their labour, when they fortunately struck on the end of the log, and on removing it they found a bag, which, on examination, was found to contain the body of Mr. Palfrey.

The place where the body was found is on the bank of the Lett, and about a hundred yards from the house. The body was covered again with care, and a guard being set on the place, intelligence was sent to Cassilis, from whence the authorities are gone to hold an investigation. June 7, 1847

SUPREME COURT. - FRIDAY, JUNE 4.

MURDER. - **FRANCIS MORLEY** was charged with the wilful murder of **ELIZA MOSS**, at Lapstone Hill, on the 24th March last. The Attorney General conducted the prosecution, and Mr. Darvall the defence. By the evidence it appeared that Mrs. Moss was the wife of Morley's employer, and that she had visited Sydney to buy supplies, and was on her return to her husband, near Mudgee, on the 22nd March. Morley had accompanied her down and up as bullock-driver. On that day he called at a way-side public-house for liquor, and in handing some to Mrs. Moss, he was observed to strike her; the publican's children followed them for some distance, and saw him endeavouring to place Mrs. Moss on the dray; she appeared to be unable to stand, and he said she was drunk. Three men at short intervals afterwards met and passed

the dray, each of whom saw Morley beating Mrs. Moss with his whip and fist; two of them lifted her on the dray with Morley (at different periods), when she appeared insensible, and Morley tried to strike her head against the wheel, and threw her down more than once with violence; he said the shortest way would be to let the wheel go over her, and bury her – treating her apparently as if she was his wife, and very drunk. The next morning he returned with the dray to the public-house, and pointing to the body of Mrs. Moss, which was lying on the dray, exclaimed, “She’s dead – she’s dead!” The body was then warm, and very much bruised and wounded. A constable was sent for, and an inquest held, when the post-mortem examination showed a great extravasation of blood surrounding the brain, which might have been caused by blows or falls. It was also proved that the deceased had been violated, while insensible. In defence, a medical opinion was given that had the appearance of the brain proceeded from blows on the head, there must have been some external marks of violence; and a witness from an iron-gang was called, who deposed that the prisoner and Mrs. Moss had been formerly criminally intimate. His Honor (Mr. Justice Therry) took four hours and a half summing up, and the jury, having retired for a few minutes, returned a verdict of guilty. The prisoner was remanded for sentence. *Abridged from the Chronicle*

SENTINEL, 3/127, 10/06/1847

SUPREME COURT – CRIMINAL SIDE

Friday

Before his Honor Mr. Justice Therry

FRANCIS MORELY was indicted for the wilful murder of **ELIZA MOSS**, at Lapstone Hill, on the 24th March last.

In opening the case to the Jury, the ATTORNEY-GENERAL said, that in the whole course of his experience he never knew, or heard of a case in which greater brutality was exemplified, and the annals of crime did not describe a greater monster, than, he would be able to show, was the prisoner at the Bar. A number of witnesses would speak as to the facts of the case; and it was worthy of remark, that these witnesses were all strangers to each other – having so far as he could ascertain, never seen each other before the time of the occurrence, which they would detail, and therefore the history they gave could not by any possibility be a story concocted against the prisoner. The deceased woman was wife of a settler, residing at or near Mudgee, and had been to Sydney on business; a dray belonging to her husband, of which the prisoner at the bar was the driver, was in Sydney, and on her return, she, for the sake of economy he supposed, preferred travelling with the dray to taking her passage in the coach. However this may be, there was no trace of them until they reached a place called Lapstone Hill, on the road towards Mudgee. They stopped for the night at Wilson’s public-house, where it is alleged by the prisoner the deceased purchased some rum. They are next seen at Jane’s public-house, on Lapstone Hill, about ten or eleven o’clock in the day named in the indictment (the 24th March), where they stopped a short time and had something to drink, but the woman did not leave the dray. Before they left, the woman of the house (Mrs. **JAMES**) saw the prisoner give deceased a blow with his hand on the face; and again, a few yards from the house, to buffet a blow or blows upon her with the whip he used in driving the team. It did not appear that the prisoner and deceased proceeded more than a mile and a half beyond this place, and on the next morning Mr. James was knocked up at about six o’clock by the prisoner, who had returned with his team, and his exclamation was “She’s dead – she’s dead!” Information was sent to the police, an inquest held, and the prisoner

committed by the magistrates to take his trial for the murder. There was, however, not a tittle of evidence or any provocation on the part of the unfortunate deceased; and were it not for the evidence of the medical gentleman who made the *post mortem* examination, at the request of the coroner, that he discovered proofs of sexual intercourse within a short time – a very few hours – of the decease of the woman, he (the Attorney General) could not fix on anything indicative of what possible motive the prisoner had been induced to the commission of so monstrous a crime. If it should appear that the prisoner was brutalised by drunkenness at the time, that would not at all excuse him; unfortunate indeed would it be for society if such a circumstance should be admitted as an excuse for crime.

The case was fully proved against the prisoner and the Jury returned a verdict of guilty.

The prisoner was remanded for sentence; his case would be argued in banco on Saturday the 12th instant.

AN UNNATURAL MOTHER. - **MARY DUNBAR** free by servitude, living in Brignall's Alley, Kent-street, with a shoemaker named **JOHN CLARKE** was brought up at the Police Court on Saturday before the Mayor and Alderman **HILL**, for a violent assault on her own male infant, aged five weeks. According to the evidence of Mrs. **MARY MORRIS** (also residing in Brignall's Alley), the prisoner, while very much intoxicated on Thursday forenoon, entered witness's house with her infant in her arms, and began scolding her on which Morris desired her to leave the premises, and seeing her unable to get over the step at the door, she took hold of her arm to assist her out. The prisoner was no sooner outside, than she turned round and threw her infant with great force at witness; the infant fell on the ground, by which it was severely injured – its face being cut and other parts of the body bruised. Mrs. Morris then rushed on the infuriated mother and prevented her from trampling her infant to death. She was afterwards taken by warrant on the information of Clarke and lodged in the Female watch-house. The prisoner made no defence. The Bench found the charge proved, and ordered the prisoner to pay a fine of £3 and 4s. 6d. costs, or be imprisoned for three months.

SINGULAR AND FATAL ACCIDENT. - A shepherd in the employ of Dr. **BARKER**, at the Wannon, has it is reported, come to his death in the following singular manner. The unfortunate man had occasion to climb up a tree in order to get down a pair of leggings which had been thrown up in the branches; in this endeavour to get them down his ankle slipped into a forked branch, and he fell over, with his head hanging towards the ground. There was no one present, and being unable to extricate himself, he had hung in that position (sic) for several hours, (from four o'clock in the afternoon till nine in the evening) when an old man on horseback passed; the unfortunate man, who had not yet lost his senses, called to him, and the old man endeavoured to relieve the sufferer, but was unable to do so; he however, rode to the nearest public-house, where a carpenter was at work, and whom he brought to the spot. By this time the unfortunate man was apparently dead, and it was found impossible to extricate him from his position until the branch was sawn through. This was speedily done, and the body, which was hanging only about a foot from the earth, was taken down, but it displayed no signs of life. Another difficulty eere (sic) arose, as there were no means of bringing the body to the public house without a vehicle (sic) of some sort; and another delay was incurred in procuring one. The result was that the unfortunate man never breathed again. His appearance, from the long continued determination of blood to the head, is described as having been frightful. An examination into the cause of death was instituted by Dr. Barker, but

nothing appeared to show that the cause of death was other than the result of accident.
Geelong Advertiser, May 24.

MAITLAND MERCURY, 5/307, 12/06/1847

SHIPPING INTELLIGENCE. - Mr. **DUNCAN BELL**, chief officer of the ship *Wigrams*, fell from the main top of that vessel on the 18th April, and died on the 10th May from the injuries he had received.

On Friday last a lascar, belonging to the *Wigrams*, fell overboard while drawing a bucket of water, and was drowned.

SYDNEY NEWS.

SUPREME COURT. - CRIMINAL SIDE. - SATURDAY, JUNE 5

MURDER. - **FRANCIS MORLEY**, convicted on Friday of the murder of **ELIZA MOSS**, was brought up for sentence, but remanded, that the case might be argued before the full court in banco, on Saturday (this day). The indictment had charged Morley with casting or throwing down and kicking Eliza Miss, and causing her death by blows, &c., with his hands and feet. The medical evidence said her death must have been caused by both blows and falls; but Mr. Justice Therry in his charge to the jury told them that the indictment would be sustained if they were satisfied that death had been caused either by beating or casting down. By a later decision in England, however, it had been held in a case of death by prize-fighting, that it was necessary to prove all the averments, and Mr. Justice Therry stated that he did not feel satisfied in passing sentence until it was decided whether his charge was correct.

SENTENCES.

SAMUEL NIXON, indicted for stabbing, and convicted of a common assault, was sentenced to be imprisoned in Sydney gaol, with hard labour, for six calendar months.

STABBING.

HENRY JAMES SLOMAN was indicted for stabbing with a knife one **G.W. RIDER**, on the 13th May last, with intent to do him some grievous bodily harm.

The jury returned a verdict of not guilty, and the prisoner was discharged.

MAITLAND MERCURY, 5/308, 16/06/1847

FATAL ACCIDENT TO MR. J.G. SMITH. - We are sorry to hear that a lamentable accident occurred to **JOHN GALT SMITH**, Esq., of Woodville, on Saturday night. It appears that Mr. Smith went to bed that evening about nine o'clock, and about one o'clock must have got out of bed, and proceeded from his bedroom to the adjoining one, where he lit a candle. In some way the flame from the candle or match he had used communicated itself to his shirt, and falling forward, in his agitation, he struck his head, and remained insensible for some period. Just over where he fell some clothes were hung on pegs against the wall, and the flame communicating to these clothes, Mr. Smith was dreadfully burned. A servant girl was aroused by his groans, and making to the room, found him still enveloped in flames, and the room filled with smoke. Her screams aroused the household, and a Mr. Smith, a schoolmaster, who chanced to be sleeping in the house, ran in, and after some time succeeded in getting Mr. J.G. Smith out of the room. He was immediately removed to bed, and medical assistance sent for, but the injuries he received baffled all medical skill, and he died at eleven o'clock on Sunday morning. An inquest was held on the body, on Monday, before **J.S. PARKER**, Esq., coroner, and a verdict returned of - Died from the effects of burns, but how received could not be ascertained. The account given above was the substance of what could be gathered from Mr. Smith after the lamentable accident.

The fire in the room was soon put out, the only damage done being the burning of the clothes and the pegs on which they were hanging.

HUNTER RIVER DISTRICT NEWS. - DUNGOG.

Several deaths have taken place in this neighbourhood during the last week, some of a lamentable nature.

WILLIAM HAZELGROVE, many years a trustworthy servant in the employ of Messrs. M'Kay and Hook, dropped dead while saddling his horse, on Monday last; up to the awful moment he had appeared in perfect health. The usual investigation was held on his remains, and he was buried at Stroud.

MELANCHOLY ACCIDENT. - About seven o'clock on Friday evening, as **JAMES GODFREY**, of Windsor, was returning from Sydney along the Parramatta Road, driving a dray drawn by a team of three horses, while descending Johnstone's Hill, near Annandale, the horses started off at a gallop, when one of them knocked Godfrey down, and the wheel of the dray passing over him, killed him instantaneously. It appears he was perfectly sober at the time, and that the occurrence was purely accidental. *Herald, June 14*

INQUEST. - Yesterday afternoon an inquisition was held at the Crispin Arms public-house, Clarence-street, on the body of a male infant, aged between two and three years, named **WILLIAM WHITTAKER**, who had lost his life on Thursday afternoon, in Clarence-street, near the residence of his father, **JOSEPH WHITTAKER**, tinman, by being struck on the head by the foot of a horse, on which a cabman named **WILLIAM ELSON**, in the employ of Jones, cab proprietor, Pitt-street, was racing against a boy, the son of his employer. The enquiry lasted from two till five o'clock, when the jury found the deceased had been murdered by Elson, while riding furiously through the streets under the influence of liquor. Elson, who was in custody, was thereupon remanded to the custody of the police, till he should be committed to gaol to abide his trial. *Herald, June 12*

SELF DESTRUCTION. - About seven o'clock on Thursday evening, **THOMAS TAYLOR**, residing in the house of **JOSEPH BANKS**, in Gloucester-street, was found dead in his bed. There was a tumbler on the table containing part of a white powder, which had been in a paper also lying on the table, and marked "poison." *Herald, June 12*

THE MURDER CASE. - The case of **MORLEY**, convicted of murder, was argued in the Supreme Court on Saturday last, when the judges determined to submit the point for the consideration of the English judges. Sentence of death was then recorded against Morley. *Herald, June 14*

SENTINEL, 3/128, 17/06/1847

INQUESTS. - Friday afternoon an inquisition was held in the Crispin Arms public house, Clarence-street, on the body of an infant aged between two and three years, named **WILLIAM WHITTAKER**, who lost his life on Thursday afternoon, in Clarence-street, near the residence of his father, **JOSEPH WHITTAKER**, by being struck on the head by the foot of a horse, on which a cabman named **WILLIAM ELSON**, in the employ of Jones, cab proprietor, was riding a race against a boy, the son of his employer. The enquiry lasted from two till five o'clock, when the Jury found that deceased had been murdered by Elson while riding furiously through the streets under the influence of liquor. Elson, who was in custody of the police, was thereupon remanded to the custody of the police, till he should be committed to gaol to abide his trial.

Three inquisitions were held on Saturday last. The first was the body of **THOMAS TAYLOR**, whose death had been caused by the deceased taking poison while in a state of temporary insanity, and his funeral was directed to take place between nine o'clock and midnight. - A second inquisition was held in the Red Lion public-house, Pitt-street, on the body of **JOHN CLAY**, an infant aged three days. Medical evidence being given that death was the result of natural causes, a verdict of died by the visitation of God was placed on the record. A third inquest was held in the Wheat-sheaf public-house, opposite the old Toll-bar, on the body of **JAMES GODFREY**, lying in the benevolent Asylum, who had been killed by a dray of which he was in charge, passing over him on Johnstone's Hill, Parramatta road, on Friday evening. The Jury found a verdict of accidental death.

Another inquisition was held on Monday afternoon in the White Hart public-house, corner of Clarence and King-streets, on the body of **MATTHEW KIRWIN**, then lying dead in his brother's house, Hutchinson's-building's, Clarence-Street. According to the evidence, deceased was subject to disease, his brother called in Mr. **P.W. MALLON**, surgeon, York-street, prescribed for deceased; but about nine o'clock, deceased, who appeared then to be going on favourably, became suddenly unwell, and expired in about two hours afterwards. The relatives of deceased, imagining that a sleeping draught which had been prescribed for deceased had been the cause of death, called on the Coroner to hold an inquest on the body, when Dr. **TIERNEY** having made a *post mortem* examination of the body, in conjunction with Mr. Mallon, deposed that death had been caused by the rupture of a blood vessel in the lungs. The medical witnesses also deposed that there were symptoms of very acute inflammation found in the region of the stomach. They both coincided in opinion that death had been caused by the rupture of the vessel in the lungs, which on examination was discovered to be coated with arterial blood. The Jury found that death had been the result of natural causes; but afterwards added, that in their opinion, Mr. Surgeon Mallon had discharged his duty as a surgeon, and that no blame whatever could be attributed to him.

MAITLAND MERCURY, 5/309, 19/06/1847

THE DEATH OF MR. J.G. SMITH. - Since our last number appeared we have been favoured with a sight of the depositions taken at the inquest on the body of the late Mr. **JOHN GALT SMITH**. We observe that the account we published of the melancholy accident is slightly incorrect. It appears the only persons in the house at the time were Mr. J.G. Smith and the servant, **MINUN BROWN**, a girl of thirteen years old. Mr. **CHARLES SMITH**, the schoolmaster, lived opposite, and was aroused by the screams of the girl, who had opened the door to call for assistance on finding her master in flames. Mr. Charles Smith found the unfortunate gentleman sitting on a night stool, with burning clothes on and above him, and the room filled with smoke. Dr. **STREET**, who had been his medical attendant, and was called in immediately, states it to be his belief that Mr. J.G. Smith must have been seized with an affection of the head at the fatal moment. The candle had been burning all night, and was found on the table. With these trifling differences the account given by us was correct.

MAITLAND MERCURY, 5/310, 23/06/1847

HUNTER RIVER DISTRICT NEWS. - CASSILIS.

THE MURDER ON THE GOULBURN. - I have before informed you of the discovery of the body of the late Mr. **JOSEPH PALFREY**, and of the apprehension

of his partner, **JOHN PURCELL**, on suspicion of murdering him. On Wednesday last Purcell was committed for trial on the charge of wilful murder, by this bench. On Friday he was forwarded from this place, on his way to Newcastle gaol, under charge of chief constable **KERR** and the sergeant of the mounted police. June 20th, 1847

SENTINEL, 3/129, 24/06/1847

INQUEST. - A coroner's inquisition was held yesterday afternoon, in the St. Andrew's Tavern, on the body of **CHARLES SHIPLEY**, then lying dead in Clyde-street. The evidence as to the cause of death was to the following effect:- **DAVID KNOWLES**, second mate of the barque *Prince of Wales*, lying at Ebsworth's Wharf, deposed that for some weeks past deceased had been employed as a labourer attached to the *Prince of Wales*; the deceased, with some other men, was employed shipping some hay on Sunday morning when part of the stage gave way, and deceased, with another man, was precipitated into the water; the latter was saved, but Shipley falling under the hay, which also went overboard, never rose to the surface. Dr. **SILVER** having certified that death had been caused by drowning, a verdict was recorded in terms of the medical evidence.

MAITLAND MERCURY, 5/311, 26/06/1847

[Numbered 312 error]

HUNTER RIVER DISTRICT NEWS. - CASSILIS.

THE MURDER ON THE GOULBURN. - **JOHN PURCELL**, charged with the murder of the late Mr. **PALFREY**, arrived at the Singleton lockup on Tuesday last, on his way to Newcastle gaol. The wretched man seems to be in a very distressed state of mind.

CASSILIS. - THE MURDER ON THE GOULBURN RIVER.

JOHN PURCELL, in custody here on suspicion of having murdered **JOSEPH PALFREY**, whose body had been found buried on the bank of the river Lett, near its junction with the Goulburn, as reported in the *Mercury* of the 9th instant, was on Wednesday last committed by the Cassilis bench to take his trial for the murder.

The evidence adduced is entirely of a circumstantial nature, partly derived from the expressions of the prisoner after he had been informed that suspicion rested entirely on him. The ostensible reason alleged for the perpetration of the horrid deed is, that better than three years ago Palfrey (the deceased) had formed a criminal intimacy with **BRIDGET PURCELL**, the prisoner's wife, which continued up to the time of this fatal occurrence.

From the evidence of **BARBARA M'DONALD**, taken at the inquest on the 8th instant, at the Goulburn, where the body was found, and which evidence was read to the prisoner, he not being present at the inquest, and Mrs. M'Donald being unable to attend the court from illness, it was shewn that on the 10th of May last, Palfrey and Purcell's wife came to witness's hut, distant about five miles from the residence of Palfrey. Mrs. Purcell was left there by Palfrey, who was going from home, and he said he would be back on the following Saturday, when he would take Mrs. Purcell away. This is the last account given of Palfrey, until his body was found. This witness further stated that Mrs. Purcell, hearing of Palfrey's being missing, left and went home to see if the story were true. She left her children with witness, and some time after, about the 20th of May, Purcell (the prisoner) came to see one of the children which were left by Mrs. Purcell. Witness asked him if Palfrey had returned. Prisoner replied, "Palfrey did not go to come back," and began to cry. He said, "My wife told me that she never would take a day with me while Palfrey lived. Palfrey thought he had a long head, but my head was too long for him."

Mr. **JAMES BRADY**, superintendent to Mr. **WILLIAM TINDAL**, at Bylong, deposed that he had some business with the deceased, and on the 10th of May he went to his residence; he saw the prisoner John Purcell at Palfrey's, doing something to a green-hide rope, and asked him if Palfrey was at home; prisoner replied in the negative, and turned into the hut. On witness going away he asked prisoner when it was likely that Palfrey would return; he said he could not exactly say, as Palfrey went away sometimes and staid nine or ten days, without saying when he would return. Witness met prisoner again on Mr. Tindal's run at Crabby Creek, in the course of four or five days after, when he asked him if Palfrey had returned yet; he said, "No indeed, he has not." Prisoner told witness that the horse "Taffy," which Palfrey had been riding, came home without a bridle, and only one stirrup to the saddle; that the horse appeared to have been very much ridden; so much so that he would not feed with the other horses. Witness observed that something must have happened to Palfrey. Prisoner said, "It looks like it." Witness and prisoner, after leaving a hut belonging to **JOHN HEANY**, rode together for two miles. Witness said something must have happened to Palfrey, and if he was not found prisoner would certainly be taken by the police. Prisoner answered, "Now what will you advise me to do in the case?" Witness said, report it to the Joneses. On the 26th, witness and Heany went to the late residence of Palfrey, to search for the body on and about the river Goulburn, where witness met **A. JONES** and others. Witness said to them, "To-morrow we will start early, and search for the body all round this place." Prisoner, on hearing this resolution expressed by witness, called him aside and said, "I see everything is going against me. In find my wife is going against me, for she asked me where a certain tomahawk was, as if she wanted people to believe that I killed him with the tomahawk." Prisoner pointed to an old black stump between the hut and where the body was afterwards found, and said he got the tomahawk there, and gave it to her; that Palfrey had used it last in the cutting of a limb from a tree. Prisoner wished witness to make out a piece of writing, conveying his property to the children. Witness did so; and while making out the deed or will, prisoner said he would like it was done, as the police would be there soon and take him. Witness observed that the way in which prisoner's wife and Palfrey had been living had made him unhappy. Prisoner replied, "O yes, I put up with it long enough; but I am satisfied; it will never occur again." After the prisoner had been taken into custody, witness continued his search for the body, which he at last found, on the 5th instant, after an unremitting search; for which the witness received the thanks of the bench.

The evidence of John Heany went to show that Mrs. Purcell, prisoner's wife, came to the hut; she found Palfrey's stockwhip and a spur which he had borrowed for the journey, as well as some articles of clothing, and observed that if Palfrey had gone from home he would have taken them.

The evidence of **THOMAS CLARK**, overseer to Mr. **BLACKSTONE**, of Drummer's Flat, proved that the horse "Taffy" was not distressed by hard riding, as was stated by the prisoner, and that he (Clark) suggested to Mrs. Purcell to ask her husband where a tomahawk was which was then missing from among the tools belonging to the hut; and in the interim he said to prisoner, "Purcell, you must have made away with Palfrey." Prisoner exclaimed, "The Lord have mercy on me, I can die but once." Mrs. Purcell asked prisoner for the tomahawk. Prisoner asked her what she wanted it for, and on her answering that she had laid it covering something in an old pair of shoes, and that she found that it was removed, prisoner said, "I understand now why you are asking for the tomahawk." Clark examined the tomahawk afterwards, which was put into his hands by Mrs. Purcell, but could discern

no stains. (Here the tomahawk was put into the hands of the witness, and he stated that his sight was not perfect.)

The chief constable stated that he, accompanied by sergeant **GRICE**, went with the warrant to apprehend prisoner. They told him what they had come for. Prisoner was not at all startled, but, on the contrary, quite composed. The tomahawk was pointed out to witness, lying at the end of the hut. He examined it, and found that, although it had been acted on by the rain which had about the time fallen, there was still some coagulated substance thereon, and he had every reason to believe that it was blood. Her also found adhering to the back of the tomahawk one human hair, of the colour of that of Palfrey's when alive.

Dr. **NICOL** attended the inquest held on the 8th instant, when the body was identified. A hole, three feet wide and four feet long, was pointed out to him in the bed of the river, in which the body was lying with its face downwards. On its removal to the bank, the upper part of the body was found to be enclosed in a sack, which contained some grass, with the legs crossed; it had on a striped shirt, cord trowsers, and cotton socks. Decomposition had far advanced, particularly about the head and face, so as to make it very difficult to discern any external marks of violence, with the exception of a depression on the right side of the head. On examining the skull, he found the right side completely shattered, and several portions of the bone pressing in on the brain, and described the fractures to be the result of two blows, at least, with a heavy blunt instrument, such as the tomahawk produced. In the opinion of the witness, from the appearance of the body, he must have been extinct three weeks; and from the saturated appearance of the clothes he was inclined to think that the body had been first thrown into water. Instant death must have succeeded the blows. There was no appearance of any struggle, except the hands being closed inwards, which might have been caused by the action of the nerves. The blows must have been given from behind, by a person standing on the left.

The prisoner declined saying anything in his defence. He is a man apparently between thirty and forty years of age. June 19th, 1847.

ACCIDENTAL DEATH. - Yesterday, as a man named **CHARLES SHIPLEY** was engaged stowing hay on board the *Prince of Wales*, lying at Ebsworth's Wharf, the stage on which he stood gave way, and he was precipitated into the water; a truss of hay fell upon him, and he sunk. Immediate search was made for the body, which was found yesterday morning, just astern of the vessel, and an inquest holden thereon in the afternoon, at St. Andrew's Tavern, Miller's Point, when a verdict of "Accidentally Drowned" was returned. *Australian, June 22*

MAITLAND MERCURY, 5/312, 30/06/1847

SHIPPING INTELLIGENCE.

The *Woodbridge* met with very bad weather in the Channel, ... On the 13th instant, a seaman named **BENJAMIN SAXLEY** unfortunately fell overboard from the forecabin, and was drowned. The boat was instantly lowered, but nothing could be seen of him.

SENTINEL, 3/130, 01/07/1847

THE MURDER ON THE GOULBURN RIVER. - **JOHN PURCELL**, in custody here on suspicion of having murdered **JOSEPH PALFREY**, was on Wednesday last committed by the Cassilis bench to take his trial for the murder.

The evidence adduced is entirely of a circumstantial nature, partly derived from the expressions of the prisoner after he had been informed that suspicion rested entirely

on him. The ostensible reason alleged for the perpetration of the horrid deed is, that better than three years ago Palfrey (the deceased) had formed a criminal intimacy with **BRIDGET PURCELL**, the prisoner's wife, which continued up to the time of this fatal occurrence.

From the evidence of **BARBARA M'DONALD**, taken at the inquest, and Mrs. M'Donald unable to attend the court from illness, it was shewn that on the 10th of May last, Palfrey and Purcell's wife came to witness's hut, distant about five miles from the residence of Palfrey. Mrs. Purcell was left there by Palfrey, who was going home, and he said he would be back the following Saturday, when he would take Mrs. Purcell away. This is the last account given of Palfrey, until his body was found. This witness further stated that Mrs. Purcell, hearing of Palfrey's being missing, left and went home to see if the story were true. She left her children with witness, and some time after, about the 20th of May, Purcell (the prisoner) came to see one of the children which were left by Mrs. Purcell. Witness asked him if Palfrey had returned. Prisoner replied, "Palfrey did not go to come back," and began to cry. He said, "My wife told me that she would never take a day with me while Palfrey lived. Palfrey thought he had a long head, but my head was too long for him."

Mr. **JAMES BRADY**, superintendent to Mr. **WILLIAM TINDAL**, at Bylong, deposed that he had some business with deceased, and on the 19th May he went to his residence; he saw the prisoner John Purcell at Palfrey's, doing something to a green-hide rope, and asked him if Palfrey was at home; prisoner replied in the negative, and turned into the hut. On witness going away he asked prisoner when it was likely Palfrey would return; he said he could not exactly say, as Palfrey went away sometimes and staid nine or ten days, without saying when he would return. Witness met prisoner again on Mr. Tindal's run at Crabby Creek, in the course of four or five days after, when he asked him of Palfrey had returned yet; he said, "No indeed, he has not." Prisoner told witness that the horse "Taffy," which Palfrey had been riding, came home without a bridle, and only one stirrup to the saddle; that the horse appeared to have been very much ridden; so much so that he would not feed with the other horses. Witness observed that something must have happened to Palfrey. Prisoner said, "It looks like it." Witness and prisoner, after leaving a hut belonging to **JOHN HEANEY**, rode together for two miles. Witness said something must have happened to Palfrey and if he was not found prisoner would certainly be taken by the police. Prisoner answered, "Now what will you advise me to do in the case?" Witness said, report it to the Joneses. On the 26th witness and Heaney went to the late residence of Palfrey to meet **A. JONES** and others. Witness said to them, "Tomorrow we will start early, and search for the body all round this place." Prisoner hearing this resolution expressed by witness, called him aside, and said, "I see every thing is going against me. I find my wife is going against me, for she asked me where a certain tomahawk was as if she wanted to make people believe that I killed him with the tomahawk." Prisoner pointed to an old black stump between the hut and where the body was afterwards found, and said he got the tomahawk there and gave it to her, that Palfrey had used it last in cutting a limb from a tree. Prisoner wished witness to make out a piece of writing, conveying his property to the children. Witness did so, and while making out the will ordered, prisoner said he would like it done, as the police would be there soon and take him. Witness observed that the way in which prisoner's wife and Palfrey had been living made him unhappy. Prisoner replied, "O yes, I put up with it long enough, but I'm satisfied it will never occur again." After the prisoner had been taken into custody, witness continued his search for the body, which he at last found, on the 5th instant.

The evidence of John Heany went to show that Mrs. Purcell, prisoner's wife, came to the hut; she found Palfrey's stock whip and a spur which he had borrowed for the journey, as well as some articles of clothing, and observed that if Palfrey had gone from home he would have taken them.

The evidence of **THOMAS CLARK**, overseer to Mr. **BLACKSTONE**, of Drummer's Flat proved that the horse "Taffy" was not distressed by hard riding, as stated by the prisoner, and that he (Clark) suggested to Mrs. Purcell, to ask her husband where a tomahawk was which was then missing from among the tools belonging to the hut; and in the interim he said to prisoner, "Purcell, you must have made away with Palfrey." Prisoner exclaimed, "The Lord have mercy on me, I can die but once." Mrs. Purcell asked prisoner for the tomahawk. Prisoner asked her what she wanted it for, and on her answering that she had laid it covering something in an old pair of shoes, and that she found it was removed, prisoner said, "I understand now why you are asking for the tomahawk."

Clark examined the tomahawk afterwards, which was put into his hands by Mrs. Purcell, but could discern no stains.

The chief constable stated that he, accompanied by sergeant **GRICE**, went with the warrant to apprehend prisoner. They told him what they came for. Prisoner was not at all startled but, on the contrary, quite composed.

The tomahawk was pointed out to witness, lying at the end of the hut. He examined it, and found that, although it had been acted on by the rain which had about the time fallen, there was still some coagulated substance thereon, and he had every reason to believe that it was blood. He found also adhering to the back of the tomahawk one human hair, of the colour of that of Palfrey's when alive.

Dr. **NICOL** attended the inquest held on the 8th instant, when the body was identified. A hole, three feet wide and four feet long, was pointed out to him in the bed of the river, in which the body was lying with its face downwards. On its removal to the bank the upper part of the body was found to be enclosed in a sack, which contained some grass, and the legs crossed; it had on a stripped (sic) shirt, cord trowsers, and cotton socks. Decomposition had far advanced, particularly about the head and face, so as to make it difficult to discern any external marks of violence, with the exception of a depression on the right side of the head. On examining the skull, he found the right side completely shattered, and several portions of the bone pressing on the brain, and described the features to be the result of two blows, at least, with a heavy blunt instrument, such as the tomahawk produced. In opinion of the witness, from all appearance, life must have been extinct three weeks; and from the saturated appearance of the clothes, he was inclined to think the body had been first thrown into the water. Instant death must have succeeded the blows. There was no appearance of any struggle, except the hands being closed inwards, which might have been caused by the action of the nerves. The blows must have been given from behind, by a person standing on the left.

The prisoner declined saying anything in his defence. He is a man apparently between thirty and forty years of age. *June 19th, 1847*

MAITLAND MERCURY, 5/313, 03/07/1847

FATAL ACCIDENT IN A COAL MINE. - On Wednesday last a fatal accident, from the effects of carbonic acid gas, occurred at a new shaft which Messrs. **J. and A. BROWN** are sinking at some distance from the present mine. It appears that the men had gone to their dinner, after working at the shaft, and that on returning, in about an hour and a half, Mr. **JOHN BROWN**, who was with the men, was the first to

descend, no one dreaming of foul air accumulating in so brief a period. The shaft is about forty feet deep, we understand, the coal seam not having yet been reached. Mr. Brown had got to the bottom, when he appeared to become conscious of danger, and called out to the men to "go on." They commenced hauling him up again without delay, and had raised him about twenty feet, when he was overcome by the foul air, and his hold relaxing, he fell to the bottom of the shaft, and lay insensible. An effort was made by one of the men to descend, and get him up, but he was compelled to return, to escape being suffocated himself. It was found that a candle would not burn when it was lowered a few feet from the surface. The men then sent for more assistance, and cutting a quantity of boughs, which were tied together, they lowered and raised the bundle in the shaft rapidly several times, to expel the foul air (or black damp, as the men term it). Two more attempts were then made to raise Mr. Brown; the first by an experienced miner, who fell senseless while endeavouring to fasten a rope about Mr. B.; and the second by a young, powerful man, who had just strength sufficient, on reaching the bottom, to clasp the miner's body in his arms, and hold it while being drawn up again; the miner was restored with some difficulty. The bundle of boughs were now used again for several minutes, and a strong man descended, who, finding himself getting overpowered while passing the rope round Mr. Brown's body, desisted, and clasping the body in his arms, was thus drawn to the surface. It was found that Mr. Brown was quite dead, all endeavours to restore animation failing. In his fall to the bottom he had broken a leg, dislocated his shoulder, and received much injury about the face, but it is scarcely possible that he was sensible enough to feel any pain. He was about twenty-four years old, being a younger brother of the proprietors of the mine. An inquiry was held on the body on Thursday, by **E.D. DAY**, Esq., P.M., and the funeral took place yesterday. This is, we believe, the first death that has occurred in the colony from an ordinary mining danger, and we hope that it may not only induce miners to take more precaution themselves, but be the cause of a proper system of ventilation being adopted in the Maitland mines.

TWO DEATHS FROM THE UPSETTING OF A BOAT. - On Thursday two men, named **JAMES HANNA** and ---- **STANLEY**, together with **JAMES HANNA**, a lad of sixteen, and son of the first-named individual, started for Raymond Terrace in a boat, intending to proceed to Newcastle. They had not gone far before an oar fell overboard, and all three making a rush to save it, the boat capsized and went down. Stanley appears to have sunk immediately, and the lad, hearing his father's voice, turned round just in time to see him sinking also. Overcome by the sudden shock, the lad had barely strength to swim to the shore in an almost insensible state. Both men were unfortunately drowned. Hanna was principal engineer at Messrs. Fisher and Donaldson's works, at Stockton, and Stanley was also engineer and turner in the same works; they had been employed at Raymond Terrace in executing some repairs in the machinery of the mill there. Both men leave young families - Hanna has left five children, and Stanley three. Both were sober at the time, and are represented to have been good swimmers.

SUDDEN DEATH. - On Thursday afternoon a man proceeding along the Newcastle roads for a load of wood found a man lying dead about a mile from East Maitland. He informed the police, and the police magistrate and chief constable, with Dr. **WILTON**, were quickly in attendance. It was found that the deceased was a brother of Mr. **W. NORTON**, of Newcastle, who had been driving sheep on his way to that town, and appeared to have fallen from his horse. The body was removed to the police-office, and an inquiry held yesterday by **E.D. DAY**, Esq., P.M., into the cause of death. Dr. Wilton made a post mortem examination, and found not the slightest

mark of violence on any part of the body, but on opening the body he found all the usual symptoms of apoplexy; his opinion was that the deceased had fallen from his horse in a fit of apoplexy, and died on the spot. The deceased, **ISAAC NORTON**, was seen about four o'clock on Thursday afternoon, driving the sheep near East Maitland, and appeared at the time to have been drinking, and to sit his horse with difficulty. A verdict was returned of "Died from apoplexy while in a state of intoxication."

SENTINEL, 3/131, 08/07/1847

INQUEST. - An inquest was held on Saturday last, in the "Royal Oak" public-house, Argyle-street, on the body of **CHARLES REILLY**, then lying dead at Miller's Point. According to the evidence, deceased entered **BENJAMIN LOWE'S** chandler-shop, between seven and eight of Friday evening, to make a purchase, when he and Lowe went into an apartment of the shop to see about a bill Lowe had against him. He complained of being very cold and said he had a severe pain in the chest; whilst they were in conversation, he fell down and expired in a few seconds. Dr. **M'KELLAR** was called in to see him, but on arrival, found him dead. He made a *post mortem* examination of the body, and found an aneurism on the ascending arch of the aorta, which had burst into the pericardium, causing instant death. The aneurism was very large, and extended upwards. Adhesive inflammation had taken place between the *sac* of the aneurism and the pericardium. The Jury found a verdict of died by the visitation of God.

Another inquest was held on Monday afternoon in the Hero of Waterloo, public-house, Windmill-street, on the body of **ROBERT GUY TOOR [ING TORR]**, then lying dead in his residence in the same street. **JOHN RICHARD TOOR** deposed, the deceased was my brother; he had been complaining for several days past; he went to bed about eleven o'clock on Sunday night, and in about quarter of an hour I went to bed also; a short time after I had put the light out I heard a gurgling noise coming from the deceased, and then got a light, when the deceased appeared to be dying, and expired shortly after; we sent off for medical aid immediately; the deceased was quite sober on going to bed, and was a person of sober habits; he only complained of a cold previous to his death, but was quite able to follow his daily avocations.

