

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 24<sup>th</sup> 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 26<sup>th</sup> 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 1<sup>st</sup>.

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 10<sup>th</sup> 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 31<sup>st</sup> 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 4<sup>th</sup> 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 8<sup>th</sup> 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 9<sup>th</sup> 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 15<sup>th</sup>.

SUPREME COURT. - *Saturday, Jan. 11*

**GEORGE BYFORD**, a blind and elderly man, was indicted for the murder of **JAMES BROWN**, at Port Macquarie, on 27<sup>th</sup> 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 19<sup>th</sup> 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 11<sup>th</sup> instant, of apoplexy, after a few hours 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 27<sup>th</sup> September last, inflicted several mortal wounds with a knife upon one **JAMES BROWN**, whereof the said James Brown expired the 27<sup>th</sup> December. Guilty – remanded for sentence.

Monday

**LUCIUS O'BRIEN** was placed at the bar, charged with having on the 19<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup>, 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 14<sup>th</sup> 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 7<sup>th</sup> 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 17<sup>th</sup> 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 26<sup>th</sup> 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 6<sup>th</sup>, 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.

**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 26<sup>th</sup> 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 7<sup>th</sup> 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 14<sup>th</sup> 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 19<sup>th</sup> 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 28<sup>th</sup> 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 9<sup>th</sup> 10<sup>th</sup> and 11<sup>th</sup>, 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 teetotaller, 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, 27<sup>th</sup> 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 7<sup>th</sup> 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 18<sup>th</sup> 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 13<sup>th</sup> 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 6<sup>th</sup> day of February last. Remanded for sentence.

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

**DEATH BY DROWNING.** - On Thursday morning, the 20<sup>th</sup> 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 21<sup>st</sup> and 24<sup>th</sup> 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 26<sup>th</sup>, **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 6<sup>th</sup> 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 27<sup>th</sup> 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 17<sup>th</sup> 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 12<sup>th</sup> 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 20<sup>th</sup> 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 24<sup>th</sup> 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 24<sup>th</sup> 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 15<sup>th</sup> instant, in the 53<sup>rd</sup> 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 22<sup>nd</sup> 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, 24<sup>th</sup> 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, 23<sup>rd</sup> 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 4<sup>th</sup> 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 30<sup>th</sup> 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 12<sup>th</sup>.

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 as he stood at the bar.

The coroner, in charging the jury, stated that the inquest had been adjourned from the 1<sup>st</sup> to the 7<sup>th</sup> 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 fire, 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 out of a pannikin, 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 4<sup>th</sup> 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 27<sup>th</sup> 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 30<sup>th</sup> 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 2<sup>nd</sup> 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, 9<sup>th</sup> 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 7<sup>th</sup> 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 15<sup>th</sup>); 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 14<sup>th</sup> 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 11<sup>th</sup> 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 21<sup>st</sup> 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 17<sup>th</sup> 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 19<sup>th</sup>) 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 17<sup>th</sup> 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, 26<sup>th</sup>.

**MELANCHOLY DEATH.** - On the evening of Saturday the 21<sup>st</sup> 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 22<sup>nd</sup> 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 18<sup>th</sup> 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 18<sup>th</sup>, 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 24<sup>th</sup> 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 19<sup>th</sup> 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 19<sup>th</sup> 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 22<sup>nd</sup> 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 15<sup>th</sup> instant, in the 42<sup>nd</sup> 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, 13<sup>th</sup> 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 11<sup>th</sup> 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 17<sup>th</sup> 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 15<sup>th</sup> 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 11<sup>th</sup> 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 after 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 12<sup>th</sup> instant, at the New Gaol, Darlinghurst.

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

M'LEAY RIVER. - On the 25<sup>th</sup> 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 8<sup>th</sup> instant on some human bones found in the bush a few yards off the Sydney road, on the 4<sup>th</sup> 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 14<sup>th</sup> 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 21<sup>st</sup> 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 13<sup>th</sup> 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 10<sup>th</sup> instant, before Mr. Justice Dickinson. The following are the prisoners who have been warned for trial up to the 3<sup>rd</sup> 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 28<sup>th</sup> 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 26<sup>th</sup> 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 17<sup>th</sup> 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 11<sup>TH</sup>, 1845.

MURDER. - **JAMES FITZPATRICK and JAMES FITZGERALD**, bond, were indicted for having, at Newcastle, on the 8<sup>th</sup> 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 9<sup>th</sup> 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 99<sup>th</sup> 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 11<sup>th</sup>.

**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 7<sup>th</sup> 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.

15<sup>th</sup> September, 1845.

SYDNEY NEWS.

BERRIMA. - The Assizes terminated on Tuesday, the 9<sup>th</sup> 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 8<sup>th</sup> 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 9<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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 16<sup>th</sup> 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 20<sup>th</sup> 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 17<sup>th</sup> 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 3<sup>rd</sup> 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 17<sup>th</sup> 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 9<sup>th</sup> 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 22<sup>nd</sup> 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 8<sup>th</sup> 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 18<sup>th</sup> 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.#

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

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 20<sup>th</sup>, 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 11<sup>th</sup> 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 25<sup>th</sup> 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, 28<sup>th</sup> 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 31<sup>st</sup> 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 16<sup>th</sup> 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 10<sup>th</sup> 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, 4<sup>th</sup> 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 11<sup>th</sup> 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

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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 9<sup>th</sup> 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 7<sup>th</sup> 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 16<sup>th</sup> 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 27<sup>th</sup> 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 10<sup>th</sup>, 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 9<sup>th</sup> 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 18<sup>th</sup>, 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 BRENNAN**, 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 26<sup>th</sup> 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 28<sup>th</sup> instant, at her residence, Upper Port-street, **LOUISA DINAH WILKINSON**, the beloved wife of Mr. **CHARLES WILKINSON**, the 29<sup>th</sup> 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 1<sup>st</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 23<sup>rd</sup> 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 25<sup>th</sup> 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 11<sup>th</sup> 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 be with her husband, who was awoke 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 12<sup>th</sup> 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 13<sup>th</sup>, 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 12<sup>th</sup>. 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 11<sup>th</sup>, 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 5<sup>th</sup> 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 8<sup>th</sup> 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 8<sup>th</sup>, 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, 24<sup>th</sup> February, 1846.  
WANTED NOTICE: **JAMES LANE** for the murder of **SAMUEL GLEDHILL**, 24<sup>th</sup> 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 2<sup>nd</sup> 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 16<sup>th</sup> 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 1<sup>st</sup> 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 3<sup>rd</sup> 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 17<sup>th</sup> 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 26<sup>th</sup> 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 26<sup>th</sup> 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 5<sup>th</sup> 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 26<sup>th</sup>, 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 2<sup>nd</sup> 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 9<sup>th</sup>.

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 21<sup>st</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 1<sup>st</sup> 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 20<sup>th</sup> 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 28<sup>th</sup> 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 23<sup>rd</sup> 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 (25<sup>th</sup>), 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 23<sup>rd</sup> 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 than 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 7<sup>th</sup> or 8<sup>th</sup> 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 23<sup>rd</sup> 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 20<sup>th</sup> December, 1846. But the evidence showed that those acts were done on the 20<sup>th</sup> 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 6<sup>th</sup> 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 9<sup>th</sup>, 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 8<sup>th</sup> 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 2<sup>nd</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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 23<sup>rd</sup> 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 11<sup>th</sup> 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 17<sup>th</sup> 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 24<sup>th</sup> 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 2<sup>nd</sup> 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 5<sup>th</sup> or 6<sup>th</sup> 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 20<sup>th</sup> December last, and now in

Newcastle gaol, has been ordered for execution at Newcastle, on Friday, the 17<sup>th</sup> 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 17<sup>th</sup> 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 25<sup>th</sup> 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 17<sup>th</sup> 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 15<sup>th</sup> 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 29<sup>th</sup> 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 25<sup>th</sup> 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 28<sup>th</sup> 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 17<sup>th</sup> 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 17<sup>th</sup> 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 6<sup>th</sup> 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 17<sup>th</sup> 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 27<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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 4<sup>th</sup>, 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 28<sup>th</sup> 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 14<sup>th</sup> 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 27<sup>th</sup>. 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 31<sup>st</sup> 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 3<sup>rd</sup>, 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 overt 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 4<sup>th</sup> 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 24<sup>th</sup> May; it was reported to the overseer on the 29<sup>th</sup>; 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 3<sup>rd</sup> 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

SI NGULAR 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 15<sup>th</sup>.

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 29<sup>th</sup> 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 4<sup>th</sup> 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 21<sup>st</sup> 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 5<sup>th</sup> 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 21<sup>st</sup> 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, 28<sup>th</sup> 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 29<sup>th</sup>, 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, 3<sup>rd</sup> 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 26<sup>th</sup> 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 29<sup>th</sup> 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 29<sup>th</sup> of May last, at Homebush, of which wound the said Garlick, on the 31<sup>st</sup> 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 26<sup>th</sup> 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 14<sup>th</sup> 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 13<sup>th</sup> 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 24<sup>th</sup> ultimo, at Singleton, Mrs. **R. WAYLAND**, of Twins, Still born.

MAITLAND MERCURY, 4/219, 08/08/1846

SHOCKING DEATH. - On Tuesday morning last, the 4<sup>th</sup> 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, 28<sup>th</sup>, 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 9<sup>th</sup> 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 20<sup>th</sup> 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 1<sup>st</sup> 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 28<sup>th</sup> 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 27<sup>th</sup> 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 1<sup>st</sup> 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 26<sup>th</sup> 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, 27<sup>th</sup> 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 16<sup>th</sup> 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 25<sup>th</sup>, 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 27<sup>th</sup> 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 23<sup>rd</sup> 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 14<sup>th</sup> 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 10<sup>th</sup> 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 25<sup>th</sup> 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 it took 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 8<sup>th</sup> 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 11<sup>th</sup> of April last.

Mr. Dowling appeared for the prisoners.

William Lindonis, carpenter, residing at Raymond Terrace; on the 11<sup>th</sup> 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 11<sup>th</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 2<sup>nd</sup> 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 4<sup>th</sup> 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 5<sup>th</sup> 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, 2<sup>nd</sup> 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 16<sup>th</sup> 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 10<sup>th</sup> 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 23<sup>rd</sup> 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-nenst 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 27<sup>th</sup> 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, 6<sup>th</sup> 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 1<sup>st</sup> 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 58<sup>th</sup> 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 7<sup>th</sup> 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 3<sup>rd</sup> 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 2<sup>nd</sup> August, and was remanded for sentence.

**ELIZABETH NOBLE** was indicted for the manslaughter of her infant child, on the 9<sup>th</sup> 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 27<sup>th</sup> 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 29<sup>th</sup> 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 12<sup>th</sup> 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 29<sup>th</sup> 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 19<sup>th</sup> 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 2<sup>nd</sup> May to the 2<sup>nd</sup> 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 11<sup>th</sup> April, so that she died on the 17<sup>th</sup> 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 18<sup>th</sup> 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, 18<sup>th</sup> 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 18<sup>th</sup> 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. 5<sup>th</sup> 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 29<sup>th</sup>, and afterwards by adjournment, on Friday, the 30<sup>th</sup> 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 28<sup>th</sup> 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 3<sup>rd</sup> 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 10<sup>th</sup> instant, when he expired. Verdict – accidental death.

MAITLAND MERCURY, 4/247, 14/11/1846

INQUEST. - An inquest was held on Wednesday, the 28<sup>th</sup> 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 58<sup>th</sup> 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 14<sup>th</sup> 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 18<sup>th</sup> 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 99<sup>th</sup> 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 22<sup>nd</sup> 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 22<sup>nd</sup> 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. 99<sup>th</sup> 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 23<sup>rd</sup> 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 17<sup>th</sup> 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 26<sup>th</sup> 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. 11<sup>th</sup>, 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, 30<sup>th</sup> 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 1<sup>st</sup> 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 58<sup>th</sup> 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 20<sup>th</sup> 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 17<sup>th</sup> 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. 28<sup>th</sup>] at the Court-house, Woolloomooloo.

**PATRICK REARDON** was indicted for stabbing one **JAMES MURRAY**, a bailiff, on the 26<sup>th</sup> 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 22<sup>nd</sup> 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 4<sup>th</sup> 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 28<sup>th</sup> 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 31<sup>st</sup> 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 31<sup>st</sup> 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 1<sup>st</sup> 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 6<sup>th</sup> 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, 29<sup>th</sup> 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 27<sup>th</sup>, about 2 p.m. The deceased came to this colony nearly twenty years since, a private in the 57<sup>th</sup> 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 27<sup>th</sup>, 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 2<sup>nd</sup> 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 sunk, 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 1<sup>st</sup> 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 26<sup>th</sup> 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 1<sup>st</sup> 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 5<sup>th</sup>, 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 26<sup>th</sup> 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, 6<sup>th</sup> 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 4<sup>th</sup>, 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 6<sup>th</sup> 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 4<sup>th</sup> 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 2<sup>nd</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 9<sup>th</sup> 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 4<sup>th</sup> 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 2<sup>nd</sup> 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 24<sup>th</sup> 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, 2<sup>nd</sup> 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 29<sup>th</sup> 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 28<sup>th</sup> 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 1<sup>st</sup> 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 24<sup>th</sup> 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 29<sup>th</sup> 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 24<sup>th</sup> 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 24<sup>th</sup> 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 27<sup>th</sup> July last, and when returning on the afternoon of the 28<sup>th</sup>, 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 29<sup>th</sup> 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 28<sup>th</sup> 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 28<sup>th</sup> 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 17<sup>th</sup>, 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 18<sup>th</sup> 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 5<sup>th</sup> 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 1<sup>st</sup> 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 20<sup>th</sup> 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 4<sup>th</sup> 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 4<sup>th</sup> 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 31<sup>st</sup> 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 16<sup>th</sup> 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 24<sup>th</sup> ultimo, **MICHAEL BUTLER** was indicted for the wilful murder of **CHARLES DELANEY**, on the 4<sup>th</sup> 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 17<sup>th</sup> 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 21<sup>st</sup> 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 16<sup>th</sup> 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 15<sup>th</sup> 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 4<sup>th</sup> 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 2<sup>nd</sup> 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 10<sup>th</sup> 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,  
16<sup>th</sup> 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 23<sup>rd</sup> 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 10<sup>th</sup> 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 23<sup>rd</sup> 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 15<sup>th</sup> 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.

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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 22<sup>nd</sup> 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 40<sup>th</sup> 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 9<sup>th</sup> 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 24<sup>th</sup>. *Parramatta Correspondent of the Herald.*

**MAITLAND MERCURY, 5/286, 31/03/1847**

**INQUEST.** - An inquest was held at Cooly Camp on the 23<sup>rd</sup> 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 22<sup>nd</sup> 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 29<sup>th</sup>, 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 15<sup>th</sup> 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 18<sup>th</sup> 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 46<sup>th</sup> 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 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. 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 31<sup>st</sup> 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 30<sup>th</sup> instant. The prisoner was convicted before Mr. Justice Terry, on the 4<sup>th</sup> February last, at Sydney, of the murder of **ELLEN HYNDES**, at Campbellfield, in the district of Campbelltown, on the 21<sup>st</sup> 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 30<sup>th</sup> instant. The prisoner was convicted before Mr. Justice Therry, of the murder of **ELLEN HYNDES**, at Campbellfield, in the district of Campbelltown, on the 21<sup>st</sup> 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 20<sup>th</sup> 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 17<sup>th</sup> 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 13<sup>th</sup> July. Pidgeon appears, when he left Mislow's, 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 14<sup>th</sup> 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 25<sup>th</sup> 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 10<sup>th</sup> 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 27<sup>th</sup> 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 10<sup>th</sup> 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 28<sup>th</sup> 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 26<sup>th</sup> 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 5<sup>th</sup> 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 2<sup>nd</sup> 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 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 28<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> 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 21<sup>st</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> 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 15<sup>th</sup> 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 15<sup>th</sup> 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 13<sup>th</sup> 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 15<sup>th</sup> 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 1<sup>st</sup>.

STABBING. - **WILLIAM WHITE** was indicted for having stabbed **STEPHEN GRAY** with a knife, on the 24<sup>th</sup> 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 16<sup>th</sup> 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 21<sup>st</sup> 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 22<sup>nd</sup> 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 24<sup>th</sup> 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 22<sup>nd</sup> 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 24<sup>th</sup> 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 24<sup>th</sup> 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 12<sup>th</sup> 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 18<sup>th</sup> April, and died on the 10<sup>th</sup> 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 13<sup>th</sup> 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 20<sup>th</sup>, 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 9<sup>th</sup> 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 8<sup>th</sup> 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 10<sup>th</sup> 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 20<sup>th</sup> 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 10<sup>th</sup> 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 26<sup>th</sup>, 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 5<sup>th</sup> 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 8<sup>th</sup> 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 19<sup>th</sup>, 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 13<sup>th</sup> 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 10<sup>th</sup> 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 20<sup>th</sup> 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 19<sup>th</sup> 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 26<sup>th</sup> 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 5<sup>th</sup> 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 8<sup>th</sup> 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 19<sup>th</sup>, 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 30<sup>th</sup> 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 27<sup>th</sup> 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 10<sup>th</sup>, 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 3<sup>rd</sup> 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 5<sup>th</sup> 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 9<sup>th</sup> 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 5<sup>th</sup> July, **HENRY DONNISON**, Esq., J.P., in his 58<sup>th</sup> 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**, **21<sup>st</sup> 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 1<sup>st</sup> July he received his quarter's pension, and from that date till the 15<sup>th</sup> he was never sober. On Wednesday night, the 21<sup>st</sup> 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 27<sup>th</sup> 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 7<sup>th</sup> instant, were found one on the 13<sup>th</sup>, and the other on the 14<sup>th</sup> instant, in a state of great decomposition. They were buried at Raymond Terrace on the 15<sup>th</sup> 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 1<sup>st</sup> 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 31<sup>st</sup> 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 29<sup>th</sup> 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 29<sup>th</sup> 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 26<sup>th</sup> 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 23<sup>rd</sup> 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 21<sup>st</sup> 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 15<sup>th</sup> 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, 99<sup>th</sup> 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, 18<sup>th</sup> 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 18<sup>th</sup> 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 29<sup>th</sup> 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 1<sup>st</sup> 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 11<sup>th</sup> 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 15<sup>th</sup> 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 10<sup>th</sup> 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 14<sup>th</sup>, 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 28<sup>th</sup> 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 15<sup>th</sup> 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 19<sup>th</sup> 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 25<sup>th</sup> or 26<sup>th</sup> May prisoner came to Reedy Creek, and reported the disappearance of Palfrey, telling witness that he had left home on the 15<sup>th</sup>, 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 5<sup>th</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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 4<sup>th</sup> 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 25<sup>th</sup> 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, 5<sup>th</sup> 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 possible, 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 3<sup>rd</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 3<sup>rd</sup> or 4<sup>th</sup> 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 19<sup>th</sup> 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 17<sup>th</sup> 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 13<sup>th</sup> July, he thought. After this, on the 11<sup>th</sup> 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 3<sup>rd</sup>

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 3<sup>rd</sup> 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 5<sup>th</sup> or 6<sup>th</sup> 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 12<sup>th</sup> and 20<sup>th</sup> 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 12<sup>th</sup> 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 1<sup>st</sup> 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 25<sup>th</sup> 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 12<sup>th</sup> and 20<sup>th</sup> 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 (15<sup>th</sup> 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 60<sup>th</sup> 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 1<sup>st</sup> 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 12<sup>th</sup> 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 18<sup>th</sup> Sept., of apoplexy, Quarter-Master **JOSEPH MOORE**, of her Majesty's 50<sup>th</sup> 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 15<sup>th</sup>, 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 29<sup>th</sup> 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 14<sup>th</sup> 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 20<sup>th</sup> September.

**JOSEPH MURPHY** was indicted for the murder of **EDWARD WESTWOOD**, at Mudgee, on the 30<sup>th</sup> 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 16<sup>th</sup> 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 5<sup>th</sup> 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 10<sup>th</sup> 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 7<sup>th</sup> 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 10<sup>th</sup>, he went out, and found the symptoms so aggravated that there were no hopes of his recovery. Sandy died, and on the 12<sup>th</sup> 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 5<sup>th</sup> 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 13<sup>th</sup> 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 17<sup>th</sup> 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, 11<sup>th</sup>, 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 15<sup>th</sup> 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 12<sup>th</sup> 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 BROCC** was indicted for the murder of **DAVID POWER**, at Cox's River, on the 24<sup>th</sup> 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 28<sup>th</sup> 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 11<sup>th</sup> 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 11<sup>th</sup> 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 18<sup>th</sup> 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 awoke 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 80<sup>th</sup> 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 28<sup>TH</sup>

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 25<sup>th</sup> 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 25<sup>th</sup> 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 24<sup>th</sup> 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 18<sup>th</sup> 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 18<sup>th</sup> 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 30<sup>th</sup> 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 26<sup>th</sup> 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 11<sup>th</sup> 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 28<sup>th</sup> 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 25<sup>th</sup>. 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 99<sup>th</sup> 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 11<sup>th</sup> 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 99<sup>th</sup> 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 10<sup>th</sup>, 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 20<sup>th</sup> 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 1<sup>st</sup> 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.

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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, 8<sup>th</sup> 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 9<sup>th</sup> 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. 58<sup>th</sup> 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.”

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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 29<sup>th</sup>, and the second November the 5<sup>th</sup>, 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 12<sup>th</sup> 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 23<sup>rd</sup> 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 18<sup>th</sup>, 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 20<sup>th</sup> 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.

## SYD1848

MAITLAND MERCURY, 6/365, 01/01/1848

**DROWNING.** - On Tuesday morning last an old man named **THOMAS TAYLOR**, who was a small settler, residing near the river on the Lorn estate, above Pitnacree, called on a neighbour, named **WILLIAM CURRY**, for the loan of a towel and soap, and a shirt, saying that he was going to wash his own shirt, and have a good wash himself. Curry lent him these articles, and accompanied him to the river-side, at a place where the water, at a short distance from the bank, suddenly deepens to nine feet. Having seen Taylor take off his shirt, Curry went home to remove his bullocks to a paddock. In about a quarter of an hour Curry returned to the river, and was horror-struck to find no trace of Taylor, although the two shirts and towel remained on the bank, where he had last seen Taylor. After vainly searching for him he concluded the poor man must have slipped into the river, and accordingly alarmed the neighbours, by whom the river was first raked and then dragged for some hours, without success. At the time of the accident the tide was rising. No tidings were heard of the unfortunate man till Thursday morning, when a man in the employ of Mr. Potts discovered the body floating in the river, about a mile and a half (by water) from where the accident occurred. An enquiry was held on the body the same afternoon by **E.D. DAY**, Esq., P.M., when Dr. **WILTON** made a post mortem examination, as well as the highly decomposed state of the body would allow; no marks of violence were found about the body or skull, which Dr. Wilton particularly examined; he thought death had been caused by suffocation arising from drowning. A verdict was recorded of accidental death by drowning.

**REPORTED MURDER NEAR CLARENCE TOWN.**

News has reached Maitland that the coroner was summoned from Hinton yesterday morning to hold an inquest on the body of Mrs. **ARTHUR NELSON**, of Irish Town, near Clarence Town. The messenger reported that the unfortunate lady had been missed for two days, and that no tidings were heard of her until early yesterday morning; her body was found in the bush, not far from her home, with the brains literally scattered about; she had evidently been murdered. This shocking event has created considerable excitement at Clarence Town and the neighbourhood, where Mr. and Mrs. Nelson were highly respected. Mrs. Nelson has left four young children to mourn this sudden deprivation.

**DEATH OF MR. BAILEY.** - Information reached town yesterday that Mr. **BAILEY**, nephew to Captain Bagot, was drowned a few days ago, while crossing some swamps near Mr. Jones's station on the Murray. It is said that while the horse he rode at the time was embarrassed and struggling in the mire, the unfortunate gentleman fell off and received a kick from the animal, which left him senselessly immersed until life was extinct. The body was found a few hours afterwards and buried. *Adelaide Observer, Dec. 4*

**CENTRAL CRIMINAL COURT.** - *Monday, Dec. 27*

**WILLIAM DAVIS** was indicted for the wilful murder of **THOMAS COOPER**, at Kissing Point, on the 20<sup>th</sup> November, 1847. The indictment contained three counts, the first alleging that the murder was committed by casting Cooper to the ground, and there assaulting and wounding; the second by the assault and wounds only; and the third by casting to the ground only. The evidence given was similar to that deposed at the police-office, with the addition from the old man, **WILLIAM STEPHENSON**, that he heard two blows given, and heard Cooper cry out most horribly. Further evidence proved that the deceased was the younger and stronger. That both he and the

prisoner were drunk, and that no previous ill-feeling existed between them. Mr. Darvall addressed the jury for the defence, admitting that the prisoner killed Cooper, but contending that the evidence did not support the charge of murder. The jury returned a verdict of manslaughter, and the prisoner was remanded for sentence.

MAITLAND MERCURY, 6/366, 05/01/1848

HUNTER RIVER DISTRICT NEWS. - DUNGOG.

MURDER. - On Friday a most melancholy case was reported to the authorities here; Mrs. **NEILSON**, who had since the Wednesday previous been missing, having been found that morning brutally murdered, within half a mile of Clarence Town. **J.S. PARKER**, Esq., the coroner, held an inquest on the remains the same night, and after a careful investigation the jury found a verdict of wilful murder against a man named **PATRICK BRIANT**, who has been apprehended. Eleven witnesses were examined, and a chain of strong circumstantial evidence collected, by which it appeared that Mrs. Neilson was in Clarence Town on Wednesday last, and left for her home, four miles off, about four o'clock in the afternoon. Briant was also in Clarence Town that afternoon, and was seen leaving about the same hour, but taking a circuitous route, so as to head off the unfortunate lady, whose head was found literally smashed in pieces, her body lying about twenty rods from the road. In about an hour after he left, Briant was observed returning, with his face and shirt bloody. Mrs. Neilson has left three young children. She was well connected, having been daughter-in-law to the Rev. Dr. Neilson, of Belfast, Ireland.

ATTEMPTED MURDER. - On Saturday night our township was thrown into great confusion by the report that another murder had been committed. On the police proceeding to the spot they found that a man named **HENRY BEST**, alias **Darkey Bess**, was standing over his wife, after having, as he supposed, murdered her. He was at once secured, and lodged in the lock-up. Dr. **M'KINLAY** was instantly in attendance, to render assistance to the unfortunate woman, who up to this morning lies in a most precarious state. As in Mrs. Neilson's case, so also here, the head was aimed at, and it is almost cut to pieces.

MAITLAND MERCURY, 6/367, 08/012/1848

[PART ONLY, pages 2 and 3 not done, too faint.]