Dr. **RICHARD M. BLAMEY** deposed, I saw the deceased on Monday morning at a quarter past twelve, he was then dead; the countenance was collapsed; on examining the eyes I found the right pupil considerably dilated, indicating apoplexy; from the appearance of the body and the history of the case, I am of opinion that he died from serous apoplexy; I knew the deceased well in his life time, and he was of very temperate habits. The Jury found a verdict of died by the visitation of God.

FATAL ACCIDENT IN A COAL MINE. - On Wednesday last, a fatal accident from the effects of carbonic acid gas, occurred at a new shaft which Messrs. J and A Brown were sinking at some distance from the present mine. It appears that the men had gone to their dinner, after working at the shaft, and on returning, in about an hour and a half, Mr. **JOHN BROWN**, who was with the men, was the first to descend, no one dreaming of foul air accumulating in so brief a period. The shaft is about forty feet deep, we understand, the coal seam not having yet been reached. Mr. Brown had got to the bottom, when he appeared to become conscious of danger, and called out to the men to "go on." They commenced hauling him up again without delay, and had raised him about twenty feet, when he was overcome by the foul air, and his hold relaxing, he fell to the bottom of the shaft and lay insensible. An effort was made by one of the men to descend, and get him up, but he was compelled to return to escape

being suffocated himself. It was found that a candle would not burn when it was lowered a few feet from the surface. The men then sent for more assistance, and cutting a quantity of boughs, which were tied together, they lowered and raised the bundle in the shaft rapidly several times to expel the foul air (or black damp, as the men term it). Two more attempts were then made to rain Mr. Brown; the first by an experienced miner, who fell senseless in endeavouring to fasten a rope about Mr. Brown; and the second by a young powerful man, who had just strength sufficient, on reaching the bottom, to clasp the miner's body in his arms, and hold it while being drawn up again; the miner was restored with some difficulty. The bundle of boughs were now used again for several minutes, and a strong man descended, who, finding himself getting overpowered while passing the rope round Mr. Brown's body, desisted, and clasping the body in his arms, was thus drawn to the surface. It was found that Mr. Brown was quite dead, all endeavours to restore animation failing. In his fall to the bottom he had broken a leg, dislocated the shoulder, and received much injury about the face, but it is scarcely possible that he was sensible enough to feel any pain. He had been in the shaft more than half an hour. An inquiry was held on the body on Thursday, by **E.D. DAY**, Esq., P.M., and the funeral took place yesterday. This is, we believe, the first death that has occurred in the colony from an ordinary mining danger, and we hope it may not only induce the miners to take more precautions themselves, but be the cause of a proper system of ventilation adopted in the Maitland mines. *Maitland Mercury*.

MAITLAND MERCURY, 5/315, 10/07/1847

HORRIBLE MURDER IN A LOCKUP. - Information has just been received of a horrible murder having been committed lately in Mudgee lockup. It appears that a man had been arrested by the police as a suspected runaway, and was placed in the lockup at Mudgee, where he remained in remand several days. One evening a drunken man was also placed in the lockup, against whom the runaway had a bad feeling for having formerly been the means of getting him punished. The helpless state of the man appears to have been too great a temptation for his enemy, for in the morning the unfortunate drunkard was found lying dead in the cell, having his head nearly severed from his body with his own knife, which his murderer had got hold of, the police having unfortunately neglected to search the man before placing him in the cell. The murdered was brought up before the Mudgee bench, and fully committed to Bathurst gaol for trial.

SUDDEN DEATH. - Yesterday morning, an old man, named ----**CROFTON**, formerly coachman to Dr. **SMITH**, of Sydney, and who has resided in Maitland for many years past, was in the act of paying some money to a labourer at Bloomfield, when he fell down, and expired almost instantaneously. Mr. Crofton is reported to have been nearly eighty years old, and although rather decrepit, had appeared in his usual health up to the fatal moment. An enquiry will be held on the body this morning before **E.D. DAY**, Esq., P.M.

MELANCHOLY ACCIDENT. - Intelligence reached Sydney yesterday of the accidental death of Mr. **HENRY DONNISON**, J.P., of Brisbane Water. We understand that Mr. Donnison left his house on Saturday evening a little before sunset, to look at some sawyers who were in his employ, and while speaking to them a limb of a tree fell upon him and fractured his skull. The unfortunate gentleman was removed to his house, where he lingered until Monday evening, when he expired, having spoken but once in the interim. Mr. Donnison was a very old colonist - for

several years he was a merchant in Sydney, but about fifteen years ago he proceeded to Brisbane Water, where he has since resided as a settler. *S.M. Herald, July 8*

SHIPPING INTELLIGENCE.

The *Glenbervie* has been one hundred and twenty-two days on the passage from London. ... On the 30th June, a seaman named **JOHN BRODIE** fell overboard from the bowsprit; the life buoy was immediately lowered, but a heavy sea running at the time, he unfortunately sunk within three feet of it.

MAITLAND MERCURY, 5/316, 14/07/1847

SUDDEN DEATH AT SEA. - A man dressed in a rough jacket, moleskin trowsers, and cabbage tree hat, went on board the steamer *Thistle* at Morpeth as a passenger for Sydney, and died suddenly on Thursday evening on board that vessel. The body was landed and placed in a shed at the Hunter River Wharf, after the *Thistle* had arrived there at ten p.m., on Thursday. A jury was inpanelled yesterday afternoon at Carss's public house, the Hunter River Inn, who viewed the body; after which, as no medical witness was in attendance, and deceased's name had not been ascertained, the body was removed to the General Hospital till today, when the inquisition will be resumed.

Sydney Morning Herald, July 10

DEATH BY BURNING. - On Monday morning, about half-past seven o'clock, **OLIVER GRAY** and his wife, who are in the service of Dr. **PARNELL**, of Pool Farm, left their hut to go to work, leaving in the hut a son aged ten years, a daughter aged seven years, and an infant. In about half an hour screams were heard proceeding from the hut, and on Gray, with other persons, hastening to the hut, they found the girl, **MARY GRAY**, enveloped in flames. The fire was immediately extinguished, and the clothes torn off, and the poor girl attended to carefully by Dr. Parnell, but at three o'clock on Tuesday morning she breathed her last. It appears her parents had been in the habit of leaving the infant in her charge, and the little boy said that she had been amusing it by the fire, the morning being cold, when a small piece of lighted stick fell on her clothes and set them on fire. On Tuesday an inquiry was held by **E.D. DAY**, Esq., P.M., on the body, and a verdict of died from injuries received by her clothes having accidentally caught fire, was returned.

SUDDEN DEATH. - The enquiry held before Mr. **DAY** on Saturday into the cause of death of ---- **CROFTON** resulted in a verdict of natural death, a post-mortem examination showing that the immediate cause of death was the bursting of a blood-vessel in the region of the heart, caused doubtless by over-excitement acting on a frame enfeebled by old age, Mr. Crofton having just previously been assisting in breaking-in a filly, although he was seventy-five years of age.

INQUEST. - **MANSLAUGHTER.**

On Monday and yesterday an inquest was held at Black Creek, before **J.S. PARKER**, Esq., coroner, on the body of **CHARLES SANDY**, who died there on Saturday evening last. From the evidence it appears that, on the Monday previous, the deceased was at Mr. Raisbeck's, the Bush Inn, Black Creek, drunk, and very quarrelsome. Several times through the day he tried to provoke a man named **LAURENCE COWAN** to fight with him. Cowan, who is said to be a fighting man, and of powerful make, refused to fight with him; but in the evening, while Cowan, Sandy, **JOHN MORTON**, and two lads named **TENNANT**, were all drinking together in the tap-room of the Bush Inn, Sandy challenged Cowan to spar with him, and at length Cowan did so. Sandy struck Cowan a blow on the back of the neck, and Cowan closing with him, they fell with violence, Sandy undermost, and Cowan with his knee on Sandy's belly. Cowan rose immediately, but Sandy was unable to rise,

complaining of great pain from the fall. He was laid on the floor under a form by Morton, and about ten o'clock Morton, by Mr. Raisbeck's request, took Sandy home, with the assistance of his wife. Sandy continued in great pain all night, and the next morning Mr. Raisbeck sent into Maitland for Dr. **M'CARTNEY**, who went out, and succeeded in giving Sandy relief. Dr. M'C. saw him again on Thursday, and left him in a doubtful state, and on visiting him on Saturday, he found his case hopeless, and the poor man died that evening. Sandy throughout attributed his illness to the fall, exonerating Cowan, however, from all blame; but on making a *post mortem* examination, Dr. M'Cartney found the traces of injury very slight, and the inflammation in the intestines no greater than might have been produced by the effects of continued intoxication, leaving it doubtful as to what was the immediate cause of death, Sandy having been drunk for several days previous to the fight. A verdict of manslaughter was returned against Laurence Cowan, accompanied by a recommendation to mercy, in consequence of the provocation he had received.

HUNTER RIVER DISTRICT NEWS. - MURRURUNDI.

FATAL ACCIDENT. - A melancholy and fatal accident occurred here on Sunday, the 27th ultimo. About two o'clock that day some children lit a fire on the bank of the river, when the flames caught the clothes of a child about four years old, the son of **JOHN WILLCOX**, the ostler at Mr. Wightman's inn, and before assistance could be rendered, the clothes were burnt off the poor child, and his body severely scorched all over. He lingered in great pain until about ten o'clock the same evening. The boy had only left his mother a few minutes previous to the occurrence of the accident. July 10th, 1847

SYDNEY NEWS.

INQUEST. - An inquest was held yesterday, at the Odd Fellows' Hall, brickfield Hill, on the body of a girl named **MARGARET CLEMENTS**, aged five years, who had died in consequence of injuries received by burning on the previous day. The mother of the deceased was a dressmaker, and on leaving her home in the morning had placed her two children in the care of a third person, but during the day the neighbours hearing their cries went to the door, which they found fastened, and failing to effect an entrance there they got in at the window. On entering they found both children enveloped in flames, which they speedily succeeded in extinguishing, but the deceased was so much injured that she shortly afterwards expired. The other child (about eighteen months old) was not much injured. These facts having been proved in evidence, the jury found a verdict of death by accidental burning. *Chronicle, July 10*

SENTINEL, 3/132, 17/07/1847

ADJOURNED INQUEST. - The inquisition on the body landed from the steamer Thistle was resumed on Saturday last in the Three Tuns tavern, corner of Elizabeth and King-streets. The coroner's constable and other witnesses said that every exertion had been made to trace the name and residence of the deceased, who was unknown to all on board the vessel. He was described as of a dark complexion, with small dark whiskers, dark brown hair mixed with grey, about 45 years of age, and about 5 feet 10 inches in height. There were no particular marks on his body. Mr. **SILVER**, assistant Colonial Surgeon, having made a *post mortem* examination of the body, deposed that he found the heart in such a diseased state as was sufficient to account for death. The Jury found a verdict of died from natural causes.

BURNING. - On Sunday afternoon, a woman named **MARY SWITCHER**, residing in Castlereagh-street, being in a state of intoxication, her clothes by some means

caught fire, and her body was so severely burnt, that but faint hope is entertained of her recovery.

MELANCHOLY AND FATAL OCCURRENCE. - At Erina, Brisbane Water, on Saturday, the 3rd instant, **HENRY DONNISON**, Esqr., Senior Magistrate of the district, met with a most fearful accident, which ultimately terminated in death. Whilst in the bush he received a severe fracture of the skull, by the falling of a branch from a tree, which struck him senseless; but shortly after he recovered, and was in the most excruciating agony for several hours, when he sunk into a state of lethargy, and continued so, with but few short intervals, until Monday evening, the 5th instant, when, at eleven o'clock, he calmly expired. By the sudden and much lamented death of this gentleman, not only his family, but the whole district, has sustained a most serious loss, will be long and sensibly felt.

CORONER'S INQUEST. - An inquest was held in Mr. Driver's, the Three Tuns tavern, on Monday, touching the death of a man nearly seventy years of age, a **LEWIS GRAINGER**. The deceased had been apprehended on a charge of absenting himself from his hired service, but as he was found to be very ill he was forwarded from the watch-house to the General Hospital. He said he had taken cold, but did not complain of any pain. On Saturday morning he said that he felt much better, but in the course of that day he died. Dr. **SILVER** made a *post mortem* examination of the body, and found that death had been caused by an effusion into the chest, consequent upon disease of the heart and lungs. The jury returned a verdict that the deceased died from the visitation of God.

On the same day an inquest was held at Mr. Taylor's the Wheat Sheaf Inn, George-street, on the body of **OWEN O'NEALE**. The deceased was received into the Benevolent Asylum on Saturday last about noon. Dr. **RUSSELL**, the resident surgeon of the institution, prescribed for him according to the symptoms apparent, but about five o'clock he expired. On making a *post mortem* examination, Dr. Russell found that the right lung was extensively diseased, which he took to be the cause of death. The Jury returned a verdict of died by the visitation of God.

Yesterday an inquest was held at Mr. Driver's on view of the body of **ELLEN SWITCHER**. **THOMAS WHELAN**, residing in Castlereagh street, deposed that about half-past four o'clock on Sunday afternoon, the deceased ran into his house, her clothes being on fire, and shrieking for help to quench the flames, and as soon as possible the fire was put out, she said she was taking a saucepan off the fire, when he clothes ignited, she was not drunk, he sent her immediately to the Infirmary; she said, and witness knew, that the only person in the house was the man with whom she lived, **SIMON M'CANN**. Dr. **TIERNEY** deposed to having seen the deceased before she was sent to the Infirmary, and that she told him, that the burning was her own fault, the burning in his opinion, was quite sufficient in his opinion to cause death.

MAITLAND MERCURY, 5/317, 17/07/1847

ACCIDENTAL DEATH. - On Thursday a man named **EDWARD KENNEDY**, who had just left the employ of Mr. Eales, of Berry Park, was returning to Berry Park from Morpeth in a bullock-cart, in company with a Mrs. **POWER**, and **WILLIAM DOWNING**, who was driving the cart. Kennedy was very drunk, and fell out of the cart twice while on the road, and, according to the evidence of Downing and Mrs. Power, on his falling the second time the wheel passed over his chest, before the cart could be stopped. He was taken on to Berry Park, and placed in the hut of a man named **SULLIVAN**, where his cousin, **JAMES KENNEDY**, attended on him, but no

one appears to have suspected his life was in danger, and no medical man was sent for. He was brought to the hut at six o'clock, and died between eight and nine, the only words he had uttered after the accident being to ask for a drink of water. An enquiry was held on the body yesterday before **E.D. DAY**, Esq., P.M., when the above evidence was taken. Dr. **SLOAN** made a *post mortem* examination, but could find no marks of violence, nor any appearance of a wheel having passed over any part of the body; his opinion was that the man had died from concussion of the brain, caused by the fall from the cart. A verdict was returned in accordance with this opinion.

MURDER. - On Friday, the 9th July, a man named **FRANCIS LE BROCQ** was lodged on Bathurst gaol, having been committed for trial for wilful murder by the Hartley bench. It appeared that a man named **DAVID POER**, in the same employ as Le Brocq, was ill, and Le Brocq went to him, and asked Poer to make over to him a mare and a foal. Poer refused, and an angry altercation ensued, when Le Brocq seized Poer by the neck, and nearly strangled him. Poer died in six or seven days after, and at the enquiry on the body the opinion of the medical gentleman who made a *post mortem* examination was that Poer could not have lived many days, but that his death was probably accelerated by the attack made on him by Le Brocq. *Correspondent of the S.M. Herald.*

DEATHS.

At Erina, Brisbane Water, on the 5th July, **HENRY DONNISON**, Esq., J.P., in his 58th year.

ADJOURNED INQUEST. - The inquisition on the body landed from the steamer *Thistle* was resumed on Saturday last, in the Thee Tuns tavern, corner of Elizabeth and King streets. The coroner's constable and other witnesses deposed that every exertion had been made to trace the name and residence of the deceased, who was unknown to all on board the vessel. He was described as of dark complexion, with small dark whiskers, dark brown hair mixed with gray, about forty-five years of age, and about five feet ten inches in height. There were no particular marks on his body. Mr. **SILVER**, Assistant Colonial Surgeon, having made a *post mortem* examination of the body, deposed that he found the heart in such a diseased state as was sufficient to account for death. The liver and lungs were also affected. The jury found a verdict of died from natural causes. *Herald, July 12*

MAITLAND MERCURY, 5/318, 21/07/1847

INSANITY. - The unfortunate Mrs. **RICHARDSON**, wife of **HENRY RICHARDSON**, convicted of receiving stolen property, who became very singular and eccentric in her manner soon after her husband's committal, has latterly become quite insane, and with a view to her own and her infant's safety, the bench made an order, two or three weeks ago, that she should be removed to Newcastle gaol, preparatory to being forwarded to Tarban Creek. Last week the poor woman and her child were sent down, under the charge of a keeper.

SUICIDE. - Yesterday morning a man named **SAMUEL GIRLING**, in the employ of Dr. **BROWN**, of East Maitland, was found by a servant girl hanging dead in the kitchen, suspended from a beam by a small rope. She alarmed the house, and Dr. Brown, running out, cut him down and bled him, but found him quite dead, although still warm. It appears that Girling had formerly been in Dr. B.'s service, and had been dismissed, but for some time past had been endeavouring to enter his service again, and at last had obtained his wish, and entered on his duties on Monday. For some little time he has appeared strange in his manner occasionally, but not so much as to

occasion remark, or to lead to the belief that he was insane. When found, he had 5s. in his pockets. He was about forty-three years old, and was not known to have any connexions in this colony.

MAITLAND MERCURY, 5/318, 21/07/1847

DREADFUL ACCIDENT. - A very dreadful accident, and which there is every reason to believe will, from the report of the medical gentlemen attending the unfortunate sufferer, terminate fatally, occurred on the Liverpool-road, near the nine-mile-stone, late on Monday evening. A person of the name of **BURNETT** was proceeding to Sydney with his dray, heavily laden, drawn by three horses, and attention having been called to the stopping of the team, Burnett was found to be lying just behind the dray, and that the wheel had passed over his breast, crushing the ribs. From the state of insensibility in which Burnett was then, and still continues in, it is impossible to gain from him any particulars respecting the occurrence, but it appears some minutes previous to the time at which the accident occurred, he was seen walking by the side of the horses perfectly sober, and the surmise is, that he must have dropped down in a fit, and fallen before the wheel. *Herald, July 12*

SENTINEL, 3/133, 22/07/1847

REWARD NOTICE for **PATRICK FITZGERALD** for murder of **JOHN M'GEE**, **21st June.**

MAITLAND MERCURY, 5/319, 24/07/1847

ATTEMPTED SUICIDE OF AN OLD SOLDIER. - Yesterday an old soldier, named **WILLIAM PERKINS**, who receives his pension of 1s. 2d per diem once a quarter, was brought before the bench. It appeared from the statement of Mr. **LOCKHART**, shoemaker, that the old man has resided with him for the last six months, being employed in cutting wood and looking after the children, for which Mr. L. found him board and lodgings. The old man has been very quiet and inoffensive, except at the times when he receives his pension, on which occasions he commences a drinking bout, which never closes till he has spent the last penny. On the 1st July he received his quarter's pension, and from that date till the 15th he was never sober. On Wednesday night, the 21st instant, he went into Mr. Lockhart's bed-room about midnight, and on being led into his own room, he told Mr. L. that his hour was come, and the d---- was come for him. Mr. Lockhart soothed him a little, and got him to sleep after some time. The next day Perkins was very strange in his manner, and having stripped himself, he kept carrying his clothes from place to place in a paddock, and making them up into a heap. Mr. Lockhart got him indoors, after having with some force made him dress himself, and having left him for a little while, he just looked round in time to prevent the old man's using a razor which he had taken from a shelf. Thus disappointed, the old man caught up a knife, but Mr. L. took that also from him before he could hurt himself. Mr. Lockhart then gave him in charge to the police, fearing some dreadful accident might happen. In answer to the bench, the old man said he was rather light-headed the day before, but was right enough then, and that he was not at all tired of his life. He was then dismissed, with a caution as to drinking in future.

GOVERNMENT GAZETTE. - TUESDAY, JULY 20, 1847

REWARD OF TWENTY POUNDS OR A CONDITIONAL PARDON.

Whereas it has been represented to the government that **PATRICK FITZGERALD**, who stands charged with an attempt to commit murder on his fellow-servant, **JOHN M'GEE**, at Byron Plains, New England, on the 27th of last month, has absconded, ...

MAITLAND MERCURY, 5/320, 28/07/1847

THE LATE ACCIDENT ON THE HUNTER. - The bodies of the two unfortunate men, Messrs. **HANNA and STANLEY**, who were drowned by the upsetting of a boat on the Hunter River, on the first of this month, as recorded in the *Chronicle* of the 7th instant, were found one on the 13th, and the other on the 14th instant, in a state of great decomposition. They were buried at Raymond Terrace on the 15th instant. *Chronicle, July 24*

SUDDEN DEATH. - On Monday afternoon, a poor old man, named **JONATHAN WOODHOUSE**, who has obtained a precarious living by selling brooms about the town, died at Morpeth, in the street, quite suddenly. He was seen to sit down on a stone, as if to rest, appearing to suffer very much from a cough of long standing, and in about half an hour after was observed to have fallen from the stone. On people going up to him, he was found lying on his face, quite dead. Dr. **BEARDMORE** was sent for, but found it impossible to restore animation. An inquiry was held on the body by **E.D. DAY**, Esq., P.M., yesterday afternoon, when it was ascertained that for a long time past the old man had been getting worse, and that on Friday last he called on Dr. Beardmore, for medicine, in passing through Morpeth, when the doctor told him if he did not go to the hospital immediately, he could not recover. Woodhouse had resided in a hut at Coolie Camp. A verdict was returned of died from natural causes.

MAITLAND MERCURY, 5/321, 31/07/1847

SERIOUS ACCIDENT. - On Monday last a son of Lieutenant **BEDWELL**, R.N., aged five years, was driving a horse out of his father's yard with a switch, and striking the animal a smart blow it kicked at him, and unfortunately struck him on the head, inflicting an injury so serious that, although skilful medical assistance was immediately obtained, it is feared his life cannot be preserved.

LOSS OF THE SCHOONER "ENTERPRIZE." - We regret to state that information has been received of the total loss of the schooner *Enterprise*, Captain **SULLIVAN**, at the Richmond River. We are unable to give any particulars more than that the unfortunate occurrence took place as she was going over the bar, and that the lives of the cook and a female passenger were lost. [see next issue]

MAITLAND MERCURY, 5/322, 04/08/1847

AWFUL DEATH. - On Saturday evening last, as constable **RUSHTON** was returning to West Maitland, he was accosted by a woman named **MARY SULLIVAN**, or **YARDLEY**, who resided by herself in a house by the side of the road, formerly known as "the Nailer's," and who gained a living by keeping a small shop and stall of fruit, confectionery, &c. Rushton stopped and talked with the woman a few minutes, and she told him she wanted to go to Newcastle, and must save up some money for that purpose. She appeared quite drunk at the time, and Rushton advised her to take care of herself; she said she would, and that she was just about to fasten the house up, and go to bed. Rushton then left her, and went on his way, the woman being then standing leaning against her doorway, as if scarcely able to keep steady. On Sunday and Monday the house remained shut up, and no noise was heard inside by the passing neighbours, except the mewing of a cat, on Monday. Yesterday,

about midday, Mr. **WELLER**, the landlord of the house, accompanied by **FORD**, the bellman, resolved to enter the house, and Mr. W. got through the window. On going into the sitting room he saw the body of the unfortunate woman lying before the fireplace, dreadfully burnt, with every particle of clothing, except one stocking, burnt off from the body, and some of it lying about her in tinder. Mr. Weller immediately informed the police, and yesterday afternoon an inquiry was held into the cause of her death, by **E.D. DAY**, Esq., P.M., when the above evidence was given. Mrs. **HENRY** and Mrs. **MITCHELL**, who had known something of the deceased, were examined, but proved little further, excepting that Mrs. Mitchell deposed that on Saturday afternoon the deceased came to her shop and got some cheese, and also borrowed 3d. to get a glass of liquor, although then drunk. Mrs. Mitchell knew that the deceased had been drinking for some days, and stated that, when in liquor, the deceased was sometimes light in her head, and talked a great deal about her husband, Yardley, who she said had deserted her. Dr. **M'CARTNEY** deposed that he had examined the body, and found it dreadfully burned on the chest, abdomen, and upper part of the legs. The body was lying between the fire-place and a chair; and, from the lower rails and seat of the chair being much burnt, while much of the clothes of the unfortunate woman were lying in tinder round her, he concluded that she had fallen from the chair, and had burnt to death on the ground. The veins of the face were much swollen. In his opinion the injuries from burning were quite sufficient to cause death, but he could not swear they did cause it, although there was no appearance of violence on any part of the body. It being stated to Mr. Day that the nearest neighbours of the deceased had moved out of their house on Monday evening, the inquiry was adjourned to allow of their evidence being obtained.

THE SCHOONER "ENTERPRIZE." - In Tuesday's *Herald*, we noticed the total loss of this vessel at the Richmond River; Captain **SULLIVAN**, the owner and master, having arrived in Sydney yesterday afternoon, by the *Ocean Queen*, from him we have learned some further particulars respecting this sad disaster. It appears she left this port on Thursday, the 1st July, and arrived off the Richmond on the Sunday following. At two p.m., that day, she took the bar, but unfortunately grounded on the spit. During the afternoon the boat was lowered with two of the crew to carry out a kedge and warp. It not being safe for her to return to the vessel, she remained outside the rollers. At two p.m., the following day, it blew a heavy gale from the south-east, and a heavy gale setting in with the flood tide, the rollers broke over the vessel with such force as to completely turn her keel over. Those on board then clung to the masts, but the captain and two of the crew having contrived to release themselves of their clothing, made a breach from the vessel, and succeeded in reaching the boat, and ultimately the shore. The cook (**HENRY STOKES**), and a female passenger named **MARY LOVETT**, then remained on board. The boat, with two hands, endeavoured to return to the vessel to save them; but one of the oars having broken, she was driven back to the shore half full of water; a second attempt was made to reach her, but before they could do so she had broken to pieces, and the two unfortunate beings on board drowned. Not a vestige of anything was saved by Captain Sullivan or his crew, not even their clothing; and had they not been favoured with moonlight, all must have been launched into eternity. Great credit is due to Captain **M'INTYRE**, of the *Ocean Queen*, who was lying in the river at the time, for the assistance rendered by him to these unfortunates, and to whom Captain Sullivan with the others are desirous of returning their sincere thanks. Two of the crew have arrived with Captain Sullivan, and the remaining two are in the *Royal Ranger*. July 30.

INQUEST. - An inquest was held yesterday, at the Britannia Arms, corner of George and Goulburn-streets, on view of the body of **ANN ROBINSON**, between nine and ten years of age. It appeared from the evidence, that between two and three o'clock P.M., on Sunday week, the deceased was crossing the street at Hyde Park, when a man and a boy came galloping along, the man's foot came against the deceased with such force as to knock her down, and the hind foot of the horse he rode upon trampled on and cut her foot, one toe being split down. A man carried her home, when her foot was dressed, and some Dutch drops, and afterwards some plaster, were applied. On Thursday last, Mr. Surgeon **PHILLIPS** was called to see the deceased, when the wound appeared to be dried up; on Sunday she showed symptoms of lockjaw, and on Monday Mr. Surgeon **NELSON** saw her. The latter gentleman deposed that Mr. Phillips requested him to see deceased, and on arriving at her residence he found she was labouring under *tetanus*, or lockjaw, and on removing the dressings of the foot he perceived that sloughing had commenced, and that the injuries she had received were sufficient to produce lockjaw, of which she died about half-past eleven o'clock on Monday night. The jury returned a verdict of died from injuries accidentally received. It was sworn that the man by whom the unfortunate girl was galloped down was drunk, and fell off the horse when the accident occurred; he remounted, and a man in the crowd which collected attempted to prevent his going away, but he rode on, and threatened to gallop over the man who interfered to prevent his escape. There appears to be no clue by which either the man or the boy who were thus galloping through the streets of the city can be identified and brought up for punishment. *Herald, July 28*

SENTINEL, 3/135, 05/08/1847

CORONER'S INQUESTS. - Two inquests were held on Saturday afternoon. The first was at Mr. Hurford's, the Forth and Clyde, Bridge-street, on the body of **ELLEN KEAN**, an infant of about 10 months old. It appeared that on the Saturday previous (no person being present at the time but a brother, who was stated to be nearly an idiot,) the infant was scalded by the upsetting of a coffee-pot, but by what means there was no evidence to show. On Monday or Tuesday, Mr. **MALLON**, Surgeon, was called in to attend the child, but on Thursday evening she died. Mr. Mallon having certified that scalding was the cause of death, the Jury returned a verdict of accidental death.

The other inquest was held at Mr. Dillon's the Yorkshire Stingo, Goulburn and Castlereagh-streets, on view of the body of **STEPHEN WARREN [WARNER]**. Mr. **PETER HOWELL** deposed that the deceased had been ailing for four or five years, complaining of a pain in the chest, and a difficulty in breathing: he had been taking Holloway's pills. Witness saw him on Thursday last; he appeared very ill, indeed dying. **LAUGHLIN CUTHILL** deposed that he was present when Warren died, about half-past four o'clock on Friday morning; he had taken Holloway's pills for the last two months; there were two boxes, one containing about a hundred and fifty, and the other forty or fifty. Mr. Surgeon **PHILLIPS** had been called to see the deceased on Thursday afternoon last, and his evidence was to the following effect:- "On my arrival I found him in a dying state, and, from symptoms then apparent, and the history of the case, I am of opinion that death has been the result of natural causes - most probably disease of the heart and lungs. From the number of pills stated to have been taken by the deceased, I am of opinion they must have been injurious to him, particularly as it prevented him from taking proper medical advice. I am not aware that Holloway's pills is other than a quack medicine." The Jury returned a verdict of death by the visitation of God.

ATTEMPTED SUICIDE. - Yesterday morning, Mr. **THOMAS DIXON**, formerly in business in this city as a wine and spirit merchant, attempted to commit suicide by cutting his throat. It appears that he had been taxed with some fraudulent conduct, the exposure of which it would seem led to the commission of the suicidal act. No very great harm, however, is likely to ensue from the wound, and he is now in custody at the Infirmary by virtue of a warrant which was issued from the Police Office on Friday.

CORONER'S INQUEST. - An inquest was held on Tuesday afternoon at Mr. Sullivan's, the New York Hotel, on view of the body of **ALBERT MYERS**, then lying dead in that vicinity. The deceased had been complaining of paralysis for some time past, and about five o'clock on Thursday morning he was seized with a fit, when Dr. **SHERWIN** was sent for, who immediately bled him; about ten o'clock Dr. Sherwin again saw him and repeated the bleeding; but in about an hour afterwards, Myers expired. Dr. Sherwin described it as a hopeless case from the first. The Jury returned a verdict of died by the visitation of God.

MAITLAND MERCURY, 5/323, 07/08/1847

THE INQUIRY ON THE BODY OF MARY SULLIVAN, OR YARDLEY. - The inquiry on the body of this unfortunate woman was resumed by Mr. **DAY** on Wednesday morning, and the evidence of ----- **BAKEHALL**, her nearest neighbour, was taken, but as no further light was thrown on the matter, a verdict was recorded that it appeared by the evidence that her death was caused by burning, and that it seemed that her clothes must have taken fire, and that she must have burnt to death.

INQUEST. - An inquest was held on Saturday last, at the house of Mr. **HURFORD**, the Forth and Clyde, Bridge-street, on the body of **ELLEN KEAN**, an infant of about ten months old. It appeared from the evidence, that on the previous Saturday, the child was left in the house, and no person along with it except a brother who was stated to be almost an idiot, when a coffee pot fell from the fire, and its contents went over the child's body. Dr. **MALLON** was called in to attend the infant on Tuesday, but it died on the following Thursday. The jury returned a verdict of accidental death. *Chronicle, Aug. 4*

MAITLAND MERCURY, 5/324, 11/08/1847

ACCIDENTAL DEATH. - Early on Saturday morning last, two boys, residing at Black Creek, named **WILLIAM ALBERT BARNDON** and **THOMAS BOWEN**, went into the bush nearly opposite the Bush Inn. A quantity of fallen timber was lying there at the time, which was being burnt off, and the two lads were amusing themselves lighting sticks at the burning timber, when little Barndon, who was only seven years old, went too near a burning tree, and his clothes caught fire, and from the heated air around burnt so fiercely that his companion vainly tried to put out the flames, getting burnt himself in the endeavour. Bowen immediately ran off to the village for assistance, and meeting with Barndon's grandfather, named **EDWARD ARIS**, he gave the alarm, and Mr. Aris and the boy instantly returned to the spot where the latter had left poor Barndon. Constable **SMITH** came up on horseback at the same moment, but it was too late; the poor boy was dreadfully burned, the only article of clothing left on him being one boot, which was then smoking. Mr. Aris pulled off the boot, and a sheet being obtained and wrapped round the dying lad, he was carefully removed to his grandfather's house, and medical assistance obtained, but in about four hours he died, having remained sensible to the last, and wished "good-bye" to all his schoolfellows, who were sent for by his request. An inquiry was

held on the body on the same afternoon, by **C.F.H. SMITH**, Esq., J.P., when the above facts were deposed to. The parents of poor little Barndon are residing, we believe, in New England. Yesterday the funeral took place, and it was attended by nearly all the inhabitants of Black Creek, where he was a general favourite.

BATHURST. - CORONER'S INQUEST.

On Saturday, the 31st July, an inquest was held at Cherry-tree Hill, on the Mudgee road, on the body of **TIMOTHY TOOHEY**, who came to his death on the Wednesday previous. It appeared that the deceased was driving some cattle, and when near the premises of **DENIS BONSWORTH**, one of the beasts strayed from the herd and rushed into a stockyard where Bonsworth and his men were yoking a team of bullocks, and caused the bullocks to disperse, which annoyed Bonsworth, who took up a stake and belaboured the beast to make him leave the yard. The deceased called out to Bonsworth to come out into the road and serve him the same. Bonsworth left the stockyard, and went to where the deceased was, a distance of about 70 yards; the man remained in the stockyard, and heard an angry altercation between Tooley and Bonsworth, but did not see what took place; on Bonsworth's return to the yard, the man went to the spot where Tooley was, and found him lying on the ground dead. There was no evidence adduced at the inquest to show how the affair had taken place. Bonsworth's own statement was that the deceased had challenged him out, and on going to where he was (Bonsworth) had a stake in his hand; he found that the deceased had dismounted from his horse, and on Bonsworth's approach Tooley made a blow at him with the butt-end of a stock whip, which he (Bonsworth) warded off with the stake he had in his hand, and with which stake he struck deceased on the head, when he fell. The whip is now in charge of the police, and is a murderous weapon, being heavily loaded with lead at the butt-end, and of sufficient weight to fell an ox. On the following day, Bonsworth gave himself up to the police. Dr. **SMITH**, who attended the inquest, held a *post mortem* examination, and certified that death had occurred from a wound in the back part of the head, the skull being severely fractured. Verdict of manslaughter against Denis Bonsworth. The coroner issued a warrant for his apprehension. It appears that deceased and Bonsworth were near neighbours, and that an ill-feeling had long existed between them, and that they frequently quarrelled with each other. Tooley was a small settler, and possessed some live stock; he has left a wife and five young children to deplore his loss. Bonsworth is a respectable man, and held a publican's license for several years for a house on the Mudgee-road.
Correspondent of S.M. Herald

MAITLAND MERCURY, 5/325, 14/08/1847

ACCIDENT. - On Thursday afternoon constable **GEORGE HOOD** borrowed a horse from Mr. Adams, of the Black Horse, to proceed to the Wollombi, and had just mounted him, when his hat blew off. Hood turned the horse round, and rode up to the hat, when the horse, a young and rough animal, started, and went off at full speed. Hood tried to pull him in, but the bridle broke, and Hood threw himself off. He unfortunately fell on the back of his head, and received such injury that he now lies in a very precarious state.

MAITLAND MERCURY, 5/327, 21/08/1847

ENGLISH SHIPPING.

THE "JOSEPHINE." - This vessel had a lengthened passage of one hundred and twenty-three days from the Downs. On the 29th July, in latitude 41[degrees] S., longitude 116 [degrees] E., during a very heavy gale, the carpenter, named **LEWIS**

GLENNIE, in descending from the fore-topsail yard, after reefing topsails, slipped his foot and was precipitated into the ocean; it being night, and a heavy sea running, no attempt whatever could be made to save the unfortunate man.

INQUEST ON MR. DIXON. - An inquest was held at Mr. Driver's, yesterday, on the body of Mr. **THOMAS DIXON**, who had died in the Infirmary on Tuesday night. It appeared that one the evening of the 29th July, Mr. Dixon went to the house of Mr. **BIRD**, of Darlinghurst, where he dined and remained for the night; the next morning his son arrived, and said they had been searching for him the whole of the previous day. Shortly after Mr. Dixon rose and dressed, and asked the way to the privy; his son had noticed a razor in his pocket, and went to watch his father; Mr. Dixon asked his son what he wanted there, and he replied that he wanted him to come home; Mr. Dixon muttered something indistinct about the bush, looking vexed, and passing round the corner of the house, he immediately cut his throat with the razor; his son ran to him, caught hold of his arm, and called for help; Mr. Dixon struggled to cut his throat again, and they both fell, and Mr. Bird running up took the razor from him, when Mr. Dixon begged him to let him finish himself. He had seemed cheerful and in his usual spirits the previous evening, although he had expressed a disinclination to go into Sydney, as he said there was a warrant out against him for striking a woman. Mr. Dixon was removed to the Infirmary, where, although the wound was slight, he lingered for three weeks, and then died from exhaustion, aided by previous disease, according to the evidence of Dr. **M'EWAN**. The jury returned a verdict of died from pre-existing disease and exhaustion. *Herald, August 19*

MAITLAND MERCURY, 5/328, 25/08/1847

SUDDEN DEATH. - On Monday last, in the afternoon, as Mrs. **COBB**, of Anambah, was walking in her garden, alone, apparently in perfect health, she fell suddenly, and on her daughter running up to see what was the matter, she was shocked to find Mrs. Cobb dead, having been struck by apoplexy. An express was instantly sent into Maitland for Dr. **SLOAN**, who galloped out, but on his arrival found Mrs. Cobb was indeed dead.

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

AWFUL CASE OF SUDDEN DEATH. - It has become our painful duty to report one of the most awful cases of sudden death that has perhaps ever occurred in Singleton. On Thursday last, about ten o'clock in the morning, an elderly man named **THOMAS CROUCH WAITE**, called at Mr. Hope's store, and while in conversation with Mr. **OGG**, relative to the deeds of some land which he had purchased of that gentleman, while being pointed out the necessary alterations required in the conveyance of the land, he suddenly fell down and instantaneously expired. We understand that Dr. **VALLACK** held a *post mortem* examination on the body, and that gentleman expressed his opinion that the deceased had died from a disease of the heart. The deceased was about sixty years of age, and had resided at Singleton for many years, where by his frugal habits and industrious habits he had managed to possess himself of a comfortable little freehold property, the last instalment for which he had just paid off. He has left a widow and one son to lament his untimely decease. His corpse was interred on Friday, and followed to the grave by upwards of fifty of the inhabitants of Singleton.

ATTEMPTED ESCAPE FROM COCKATOO ISLAND. - On Thursday night three prisoners attempted to make their escape from Cockatoo Island, having got through the roof of their hut. They were observed by one of the sentinels on duty, who fired and wounded one of them, who was captured, another of them gave himself up, and

the third was found drowned yesterday evening in the water between Cockatoo Island and the North Shore. *Chronicle, August 21*

INQUEST. - On Saturday an inquest was held on the body of **WILLIAM SMITH**, the prisoner who was drowned in attempting to escape from Cockatoo Island on the preceding day. It appeared that the attempt took place about three o'clock in the morning, and that Smith, who was the only prisoner that entered the water, was shot at by the corporal on duty, and immediately went down. His body was found during the day, when it was found that his leg-irons were still on, though the chain was cut. No gunshot or other wounds could be found on the body when examined by Dr. **SILVER**. The jury returned a verdict of accidental death by drowning. *Herald, August 23*

ANOTHER MURDER BY THE BLACKS. - Intelligence reached Brisbane a few days since that a poor shepherd named **JOHN ROGERS**, employed on Messrs. Humphrey and Herbert's station, on the Balamba Creek, was barbarously murdered by a party of blacks on the 26th ultimo, who are supposed to be the same tribe that killed the black boy **WYAMBA**, at Ferriter and Uhr's, about two months since; as a matter of course, nothing has or can be done in the way of apprehending these poor benighted savages, and they will consequently in a few weeks have another chance to commit a similar, or perhaps, a worse outrage on the persons of the unoffending hutkeepers and shepherds that may unfortunately fall in their way. *Moreton Bay Correspondent of the S.M. Herald*

THE INTERIOR. - ... The Wannon is quite impassable on horseback; ... A man was drowned while crossing a swamp with a team of bullocks, near Mr. Edward Henty's station. He was a married man in Mr. Henty's employment.

DEATH.

At Anambah, on the 23rd August, **MARIA**, relict of the late Mr. **JOHN COBB**, aged 41 years.

INQUEST. - An inquest was held yesterday on the body of **FREDERIC MARKS**, which had been found the preceding day on its face in the mud and water in the Waterloo Swamps, with the hands tied behind with a handkerchief. From the evidence it appeared that the deceased had deliberately destroyed himself, in consequence of being unable to pay a sum of £6 for lodgings, and the jury returned a verdict of *felo de se*. *Herald, August 21*

SENTINEL, 3/138, 26/08/1847

CENTRAL CRIMINAL COURT

Tuesday

Before Mr. Justice Dickinson

PATRICK O'BRIEN was indicted for the manslaughter of one **PATRICK FOLEY**, on the Liverpool road, on the 21st May last.

From the evidence it appeared, that on the day named in the indictment, the prisoner was travelling with a cart along the Liverpool Road, and called for some purpose on a man named **VENABLES**, residing on the road-side, where he remained five or ten minutes; as he was going from Venables' house to his cart, two teams belonging to Mr. **JOHN WILD** came up, one of the drivers the deceased man, if not both, being drunk; Foley picked up a quarrel with the prisoner, and wanted to fight him, which he refused to do, observing that he would be ashamed to fight with such a delicate looking man especially while in a state of intoxication; the other man, named **GODRY**, then accosted O'Brien, and challenged him to fight; a scuffle ensued, when two men named **M'CARTHY** (brothers) went up and interfered, endeavouring to

separate them when a regular skirmish took place, in the course of which the deceased received a blow which knocked him down. Enables, opposite to whose house the affair took place, swore positively that no one fought with Foley, nor did he see anyone strike him; he said also that the only persons present were the prisoner, the two McCarthys, Godry, and the deceased, and that owing to the situation of the place lying in a hollow, and within a short distance of a sharp turn in the road, no one coming along the road could see what took place at a greater distance than about a hundred yards. After scuffle, however, Foley was lying on the road; Godry lifted him up, when he was found to be insensible, and shortly afterwards expired. Another witness named **RICHMOND** however deposed that he was travelling towards the spot with a three horse team; that by the time he got there it was over, but that as he drew within six or seven yards he saw the prisoner strike deceased with his fist and knock him down, and that when down he kicked him somewhere near the shoulder, after which he pitched into Godry; that when Foley was removed within Enables' fence he saw a swelling on his neck as large as an egg; as soon as Foley was removed from the road he went on his way. Venables was recalled, who said he did not see a three horse team pass, nor did he see Richmond there; it had been there he must have noticed him from the circumstance of his wearing a patch over one eye. Another witness was present when Foley was removed from the road, who also said that Richmond was not present, nor did she observe any swelling on Foley's neck, although there was the mark of a bruise there.

Mr. **BROWN**, Surgeon, who made the *post mortem* examination of the body at the inquest, described the appearance of the body. There were several bruises on the right side of the head, on the back of the neck, and on the shoulders: a swelling and considerable discolouration between the right ear and down the neck; and an effusion of blood on the brain, caused by violence of some kind on the jugular vein; the mark on the neck he described as the result of recent violence; he attributed death to the effusion of blood on the brain.

Mr. **HOLROYD** addressed the Jury for the defence, and dwelt on the discrepancy in the evidence of Richmond, compared with that of the other witnesses, as well as to the denial of the other witnesses that he was present during the affray. He drew their attention, also, to the circumstances of the man Godry, who was the companion of the deceased, not being called on the part of the prosecution, to give his version of the affair, as well as to the absence of the two McCarthys, who endeavoured to prevent the fight; and submitted, that the evidence of Venables, who was present from the commencement to the termination of the affray, was a safer guide for the Jury than that of Richmond, who was the only one that spoke of a blow being given to the deceased.

He then called several witnesses, who gave the prisoner an excellent character for five or six years, the whole period he had been in the colony, as a person of mild demeanour, and of quiet and reputable conduct.#

The Attorney General briefly replied, after which his Honor put the case to the Jury, who returned a verdict of not guilty.

Mr. Holroyd defended the prisoner; attorney Mr. **G.R. NICHOLS**.
CORONER'S INQUEST.

On Saturday morning, an inquest was held at Mr. Driver's King-street, touching the death of a prisoner of the crown, named **WILLIAM SMITH**, who met with his death in the attempt to escape from Cockatoo Island, on the preceding day. The following evidence was taken, on which the Jury returned a verdict of accidental death by drowning. **GEORGE NEWBOLD**, Assistant Superintendent at Cockatoo Island,

being duly sworn, said: I knew the deceased, William Smith; he was a prisoner of the crown, and was received on the 15th of June last under the sentence of ten years' transportation; he was kept in irons; that is his body which the jury has now viewed; I was called between three and four yesterday morning, in consequence of the prisoners breaking out of barracks; I mustered them, and found three absent, amongst whom was the deceased, William Smith, was still missing; I did not see the deceased in the water at the time, but about half-past eleven I was present when his body was searched for, and brought on shore; he had irons on him; the chain was cut but the leg irons remained on; a prisoner named **HITCHCOCK** had charge of the boat in which the men were who were searching for the deceased, and found his body; I believe Hitchcock first perceived the body in the water; the irons were struck off a few minutes after his body being brought into the boat. **CHRISTOPHER ARMSTRONG** acting corporal, 99th regiment stated on oath; I was upon Cockatoo Island yesterday morning; I heard a gun fired about four o'clock, from No. 7 post, and hurried down there immediately; I saw a man in the water, who was called to, and replied "Here I am;" I saw that he was leaving the shore, and I fired at him when he went down, and I did not see him afterwards; there was a dog in the water with him, but as soon as I fired he returned to the shore; when I fired at the man he was about thirty yards from the shore; the man I so fired at is the same man whose body has been viewed by the jury.

THOMAS MORISON being sworn, stated: I am a prisoner of the Crown, confined at Cockatoo Island; I saw the deceased yesterday morning going into the water; he stripped himself; he was endeavouring to go to Spectacle Island; his irons were cut before he went into the water; I heard a shot fired when he was in the water; he said, "Don't fire – I'm coming back;" in about two seconds afterwards he disappeared. **JOHN SILVER**, M.D., and Assistant Colonial Surgeon, being duly sworn, said: I have viewed the body of the deceased, William Smith, upon which there are no marks of violence; and from its appearance, and the history of the case, I am of opinion that death has been caused by suffocation from drowning; I have closely examined the body, and there could not be a gun shot wound upon it without my having discovered it.

Another inquest was held on Friday afternoon, at Mr. Taylor's wheat sheaf Inn, George-street, on view of a body found in the Waterloo Swamp on the preceding day then lying at the Benevolent Asylum. The following is an outline of the evidence. – **GEORGE FICHETT** residing in Domain-terrace, Sydney, being duly sworn, said: Yesterday morning, about half-past ten I was hunting with my dogs, in Waterloo Swamp, when one of my dogs came to a stand, but I perceived that it could not be a bird, and on going forward to the spot I found the dead body of a man, laying on his face in the mud and water; his hands were tied behind him with a handkerchief; I did not touch him but sent for assistance; a man and a boy were working in the swamp, about a quarter of a mile from the spot; the man I brought to the place; I remained there until the arrival of the constables; from the way in which the handkerchief was tied, I think he could have done it himself, and that it was his own act; there was no marks on the ground close to where the body lay which might indicate the presence of any parties there struggling. – **ALFRED HILL AUSTIN**, wharfinger and storekeeper at Kellie's Wharf, being duly sworn, said: I knew the deceased **FREDERICK MARKS**, he has been in this colony about three months, having arrived in the barque Wigrams, from Calcutta; I saw him on Tuesday afternoon last, about three o'clock; he said he owned the sum of four pounds, which he had wanted to borrow, but was disappointed; he stated that rather than live in poverty and disgrace he would put an

end to his existence; he was then in a state of inebriation, and appeared to be wild; I requested that he would stop with me for the night, but during my absence he left my place, and I did not again see him alive, he was about thirty years of age; I received the letter produced about two o'clock on Wednesday last.-

Sydney, 18th August, 1847

My dear Austin, - As the only person in the colony of New South Wales that I can call a friend I am compelled to trouble you with a small commission. My interview with Mr. Campbell yesterday was unsuccessful to obtain the amount of Mr. Illidge's bill against me. I have therefore determined to commit suicide, on the ground that rather than live in debt and poverty I prefer death. Under the circumstances, a very sensible object. My plans are formed, and before you receive this, I shall I trust be numbered with the dead. Should my body ever be found you will be able to explain certain matters. Now for the commission. I should wish you to write to my brother in Calcutta, stating that I commit self-murder on the 18th August, 1847, but tell him it is my wish in writing to England on the subject to say that I died of fever; for if my dear mother is still alive I am sure it would break her heart to know that her youngest son made away with himself. I shudder at the thought of the act I am about to commit, but I am driven to despair.

Yours truly,

Fred. Marks

P.S. I would wish it to be stated, if enquiry occurs, that Frederick Marks prefers death by his known hand to poverty and disgrace. Pray for my soul, and if you have ever spent a pleasant hour in my company write to my brother in Calcutta. Address - Mr. C. Marks, Sealdale, near Calcutta. You will no doubt see Captains Payfield and Irons on their return. God bless you. The thought of dying weighs me to the ground.

F.M.

It is the handwriting of the deceased: I saw him on Saturday last; he was then sober and perfectly sane; he was quite sane at all times unless inebriated, but on the occasion of my last seeing him he appeared to be quite wild from the effects of drink.

CHARLES ADAMS, sergeant of the Sydney Police stated: having received a report that the body of a man was lying in Waterloo Swamp, I proceeded there yesterday morning and found the body of the deceased; his hands were then tied as they are now; I searched his person, and found 5s. 11½d; **GEORGE ALFRED ILLIDGE**, residing in Hunter-street, being duly sworn, said: the deceased, Frederick Marks, lived with me but I have not seen him since Monday evening last, when he was in the best of spirits and quite collected; **JOHN SILVER**, M.D., was of opinion that death had been occasioned by suffocation from drowning. The Jury returned a verdict of *felo de se*.

MAITLAND MERCURY, 5/329, 28/08/1847

DESPERATE ASSAULT. - On Tuesday evening, a man named **DUNCAN M'GREGOR**, who resides at Coolie Camp, was playing cards in the house of **ROBERT EWING**, wheelwright, of East Maitland, when Ewing and M'Gregor quarrelled, and proceeding from words to blows, they went outside into the street, and fought a round or two. This was about half-past nine o'clock, it being a fine moonlight evening. Ewing appears to have been dissatisfied with his success in boxing, for he suddenly ran back into his shop, and returning with a hammer, he struck M'Gregor a heavy blow on the head with it, cutting through his hat, and felling him to the ground senseless. Ewing was immediately caught hold of by the persons present, and restrained from inflicting any further blows. M'Gregor was picked up insensible, taken into Mr. M'Pherson's, and laid on a bed, while medical advice was sent for. For some time it was feared he would not survive the blow, but in the course

of the night he got better. The next morning Mrs. M'Gregor, who was with her husband, and had witnessed the blow, made an affidavit of the facts at the police-office, on which a summons was issued against Ewing, to appear on Tuesday next to answer the charge of assault. Yesterday morning, however, Dr. **BROWN**, who is attending M'Gregor, informed the bench that the man's life was in great danger, on which a warrant was issued for the apprehension of Ewing. In the course of the morning Ewing was brought up, and the affidavits of Mrs. M'Gregor and of **WILLIAM BURNS**, who also witnessed the blow, were read over to him, and he was remanded, to await the termination, whether favourable or otherwise, of M'Gregor's sufferings. - Ewing applied for bail, but before granting it the magistrates went to see M'Gregor, and found him so dangerously ill that they refused bail.

MAITLAND MERCURY, 5/330, 01/09/1847

ASSAULT. - **ROBERT EWING**, charged with assault on **DUNCAN M'GREGOR**, was allowed bail on Monday, M'Gregor having happily showed signs of recovery. Ewing was brought before the bench yesterday, and M'Gregor's evidence taken, but the latter was so weak, and evidently wandering in his mind, that the bench postponed taking the whole of his evidence till he should be stronger. From other depositions taken, it appears that more provocation was given by M'Gregor than was mentioned in our last, but we forbear giving further particulars till the case is completed. Ewing was remanded, on bail, at the close of the examination.

SERIOUS ACCIDENT. - Another accident, arising from the state of the rocks in Argyle-street, took place yesterday morning to a person of the name of **ANDERSON**, a carpenter, residing in Fort-street. The occurrence took place immediately behind Trinity Church; he was taken up apparently senseless, and placed on a stretcher, and conveyed to his residence, where he now lies in a precarious state. *Herald, Aug. 30*

CENTRAL CRIMINAL COURT. - WEDNESDAY, AUGUST 25, 1847

MANSLAUGHTER. - **JOHN M'GRATH** was indicted for the manslaughter, at Sydney, on the 29th July last, of a male child, by throwing upon the body and head of the said child one **MARY ANN M'GRATH**, inflicting thereby certain bruises and wounds, whereof he died the next day.

The evidence was precisely the same as that given on the inquest, and the occurrence being of so recent date, the circumstances are, no doubt, fresh in the public mind.

The jury found the prisoner guilty, and he was remanded for sentence.

CENTRAL CRIMINAL COURT. - SATURDAY.

WILLIAM ELTON, for manslaughter, three years' hard labour in Sydney gaol.

JOHN M'GRATH, for manslaughter, eighteen months' hard labour.

Abridged from the Herald

MAITLAND MERCURY, 5/332, 08/09/1847

THE MAITLAND CIRCUIT COURT.

The following is the calendar of prisoners for trial at the Circuit Court, which commences its sittings on Friday next, before his Honor Mt. Justice Therry:-

JOHN GRADY and DARBY DOWD, manslaughter.

PETER PIDGEON, murder.

JOHN PURCELL, murder.

LAWRENCE COWAN, manslaughter

SENTINEL, 3/139, 09/09/1847

CORONER'S INQUEST. - An inquest was held on Tuesday at the Wheat sheaf Inn , George street, South on the body of **JOHN WINCH**, who was taken to the Benevolent Asylum on the previous day, complaining of dysentery. He lay on the bed all day, and about three o'clock, yesterday morning Wardsman **GREEN** heard him fall out of bed; Green went immediately to him, and lifted him in again, but he almost immediately expired. Mr. **RUSSELL** the Resident Surgeon in the Asylum, considered that death was the effect of pre-existing disease. The Jury returned that the deceased died by the visitation of God.

MAITLAND MERCURY, 5/333, 11/09/1847

GOULBURN CIRCUIT COURT.

JOHN MAHONEY was indicted for stabbing **ELLEN HICKEY** in the arm with a knife. It appeared that the prosecutrix and the prisoner were servants in the same house, and having quarrelled the former threw the contents of a milk jug in the face of the latter, when he threw a knife at her, which passed through her arm. Guilty of a common assault. Mahoney was then indicted on a charge of horse stealing, and found guilty. Sentence in both cases deferred.

WILLIAM BOLTER was indicted for attempting to discharge a loaded gun at **THOMAS WHALLEY**, with intent to kill him. It appeared that one evening some quarrelling took place between the prosecutor and the prisoner in reference to the subject of wages which the prosecutor thought were due to his sons, who were in the prisoner's employ. After the prosecutor and his wife had retired to bed, and were asleep, the prisoner went into his own bedroom, and loaded the gun with powder and duck shot, using rag as wadding, and afterwards priming the gun. The prisoner left his bedroom for a few minutes, and during his absence **EDWARD WHALLEY**, the prosecutor's son, fearing that the prisoner was about injuring his father, poured some water down the barrel of the gun, and opening the hammer poured some into the pan. On his return the prisoner took the gun and went into the prosecutor's bedroom, presenting it at him, and attempting to fire it. The next morning the prisoner had no recollection of what had occurred. The jury, under the direction of his Honor., acquitted the prisoner. *Abridged from the S.M. Herald*

BERRIMA CIRCUIT COURT.

This court commenced and ended on the 1st instant, there having been only three cases for trial.

DANIEL JORDAN was indicted for having cut and stabbed **WILLIAM WALKER**, with intent, &c. It appeared the parties had been drinking together on the evening of the 11th June, and that a quarrel took place between them, which ended in Walker's endeavouring to put Jordan out of the house with a stick; in the struggle Walker fell backwards, and on rising found his back was wounded or stabbed; the medical man who attended him considered the wound must have been inflicted with a knife, and shortly before the fight Jordan was seen cutting tobacco with a knife. The jury returned a verdict of not guilty, and the prisoner was discharged.

MAITLAND CIRCUIT COURT. - MONDAY, SEPTEMBER 13, 1847

MURDER

JOHN PURCELL, late of Cassilis, was indicted for having, on the 15th May, 1847, committed an assault on **JOSEPH PALFREY**, at the Rivulet, and with some unknown blunt instrument wounded him on the right side of the head, of which

wound Palfrey instantly died; and that thus the said John Purcell did feloniously kill and murder the said Joseph Palfrey.

Mr. Purefoy appeared for the defence.

The Solicitor General stated the case to the jury, and called **BARBARA M'DONALD**, who deposed that she lived about five miles from prisoner's place, who resided at the Rivulet, and the deceased Palfrey lived with him. On the 10th May Palfrey and Mrs. Purcell came to witness's house, with two of Mrs. P.'s children; Mrs. P. and the children remained for several days, but Palfrey returned home, and called again on the 14th, when he remained a short time, borrowing a spur from witness before he left. On the Tuesday morning following prisoner came to see his family just after breakfast. In answer to Mrs. Purcell's questions, prisoner said that Palfrey left home on horseback on Saturday afternoon, and was going to Reedy Creek after a horse. Eight days after, on Friday, the 28th May, the prisoner came again, to see his daughter, who had been left there by Mrs. Purcell, a few days before. Witness asked him if Palfrey had come back; prisoner replied no, that he did not go for coming back. Prisoner then talked of making his will, and said how he wished to leave his cattle and money. Witness asked him why he thought of this, and he replied that his wife was talking about hanging him, and only that there was nobody to look after the two children, she would have been settled too. Prisoner further said that his wife had told him that she would never live with him while Palfrey was alive, but she would not live with Palfrey now; and that Palfrey thought he had a long head, but that his (prisoner's) was too long for him. Witness cautioned him as to what he would meet after death, as his words implied a determination to destroy himself. Witness never saw Palfrey again alive, but nearly four weeks after he was last seen at her place she saw him lying dead in his hut.

By Mr. Purefoy: Witness had lived in those parts six years, and had known these parties four years; witness's memory was good; she would not speak positively unless she was certain.

JOHN GRICE deposed that he was a serjeant in the mounted police, and that on the 15th May he went to prisoner's station looking for a stray horse; witness found the horse, and it being late in the evening he stopped at the hut for the night; there was no one there but prisoner. In conversation at supper prisoner told him that Palfrey had left home to go to Reedy Creek, to get a horse from his half-brother, **JOHN JONES**, either that day or the day previous. After supper prisoner said he would change his shirt, but witness observed that he did not put on a cleaner one. Witness had ridden to the hut by the most direct road for Palfrey to have gone to Reedy Creek, but did not meet him.

By Mr. Purefoy: Witness stopped at a station called Coggan on the way; half a dozen people might have passed while he was there, but few passed without calling.

JAMES BRADY deposed that in May and June last he was superintendent of Mr. Tindal's station at Bylong, about twenty miles from prisoner's station. On Wednesday, the 19th May, witness called at prisoner's, and found him alone; witness dined with him, and asked for Palfrey, whom he wanted to see, but prisoner told him that he had gone for a horse that was in the possession of **ADOLPHUS JONES**, his half brother. When witness left he asked when he should call again to see Palfrey; prisoner said it would be hard for him to say when he would be home, for sometimes he would be away one, two, or ten days without their knowing when he would be back. Witness called again on Saturday, but found no one at home. On the following day prisoner came to witness's nearest out-station, where witness was at the time, and witness told prisoner that he had been at his hut, and asked if Palfrey was come home;

prisoner replied "no, indeed, he is not," and added that the previous day he had been out on his run, and had found Palfrey's horse running with the other horses, having a saddle and one stirrup on, but no bridle, and that the horse looked fatigued. Witness said something wrong must have happened to Palfrey, and went outside to get his horse ready. He then heard prisoner, who had remained inside, tell his hutkeeper, **JOHN HEENY**, to go and take this horse and put it on his run, or else, as it was a stray horse, Adolphus Jones, who was coming to his place in a day or two, would be sure to take it away if he found it there, and Palfrey away. Prisoner then came out, and witness and he rode about three miles together. In conversing on the way prisoner admitted that this looked as if something had happened to Palfrey, and said that he had not been able to go look for him yet, as he had been up looking for cattle. Witness advised him to do so at once, and to report the occurrence to the Messrs. Jones, as he being the last man who could give any account for his disappearance, and that he ought also to raise the neighbours to search for him. Prisoner said he had gone to Mr. Jones's, but they did not trouble themselves much about it. Witness said he could not believe that, and that he would return himself as soon as he had done his business, and gather the neighbours, and search for Palfrey. Witness did so without success. On the following Wednesday witness went again to Purcell's hut by the river, having picked up Mr. Jones at Coggan, and they went to the hut together. They found there three men, named **HEWITT, MOORE, and CLARKE**, and Heeny arrived shortly after. In a short time prisoner, who had been out, came in also, and the next day they all searched near the house and farther off, but unsuccessfully. Mrs. Purcell was then at home. When they returned to the hut in the afternoon witness had a conversation with the prisoner, and drew up for him a pencil copy of a will, by which he left his cattle between his children, and his money to his wife. Prisoner remarked that the cattle would never do him any good, but might do some to his children. Witness suggested his appointing Mr. Tindal as a trustee, and prisoner said he would go to Dabee and ask Mr. T.'s permission. Witness then, in the presence of prisoner, and by his desire, handed over prisoner's money, about £19, to Mrs. Purcell. Prisoner next day went over to bring his child from Mrs. D'Donald's, and witness, who had slept at the hut, went out again on the search. When witness returned in the afternoon, he found prisoner at home, chopping wood, and they entered into conversation. Witness asked him if his child was come home; prisoner replied no; witness asked him why he had given up his money to his wife, when he would want it himself if taken to court; prisoner said he should not be taken to the court, that the police would come, but they would not find him; witness asked if he meant to run away; prisoner replied no, he should not be far off, but they would not take him to court. Witness then charged him with thinking of destroying himself, which prisoner admitted he did, but by remonstrance witness induced him to say he would endeavour to change his mind. Witness said, "It appears that the way in which your wife has lived with Palfrey has made you very unhappy;" prisoner replied, "Yes, I have been very unhappy for many a long day;" witness said, "It does not appear as though Palfrey was coming to annoy you again;" prisoner replied, "No, I am satisfied;" and he added, "I thought there were some hopes for me until this woman asked me about the tomahawk." By this woman prisoner meant his wife, and he alluded to something that had occurred during witness's absence. Prisoner said that Clarke had put the woman up to asking him where was the tomahawk – and that at first he would not give them that satisfaction, but that in a minute or two he fetched it to them. Witness asked where it had been; prisoner replied that it had been sticking in a stump by the bank of the Rivulet, at a short distance from the house, where Palfrey had it last to drive in a

nail, and to cut off a small branch. On the Saturday morning, by witness's advice, prisoner started to go to Mr. Tindal's, and witness accompanied him part way, it being about fifty miles off. Witness again saw prisoner at his hut on the Monday following in the hands of the police, but little conversation passed between them. Prisoner was then removed to Cassilis in custody, and after all search was given up, witness, who knew Mrs. Purcell meant to leave the spot, went to the neighbourhood of the hut again to establish a sheep station, and went there about two hours in advance of Heeny, who was to follow him. Witness went to water his horse at a deep waterhole in the bed of the Rivulet, in front of the hut, and about a hundred yards from it, and in returning from the waterhole he saw, at a few yards' distance, a small space scratched by a dog's paw, and noticed three large flies settled on it; witness disturbed the flies, but they settled there again; witness then drew out the ramrod from his gun, and drove it down into the soft sandy earth at that point; when he withdrew it the rod smelt offensively; witness plunged the ramrod down twice more, and the third time, feeling a hard body stop his ramrod, he twisted it round two or three times, and found on withdrawing it that the smell was not only worse, but a small piece of thread was hanging to it, similar to the threads in a blue shirt. Witness then went up the bank, and when Heeny arrived he sent him for a spade, and caused him to dig at that spot. At about two feet they came upon a short log, and having removed it they shortly arrived at a human body wrapped up in a sack, which and the shirt Heeny cut open slightly, so that witness was satisfied it was a human body. Witness then left Heeny at guard over the body, after covering it up again, and started for Cassilis, but his horse failing he returned to the grave with Clarke, whom he met. The next morning Clarke and Heeny again dug down to the body, and exposed it sufficiently to satisfy them that it was the body of Palfrey. Having covered the body up, witness then rode to Cassilis, and informed the police, who came, and Dr. **NICHOL** was sent for to examine the body.

This witness was also cross-examined at great length by Mr. Purefoy with regard to his memory of the various conversations which he had detailed, but his evidence was not shaken except by mere verbal differences.

JOHN HEENEY corroborated the evidence of Mr. Brady, si far as he had been with him, and was also present when Dr. Nichol examined the body found by Mr. Brady, and which was Joseph Palfrey's.

ADOLPHBUS BARTLEY JONES deposed that on the 25th or 26th May prisoner came to Reedy Creek, and reported the disappearance of Palfrey, telling witness that he had left home on the 15th, and that on the following Friday prisoner found his horse on the run without a bridle, but having a saddle and one stirrup on. Witness went to the station with prisoner to search for Palfrey, and feeling suspicious of foul play having occurred, he then next day went to Cassilis to report it to the police. Witness then returned to the hut by another road, and found on his arrival that the police were there. Prisoner came in afterwards, and was apprehended by chief constable **KERR**. Witness saw the tomahawk produced in Mr. Kerr's possession, at the end of the hut. The saddle prisoner was riding on when he came to Reedy Creek he told witness was the one Palfrey had ridden away on; it did not look torn or injured; witness would expect a horse to roll a good deal if in the bush for several days, which would injure the saddle more or less. Witness never saw Palfrey and prisoner quarrelling. When they returned from the search, before witness went to Cassilis, Purcell brought witness the tomahawk, and said, "This woman will soon find a plan to settle me." The tomahawk was dirty, and witness threw it from him. Other expressions might have

been used by prisoner, but witness could not remember the exact words. Witness found a spur in the hut, and a whip, which witness knew belonged to Palfrey.

THOMAS CLARKE deposed that he was overseer to Mr. Blackstone, at Drummond's Flat, and that having heard of the disappearance of Palfrey he went to Purcell's hut, and remained some days, assisting in the search. During this time he had several conversations with the prisoner, which he detailed at length. Having heard from him that the horse looked much rolled and fatigued in Friday, witness went to look at him on Tuesday, and found he looked fresh and sleek, without any appearance of having been ridden for some time. On Thursday Mrs. Purcell, in consequence of a conversation with witness, asked her husband for the tomahawk, which she had left lying on her boots; prisoner asked, "Why do you want to know?" and added, "I know what you mean by the tomahawk; will you swear you put it there?" Prisoner, however, went out in a minute or two, and must have brought in the tomahawk, for witness saw it in his wife's hands immediately after, but noticed nothing particular about it. Witness was present when the body was dug up by Mr. Brady and Heeny, and recognised it, and saw the body afterwards again finally dug up, that Dr. Nichol might examine it; it was the body of Joseph Palfrey.

Mr. Purefoy cross-examined the witness at some length, and elicited that a few of the expressions he detailed had not been mentioned by him at the police-office examination.

THOMAS KERR deposed that he was chief constable of Cassilis, and that on receiving information he went to the prisoner's station; he was not at home, but came in in the afternoon; witness apprehended him, and searched him, and found some papers and £19 in money on him; on witness's entering the house he immediately examined all the tools in the house, and found the tomahawk produced; he examined it closely, and found on it a single hair, which he believed to be human, embedded in what appeared to him coagulated blood; the hair was still on it, but the blood looked more like rust now. [The tomahawk was handed to his Honor, and the jury, and the single hair was observed still adhering to it.] It was a dark hair, similar to Palfrey's in color and appearance. In the morning prisoner claimed the pencil paper written by Mr. Brady, which witness had found in prisoner's pocket, as being his wife's.

By Mr. Purefoy: Witness believed the hair to have been human, and the marks to be blood, from their appearance.

ALFRED JOHN NICHOL, surgeon, deposed that he resided at Cassilis, and went to prisoner's station early in June, where he examined the dead body of Joseph Palfrey. The legs were doubled up in the sack when removed from the grave. Witness found no external appearance of injury on the head, but having opened it he found that the skull was fractured, by what appeared to be two heavy blows from a blunt instrument, the pieces of the skull being driven in on the brain. Such an instrument as the tomahawk produced would cause such an injury, if the blows were struck with the blunt end of the head. There was no blood on the head or clothes, and decomposition had gone on to a considerable extent about the head and neck, but much less about the body; witness did not open the body, but found no external marks of injury on it. There was a large depression on the head, but the skin was not cut, and there was no external injury. The fracture of the skull was the cause of death. Witness saw nothing particular about the tomahawk produced except the single hair attached to it, which appeared to be a human hair; the marks on it might be coagulated blood, but he could not say they were without analysing them. Witness thought the body had been laying three weeks or more in the earth, which was sandy and dry; the clothing was very wet, much more so than was usual about a decomposing body.

By Mr. Purefoy: The contusions were on the right side of the head, approaching to the back and upper part of the skull; the decomposition prevented the witness's observing any marks of external hemorrhage; there must have been extensive external or internal hemorrhage; witness found no evidenced of internal hemorrhage on opening the skull. There was no injury on the body, and witness did not examine the vital organs. Witness was positive the injuries on the skull were inflicted before death. He observed no effusion of blood, no mass of coagulated blood, and no serum. Witness certainly would expect extensive hemorrhage at the time of the injury. The body was saturated by water; witness was not prepared to say that death was not caused by drowning; it was possible it might, but very improbable, and from the whole appearances witness had no doubt that death was caused by the fracture of the skull. Decomposition would have prevented to some extent the appearance of external injury, and had almost entirely removed the brain.

By the Court: The skin was in its natural state when witness examined the head, although the bone beneath had fallen into the cavity of the brain, so that the skin and bone had separated in the course of decomposition, and probably while they were removing the body. Witness thought death was undoubtedly caused by the fractured skull.

By a juror: Witness believed the single hair to be human, and thought it like Palfrey's.

This closed the case for the prosecution.

Mr. Purefoy addressed the jury for the defence. There was no duty so serious as that in which they were all now engaged, as on the result of their inquiry the life of a fellow creature depended. His duty was to endeavour to prevent an innocent man being made to suffer for the foul crime of murder. But the evidence against his client was not only simply circumstantial, the most suspicious of all proof, but depended entirely on the report of his expressions, conveyed to them, after an interval of many months, by witnesses who themselves admitted they could not remember the exact words. And from such weak evidence they were called on to draw the inference that the prisoner was guilty of this crime. It was a case that called for the most deliberate investigation, for, beyond these expressions, there was not any evidence to connect the prisoner with the death of Palfrey, nor any evidence that he had ever seen him from the day when he was at Mrs. M'Donald's. In some cases presumptive evidence was so strong that they could not avoid being convinced by it, but unless they could conclude not only that the prisoner might have committed the crime, but that Palfrey had died from violence, and that no one but the prisoner could have murdered him, they must acquit the prisoner, for God forbid that any man should be found guilty of such a crime on supposition. In this light, if any fact proved was inconsistent with the idea of his guilt, then the whole case fell to the ground; and he felt sure that if they would attend to him carefully while he went over the evidence they would acquit the prisoner. The learned gentleman then went through the evidence, particularly dwelling on the probability of Palfrey's death being caused by drowning, and that the injuries on the skull were caused by dragging him from the water to his grave. He would call a medical man of undoubted skill who had heard the whole of the evidence, and who would tell them that the appearances found by Dr. Nichol were altogether inconsistent with the belief that the blows were inflicted on Palfrey in life, and he rested confidently on their conclusion that the prisoner was not guilty of causing Palfrey's death as laid in the indictment.

MICHAEL M'CARTNEY deposed that he was a surgeon, practising in Maitland; it was very difficult to distinguish between fractures of the nature alluded to inflicted

before and shortly after death; if such wounds as described were inflicted in life he should expect external swelling, with suffusion of blood, and internal hemorrhage; if after death then he should look for none of these consequences, unless death had been caused by lightning; internal hemorrhage would more especially follow from a fracture in the position described; decomposition, as described by Dr. Nichols, had proceeded so far as to nearly remove the brain and all appearance of hemorrhage; witness should explain this by immersion after death, which would cause both appearances; it was not unusual for fracture of the skull to produce speedy decomposition of the brain; where there was no appearance of extravasation of blood a medical man would naturally conclude that the injury had been inflicted after death; if a man riding swiftly fell off his horse, and his skull came on a stone, it might produce such a fracture.

The Solicitor General replied.

His Honor charged the jury, dwelling on the solemn nature of the investigation, and having gone carefully through the whole of the evidence, he left it for them to decide.

The jury retired for a few minutes, and brought in a verdict of guilty, and the prisoner was remanded for sentence.

The Court then adjourned at half-past eleven o'clock till Tuesday morning.

FATAL ACCIDENT. - On Saturday morning last **JOHN O'HARA**, a man residing near Morpeth, received a kick in the stomach from a horse, and was injured so much that he died in a short time. An inquest was held on the body the same day, before **J.S. PARKER**, Esq., and a verdict of accidental death returned.