MAITLAND MERCURY, 6/368, 12/01/1848

AWFULLY SUDDEN DEATH. - On Saturday afternoon, Mrs. **HOLCOMBE**, of this town, went out into the yard of her house to feed the poultry and collect eggs. Shortly after, her son had occasion to go into the barn to get some straw, and was greatly shocked to see his mother lying on the floor with her head bleeding. He raised her head, and called to her two or three times, and finding that she was insensible, he ran back into the house for his father. Mr. Holcombe and his son then hurried to the barn together, where they found Mrs. Holcombe was still lying, and giving no signs of life. Medical assistance was sent for instantly, but Mrs. Holcombe never recovered from her insensibility, and was dead before Dr. **LIDDELL** arrived. On examining the barn, it appeared as if Mrs. Holcombe must have got up on a large heap of sheaves and straw at one end to look for eggs, and that, her foot slipping, she must have first slid down the side of the heap, and then fallen head foremost to the floor, a depth of seven or eight feet. An inquest was held on the body the next day, before **J.S. PARKER**, Esq., coroner, when Dr. Liddell made a *post mortem* examination, and found that Mrs. Holcombe must have fallen on her forehead, and that the skull was

fractured. A verdict of “accidental death” was returned. The deceased was between fifty and sixty years of age, and has left several children. On Monday she was buried, her funeral being attended by a large number of the inhabitants of the town, by whom she was highly respected.

#### DEATHS.

At her residence, near West Maitland, on [.....], Mrs. **SARAH HOLCOMBE**, aged [??] years leaving a large family and numerous circle of friends to lament her untimely end. Her death was occasioned by a fall.

SENTINEL, 4/156, 13/01/1848

**CORONER'S INQUESTS.** - **MANSLAUGHTER.** - An inquest was held on Saturday last, on view of the body of a man named **JAMES DUNCAN**, who came by his death under the following circumstances:- **SAMUEL JACKSON**, of Chippendale, deposed that about ten o'clock in the evening of the 28<sup>th</sup> ultimo, he was walking in company with the deceased from the Governor Bourke public-house, Parramatta-road, to Blackwater Swamp; between the bridge and the round-house, deceased was a short distance in the rear of him (witness) when his attention was directed to him by a groan; on turning round witness perceived his companion lying on the ground behind a cab, which had pulled up, and on going to him found him lying on his back, and his hat close behind the cab; witness asked what was the matter, but the only reply was “Oh! Oh!” The cabman wished deceased to get up on the box, but witness would not permit it. The cabman gave his name as **DANIEL COLERAINE**, residing in Sussex-street. Another man coming up, Duncan was taken on a barrow to Mr. Thomas' public-house, from thence to Solomons' where it was found that his right leg was broken, under the knee: he was seventy years of age, and rather deaf; witness did not hear the cabman call out to the deceased, and the cab was on the right hand side of the road. Deceased was finally removed to the Infirmary, where he expired on Friday evening. The Coroner adjourned the inquest until Monday, in order if possible to have the cabman, but failing to discover him, it had to be closed. Having taken the deposition of Dr. **M'EWAN**, who attended the deceased in the Infirmary, the Coroner put the case to the Jury, who returned a verdict of manslaughter against some person unknown. The cabman stated as his reason for not taking the deceased into his cab that he had two passengers; if so, it is to be hoped they will forward the ends of public justice by communicating to the police such information as shall lead to his apprehension.

Another inquest was held on Monday, at Mr. Driver's, on view of the body of **EDWARD HOLMES**, who came to his death in consequence of receiving a kick from a bullock, when jumping off the pole of a dray he was driving, which knocked him down, and the wheel of the dray passed over his leg. He had been drinking, but was not what understood by the term drunk. He was removed to the Infirmary, where he received the attention of Dr. **M'EWAN**, but mortification took place and death ensued. The verdict of the Jury was, died from injuries accidentally received.

An inquest was also held on Monday at Mr. Grey's, the Sportsman's Arms, O'Connell Town, on view of the body of a child about six years of age, named **ANN MALONEY**. It appeared that on Saturday afternoon the deceased was playing about with other children, but having strayed away fell into a pond, and although assistance was at the spot as soon as her playmates gave the alarm, life was extinct before she was got out. Verdict, accidental drowning.

**CAUTION.** - Children playing on well, son of Mr. Scott of Glebe, rescued and resuscitated by Mr. Surgeon Jeston.

SENTINEL, 4/156, 13/01/1848

MURDER. - On Friday, a most melancholy case was reported to the authorities here: Mrs. **NEILSON**, who had since the Wednesday previous been missing, having been found that morning brutally murdered within half a mile of Clarence Town. **J.S. PARKER**, Esq., the Coroner, held an inquest on the remains the same night, and after a careful investigation the Jury returned a verdict of wilful murder against a man named **PATRICK BRIANT**, who had been apprehended. Eleven witnesses were examined, and a chain of strong circumstantial evidence collected, by which it appeared that Mrs. Neilson was in Clarence Town on Wednesday last and left for her house, four miles off, about four o'clock in the afternoon. Briant was also in Clarence Town on Wednesday last, and was seen leaving about the same hour, but taking a circuitous route so as to head the unfortunate lady, whose head was found literally smashed to pieces, her body lying about twenty rods from the road. In about an hour after he left, Briant was observed returning, with his face and shirt bloody. Mrs. Neilson has left three young children. She was well-connected, having been daughter-in-law to the Rev. Dr. Neilson of Belfast, Ireland. - *Maitland Mercury*.

MULTUM IN PARVO. - The report of Mr. **SERGEANTSON**, of Goulburn, having been killed by lightning, was without foundation.

MAITLAND MERCURY, 6/369, 15/01/1848

THE CLARENCE RIVER.

... Since my last letter we have had a good deal of rain, sufficient to produce a fresh in the river, from which Mr. **CRABBE**, an innkeeper at the Falls, about twenty miles above our proposed township, unfortunately lost his life; a small boat in which he was accidentally upsetting, and before he could be rescued, the force of the torrent bore him away. Mr. Crabbe was very greatly respected, and has left a wife and several small children to deplore their loss.

FATAL ACCIDENT. - On Thursday, about two o'clock in the afternoon, two men, named **HENRY MORLEY and HENRY SUTTON**, who had been placed in charge of two drays by Mr. **E. HICKEY**, left Morpeth on their route for the M'Intyre River. They had to take up some additional loading in passing through Maitland, and having each received an advance of wages, the commenced taking a glass each at an inn in East Maitland, and in passing through West Maitland they called at several of the inns, and drank something. In this way, by the time they had reached the Northumberland tap, they had both got nearly drunk, but were able to walk, and drive their drays. As the drays got on Campbell's Hill Sutton remembered having left a dog behind, and went back to fetch it, Morley meanwhile continuing his journey, calling at the White Swan in passing. What happened on his journey afterwards no person saw, except an aboriginal boy who accompanied the drays, but Mr. **BOGGS**, who lives about a mile beyond the White Swan, hearing a moaning from the road about eight o'clock in the evening, went to see what it was, when Morley was found lying between the two drays, and appeared to be in great pain. Mr. Boggs had the drays looked after for a little time, and endeavoured to raise Morley, when Sutton came up, and Morley was removed into Mr. Boggs's. As he appeared suffering almost as much from drunkenness as injury, and the black boy could give no account of what had occurred, no medical advice was sent for, Morley refusing to see a doctor. In the course of the night, however, he died, being found dead by Sutton at daybreak. An inquest was held on the body yesterday afternoon by **J.S. PARKER**, Esq., coroner, when the body was examined by Dr. **LIDDELL**, and it was found that the wheel of

the dray had gone over Morley's hip, inflicting internal injuries that caused his death. A verdict to that effect was returned by the jury.

**MELANCHOLY ACCIDENT.** - A person named **BLAIR**, who resides near the Macdonald River, was some time since engaged preparing a place for making cheese. He had his four children with him, when a thunderstorm came on, and, melancholy to relate, they were all struck with lightning. The eldest girl, who had an infant in her arms, escaped, as did Blair, with a severe shock; the other two, a girl and boy, are since dead. The boy only lived a few hours; the girl lived until next day.

**MANSLAUGHTER.** - The cab-driver [Daniel Coleraine], against whom the coroner's jury returned a verdict of manslaughter, has been discovered, and it appears that he gave his name and address correctly. He has not, however, been taken into custody. *Herald, Jan. 13* [see 6/369, 15/01/1848, below.]

**MAITLAND QUARTER SESSIONS.** - WEDNESDAY, JANUARY 12, 1848  
**ASSAULT.**

**THOMAS JAMES and GEORGE MAGGS** were indicted for having, at Black Creek, on the 26<sup>th</sup> October, 1847, assaulted **JOSEPH WILLIAMS**, with intent to do him some grievous bodily harm; a second count charged them with a common assault.

The Chairman observed that the indictment charged two offences, one of which was a felony, and the other a misdemeanour; the defendants could not thus be prosecuted for the two offences.

The Crown Prosecutor said he would abandon the second count, and confine himself to the first.

From the evidence of Williams and **JOHN FLYNN** it appeared that Flynn, who was ostler at Mr. Holden's inn, Black Creek, was ordered to turn out the defendants, who were engaged in a drunken fight with a man named **LANGHORNE**; that Flynn did so, when the anger of the defendants was turned on him, and a running fight took place between them outside till Flynn retreated to the kitchen, and seized a fryingpan, with which he knocked down his assailants, who were assisted, as Flynn stated, by a third man. Flynn then managed to push or kick the defendants out of the kitchen, with the help of Williams, who had come to his rescue, and while they were still in the doorway Williams complained of being stabbed, on which Flynn pulled him in, and fastened the door. Flynn afterwards saw two wounds in Williams's side. Williams deposed that when he received the stabs he was in the doorway, Flynn inside him, James outside the door, and Maggs still further out; that he was stabbed on the side next to Flynn, but could not see who stabbed him; and that Flynn accused him of being against him also. The next morning James gave up to another man two knives, one his own, and the other one that he had borrowed from this man.

The jury found the defendants not guilty, and they were discharged.

**CORONER'S INQUEST.** - **MANSLAUGHTER.**

An inquest was held on Saturday last, at Mr. Driver's, King -street, on view of the body of a man named **JAMES DUNCAN**, who came by his death under the following circumstances:- **SAMUEL JACKSON**, of Chippendale, deposed that about ten o'clock in the evening of the 28<sup>th</sup> ultimo, he was walking in company with the deceased from the Governor Bourke public-house, Parramatta Road, to Blackwattle Swamp,; between the bridge and the round-house, deceased was a short distance in the rear of him (witness), when his attention was directed to him by a groan; on turning round witness perceived his companion lying on the ground behind a cab, which had pulled up, and on going up to him found him lying on his back, and his hat close behind the cab; witness asked what was the matter, but the only reply was, "Oh! Oh!" The cabman wished deceased to get up on the box, but witness would not

permit it. The cabman gave his name as **DANIEL COLERAINE**, residing in Sussex-street. Another man coming up, Duncan was taken in a barrow to Mr. Thomas's public-house, from thence to Mr. Solomons's, where it was found that his right leg was broken under the knee; he was seventy years of age, and rather deaf; witness did not hear the cabman call out to the deceased, and the cab was on the right hand side of the road. Deceased was finally removed to the Infirmary, where he expired on Friday evening. The coroner adjourned the inquest until yesterday, in order if possible to have the cabman, but failing to discover him, the inquiry had to be closed. Having taken the deposition of Dr. **M'EWAN**, who attended to the deceased in the Infirmary, the coroner put the case to the jury, who returned a verdict of manslaughter against some person unknown. The cabman stated as his reason for not taking the deceased inside his vehicle that he had two passengers; if so, it is to be hoped that they will further the ends of public justice by communicating to the police such information as will lead to his apprehension. *Herald, Jan. 11* [see 6/369 above.]

SENTINEL, 4/157, 20/01/1848

EDITORIAL: THE SABBATH. ... The appalling fate of **BURROWES**, and the miserable girl who accompanied him might well strike terror into those who habitually violate the sanctity of the blessed day.

CORONER'S INQUEST. - An inquest was on Monday, held at Mr. Oatley's, the Sportsman's Arms, Pitt and Goulburn streets, on view of the body of **BERNARD MAGUIRE**. It appeared from the evidence of a person with whom the deceased had been lodging, that he had been of intemperate habits, regularly spending in drink what remained of his wages after paying for his lodging. On Saturday, he went out about six o'clock in the morning, returning shortly before eight. His landlady made an observation to him respecting his early walking but he made no reply; in about half-an-hour he asked for a pipe, which was given to him, but he immediately went off in a fit, and continued in fits until about one o'clock from which time he was in convulsions until ten at night, when he expired. Dr. **TIERNEY** deposed to having examined the deceased, and attributed his death to apoplexy and epilepsy, accelerated by previous intemperance; in accordance with which opinion the Jury returned their verdict.

FATAL ACCIDENT. - On Thursday, about two o'clock in the afternoon, two men, named **HENRY MORLEY** and **HENRY SUTTON**, who had been placed in charge of two drays by Mr. **E. HICKEY**, left Morpeth on their route for the M'Intyre River. They had to take up some additional loading in passing through Maitland, and having each received an advance of wages, they commenced taken a glass each at an inn in East Maitland, and in passing through West Maitland they called at several of the inns, and drank something. In this way, by the time they had reached the Northumberland tap, they had both got nearly drunk, but were able to walk and drive their drays. As the drays got on Campbell's Hill Sutton remembered having left a dog behind and went back to fetch it, Morley meanwhile continuing his journey, calling at the White Swan in passing. What happened on his journey afterwards nobody saw, except an aboriginal boy who accompanied the drays, but Mr. **BOGGS**, who lives about a mile beyond the White Swan, hearing a noise on the road about eight o'clock went to see what it was, when Morley was found lying between the two drays, and appeared to be in great pain. Mr. Boggs had the two drays looked after for a little time, and endeavoured to raise Morley, when Sutton came up, and Morley was removed into Mr. Boggs's. As he appeared suffering as much from drunkenness as an injury, and the black boy could give no account of what happened, no medical advice

was sent for, Morley refused to see a doctor. In the course of the night, however he died being found dead by Sutton at day break next morning. An inquest was held on the body by **J. S. PARKER**, Esq., coroner, when the body was examined by Dr. **LIDDELL**, and it was found that the wheel of the dray had gone over Morley's hip, inflicting internal injuries that caused his death. A verdict to that effect was returned by the jury.