ANOTHER SERIOUS ACCIDENT FROM DOGS. - Just before going to press last night, we were informed that Mr. **RICKARDS**, late of George-street, met with a serious accident as he was riding home on Thursday evening to the Glebe, caused by a furious dog attacking his horse, whereby he was thrown off and his thigh broken. This is another instance of the danger that arises from the numerous dogs that infest the streets of Sydney. *Atlas, Sept. 11*

BIRTHS.

At the Parsonage, Queanbeyan, on the 5th September, the wife of the Rev. **E. SMITH**, of a still-born daughter.

MAITLAND CIRCUIT COURT. - SATURDAY, SEPT. 11, 1847

MANSLAUGHTER.

DARBY DOWD was indicted for the manslaughter of **JOHN DONOHOE**, at Black Creek, on the 2nd May, 1847; and **JOHN GRADY** was indicted for having aided and abetted him. The indictment contained three counts: the first alleging that Dowd committed an assault on Donohoe, and cast him to the ground, and by blows and kicks inflicted divers wounds on the said Donohoe, of which wounds Donohoe died; the second count laid the injuries as being caused by blows only; and the third by casting him against the ground; Grady being separately indicted as the abettor in each count.

Mr. Purefoy appeared for the defence.

The Solicitor General said the two prisoners were indicted for manslaughter, Dowd with committing the deed, and Grady with abetting it. If it turned out, however, by the evidence, that the facts were reversed, that Grady did the deed, while Dowd was only the abettor, the indictment would still be sustained, and it would make no difference in law. There were three counts in the indictment, which had been so prepared in consequence of a late decision in a case where a man was charged with murder. Under the present indictment the jury would be enabled to return a verdict of guilty, if the evidence showed that Donohoe came by his death in consequence of injuries received from kicking and beating, from beating only, or from being cast

against the ground. He had heard that there was contradictory evidence to be produced, some he feared not very trustworthy, but of that the jury must form their own opinion. That the man did unfortunately receive injuries on the 2nd May which caused his death there could be no doubt; no matter which of the prisoners inflicted those injuries; if the other was present, and did not endeavour to prevent the fight, he was an abettor, even if the evidence should leave a doubtful impression as to which had injured the deceased. The learned gentleman then gave a narrative of the affair, and called

GEORGE LLOYD, who deposed that he was a publican at Black Creek in May last; Donohoe was at his house on the Sunday before his death; he was very drunk, but in spite of the endeavours of witness he insisted on leaving the house at half-past nine at night, and did leave, leading his mare. Shortly after Grady and a man named **RYAN** came for a bottle of rum, which witness supplied, and Grady told him Donohoe met them in the lane, and wanted more liquor; in a short time after Donohoe came and knocked for more liquor, but witness did not open the door, and refused to supply him; witness did not know where Grady and Ryan were at that time.

By Mr. Purefoy: Donohoe had tried to mount his mare, but could not.

MICHAEL O'BRIEN deposed that he lived at Black Creek, perhaps a quarter of a mile from Mr. Lloyd's inn; being aroused by his wife about ten or eleven one night witness went out, and heard words from the creek at the bottom of the lane; Grady and Donohoe were having a conversation in anger, the last of which witness heard was Grady saying, "You old vagabond, I have got you at last – come on, come on;" the voices had been apparently getting further away, in the direction of Grady's house; a man named Ryan had come into witness's house just previously. Witness was sure the voices were those of Grady and Donohoe, and no others.

By Mr. Purefoy: I knew Grady's voice quite well: I heard no fighting; Grady and I are not to say on bad terms.

JOANNA O'BRIEN deposed that she was the wife of the last witness, and recollected Ryan coming into their house that evening, and very soon afterwards she saw Donohoe riding his mare down the lane; after he got down into the creek witness heard angry voices; they were those of Grady and Donohoe; she heard Grady say "You old rascal, you called my wife a w----;" other angry words followed, and she called out to her husband to go and prevent their fighting; after this the angry conversation continued, but she heard no fighting, and finally the voices ceased, and witness and her husband went into the house again.

JOHN RYAN deposed to having been at Mr. Lloyd's with Grady, and that when they left Mr. Lloyd's Donohoe was outside and went homewards round by the road, while they took a short cut; that as they passed O'Brien's house witness left Grady and went in, Grady proceeding on homewards; that very shortly after witness saw Donohoe go past O'Brien's in the same direction; witness then heard angry voices from the creek; they were those of Grady and Donohoe; witness stopped at O'Brien's house two hours, as he did not want to get into the row; witness then went on to Grady's, and found Grady and his wife there, with Darby Dowd, Roger Cavenagh, and Thomas James; they had rum on the table, and witness got a glass; witness slept at Grady's, and saw nothing of Donohoe that night; the next morning early witness went outside the house, and found Donohoe laying in some straw, with only his trousers on, his shirt lying by him; he appeared very bad indeed, and unable to rise; witness asked him to go into the house, or to go to O'Brien's, but Donohoe refused, and asked him to leave him where he was; witness told Grady of it, and throwing a rug over Donohoe, witness left, and went over to O'Brien's, where he worked during that day, and in the

afternoon, about an hour before sundown, witness returned, and found Donohoe still lying in the same place, and helped him into Grady's house; Donohoe was then so bad that he could not straighten himself up, and he complained very much. This was on Monday evening. Witness went home, and the next day he saw Donohoe again, and again on the Wednesday he was with him when he died. Up till this occurrence Donohoe had been a sound, wholesome man. Witness did not see Grady attempt to assist or do anything to Donohoe on Monday morning.

By Mr. Purefoy: Donohoe had lived in the same hut with witness; witness did not know whether Grady might have endeavoured to get Donohoe in on the Monday morning.

THOMAS JAMES deposed that about twelve o'clock on the Sunday night he was taking Dowd home, Dowd being drunk, and as they passed near Grady's Dowd wanted to call there; they went, and outside the house they met Grady standing, and spoke to him; all three then went inside; shortly after Mrs. Grady, who was at the door, said, "There's Donohoe going past, and he called me a w---- to-day;" Dowd went out and followed Donohoe, and witness heard him ask Donohoe why he called his townswoman that name; witness did not hear the answer; Grady went out almost at the same time, and in about ten minutes witness went after them, as he heard angry voices, and shouting of "I'll fight you," though he could not say who uttered this; witness found the three men by a stockyard not far from the house, Donohoe having his shirt off, and Dowd his waistcoat off; Donohoe was following Dowd about at the moment witness came up, wanting him to fight, and Grady was standing still; witness tried to get Dowd away, but to avoid being struck himself had to stand aside while Donohoe and Dowd fought one round, at the close of which they fell heavily, Dowd uppermost; during this time Grady was standing by, and witness did not hear him say anything; witness now took Dowd away up to the house, leaving Grady to put on Donohoe's shirt, which he said he would do; Donohoe had not then risen; Grady entered his house again alone about ten minutes after witness and Dowd, and they had some drink; witness did not see Donohoe again, and later in the night he got Dowd home. Ryan came in after they returned to the house.

By Mr. Purefoy: Witness should think his memory of the occurrence was clearer a week after when he gave his evidence on the examinations than it was at the present time. [The witness's deposition was here put in by Mr. Purefoy, and read by the clerk, in which James stated that Dowd went out of the house five minutes before Grady, and he (James) five minutes after him; and that when he reached the stockyard Grady was trying to prevent the fight.] That deposition was correct. After the fall Dowd tried to rise, but Donohoe caught him by the braces and held him; Dowd called out "let go," and witness thought raised his foot, and kicked him in the shoulder, Grady did not say, before leaving the house, "Come, let us prevent their fighting, for they are both drunk;" he did not say so to witness's knowledge; it was possible he might have done so without witness's remembering it.

By the Court: Witness could not distinguish the voices he heard shouting; did not observe what Grady was doing while witness was trying to prevent the fight, nor could he say whose friend Grady appeared to be; did not ascertain whether there had been any fighting before witness got down.

HENRY SMITH deposed that he was a constable, stationed at Black Creek; witness went to see Donohoe on Tuesday, the 4th May, having heard he was hurt; found him lying in Grady's hut very ill; witness had been over the spots where the quarrels took place with O'Brien and James; from O'Brien's house to the spot where he considered the angry voices to proceed was 208 yards; from the latter spot to Grady's house was

139 yards; the spot was between the houses; from Grady's house to the stockyard was 76 yards; from O'Brien's house to the stockyard was 394 yards; O'Brien's house was on a hill, and in a calm night angry voices could be heard, he thought, from the spot pointed out by O'Brien; from the stockyard they could not, unless they were very loud; when witness saw Donohoe in Grady's he asked how it occurred; Grady said Dowd and Donohoe had been fighting –

Mr. Purefoy objected to any conversation affecting Dowd to be given, unless Dowd was present at it.

The Court agreed with Mr. Purefoy.

Examination resumed: On Wednesday witness revisited Donohoe; found him lying on some straw by the bank of the creek; witness tried to get him in out of the cold, but he would not come till Ryan came and helped him.

JOHN BOWMAN deposed to conversations with Grady relative to something occurring with Donohoe at his house on the 25th March, in Grady's absence, but the Court would not permit the conversations to be repeated.

HENRY GLENNIE, surgeon, deposed that he saw Donohoe on Wednesday, 5th May, alive; found him suffering great pain all over the abdomen, from a rupture of the bladder; witness relieved him and ordered him some medicine, but before he could again visit him, Donohoe died. Witness opened the body, and found extensive inflammation caused by the rupture; there were several bruises about the upper part of the body; but the inflammation produced by the rupture was the cause of death; the bladder had been distended by retension (sic), and in that state a heavy blow or fall on any hard object would cause rupture; a fall from a horse might have caused it, supposing the abdomen came in contact with a stump or hard object; a severe blow with the fist would be sufficient, or a blow from the knee of a person falling on him.

By Mr. Purefoy: The rupture might occur from several causes; witness did not think if it was caused by a man's knee in falling that external injury must be left; it could not be caused by a kick or blow about the shoulder; if one man fell on another witness thought it possible his knee might come on the abdomen; witness examined the body minutely; there was no external injury on the abdomen; a long habit of intemperance followed by violent exercise might cause rupture, but witness observed no indications to warrant his belief that this was the case.

ROGER CAVENAGH deposed that on the Sunday before Donohoe died Grady saw witness and asked him his advice respecting the foul language applied by Donohoe to Grady's wife; Grady said he thought of speaking to Mr. Dawson (Donohoe's employer); witness advised him to do so; that night witness heard a great noise and went to Grady's house; he found there Grady and his wife, Dowd, and James; witness asked what the row had been about; they said there had been a fight between Dowd and Donohoe; before witness left he went out to look for Donohoe, and found him lying asleep on some straw; Mrs. Grady and Dowd were with witness; Donohoe refused to be moved, but begged witness to lay something over him; witness laid his shirt, which was lying by him, over his body, and left him there, believing him helplessly drunk.

This closed the case for the prosecution.

Mr. Purefoy applied to the Court to direct the immediate acquittal of Grady, on the ground that the evidence did not show the slightest participation in the fight on his part, and according to the rule laid down by eminent English judges, his mere presence was insufficient to make him a principal in the second degree, as laid in the indictment.

The Court concurred that this was the law, but should leave it to the jury to say whether they believed him to have been an aider and abettor.

Mr. Purefoy said in that case he needed scarcely mention an objection he intended to have raised on behalf of Dowd, that the cause of death as explained by Dr. Glennie, could not have occurred in the fight.

The Court said there was a reasonable presumption that it did occur then.

Mr. Purefoy addressed the jury for the defence. He must confess that he had relied greatly on the authorities he had quoted establishing that Grady was not a participator, and that he was therefore entitled to be acquitted. According to James's evidence Grady had not only not urged the fight on, but endeavoured to prevent it, although today he could not remember the latter circumstances. It would be a dangerous principle to establish that the mere presence of a man at a fight, without wither attempting to urge it on or prevent it, was sufficient to make him a participator. On such a principle no man would be safe for any length of time. But Grady's conduct proved that he not only did not urge the fight on, but endeavoured to prevent it; James was not positive that Grady did not ask him before leaving the house to go and help him separate them; and from the advice asked of Cavenagh by Grady it was evident he had no intention of fighting Donohoe. He felt confident, therefore, that they would acquit Grady, and he would turn his attention to Dowd's case. He it appeared was forced by the deceased to fight; Donohoe was evidently drunk, and no doubt quarrelsome. In the single round they did have, however, what evidence was there of a blow being given that could by possibility have caused rupture of the bladder, the sole cause of death, as Dr. Glennie established. The only blow positively sworn to was a kick or blow on Donohoe's shoulder when he was holding Dowd down. If Dowd's knee could possibly, which he doubted, have come on Donohoe's abdomen in the fall, would not some external mark have been left; could they reconcile it with their consciences to pronounce him guilty on a supposition? It was far more probable, from Donohoe's drunken state, that after leaving Mr. Lloyd's he had again attempted to mount his mare, and had fallen in the attempt, and then received the injury. Where they must suppose the blow or fall which caused the injury, they had a right to give Dowd the benefit of the doubt. There was not indeed a tittle of evidence to prove that Donohoe's death was caused by any injury received in the fight with Dowd. He rested confidently on their acquittal of both prisoners, or at the most of their finding Dowd guilty of assault only, although he evidently fought in self defence.

The Solicitor General replied at some length, quoting the evidence to prove the intention of Dowd and Grady in following Donohoe from the house.

His Honor charged the jury at great length, coinciding with the Solicitor General's remarks as to the three counts in the indictment, and with Mr. Purefoy's position as to the amount of participation necessary to constitute Grady as a principal in the second degree. The just must however weigh well Grady's whole conduct that evening in estimating his participation. The evidence against Dowd was far more direct, although Dowd appeared to have been enlisted in a drunken quarrel on Grady's behalf. Having gone over the evidence his Honor concluded by stating that the questions for the jury to consider were, first, whether Donohoe was dead; secondly, whether his death was caused by injuries received in the fight with Dowd; and thirdly, whether they considered from his whole conduct that Grady had tried to prevent the fight, or had urged Dowd to revenge his quarrel.

The jury retired for half an hour, when they returned to ask Dr. Glennie whether it was possible for a man with a ruptured bladder to walk, and how far? Dr. G. replied he might with great pain do so for a few yards. The jury enquired whether he would

be likely to wish to commence a fight? Dr. G. – “Certainly not.” The jury then retired for about a quarter of an hour longer, when they brought in a verdict of guilty against Dowd, and Grady not guilty. Grady was then discharged, and Dowd remanded for sentence.

FATAL ACCIDENT. - On Friday, the 3rd instant, a young woman named **SARAH ARCHBALL**, aged 23 years, the daughter of a settler at Lane Cove, mounted a horse with the view of having a ride round the neighbourhood. Not having either a lady's saddle or a pillion, she was compelled to use the saddle ordinarily placed on the animal. Shortly after mounting, however, the horse became restive, and the girth having given way, the young woman was thrown to the ground with great violence.. By the fall her left leg was broken just close to the ankle, and the fracture was a very severe one, the bone being much shattered. Surgical aid was promptly obtained, and every possible attention was paid to the sufferer, but after having lingered on in great agony until Tuesday last, mortification took place, and the unfortunate young woman breathed her last, much regretted by all who knew her. *Chronicle, Sept. 11*

MAITLAND MERCURY, 5/335, 18/09/1847

THE MURDER OF PALFREY. - The whole of the jury who sat on the case of **PURCELL**, convicted of the murder of **JOSEPH PALFREY**, having signed a memorial to his Honor, recommending the prisoner to mercy on the ground of the gross provocation he had received, it was presented by the foreman. His Honor having perused it, replied that he would lay the memorial before the executive, and the jury might rely that it would meet attentive consideration.

SUDDEN DEATH.

During Thursday night last a man named **JAMES HUGHES**, residing at Black Creek, died very suddenly. The parties with whom he was living were roused by his groans, and on going into his room, found him quite dead, and the floor covered with blood. Hughes had been suffering for the last seven months from aneurism, and only left the Maitland Hospital about three weeks ago. An inquiry was yesterday held on the body by Captain **SMITH, J.P.**, when a *post mortem* examination was made by Dr. **M'CARTNEY**, who found that death had been caused by the rupture of a blood vessel in the lungs.

CORONER'S INQUEST. - An inquest was held at Mr. Roger Murphy's public house, Castlereagh and Market streets, on Monday afternoon, touching the death of Mrs. **WALL**, who on the Sunday previous, while labouring under temporary insanity, had taken a solution of arsenical soap, from the effects of which, on the following day, she expired. The jury returned a verdict of died from the effects of arsenic, taken while in a state of temporary insanity. *Herald, Sept. 15*

MAITLAND CIRCUIT COURT. - WEDNESDAY, SEPTEMBER 15, 1847

MURDER

PETER PIDGEON was indicted for the wilful murder of **WILLIAM TAYLOR**, otherwise called **Coachey**, at Maitland, on the 1st September, 1846. The indictment contained four counts.

The prisoner handed to his Honor a written memorial, praying that a certain witness might be sent for, and stating the he (prisoner) was destitute, and had no means of procuring counsel to defend him.

At the request of his Honor Mr. Purefoy undertook the defence of the prisoner, and Mr. Davies was requested to act as attorney.

Mr. Purefoy said the depositions were very length, and he should like an opportunity of looking them over, if his Honor would have the case postponed for the present.

The Solicitor General said he had anticipated this request on the part of his learned friend, and he did not intend to press the case to-day, but would, with his Honor's permission, bring it on the first thing on Thursday morning.

Pidgeon was then ordered to be removed, and another case was proceeded with.
THURSDAY, SEPTEMBER 16

MURDER

PETER PIDGEON, indicted on Wednesday for the murder of **WILLIAM TAYLOR**, commonly called **Coachey**, was put to the bar. The indictment contained four counts, the first stating that the prisoner, on the 1st September, 1846, at Maitland, committed an assault on the said William Taylor, and with some unknown blunt instrument wounded him on the left side of the head, and on the stomach, back, and sides, of which wounds the said William Taylor instantly died, and that thus the said Peter Pidgeon did feloniously kill and murder the said William Taylor. The second count stated that the assault was committed by casting him to the ground, and striking and beating him with hands and feet while he was lying on the ground, inflicting the wounds both by the casting to the ground and by the beating while on the ground. The third count stated that the assault was committed with hands and feet, and the wounds inflicted by them. The fourth count stated that with hands and feet he cast him to the ground, and that thus the wounds were inflicted.

Mr. Purefoy appeared for the defence; attorney, Mr. Davies.

The Solicitor General stated the case to the jury. The indictment contained four counts, to avoid the possibility of objections similar to those raised in a late case, although he confessed the objections appeared to him of little weight. He believed the evidence would satisfy them that the injuries were inflicted as laid in the first count. The date laid was the 1st September, 1846; it was no matter whether this proved strictly correct or not, if the murder could be reasonably believed to have occurred near that time; he believed himself that the probability was, that it was committed in the June previous; but if the jury came to the same conclusion, it would not be material that the date was different from that laid in the indictment. The points the jury must satisfy themselves on were, that the body found was that of a murdered man; that it was the body of William Taylor; and that the prisoner had murdered him. He would now lay before them briefly the leading circumstances in the case against the prisoner.

The Solicitor General having alleged the theft of the deceased's goods by prisoner as of great weight in estimating his guilt, Mr. Purefoy objected to any assertions being made, or evidence given, of the larceny of deceased's goods by prisoner, as being a different offence from that laid in the indictment. His Honor overruled the objection, but took a note of it.

ARCHIBALD OSBORNE deposed that he was a magistrate, residing chiefly at Illawarra; witness knew a man named Taylor, or Coachey, when he was alive; believed he owned a cart and two horses which witness had often seen with him; one was a dirty black horse, called Tommy, with a bald face, and the other was a brown horse; witness had seen the two horses outside, the black horse was the horse Tommy, and the brown horse witness believed to be the other horse; Coachey's cart witness saw at the police-office, Wollongong; about the 3rd or 4th of March, prisoner came in the police office voluntarily, and the chief constable introduced him as a man who wished to account for Coachey's horse and cart being in his possession, as the public

were dissatisfied about it. Prisoner stated, in reply to witness's questions, that he had bought them from Coachey at Maitland, and gave him £13 for them; that he bought them at a small public house near Yeomans's hotel, but not Nicholson's, and that a man named **HINES** witnessed the sale. Prisoner produced the receipt, but could not say the name of the house where he bought them, or who kept it. Prisoner said if witness was not satisfied he would produce Coachey or Hines, and witness advised him to do so. Witness communicated with the Police Magistrate of Maitland, and in consequence of the reply he received, he issued a warrant for prisoner's apprehension. Prisoner was apprehended, and brought before witness on the 19th of March, he thought, and in reply to witness's questions, prisoner stated that he had been in Maitland, but could not find Coachey or Hines, and that he had lost the receipt. When asked, after witnesses had been examined, whether he had any defence to make, he said he would say in a higher court.

Mr. Purefoy cross-examined Mr. Osborne minutely in regard to the proceedings in the police office, and during the examination of this witness his Honor took a note of an objection by Mr. Purefoy that no statement by the prisoner to the bench should be received, as he had not been cautioned previously.

JOHN WATERS deposed that he resided near Wollongong, and the prisoner some time in 1846 called on witness, stating that he had just come from Maitland, sick; at prisoner's request witness found him food and clothing for about six weeks, during which period witness saw no money with him; at the end of that period prisoner left, to go to Maitland, saying that he was going on business; between three weeks and a month after prisoner returned, alone, and said that he wanted to borrow £2 towards paying for Coachey's horse and cart, which he had bought for £13; this was on a Saturday, and on the Friday following witness lent him the money; on the Monday afterwards, the next steamer day, prisoner left again, and returned, after being away ten days, bringing with him the horse and cart; the horse was the black horse now outside the court; could not say whether he brought any thing in the cart, as he arrived after dark; the prisoner had had two boxes in witness's house from the time of his first arrival from Maitland, sick, which had been left there locked when he went away, and were still there when he arrived with the cart. Witness asked prisoner what Coachey was going to do; he said Coachey was going to buy a light cart, and work his other horse in Maitland. Prisoner remained with witness until November, when he again left for Maitland, taking the black horse with him, but leaving the cart and boxes with witness. In about ten weeks he returned, alone and on foot, saying that the horse got injured in passing Wiseman's Ferry, and that he left him there. Witness asked him how Coachey was getting on, and prisoner said not very well, but that he had been drinking with him in Maitland. After some time rumours arose that all was not right, and prisoner went on a Thursday to explain matters to the bench, and on the Monday following he left again for Maitland, saying that the bench were not satisfied, and that he was going to find Coachey, or the man who witnessed the receipt; the boxes were still left locked in witness's house. In a few days the chief constable came, and on his second visit he took away the cart and boxes. On the 17th March prisoner returned again alone, and witness's wife told him the boxes had been removed by the constable; prisoner said there was nothing in them that was not his own, and witness then arrested him and took him to Wollongong lockup. Witness never saw what was in the boxes, nor did he know of prisoner having any money lately.

Mr. Purefoy cross-examined the witness as to his memory.

THOMAS FOWLER deposed that he was chief constable at Wollongong, and that he knew prisoner, and also Coachey, the latter of whom got his living by a cart and

two horses at Wollongong; witness had known the horses several years, and the horses now outside were the same; Coachey had a cart similar to the one witness got from Waters. Witness saw prisoner produce a receipt when he first came before Mr. Osborne; it was dated 13th July, he thought. After this, on the 11th March, witness took out a warrant to Waters's house for the prisoner, but found him gone; on the next morning witness went again and brought away the cart and boxes pointed out by Waters as being prisoner's; witness brought them to the police office, and broke the boxes open in the presence of Mr. Osborne; many of the articles they contained were afterwards sworn to, and witness had brought them in the bundle produced. In the lockup, after the prisoner had been arrested, he gave witness the keys of the two boxes.

The prisoner was also cross-examined as to the proceedings in the police office.

JANE M'DERMOTT deposed that she lived in Maitland, and that on a Thursday evening in October last she was gathering stuff to make brooms at the back of the burying-ground, when she suddenly found herself standing close by the head of a dead body, which was lying in a small close prickly scrub, unconcealed; the sight made witness so ill that she could not inform the police till Saturday morning.

GEORGE WOOD deposed that he was chief constable at Maitland, and accompanied the last witness to the spot where the body laid; it was a mere skeleton, and was lying face downwards, with the hands turned up behind; there were some remains of clothing on it; there was a little hair lying on the shirt, at the back of the neck, and a little more hair lying about the body; witness produced both; a button was found in the pocket; the clothing appeared to be a blue-striped Guernsey frock next the skin, then a small-striped regatta shirt, a pair of braces, a dark-colored waistcoat, and a corduroy waistcoat, but no trowsers; the remains of clothing were in the box produced. The deceased was a smallish man, with very small hands and feet; from the teeth witness supposed him to have been a great smoker, the teeth being all worn away on one side. An inquest was held on the remains, when Dr. Edye examined them; they were afterwards buried, but subsequently exhumed. The back part of the head showed a large fracture. Witness produced the remains of the clothing, and the skull of the deceased.

ROBERT BOWMAN, sexton, deposed to the remains that were dug up in the presence of Dr. Edye being the same as those on which the inquest was held.

Constables **JAMES KEDWELL** and **JAMES SOLOMON** gave corroborative evidence.

ALFRED OKE EDYE, surgeon, examined the remains when found; he thought they had been lying there six weeks or two months; he should judge the height of the man when alive to have been 5 feet 4 inches; two teeth in the lower left jaw were missing, and in the right under jaw two teeth were worn down as if from long habits of smoking with a pipe; after the body was exhumed, the skull, the only portion which then held together, was placed in his hands to clean, and he then fastened in two teeth which were loose; there were now four teeth missing; the skull had been sent to Wollongong and returned. The hole or fracture was then in the skull, as at present, and he considered the injury had been inflicted during life by a heavy blunt instrument, and must have caused instant death. The hands and feet were remarkably small, the forehead prominent.

Mr. Purefoy cross-examined Dr. Edye at some length regarding his reasons for believing that the injury was inflicted before death.

HARRIET ORPHAN deposed that she resided at Wollongong, and knew Coachey well, as she used to make, wash, and mend for him; two or three days after the 3rd

June he left Wollongong in company with the prisoner, taking with him his dray and two horses, and a box of clothes which witness's husband had kept for him. She detailed a conversation she heard between Coachey and the prisoner, in which prisoner induced Coachey to believe that he had a cart in Maitland earning 7s. a day by carrying coals to the steamer, and that Coachey would make a very good thing of it by taking his dray and two horses there. Witness never saw Coachey again after they left, nor did she hear from him, though he always before wrote to her when he was away. Witness knew Coachey's clothes well; she knew some of the clothes he had then in the box, as he had a turn out of them on the 3rd June, when she assisted him in looking them over; her generally wore a Guernsey frock next his skin; the pieces produced looked exactly like it; when he went away he had it on; he had on a small blue striped regatta shirt, like the fragment produced; he had a corduroy waistcoat on, which witness hand mended over the pocket with a patch of moleskin, as his pipe had burnt a hole through it; the piece produced she believed was that very part of the waistcoat, having the patch still on it; he had in his box when he left a dark waistcoat with a blue calico back; the piece produced corresponded with it. Witness thought Coachey was about 5 feet 2 or 3 inches high, with very small hands and feet; he had light brown hair, and was bald to the back of the crown; the hair produced was exactly like his; witness used to cut and wash his hair for him; he had a high forehead; the teeth short on one side, being either worn or broken off; he was a great smoker; witness believed the skull produced to be that of Coachey. The witness then identified several articles as being Coachey's, from among those produced by Mr. Fowler, as taken from the prisoner's box left at Waters's – namely, two calico shirts, a pair of dark moleskin trousers, a pair of duck trousers, a check waistcoat, and a small green box. Coachey had a number of boots and shoes, but she could not swear to any of those produced. When they left Wollongong Coachey had on a cabbage-tree hat, but he had in his box a Jim Crow hat, which he usually wore on a journey. Seven or nine weeks after they left, witness saw prisoner in Wollongong with Coachey's cart and black horse.

This witness was cross-examined as to her memory and mode of identifying the articles at some length.

ALEXANDER ELLIOTT also saw Coachey and the prisoner leaving Wollongong with the cart and two horses, on the 5th or 6th June, 1846; they were on the Dapto or Sydney road.

JOHN FOLLY had arranged to go to Maitland with Coachey at the same time as the prisoner did, but getting lame he did not. About five weeks afterwards, however, he followed them to Maitland, but could hear no tidings of Coachey, the prisoner, or the horses and cart; witness remained in Maitland three months, and then returning to Wollongong he found prisoner there with the black horse and cart. Witness gave a similar description of Coachey as the other Wollongong witnesses.

WILLIAM MUSTON, shoemaker, had made three pair of boots for Coachey in March or April, 1846, in payment of a debt; one of the pairs produced was one of those three.

JAMES KENT also saw prisoner and Coachey leaving Wollongong, and afterwards saw prisoner working the black horse and cart about Wollongong; the witness described Coachey, and thought the hair like his, and the piece of Guernesey frock and the regatta shirt like what he used to wear.

WILLIAM WHITE had lived in the same house with Coachey, and knew him above 20 years. This witness described Coachey's person minutely, and corroborated Mrs. Orphan as to his habits and clothing. Witness gave prisoner a letter to deliver to Mr.

Stapylton, of Maitland, when they left, and meeting prisoner afterwards in Wollongong, asked him if he had delivered it; prisoner replied that he had, and in reply to further queries, said he had got the black horse and the cart from Coachey by swopping another horse and cart for it, and that Coachey was drinking hard when he left him in Maitland.

THOMAS STAPYLTON deposed that he never received the letter.

By Mr. Purefoy: Witness had known prisoner for twenty years; he never knew a quieter, nor hard-working man.

PATRICK READY saw prisoner in Wollongong with the black horse and cart, and prisoner told witness that he had bought them from Coachey, and that Coachey had sold the other horse by auction in Sydney for £10.

WILLIAM WARD had told prisoner in March last that he (witness) heard a man named **JOHN LOWE** say that he had seen Coachey in Goulburn, so that he could not be murdered; on meeting prisoner again a day or two after this witness told prisoner that Lowe was he believed gone to Goulburn, and prisoner then wanted witness to go to the police office and swear that he himself had seen Coachey in Goulburn.

This witness was severely cross-examined by Mr. Purefoy as to where, how, and in what manner these conversations occurred.

WILLIAM MEDHURST, residing at Wollombi, forty miles from Maitland, remembered prisoner and a short man calling at his house in the middle of winter, in 1846, with a cart and two horses; the men said they came from Wollongong and were going to Maitland, to Swan Reach. About three weeks after prisoner returned with a horse and cart, and replied to witness's queries that he was going back, because they could not get work, and that his mate was going round by water to meet him at Wollongong; the name Peter Pidgeon was then painted on the cart. Witness could not identify either of the horses outside as being those they had.

JOHN M'DOUGALL, residing then twenty-five miles from Maitland, on the Wollombi road, remembered prisoner and a short man whose name he learnt was Taylor, or Coachey, calling at his house between the 12th and 20th June, 1846, with a cart and two horses. They said they came from Illawarra, and were going to Maitland to look for employment. The black horse outside was one of the horses. This witness described Taylor's appearance and clothing.

Mr. Purefoy cross-examined the witness as to his memory of these particulars.

JOHN MAHER, residing in West Maitland, deposed to prisoner's having lodged with him for brief periods on several occasions, during 1846, and up to March, 1847. The first time, in April, 1846, he stopped a few days as a sick man; the second time he arrived as a traveller from Illawarra, with a horse and cart, saying he had bought them at Mr. Nicholson's for £13 from a man named Taylor, and was going up the country dealing; the third time in three or four months after with the same horse, which he put out to grass in East Maitland; the fourth time after harvest, when he brought the horse in from grass and took him out to sell him, but returned saying he could not, and left on foot; the fifth time on foot early in 1847; the sixth time after the investigation into the charge against the prisoner had begun, but before he was in custody. On the last occasion witness refused to let him stop, as there was such a charge against him. The horse he spoke of was the black horse outside.

MICHAEL DOWNEY, of East Maitland, proved buying the brown horse outside from the prisoner on the 12th July, 1846; witness gave £7 7s. 6d. for him, and got the receipt produced; the prisoner said he got him from some person whom he named up the Paterson, in part payment of wages.

PATRICK HINES witnessed the receipt Downey got, and saw the purchase made by him of the brown horse outside from the prisoner; witness had never been present when the prisoner bought a horse and cart anywhere, nor had ever witnessed a receipt that he had done so; witness never knew a man named Taylor, or Coachey.

WILLIAM MORRIS witnessed the receipt obtained by Downey, and his purchase of the brown horse outside.

At this stage of the proceedings the Court adjourned, at half-past eight o'clock, till Friday morning at nine; the jury being placed in charge of the Under Sheriff for the night.

MAITLAND CIRCUIT COURT. - FRIDAY, SEPT. 17, 1847

CONTINUATION OF PIDGEON'S CASE.

WILLIAM MORRIS re-called: At prisoner's request witness got a customer for him for the black horse outside; Mr. Brown bought him for £7; Mr. B. had him first for a week on trial, and prisoner had him away for a short time again before he was sold. Previously prisoner tried to sell him to constable Solomon, and said in witness's presence that he got him from Mr. Dangar for wages. Prisoner told witness he came up from Five Islands, but never said anything about Taylor, or Coachey. A man named M'Evoy brought prisoner to witness, as a man likely to know of a customer for his horses.

JAMES MINSLOW, a farmer at Nelson's Plains, near Hinton, had known prisoner for many years; during wheat sowing last year he came to witness's place with a cart and two horses; it was in June, as witness commenced wheat sowing on the 1st June, but he could not say what part of the month; the black horse outside was one of the horses, but witness could not identify the brown horse, although it resembled the second or big horse prisoner had. He had a box, a pack saddle, and some hay in the cart. In a few days prisoner took away the big horse to Mr. M'Evoy's, leaving the black horse and the cart with witness. Prisoner said he bought the lot at Wollongong, as they stood, but never spoke of a man named Taylor, or Coachey. About three weeks after he removed the big horse, he left with the black horse and cart, saying that he was going dealing. Prisoner returned in November, riding the black horse, and borrowed £1; he went away again, but returned on the Saturday following on foot, and worked for witness several weeks in harvest time. The box had been removed by him previous to leaving with the horse and cart. The packsaddle produced was the same which was in the cart, and it was left with witness till removed by the police.

WINIFRED MINSLOW corroborated her husband's evidence, and described the box as a good-sized box; witness saw prisoner unlock the box and take out a clean shirt; witness did not see whether the box had handles, or whether there was a till in it. Mrs. **ORPHAN** was re-called, and described Coachey's box, giving nearly the same dimensions as Mrs. Minslow.

JOHN M'EVOY, farmer, residing at Cooley Camp, near Hinton, identified the brown horse as being the one brought by prisoner to his place from Mr. Minslow's; the horse remained with witness above a fortnight; prisoner told him much the same as he had told Mr. Minslow as to the horses and cart. Witness saw the prisoner riding the black horse.

WILLIAM WHITE re-called: Witness thought the pack saddle produced had been Coachey's, and was the one he took away with him.

JAMES BROWN proved buying the black horse from prisoner on the 25th January last; witness never saw the prisoner previous to a week or two before that date, that he could recollect; prisoner had never worked at witness's coal-works.

ROBERT KEDDIE did not recollect the prisoner ever working at witness's coal-works.

This closed the case for the prosecution.

Constable **SOLOMON** was re-called by Mr. Purefoy, and examined as to the identity of the remains of the body, clothing, &c., found, with those produced in court.

Mr. Purefoy then addressed the jury for the defence. They had heard the whole of the evidence that could be produced against the prisoner, and it was now his duty to address them in his behalf. And he trusted that as he was not now in the ordinary position of an advocate, but had been requested by the Court to undertake the prisoner's defence, that they would give an attentive consideration to the observations he should offer to them. This was one of the most mysterious charges of murder he had even heard. There were several facts proved which strongly indicated the guilt of the prisoner, while they were met by many more facts which were totally inconsistent with that presumption. If the prisoner had been charged with the theft of the goods of Taylor, the case against him would have been much stronger, but this was not the charge; the charge they had to try was one of murder; one involving the life of a fellow creature; and if the clearest case of larceny was proved against the prisoner it would not afford the slightest reason for believing him guilty of murder. The jury must guard themselves carefully against allowing the theft, if they thought one had been committed, to influence their judgements in forming a conclusion as to whether the prisoner was guilty of murder. Unless they were clearly satisfied that Taylor was murdered, and murdered by the prisoner, they could not, he felt perfect confidence, find him guilty. The evidence adduced had been entirely of a circumstantial nature, and although he was well aware that such awful crimes were generally so carefully concealed that the evidence must in the majority of cases be circumstantial, yet in this case there was no such unbroken chain of circumstances as to lead infallibly to the belief that the prisoner must be guilty. They must weight the whole of the circumstances proved, not only the points making strongly against the prisoner, but every fact established in evidence; and if they did this, they would find not only that every circumstance was not consistent with the presumption of his guilt, but that very many were utterly opposed to it. And if they became convinced of this, he need hardly say it would be their undoubted duty to acquit him. He would now go carefully over the evidence, particularly as regarded dates, and he thought he could prove to them that it was all but impossible prisoner could have committed the crime. He would prove to them how inexplicable the conduct of the prisoner was if he felt that he was guilty, in not making the slightest endeavour to remove all suspicious articles from his possession. And he would show them how weak was the evidence that the remains found were those of Taylor, although it had been so confidently relied on that they must be his. From evidence which he would immediately produce to them, it would appear that, whoever the unfortunate man was whose body was found, he was murdered, or violence inflicted on his remains, by a black or blacks who were seen in the immediate vicinity of the spot, about the time when, from Dr. Edye's evidence, the body had probably been deposited there.