**SERIOUS ACCIDENT.** Woman named **HOY**, from Bathurst, mentioned **MACHATTIE**.

**ANOTHER SERIOUS ACCIDENT.** - Mrs **LOCK** from Bathurst, gig accident.

SENTINEL, 4/158, 27/01/1848

**INQUEST.** - On Saturday morning Mrs. **CLAYTON** went with her husband, a dealer residing in George-street South, apparently in her usual health. On her returning home at about eight o'clock she was taken suddenly ill, and it was necessary to assist her into the house. Her husband became alarmed, and sent for Dr. **FULLERTON**, who when he came prescribed for her. Every exertion, however was unavailing, for shortly after twelve o'clock Mrs. Clayton expired. She was about thirty-seven years of age, and had frequently complained of pains under her heart, which had latterly moved up to her chest. An inquest was held in the afternoon at Mr. Farmer's, the Crown Inn, George-street South, at which Dr. Fullerton deposed that since her death he had made a post mortem examination of the body and found in the abdomen a quantity of fluid which had escaped from the stomach by an aperture large enough to admit of the insertion of his finger, which aperture was the result of an ulcer in the stomach, which had penetrated the coats, and was the immediate cause of death. The Jury found a verdict, died by the visitation of God.

**DEATH FROM A SNAKE BITE.** - A melancholy accident occurred at Appin on Christmas Eve. A poor man named **THOMAS M'CORMICK** was returning to his dinner, and when close to the house he saw a lead coloured snake going into a small hole between two stones of the house: he rushed at it, and foolishly caught it in his hand before he killed (sic) it, when it bit him three different times on the wrist. He begged a person who was with him at the time not to tell his wife that anything had happened, and went in to his dinner as usual, but he had scarcely sat down when he complained of a dizziness in his head. Having begged that the Rev. Mr. **GRANT** might be sent for, the unfortunate man walked about for two or three minutes, when being unable to walk any longer he was laid on his bed, and immediately afterwards expired without the slightest pain, before the reverend gentleman could arrive. The death of M'Cormack took place in twenty minutes after he had been bitten. He has left a wife and seven children to lament his loss. The snake was a thin one, measuring between three and four feet in length.

MAITLAND MERCURY, 6/373, 29/01/1848

**THE MURRUMBIDGEE.** - A short time since, two men, named **CASSELS and DEADMAN**, accompanied by Cassels' wife and a child, and a third man whose name I have not heard, had been across the Murrumbidgee to a public-house at "Wagga Wagga," to obtain spirits, and in returning in a log canoe, the canoe swamped, and Cassels and Deadman were drowned. The poor woman saved herself by her own exertions, and the child was rescued from a watery grave by the third man, who had been pulling the canoe, and was a good swimmer. *Correspondent of the Herald*  
**DEATHS.**

At sea, on the 27<sup>th</sup> Oct. last, by the upsetting of the ship's boat when made fast to a whale, Mr. **HENRY DOWNES**, master of the barque *Lucy Anne*, of Sydney.

MAITLAND MERCURY, 6/374, 02/02/1848

CORONER'S INQUEST. - An inquest was held yesterday at Mr. Taylor's, the Wheatsheaff Inn, on view of the body of a man, name unknown, then lying dead in the Benevolent Asylum. It appeared that the deceased was about thirty-eight years of age, had been an inmate of the Maitland Hospital, from whence on Tuesday last he was received at the Asylum, where he died on the following day. Mr. **RUSSELL**, the resident surgeon at the Asylum, stated that the deceased was speechless, and to all appearance dying when he was admitted; and from a *post mortem* examination of the body, which he had made, he was of opinion that death was the result of natural causes. The jury returned a verdict of died by the visitation of God. *Herald, Jan. 28*  
CLARENCE RIVER. (From the S.M. Herald, January 31.)

COMMITTAL FOR POISONING BLACKS.

The *Phoenix*, which arrived on Saturday morning, brings intelligence of one of the most extensive squatters in the district, Mr. **COUTTS**, being committed for the poisoning of several of the aborigines.

The following particulars of the case are gained from a letter dated 18<sup>th</sup> instant. In the year 1840 Mr. **THOMAS COUTTS** located on this river, at Kangaroo Creek, about thirty miles inland, and at that time his cattle numbered between eight and nine hundred, his sheep upwards of five thousand; but owing to the repeated depredations of the blacks, he can now only number half his quantity of sheep and cattle. There has, moreover, been two of his men murdered by the blacks, as was also a fine intelligent boy, who was most barbarously so, no later than twelve months since; protection was applied for in the proper quarter, but none was rendered. Owing to the above occurrence, it was with much difficulty Mr. Coutts could get men to hire with him, and then only at a very advanced rate of wages.

About a fortnight since a great sensation was created at the township, and indeed along the river, in consequence of a report having been circulated that Mr. Coutts had poisoned some of the aborigines, and that some of their sable brethren had gone to the Commissioner of Crown Lands to report the case. The excitement was heightened when, some few days afterwards, it was observed that the commissioner, two policemen, and the chief constable, accompanied by a servant of Mr. Coutts - then, by the way, in custody on a warrant - proceeded in the direction of Mr. Coutts's station. Curiosity was on the *qui vive* for two days after, until it was learned from a black boy attached to the commissioner that his master was returning, and that the objects of the expedition were then discovered. The commissioner and party had proceeded to a black camp for information, and they there found, and took away from thence, a piece of damper, which the blacks there encamped said was the remainder of one that had caused the death of several, and seven bodies were pointed out which were said to have died from partaking of the damper, and four of these bodies were found to be dead at a waterhole.

The commissioner's party then proceeded to Mr. Coutts's, and took that gentleman in custody, on a warrant, issued on the affidavit of his servant, then in custody for horse stealing, and which averred that Mr. Coutts had twelve months previously shot an aboriginal, but the circumstances already detailed were, at this time, kept from Mr. Coutts's knowledge, and in fact he did not know a single iota about them until he arrived at the court-house in the township. On the case, in due course, coming on for hearing, the commissioner stated that from information he had received, he went to

the black camp, found the bodies and damper, and subsequently proceeded to Mr. Coutts's station, and ordered him to be apprehended; two of Mr. Coutts's servants were examined, but only proved that they had heard from the blacks that Mr. C. had given them some flour which produced the effect alluded to, and another witness stated that he had seen Mr. C. give the blacks a bag which he supposed to contain flour, and at which time Mr. C. had a paper in his hand, which he also supposed contained poison. The bench, in committing, allowed bail – Mr. Coutts in £1000, and two sureties in £500 each; but no sureties sufficient to satisfy the magistrates being rendered, Mr. Coutts was forwarded to Sydney by the last steamer.

#### MURDER.

In Thursday's *Herald* it was stated that two men, named **ARMSTRONG and EGBERRY**, had committed a violent assault on a woman in a disorderly house in Phillip-street. The woman, whose name was **MARGARET CAMPBELL**, died from the injuries which were inflicted upon her, and an inquest having been held on view of the body, and after the circumstances were detailed by the persons who were present at the affray, the jury returned a verdict of wilful murder against Armstrong, who was thereupon committed by the coroner to take his trial. Egberry was discharged from custody. *Herald, Jan. 31*

SENTINEL, 4/159, 03/02/1848

INQUEST. - An inquest was held yesterday by the Coroner, Mr. **C. BETHEL LYONS**, at the house of Mr. **L. MORGAN**, on the Bedlam Ferry Road, touching the decease of **ANN MORGAN**, his wife, then lying dead therein. Death it appeared has occurred under rather sudden and most distressing circumstances. The deceased had been about two o'clock on the previous (Thursday) morning seized with the pains of child-birth and after a prolonged labour of upwards of six hours was delivered of a dead male child. Some time previous to the birth violent hemorrhage had occurred, and which subsequently continued until death. About ten o'clock A.M., Dr. **CAMPBELL**, of the Lunatic Asylum, was sent for, but the duties of that establishment preventing Dr. C.'s absence from the building, he declined attending, but sent such medicines as the nature of the case rendered necessary – some powders – but only one of which, or a part of one, was taken by the deceased. Dr. **GWYNNE**, on Dr. Campbell not attending, was sent into Parramatta for, but before his arrival the deceased had sunk and expired. Dr. Gwynne's evidence at the inquest was to the effect that had there been professional assistance procured in due time, or even the medicine administered before it was, and a bandage applied to the abdomen, the fatal termination which had resulted might have been averted. The Jury returned a finding of death from want of proper medical assistance.

CORONER'S INQUESTS. - Two inquests were held at Mr. Taylor's, the Wheatsheaf Inn, George-street South, on Monday last. One was upon the body of a labouring man named **HENRY DEUSE**, about thirty years of age. He left his house in apparently good health on Saturday morning, and while on his way home fell down and expired. Mr. **PHILLIPS**, surgeon, made a post mortem examination of the body, and from appearances it was his opinion that apoplexy was the cause of death; and in accordance with Mr. Phillips's evidence the Jury returned their verdict – Died by the visitation of God. We are informed that the deceased has left a wife (in a very delicate state of health) and three children; that he was a remarkable temperate and well behaved man; and that much sympathy is felt by his neighbours for the widow, for whose benefit they are endeavouring to raise a subscription.

The other inquest was on the body of a female named **ANN ROSE**, about forty years of age, who was admitted in to the Benevolent Asylum at ten o'clock on Saturday morning, and died at six o'clock on the evening of the same day. Mr. **RUSSELL**, the resident surgeon, having certified that death was the result of pre-existing disease, the Jury returned as their verdict – Died by the visitation of God.

**DEATH OF MR. HENRY MACDERMOTT. - CORONER'S INQUEST. -** It is our melancholy duty to record the awfully sudden death of a well-known member of our community - lately an alderman of the city, who one year occupied the chair of first magistrate – Mr. Henry Macdermott. It appears that on Tuesday morning, he went with his son **FRANCIS** to the bathing-house, and appeared to be in as good health as for some time previously. He remained in the water two or three minutes, and got out and went into the dressing-room without any assistance; he stood up while he dried himself, but when he sat down to dress a sudden change came over him – as his son described it, “he kept moping with his hands; he had one hand in the sleeve of his shirt, and the other at his side; he hung down his head and raised it up again;” his son was alarmed and spoke to him, but received no answer. Mr. Macdermott then fell off the seat, when his son called for assistance. Dr. **SILVER**, who was at the baths at the same time, and was immediately in attendance, while at the suggestion Mrs. Macdermott and the usual medical attendant of Mr. Macdermott were sent for. All human help, however, was unavailing; the spirit returned to God who gave it, and the remains were conveyed to the residence he had recently quitted, animated with the hopes of returning health. In the afternoon an inquest was held on the body, when the Jury returned a verdict, “Died of natural causes.”

MAITLAND MERCURY, 6/375, 05/02/1848

**MELANCHOLY ACCIDENT. -** Information reached town to day (January 23) of the death by drowning of the Rev. Mr. **GREGOR**, the Protestant clergyman officiating in this district. The unfortunate gentleman, it appears, went to bathe in a water-hole near his residence at the German's station, and it is supposed that he was seized with the cramp, and before he was missed and the body recovered all animation had ceased; although immediate steps were taken by his German friends to restore life with the usual remedies, and the assistance of Dr. **BALLOW**, who was immediately sent for from town. *Moreton Bay Correspondent of S.M. Herald*

**SUDDEN DEATH. -** During the night of Thursday, Mrs. M'Neale, wife of Mr. **JAMES M'NEALE**, coach builder, of West Maitland, was seized with acute pain in the bowels, and became so ill that at day-break yesterday morning Dr. **LIDDELL** was sent for. He found her in a state of complete prostration, her face livid, and the surface of the body quite cold; Mrs. M'Neale was then complaining of great pain in the bowels and upper part of the body. Dr. Liddell used every exertion to relieve her, but in about half an hour after he was called in she died. The rapid progress of Mrs. M'Neale's illness, and the great pain she suffered in her bowels, gave rise to a rumour about the town that she died from cholera. In the afternoon an inquest was held on the body before **J.S. PARKER**, Esq., coroner, when the above evidence was given, and Dr. Liddell deposed that from the brief period during which he had an opportunity of observing the symptoms he could not positively state the cause of death. By the direction of the coroner, and the request of the jury, Dr. Liddell made a *post mortem* examination, when he found that death had been caused by an effusion of serum into the cavity of the heart, arising from chronic inflammation of the pericardium, and that the intestines were also slightly inflamed. The jury returned a verdict of died from natural causes. Mrs. M'Neale had lately complained occasionally of pain about the

right shoulder, but no suspicion had been entertained of her labouring under disease of the heart. She has left four young children.

**DEATHS.**

At Sydney, on the 1<sup>st</sup> Feb., **HENRY MACDERMOTT**, Esq., formerly Mayor of Sydney, aged 49 years.

**DEATH OF MR. HENRY MACDERMOTT. - CORONER'S INQUEST.**

It is our melancholy duty to record the awfully sudden death of a well-known member of our community – lately an alderman of the city, and who one year occupied the chair of the first magistrate – Mr. **HENRY MACDERMOTT**. It appears that yesterday morning he went with his son **FRANCIS** to the bathing-house, and appeared to be in as good health as for some time previously. He remained in the weater two or three minutes, and got out and went to the dressing-room without any assistance; he stood up while he dried himself, but when he sat down to dress a sudden change came over him – as his son described it, “he kept moping with his hands; he had one hand in the sleeve of his shirt, and the other at his side; he hung down his head, and then raised it up again;” his son was alarmed, and spoke to him, but received no answer; Mr. Macdermott then fell off the seat, when his son called for assistance. Dr. **SILVER** was at the baths at the same time, and was immediately in attendance, while at his suggestion Mrs. Macdermott and the usual medical attendant of Mr. Macdermott were sent for. All human help, however, was unavailing – the spirit returned to God, who gave it, and the remains were conveyed to the residence he had recently quitted, animated with the hopes of returning health. In the afternoon an inquest was held on the body. **FRANCIS SMALL MACDERMOTT**, son of the deceased, who accompanied him to the bathing-house, deposed that he (the deceased) had bathed this season before, but not within the last ten days; the deceased walked down the steps, and then leaped, feet first, into the water. **JOHN SILVER**, M.D., and Assistant Colonial Surgeon, stated that he was at the bathing house about seven o'clock that morning, when he was called upon to see a gentleman (the deceased) who was taken ill; deceased was then conscious, but incapable of speaking; he (Dr. S.) administered some warm drinks, and applied warm water in bottles to his feet, and suggested sending for his usual medical attendant; about half an hour after witness first saw deceased, he raised his hand and put away the spoon with which the drink was administered to him, and at the same time his breathing became streperous, with a frothing at the mouth; witness recommended immediate bleeding in the temporal artery, but Mrs. Macdermott, who was then present, wished Dr. **FOULIS** to arrive first, who, I n about quarter of an hour, did arrive, but the deceased was nearly dead. “The symptoms were such,” said Dr. Silver, “as to lead me to think death was caused by apoplexy. If there is obstruction to the circulation, either in the liver or lungs, or if there be disease of the heart, or a predisposition to apoplexy, it is not usual to recommend cold bathing, nor is it considered safe.” Dr. Foulis stated that he had attended the deceased, on behalf of Dr. **M'CRAE**, for two months past; he saw him yesterday (Monday), when he appeared to be very cheerful, and said he felt much better than when he was last visited (a day or two before); when witness was about to leave, Mr. Macdermott asked if he might resume cold bathing, as he derived great benefit from it; “I said he might, as I thought there was nothing to forbid it; I directed him to jump in head foremost; it appears to me that death was caused by a determination of blood to the head, consequent upon the application of cold to the body; I believe he died of apoplexy.” The verdict of the jury was, “died from natural causes.” *Herald, Feb. 2*

**FATAL ACCIDENT.** - Yesterday morning, a seaman named **M'MINNING** fell from the main cross-trees of the barque *Wigrams*, lying in the cove. His body just cleared the vessel, but a boat unfortunately being alongside, his head struck on the rollocks, with great force, and he instantly sunk; grappling irons were immediately procured, but they were used without success. *Herald, Feb. 2*

**THE ALLEGED MURDER OF THE ABORIGINES AT CLARENCE RIVER.**

On Monday last, Mr. **THOMAS COUTTS**, who was committed by the bench of magistrates at Grafton, Clarence River, on an alleged charge of poisoning certain aboriginal natives at Kangaroo Creek, in the above district, was brought before Mr. Justice Manning in chambers, by a writ of *habeas corpus*, and upon the motion of Mr. Nichols was admitted to bail, to appear at the March sittings of the criminal court at Sydney, to take his trial upon such information as the Attorney General may prefer against him. The defendant was bound in the sum of £500, and his sureties, Messrs. **JOHN CAMPBELL**, merchant, and Mr. **F. GAUNSON**, grocer, in the sum of £250 each. The bail having entered into the requisite recognizances, Mr. Coutts was discharged. *Herald, Feb. 2*

**CORONER'S INQUEST.** - An inquest was held at Mr. Taylor's, the Wheatsheaf Inn, George-street, south, on Monday last, upon the body of a labouring man named **HENRY DENSE**, about thirty years of age. He left his house in apparently good health on Saturday morning; left his work at the usual dinner hour, and while on his way home fell down and expired. Mr. **PHILLIPS**, surgeon, made a *post mortem* examination of the body, and from appearances it was his opinion that apoplexy was the cause of death; and in accordance with Mr. Phillips's evidence the jury returned their verdict - Died by the visitation of God. *Herald, Feb. 1*

**MAITLAND MERCURY, 6/376, 09/02/1848**

**SUDDEN DEATH.** - On Sunday morning, about six o'clock, Dr. **VALLACK** was sent for to attend a woman named **ELIZABETH HARDMAN**, the wife of **THOMAS HARDMAN**, a brick-layer in this town. Upon the Doctor's arrival he found her under a complete prostration of strength; the extremities were cold, there was an absence of pulsation at the wrist, and almost constant vomiting, and she appeared to be in a dying state. Upon inquiry it appeared that she had been accustomed to drinking spirits for some time past. By the Doctor's directions hot water in bottles was applied to her feet, and stimulants given both internally and externally, but all human aid was unavailing, as she died about two o'clock the same day. An enquiry was held yesterday (Monday), at the court-house, before **H. GLENNIE**, Esq., J.P., when the above facts were stated.

**ACCIDENTAL DEATH.**

On Friday evening, **ROBERT CONNELL**, a labourer employed at Messrs. Tooth's brewery, was passing the "hop-sack," in which was a large quantity of wort which had not been more than two minutes out of the copper, when his foot slipped, and he fell into the wort. The accident was seen by a person employed in the brewery, and immediate measures were taken to get the unfortunate man out; medical assistance was sent for, and Connell was removed to the Infirmary, where he was attended to by Dr. **NATHAN**, but just about two hours after his admission he ceased to live. An inquest was held on the body at Mr. Driver's, in King-street, on Saturday, and the jury found that Robert Connell died of injuries accidentally received. *Herald, Feb. 7*

**DEATH OF THE REVERENT JOHN GREGOR.**

It is our painful duty in this day's issue to record the loss the community has sustained by the death of the Rev. **JOHN GREGOR**, the Episcopalian minister, who was

accidentally drowned at the German Missionary Station on Saturday last. As soon as intelligence of this distressing event reached town, the police magistrate immediately proceeded to the station, and held an inquiry on the unfortunate gentleman's remains. The following are the depositions of the witnesses who were examined on the occasion:- **THOEDORE FRANZ**, being duly sworn, deposeth that about 11 o'clock on Saturday morning, the Rev. Mr. Gregor, who has been residing here for several months, complained to me of headache, and said that he felt the heat very much. I saw him go to the water, as I imagined for the purpose of bathing. About ten minutes afterwards I heard **NICQUET** calling to me, and asking if Mr. Gregor could swim. I answered "No," and hurried to the place where he was. I did not see Mr. Gregor there. I undressed myself and sprang into the water, and swam to the place where I thought Mr. Gregor might have sank. Mr. Nicquet also came into the water. He felt the body of Mr. Gregor with his feet, but could not succeed in raising him; but after another attempt he did succeed. I assisted to draw the body to the land – there was no appearance of life, although the body was warm. We did all we could to restore life, but without success. **JOHN PETER NICQUET**: About eleven or half-past eleven o'clock I was milking in the stock-yard, and saw Mr. Gregor going towards the water with a towel in his hand. He went behind a tree and undressed himself. I did not see him go into the water, but I saw him swimming in the water; I lost sight of him all at once. I then went to Mr. Franz. I asked if Mr. Gregor could swim; he said "No." Mr. Franz, Mr. **GERRICKE**, and I, then immediately got over the fence and hurried down to the water. We observed some bubbles on the surface of the water. I undressed directly, and swam towards the spot. It was about fifteen feet deep. I dived down, and could feel the body lying in a heap; it was quite warm; I could not move it. My friends then brought me a long sapling; I went down with the sapling, holding it with my hands, and with my feet I drew the body to the surface. When we got the body on land we laid it on a table, and used every means in our power to restore life, but we could not succeed. **JOHN WILLIAM GERRICKE** said that between eleven and twelve o'clock he was in the stock-yard; Mr. Nicquet told him that he had seen Mr. Gregor going down to the water, and that he had seen him swimming, but as he had lost sight of him he supposed he might be drowned. We hurried down to see. Mr. Nicquet and Mr. Franz went into the water. Mr. Nicquet said that he had found the body, but could not get it out. I went round to the other side, and got a sapling, which I handed to Mr. Nicquet. He then dived and raised the body. Every means were then used to restore animation, but they were fruitless. *Moreton Bay Courier, Jan. 29*

**THE LATE MR. MACDERMOTT.** - On Thursday morning the mortal remains of Mr. Macdermott were conveyed to the "house appointed for all living," attended by a numerous train of mourners. Mr. Macdermott has left a widow and large family, besides other relations who were mainly dependent upon him, to lament their loss. Strenuous exertions are being made by several friends to collect a subscription for the family, and the most cheering success has hitherto attended their endeavours. We believe no less a sum than £500 has been already received. Of the intentions of Mrs. Macdermott as to her future proceedings we are, of course, ignorant, though rumour states that the business will be conducted as formerly, under the superintendance of a manager. Should such be the case, little doubt can exist as to the support which a generous and sympathising public will extend to the "widow and the fatherless." *Bell's Life, Feb. 5*

CORONER'S INQUESTS. - An inquest was held on Friday afternoon, at Mr. Coulston's, the Cooper's Arms, Goulburn and Sussex-streets, touching the death of Mrs. **TUBMAN**, who, we stated yesterday [????], was found dead in her water-closet on Thursday evening. Dr. **TIERNEY** having made a post mortem examination, deposed that he found a rupture of a blood vessel of the heart, which was the immediate cause of death. The Jury found that **ELIZABETH TUBMAN** died from the visitation of God.

GOULBURN CIRCUIT COURT.

February 3.

MURDER.

**JAMES M'MAHON** was charged with the wilful murder of **PATRICK DORE**, at Noonan's Gap, near Goulburn on the 10<sup>th</sup> day of November last.

The information contained four counts. The first count charged the prisoner with having committed the offence by striking the deceased with a stick on the head. The second count by casting and throwing the deceased on the ground, and having, whilst on the ground, beat and kicked him. The third count by beating and kicking the deceased; and the fourth count by casting and throwing the deceased on the ground.

The prisoner pleaded not guilty.

Mr. **HOLROYD** appeared as counsel, and Mr. **OGLE** as attorney for the prisoner.

The circumstances affecting the occurrence were as follows:- The deceased, Patrick Dore, and the prisoner had formerly carried on agricultural operations together on the same farm, but subsequently Dore disposed of his goodwill in the farm to the prisoner; the prisoner continuing as tenant to Dore, and Dore as tenant to a superior landlord. Some cows and calves, belonging to Dore, were running on prisoner's land and some chattels of Dore's were in prisoner's house; on the 9<sup>th</sup> of November Dore removed the latter, and on the following day he went, accompanied by a boy named **WALTER KELLY**, to remove the cows and calves. The prisoner was from home, and his wife refused to give up the cattle; the prisoner having detained the cattle to satisfy any distress which might be made by the superior landlord. Dore and Kelly, however, in the absence of the prisoner, drove away the cows and calves a distance of three-quarters of a mile from the prisoner's house, and Dore left Kelly to mind them, whilst he went to look after other cattle; this was between ten and eleven o'clock in the morning; about one o'clock in the afternoon, Dore returned, followed by the prisoner; Dore took up two sticks about eighteen inches long, and as thick as a man's wrist, and the prisoner pulled up a sapling having a knob at the end of it, and in passing Kelly told him "to go away and have nothing to say, and he would not get into any trouble;" Dore told prisoner he wanted to rob him, the latter made no reply but swung the stick twice over Dore's head; Kelly then retired behind a tree, and shortly after he saw Dore break a green stick, and go towards the prisoner; almost immediately Kelly heard a voice, which he thought was the prisoner's saying "there there," and on looking in the direction from which the sound came, he saw Dore on his back, and the prisoner going after cattle with a stick in his hand; Kelly ran away in the direction of Captain **EDENBOROUGH**'s sheep washing station; the spot where Dore received the fatal blow was close to the side of the road leading from Goulburn to Maneroo; a man named **O'BRIEN**, at whose house Dore had slept on the night of the 9<sup>th</sup> of November, passed the place where Dore was lying about two o'clock in the afternoon; O'Brien spoke to him, but he could not answer; one of his eyes was much swollen; he seemed sensible, but was speechless; blood was coming from his left eye, mouth, and nose; some blood was on his trousers, and some on the ground; the appearance of the ground was as if there had been a scuffle there recently; O'Brien

placed Dore on his horse, and took him home; he never spoke from the time O'Brien saw him till his death, which occurred the next morning, as he was being removed to Goulburn.

The evidence of Dr. **GERARD**, who examined the body of the deceased, went to show that the upper part of the head was so much contused that the skull was fractured in sixteen places that there was considerable extravasation of blood in the brain and on the membranes that the dura mater was ruptured before and behind; that a portion of the skull was driven into the brain, and that the injuries (which appeared to have been inflicted by a blunt instrument) were the cause of Dore's death: on cross-examination Dr. Gerard stated that the skull of the deceased was much thinner than natural; that he was from fifty to fifty-five years of age; and at that age the bones in the human subject become more brittle, and that a slight blow might have produced the injuries he had described.

Mr. Holroyd took some objection to the information, which were overruled by his Honor. He then addressed the Jury at some length, explaining to them the definition of murder, and contending that the malice expressed or implied, the chief ingredient in a charge of murder, was altogether wanting in the present case. It would be idle to deny that the prisoner had inflicted a blow on the deceased, but at the most the charge only amounted to manslaughter, and if the Jury believed that the prisoner struck the blow in self-defence, it was competent for them to find the prisoner guilty of a common assault. From the fact of the prisoner having gone to his house, where he was apprehended by the constable, it might reasonably be inferred that he had inflicted a blow upon deceased which he did not think would have a fatal termination. Mr. Holroyd then commented on the evidence of the boy; Kelly, who admitted that he was very much frightened, and must have had a very imperfect knowledge of what had occurred.