JOHN LUKE deposed that the Maitland races in 1846 took place, to the best of his belief, between the 12th and 20th August; witness knew the place where the body was afterwards found, and went to see the body before the inquest. On the first day of the races witness was walking to Morpeth through the bush, and about a quarter of a mile from this spot, on the Maitland side, he met a blackfellow, who had a large waddy; witness spoke to him, but the black seemed very surly, and witness, surprised at this unusual manner, followed him a short distance; the black walked up the gully, in the

direction of the spot where the body was found, and spoke in their own language to three blacks seated by a fire, and who appeared to be cleaning their spears; they rose immediately, and went hastily up the gully, in the direction of a quarry, from whence witness heard a great shouting; witness shortly came in sight of twenty or thirty more blacks, nearly all armed, who were shouting, but joined the first four as they came up, and moved off, over and by the quarry; witness still followed them, and saw them camped at about a mile further, and saw immediately after a much larger body join them, the united body probably making two hundred. Here, as witness still approached, a strange black came to him, and asked him what he wanted; witness said he wanted a spear, and telling the black that he lived at Morpeth, the black promised to bring him a spear, and showing him the road to Morpeth, he accompanied witness some distance along it. Witness never got the spear from him; nor had he ever previously found blacks exhibiting any unfriendly feeling on a white approaching them, during a ceremony or otherwise. The spot where the body was subsequently found was about 50 or 60 yards from the quarry, and about a furlong from where the three blacks were seated by the fire.

The Solicitor General replied. He thought the circumstance of Mr. Luke's having found the blacks unwilling to allow the approach of a stranger easily accounted for by the supposition that they were engaged in some ceremony, rendered more probable by the number congregated, and their being mostly armed. The learned gentleman then replied to Mr. Purefoy's remarks on the evidence.

His Honor, in charging the jury, dwelt on the enormity of the crime laid against the prisoner, and stated that he saw nothing in the evidence to lessen his horror in the present case, provided the jury were satisfied upon full consideration that Taylor was dead, that he had been murdered, and that the prisoner had murdered him. So far as he saw there were no mitigating circumstances, and the simple verdict of the jury must be guilty or not guilty. Still, if the jury thought otherwise, if they considered the prisoner guilty of killing Taylor, but under circumstances of great mitigation, it would still be competent for them to find him guilty of manslaughter only. He must tell them at once there was no direct evidence of the crime, and the jury would therefore have to weight the evidence most deliberately, and before they could find the prisoner guilty they must come to this conclusion, that the prisoner's hands had committed the crime, and they must be satisfied of it beyond all reasonable possibility of any other person having committed it. His Honor having explained to the jury the counts of the indictment, and stated that it was immaterial whether the date was laid correctly or not, or whether the wounds were on the left or the right side of the head, went carefully and at great length over the evidence.

The jury retired for half an hour, and returned with a verdict of guilty on the first count. The prisoner was remanded for sentence. Throughout this long trial the prisoner preserved a quiet demeanour, betraying no emotion, yet without appearing indifferent.

SENTINEL, 3/140, 16/09/1847

CORONER'S INQUEST. - An inquest was held on Friday at the St. Patrick's Inn, Balmain, on the body of **JOHN BRADFORD**, who died on the preceding day. It appeared in evidence, that he had been drinking to excess for the last two months, with an occasional cessation of a week or two. On Thursday, about six o'clock in the evening he went home intoxicated, and shortly after complained of pain in his bowels. He went to bed, and soon after his house keeper was alarmed by hearing a gurgling in his throat, when she sent for a medical man; but before his arrival Bradford had

expired. Mr. **ELLIOTT**, surgeon residing in Balmain, deposed that he was sent for to visit the deceased on Thursday evening, and that in about ten minutes afterwards, constable **CURRY** called to inform him that Bradford was dead. From the appearance of the body, the evidence he had heard, and his knowledge of the intemperate habits of the deceased, he believed death was caused by apoplexy, produced by intoxication. The jury found that John Bradford died of apoplexy brought on by the use of ardent spirits.

CORONER'S INQUEST. - An inquest was held at Mr. Roger Murphy's public house, Castlereagh and Market-streets, on Monday afternoon, touching the death of Mrs. **WALL**, who on the Saturday previous while labouring under temporary insanity, had taken a solution of arsenical soap, from the effects of which on the following day she expired. The jury returned a verdict of died from the effects of arsenic, taken while in a state of temporary insanity.

MAITLAND MERCURY, 5/336, 22/09/1847

INQUESTS. - An inquest was held by the Coroner at Fisher's Hotel, on Saturday last, on the body of **JOHN DORMER**, which was found floating in the Hawkesbury. The deceased had been for some time under medical attendance, and from the evidence it appeared that he had been in an unsound state of mind, induced by intemperance. Verdict – found drowned.

Yesterday evening (15th instant) the neighbourhood of George-street, was thrown into a state of great excitement, in consequence of a young man named **BUCKLEY** having committed suicide, by cutting his throat; so intent was he on self-destruction, that he nearly severed the head from the trunk, and died almost instantaneously. The cause which operated so forcibly on his mind as to induce him to commit the rash act is said to be jealousy, for he was not a man addicted to intemperance. - An inquest was held this day before the Coroner; we are unable to give the verdict in the case, as the post closed before the inquest was over. *Windsor Correspondent of Herald, Sept. 18*

SENTINEL, 3/141, 23/09/1847

CORONER'S INQUEST. - An inquest was held on Saturday, at the Mother Redcap, Castlereagh and Liverpool-streets, on the body of **JOSEPH MOORE**, Lieutenant and Quartermaster in the 60th Regiment, then lying dead at his residence in Castlereagh street. The deceased had been only 8 days in the colony, having on Friday week arrived here from India on his way to England, having obtained leave of absence from his regiment. It appeared from the evidence of his servant, **JOHN BROWN**, that deceased had been subject to fits in India; early on Saturday morning, he complained of being unwell, and took a dose of castor oil, and shortly after a little gruel, and a glass of negus; after taking the negus he said he felt much better, but almost immediately fell off, apparently in a fainting fit, into his (Brown's) arms, and without a struggle instantly expired. Mr. **R.W. NELSON**, surgeon, deposed that a little after nine o'clock on Saturday morning, he was called in to visit the deceased, and on his arrival examined his pulse and heart, but they had ceased to beat. From the appearance of the body, and the case, his opinion was that death was the result of natural causes, probably apoplexy. The Jury returned a verdict of died by the visitation of God.

MAITLAND CIRCUIT COURT

(From the Maitland Mercury)

Thursday [September, 16]

Before Mr. Justice Therry

PETER PIDGEON, indicted on Wednesday for the murder of **WILLIAM TAYLOR**, commonly called **COACHEY**, was put to the bar.

The indictment contained four counts, the first stating that the prisoner, on the 1st September, 1846, at Maitland, committed an assault on the said William Taylor, and with some unknown blunt instrument wounded him on the left side of the head, and on the stomach, back, and sides, of which wounds the said William Taylor instantly died, and that thus the said Peter Pidgeon did feloniously kill and murder the said William Taylor. The second count stated that the assault was committed by casting him to the ground, and striking and beating him with the hands and feet while he was lying on the ground, inflicting the wounds both by the casting to the ground and by the beating while on the ground. The third count stated that the assault was committed with hands and feet, and the wounds inflicted by them.

Mr. **PUREFOY** appeared for the defence, attorney, Mr. **DAVIS**.

The Solicitor-General stated the case to the Jury.

The evidence in this case, although circumstantial, was conclusive. The deceased resided at Wollongong, where he had a little property, among other things, a cart and two horses: the prisoner was an acquaintance of deceased, and persuaded him to proceed to Maitland, where he said he could get advantageous employment for his horses and cart, in supplying the steamers with coals. The two parties then set off for Maitland, after which nothing was seen of the deceased. This was in June, 1846. Some time after, the prisoner returned to Wollongong with one of the horses and the cart, which he said he had purchased from deceased, who, he said, had purchased a light cart, and intended to work with the other horse. Finding that he was suspected by his neighbours of having done something wrong, Pidgeon went before the Wollongong Bench in March, and volunteered a statement as to his purchase of the horse and cart. Dr. **OSBORNE**, one of the magistrates, not being satisfied, wrote to the police magistrates at Maitland on the subject, when it was remembered that in the previous October, a skeleton of a man, with a fractured skull, had been found near Maitland. The body was disinterred, and had several marks, as to teeth, &c., exactly corresponding with Taylor's, the deceased. Further inquiry was then made, and the other horse was traced to the possession of the prisoner, and also a box and some clothing belonging to the deceased.

The Jury retired for half an hour, and returned with a verdict of guilty on the first count. The prisoner was remanded for sentence.

MAITLAND MERCURY, 5/337, 25/09/1847

CATTLE STEALING.

JOSEPH PALFREY (since deceased); mentioned in evidence as a vendor of cattle.

HUNTER RIVER DISTRICT NEWS. - DUNGOG.

SHOCKING DEATH. - On Tuesday, the 12th instant, a shepherd, named **JOHN M'GUIRE**, in the employ of Mr. Lord, at the Gloucester River, met his death in a most shocking manner. On the morning of that day he took out his sheep as usual, but in the evening the sheep returned without him. As M'Guire was a steady well conducted man, the circumstance caused a great deal of surprise and uneasiness; and on the following morning the overseer and all hands turned out to look for the missing man. Just as they were about starting, however, a black gin came in with the intelligence that she had found the man dead. The party at once proceeded to the spot pointed out by the gin, about a mile from the hut, when they found M'Guire extended by one arm out of a tree, quite dead. It appeared that the unfortunate man had placed

a short stick against the trunk of a tree, upon which he had got up for the purpose of putting his hand down a hole formerly cut by a black fellow to take out an opossum; and that while in this posture the stick had broken and he had been unable to extricate his arm. His legs and body were dreadfully bruised from his efforts to free himself from his dreadful situation.

DEATHS.

At his lodgings, Castlereagh-street South, on the 18th Sept., of apoplexy, Quarter-Master **JOSEPH MOORE**, of her Majesty's 50th Regiment of Foot.

COMMITTAL.

WILLIAM ROY was, on Tuesday, committed to take his trial for shooting at, with intent to murder, Mr. **R.L. SCRUTTON**. *Herald, Sept. 23*

MAITLAND MERCURY, 5/337, 25/09/1847 [SUPPLEMENT]

SHOOTING WITH INTENT, &c. - About eight o'clock on Saturday evening a man named **ROY**, who has earned considerable notoriety for himself within the last few months, engaged a cabman to drive him to Cumberland-street, and when he pulled up, ordered the driver to knock at the door of **RICHARD L. SCRUTTON**, and say that Mr. **JACOBS** wished to see him; having sent up the message by the person who opened the door, Mr. Scrutton returned for answer that if Mr. Jacobs wished to see him he might walk in; Roy, who had answered the name of Jacobs, then went in, and as soon as he entered the room (where Mr. Scrutton was waiting to see the expected Mr. Jacobs) he drew a pistol, exclaiming, "Ah! I have you now," and fired at Mr. Scrutton, who, however, had the presence of mind to push aside Roy's arm, by which means the aim was frustrated. A scuffle ensued, Mr. Scrutton endeavouring to put Roy out of the house, and when Roy came out he was without a hat; and as he was jumping into the cab (which he had given instructions should wait for him) the driver observed him drop a pistol, which he hastily picked up; he exclaimed, "D—n him, I've shot him – drive away like h—l, or I'll shoot you," and ordered the cabman to proceed along Fort and Kent-streets to King-street, then along Elizabeth-street to Clarkson's public-house, where they partook of some ale, and thence to Roy's residence at the Surry Hills. As he was driving, the cabman kept his eye upon Roy, whom he saw load a pistol, and was alarmed lest he meditated violence towards himself. So soon as Roy had left Scrutton's an alarm was given, and constable **NOWLAN**, who was on duty in the vicinity, went to the house, where Mr. Scrutton narrated the affair, and gave him a pistol-bullet which he had picked off the floor. On examination of the room the constable saw the marks of two bullets on the wall, and on looking about the room found another ball. Sergeant **ADAMS** having heard of the circumstances, proceeded to Roy's residence and took him into custody; he found no pistol on his person or about the premises, and on being told for what he was apprehended, Roy admitted having been at Mr. Scrutton's house, but denied having fired a pistol at any one. Roy was yesterday brought up for examination before Alderman **FISHER**, before whom the foregoing circumstances were given in evidence, and the prisoner was remanded until today. *Herald, Sept. 21*

BATHURST. - CORONER'S INQUEST. - On Wednesday, the 15th, an inquest was held at Kelso, on a child named **JAMES JONES**, aged two years, who had died the previous day from injuries received from being burnt. It appeared that on the 29th ultimo, the mother had gone to a neighbour's, leaving the deceased and three other children, the eldest only about four years old, in a room together; the children got wrangling, and the deceased struck his elder brother, who took a lighted stick from the fire and set light to the deceased's clothes; before any effectual assistance arrived, the

child was dreadfully burnt, and lingered until the 14th instant in great pain, when it died. Verdict, died from being accidentally burned. *Herald, Sept. 20*

MAITLAND MERCURY, 5/338, 29/09/1847

BATHURST CIRCUIT COURT. - Before Mr. Justice Dickinson. - This Court commenced its sittings on the 20th September.

JOSEPH MURPHY was indicted for the murder of **EDWARD WESTWOOD**, at Mudgee, on the 30th June. From the evidence it appeared that Murphy had been confined in the Mudgee lockup for more than a fortnight, when Westwood was placed in the lockup for drunkenness. In about a quarter of an hour afterwards Murphy called out to the lockup keeper, "the man has cut his throat." On going into the cell, the keeper found the unfortunate man's head nearly cut off by a wound which it was evident he could not have inflicted himself. The jury returned a verdict of guilty; sentence, death.

SEPT. 21

MARY LACY was indicted for the murder of her husband, **JOHN LACY**, at Macquarie Plains, on the 16th May. It appeared that a quarrel took place between them very late on a Saturday night, when one or both were drunk; and that after a good deal of abuse and ill-usage of the prisoner by her husband, during which she got her jaw broken or much injured, the husband made another attack on her in the bedroom, no witness being present, but he shortly rushed out of the room with a pair of sheep-shears sticking into his side, and died from the wound in half an hour; his wife, who was not present at the death, appeared shocked on hearing of it, and said she did it, and was a cursed creature for such cruelty to come from her hand. The jury brought in a verdict of manslaughter, and she was sentenced to three years' imprisonment. *Abridged from the S.M. Herald*

SATURDAY, SEPT. 25, 1847

MANSLAUGHTER

LAWRENCE COWAN was indicted for feloniously assaulting **CHARLES SANDY**, at Black Creek, on the 5th July, 1847, and for casting and throwing him against the ground, and beating and kicking him, thereby inflicting on him divers mortal wounds, whereof the said Charles Sandy languished until the 10th July, and then died, and that thus the said Lawrence Cowan did feloniously kill and slay the said Charles Sandy; a second count alleged the injuries to be caused by an assault with the hands and feet; a third count by casting him against the ground; and a fourth by his falling with his knee on the stomach of Charles Sandy.

The Solicitor General stated the case, and called

MICHAEL M'CARTNEY, who deposed that he was a surgeon, residing in Maitland, and that on the 7th July he was called to Black Creek, to attend Charles Sandy, since deceased, and found him apparently labouring under the effects of dissipation, having inflammation of the intestines, and, as witness thought, inflammation of the bladder, and complaining of great pain on pressing the abdomen. Witness adopted means to relieve him, and the next morning he seemed better. Witness returned to Maitland, and being sent for again on the 10th, he went out, and found the symptoms so aggravated that there were no hopes of his recovery. Sandy died, and on the 12th witness made a very careful post mortem examination, thinking that the deceased's illness was caused by injuries received in a fight. The organs of the chest were perfectly sound; the appearance of the liver was that of a man suffering from the effects of liquor; but there were no traces of inflammation except in a few small patches on the intestine leading from the stomach. That inflammation was the

only cause of death witness could find. The appearances were quite common in persons suffering from the effects of liquor, and a blow on the stomach might produce the same appearance, without leaving any external marks. The inflammation was not very recent, and must have been going on not less than six or seven days, nor more than eight or ten days. Witness could not say whether it was caused by violence; it might or might not have been. The symptoms of illness had induced witness to believe that it was caused by injuries received.

THOMAS RAISBECK deposed that he was a publican at Black Ceek; on the 5th July last a great number of people were assembled at witness's house, having come to see a fight that was to have come off between the prisoner and another man, not Sandy. The fight did not come off. Sandy and the prisoner were there among others, and Sandy got drunk and very quarrelsome, wanting to fight different persons. Witness saw him once endeavour to fight with prisoner, when both were outside, but the crowd prevented witness from seeing whether they fought. Witness several times out Sandy out of the rooms, he was so quarrelsome. In the evening witness put him in the tap-room for safety, there being only two boys and two quiet men there; in a quarter of an hour witness heard a noise there, and going in found Sandy on the floor, as if just fallen, and prisoner standing by him. Witness reprimanded prisoner, and Sandy was sat on a stool till later in the evening, when witness sent his own servant home with him. Sandy seemed then very weak, and the next day witness sent for Dr. M'Cartney. Prisoner was nearly sober.

JOHN WARTON was in the taproom, and saw Sandy go up to and challenge prisoner to spar; after some time prisoner consented, and they had one round, at the end of which they fell, Sandy under, and prisoner on him; they had only been sparring, and had been laughing the whole time. Witness went to lift Sandy up, but he begged him to let him lie, saying he was all right; Sandy did not rise, and witness put him under a stool, as he preferred lying on the ground. He did not then complain of being hurt, but in the evening when witness was taking him home he seemed in great pain, and wanted to sit down on the road, but witness got him home. Prisoner did not strike Sandy at all during the sparring.

By the prisoner: Prisoner remonstrated with Sandy, telling him he had enough; witness did not see Sandy hit prisoner on the back of the head.

JAMES TENNANT corroborated this account of the sparring, and saw Sandy hit prisoner on the back of the head when prisoner's back was turned, on which prisoner caught him round the body, and threw him, falling on him. Sandy did not appear able to get up; John Warton tried to get him up.

By a juror: Prisoner seemed in earnest when he threw Sandy.

JOHN BAYLIS was at the house through the day, and heard Sandy call prisoner a coward because he would not fight Jones, adding that he would fight him himself. Sandy was very quarrelsome, and in the course of the day had a round with another man, on which this man got Sandy's back against a stump, and bending him over, kept hitting him till the bystanders interposed and parted them.

This closed the case for the crown.

His Honor summed up, pointing out the distinctions between murder, manslaughter, and justifiable homicide, telling the jury they could, if they thought the prisoner guilty of the latter offence only, bring in a verdict to that effect.

The jury returned a verdict of not guilty, and the prisoner was discharged.

MONDAY, SEPTEMBER 27, 1847

SENTENCES

JOHN PURCELL, convicted on Monday, the 13th September, of the murder of **JOSEPH PALFREY**, was sentenced to death. His Honor said he had postponed until the last day of the Circuit Court the solemn and distressing duty of passing sentence of death on the prisoner. In most cases of crime, the judge was invested with the privilege of passing a severe or light sentence in proportion to the apparent heinousness of the offence; but in cases of murder the law allowed no such discretion, and he could only pass sentence of death where a prisoner was convicted of murder. In this case the evidence was circumstantial only, as was usual the case with crimes of so deep a dye that men naturally did their utmost to conceal their having committed them; but it was here aided by the repeated expressions of the prisoner, almost amounting to admissions. The almost miraculous manner in which the body of the murdered man had been discovered reminded him strongly of a case tried before himself at Maitland eighteen months since; and both cases illustrated the truth of the saying, that "Murder, though it hath no tongue, yet speaks with most miraculous organ." From all the circumstances, there could be little doubt that the victim had been taken unawares, and that the blow was as foul as it was fatal. It was of little avail for him, then, to dwell upon the main topic of provocation, the suspected infidelity of the prisoner's wife; but it was remarkable that the murder was not committed under the sudden impulse of passion on discovering her infidelity, but took place long after it was known, or at any rate believed by the prisoner. Since the prisoner's trial, a memorial had been presented to himself from the jury, recommending the prisoner to mercy. This prerogative was vested in the head of the Executive government, not in himself, and he should lay the memorial before him. He could not, in that place, hold out any hopes of mercy, and he solemnly adjured the prisoner to prepare for another world; and if mercy should hereafter be extended to the prisoner, and his life be spared, he trusted that the lesson he had received would be a warning to him for the remainder of his life. The sentence of the Court was, that John Purcell be taken to the gaol from whence he came, and that he be taken from thence at such time as his Excellency the Governor may appoint, and that he be there hanged by the neck until the body be dead.

PETER PIDGEON, convicted on Friday, the 17th Sept., of the murder of **WILLIAM TAYLOR**, was sentenced to death. His Honor said that the prisoner, after an anxious and protracted trial, and the examination of more than twenty witnesses, had been found guilty of murder. The evidence was entirely of a circumstantial nature, and it was wonderful to reflect on the marvellous coincidence of events which led to the irresistible conclusion that the prisoner was guilty of the crime. It was remarkable what a number of false representations were proved to have been made by the prisoner, commencing with his stating to Taylor that he had a horse and cart at Maitland, earning a good sum. From this time to the tracing of the crime to the prisoner, falsehood, fraud, and secrecy marked his every step. But these falsehoods, though they postponed, did not finally prevent, the crime being traced to him. At Maitland, in the neighbourhood where the murdered man's body lay, the prisoner's statements, though false, were tolerably consistent, but at Wollongong, from whence they had departed together, his endeavouring to account for Taylor's disappearance led him to make statements equally inconsistent with each other and the truth. There were in the case no mitigating circumstances, no provocation shown, which could render it at all probable that mercy would be extended to the prisoner, and it only remained for him now to exhort the prisoner to prepare himself during the few remaining days of his life for another world. The sentence of the Court was, that Peter Pidgeon be taken back to the gaol from whence he came, and from thence at

such time as his Excellency the Governor might appoint, and be there hanged by the neck until he be dead.

DARBY DOWD, convicted on Saturday, 11th, of the manslaughter of **JOHN DONOHOE**, was sentenced to eighteen months' imprisonment in Sydney gaol, with hard labour. His Honor said that in this case, although the prisoner had been found guilty of taking the life of John Donohoe, the circumstances were marked by no appearance of malice or revenge. In a moment of intoxication, it appeared that a fight took place between them, and Donohoe received the mortal injuries of which he died. But up to that moment there was no reason to suppose the prisoner meditated any injury against Donohoe. Intoxication could not be urged as a palliation of the crime, for if this doctrine were admitted a man had but to get intoxicated, and he would be privileged to commit any crime. The good character the prisoner had received from his employer, that he had for years known him to be a quiet, inoffensive man when sober, was of much weight; but, nevertheless, crime must be punished.

SYDNEY NEWS. - MELANCHOLY OCCURRENCE.

The following letter has been received by Mr. **JOHN MORRIS**, the contractor for the erection of the light-house on Gabo Island, giving details of the death by drowning of three of his men at that Island. "Gabo Island, Sept. 17, 1847.

SIR - I sit down to write to you the following painful narrative. On the evening of the 15th inst., the boat left the Island with five men in her, to proceed to the mainland for the wife of one of the party (Mrs. Cummins), who had been in attendance upon a Mrs. Robinson, the wife of a settler near Cape Howe, during her confinement. The boat contained Edward Cummins, Thomas Maguire, Thomas Burns, John Dalton, and a black-fellow. When within three or four hundred yards of the shore, the boat was struck by a sea and cast between the breakers, and the next sea that struck her she was turned bottom upwards, and Thomas Maguire was never seen afterwards. Cummins and Burns swam for the shore, but Cummins sank before he reached it; Burns reached the shore in an exhausted condition. Dalton and the black-fellow held on to the keel of the boat, the latter swam for the shore as soon as possible, and when he reached it he found Burns all but dead. Dalton was last seen on the keel of the boat, (he could not swim), floating out to sea. The boat was found next morning on the beach, three or four miles from the place where it was struck by the sea. - I am, Sir, &c., FRANCIS RODGERS, Foreman of Works. - To Mr. John Morris, C.E., Sydney." *Weekly Despatch, Sept. 25*

CORONER'S INQUEST. - An inquest was held yesterday afternoon, at the Rose Inn, George-street, on view of the body of **BENJAMIN SEABURN**, a seaman belonging to the ship *Essex*, lying at Bott's Wharf, who on the previous evening was seen going on board that vessel in a state of intoxication; in a few minutes afterwards the deceased went out on the bowsprit, from whence he fell into the water and was drowned. The watchman on the wharf saw deceased going out on the bowsprit, and hearing the splash as of some one falling into the water, rushed to the spot, but deceased had sunk. The jury found a verdict of accidentally drowned while intoxicated. *Herald, Sept. 25*

WELLINGTON. - A most determined suicide was committed a few days ago at the Gunning-bar, by a shepherd in the employ of Mr. Wentworth, who, it seems, having made his will, bequeathing his wages, &c., to the Irish Relief Fund, loaded an old musket to the muzzle, which he deliberately placed against his breast, and having put the stock of the piece into the fire, stood with the muzzle as above described until the explosion took place. The poor fellow, who was supposed to be insane, was literally blown to atoms. *Australian, Sept. 24*

SENTINEL, 3/142, 30/09/1847

DEATH BY DROWNING. - On Saturday evening a licensed waterman named **GRANT** was bringing a passenger across to Sydney from Balmain, who was in a state of intoxication. While coming across a sudden squall caught the boat, to which she lurched, when the unfortunate passenger fell overboard, sunk, and was not seen again. Every exertion has been made to find the body, but without success; equally unsuccessful has been the endeavour to ascertain who the unfortunate man was, as he was quite a stranger to the waterman. He was dressed in a black coat and trousers.

SHOCKING DEATH. - On Tuesday, the 12th instant, a shepherd named **JOHN M'GUIRE**, in the employ of Mr. **LORD**, at the Gloucester River, met his death in a most shocking manner. On the morning of that day he took out his sheep as usual, but in the evening the sheep returned without him. As M'Guire was a steady well-conducted man, the circumstances caused a great deal of surprise and uneasiness, and on the following morning the overseer and all hands turned out to look for the missing man. Just as they were about starting, however, a black gin came in with the intelligence that she had found the man dead. The party at once proceeded to the spot pointed out by the gin, about a mile from the hut, when they found M'Guire extended by one arm out of a tree quite dead. It appeared that the unfortunate man had placed a short stick against the trunk of a tree, upon which he had got up for the purpose of putting his arm down a hole, formerly cut by a black fellow, to take out an opossum, and that while in this position, the stick had broken, and he had been unable to extricate his arm. His legs and body were dreadfully bruised from his efforts to free himself from his dreadful situation. *Maitland Mercury*.

MAITLAND MERCURY, 5/339, 02/10/1847

SYDNEY NEWS.

BATHURST CIRCUIT COURT. - SEPT. 22

FRANCIS LE BROQC was indicted for the murder of **DAVID POWER**, at Cox's River, on the 24th June. It appeared that Le Brocq, while drunk, had entered Powers's house in the evening and stopped for the night; during the night, it appeared from the dying declaration of the deceased, that Le Brocq robbed him, and in doing so sat on his bowels and chest, and put his knee on his stomach, and also threw him twice to the ground. Deceased had complained for some days previously of a pain in his stomach, and died a few days after. The surgeon who made a *post mortem* examination deposed that death was caused by inflammation in the stomach and abdomen, but he could not say whether this resulted from jaundice or violence. Verdict, not guilty.

DENNIS BONSWORTH was indicted for the manslaughter of **TIMOTHY TOOHEY**, at Cherry Tree Hill, on 28th July. Bonsworth was in his own stockyard when a cow ran in from a lot driven past by Tooley; Bonsworth drove her out, and on her trying to come in a second time struck her; Tooley commenced abusing him, and with much foul language challenged Bonsworth out to fight; Bonsworth went out, having a stick, while Tooley had a heavy stockwhip, with which he struck at but missed Bonsworth, and the force of the blow made Tooley swing round to recover himself, when Bonsworth struck him on the back of the head, fracturing his skull. Tooley fell, and died in a few minutes. Verdict, guilty; sentence, four months' imprisonment. *Abridged from the Herald*

MURDER BY THE NATIVES. - The fears expressed in our last issue concerning the fate of three sawyers who were employed in cutting cedar in the scrubs on the Pine River have been, in one instance at least, painfully verified. Scarcely has the excitement produced by the murders of **WYAMBA**, the black boy, and a white man named **ROGERS**, subsided, when another butchery, quite as melancholy, and perhaps

less excusable, has succeeded. As soon as the circumstance was reported, the police magistrate with the greatest promptitude proceeded to the spot where the occurrence took place, and instituted an inquiry touching the death of one unfortunate man named **WILLIAM WALLER**, whose body had been brought to Captain Griffin's head station on Saturday morning last. One of the sawyers named **JAMES SMITH**, on being sworn, gave the following evidence. He stated that he was employed with **WILLIAM BOLLER**, and William Waller, the deceased, cutting cedar on the Pine River on the morning of the 11th instant; the latter acting as cook. About eleven o'clock he was sawing in the pit with Boller, when suddenly he found "the saw coming back to him," and on looking up, observed his mate making signs, and calling to the natives, who immediately threw a shower of spears, one of which hit him on the shoulder. He then jumped off the log, and retreated to the hut closed to the pit, with five spears sticking in his body. The blacks then rushed up to the pit, and threw spears at Smith, who warded them off with his arm. As he was striving to make his way out, a native named **DUNDALLY** hit him on the back of the head with a waddie, and knocked him senseless into the pit. On recovering himself, he again endeavoured to get out, when Dundally threw another waddie, which struck him on the cheek. Having at length made his way to the hut, he found Boller with the gun on his knees, pointed towards the blacks. On being asked by Smith why he did not fire at the man who threw the waddie, he replied that he could not, as his eyesight had left him, and he was speared all over. Smith then took the gun from him, and found that the bullets had not been rammed down. He then called out to the blacks to know what grievance they had against them, and told them, in their own language, that if they wanted food they could have it, if they would desist from molesting them. The blacks then made some reply which he did not understand, and again threw some spears, which were not properly directed, and did not take effect, as they were probably intimidated by the gun. Observing that the merciless savages were preparing for a general rush, Smith desired Boller to make the best of his way out of the scrub, telling him that he felt convinced they were fully determined on taking their lives. The poor fellows then commenced their retreat, Smith covering the body of his wounded companion as they backed out of the scrub. They had only proceeded a few yards when a waddie thrown with great force hit the former on the left hand, and disabled it. They succeeded on reaching another pit, followed by the natives, who then left them, and rushed back to plunder the hut, from which they removed everything they could lay their hands on, and then quitted the place. Having got clear of the scrub, Smith left his companion in a small enclosure outside, and ran to captain Griffin's for assistance. On his return, Boller was conveyed with great difficulty to the head station, and placed in one of the men's huts, where he underwent severe suffering from his deep spear wounds, which caused internal hemorrhage. During the attack, the hutkeeper had not been seen by either of the men, and it was conjectured that he might have escaped, and had lost his way in the scrub. As he did not make his appearance on the morning after the occurrence, a minute search was instituted by Mr. **JOHN GRIFFIN** and some of the blacks employed on the station, who discovered his lifeless body among the branches of a tree which had lately been felled, and to which they had been attracted by observing a dog belonging to the deceased going in that direction. He was found in a sitting posture, with his back against the branches. Dr. **CANNAN** examined the body, and found several slight wounds on the legs, one in the left breast, which did not penetrate into the chest, and one deep wound in the neck, which, in his opinion, was the cause of death, the jugular vein being wounded, and fatal hemorrhage the consequence. The wounds were all inflicted by the same kind of spears, and such as

would be caused by the spears of the natives. A grave having been dug by the people on the station, the body was buried. On Sunday the surviving sufferer was brought to Brisbane in a cart, and lodged in the hospital, where he now lies in a very dangerous state. *Moreton Bay Courier, Sept. 18*

DEATH BY DROWNING. - On Saturday evening a licensed waterman named **GRANT** was bringing a passenger across to Sydney from Balmain, who was in a state of intoxication. While coming across a sudden squall caught the boat, to which she lurched, when the unfortunate passenger fell overboard, sunk, and was not again seen. Every exertion has been made to find the body, but without success; equally unsuccessful has been the endeavour to ascertain who the unfortunate man was, as he was quite a stranger to the waterman. He was dressed in a black coat and trousers. *Herald, Sept. 28*

MAITLAND MERCURY, 5/341, 09/10/1847

FORTUNATE ESCAPE. - Yesterday, in clearing the ground for the dry dock at Cockatoo Island, a blasting hung fire. After waiting some time, two prisoners, one of them **MORLEY**, the murderer, poured water down the hole and began working out the charge, when, all at once, it exploded, hurling the men to the right and left, but happily, with only a few trifling scratches. *Australian, June 5*

MAITLAND MERCURY, 5/342, 13/10/1847

DEATH BY DROWNING. - Yesterday morning two men, named **JAMES M'DONALD** and **SAMUEL PARKER**, were engaged taking calves from the wharf at Morpeth on board the *Rose*, laying alongside. M'Donald had got on the plank with a calf which he was pulling along, when M'Donald's foot slipped, and he fell off the plank into the water between the wharf and the steamer, and before a rope could be thrown to him he sunk, and rose no more. A black diver for the body several times without success, and grappling irons were procured, but three quarters of an hour had elapsed before the body was recovered, quite dead. An inquiry was held on the body in the afternoon by **E.D. DAY**, Esq., P.M., when Dr. **BEARDMORE** certified that there was no mark of violence on the body except that caused by the grappling iron. A verdict was returned of accidentally drowned. The deceased has left a wife and three children, Mrs. M'Donald also being near her confinement; poor M'Donald was employed as a labourer at the wharf, and his family were entirely dependant on his labour, and are now left quite destitute.

INQUEST. - On Sunday morning last **DANIEL HERRIGAN**, residing in East Maitland, was called on by **MARGARET MACGUIRE**, who has latterly been repeatedly fined for drunkenness. On this occasion she appeared in a wretched state, suffering from the effects of drink, her head being bound up with a handkerchief. She told Herrigan, who pressed her to take a cup of tea, that she had slept out of doors the previous night, and had been away from her home for a week; she begged Herrigan to go with her to her husband, and get him to forgive her. He accordingly took her and the baby home, and her husband got her some tea, and the wretched woman appeared better after drinking it and washing herself. On Macguire going out to the bake-house with the dinner she managed to get some rum, but on his returning he threw away all that was left, and she drank no more that day, and towards night appeared easier, having partaken of dinner and tea. The next morning her husband found on rising that she gave no answer on being spoken to, and was breathing heavily; he accordingly called in Dr. **BROWN**, but the life she had been leading had caused so much internal disease that she died in the course of the morning. A *post mortem* examination

disclosed extensive inflammation of the intestines, caused, in Dr. Brown's opinion, by intemperance, aggravated by exposure to the night air. This inflammation was the cause of death, Dr. Brown considered, probably aided by a number of bruises found about the head, as if she had fallen many times. An inquest was held upon the body of Monday afternoon, at the George and Dragon Inn, East Maitland, before **J.S. PARKER**, Esq., coroner, when the above evidence was given, and a verdict returned of died from inflammation of the intestines, produced by intemperance.

HUNTER RIVER DISTRICT NEWS. - MACINTYRE RIVER.

MURDER BY THE BLACKS. - Intelligence has just reached here of another brutal murder committed by the blacks on the Macintyre. Their last victim was a fine boy of nine years of age, the son of Mr. **MARKS**, settler there. It appears that the boy was shepherding when the savages came upon him,. And, after transfixing him with spears, they deliberately took the boy while, it is supposed, he was yet alive, and roasted him over a fire; afterwards cutting up his body in pieces, and leaving it on the sport. This is the *third* murder in cold blood committed in that district *since July last* by these savages, and yet no steps are being taken to punish the perpetrators, the authorities here waiting, as they state, for instructions from Sydney. The murderers are at this moment within a day's rider of this place, but in such large numbers that they feel perfectly secure. It is high time something were done to render life and property in that part of the country a little more secure, and the settlers there trust that some notice will be taken of it by you, so as to draw attention to their present critical state. The moment a blackfellow is murdered the hue and cry is raised, warrants issued, and constables despatched in all directions; but notwithstanding the repeated complaints from settlers of the insecurity of their lives and property, the authorities seem to take the matter very quietly. In all probability more murders will be perpetrated ere an attempt is made to capture the savages, their numbers (from two to three hundred) being their security. Warialda, October 2, 1847

THE LATE MURDER.