Mr. Holroyd called several witnesses, who gave the prisoner an excellent character for being a quiet, peaceable and well disposed man.

The Attorney-General replied.

The Learned Judge, in summing up, told the Jury that they could not from the evidence satisfy their consciences that the prisoner was guilty of murder. If the prisoner was guilty of an assault. His Honor then explained to the Jury what were the distinctions between excusable and justifiable homicide, and that there were no circumstances to bring this case within the rule of either, and that if they found the prisoner guilty at all, it must be a verdict of manslaughter, and not a common assault.

His Honor then read over the evidence, commenting with great minuteness on the facts which had been produced in support of the information.

The Jury retired for a quarter of an hour, and then found the prisoner guilty of manslaughter.

His Honor sentenced the prisoner to be imprisoned in Goulburn Gaol for the space of three years, and during that time to be kept to hard labour.

MAITLAND MERCURY, 6/377, 12/02/1848

**NARROW ESCAPE OF MR. COOK.** - During the late rains Mr. **COOK** was returning from an inquest he had held at the Gloucester, seventy miles from Dungog, and had nearly reached home, when he found that the river, which he would have to cross, was very high, and the current running rapidly. He, however, attempted to cross, but his horse, being unaccustomed to the ford, and startled by the buffeting of the water, plunged and threw his rider, and both were carried down some distance. Fortunately two trees had fallen across the river, and Mr. Cook caught hold of them,

and succeeded in reaching the bank. Mr. **MICHAEL COYLE** had seen the accident, and was about springing in to Mr. Cook's assistance when he saw him grasp the tree, and gain the shore. Mr. Coyle and his brother then managed to get hold of the horse, and to pull him up a slippery beach or landing place under the high bank of the river. Here the horse was watched till the morning, when the subsiding of the water allowed him to be rescued.

**SINGULAR OCCURRENCE.** - On Sunday afternoon, the left hand of a human being, floating on the water at the mouth of Sydney Cove, was picked up by some persons passing in a boat, who, thinking it probable to be the hand of the man **M'MINNING**, who fell overboard from the *Wigrams*, and was drowned on Tuesday last, conveyed it on board that vessel. This not being the case, however, as it was known that on one hand of the above unfortunate man was the figure of a female, and on the other that of an anchor, whereas there were no marks on this, it was forwarded yesterday morning by Captain **PARFETT** to the Water Police Office. Captain **BROWNE** immediately gave notice of the same to Mr. **RYAN BRENNAN**, the Coroner, who shortly after inspected it, and gave directions that it should be examined by a medical man. During the day it was examined by Dr. **FOULIS**, who, we understand, gave it as his opinion that it was the hand of a man who had not been accustomed to much labour; that life had not been extinct any length of time, the flesh being perfect; and that it had been cut off with a sharp instrument and jointed out, the bones being unsplintered. It was subsequently examined by Dr. **SILVER**, by direction of the coroner, whose opinion, however, has not transpired, it being the intention of that gentleman to further examine it this day. *Herald, Feb. 8*

**GOULBURN ASSIZES.**

These assizes commenced before his Honor Mr. Justice Dickinson, on Thursday, February 9.

**JAMES M'MAHON** was charged with the wilful murder of **PATRICK DORE**, at Noonan's Gap, near Goulburn, on the 10<sup>th</sup> day of November last. The prisoner and the deceased quarrelled about some cattle, and during the quarrel prisoner struck deceased on the head with a stick, from the effects of which the latter died the next morning. Guilty of manslaughter; to be imprisoned and kept to hard labour in Goulburn gaol for three years. *Abridged from the S.M. Herald.*

MAITLAND MERCURY, 6/378, 16/02/1848

MAITLAND CIRCUIT COURT. - TUESDAY, FEBRUARY 15, 1848.

**MURDER.**

**CHARLES COOPER** was indicted for murdering **BERNARD FOX**, at Ravensworth, by striking him on the belly with a knife, on the 25<sup>th</sup> October, 1847, and inflicting wounds whereof he died on the 26<sup>th</sup> October.

The prisoner had applied to his Honor to be allowed counsel for his defence, but the application not having been made until the barristers had left Maitland, the request could not be complied with. The prisoner then enquired whether three witnesses he had subpoenaed were in attendance; it turned out they were not, but as it was stated that their evidence could not be material, and the prisoner had not applied to have them heard before the magistrates, his Honor refused to postpone the trial. His Honor, however, added publicly, that as so much difficulty was thrown in the way of poor prisoners' procuring witnesses, in order to avoid a slight expense to the country, he should make an invariable rule of postponing a trial when it was proved that witnesses for the prisoner were not in attendance, whom he had wished to call before the magistrates, and whose evidence was stated on affidavit to be material; but that it

was necessary that the prisoner should have called them, or desired them to be called, before the magistrates at his committal.

The trial then proceeded, and the Solicitor-General, having stated the case to the jury, called

**PETER HAYDON**, who deposed that on the evening of the 25<sup>th</sup> October prisoner left his hut on the Ravensworth estate, saying he was going to have a bloody row; he went away in the direction of the cottage in which Mr. Carlisle and the two Messrs. Cooper lived; Mr. Carlisle was the storekeeper, and prisoner was a watchman; deceased, who was an overseer, lived near the cottage; witness never heard of any quarrel between prisoner and the deceased; prisoner bore the character of being a quarrelsome man.

**JOHN CARLISLE** deposed that prisoner met him a short distance from the cottage, and complained about his rations; witness told him that he had sent them, and that if prisoner wanted more he must go to Mr. Bowman; prisoner commenced abusing him, but witness walked away and went into the cottage; shortly after witness heard Fox and prisoner having words, followed by the sound of scuffling; witness looked out of the window, and saw the prisoner and Fox struggling together; witness ran out, and when he got out they had parted, prisoner still being about the same place, but Fox two or three yards off, in a stooping posture, holding his hands on his belly. Fox cried out, "Oh, my God, the villain has stabbed me; I'm killed, I'm done for." Witness assisted Fox into the cottage, and a man named George Shearer went up to the prisoner, and accused him of having stabbed Fox; prisoner replied that he would stab him or any other man who would take his part. Witness went and informed Mr. Bowman, and Dr. Glennie was sent for, who attended Fox till his death, which took place the next evening.

In cross-examination the prisoner endeavoured to show that he was short of rations, and that Fox had abused and struck him first.

**GEORGE SHEARER** deposed that he saw prisoner and Mr. Carlisle having words; when Mr. Carlisle turned away, and came into the cottage, prisoner came quickly after him in the door; witness thought he was going to strike Mr. Carlisle, and witness asked Fox, who was dining with witness in the kitchen, to go out with him to prevent it; they went out, and Fox and the prisoner had some words, and then commenced fighting; they had fought about two minutes, when Fox drew back, putting his hands on his stomach, and said, "I'm done, I'm a dead man." Witness assisted Fox into the cottage, and saw a wound on the left side of his stomach, which was bleeding freely. Witness went out with a shovel, and accused prisoner of having stabbed Fox; prisoner said "Yes, and I'll stab you, too, or any bloody wretch who will take his part." Fox was a quiet, inoffensive man. Fox did not knock the prisoner down.

**THEOPHILUS COOPER** deposed that he came up as the struggle was going on; and that it lasted only about a minute or more, after which Fox drew back and exclaimed that he was stabbed. This witness corroborated the previous evidence.

**SAMUEL SWAIN** apprehended prisoner about four miles from the cottage, shortly after the occurrence; Mr. Bowman and the gardener accompanied witness to apprehend him.

Dr. **GLENNIE** deposed that he found two wounds on the body of Fox, one a light wound under the left arm, and the second a deep wound on the upper part of the abdomen; the second wound had penetrated the stomach, and witness found, on making a *post mortem* examination, that it had caused death. The wounds were such as would have been inflicted with a knife.

The prisoner, who had in cross-examination accused all the witnesses, except Dr. Glennie, of speaking falsely, put in a written defence, denying having committed the

crime. His Honor had at considerable length cross-examined the witnesses, on behalf of the prisoner.

His Honor, in charging the jury, told them they must be satisfied that the prisoner had inflicted the wounds, intending to take life, before they could find him guilty of murder; inasmuch as it was proved that Fox went to seek the quarrel himself. If they were of opinion, therefore, that he had no intention to take life, but had struck the blow which led to the death of Fox, they would find him guilty of manslaughter. If they thought the evidence insufficient to prove that the prisoner did stab Fox, they would acquit him.

The jury retired for an hour, and then returned with a verdict of guilty of manslaughter. The prisoner was sentenced to hard labour on the roads or public works for ten years; the first three years in irons.

SENTENCE.

**HENRY BEST**, convicted on Monday of wounding with intent, was sentenced to hard labour on the roads or public works for seven years.

MURDER.

**PATRICK BRYAN** was indicted for murdering **ELIZA NEILSON**, on the 29<sup>th</sup> December, 1847, at Irishtown road, by inflicting wounds on her head, whereof she instantly died. There were six counts in the indictment: the first charged the wounds as being caused and casting and throwing deceased against the ground, and by striking her while down with his hands and feet; the second as being caused by the beating and kicking only; the third as being caused by the casting and throwing her against the ground; the fourth as being inflicted by stones cast and thrown at her, and striking her on the head; the fifth as being inflicted with a stick; and the sixth as being inflicted with the stones and the stick.

The prisoner pleaded not guilty, but before the jury were sworn application to his Honor similar to what **COOPER** had done, that his trial might be postponed in consequence of the absence of witnesses material to his defence.

His Honor directed that it should be ascertained whether the witnesses, eleven in number, named by the prisoner, were in attendance, and it was found there were only two or three present. Meanwhile his Honor stated that the prisoner had made a written application to him to assign counsel for his defence, which, like Cooper's, reached him too late.

The Solicitor General stated that the case was one entirely of circumstantial evidence, and in which it was essential, for the defence of the prisoner, that he should be defended by counsel. It was, besides, highly desirable that any witness desired by the prisoner should be present. For these reasons he would offer no opposition to the postponement of the trial, although the prisoner must be aware he must in that case remain so much longer in gaol.

His Honor then told the prisoner that the trial should be proceeded with at once or postponed, as he himself preferred; there had been important evidence taken since his committal, which it was desirable his counsel should have an opportunity of examining; if the case were postponed he would assign him counsel, but in that case the prisoner would have to lay in gaol till the trial came on.

The prisoner said that he knew nothing of the additional evidence; he would prefer having the case postponed.

The case was then postponed till the next Circuit Court, and his Honor requested Mr. Ward to act as attorney for the prisoner, to which Mr. Ward consented. His Honor said he should endeavour to get the expenses paid by the crown of such witnesses as the prisoner's counsel thought were essential to his defence; and should

also recommend that his counsel should be paid, as well as the attorney; although he did not feel sure of succeeding.

This was the last criminal case set down for trial at the Circuit Court. His Honor, in dismissing the jury, said that it afforded him great gratification to find the calendar so light as regarded the number of cases; indeed he might say it was the lightest he remembered on this circuit. Although it was light in number, it contained, however, some serious cases, and this one, in especial, which had just been postponed, was one of the most brutal and atrocious murders that had ever come before him, by whomsoever it was committed. It spoke well for the decrease of crime in the district that here was so light a calendar.

#### THE FLOODS.

A shepherd belonging to the A.A. Company was unfortunately lost on the Gloucester River during the late rainy weather. The water overtook him with such force and depth that he was lifted up and literally had his brains dashed out against a tree by the violence of the torrent. A man and woman, with her child, also narrowly escaped; but the unfortunate deceased, being of an obstinate temper, and up in years, resisted their advice until too late, by which time the swelling element had entirely surrounded him.

#### DESPERATE ASSAULT.

A serious affray took place here on Thursday night last. Two men, named **SCOFIELD and WOOD**, exchanged a few words of angry tendency, when Wood seized hold of an axe, and by a blow on the head felled Scofield to the ground, and afterwards repeated several blows on the head, the arm, and neck, making most awful wounds. Wood since has been committed for trial.

#### MUSWELL BROOK.

INQUEST. - On the 4<sup>th</sup> instant, it appears a man named **CORMACK M'KAY** was travelling up the country towards Mr. Doyle's station, with two horses, from Maitland, where he had been in the asylum for some weeks past. When within a short distance of Muswell Brook he dismounted, for the purpose of taking some lunch. He had cut a piece of beef, and was in the act of swallowing it, but it appears by some means the beef stuck in his throat, and caused suffocation, and he instantaneously died. 12<sup>th</sup> February, 1848.

THE FLOODS. - I have heard that three lives were unfortunately lost in the Namoi River, about the time of the flood. One was Mr. **JOHN ROURKE**, the second a person named **SMITH**, and the third a man whose name I have not heard; all perished in attempting to cross the river.

MELANCHOLY OCCURRENCE. - A very melancholy occurrence took place at Black Creek, Liverpool Plains, about the 30<sup>th</sup> January. A fine little girl, about three and a half years old, strayed into the bush on that day, and was not found till after four days' search, when she was discovered dead, about seven miles from her home. Her little mouth was full of grass. Haydonton, February 8

MAITLAND CIRCUIT COURT. - SATURDAY, FEBRUARY 12, 1848

#### MURDER.

**JAMES RAWLINGS** was indicted for murdering **EDWARD FROST**, at Wollombi, on the 5<sup>th</sup> October, 1847, by striking him with a spade on the right side of the head.

The prisoner was undefended.

The Solicitor General, in stating the case to the jury, said he had some doubt whether the evidence should not induce the jury, if they believed that the blow was inflicted by the prisoner without the intention of injuring life, to return a verdict of manslaughter instead of murder.