The unfortunate man **BOLLER**, who was speared by the aborigines at the Pone River on the 11th instant, and conveyed to the hospital, died there in great agony on Tuesday last. It appeared, from a *post mortem* examination which was held on the body, that the poor fellow had received six spear wounds, one of which had penetrated the abdomen three inches deep, and was the immediate cause of death. Mortification took place on the previous Friday, when the medical gentlemen, Dr. **BEARDMORE** and Dr. **CANNAN**, who had paid every attention to him, gave up all hopes of his recovery. *Moreton Bay Courier, Sept. 25*

SENTINEL, 3/143, 14/10/1847

CORONER'S INQUESTS. - An inquest was held on Tuesday, at the Lord Nelson Hotel, Argyle-street, on view of the body of **JAMES SPITHILL**, a child of about fourteen months who whilst playing had a nail in his mouth which passed into the orifice of his windpipe and caused suffocation. The verdict of the Jury was – Died from suffocation, caused by accidentally swallowing a screw-nail.

Another inquest was held on Tuesday, at the Coach and Horses public-house, Cumberland-street, on view of the body of **ELIZA CAMPBELL**, a child of between two and three years of age, who while playing in the street on the preceding evening, was run over by a man named **JOHN WHITE**, and who was present at the inquest, in custody. The following evidence was given:- **THOMAS GALBRAITH**, residing in Cumberland-street, deposed that about twelve minutes past six on Monday evening, he saw a cart proceeding along Cumberland-street, driven by the man then in custody,

and approach to within a few perches of where the child was, but did not then see the child; he presently heard the prisoner give a sort of moan, and attempt to pull up the horse, when for the first time witness saw the child, when he was within about a foot from the wheel: witness saw the wheel pass obliquely over the child from the shoulder to the small of the back; the horse in the dray was walking, and the prisoner was sitting on the off side, while the child was on the near side of the cart; the prisoner did his best to pull up the horse as soon as he saw the child, which was before the wheel passed over him; the prisoner lifted the child up, and took him to his mother, apparently much grieved, and requesting that the doctor might be sent for; I believe the circumstance was purely accidental, and the prisoner was perfectly sober; the child died almost instantaneously. Another witness gave a similar account of the occurrence. Mr. **ASTON**, surgeon, stated, that he was called out to see the deceased on Monday evening, but on his arrival the child was dead; on examination he found a slight mark on the face, as if from a fall and a slight discolouration on the back, but could not trace no other injury; he was of opinion that the second bone of the neck was fractured, which would be sufficient to cause death; the weight of a cart passing over the neck would produce such a fracture. The Coroner having put the case to the jury, then returned with a verdict of accidental death, and laid a deodand of £1 on the cart-wheel. The prisoner was then discharged.

MAITLAND MERCURY, 5/343, 16/10/1847

EDITORIAL: EXTRACTING A CONFESSION. Mentions **PIDGEON and TAYLOR**.

MELANCHOLY OCCURRENCE. - On Monday evening, Mr. **MONTGOMERY**, one of the clerks of the Supreme Court, was found dead, and near him a phial which contained prussic acid. An inquest will be held on the body this morning, when no doubt all that is known relative to the melancholy occurrence will transpire. It is said, however, that the unfortunate deceased had been labouring under a complaint for which prussic acid had been prescribed, and it is supposed that on this occasion he unwittingly took an over dose, which resulted thus fatally. *Herald, Oct. 14*

FATAL ACCIDENT. - An inquest was held yesterday, at the Coach and Horses public-house, Cumberland-street, on view of the body of **ELIZA CAMPBELL**, a child of between two and three years of age, who while playing in the street on the preceding evening, was run over by a spring-cart, driven by a man named **JOHN WHITE**, and who was present at the inquest, in custody. The following evidence was given:- **THOMAS GALBRAITH**, residing in Cumberland-street, deposed that about twelve minutes past six o'clock on Monday evening, he saw a cart proceeding along Cumberland-street, driven by the man then in custody, and approach to within a few yards of where the deceased child was, but did not then see the child; he presently heard the prisoner give a sort of moan, and attempt to pull up the horse, when for the first time the witness saw the child, when she was within about a foot from the wheel: witness say the wheel pass obliquely mover the child from the shoulder to the small of the back; the horse in the dray was walking, and the prisoner was sitting on the off side, while the child was on the near side of the cart; the prisoner did his best to pull up the horse as soon as he saw the child, which was before the wheel passed over her; the prisoner lifted the child up, and took her to her mother, apparently much grieved, and requested that a doctor might be immediately sent for; he believed the circumstance was purely accidental, and the prisoner was perfectly sober; the child died almost instantaneously. The Coroner having put the case to the jury, they

returned a verdict of accidental death, and laid a deodand of £1 on the cart-wheel. The prisoner was then discharged. *Herald, Oct. 14*

SINGULAT ATTEMPT AT SELF DESTRUCTION. - On Sunday last Dr. **SILVER** was sent for in great haste to attend a patient at Tarban Creek Asylum, who had, notwithstanding the restraint put on him, nearly succeeded in putting a period to his unhappy existence. It appeared that although strapped down, he succeeded in conveyed a pewter utensil by one of his feet to his hands, when having rent off a strip with his teeth, he made a puncture into the artery of the left arm, through which had escaped nearly three pints of blood before the patient (**MACNAMARA**) was discovered. *Australian, October 12.*

MAITLAND MERCURY, 5/344, 20/10/1847

INQUEST ON MR. MONTGOMERY. - An inquest was held yesterday in the jury-room at the Supreme Court-house, touching the death of **FRANCIS WILLIAM MONTGOMERY**, who died on Tuesday evening in consequence of having taken an over-dose of prussic acid. It appeared from the evidence that the deceased, who had been a clerk in the Supreme Court for some years previously to and up to the time of his death, was afflicted with a disease of the chest, and was in the habit of taking prussic acid as a remedy for the same – he frequently took it in the office, sometimes out of the phial, putting it up to his mouth for that purpose; he was also in the habit of getting tipsy. He came into the office on Tuesday evening, between 7 and 8 o'clock, in a state of intoxication, and sent out for a quart of ale, a portion of which he took into his own room. About two minutes afterwards he was found by the witness (**GEO. POWNALL**) sitting in an arm-chair; he said to him, "Remember, Pownall, I leave everything to my brother." A phial was lying on the table; witness took it up and said to him, "Good God, Montgomery, what is the matter with you?" Deceased made no reply. Witness threw the bottle on the table; he then ran down stairs and sent up the court-keeper, while he went for a surgeon; the deceased lived only about two minutes after his arrival. He was in the habit of carrying a bottle containing prussic acid with him, and was of a very excitable temperament, especially when suffering from an attack of his disease. From the evidence of Mr. **S.P. HILL**, it appears that deceased was at the School of Arts about ten minutes before 7 o'clock on the evening before his death, on which occasion he was very tipsy, and his conduct altogether was very unusual – his countenance was haggard, and he had every appearance of a lunatic. Witness knew the deceased to have been labouring under some disease of the chest for 6 or 7 years, and he believed he was in the habit of taking prussic acid under the immediate directions of Dr. **BLAND**. The inquiry lasted upwards of four hours, before a very respectable jury, who returned the following verdict:- That the deceased died from having taken an over-dose of prussic acid whilst labouring under a state of excitement occasioned by the spasmodic affection of the heart, under which he was then labouring. *Australian, Oct. 15*

SUSPICION OF MURDER. - A man named **MURRAY**, who resided at Lane Cove, is in custody on suspicion of having murdered a woman named **MARY CLEMENS**, who had lived with him as his wife for eight years past. He was brought up for examination yesterday, and the evidence given went to establish a degree of brutality in the prisoner not frequently exceeded; but as the woman has not been found, and as Murray states that she left his house on Wednesday morning, when he was away to get some water, it is at present but a suspicion, though certainly a strong one, that she has been murdered. From the evidence of **JOHN BUTLER**, residing at Lane Cove, about five miles from Sydney, it appeared that, on Monday evening last, after he had

retired to rest, he was alarmed by the dogs, and on opening the window he heard a man say, "Mary, get up; will you get up, or shall I kill you here, and be hanged for you?" Butler then went out, and from the fence he saw the prisoner beating the woman, who was lying on her back, with a stick. He called out to Murray, who said that the woman was ill and could not walk, to which he made answer that he should wonder much if she could walk after such usage as he had seen; the prisoner demanded if that was any business of his (Butler's); witness replied, that he did not know if he had any right to interfere between a man and his wife; prisoner then asked for some water, which Butler procured; witness had heard the woman groan, but after taking some water she spoke, and asked for her children, when Murray replied, "They are here," and called them, **MICKEY and JOHNNY**; prisoner then put the woman's head on a log against a stump, when he stamped on her face, and kicked her body with the heel of his boot, when Butler interfered and said, "Let the woman be what she may, he must not ill-use her like that;" the boys came up, and one of them was about to make a fire on the side of the road, when Murray prevented him, saying he would not gratify the ----- cow in such a manner; the witness had advised him to make a fire, and to remain there until morning, and for that purpose supplied him with a light, and promised if it should rain to give them shelter; prisoner told each of the boys to take a leg, and he took the body of the woman, and they carried her away in that manner; as they went along Butler heard Murray say to one of the boys, "Johnny, see how she kicks, because she knows she's handy to the house." The only timer the woman spoke was when she asked for her children. The next morning Butler saw, about forty rods from his premises, marks as though some person had been dragged off the road into a place he called "Percy Simpson's Bush." He produced a stick which he had found about half a mile from his house, between two pools of blood, one end of which had been beaten until it resembled a brush, and had human hair on it, and marks of blood; and at the stump, where he saw the woman beaten, he found a pocket, a handkerchief, and a key. The prisoner was remanded for further investigation to-day. Constable **O'NEIL** had received information of the manner in which the woman had been assaulted, and that the woman was missing, which induced him on Wednesday evening to apprehend Murray on suspicion of having made away with her. *Herald, Oct. 16*

SENTINEL, 1/144, 21/10/1847

CORONER'S INQUESTS. - On Monday, an inquest was held on the body of **MARY CLEMENTS**, which had been on the previous Saturday brought into Sydney from Lane Cove, and then brought from the hospital to the Police Court for the purpose of an inquest. Several witnesses were examined, and the inquiry lasted for upwards of three hours.

From the evidence of **JOHN BUTLER**, residing at Lane Cove, about 5 miles from Sydney, it appeared that, on Monday evening last, after he had retired to rest, he was aroused by the dogs, and on opening the window he heard a man say, "Mary, get up; will you get up, or I shall kill you here, and be hanged for you." Butler then went out, and from the fence he saw the prisoner beating the woman, who was lying on her back, with a stick. He called out to **MURRAY**, who said that the woman was ill and could not walk, to which he made answer that he should wonder much if she could walk after such usage as he had seen; the prisoner demanded if that was any business of his (Butler's); witness replied, that he did not know if had any right to interfere between any man and wife; prisoner then asked for some water, which Butler procured; witness had heard the woman groan, but after taking some water she spoke,

and asked for her children, when Murray replied "They are here," and called them - **MICKY** and **JOHNNY**; prisoner then put the woman's head on a log against a stump when he stamped on her face, and kicked the body with the heel of his boot, when Butler interfered and said "Let the woman be what she may, he must not ill-use her like that;" the boys came up, and one of them was about to make a fire on the side of the road, when Murray prevented him, saying he would not gratify the ----- cow in such a manner; the witness had advised him to make a fire, and remain their (sic) until morning, and for that purpose supplied him with a light, and promised if it should rain to give them shelter; prisoner told each of the boys to take a leg, and he took the body of the woman and they carried her away in that manner; as they went along Butler heard Murray say to one of the boys, "Johnny see how she kicks, because she knows she's handy to the house." The only time the woman spoke was when she asked for her children. The next morning, Butler saw, about forty rods from his premises, marks as though some person had been dragged off the road into a place he called "Percy Simpson's Bush." He produced a stick which he had found about half a mile from his house, between two pools of blood, one end of which had human hair on it, and marks of blood; and at the stump, where he saw the woman beaten, he found a pocket, and handkerchief and a key.

JOHN MURRAY, son of the prisoner, a lad about sixteen years of age, being sworn, stated:- On this day week, he (witness) was with the prisoner and Mary Clements, and a younger brother of witness, at Lane Cove, and had lost their way in the bush; mary Clements said she would not go home with the prisoner, and ran away into the bush, but witness's brother went after and fetched her back; prisoner gave her upwards of ten blows on the body and legs with a stick; she wanted Murray to let her stop in the bush, and to sit down alongside her, but he would not stop; she never got on her feet after receiving the blow on her head; prisoner carried her on his back until they got to Butler's, when he laid her down. After Butler went in, prisoner carried the deceased, witness's brother holding her legs, and witness carrying her shawl; prisoner did not carry her out of sight of Butler's until he put her down, and asked her to come home, to which she replied that in half an hour she would; he then dragged her about ten yards into the bush, where they all laid down by a log, prisoner remarking that he would stop so long, as she might by that time get better; witness went to sleep, and was awoke by the prisoner, who said that Mary Clements was dead, and cried; he then carried the body to an old saw pit about two hundred yards off, and covered it with bushes; after which they three went home, a distance of five or six miles; they remained at home all the next day (Tuesday last), and the prisoner instructed witness to say, if any inquiry were made concerning the deceased, that while they went to the well for water she went away from home. On Wednesday morning witness went with the prisoner and removed the body further into the bush, and put it among the limbs of a gum tree, covering it with sticks and back, and then returned home; the body viewed by the jury is that of Mary Clements; neither the prisoner nor the deceased were perfectly sober, and they were quarrelling all along the road. *A post mortem* examination of the body having been made by Doctors **SILVER** and **MACKELLAR**, they minutely described the appearances of the body, and were of opinion that the woman died from external violence, and that the immediate cause of death was the effusion of blood on the brain, caused by the blow of a heavy blunt instrument on the left side of the head. After the Coroner had summed up the evidence, the Jury returned a verdict of wilful murder against **JOHN MURRAY**, who was forthwith committed on the Coroner's warrant to abide his trial. The Court was crowded to suffocation while the inquiry lasted and numbers were in the yard who

could not gain admittance. The prisoner himself appeared to be the most indifferent to the proceedings of any person present.

Another inquest was held at the same place, on the body of **MARY ANN CHAMBERE**, an infant of about three months old, **PATRICK BROWN** and **JOHANNA DACEY** being in charge on suspicion of having caused its death by violence. **ALBERT EDWARD HONEY** stated that on Thursday last he saw the prisoners together in Barrack-lane, the female carrying a child and abusing the man, she offered him the child but he did not take it, when she threw it to the ground, saying something like "The wretch was going to leave her, and she would have the police on him." The woman picked up the child, and witness saw no more of them. Mr. **FREDERICK HARPUR**, surgeon, deposed, to having examined the body of deceased, and found a slight bruise on the right side of the head, but which could not have been the cause of death; the left lung he found to be very much inflamed, extending up to the bronchial (sic) tubes, which he was of opinion was the cause of death. The Jury returned a verdict in accordance with the medical evidence – Died by the visitation of God – and the prisoners were discharged.

SUDDEN DEATH. - An aged female, named **CATHERINE ONEALL**?, died suddenly at Newtown on Saturday evening. It appears that about half-past six a neighbour heard her calling, and proceeded to the spot whence he thought the sound proceeded, but failing to find her there, went into the hut, where he discovered her on her knees by the bedside, but life was quite extinct. The deceased was between 60 and 70 years of age.

MAITLAND MERCURY, 5/345, 23/10/1847

DEATH BY DROWNING. - On Monday evening last, at tea-time, Mr. **J.C. WILLIAMS**, of Clarence Town, found that his little son, **EDMUND**, aged about four years, was missing, nor could anyone say where he had been seen for two hours. After looking about the house and premises, Mr. Williams and the neighbours searched the bush for some distance round, but unsuccessfully. They then took a boat and dragged the river, and after some time found the poor little fellow lying at the bottom, about eight yards from his father's wharf, where he often used to play. An inquest was held on the body the next day, before **J.S. PARKER**, Esq., coroner, and no marks of violence being found on it, the jury returned a verdict of found drowned in the river, but how there was no evidence to show.

COMMITTAL. - It will be in the recollection of our readers that, some two or three months ago, a little girl named **ANN ROBINSON** died in consequence of injuries she had received from being ridden over by a man on horse-back one Sunday afternoon, near Hyde Park Barracks, who then got clear off. A few days ago a man named **ANNIBAL** was apprehended on the charge, and after under-going several examinations he was, on Friday last, committed to take his trial for the offence. He was allowed bail, himself in £80, and two sureties in £40 each. *Chronicle, October 21*

DEATHS

On Monday evening, the 18th Oct., **EDMOND STEVENS WILLIAMS**, third son of **J.C. WILLIAMS**, of Clarence Town, from drowning, aged 4 years and 3 months.

SYDNEY NEWS.

CORONER'S INQUEST. - Yesterday an inquest was held on the body of **MARY CLEMENTS**, which had been on the previous Saturday brought into Sydney from Lane Cove, and then brought from the hospital to the police office for the purpose of the inquest. Several witnesses were examined, and the inquiry lasted for upwards of three hours; but the evidence of the eldest of the two boys will serve as an epitome of

the whole. The boys, it appears, are sons of the prisoner by his wife, from whom he has been living apart, with the deceased, for some ten or eleven years. The elder, **JOHN MURRAY**, is about sixteen years of age, and his testimony was to the following effect:- On this day week, he (witness) was with the prisoner and Mary Clements, and a younger brother of witness, at Lane Cove, and had lost their way in the bush; Mary Clements said she would not go home with the prisoner, and ran away into the bush, but prisoner's brother went after and fetched her back; prisoner told her to go on, and as she did so he hit her with a stick on the right side of her head, when she fell down; deceased bled, but witness could not tell from whence the blood issued; prisoner gave her upwards of ten blows on the body and legs with a stick; she wanted Murray to let her stop in the bush, and to sit down alongside of her, but he would not stop; she never got on her feet after receiving the blow on her head; prisoner carried her on his back until they got to Butler's, when he laid her down; [what took place at Butler's is sufficiently detailed in Saturday's *Herald*; this witness more than corroborated the statements there made.] After Butler went in, prisoner carried the deceased, witness's brother holding her legs, and witness carrying her shawl; prisoner did not carry her out of sight of Butler's until he again put her down, and asked her to come home, to which she replied that in half an hour she would; he then dragged her about ten yards into the bush, where they all laid down by a log, prisoner remarking that he would stop for so long, as she might by that time get better; witness went to sleep and was awoken by the prisoner, who said that Mary Clements was dead, and cried; he then carried the body to an old sawpit about two hundred yards off, and covered it with bushes; after which they three went home, a distance of five or six miles; they remained at home all the next day (Tuesday last), and the prisoner instructed witness to say, if any inquiry was made respecting the deceased, that while they went to the well for water she went away from home. On Wednesday morning witness went with the prisoner and removed the body further into the bush, and put it among the leaves of a gum tree, covering it with sticks and bark, and then returned home; the body viewed by the jury is that of Mary Clements; neither the prisoner nor the deceased were perfectly sober, and they were quarrelling all along the road. A *post mortem* examination of the body having been made by Drs. **SILVER and MACKELLAR**, they minutely described the appearances of the body, and were of opinion that the woman died from external violence, and that the immediate cause of death was the effusion of blood on the brain, caused by the blow of a heavy blunt instrument on the left side of the head. After the coroner had summed up the evidence, the jury returned a verdict of wilful murder against the prisoner John Murray, who was forthwith committed, on the coroner's warrant, to abide his trial. The court was crowded to suffocation while the inquiry lasted, and numbers were in the yard who could not gain admittance. The prisoner himself appeared to be the most indifferent to the proceedings of any person present. *Herald, Oct. 10*

ATTEMPTED SUICIDE. - A man of the name of **TANCRED**, (an ex-Corporal, we believe, of the 80th Regiment,) went to Mt. Youngman's shop, yesterday morning, and purchased, as he was in the habit of doing, some arsenic, for preserving birds. He subsequently went to a hairdresser's shop in Market-street, and asked for some water to take a little medicine; this was given to him in a glass, into which he put about half an ounce of the deadly powder, but as the arsenic sank in the liquid, he having swallowed the latter, scraped out the former with a spoon, and took that also. He was immediately conducted round to Mr. Surgeon Conroy's, in Pitt-street, where he stated that he had taken poison, and required an antidote. Mr. Conroy properly sent him off to the Infirmary in a coach, which was instantly called and paid for by the next door

neighbour, Mr. **KOSTEN**, the pork butcher. This occurred about ten in the morning, and there was no doubt the man had been drinking previously. Every remedy was adopted to extract the poison from the stomach, and antidotes applied; he was, however, at nine o'clock last night, in a very dangerous state. He says he had no reason whatever for committing the rash act, having brought the drug for preserving birds, and the idea of self-destruction never entered his head till he came into Market-street, when he immediately carried it into execution. *Australian, October 19*

MAITLAND MERCURY, 5/347, 30/10/1847

HUNTER RIVER DISTRICT NEWS.

POLICE COURT. - THURSDAY, OCTOBER 28TH

MURDER

CHARLES COOPER, a ticket-of-leave holder, was charged with the wilful murder of **BERNARD FOX**, a sheep overseer, at Ravensworth, on the night of the 25th instant. The prisoner was heavily ironed, and appeared to be deeply affected at the awful situation in which he was placed.

JOHN CARLYLE, who is a storekeeper oin the establishment of Mr. **EDWARD BOWMAN**, at Ravensworth, deposed that on the night in question he was returning to the farm, when he met the prisoner, who asked him if he was Mr. Carlyle; and upon his replying that he was, he (prisoner) complained about some rations, and said that he had none. Witness told him that he had sent out a fortnight's rations. (Prisoner was stationed at Fairbrook). Prisoner then got rather abusive, and witness walked away, telling him that if he wished for more he (prisoner) must apply to Mr. Bowman. Witness then walked into the cottage and into his room; prisoner followed towards the corner of the fence. While witness was washing his hands, he heard prisoner and deceased quarrelling, and heard the prisoner use the words "b----- liar;" witness then heard some scuffling, and looking through the window, saw the prisoner and deceased struggling together outside the fence. Witness then ran out of his room towards the cottage gate, just as prisoner and deceased parted. Witness then told prisoner to go to his station, as he wished to hear no more of this; deceased was then standing in a stooping posture with his hands on the lower part of his stomach, and cried out, "he has something in his hand, he has a knife." Deceased then pressed his side harder, and said, "Oh, my God! The villain has stabbed me – I am killed – I am done for." Witness saw Fox into the house, and while he was going out **GEORGE SHEARER** rushed past witness, with something in his hand; he seemed as if he was going to strike the prisoner, and said, "You've stabbed the man." Prisoner answered, "I would stab you, or any one that would take his part," or words to that effect. Witness then passed between prisoner and Shearer, and went to the house and informed Mr. Bowman what had happened, who sent a man off for Dr. **GLENNIE**. The man Bernard Fox had since died. Witness did not know of any previous quarrel between the prisoner and Fox. The deceased was a sheep overseer, and was over the prisoner, who was watchman.

GEORGE SHEARER, a cook at Ravensworth, deposed that on Monday, the 25th instant, after dark, prisoner passed his kitchen with the former witness; they were having words about rations. Mr. Carlyle told the prisoner to go to Mr. Bowman, as he would have nothing to do with him. Prisoner still followed Mr. Carlyle, as if he intended to strike him; Bernard Fox was then in the kitchen and had just had his dinner. Witness asked deceased to come with him, as he (witness) thought that prisoner would rush Carlyle, and they had better go out to save him. Fox went out and said to the prisoner, "You scoundrel, what noise is this you are making? You are

not due for rations." Prisoner then came up to Fox and asked him, "What have you got to do with it?" and they both met, and struck blows on both sides. Fox had hold of the prisoner by the shirt or hand kerchief, witness could not tell which, as it was dark. Deceased then let go his hold, and said, "The villain has a knife in his hand." Fox then roared out, "I am done," and made for the cottage, and fell on the floor. Witness then examined him and found blood on his stomach, and that he was stabbed. Witness took up a fire shovel and ran out to the gate, where he saw the prisoner and said, "You villain, you have stabbed the man." Prisoner said, "Yes, and I'd stab you too, or any wretch that will take his part." Witness told prisoner that he would do his best to take him, when he saw Mr. Cooper and Mr. Carlyle approaching the gate, and prisoner then ran off as hard as he could. Witness did not know which struck the first blow, as it was in the dark; the one appeared as eager for the scuffle as the other; deceased was a quiet man.

THEOPHILUS COOPER, son of the Rev. Mr. Cooper, deposed that he resided at Ravensworth. On Monday last, about eight in the evening, witness was coming down from the cottage at Ravensworth, when he heard high words between the prisoner and some one else; witness went on to the cottage, and saw prisoner and deceased struggling together; witness did not think the struggler lasted more than a minute or two, when deceased rushed away from prisoner and said, "The villain has got something in his hand;" he stooped down, and said, "He has got a knife in his hand;" deceased then placed his hand to his side and said, "I'm stabbed, I'm done, I'm done." Deceased then staggered into the cottage; witness followed him, and saw Shearer run out with a fire shovel in his hand. The time witness saw deceased put his hand to his side he observed prisoner make a motion with his hand, as if he was putting something in his pocket.

WILLIAM HEYDON deposed that he was in the service of Mr. Edward Bowman, at Ravensworth; on Monday evening last witness was at the hut where prisoner was stopping; prisoner got up to go home; when witness asked him where he was going, prisoner answered that he was going to have a b---y row; the prisoner then went away in the direction of the cottage.

Dr. **HENRY GLENNIE** deposed to having been sent for to Ravensworth to attend to deceased. Deceased had been wounded in two places by a sharp instrument; one of the cuts had penetrated the stomach; he had also made a *post mortem* examination, and found that death had been caused by these wounds.

Other evidence was also heard, which corroborated the former.

The prisoner having been called on for his defence, declined saying anything, and was fully committed to take his trial for the murder.

THE MURDER CASE. - **CHARLES COOPER**, committed yesterday for the murder of **BERNARD FOX**, was sent off this morning, heavily iron, in company with **PATRICK FARROLL**, on their way to Maitland in a cart. October 20, 1847
WOLLOMBI.

COMMITTALS FOR MURDER

On Monday night last, we are sorry to say, an occurrence took place which, from its enormity, must sully a page in our local history. The particulars are shortly as follows.

About the midhour of the night in question, news arrived in the township that a man who resided about five miles distant, named **EDWARD FROST**, or as he was commonly called "**Brickey**," had been killed about two hours before by a blow which had been given him by a man in his employment, named **JAMES ROLLINS**. The next morning the police magistrate, accompanied by Dr. **DU MOULIN**, the

constables, and a large body of the inhabitants, all on horseback, proceeded to the house of the deceased, on arriving at which place, the magistrate ordered the alleged murderer into custody. On viewing the body, several contusions appeared on the head, but not sufficiently severe to be the immediate cause of death. After these wounds were minutely examined by Dr. Du Moulin, he removed the upper portion of the skull, and from the appearance presented, he pronounced that death was caused by violent concussion of the brain, resulting from a blow given by some blunt instrument. An inquiry was then instituted into the circumstances attending Frost's death, and from the evidence given by three witnesses we are enabled to state the following particulars.

Frost and his wife, it appeared, had a quarrel in their bedroom on the night before mentioned, on which Rollins interfered, and separated them. Shortly afterwards Frost and his wife recommenced the quarrel in the kitchen, where Rollins again rushed in, and without saying a word, seized a broom-handle, which he instantly changed for a spade which stood near, and struck Frost a blow over the left ear, which felled him to the ground, where after gasping three times, he immediately expired.

After a patient investigation into this melancholy affair, the magistrate committed Rollins to stand his trial for the murder at the next Circuit Court of Maitland.

One of the witnesses, an orphan girl of rather prepossessing appearance, about fifteen years of age, who had spent her last eight years in Frost's family, was ordered by the magistrate to attend the police office the next day at ten o'clock. When the time arrived she underwent another examination, but her evidence agreed in substance with that which she had given previously. However, having left the court, she again returned in a little time, accompanied by some female acquaintances, and again placed herself before the bench, in tears, when the magistrate mildly asked her if she had anything further to state, and pointed out to her in a feeling manner the awful obligations of an oath, and the duty which she owed to herself and to society. The girl for a long time could not answer; a violent conflict seemed to be raging in her bosom. She placed herself in a chair which was handed her, and there for a considerable time shed tears copiously. When she became somewhat calm, the magistrate repeated his question, to which she replied that she had omitted on her recent examinations to state, that Mrs. Frost had threatened to take her life if she should state anything on her examination which might tend to injure Rollins; that Mrs. Frost, together with Rollins, had rushed upon Frost after he had received his death blow; and that Mrs. Frost and Rollins always seemed to be upon terms of unusual intimacy. The magistrate, after a searching examination of this witness, issued his warrant for the apprehension of Mrs. Frost, who, in a few minutes afterwards, was ushered into the presence of the bench by the constables.

The deposition just taken was then read over to her, when she loudly declared her innocence. The magistrate however committed her also to stand her trial, at the time and place before mentioned, for being an aider and abettor in the murder of her husband. October 30, 1847

WINDSOR, OCT. 23. - INQUEST. - Yesterday an inquest was held at Jasper's public-house, Wilberforce, upon the death of **JOHN ASPBERRY**, who came by his death in a most melancholy way. The deceased had not left Jasper's public-house more than an hour before information was brought that he had been found dead, about half a mile from the township of Wilberforce. The body was found in the road, with the cart upon it; and from the contiguity of a stump, it was presumed to be the cause of the upset. The deceased has left a wife and large family to deplore his untimely

end. Verdict, accidentally killed by the cart falling upon him, thereby fracturing the spine. *Herald*

MAITLAND MERCURY, 5/348, 03/11/1847

LOWER MURRUMBIDGEE. - OCTOBER 22.

I have to report two other casualties since my last. The first, in which a servant of **GEORGE M'LEAY**, Esq., of Buramballa, met his death by drowning; and the second, a case of sudden death with a servant of Mr. **JOSEPH ANDREWS**, of Kimo, the man being found dead beside his watch-fire in the morning; he was very old, and had been exceedingly dissipated. I am not aware to what cause his death is immediately attributed. *Correspondent of the Herald*

SENTINEL, 3/146, 04/11/1847

CORONER'S INQUESTS. - On Monday afternoon, an inquest was held at Mr. Molloy's, the Bull's Head, George-street, on view of the body of **WILLIAM THOMAS COWPER**, then lying dead in the same house. The circumstances of his death are developed in the evidence of Mrs. **MOLLOY**, who deposed:- That the deceased had lodged in her house for the past four or five months. On Thursday night he complained of being very ill, and went to a doctor's; on his return he had some laudanum, which he divided into two portions, and took: on Friday morning, he went as usual to his duties at the Post Office, but shortly afterwards returned very ill; in the evening he got seventy drops of laudanum from the doctor, but was very restless through the night. On Saturday, Mr. Cowper being still ill, witness sent for Dr. **MARKHAM**, who ordered me to give him a nobler of gin occasionally; in the afternoon, and during the night, he was raving, and under the illusion that there were blackfellows in the room with him; about eleven o'clock, the Doctor was again sent for, who ordered more medicine. On Sunday morning, in spite of all that could be done to restrain him, he broke away and went over to the Post Office; he returned about two o'clock, but went back for his keys; he then said he wanted to see Mr. **MITCHELL**, and returned about five o'clock! He was then perfectly sober; he had a glass of negus, and afterwards his tea, when he seemed better. Mr. **NICHOLS** having been sent for by deceased, came to him, when he was so weak that it was necessary to assist him up stairs; he was ill all night, and on Monday morning Dr. **MACKELLAR** was sent for, who arrived about half-past eight o'clock, and prescribed for him, but as Mr. Cowper was asleep, would not allow him to be disturbed; in a quarter of an hour afterwards, on going in to see him, witness found his head off the pillow, and as he thought he was dying, sent for assistance, but he died almost immediately. The deceased drank very little at home, but very frequently came home, intoxicated; he was in the habit of taking a half-pint of rum to his bedside; which lasted two or three nights. Dr. Frederick Mackellar deposed that he was of opinion that death had been caused by congestion of the brain, caused by delirium tremens: in accordance with which opinion the jury returned their verdict.

Another inquest was held the same day, at Mr. Curtis's, Macquarie Inn, Kent-street, on the body of an infant fifteen months old named **JANE LAWRENCE**, then lying dead at the parent's residence, Kent-street. The father deposed that on Saturday evening he had procured some laudanum for his wife, who was unwell; while undressing the infant, who had a slight cough, a neighbour named **SUTLAND** recommended the administering of some laudanum for the cough, and she gave the child a table spoonful, and shortly afterwards a second. In the course of the night the infant was found to be very ill, and medical aid was sent for, but between eight and

nine o'clock on the following morning she expired. Dr. **DUIGAN**, who made the *post mortem* examination, found that the deceased had died of congestion of the brain, which would be produced by the administering of laudanum. The Jury found that the deceased came to her death by an over-dose of laudanum, inadvertently administered by **ELLEN SUTLAND**.

COUNTRY NEWS

SINGLETON

POLICE COURT. - Thursday, October 28.

From the Maitland Mercury Oct. 30

Before Henry Dangar, Esq., J.P., J. C. M'Dougall, Esq., J.P., and Charles Simpson, Esq., J.P.

MURDER

CHARLES COOPER a ticket-of-leave holder, was charged with the wilful murder of **BERNARD FOX**, a sheep overseer, at Ravensworth, on the night of the 24th instant. [2 columns]

WOLLOMBI

COMMITTALS FOR MURDER

On Monday night last, we are sorry to say, an occurrence took place which, from its enormity, must sully a page in our local history. The particulars are shortly as follows.

MAITLAND MERCURY, 5/349, 06/11/1847

DEATH OF A NEW HEBRIDEAN. - An inquest was held at Mr. Driver's, the Three Tuns, King-street, on the body of a man, name unknown, lying dead at the General Hospital. **JOHN HENRY HARVEY**, Inspector of the Water Police, deposed that on Sunday morning, having been informed that the body of a black man was lying on the rocks off Fort Macquarie, he proceeded there, and saw the deceased, quite dead, and alongside of the body a stick with a bundle attached, containing a blue shirt; he left one of the crew in charge, and reported the circumstance; he had heard that deceased was one of several blacks who had swam from Mr. Boyd's station, at Neutral Bay, to the *Portenia*, but having been refused admittance on board, had to swim away again; the station is situated about two miles and a half from where the *Portenia* was then lying; the *Portenia* was one of the vessels by which the South Sea Islanders were brought to the colony, and has now sailed for Hong Kong. Dr. **TIERNEY**, having made a *post mortem* examination of the body, gave his opinion that death had been caused by suffocation from drowning. The jury returned a verdict of found drowned. *Herald, Nov. 3*

INQUEST. - The infant son of Mr. **SAMUEL LEE**, cabinetmaker, of this town, died early this week, having been ill some little time. Mr. **CAMERON**, Mr. Lee's partner, owns a house and garden in Durham-street, and had formerly buried some of his own children in the garden, and he advised Mr. Lee to bury his son there also, which Mr. Lee did, without informing the present tenant, Mr. **W.W. BAILEY**. As soon as Mr. Bailey heard of it, he mentioned the matter to the Rev. Mr. **CHAPMAN**, by whose advice he informed the police authorities. The body was exhumed, and an inquest held on it on Thursday, before **J.S. PARKER**, Esq., coroner, when Dr. **LIDDELL** examined it, and the above evidence was given. The jury returned a verdict of died from natural causes.

EXECUTION OF PETER PIDGEON.

This unhappy man underwent the final sentence of the law, at Newcastle, on Thursday morning last, the Rev. Mr. **DOWLING** attending him to the scaffold. We have no

report of his execution from an eye-witness, but a Maitland gentleman, who arrived there shortly after, was informed that Mr. Dowling, at Pidgeon's request, had addressed a few words to the spectators, stating that Pidgeon confessed that he was guilty, and was sincerely repentant for his crime. After the body had hung there the usual times, it was taken to the burial ground, the Rev. Mr. Dowling accompanying it, and performing the last sad rites.

CENTRAL CRIMINAL COURT. - NOV. 1

ELIZABETH HILL was found guilty of wilfully stabbing **GEORGE TOWNSEND**; it appeared she had prevented her husband from shooting Townsend, on a quarrel occurring between them about a fence, but had afterwards taken a knife from her pocket, and stabbed Townsend below the ribs, inflicting a dangerous wound. She was remanded for sentence.

NOV. 3

WILLIAM ROY was found guilty of an assault of a very aggravated nature on **ROBERT SCRUTTON**, on the 18th September. It appeared that the families of Mr. Roy and Mr. Scrutton had formerly been intimate, and Mr. and Mrs. Roy quarrelling, she went to Mr. Scrutton's for protection, and Mr. S. endeavoured to get Mr. Roy to consent to a separation. Mr. Roy had latterly been proverbially mad, and on the 18th September, he called on Mr. Scrutton under the name of **JACOBS**, and on entering the room where Mr. S. was waiting to see him, he presented a loaded pistol, saying, "Ah! I've got you now." Mr. Scrutton advanced and pushed away the pistol, fortunately without injury to either party, although three bullets were picked up in the room afterwards. Mr. Roy was pushed out by Mr. Scrutton, and getting into his cab again, he told the cabman he had shot Mr. S. and would shoot him too, if he did not drive fast. Roy was remanded for sentence.