**MARYANN RACHEL SHAW** deposed that she was about fifteen years of age, and lived in the house of the deceased Frost as a domestic servant; prisoner was also in his employ as a labourer. On the evening of the 5<sup>th</sup> October Mrs. Frost had been drinking, and her husband at supper-time charged her with it; the prisoner was present, and also witness and **ISAAC LANCASTER**. Mrs. Frost denied the charge, and her husband repeated it; after some wrangling they went into the bed-room adjoining, and witness heard a blow given, as if Frost had struck his wife on the back with a whip. Prisoner went into the bed-room, and got Frost out, and put him into the kitchen, and he then shut the door of the bed-room, in which Mrs. Frost remained alone. In a short time. However, Mrs. Frost came out and went into the kitchen, and commenced abusing her husband for making such a charge against her. They commenced wrangling again, and Frost took up a shoemaker's leather strap, and beat her with it. At this time prisoner was outside, but in a minute or two he came in, and entering the kitchen, he picked up a broom, but put it down again, and then picked up a spade, with which he struck Mr. Frost a back-handed blow on the temple. At that moment Mrs. Frost was striving to get away from her husband's grasp, and freeing herself by a push, Frost fell, and never spoke afterwards, dying in a few minutes. The witness thought he fell from the effects of the blow from prisoner, aided by the push from his wife, which was given at the same instant. Mrs. Frost ran out directly her husband fell.

To questions from the Court and the jury this witness replied that she knew of no quarrel between Frost and the prisoner; prisoner was rather intimate with Mrs. Frost.

**RICHARD BOYLE** deposed that he had gone into Frost's kitchen to light his pipe, and while there Mr. and Mrs. Frost began to have words about something, and Frost beat her with a strap; prisoner came in and said, "Come, come, I'll have no more of this," and catching up a spade he struck Frost a back-handed blow on the head. Frost fell instantly, and witness threw water on his face; but after giving two heavy sighs he died. At the moment the blow was struck, Mrs. Frost was trying to get out of doors, and the moment her husband's grasp relaxed she did run out.

**ISAAC LANCASTER** corroborated the previous evidence, having seen the prisoner first pick up a broom and then a spade; but he had not heard any words spoken by prisoner.

To questions from the court and jury, Lancaster replied that he had been employed by Frost for eighteen months, and had never seen anything improper between Mrs. Frost and prisoner, nor had any quarrel occurred between prisoner and Frost.

The prisoner called no witnesses, and said nothing in defence; but in cross-examining Boyle and Lancaster he endeavoured to show that Frost knocked him down first, but both denied it.

His Honor, in charging the jury, went carefully through the evidence, telling the jury that the first question for their consideration was whether Frost had died from the blow struck by prisoner. If they were satisfied of this there remained three questions for their decision: first, whether the prisoner only intended to part husband and wife, and save the latter from further violence, without intending to injure Frost; secondly, whether the prisoner intended to part them, and to inflict some injury on Frost, without intending to kill him; and thirdly, whether he intended to kill Frost. If they thought the blow was not the cause of death, they would of course acquit the prisoner; if they thought the prisoner intended no injury to Frost, it appeared to him they must also acquit him; but if they thought he intended to kill Frost, or even to injure him, as the blow was struck with such a dangerous weapon, and that weapon was not the first

he had picked up, they must return a verdict of guilty of murder. Their verdict must be one of guilty or not guilty of murder.

The jury retired for twenty minutes, and then returned a verdict of not guilty. The prisoner was then discharged, after having been admonished by his Honor.

MONDAY, FEBRUARY 14.

DISCHARGE.

On the application of Mr. Purefoy, **SARAH S. FROST**, charged with aiding and abetting the murder of **EDWARD FROST**, was discharged, there being no evidence to implicate her.

WOUNDING WITH INTENT.

**HENRY BEST** was indicted for assaulting and wounding **MARIA ANN BEST**, at Dungog, on the 1<sup>st</sup> January, 1848, with his hands and feet, with intent to do her some bodily harm.

Mr. Purefoy appeared for the defence; attorney Mr. C. Nicholl.

It appeared that on the night of the 1<sup>st</sup> January, about twelve o'clock, a party of five or six persons, including the prisoner and his wife, were going home from the Union Inn, at Dungog, when Mrs. Best refused several times to take her husband's arm; on her refusing it the third time he struck her a blow which knocked her down; she cried out, "Oh, my God," but before any of the party could interfere he kicked her several times in the head, inflicting four or five deep wounds, and rendering her insensible. The lock-up keeper, who resided near, was aroused, and on his going to the spot, he found the unfortunate woman lying as if dead, and covered with blood. The prisoner at once said he did it, and if he had murdered her he was ready to be hanged for it. Mrs. Best was removed to the lockup, and Dr. **M'KINLAY** was sent for, who found several severe wounds on her head. The prisoner, who appeared much excited, afterwards said he wanted to slaughter his wife. His boots and trousers were found to be covered with blood, and some human hair was found adhering to his boots.

Mr. Purefoy addressed the jury for the defence, after his Honor had overruled a technical objection to the information, dwelling on the unaccountable fit of passion that appeared suddenly to have seized the husband, and on his making no attempt to deny the assault, which went to prove that the husband, if not actually insane for the time, was in an extraordinary state of excitement, which would scarcely allow of his having intended to injure her seriously.

His Honor charged the jury, who returned a verdict of guilty. The prisoner was remanded for sentence.

MAITLAND MERCURY, 6/379, 19/02/1848; NOT AVAILABLE.

MAITLAND MERCURY, 6/380, 23/02/1848

SUDDEN DEATH. - On Sunday morning last Mrs. **STERLING**, wife of Mr. Sterling, baker, of West Maitland, rose about six o'clock, and after performing some household duties, she was talking cheerfully to her opposite neighbour, Mrs. **WILKINSON**, when she heard a slight noise from her house. Mrs. Sterling ran across to see what was the matter, and had just entered the house when a sudden pain appeared to seize her. She ran into her bedroom, where Mr. Sterling was still lying, and called to him to get up. Alarmed by her manner, Mr. Sterling jumped out of bed, and was just in time to save his wife from falling. He laid her on the floor, and put pillows under her head, and almost instantly blood began to flow from her mouth. Mr. Sterling called for assistance, and some neighbours coming in Dr. **LIDDELL** was sent for, but before he could reach the house Mrs. Sterling was dead. In the afternoon

an inquest was held on the body, before **J.S. PARKER**, Esq., coroner, when Dr. Liddell deposed that from the symptoms and appearances he was of opinion that the cause of death was the rupture of a blood vessel on the lungs. A verdict was returned of died from the visitation of God.

**CORONER'S INQUEST. - SUDDEN DEATH.**

On Saturday last an inquest was held at the house of **WILLIAM M'APPIN**, situated at the Wollombi Brook, before **ADONIAH VALLACK**, Esq., the newly appointed Coroner for the district of Patrick's Plains, and a jury of twelve, touching the death of **JOSEPH PESTOL**, then and there lying dead. The jury having been sworn, proceeded to view the body; when it was deposed that, at about half past two o'clock on Friday last, the deceased was seen to go into a blacksmith's shop for the purpose of getting a plough share sharpened, and was soon afterwards discovered lying outside, and in a dying state. Some persons went up to and endeavoured to raise him, but in vain, as he expired in about ten minutes after being first seen. He had been complaining for some time previous of internal pain. Dr. **HENRY GLENNIE** deposed to having made a *post mortem* examination of the body of the deceased, Joseph Pestol, and found that death had been occasioned by an aneurism of the aorta. The jury, after a short consultation, returned a verdict of "Died by the visitation of God." 22<sup>nd</sup> February, 1848

**LOWER MURRUMBIDGEE. -** An investigation was held a short time since, by **WILLIAM M'LEAY**, Esq., J.P., on the body of a man, who it appeared was accidentally and instantaneously killed by a blow on the temple from a rail which was driven out of the slip-panel with great force by a colt, which he, with others, was attempting to rope; the animal made a dash at the gateway, which was railed up, and striking the rails with violence, one of them gave way, and the result was the death of the unfortunate man. *Herald Correspondent, Feb. 21*

**AWFULLY SUDDEN DEATH. -** Between five and six o'clock on Saturday morning, a man named **HOGAN**, residing in Castlereagh-street, was taken ill. Dr. **NATHAN** was sent for, but although he was prompt in his attendance, the unfortunate man drew his last breath before the doctor's arrival. Hogan was well known, having formerly been employed in the police force of the city, and latterly kept a book-stall near the site of the Old Gaol, in Lower George-street. An inquest was held on the body at Mr. Borton's, the Sydney Arms, Castlereagh-street, when Dr. Nathan deposed that on a *post mortem* examination he found an aneurism of the aorta, which had burst into the cavity of the right pleura, and which was the immediate cause of death; and the heart also was diseased. The jury found a verdict of – Died by the visitation of God. *Herald, Feb. 21*

**SENTINEL, 4/162, 24/02/1848**

**AWFULL SUDDEN DEATH. -** Between five and six o'clock on Saturday morning, a man named **HOGAN**, residing in Castlereagh-street, was taken ill. Dr. **NATHAN** was sent for, but although he was prompt in his attendance, the unfortunate man drew his last breath before the doctor's arrival. Hogan was well-known, having formerly been employed in the Police force of this city, and latterly kept a book-stall near the site of the Old Gaol, in Lower George-street. An inquest was held on the body at Mr. Borton's, the Sydney Arms, Castlereagh-street, when Dr. Nathan deposed that on a post mortem examination he found an aneurism of the aorta, which had burst into the cavity of the right pleura, and which was the immediate cause of death; the heart also was diseased. The jury found a verdict of – Died by the visitation of God.

**SUICIDE.** - About eleven o'clock on Sunday morning a boy was proceeding along at the back of Mr. **JENKINS'S** garden fence on the Surry Hills, when he discovered a man of the name of **WOOLFF**, suspended by a piece of shirt, which he had evidently torn off, and with which he had hanged himself. The man was quite dead.

MAITLAND MERCURY, 6/381, 26/02/1848

CLARENCE TOWN.

**FATAL ACCIDENT.** - On Monday a small settler residing near here, named **RITCHIE**, was coming into the township with a load of wheat, when, as he was in the act of striking the bullocks, his whip caught his toe, and threw him down. The blow made the bullocks go on quicker, and before he could get out of the way, the wheel of the dray went over his chest. He was shortly after discovered lying on the road, and was removed to a house. Dr. **M'KINLAY** was sent for from Dungog; and promptly attended, but in spite of every exertion the poor man died about four hours after the accident happened. Mr. Ritchie was an industrious, sober man, and much respected in the neighbourhood. February 24, 1848

**CORONER'S INQUESTS.** - An inquest was held on Monday last, at the Pine Apple Inn, Surry Hills, on the body of the man **WOOLF**, who was found hanging, and quite dead, the previous forenoon. It appeared from the evidence of Constable **PROCTOR** that he had twice confined the deceased for attempting to commit suicide, and that he frequently, when not quite sober, threatened to kill himself. Woolf was about 34 years of age, and had left a wife with three children. The jury found that deceased destroyed himself in a fit of temporary insanity.

Yesterday, two inquests were held at the Three Tuns Tavern, King and Elizabeth-streets. The first was on the body of a female child, named **ESTHER WALTER**, about four years of age, who on Wednesday last, whilst playing with another child, was thrown down with such violence as to cause her thigh to be fractured. She was removed to the Infirmary on Friday last, but in consequence of the delay in taking her there, the utmost attention of Mr. **NATHAN** proved unavailing and yesterday morning she expired. The jury found that she died in consequence of an accidental fracture of the thigh.

The next inquest was on the body of a female child named **FRANCES CROSSDALE**. It appeared that her mother resided as servant in the family of Captain Moriarty, and that on Sunday afternoon, while her mother was getting the tea ready, the deceased was passing the fire, on which was a boiler of water; whether the child ran against the boiler or not is not known, but the boiler fell, and its contents went over the child, scalding her dreadfully. The infant was removed to the Infirmary, where Mr. **NATHAN** attended upon her until between 11 and 12 o'clock on Monday, when she expired. The jury found a verdict of died by accidental scalding. *Herald, Feb. 23*

**SHOCKING ACCIDENT.** - On Monday afternoon, **GEORGE NOBLE**, a boy of about eight years of age, who resided with his uncle, Mr. **JOHN SMITH**, at Lane Cove, was killed by the upsetting of a dray on which he was riding. The dray fell on his body, and the unfortunate boy was crushed to death by its weight. *Herald, Feb. 23*

CLARENCE RIVER. - **THE ABORIGINES.**

Great complaints prevail on the river respecting the proceedings of the aborigines. ... On the same day an aborigine made an attempt - at Mr. Paul's station, about ten miles from this township - to murder a married female resident there. A warrant having been procured, two of the police were sent out, to apprehend the sable ruffian, whom they fell in with alone, at one of the huts on Mr. Paul's run; but he appears to

have been too powerful for them, as they returned to the township without him, one with his carbine broken, and which he stated was done by the aborigine. ... In the same neighbourhood, some cattle belonging to Mr. **T. FORSTER, J.P.**, had been speared, and several sheep had been driven away; but in the course of the last exploit of this latter character the aborigines removing them were come upon, and an affray occurred in which one of them was shot dead, and subsequently conveyed by some of the tribe to the neighbouring run of Mr. Aitken and there buried by them. Mr. Aitken on hearing of the occurrence, sent a report to the Commissioner, who was promptly in attendance, and the body exhumed and examined, but as the proceedings have been, as yet, private, details of the affair cannot be given.

**BLACK OUTRAGES.** - We have been favoured by **DAVID PERRIER**, Esq., with the following particulars respecting an attack made by the natives, a short time since, upon his station near Canning Creek:- ... My real loss is as undermentioned:- 1 man (**PATRICK RYAN**), killed; ... *Moreton Bay Courier*.