MAITLAND MERCURY, 5/350, 10/11/1847

MITIGATION OF PURCELL'S SENTENCE. - The sentence of death passed upon **JOHN PURCELL**, who was convicted at the late Maitland Assizes of the murder of **JOSEPH PALFREY**, has been commuted to three years' hard labour in irons, and at the termination of that period to be transported for life. *Sydney Chronicle*

CHARGE OF MANSLAUGHTER. - We regret to state that a shepherd, whose name we have not yet learned, has met his death on Captain Pike's station, at the Macintyre Brook, under the following circumstances:- It appears that the men on the station had become very insubordinate, and that the superintendent, Mr. **FITZ**, fearing there would be a regular turn out, remonstrated with some of the shepherds, when one of them "squared up to him" with the intention of having a fight. Mr. Fitz being much irritated at the man's violent conduct, struck him on the head with his stick, and the blow falling upon his temple, killed him on the spot. Mr. Fitz, we are informed, immediately afterwards proceeded to the Canning Downs bench, and gave information of what had occurred. The evidence having been taken down, the magistrates committed him to take his trial for manslaughter. He was subsequently admitted to bail. *Moreton Bay Courier, Oct. 29*

THE BLACK CREEK ASSAULT CASE. - We mentioned in the *Mercury* of the 30th ult. that two men, named **THOMAS JAMES** and **GEORGE MAGGS**, had been apprehended on a charge of stabbing **JOSEPH WILLIAMS** in a drunken row at Mr. Holden's inn, Black Creek. Since that date two or three further examinations have taken place, which yesterday ended in the committal of the two men. It appears that Williams had assisted Mrs. Holden's servant, **FLINN**, in getting James and Maggs out, after the fight with **LANGHORNE**, and that Williams and Flinn were still

blocking up the doorway when Williams felt a blow on his side, accompanied with a sensation as if something sharp had pricked him. He drew back, and Flinn shut the door. Williams immediately after found blood on his shirt, and on a light being brought he was discovered to have been twice stabbed. He is now out of danger, but was several days confined to his bed. The day following the assault, **ROGER CAVENAGH**, a friend of James's, visited him in the lockup, when James restored to him a clasp knife he had borrowed a few weeks previously, and gave into his care, likewise, a knife of his own, with other articles.

AN ATTEMPT AT SELF-DESTRUCTION. - On Monday evening, between eight and nine, Mrs. **M'DONALD**, of Morpeth, threw herself into the river. Fortunately the spot was shallow, and a night watchman hearing the plunge, gave the alarm, on which the sailors of the *Rose* steamer ran to the spot, and extricated her from the mud and water. Mrs. M'Donald, who is the wife of Mr. M'Donald, tailor, was delirious at the time, but we were glad to hear yesterday that she was doing well.

ANOTHER MURDER BY THE BLACKS. - It is our painful duty to record the death of Mr. **BUNDOCK**, a settler on the Clarence River, who was killed by the natives a few days since, while mustering cattle on his station. We are informed that the unfortunate gentleman was riding out on the run, when he accidentally came upon a beast which had been speared by the blacks. Unconscious that the natives were close at hand, Mr. Bundock dismounted, and it is supposed that while he was inspecting the animal that lay dead, they treacherously speared him from the trees, which he had ascended unperceived by him before his arrival at the spot where he was deprived of life. We do not vouch for the accuracy of the foregoing particulars, but we believe that our information is tolerably correct. *Moreton Bay Courier, Oct. 30*

MORETON BAY, NOV. 3. - MORE OUTRAGES BY THE BLACKS.

This district has again been visited by a most unprovoked attack upon the persons of the white inhabitants by the black sons of the soil, attended with considerable loss of property, and nearly the loss of two lives. The facts are as follows:- Mr. **GEORGE FURBER**, who a short time since went to the neighbourhood of the Wide Bay for the purpose of erecting a store on the banks of the river Mary, for the accommodation of the settlers in the adjacent country, was interrupted in his operations by an attack of the blacks, who, up to the moment of the outbreak, had been rendering him every assistance in fencing his enclosures, &c. At the time of the attack Mr. F. and his men were in the act of fixing a post in a hole dug for its reception, when an axe was thrown at him, inflicting a severe wound on the back of his head; the man also receiving a tremendous blow on the head from a waddy. Fortunately the scoundrels failed in their diabolical intentions, Mr. Furber being sufficiently sensible after receiving the blow to lay hold of a double-barrelled fowlingpiece lying within reach, which frightened the cowardly vagabonds so much as to cause them to decamp. Mr. F., finding from their subsequent movements that they were bent on further mischief, wisely decamped with his two men to the adjoining station of Mr. **A. SCOTT**, where every assistance was rendered to them, but the nature of the injuries sustained were of such a nature as to render it absolutely necessary for them to obtain immediate medical assistance. Mr. Furber reached Ipswich on the 26th ult., and is now under the hands of a medical practitioner, and suffers severely from the hurts received; on their way in they were twice attacked by the blacks, but without sustaining any further injury. The abandonment of the position taken up by Mr. Furber will be a great drawback to the parties located in the neighbourhood of the Mary, it being intended by the residents there to ship their wool, &c., this season direct from the Wide Bay to Sydney, and

receive their supplies by sea, instead of the present expensive route by teams overland from Brisbane. It will be recollected that some four years ago, when the Wide Bay country was taken up by Mr. **JOHN EALES**, four of that gentleman's shepherds were savagely murdered in cold blood by these ruthless villains, although every attempt was made to keep upon good terms with them. The armed band is the only introduction to their forbearance; the less dependence placed in them the better. *Sydney Morning Herald, Nov. 8*

CENTRAL CRIMINAL COURT. - NOV. 4

JAMES MURRAY was indicted for the murder of **MARY CLEMENTS**, on the 11th October, by striking, kicking, pushing, and throwing her down. The indictment contained four counts. The particulars of the case, which occurred at Lane Cove, where the prisoner brutally punished the woman, with whom he had co-habited, till she died, we have lately given, and need not now recapitulate. The jury returned a verdict of manslaughter on the second count, which charged the prisoner with killing her by casting her head on a log. The prisoner was remanded for sentence.

NOV. 5

JOHN ANNIBLE was charged with the manslaughter of **ANNE ROBINSON**, at Sydney. It appeared that on the 28th July Annible was riding very fast through Macquarie-street, when the little girl, who was running across the road, came in contact with the horse, which trod on her foot, and Annible pushed her away with his foot, and she fell. Annible rode on, and on the poor girl being raised, it was found that the second toe was split up; medical advice was procured, but lock-jaw ensued, and she died on the 25th. The jury returned a verdict of not guilty, and Annible was discharged.

NOV. 6

ELIZABETH HILL, convicted of stabbing with intent to do grievous bodily harm, was sentenced to be imprisoned in Sydney gaol for eighteen calendar months, one week in every six months to be passed in solitary confinement.

JOHN MURRAY, indicted for murder, and convicted of manslaughter, was sentenced to hard labour on the public roads of the colony for ten years, and the first three of them to be kept in hard labour in irons.

WILL ROY, indicted for shooting with intent to do some grievous bodily harm, and convicted of an assault of a very aggravated nature, was sentenced to be imprisoned in H.M. gaol, in Sydney, for the term of three years, one week in each six months to be passed in solitary confinement.

WILLIAM NICHOLAS, indicted for wounding with intent to do grievous bodily harm, and convicted of a common assault, was sentenced to be imprisoned in H.M. gaol, Sydney, for twelve months, and kept to hard labour. *Abridged from the S.M. Herald*

SENTINEL, 3/147, 11/11/1847

CENTRAL CRIMINAL COURT

Trial of MURRAY, re Mary Ann Clements. 1 full column

CORONER'S INQUESTS. - On Saturday, an inquest was held at the heat Sheaf Inn, George-street, on view of the body of **HENRY SMITH**, who died at the Benevolent Asylum, on the previous Wednesday. The deceased had been in the service of Mr. **MOLLOY**, of George-street, but who was compelled to discharge him there from in consequence of his intemperate habits; but Mr. **WOOLEY** gave him permission to stay in the hay-loft till he found other employment. A wardsman in the benevolent Asylum deposed that on Thursday the deceased was received into the Asylum, and on

giving him some medicine which had been prescribed for him, Smith was out of his mind, fraving, and said, "Take it away – it's arsenic; do you want to poison me;" and continued raving from that time until his death of Wednesday night. Mr. **RUSSELL**, the resident surgeon in the Asylum, deposed that the appearance of Smith on his admission into the Asylum, led him to believe that he was either suffering from disease of the heart or the effects of drink, and a few hours afterwards, fever developed itself; from that fever, in witness's opinion, he died. The Jury found that the death of Henry Smith was the result of natural causes.

MAITLAND MERCURY, 5/351, 13/11/1847

FATAL ACCIDENT. - On Thursday afternoon two sawyers were engaged in felling trees near Four Mile Creek, when in bringing down a large tree it fell among the boughs of a neighbouring tree, and broke off a very large branch, which unfortunately struck one of the men, named ----- **STEED**, on the back of the head, killing him instantly. He has left a widow and two or three young children, who were entirely dependent on his labour, we are informed. Steed bore a very good character in the town, where he was well known.

MAITLAND MERCURY, 5/352, 17/11/1847

SUDDEN DEATH. - SCONE.

On Thursday last, Mr. **JOHN ABBOTT**, of Muswell Brook, who had been some distance up the country, and had reached Scone on his return, took lunch at the Golden Fleece Inn, Scone, and walked out afterwards. He had, however, got but a very short distance from the house when he was suddenly taken ill, and a passer-by removed him to a hut near. His friends and medical assistance were immediately sent for, but in spite of every effort he died in about three hours from the time he was attacked. He had been unwell some short time ago, but appeared to have quite recovered. From the symptoms attending his sudden illness, it is believed he died from disease of the heart. Mr. Abbott was in the prime of life, with every appearance of strength and health. He leaves a widow and four young children to lament his loss.

CORONER'S INQUESTS.

Two inquests were held by the Coroner on Saturday; one was at the Wheat Sheaf Inn, George-street South, on view of the body of **MARY DRISCOLL**, then lying dead in the Benevolent Asylum, where she had been received the preceding morning. The messenger of the Asylum stated that at seven o'clock on Friday morning, he went to the residence of the deceased, where he found her in a dying state, and removed her to the Asylum. Mr. **RUSSELL**, the resident surgeon, deposed, that when deceased was received in the asylum, she was insensible, speechless, and evidently suffering from fever; she was seen by Dr. **FULLERTON** as well as himself; the medicine prescribed for her she was unable to swallow, and she died in the course of the afternoon; he was of opinion that death was the result of natural causes. The jury returned a verdict of died by the visitation of God. It is said the deceased has left a husband and three children.

The other inquest was held at the Coach and Horses public-house, Cumberland-street, on view of the body of Corporal **JOHN BROWN**, of the Mounted Police, aged 20, then lying dead in the Military Hospital. Corporal **JOHN MOORE**, of the Mounted Police, deposed that on Friday morning, at breakfast time, he went to deceased's room and found him lying on the floor, retching severely; not obtaining an answer when he spoke to him, witness sent for the doctor, and deceased was removed to the hospital, where he died about nine o'clock in the evening. **HENRY HADLEY**,

M.D., and surgeon of the 99th regiment, deposed, that he had made a *post mortem* examination of the body of the deceased, and was of opinion, from the appearances presented, that death was caused by apoplexy. The jury returned a verdict of died by the visitation of God. The deceased was of remarkable temperate habits, and one of the witnesses who had known him for six or seven years, had never seen him take a glass of spirits. *Herald, Nov. 15*

DEATHS.

At the Golden Fleece Inn, St. Aubin's, near Scone, suddenly, on the 11th Nov., Mr. **JOHN ABBOTT**, sheriff's officer, of Skellatar, Muswell Brook, aged 42 years; much regretted by his relations and a large circle of friends.

SENTINEL, 3/148, 18/11/1847

CORONER'S INQUESTS. - Two inquests were held by the Coroner on Saturday: one was at the Wheat Sheaf Inn, George-street South, on view of the body of **MARY DRISCOLL**, then lying dead in the Benevolent Asylum, where she had been received the previous evening. The messenger of the Asylum stated, that at seven o'clock on Friday morning, he went to the residence of the deceased, where he found her in a dying state, and removed her to the Asylum. Mr. **RUSSELL**, the resident surgeon, deposed, that when deceased was received into the Asylum, she was insensible, speechless, and evidently suffering from fever; she was seen by Dr. **FULLERTON** as well as himself; the medicine prescribed for her she was unable to swallow, and she died in the course of the afternoon; he was of opinion that death was the result of natural causes. The Jury returned a verdict of died by the visitation of God. It is said the deceased has left a husband and three children.

The other inquest was held at the Coach and Horses public-house, Cumberland-street, on view of the body of Corporal **JOHN BROWN**, of the Mounted Police, aged 26, then lying dead in the Military Hospital. Corporal **JOHN MOORE**, of the Mounted Police, stated, that on Friday at breakfast time, he went to deceased's room and found him lying on the floor, retching severely; not obtaining an answer when he spoke to him, witness sent for the doctor, and deceased was removed to the Hospital, where he died about nine o'clock in the evening. **HENRY HADLEY**, M.D., and surgeon of the 99th regiment deposed, that he had made a *post mortem* examination of the body of the deceased, and was of opinion, from the appearances presented, that death was caused by apoplexy. The Jury returned a verdict of died by the visitation of God. The deceased was of remarkably temperate habits, and one of the witnesses who had known him for six or seven years had never seen him take a glass of spirits.

INQUEST. - An inquest was held on Friday evening, by the Coroner, Mr. **C. BETHEL LYONS**, at the White Horse Cellar, corner of George and Church streets, touching the death of **EDWARD SMITH**, the late proprietor of the house, then lying dead therein. Three witnesses were examined, a servant, an inmate of the house, and Dr. **RUTTER**, the medical attendant of the deceased. The evidence of the two first-named witnesses are nearly similar. Smith's (the deceased's) wife was absent from home; on Saturday last he had been away in his gig, and after his return home, then about half-past ten P.M., he went to bed; at half-past 7, on Sunday morning when the char-woman came to work, she heard a female voice in the room in which Smith slept, and the deceased asking "for £2 she had robbed him of to be given back." Knowing that Mrs. Smith had not returned home, and that therefore she could not be there, the door of the bed room was rattled, and presently Smith came out of the room from one door and a woman named **GILMORE** from another entrance. Smith had at this time a black eye, which he had not on the previous evening, and one of his ears

bleeding. Gilmore on being spoken to as what was her business in the deceased's bed room, replied "She had been to give him information about something which had happened on the previous evening, and which might have cost him a hundred pounds." Subsequently, however, Smith accounted for the appearances alluded to as resulting from a fall out of bed. Dr. **R.C. RUTTER** gave evidence that he had been a man of very intemperate habits, had several epileptic fits, and suffered severely from rheumatism, and the wounds alluded to were mere abrasions of the skin. On Tuesday last, Smith complained of being very unwell, and on Wednesday he was rather worse; but it was not until late on the forenoon of Thursday that symptoms of a dangerous nature manifested themselves, but at about noon on that day he began to rapidly sink, and within an hour and a half afterwards he expired. In his (Dr. R.'s opinion, the cause of death was delirium tremens and influenza. The finding returned was "the Jury are unanimously of opinion that the deceased, Edward Smith, came by his death through the combined effects of delirium tremens and influenza."

CORONER'S INQUEST. - An inquest was held on Wednesday, at Mr. Taylor's, the Wheat-sheaf Inn, George-street South, on view of the body of an old man named **JAMES LEE**, more commonly known as "**GIPSEY LEE**," who was received into the Asylum on last Sunday evening, and died on the following afternoon. **JOHN THOMPSON**, a messenger in the Benevolent Asylum, having heard that the deceased, who had been a short time before an inmate, was lying in an empty house at Miller's Point, went and fetched him; he was then in a dying state. Dr. **RUSSELL** deposed that he could not learn from the deceased his complaint, on which a stimulant was administered, but was productive of no good effect. There were no marks of violence on his body, and he had no doubt that death was the result of natural causes. The Jury found a verdict of died by the visitation of God.

MAITLAND MERCURY, 5/353, 20/11/1847

SUDDEN DEATH. - On Wednesday last, **THOMAS BUCKNELL**, generally known as "**Tom the Coachman**," who has been in Mr. Reeves's service for the last eight or nine years, drove the "Union" coach to Morpeth and back, as usual, though appearing to be very unwell. After reaching Maitland, he rapidly got worse, and Dr. **M'CARTNEY** being called in, advised his removal to the hospital, into which he was admitted about noon, being then labouring under jaundice, aggravated by influenza and delirium tremens. The hospital surgeon stated at once that he had but a short time to live, and although every exertion was made to save him, he died on Thursday morning, about eleven o'clock, having been delirious nearly the whole time. There were few persons about Maitland who were more generally known or liked than poor Tom; in his capacity as coachman of the "Union," running between Maitland and Morpeth, he was a great favourite, being always civil and attentive, and an excellent driver, no accident having ever occurred with him. Tom was about forty-four years old, we believe, and leaves no family, having been an unmarried man. Yesterday afternoon he was buried, at Mr. Reeves's expense, a considerable number of persons following the hearse, in vehicle and on horseback.

MAITLAND MERCURY, 5/354, 24/11/1847

GOULBURN, NOV. 17. - COMMITTAL FOR MURDER.

In our last communication we noticed a report of a murder on the road to Lake George. Since then an inquest was held on the body of the victim, whose name was **PATRICK DOORE**. It appeared from the evidence that deceased, and a boy about fourteen years of age, named **WALTER KELLEY**, had been to the house of one

JAMES M'MAHON, and during his absence they drove away some cattle belonging to himself (Doore), and which he shortly after left in charge of the boy Kelley, while he went in search of other cattle. In about an hour he returned with some, closely followed by James M'Mahon, who was on horseback; but when hear the boy he dismounted, pulled up a large stick or sapling, turned his horse adrift, and pursued the deceased, and at the same time ordering the boy not to say anything of what he should see. The boy obeyed through fear, but occasionally looked back to see what was going on: he saw the deceased running towards the fence of an adjoining paddock, and the prisoner James M'Mahon following him, and took the cattle deceased had been driving; immediately after, deceased came up with a stick in his hand to where the prisoner M'Mahon was standing, when a scuffle took place; the boy heard the words "there, there," and on looking in the direction of the sound, he observed the body of the deceased extended on the ground, and at the same time heard the prisoner walking rapidly off after the cattle; the boy, being afraid, went off as fast as he could. The jury returned a verdict of wilful murder against the prisoner James M'Mahon, and he was committed accordingly. *Herald*

SENTINEL, 3/149, 25/11/1847

CORONER'S INQUEST. - An inquest was yesterday held in the Sportsman's Arms, Pitt and Goulburn-street, on the body of **MARY ANN COLLINS**, aged about 65 years, who was found dead in her bed on Saturday evening. Dr. **TIERNEY** was sent for, who made a post mortem examination, when he found that the lungs and the liver were extensively diseased, and that a large quantity of water had collected in the cavity of the chest – the latter in his opinion was the cause of death. The Jury returned a verdict of died by the visitation of God.

CORONER'S INQUEST. - An inquest was held on Tuesday at the Cheshire Cheese public-house, Elizabeth-street South, on view of the body of **MARTHA BECK**, who had for some time past been ailing, but died somewhat suddenly between two and three o'clock on Tuesday morning. Mr. **B.W. NELSON**, surgeon, deposed that about two months ago she was under his care for a cutaneous eruption, but of which she had perfectly recovered; on Monday last he again saw her, when she appeared to be labouring from inflammation of the lungs, for which he prescribed; inflammation of the lungs some times cause death within twenty four hours, and it was his opinion that death in this case was so caused. In accordance with this opinion the jury returned their verdict.

PARRAMATTA.

HORRIBLE MURDER. - 2 columns re Thomas Cooper, aged 40, murdered by William Davis.

MAITLAND MERCURY, 5/355, 27/11/1847

DELIRIUM TREMENS. - On Monday night, near eleven o'clock, a man named **MUNRO**, labouring under *delirium tremens*, either threw himself, or fell, from the window of Sullivan's public-house, and severely injured himself. Hew as removed to the hospital, where he was seen by Dr. **MACKELLAR**, who considered his restoration very doubtful. *Herald, Nov. 24*

CORONER'S INQUEST. - An inquest was yesterday held at Mr. Driver's. Three Tun Tavern, on view of the body of **WILLIAM MUNROE**, the man who threw himself from the window of Mr. Sullivan's public-house, on Monday last, he having died in the Infirmary on Tuesday evening. Mrs. **O'BRIEN**, residing in Lower George-street, deposed to having seen something fall from the upper window of the

New York Hotel, which proved to be the deceased. **HENRY WILLIAMS**, residing at the New York Hotel, deposed that on Monday the deceased was brought home from the wharf, where he had thrown himself into the water; at ten o'clock in the evening witness went to Munroe's room to see if he wanted anything, when he seemed to be in his right mind, and asked for a glass of wine, which was supplied; he had been drinking for three or four days previously. Drs. **MACKELLAR and M'EWAN** had made a *post mortem* examination, and found a fracture of the inner table of the skull, on the right side, corresponding with an external wound, and effusion of blood on the left side of the brain, which was the immediate cause of death. Dr. Mackellar had been attending deceased about twelve months past for *delirium tremens*. The jury found that the deceased came to his death from having thrown himself out of window of the New York Tavern, while labouring under insanity produced by previous intemperance. *Herald, Nov. 25*

SYDNEY NEWS.

MURDER AT KISSING POINT. - On Sunday morning last Kissing Point was thrown into a state of considerable excitement by its transpiring that, some time in the course of the previous evening or night, a man named **COOPER** had been murdered on the farm of Mr. **SMALL** (about four miles distant in the bush from the township), by a man of the name of **DAVIS**, a fellow servant with the murdered man of the farm. Various reports were rife as to the manner in which death had been inflicted, but the substance of the evidence taken at the inquest, which was held by the coroner, Mr. **C. BETHEL LYONS**, yesterday (Monday), affords full particulars respecting the diabolical outrage. The body of the deceased, particularly the head, presented a most horrible sight – the face was one mass of contusions and wounds, the teeth having been knocked in, the nose broken into the face, as also one of the eyes driven completely into the head. It appeared from the evidence of constable **BRAGGE** that, about half-past one on Sunday morning, William Davis came to him at Kissing Point watch-house, and reported that he had killed Thomas Cooper in a fight; Bragge scarcely believed him, but going to the spot, he found it too true, Cooper laying there dead, and a great quantity of blood on the ground near the body. A deep gash in deceased's forehead appeared as if done by a sharp instrument, and after daylight a pickaxe was found near the spot, which had been recently driven into the earth, and must have been wet or damp at the time, as mould was still adhering to it. When Bragge reached the body he found Davis sitting by it, a man named **PARSONS**, and his wife, being also present. In their presence Davis repeated that he had killed Cooper in a fight. Davis was immediately apprehended. Having stated that he inflicted the wounds on Cooper's head by kicking him with his boots, they were examined, and marks of blood and human hair found on each; there was blood also on Davis's trousers. From the evidence of an old man named **WILLIAM STEPHENSON**, who resided in Davis's hut as hutkeeper, it appeared that on the Saturday evening Davis, Cooper, and Stephenson, had all been drinking ale, and that Davis and Cooper had got drunk. Davis had often insulted and threatened Stephenson, and about sundown he suddenly ran at him, saying he would split his head open, and hit him across the nose and mouth, making the blood fly. Cooper interfered to protect the old man, and Davis and Cooper closed. They separated again, and Davis went outside, and commenced swearing, and boasting that he could beat all the men on the farm. Cooper then followed him, and they had some words, and went together towards the stables, and out of Stephenson's sight. Neither of them had then any weapons. In a few minutes Stephenson heard Cooper call out, but could not distinguish what he said. Up to this time Stephenson had remained in the hut, but

getting alarmed for himself in case of Davis's return, he went out, and hid himself behind a tree. While there he heard Cooper cry out "Oh," and heard him fall, the tree being about a hundred yards from the place where Davis and Cooper were. In a few minutes after this, Stephenson heard Davis in the hut calling out "Where are you?" and then heard him leave the hut, and go towards the stable. Stephenson now became more alarmed, and bolted into the bush, where he remained till sunrise. **WILLIAM PARSONS** deposed that he lived near the farm, and that he heard cursing and swearing on Saturday afternoon between Davis and Stephenson, and again later heard more noise, but this being a common occurrence he took not notice. About eleven o'clock Davis came to Parson's house, and forced him to get up, telling him that he had killed Cooper, and must swing for it; Davis then conducted him to where the body lay, and afterwards went away to the watch-house. When he returned he said the coroner would be sent for, and having drawn some ale, he sat down by the body, and observed that he was the second man he had killed in fighting, and that when he had once got Cooper down he took care he should not get up again. Mrs. Parsons had heard the noise also, and going out of her hut, heard Davis say, "Get up out of this, you wretch, and go home," but no further sounds followed. Dr. **RUTTER** having examined the body, found a great number of contusions and lacerations about the body and head; the wounds did not appear to him to have been inflicted with any instrument, but would be produced by kicking violently with the boots produced; death had been caused by concussion of the brain, produced by the wounds; some of the teeth were knocked out, one of the eyes driven in, the bones of the nose fractured, and a piece of the parietal bone driven in on the brain. The jury returned a verdict of wilful murder, and Davis was committed for trial. The prisoner is an elderly man, of most forbidding countenance. He put but few questions, and at the conclusion supported Dr. Rutter's statement, and confirmed the appearances on the axe by stating that, on Saturday morning, after some slight rain had fallen, the deceased struck the axe in the ground to see what depth it had fallen. Throughout the whole of the inquest he was perfectly unconcerned, and when the find was returned, and he ordered for committal, he with great *sang froid* asked for 'a light of his pipe.' The inquest occupied four hours. The deceased was a hale heart man, of between thirty and forty years of age, and has left two children and a widow *enceinte*. It is pleasing to add that a subscription is already on foot in her behalf. *Abridged from the S.M. Herald, Nov. 23*

BATHURST. - CORONER'S INQUESTS. - On Tuesday, the 10th, an inquest was held at O'Connell Plains, on the body of a man named **WILLIAM BRANSTON**, found dead the morning of that day in the neighbourhood. It appeared that the deceased, who was in the employ of Mr. **JAMES WALKER**, at Ralph's Plains, on Saturday last had been into Bathurst on the spree; towards evening on that day he reached some wool-sheds of Mr. Lawson's, on his way homeward; he had supper with the men there, after which he started for home, and nothing further was seen or heard of him until the following Tuesday, when his body was found about half a mile from the place he had started from the previous Saturday evening. The spot where the body was found is in the bush, a distance off the usual road, and this accounts for the body not having been discovered before. Dr. **CONNELL** attended the inquest, and made a *post mortem* examination, but decomposition had so far progressed as to render it utterly impossible to ascertain the true cause of death. There were two slight wounds on the head, but nothing to justify even a suspicion that they had been inflicted by violence; the probability is, that they arose from a fall or struggle in the agonies of death, the skull not being in the least fractured, and the state of the head from so long

exposure to the effects of the weather was such as to render it impossible to determine whether these wounds were of recent or remote date; it was at all events clear they could not have been the cause of death; the only reasonable conclusion that could be come at was, that the deceased had been seized with a fit of apoplexy, and for want of assistance died. Verdict, died by the visitation of God.

- On Saturday, the 20th instant, another inquest was held at Evans's Inn, Durham-street, on the body of a man named **RICHARD CLEMENTS**, who had died suddenly that morning. It appeared that the deceased was seen near Evans's house between six and seven o'clock in the morning; she was observed suddenly to stagger and fall; some men who were standing by went to his assistance, and he was conveyed into the house, and Dr. **CONNELL** was sent for, who promptly attended, but before his arrival life had become extinct. Verdict, died by the visitation of God. *Herald, Nov. 24*

MAITLAND MERCURY, 5/356, 01/12/1847

HUNTER RIVER DISTRICT NEWS. - RICHMOND RIVER.

THE BLACKS. - Several murders are reported as committed by the blacks on solitary travellers; one is certain. A shepherd travelling from the head of the Clarence to the Richmond lost his way, and meeting with some blacks, was by them misled and killed. One of the gins first made the matter known. Poor **FORD!** He once little imagined that his flesh would be food for the wild dogs of the wilderness, or his bones bleach on the brow of a Richmond mountain. The remains of another have been interred recently by the hand of the white men (**name unknown**); but their deaths are as yet unavenged. [Long editorial continuation.]

SYDNEY NEWS.

GEORGE MORLEY. - This man, who it will be recollected was convicted of the murder of **ELIZA MOSS**, on the road near Penrith, and who escaped execution on a technical difficulty, raised by one of their Honors, and which has been referred to the Judges at home, died yesterday in the hospital on Cockatoo Island. *Herald, Nov. 26*

SENTINEL, 3/150, 02/12/1847

MELANCHOLY ACCIDENT. - On Saturday afternoon last, about half-past four o'clock, a small funny, in which was Mr. **T. BURROWS** (a clerk to Messrs. Flower, Salting, & Co.), and a young woman whose name we believe was **MARY ANN DOWLING**, capsized between Shark Island and Point Piper. It was blowing strong at the time from the north-east, and the sail gibing is supposed to have been the cause of the accident. Mr. **SPAIN**, residing at Darling Point witnessing the occurrence, immediately gave directions for a boat to be got in readiness to proceed to their assistance, but observing just after another boat close to the spot stop and pick something up, directed his son to follow her and ascertain particulars. It proved to be a fishing boat belonging to Rushcutter's Bay, in which were four men who had been out for the day; they had passed the funny bottom up, and had picked up two skulls, surcoat coat in one of the pockets of which was a cigar case with the name of **THOMAS BURROWES** on it, a pea jacket, and a basket. There can be no doubt but that both were drowned, for although Burrowes was known to be a good swimmer, it is natural to suppose a female would be the means of drawing him down. A search was made for the bodies yesterday, but nothing as yet has been discovered of them. [No trace of any inquest so far = no bodies?]

MAITLAND MERCURY, 5/357, 04/12/1847

DEATHS.

At sea, on the 1st Nov., on board the schooner *Wanderer*, Master **THOMAS MOSSMAN**, aged 14 years and 10 months.

MELANCHOLY ACCIDENT. - On Sunday afternoon last, about half-past four o'clock, a small funny, in which was Mr. **THOMAS BURROWS** (a clerk to Messrs. Flower, Salting, and Co.), and a young woman whose name we believe was **MARY ANN DOWLING**, capsized between Shark Island and Point Piper. It was blowing strong at the time from the north-east, and the sail gibbing is supposed to have been the cause of the accident. Mr. **SPAIN**, residing at Darling Point, witnessing the occurrence, immediately gave directions for a boat to be got in readiness, but observing just after another boat close to the spot stop and pick something up, directed his son to follow her and ascertain particulars. It proved to be a fishing boat belonging to Rushcutter's Bay, in which were four men who had been out for the day; they had passed the funny bottom up, and had picked up two skulls, a surtout coat, in one of the pockets of which was a cigar case with the name of Thomas Burrows on it, a pea jacket, and a basket. There can be no doubt that both were drowned, for although Burrows was known to be a good swimmer, it is natural to suppose a female would be the means of drawing him down. A search was made for the bodies yesterday, but nothing as yet has been discovered of them. *Herald*, Nov. 30
MAITLAND MERCURY, 5/358, 08/12/1847

SYDNEY NEWS.

WINDSOR, DECEMBER 1. - MELANCHOLY OCCURRENCE.

On Monday afternoon an inquest was held near Pitt Town, on the bodies of the late Mr. **GEORGE PAUL** (wheelwright), and his son, a lad about eight years of age, who came to their death in the following most distressing manner:- Two or three of the children of the deceased, on Sunday at noon, were playing near a water-hole, about fifty yards distance from the residence of the deceased, and in consequence of their absence, and dinner being ready, the father left the house in search of the children, saying to his wife that he feared the children had disobeyed his injunctions and were gone to the water-hole; and upon his arriving there, it is supposed (from the evidence elicited) that he found his little boy struggling in the water, and in his endeavour to extricate him, had lost his balance and fallen into the water-hole, which was not more than about five yards square. Mrs. Paul, surprised at her husband being unnecessarily long gone, and as dinner was ready, went to ascertain the cause of his detention, when on arriving at the water-hole, she was shocked at perceiving her son struggling in the water, and almost immediately after, sink to rise no more with life. She enquired of the other children what had become of their father, and was further shocked at the information that he sank in his endeavour to save his son. Intelligence was as quick as possible communicated to the neighbours, and in consequence of the absence of some and the inability of others to afford assistance from want of necessary means to rescue bodies, a space of two hours had elapsed from the time of their immersion. *Herald*.

MAITLAND MERCURY, 5/359, 11/12/1847

MOST MELANCHOLY ACCIDENT. - DEATH OF LADY MARY FITZ ROY AND LIEUTENANT C.C. MASTERS, A.D.C.

(From the Sydney Morning Herald, Dec. 7)

It is this morning our most painful duty to record the particulars of one of the most distressing accidents that ever occurred in this colony - an accident by which His Excellency the Governor has been deprived of his beloved and affectionate wife, The Lady **MARY FITZ ROY**, and a valued friend in Lieutenant **MASTERS**. The awful

tale can be told in a few words: His Excellency and Lady Mary Fitz Roy were about to visit Sydney. The horses being fresh, ran away the moment their heads were let go – the carriage was dashed to pieces, and Lady Mary Fitz Roy so much injured that she died almost immediately, and Mrs. Masters, the aide-de-camp, who was on the box with the Governor, survived but a few hours. The Governor, although much shaken, is not supposed to be seriously injured. We are confident that the whole colony will most sincerely condole with the Governor and Mr. **GEORGE FITZ ROY** under this most bitter affliction, and that there will be but one feeling – that of deep regret – at society having been deprived of one who was so well calculated to be its head, and who, during the short space of time she has been with us, has by her dignified and unaffected manners and amiable disposition, formed a large circle of friends, by whom her memory will be long held in affectionate and respectful remembrance.

The Lady Mary Fitz Roy was, as is well known, connected with some of the oldest aristocratic families in England, being sister to the present, and daughter to the late Duke of Richmond.

The following is our reporter's account of this most tragic affair:-

Our reporter, on reaching Parramatta yesterday, had proceeded but a very few paces from the wharf, when an account met him that his Excellency's carriage had been upset in the domain, and that Lady Mary Fitz Roy had been so seriously injured that her life was despaired of. It is needless to add that not a moment was lost in proceeding to the Domain. At the very time of the occurrence of the accident, there appears to have been only about half a dozen persons present, who were the Government Domain Guard, Mr. **JOSEPH WALFORD**, and the Superintendent of the Domain. Yet, from the suddenness of the occurrence, and the paralyzing effect it produced on them, it is wholly impossible to acquire a succinct account of the occurrence. Every party, however, it may be mentioned, came forward most willingly to afford such information as they could give. The clearest testimony was, however, that of Mr. Walford, as other statements confirmed it, and it was to the following effect:- That he was just passing on his horse, the Government Domain-gate, when he observed the carriage starting from Government House and the horses skittish; that then, before Sir Charles was seated on the box, they got away, and whilst – so rapidly did the unfortunate occurrence take place – he was deliberating whether or not he should tell the guard to close the gate, he observed the horses rush violently down to the road towards the gate, and at the avenue of oaks, at the bridge, upset. Mr. W. lost not a minute in quitting his horse and running to the parties upset. What he then witnessed will be found detailed in the report of the inquest on the late Lady Mary. The guard simultaneously hurried to the assistance of the sufferers. Mr. W.'s and their account of the poignant scene of agony that ensued on his Excellency, although seemingly disabled, learning the fatal termination that must attend Lady Mary's injuries, is too harrowing to repeat. Mr. George Fitz Roy had mounted his gig immediately after the Governor had left Government House door, and had not proceeded many yards when he saw the occurrence, and ran to the spot. Sir Charles Fitz Roy and Lieutenant Masters were on the box, and were thrown. The Governor escaped with a comparatively slight injury on his knee, but Mr. Masters was so much injured that he died about seven o'clock in the evening. Drs. Hill and Rutter were most promptly in attendance, and as quickly as a sofa could be got from Government House, Lady Mary was placed on it, but before she reached Government House she was no more. Mr. Walford's clothes were saturated in blood, and from this some idea may be gained of what were the internal injuries her Ladyship sustained. Sir Charles's accident is one of the most painful nature, but he contrived to reach the sofa,

and leaning over Lady Mary, received, there is reason to believe, “the last dying breath.” His Excellency tried to follow the sofa, but he had not proceeded far ere his own sever injury caused him to fall. A chair was at once provided, and he was carried into the house along with Lieutenant Masters, for whom everything that could possibly be was done. Some idea of the violence of the leading horses may be gained from the following circumstances:- It appears the leaders got away at the time of the upset; they then made through the Government Gate, down Church-street, rushed at and broke the window of Mr. C.W. Rowling, the chemist and druggist, at the corner of George and Church streets, where they broke some windows, and in the wood-work bordering the shop sash there are deep marks of the teeth of one of the animals. Here, however, they were pulled up, as the reins they had carried away with them got entangled in a corner post of the street, and they were thus secured.

INQUEST

At about five o'clock an inquest was held by the coroner, Mr. **C. NETHEL LYONS**, at Government House. The jury empanelled were Mr. **GILBERT ELLIOTT**, P.M., (foreman); Capt. **M.C. O'DONNELL**, M.C., Capt. **W.B. O'CONNELL**, Dr. **Wm. DAWSON**, Inspector General of Hospitals; Mr. **JAMES BYRNES**, Mr. **ANDREW L. M'DOUGALL**, J.P., Mr. **GEORGE SUTTON**, J.P., Mr. **FREDK ANSLOW THOMPSON**, Mr. **SOLOMON PHILLIPS**, Mr. **ROBERT Wm. PEIRSON**, Mr. **NATHANIEL PEYTEN**, and Mr. **JAMES HOWISON**.

The Coroner opened the business of the inquest by explaining the distressing occurrence that had caused their assembling, and added, that suddenly as Lady Mary had been taken from this world, it was a satisfaction, although a most melancholy one, to have to state that few, as was well known to all present, were more fitted to leave this for the better world.

The coroner, the jury, and several parties present, among whom may be mentioned the Attorney-General, the Colonial Treasurer, Mr. **ICELY**, and Mr. **COOPER TURNER**, who had hurried from Sydney the moment of intelligence of the fatal disaster reaching them, were all most deeply afflicted.

The jury then proceeded to view the body. The only mark of violence appearing was on one side of the face, such as would have been produced by its having been dragged some distance over pebbly ground; but her features were not much altered. The death chamber was, however, a most painful one. Around the bed, where once was life, sat or rather knelt, some servants and other parties whom Lady Mary had befriended, giving forth such tears as only real sorrow – heartfelt sorrow – can utter.

On the return of the jury to the inquest-room, the subjoined evidence was taken:- **JOHN GIBBS** deposed: I am footman in the service of his Excellency the Governor; soon after ten o'clock this morning, the Governor's family were about to proceed to Sydney in one of his Excellency's carriages; the carriage, with four horses, was just outside the gate of the fence immediately surrounding Government House, and in which carriage there were Lady Mary inside, and Mr. Masters and Sir Charles on the box, Sir Charles driving, whilst I was on the seat behind, when the horses got into a gallop and made off in the direction of the Domain-gate, that is the gate leading into the town – they were making straight towards the gate, and at the avenue of oaks, close to the bridge, the carriage run against one of the trees, near the Guard-house, and upset, and those on and in the carriage were upset; I saw Lady Mary thrown out and the hood of the carriage strike her on the breast; I was myself thrown out, but not hurt; I ran to Lady Mary and struck the hood from off her Ladyship's breast; I took off her Ladyship's bonnet; she only spoke once, “Sir Charles,” nothing more or afterwards; blood was rushing out from her mouth and ears, and there was a very

great deal about her person; while I was with her Sir Charles came up, and also at the same moment, Mr. Walford, who went to her Ladyship; Mr. Masters was lying about a couple of yards from her Ladyship; he was lying on the ground, and appeared in a very bad state; I did not hear him speak; I am not aware of any cause which made the horses run away.

Examined by Dr. Dawson: Grooms, when Sir Charles mounted the box of the carriage, were at the heads of each of the horses, and ran with them after they started for about a couple of yards, and did not loose their hold until his Excellency told them to do so.

Mr. **JOSEPH WALFORD**, deposed: I am a wine and spirit merchant, resident in this town; about ten o'clock this morning I was riding in George-street, leading towards the Government Domain gate: I saw his Excellency's carriage start from the house, and at about twenty paces from Government House door the horses started and ran away; they went off at the first at a very strong gallop, and as they came down the road the Governor tried to keep them straight on the carriage road; I felt convinced at the moment the carriage started the horses had run away. After their getting about half-way down the carriage road the horses got into a perfect racing pace – in fact, they were at full speed: two or three grooms endeavoured to get up to the horses' heads, but none of them succeeded in doing so. When the carriage came to the oak avenue, the carriage went over. I saw her Ladyship fall, and I immediately ran up to her. She was lying on the ground; I at once supported her head, her face was covered with blood – blood was rushing from her mouth and ears; her face was greatly swollen; I sent off the soldiers at the guard-house for medical assistance, and Dr. Hill arrived in about six or seven minutes afterwards, accompanied by Dr. Clark; he Ladyship never spoke after I got her up; I saw Mr. Masters, he was lying four or five feet from her ladyship; I went to him and lifted him up, he was bleeding dreadfully in the face; after lifting him up I returned to her ladyship; when I first lifted her ladyship she was wholly insensible, and when I returned to her – after attending Mr. Masters – found Dr. Hill had arrived and Lady Mary was being bathed with water; when I first got to Mr. Masters he was perfectly insensible, but he uttered a low moaning; I saw now cause why the horses should run away; the Governor, it appeared, had not perfectly got hold of the reins when they started, and the horses were evidently exceedingly fresh; I am under the impression that from the direction in which Lady Mary Fitz Roy fell, she struck against one of the trees in the oak avenue I have alluded to.

Dr. **GEORGE THOMAS CLARKE**, of Penrith, deposed: This morning, about ten o'clock, I was standing at the court house, corner of George and Church-streets, when a mounted trooper called me for medical assistance, as his Excellency's carriage had been upset and an accident had occurred; I ran at once to the Domain, and at the oak avenue I found Sir Charles sitting on the ground supporting Lady Mary's head; Lady Mary was bleeding most violently from the mouth, ears, and nose. Her ladyship was perfectly insensible, and then just expiring; there were marks of great violence on the left side of the face and neck, and such marks evidenced that they had been produced by violent collision with an opposing object. From the symptoms and general appearance, I immediately conceived that Lady Mary had fractured the base of her skull, and which was the cause of death.

Dr. **PATRICK HILL**, of the General Hospital, Parramatta: About a little after ten this morning I was in the court-house; I heard a policeman detailing an account of an accident which had occurred to the Governor's family; and a very few minutes afterwards I was at the oak avenue; I found Sir Charles on the ground supporting Lady

Mary, who was then in a state of total insensibility; blood was pouring from her mouth, ears, and nose; she died in a few minutes afterwards, and when I announced her death to his Excellency. He desired the body to be removed to Government House. There were severe injuries on the left side of the face and head; I have no doubt death was caused by severe injury to the brain.

The jury, without troubling the coroner to sum up, at once returned the following finding – “That Lady Mary Fitz Roy came to her death in consequence of having been accidentally thrown from her carriage.”

It is wholly impossible to describe the state of Parramatta, so sudden was the occurrence, that for a long time it was doubted. As soon, however, as the bitter truth became known, flags were mounted half-mast high, and every shop, private residence, and even the meanest hovel closed their shutters.

As our reporter was leaving, he made enquiries at Government House. Sir Charles was stated to be as well as could be expected; but that it was not probable that Mr. Masters would live the night.

The ink was scarcely dry in the pen which wrote the foregoing paragraph, when intelligence reached this office that Mr. Masters expired in the course of yesterday evening.

Although the accident occurred so early in the day, the reports that reached Sydney were so conflicting that until the evening it was hoped that no loss of life had taken place. As soon as the news of the accident reached town, Dr. Dawson, Mr. Riddell, the Attorney-General, and several other personal friends of His Excellency and Lady Mary, left town for Parramatta; but it was not until the arrival of the six o'clock steamer that positive intelligence of Lady Mary's death reached town, but the previous reports had so prepared the public mind for the worst, that the tolling of the bell at St. James's Church (which was soon followed by that of St. Mary's), and the hoisting of the Union Jack half mast high at Fort Phillip, were understood throughout the town as confirmatory of the worst that had been stated. The death of Mr. Masters, which did not take place until seven o'clock, was not generally known in town last night.

As a proper mark of respect to the memory of the late Lady Mary Fitz Roy, we would suggest that the shops should be kept partially closed until after the funeral, which we are requested to state will take place at Parramatta to-morrow, at one o'clock.

THE LATE MELANCHOLY ACCIDENT AT PARRAMATTA.

(From the Sydney Morning Herald, Dec. 9)

There was very little business done in Sydney yesterday, the distressing event of the previous day, the particulars of which were recorded in yesterday's *Herald*, having absorbed the entire attention of the public. With scarcely an exception, the shops were partially closed, and the streets had a most sombre appearance. Colours were hoisted half-mast high on board the ships in port, at the usual flagstuffs, and at the residences of the Foreign Consuls.

Yesterday afternoon, a *Government Gazette Extraordinary* was published, containing the following notice:

Colonial Secretary's Office,
Sydney, 8th December, 1847

“In consequence of the melancholy event which has occurred in the family of His Excellency the Governor, the Heads of the Public Departments are invited to close their respective Offices to-morrow, the 9th instant, being the day appointed for the Funeral of the deceased Right Honourable Lady Mary Fitz Roy.

The interment will take place at Parramatta, and the Funeral procession will move from Government House (Parramatta) at One o'clock, P.M., to-morrow.

For and in the absence of the Colonial Secretary.

W. ELYARD, JUNR."

In conformity with this intimation, the Government offices will be closed to-day, as will also be the Banks and Public Institutions, and it is the intention of many of the most respectable shopkeepers to close their establishments entirely, an example which we have no doubt will be extensively followed.

We are requested to correct an erroneous opinion which got abroad yesterday, that persons not invited are not expected to attend the funeral. This arises from the funeral having been spoken of as "private," and distinguished from a military funeral, it having been supposed that Mr. **MASTERS** would be buried with military honours. We have reason to believe that there will be a very large number of people proceed to Parramatta, anxious to pay the last tribute of respect to the unfortunate deceased. The procession will be formed of pedestrians, no horses or carriages being allowed within the domain. The following is an account of the inquest on Mr. Masters:-

Yesterday's publication acquainted our readers with the death of Lieut. Masters, which mournful event occurred at about half-past six on the previous evening.

An inquest was held at ten o'clock yesterday morning.

The jury assembled at Mr. Nash's, the Woolpack Inn, when the following gentlemen were sworn in on this most painful inquest:- Mr. **GILBERT ELLIOTT**, P.M., (Foreman); Mr. **W. BYRNES**, Dr. **MATTHEW ANDERSON**, J.P., Mr. **HENRY WATSON PARKER**, M.C., Mr. **GEORGE LANGLEY**, Mr. **GEORGE OAKS**, Mr. **NATHANIEL PAYTEN**, Mr. **JAMES HOWISON**, Mr. **FREDERICK A. TOMPSON**, J.P., Mr. **JOHN PEARSON**, Mr. **FRANCIS WATKINS**, and Mr. **C.W. ROWLING**.

The Coroner (Mr. **BETHEL LYONS**) addressed the jury to the effect that they had met to prosecute, and he hoped conclude, the enquiries into the deaths caused by the melancholy accident which occurred on the previous day. The jury were sworn to inquire by what means **CHARLES CHESTER MASTERS**, Esquire, late a Lieutenant in H.M. 58th Regiment, came to his death. The evidence would, he apprehended, be merely a recapitulation of that given at the inquest on the previous day, held upon view of the body of the late Lady **MARY FITZ ROY**, and he entertained no doubt that upon hearing that evidence the jury would arrive at the same conclusion that the former jury did – that all usual and reasonable precautions to prevent accidents were adopted – that there was no carelessness; but that it was one of those sad and solemn casualties to which we are all liable. As in the case of Lady Mary Fitz Roy, so in that of Mr. Masters, when his numerous relatives and friends came to reflect upon his horrid and untimely end, it could not fail to be most consolatory for them that the deceased had performed all the relations of life in a kind-hearted, honourable, and exemplary manner – that he was universally esteemed both as a soldier and as a citizen.

The jury then proceeded to Government House to view the body, and on their return to Nash's the following evidence was taken.

JOHN GIBBS: I am a footman in the service of His Excellency: I gave evidence at the inquest held yesterday on Lady Mary; that evidence was perfectly true and correct. The Coroner then read this witness's testimony, which will be found in yesterday's *Herald*. The witness added I have nothing to add to it, nor do I wish in any manner to vary it. Examined by Dr. Anderson: Just before the carriage upset I tried to lift Lady

Mary from the body of the carriage into the hind seat, where I was sitting, having first pulled the hood down; Lady Mary fainted, and I could not lift her.

Mr. **JOSEPH WALFORD**: I gave evidence at the inquest yesterday. It was here read over by the Coroner to Mr. Walford. Mr. W. continued: The evidence is perfectly true and correct, I have no wish to alter it.

ROBERT CHAMPLEY RUTTER, Esq., M.D.: Yesterday (Tuesday) morning, about twenty minutes past ten, I heard, as I was near the corner of George and Church-streets, previous to seeing the horses, the noise of their galloping; I ran to the Domain and saw Lady Mary and Mr. Masters lying on the ground; I went to Mr. Masters; the chief constable was with him, and two or three people were standing around him; I got some water and bathed his face, and desired some of the servants to go up to Government House and get a shutter, or something [several lines unreadable] and I followed the body up to Government House. I administered to Mr. Masters some spirit of ammonia and water, and dressed a lacerated wound of the orbital process of the right temple. I remained from an hour to an hour and a half with Mr. Masters; his right side I found to be paralysed, and there was strabismus of the right eye, with contusion of the whole of the left side, and an abrasion on the left hip. He never spoke, nor did he seem to be in the least degree sensible; I considered death must follow the accident he had received; effusion was going on in the brain, and the great probability is, this was caused by fracture on the base of the skull.

PATRICK HILL, Esq., M.D.: The evidence given by Dr. H. at the inquest on the previous day having been read, he confirmed it; and added: In addition to the evidence given by me yesterday, I would state I saw Mr. Masters lying on the ground at a short distance from Lady Mary in the oak avenue; I did not then examine him, as I was attending on Lady Mary, and I saw some medical gentlemen with him. After his removal to Government House I examined him; I found him totally insensible, with paralysis of the whole of the right side, and he was evidently suffering from pressure on the brain; I considered his case from the first as hopeless; he died at about half-past six o'clock yesterday (Tuesday) evening. I was not present at his death, but I had seen him a very few minutes previously to the occurrence.

The jury at once returned the following finding – “That the deceased, Charles Chester Masters, came to his death in consequence of having been accidentally thrown from a carriage.”

The funeral of this much esteemed and much lamented young officer will take place at the same time as that of the late Lady Mary Fitz Roy, at one o'clock this day. It was at first contemplated interring Mr. Masters with military honours, but at the express wish of His Excellency the funeral will be a private one, and in accordance with His Excellency's desire, Mr. Masters will be interred in the same vault as her late Ladyship.

ANOTHER DEATH FROM THE EFFECTS OF DRINK. - On Thursday evening an enquiry was held by **E.D. DAY**, Esq., P.M., into the cause of death of **BRIDGET M' CARTEN**. It appeared from the evidence that Mrs. M'Carten resided in Maitland, and was in the habit of attending people as sick nurse. On Sunday last she went to the house of a man named **JAMES GRACE**, quite drunk, and on Monday morning she and Mrs. Grace commenced drinking, being joined on Tuesday by Grace himself, and on Monday by a man named **RICHARD DANDO**. Throughout Sunday, Monday, and Tuesday, Mrs. M'Carten continued constantly drunk, and by Wednesday morning was so ill from the effects that Grace went for Dr. **M' CARTNEY**, who attended, but found the unfortunate woman labouring so strongly under delirium tremens that she

could not recover. He tried every means notwithstanding, but she died on Thursday morning. Dr. M'Cartney examined the body, but found no mark of violence, and in his opinion death was caused by *delirium tremens*, brought on by excessive drinking. A verdict to this effect was recorded. Mrs. M'Carten was a widow, and has left six children, the youngest between two and three years old.

EFFECTS OF INTEMPERANCE. - Yesterday a man named **RICHARD DANDO** was brought before the bench, charged with disorderly conduct. It appeared that Dando, who holds a ticket-of-leave for Maitland, has been for the last nine months in the employ of Mr. **SAMUEL THOMPSON**, and has been a well conducted man. Some three or four months ago he, however, had a drinking bout of three or four days, and on Monday last he went to the house of **JAMES GRACE**, as appears in another paragraph, where he found drinking going on, and joined in it himself. Throughout Monday and Tuesday he continued drinking there, going out occasionally to procure liquor, and not until Wednesday morning, when frightened into possession of his senses by the dreadful state to which drink had reduced Mrs. **M' CARTEN**, one of his companions, did he return to Mr. Thompson's, too drunk still to be able to do anything. As Dando appeared to have been thus assisting in supplying the liquor which caused the death of Mrs. M'Carten on Thursday, he was sentenced to lose his ticket, as a warning; the excellent character given to him by Mr. Thompson saving him from further punishment.

FATAL ACCIDENT AT THE PAGE. - On Sunday last a little boy named **DAVID TEAS**, whose parents Reside at Page's River, was turning a horse out of a wheat paddock, and going incautiously too near, was kicked by the horse. The poor fellow lingered till the next morning, when he died.

SERIOUS ACCIDENT. - In the course of Monday afternoon a most serious accident occurred on the Parramatta Road to an **aboriginal female**, belonging to the Cowpasture tribe, named **JANE GORMAN**, by Messrs. Tooth's beer wagon, at the time very heavily laden, going over her right leg, and causing a compound fracture of alarming extent, both bones being broken and comminuted. The sufferer was taken to the General Hospital. The account given of the occurrence is, that the woman slipped from off the fore part of the wagon as she was getting on it for a lift on the road. *Sentinel, Dec. 9*

SENTINEL, 3/151, 09/12/1847

INQUESTS. - An inquest was held on Sunday by the Coroner, Mr. **C. BETHEL LYONS**, at Mr. Jackson's, the Brocken-back Bridge Inn, Church street, touching the death of **JOHN DAVIS**, then lying dead in the Windsor Bar Toll house, of which his father was the lessee. The evidence disclosed an occurrence of a most distressing nature. The deceased was a fine and most promising child of about six and a half years of age. About five o'clock on Saturday afternoon, he left his parents' residence for the purpose of bathing in a water hole at some little distance therefrom, and within some twenty-five minutes afterwards one of his playmates, whom he had joined there, came and informed them that he had got into deep water and was fast drowning. No time was lost by the deceased's father and several neighbours in hurrying to the spot indicated, and on their arrival there it appeared that the deceased at the moment of the death struggle had been observed by a man working in an adjoining paddock, who immediately rushed to the water hole, and brought the boy ashore, but life was extinct. Dr. **ROBERTSON** of the General Hospital, gave evidence that death had resulted from suffocation caused by drowning, and the jury returned a verdict in accordance with the evidence.

An inquest was also holden by Mr. **C. BETHEL LYONS** yesterday, touching the death of a man named **WILLIAM BROWN**. It appeared that the deceased had, at a late hour on Saturday evening, been found lying dead on Kenyon's Road, and at a short distance from him his horse and cart were found locked in some scrub. On a search being made by the first party who came across the body, it was evident life had been terminated by either accident of sudden death, inasmuch as not a single article was found displaced in the cart, and there was a large sum of money in his pockets.. The deceased had been known to have for some time past suffering severely from disease in the heart, but such does not seem to have been the immediate cause of death. Dr. **ROBERTSON**, of the General Hospital, deposed at the inquest that on examination of the body of the deceased the jugular vein was found to be enormously distended, and the vessels of the face greatly congested, and that congestion of the brain had also taken place. Dr. Robertson from the appearances presented by the deceased was of opinion that death had resulted from apoplexy, and a finding to this effect was recorded.

MAITLAND MERCURY, 5/360, 15/12/1847

ANOTHER DEATH FROM DROUGHT. - In another column will be found an account of the death of a young man named **JOHN GRIFFITHS**, who perished from drought between the Barwin River and Narran Creek. We are sorry to hear that a letter has just reached town containing an account of the death in a similar manner of a man in the employ of Mr. John Wiseman. The poor fellow had been missing for six days, and when found was dead, having apparently perished, from the parched condition of the country, for want of water.

HUNTER RIVER DISTRICT NEWS. - NAMOI RIVER.

DREADFUL DEATH. - Letters have reached this place from the Narran Creek giving an account of the death of a young man named **JOHN GRIFFITHS**, who perished on a journey for want of water. It appears that four young men, namely, **GRIFFITHS, JAMES WARD**, and two brothers named **EATHER**, left the Barwin River with cattle and a horse-team, intending to proceed to Narran Creek. They found all the water-holes dried up, and by the time they had got thirty miles on their route the horses were so knocked up for want of water, that Ward and **ABRAHAM EATHER** started on foot with them to endeavour to make the Narran, and then return as quickly as possible for their companions and the dray and cattle. Unfortunately they lost the track, and did not reach the hut on the Narran till the next morning, being in a most deplorable state from thirst, and having lost the horses. On informing the parties at the station how they had left their companions, a man named **SPARROW** started with a number of blacks, taking some water with them; on arriving at the camp, however, he only found the dray there, the men and cattle being gone. Leaving the camp, Sparrow then followed the track of the horses lost by Ward and Abraham Eather, but they proved too weak to be driven on to the creek that night. He returned to the station, and found that the unfortunate men left with the cattle had not yet appeared. The next morning a man named **WILLIAM THURLOW** started for the camp, and followed the tracks of the man and cattle for some distance, when he found the tracks diverge, the men proceeding in one direction, and the cattle in another, as if abandoned to themselves. By this time Thurlow's horses had got so weak, from the intense drought prevailing over the parched plains that he was obliged to make for the station at once, to save his own and their lives. On arriving there he found that young Eather had succeeded in making it, with the assistance of a blackfellow, who accidentally met with him about six miles from the station. Eather stated that

Griffiths and himself waited at the camp all night, but finding their friends did not return, and that the cattle were very troublesome, they left it in the morning, letting the dray remain there, but driving the cattle as well as they could. After going some distance they were obliged to abandon the cattle, being too weak to drive them, and endeavoured to walk on to the Narran themselves. When they had walked five or six miles Griffiths complained of being very ill from want of water, and laid down, and though, when urged by his companion, he rose, and went a little further, he laid down again, saying he could go no further. Eather urged him again and again to rise and go on, but he would not, and Eather was obliged to leave him there, having marked the place well, so as to know it again. Eather then walked on, although very weak, and at length happily met with the blackfellow, who took him to the station, having been two days and two nights without water. Having rested a little, Eather returned with Sparrow to the spot where he had left Griffiths, but the latter had left the place, and although the blacks tracked him for some distance, the ground then got so hard that all traces were lost, and their search was unavailing. The next night a thunder storm fell, and all hope of tracking poor Griffiths was destroyed. The first letter that reached us from the Narran, narrating this sad affair, was dated October 29th, and the second November the 5th, so that no hope remains that poor Griffith's life is preserved. He was a native of the colony, and about twenty years old. Weewaa, Namoi River, November 29.

THE LATE MELANCHOLY ACCIDENT AT PARRAMATTA.

The funeral of the late Lady Mary Fitz Roy and Lieut. Master took place at Parramatta on Thursday last, and was attended by a very large number of persons. ... [Full details of funeral, service, interment, etc.]

SENTINEL, 3/152, 16/12/1847

EDITORIAL: Death of Lady Mary Fitzroy.

CORONER'S INQUESTS. - Two inquests were held on Saturday last. One was at Henderson's Dove Inn, Sussex-street, on view of the body of **JOHN EVANS**, who was stated to be a stranger in Sydney, having been two or three weeks from Moreton Bay. He was taken very ill on Friday night, at six o'clock on Saturday morning he was found to have been worse, and about noon he died. It did not appear that any medical assistance had been sent for by the person in whose house he was lodging. Dr. **TIERNEY** made a *post mortem* examination of the body, and his opinion was that death was the result of inflammation of the lungs. The Jury found that John Evans died by the visitation of God.

The other inquest was held at Steel's South Head Road, on view of the body of **WILLIAM THOMAS**, a servant in the employ of Mr. **LOVELY**, a baker, resident in Clarence-street. Between two and three o'clock on Friday afternoon, deceased was driving his master's bread cart, in a state of intoxication, and fell off, but was assisted by a person named **KISHLIER**, when Thomas proceeded on his way. Shortly after three o'clock he was found lying on his cart, still drunk, on the South Head Road, by a Mr. **FAIRBURN**, who took him into his house, where deceased remained; about three o'clock in the morning, Mr. Fairburn went for Mr. **HONNER**, a medical practitioner residing in the vicinity; on Mr. Honner's arrival he found the chest and abdomen warm, and the pupils of the eyes much dilated, and obtained a small quantity of blood from him, but was of opinion that he was in part dead on his Mr. Honner first going to see him. From the history of the case, and the appearance of the body, it was Mr. Honner's opinion that death was the result of intoxication. Mr. Lovely deposed that

deceased was much addicted to intemperance, and had latterly been in a generally delicate state of health. The jury returned a verdict of died from the effects of drink. ANOTHER DEATH FROM THE EFFECTS OF DRINK. - On Thursday an enquiry was held by **E.D. DAY**, Esq., P.M., into the cause of death of **BRIDGET M'BASTED [M'CARTHY][M'CARTEN]**. It appeared from the evidence that M'Carthy resided in Maitland, and was in the habit of attending people as sick nurse. On Sunday last she went to the house of a man named **JAMES GRACE**, quite drunk, and on Monday morning she and Mrs. Grace commenced drinking, being joined on Tuesday by Grace himself, and on Monday by a man named **RICHARD DANDO**. Throughout Sunday, Monday, and Tuesday, Mrs. M'Carthy continued constantly drunk, and on Wednesday morning was so ill from the effects that Grace went for Dr. **M'CARTNEY**, who attended, but who found the unfortunate woman labouring so strongly under delirium tremens that she could not recover. He tried every means, notwithstanding, but she died on Thursday morning. Dr. M'Cartney examined the body but found no marks of violence, and in his opinion death was caused by delirium tremens brought on by excessive drinking. A verdict to this effect was recorded. Mrs. M'Carthy was a widow and has left six children the youngest between two and three years old. *Maitland Mercury*.

MAITLAND MERCURY, 5/361, 18/12/1847

BOAT ACCIDENT. - A wood-boat, with a new sail, was observed to go down near the Balmain wharf, last night, at half-past nine o'clock; the fire wood and a lot of bags of various brands, which floated on shore, are in the possession of **FORREST**, the waterman. Immediately on the accident being discovered every exertion was made to save the person who might have been in the boat, but no trace of them was discovered. *Herald, Dec. 16* [See 5/362, 22/12/1847]

MAITLAND MERCURY, 5/362, 22/12/1847

HUNTER RIVER DISTRICT NEWS. - TAMWORTH.

TWO DEATHS FROM EXHAUSTION. - The country round here is in an awful state for want of rain, and it is feared that several persons have perished from drought. Mr. Commissioner Mitchell has just been out, assisted by some of the inhabitants and a party of aborigines, endeavouring to trace a man who had left his dray in search of water, one of his children having died on the dray from exhaustion. The party were out for four days, during three of which they tracked the unfortunate man, and found that he had chewed grass for the sake of moisture. On the third day his tracks had the appearance of those of a drunken man, staggering about from place to place, and it was evident that he had had many falls where he met the least obstruction. Still the party had not found him at the expiration of this day, and having been now forty-eight hours without water themselves, they were compelled to give up the pursuit, being convinced that their aid would be too late, even if they could persevere without water till they found the body. December 16, 1847

MERTON. - FATAL ACCIDENTS.

Two fatal accidents occurred in this district lately. In one case a servant of Mr. Ogilvie's, named **HAWKER**, went to the river for a bucket of water, about dinner time; about sundown one of the blacks gave information at the farm that a man's hat and a bucket were in the water-hole. Search was immediately made, but the night getting dark the body was not found until daylight the following morning. The place where he had fallen in was deep, and precipitous at the side.

On Saturday, the 12th instant, some teams with Mr. **Wm. BLAXLAND'S** had encamped at Hall's Creek, near Peberdy's public-house. About eight o'clock in the evening a man named **PARLING** [?], who was in charge of one of the teams, was seen getting under his dray, and in so doing he is supposed to have struck the hind prop stick, which gave way, and the dray tilted up, the hind part falling on the man's breast; and although the weight was taken off in about a minute's time, he breathed but once and expired.

INQUEST. - An inquest was held on Thursday last on the body of a man named **JOSEPH PERREUX**. It appeared from the evidence that on Wednesday evening, about nine o'clock, a wood-boat belonging to the deceased, who obtained his livelihood by bringing wood from Lane Cove to Sydney for sale, was observed to sink near Balmain, being capsized by a sudden gust of wind. Every exertion was made to save the persons who might have been in her, but without effect. On Thursday some of Mr. Boyd's black-fellows were engaged in diving at the spot where the accident occurred, and they succeeded in recovering the body of the deceased. The jury returned a verdict of accidentally drowned. The deceased, who was of the Jewish faith, was a sober, industrious man, and bore a remarkably good character. We regret to state he has left a widow and six children to deplore his untimely fate. *Chronicle, Dec. 18*

SENTINEL, 3/153, 23/12/1847

CORONER'S INQUESTS. - On Thursday last an inquest was held at Mr. O'Donnell's, the Australian Inn, on the body of a wood man named **JOSEPH PERRARA**, whose death was caused by the swamping of his boat on the preceding day. **THOMAS HENRY**, a boatman, deposed that when deceased was starting from Lane Cove for Sydney he advised him not to go, considering that the weather was too rough, but he determined to proceed, and started for Sydney; in about a couple of hours afterwards, the wind having lulled, and when off Balmain was informed that deceased's boat had been swamped; he assisting in lifting the boat and searching for the body, but it could not then be found; deceased was quite sober when he started. - **JOHN M'DONALD**, also a boat man, deposed that he with others went last (Thursday) morning to look for the body of deceased while they were grappling for the body, eight or ten of Mr. **BOYD'S** blacks came up in a boat, and becoming acquainted with the object of the search, they went into the water and succeeded in getting up the body. The jury returned a verdict of accidentally drowned.

On Saturday evening an inquest was held at Mrs. Wallis's the Hand and Heart, Liverpool-street, on view of the body of a man named **JOHN WOODS**, aged about sixty-five, who about eight o'clock in the morning was found dead in a shed on the wharf, near the bottom of Liverpool-street, where he had been in the habit of sleeping for some months. He had obtained his living by carrying water for the vicinity, but he was a hard drinker; spending all his earnings in the purchase of liquor. Dr. **TIERNEY** deposed that he was sent for and saw the body of deceased before it was quite cold, and having made a *post mortem* examination, was of opinion that death was caused by an effusion of lymph and water in the pericardium, which would be the result of previous habits of intemperance. Deceased was lying on his face, and he (Dr. Tierney) had no doubt but that he died from suffocation. The jury returned a verdict that John Woods died from disease, the effects of previous habits of intemperance.

Mr. **J.W. FISHENDEN**, a surgeon, was accidentally killed at Gipps' Land, a few weeks since, by a fall from his horse.

MAITLAND MERCURY, 5/364, 29/12/1847

SUDDEN DEATH. - On the morning of Christmas Day a fine little boy named **LUKE FAREBROTHERS**, about four years old, was playing with his companions apparently in good health, in Devonshire-street, West Maitland. A glass of wine was given to him before breakfast in honour of the day. About nine o'clock he was taken slightly with convulsions, but as they appeared to pass off again, he was allowed to continue playing about. The hot sun and sultry air of the day, however, brought on the convulsions again violently in the afternoon, and about five o'clock his mother took the child to Dr. **M'CARTNEY**. Dr. M'Cartney saw at once that the poor boy had not long to live, and he sent for Dr. **SLOAN**. Having consulted together they directed Mrs. Farebrother what steps to take, and the little boy was taken home by her, and placed in a warm bath, and other measures adopted, but in vain, for he died between ten and eleven o'clock. An inquiry was held on the body on the following day by **E.D. DAY**, Esq., P.M., when Dr. Sloan made a *post mortem* examination, which disclosed extensive inflammation of the stomach and intestines. It appeared that the boy had some time since been severely burned on the arm, and that when the sore outwardly healed up, inflammation must have commenced inwardly. The opinion of the medical men was that death had been caused by convulsions, brought on by wine and exposure to the sun having fatally heightened the internal inflammation; the inflammation indeed being alone sufficient to have caused death. A verdict was recorded in accordance with this opinion.

DEATH BY DROWNING. - As Mr. **THOMAS DREW**, in company with his brother and a hired man, were returning from New England to Maitland with their teams, they camped about twelve miles from Armidale, and while the two latter went to wash themselves at a water-hole, Mr. Thomas Drew remained by the camp, and on their return went alone to the water-hole to wash his feet. As he remained away a considerable time, his brother became anxious, and went in search of him, when he found his clothes on the bank and his hat floating on the water. After searching all night, in company with the man, he succeeded in finding the body, and carried it to Armidale, where some of his friends resided; he was to be buried on the 23rd instant. As he could not swim, it is supposed he slipped into the hole, and thus met with his untimely end. He was a young man, about 24 years of age, of an amiable character, and his loss is deeply lamented by a widowed mother, his brothers and sisters, and an extensive circle of friends. *Correspondent*

CORONER'S INQUEST AT BATHURST. - On Saturday, the 18th, an inquest was held at the Queen's Arms Hotel, Bathurst, on some human bones found in a small box the previous day. It appeared that on Friday a portion of earth on the banks of the Vale Creek had been washed away by a flood in the creek, and left exposed a small box, which was discovered by a boy named **BUTLER**, living near the spot; as on getting the box cleared from the earth, it was found to contain human bones, information was given to the chief constable, and a jury summoned. After a patient investigation of four hours, the jury returned a verdict that the bones were human bones of an infant, but there was no evidence to show how it came by its death, or how the bones were placed where they were found. Since the inquest we have ascertained that about three years since a woman from the bush, with her husband, put up at an inn in Durham-street, then kept by Mrs. Black; that during the night the woman was seized with the pains of labour, and delivered of a still-born child; the waiter at the inn out the body in a small box, and buried it near the creek, and to the best of his recollection, near the spot where the box of bones was found. There is

every probability that they were the bones of the child so buried. *S.M. Herald, Dec. 24*

SENTINEL, 3/154, 30/12/1847

CENTRAL CRIMINAL COURT

Monday

Before His Honor Mr. Justice Dickinson

WILLIAM DAVIS was indicted that he, on the 20th November, 1847, at the Field of Mars, did make an assault on one **THOMAS COOPER**, and did inflict on the said Thomas Cooper, divers mortal wounds, bruises, and contusions, of which the said Thomas Cooper instantly died.

WILLIAM STEVENSON sworn: was called the "sergeant" in the neighbourhood of Kissing Point; was living at Mr. **SMALL'S** farm; and was hut keeper there: Davis was living in the same hut; knew Thomas Cooper; he was at work at the same time; remembered the night he died; it was a Saturday night, but did not recollect what day of the month it was; Cooper was in good health the day previous to the night on which he died; he took his meals regularly that day in the hut; he and Davis were both at dinner together; after dinner they began to load hay; two loads were laden, but while the last load was being put on he called witness repeatedly a wretch; after that witness went into the hut and sat down, and presently the prisoner came in and said, "You wretch, I'll split your head open;" Thomas Cooper said – "No, you shall not split his head open;" when the prisoner closed on Cooper, and they struggled in the hut; no blows were struck; when they separated, Davis went out, and Cooper also went outside the hut; Davis said he could beat every man there was in the hut, and Cooper ran out to him; it was after sundown, between eight and nine o'clock in the evening; when Cooper went out, witness went and hid himself in some trees; he heard nothing for 10 or 15 minutes, when he heard Cooper say "Oh;" witness heard groans and blows, and he afterwards heard Davis go to the hut and sing out "Where are you?" He went to the hut twice, and witness got frightened and went altogether in the bush; after the word "Oh!" had been spoken, heard Davis say, "Get up you wretch and go home;" the deceased made some reply, after which witness heard the sound of blows as with some heavy weapon; neither Davis nor Cooper were sober; in the morning they had got ten gallons of ale, and had been drinking; witness did not see anything more of them that night, but stayed in the bush; the next morning he found Thomas Cooper dead near the hut; showed the body to several parties; he had a number of bruises on his head; did not see Davis at that time; there was a man of the name of **PARSONS** and his wife standing by him; the body was lying in the direction from which he heard the voice and the blows; the Constables had been and seen the body before witness did; saw some boots at the inquest – they belonged to Davis; saw also some trousers; there were marks of blood on both; saw no marks of blood on the trousers the evening before.

Cross-examined by Mr. **DARVALL**: was 68 years of age, and was nearly blind; Davis was a quiet man when sober; the ten gallons of ale was not all drunk, but it was nearly out; there was no light in the hut except the fire before the row began; David had no words with Cooper previous to coming up to witness and striking him, and threatening to split his head open; it was on this threat that Cooper came into the hut and said he should not do so; Davis and Cooper had no quarrel before, but they then closed and struggled, but neither was thrown; no blows were struck in the hut; Cooper was much the stronger and younger man of the two; Davis went out muttering that he could beat any man in the hut, and Cooper went out after him; neither of the men were

sober, but they were not drunk; when Cooper followed Davis out of the hut, witness ran away into the bush, being afraid that some harm would take place; was quite sure that the last words he heard from Davis, who was saying to Cooper, "Get up you wretch and go home."

Several other witnesses were examined which tended to corroborate the foregoing evidence.

Mr. **RUTTER**; was a surgeon of Parramatta, and attended the inquest on the body of Thomas Cooper, made a post mortem examination of the body. There were a number of lacerated wounds upon the head, and by one a portion of skull was indented on the brain, and that was the cause of death. There were nine or ten marks on the head, one on the eye, and others in the side of the head. Thought that some of the teeth were knocked out, the wound on the head might very probably have been inflicted by kicking from the boots now produced, saw no wound on the prisoner's head at the inquest.

Constable **BRAGG** recalled: there was a small wound on the head of the prisoner at the time of the inquest; it was only a scratch and nothing serious.

Mr. Darval addressed the jury for the defence, after which His Honor summed up, laying down the law relative to manslaughter and murder at great length. The jury found the prisoner guilty of manslaughter, and he was remanded for sentence. [This not yet found]

MURRAY area; dead man sitting by tree.