**M'LEAY RIVER.**

The floods in this district have caused great destruction ... Since writing the foregoing, accounts have been received of a dreadful hurricane at the station of Messrs. Betts and Panton; it only lasted a short time, but in its progress there was scarcely a tree that was not thrown down or broken off. ... A boatman named **HOOLE** left Port Macquarie for here with a cargo of lime, bricks, &c., for Mr. Tozer, and while in the reach opposite Macquarie, a heavy swell caught the boat, and bringing her broadside, she filled and went down; Hoole was a first-rate swimmer, and immediately struck out for the shore. In the boat was his son (a boy eleven years old) and a man named **JENNINGS**; at a short distance from the shore Hoole desired his boy to keep up his head and not be afraid, and immediately after sank himself, to rise no more. The boy and Jennings reached shore. Search was at once made for the unfortunate man Hoole, but unsuccessfully; however, on the following morning, Hoole's wife saw a body floating past her hut on the beach, and immediately recognised her husband; a boat was procured from the schooner *Mary Ann*, and the body secured. The unfortunate man leaves a large family. *Herald*

**MAITLAND MERCURY**, 6/382, 01/03/1848

**DUNGOG.**

**INQUEST.** - On Tuesday last an inquest was held before **T. COOKE**, Esq., Coroner, on the body of **SAMUEL RICHARDS**, whose death was caused by the wheel of his dray passing over his belly, while he was on his way to Clarence Town. It was clearly proved to have been an accident. Richards has left a helpless family of seven unprovided for.

**SENTINEL**, 4/163, 02/03/1848

**CORONER'S INQUEST.** - On Wednesday, 23<sup>rd</sup> instant, an inquest was held at Armstrong's Inn, Bathurst, on the body of **EDWARD WILLIAMS**, who died rather suddenly that morning. He was an old resident of the town, at one time carrying on the trade of baker, but latterly that of a pastry cook and confectioner, hawking his choice and savory goods about the town: he had for some few years past lived with a woman, the wife of another man; she had lately left him, and he had taken the matter to heart, and to add to the devil, had scarcely been sober a day during the past month. Dr. **CONNELL** attended the inquest, and certified that death had arisen from convulsions whilst labouring under *delirium tremens*, induced by intemperate indulgence in ardent liquors, and a verdict to that effect was returned. The most

deplorable part of the story is, that three young children, the offspring of the deceased, are left wholly destitute and unprovided for.

MAITLAND MERCURY, 6/383, 04/03/1848  
BIRTHS.

At Wolongong, on Saturday, the 19<sup>th</sup> Feb., Mrs. **JOSEPH WOOD WILSHIRE**, of a daughter – still-born.

MAITLAND MERCURY, 6/384, 08/03/1848

INQUESTS. - On Saturday last an inquest was held at the Maitland Hotel, before **J.S. PARKER**, Esq., Coroner, on the body of **WILLIAM THOMAS HOPKINS**, an infant of about eight months old. From the evidence it appeared that Dr. **LIDDELL** had been attending the child about a fortnight ago, as it was suffering from teething, but that otherwise the child appeared quite well, and Dr. Liddell had ceased visiting it for ten days previous to Friday night. On that evening, when Mr. and Mrs. Hopkins went to bed, the little boy, who slept in the same bed, looked quite well; about three o'clock in the morning Mrs. Hopkins woke, and on laying her hand on the child, was shocked to find it quite cold. She called her husband, and a light was struck, when the poor little fellow was found to be dead, and Dr. Liddell, who was sent for, was of opinion that he must have been dead for an hour. At the request of the jury and the father, Dr. Liddell made a *post mortem* examination, and found that the cause of death was water on the brain. The jury returned a verdict of "Died from the visitation of God."

On Sunday an inquest was held before the same gentleman at the Northumberland Hotel, on the body of **JOHN WHITE**, who had died in the Hospital. It appeared that White had been in the employ of Mr. Edward Sparke, for a few weeks, and that on Friday morning he was engaged in milking the cows, when Mr. Sparke, noticing that he had a stick in his hand as he was roping a particular cow, advised him to lay it down, or she might kick him. White laid the stick down, and Mr. Sparke went away, but returning shortly afterwards, was shocked to find White lying in the cow-yard, groaning. Mr. Sparke lifted him up, and White told him that he had been using the stick in endeavouring to unrope the cow again, when she kicked the stick, and the end of it struck him forcibly in the lower part of the abdomen. White then went into the house, and laid down on a bed, but finding the pain increase, Dr. **BROWN** was sent for. Dr. Brown found him suffering great pain from inflammation of the bowels, brought on by the injury, and although he succeeded in giving him temporary relief the symptoms got worse, and on Saturday White was, at his own earnest request, removed to the Hospital, contrary to Dr. Brown's advice, as he feared White might even die on the road. As soon as he reached the Hospital Dr. **M'CARTNEY** attended him, and finding him in a very dangerous state, called in Dr. **SLOAN**, and an operation on the bladder was agreed on and performed; but to no purpose, as White died in an hour or two afterwards. Dr. M'Cartney, who had been informed by White how the accident occurred, attended the inquest, but stated that he could not positively state what was the cause of death without making a *post mortem* examination. The Coroner said he considered such an examination quite uncalled for under the circumstances, and he read over the evidence to the jury, and asked them to consider their verdict. This, however, the jury, after consultation, declined doing without the positive opinion of a medical man as to the cause of death, and stated that they wished Dr. M'Cartney to make a *post mortem* examination. The Coroner refused to authorise it, and adjourned the inquest till Monday, when Dr. Brown attended; and having

deposed as above as to the condition of White when he saw him, and that White had told him exactly the same account of how the accident occurred, he stated that in his opinion death had been caused by inflammation of the bowels, arising from the injuries inflicted by the kick of a cow. The jury then returned a verdict of "Died from injuries received from the kick of a cow."

#### ACCIDENTAL DROWNING.

An inquest was held on Saturday, at the Whalers' Arms, Fort-street, on the body of **JOHN PALMER**, steward of the barque *Cadet*, lying at Buchanan's Wharf, who on Friday evening fell off the stage leading from the wharf to that vessel, and was drowned. **JOHN CORCORAN**, second mate of the *Cadet*, stated that, about ten o'clock on Friday night, the cuddy servant informed him that he had heard a splash by the water, and suspected that some one had fallen in; witness immediately went into a boat and sounded with an oar, but finding nothing, he got the grappling irons and let them down, and after some searching brought up the body of the deceased; about twenty minutes had then elapsed, and the body was quite dead; it was removed to the Whalers' Arms, and remedies applied for the restoration of animation, but without effect; the deceased was about twenty-one years of age, and of very temperate habits. The jury found a verdict of accidentally drowned. *Herald, March 6*

**SELT DESTRUCTION.** - On Friday night a young man named **JOHN STONE BAKER**, employed at Mr. Holroyd's, South George-street, destroyed himself while labouring under a fit of temporary insanity, caused by a discovery that he had committed a fraud. *Herald, March 6*

#### THE "EXPERIMENTAL" STEAMER. - FATAL OCCURRENCE.

Messrs. Reid and Boyland, with their assistants, and two punts, succeeded in raising this steamer to the water's edge on Wednesday last. She was shortly afterwards towed by the boats to the Fig Tree flat, on the south bank of the river, where she now lies. She does not appear to have sustained much damage. Yesterday morning a fatal accident happened to one of the native blacks, well known by the name of **WELLMAN**. It appears that he had been diving, and had succeeded in bringing up a chair from the cabin, and some other articles. On making another attempt to dive into the cabin it seems he got entangled with some article of furniture he was attempting to bring up, and was drowned. His male friends and companions, who were on the bank of the river, anxiously expecting the re-appearance, exhibited great grief on the occasion, while the gins tore their hair and appeared to deplore most deeply the loss they had sustained. *Moreton Bay Courier, Feb. 26*

#### DEATH BY DROWNING.

We understand that an unfortunate man named **FITZPATRICK**, a shearer, lately in the employ of Mr. Wiggins, at Franklin Vale, was drowned in attempting to cross the Condamine, at the time bank high, on yesterday week. The poor fellow attempted to stem the current, but it was too strong for him, and he was borne rapidly on to his death. The body, we are informed, has since been recovered and buried.

#### SYDNEY NEWS.

CENTRAL CRIMINAL COURT. - THURSDAY, MARCH 2, 1848

#### MURDER

**ROBERT ARMSTRONG** was indicted for murdering **MARGARET CAMPBELL**, at Sydney, by striking her on the head with a club, on the 25<sup>th</sup> January, 1848, and inflicting wounds whereof she died on the 29<sup>th</sup> January.

The prisoner was not defended.

It appeared that in January last four women of loose character lived in Phillip-street, Sydney, in adjoining houses, named **MARY KENNEDY**, **CATHERINE**

**CAMPBELL, BRIDGET MITCHELL, and JANE KIRBY.** On the night of the 25<sup>th</sup> January the prisoner was in Mary Kennedy's house, and some words arose between them as to a stick of club which prisoner wanted to take away. They struggled together, and Kennedy called for help, seizing prisoner by his hair. Bridget Mitchell and Catherine Campbell ran to assist Kennedy, and the club was dragged from prisoner's hands, and he was pulled away from Kennedy. He followed her again, however, and knocked her down, and catching up the club again, he then struck Campbell twice on the head. She fell instantly, and prisoner made off, but was pursued, and apprehended.

His Honor, in charging the jury, said that it was his painful duty to point out to them that there was only one possible view of the evidence by which the prisoner could be convicted of any less crime than of murder. The crime of murder was punishable by law only with death, and that was the only sentence which a judge could by law pass. He might not pronounce that sentence with his lips, but that sentence must be recorded, and might afterwards be mitigated. He made these observations because he could not shut his eyes to the fact that late juries, even when the judge had by law left them no alternative but to find a verdict of murder, had avoided doing so because they imagined that death was absolutely consequent upon it. Another point, and it was an almost universally popular error, was, that it was not necessary to constitute murder that the prisoner should intend to kill the person murdered. It was sufficient that the acts or conduct of the prisoner should evince a design to kill some one. If in the heat of passion, while reason has left her seat, after blows have been struck, the law made a killing not murder, but manslaughter. Again, if parties quarrelled, and a blow was struck with the fist which should cause death, such a crime the law looked in as a misfortune; and was therefore manslaughter; but if a man took an unlawful and murderous weapon, and used it without sufficient extenuation of sudden and provoked rage, he is responsible for his act. In the present case, the questions they had to consider were – first, was the death of Margaret Campbell the act of the prisoner, and was that act committed in the manner described in the indictment. Then came the point he had alluded to. If they could believe that he had, after a scuffle with Mary Kennedy, struck in the heat of passion the deceased, thinking it to be Kennedy, it would be manslaughter; but if he so struck the blow, a reasonable time having elapsed for reason to assert her power, then it was murder. If, also, he struck the blow in a brutal recklessness, intending to kill some one, then also it would be murder. It would also be for the jury to determine if he took the club in self-defence, for if so, it would be no crime, if he used it only as a fair means of protection, and even if he used it recklessly it would amount only to manslaughter. If, however – he would repeat most solemnly – if he struck the blows with a reckless indifference as to whether he took life or not, although the idea of taking the life of any one never entered his head, that he would be just as responsible for the act, just as guilty of the crime of murder as regarded by law, as though he had intentionally killed any particular individual. His Honor then went carefully through the evidence, pointing out the bearing of the law in its various parts, and left the case in the hands of the jury.

The jury retired for about half an hour, and returned with a verdict of manslaughter.

The prisoner was remanded for sentence.

**ASSAULT.**

**GEORGE SMITH** was indicted for assaulting **MARY ANN FOSTER**, with intent to do bodily harm.

The woman Foster being too drunk to give her evidence, her recognizance was estreated, and the prisoner discharged; but the prisoner stating that he could prove his innocence, he was held to bail to appear at the next Court of Quarter Sessions.

SENTINEL, 4/164, 09/03/1848

SELF-DESTRUCTION. - A coroner's inquest was held on Saturday last at the Odd Fellow's Arms, George-street South, on view of the body of a young man named **JOHN STONE BAKER**, the circumstances attending whose death are detailed in the following abstract of the evidence adduced. The first witness examined was **MARY EMBERSON**, who deposed that she resided in M'Guire's square! On getting out of bed a few minutes after five o'clock on Saturday morning she observed something white hanging from the back window of Mr. **HOLROYD**'s premises (the Settler's Warehouse George-street South); she called the attention of another person to it, who supposed it to be a "dumb man" that they had hung out of the window; on going out a few minutes afterwards, witness saw that it was the body of a man in his trousers and shirt, when she gave the alarm to a constable, who went into the yard and looked at the body; then went round to Mr. Holroyd's front door; the body was hanging for about three quarters of an hour after she first saw it. The next witness was **ALEXANDER HETHERINGTON**, a constable in the Sydney police, who deposed that about ten minutes past six on Saturday morning, he received information from the last witness that a man had hanged himself out of Mr. Holroyd's window; he went round to the back, and saw the deceased suspended by two sheets and quite dead; he then went round and told Mr. Holroyd, who went with him up stairs, and found the room door locked; Mr. Holroyd wished the body not to be brought into the house, lest Mrs. Holroyd should be alarmed; witness then went to Inspector **HIGGINS**, at the watch-house, who directed the body to be taken in; on returning to the house, a young man gave him the key of the room, but as he could not turn the lock, an axe was brought and they forced an entry, when they found that one end of the sheets was tied to the sofa, which was close to the window. Mr. Holroyd then went for Inspector Higgins who returned with him; we then went to the window on the story beneath, and there brought in the body, which was quite cold and stiff. Mr. Holroyd was then present; this was about half an hour after I first saw the body; witness did not ask for the door to be opened when he first went up, considering that the body was quite dead. **MICHAEL HOLROYD**, proprietor of the Settlers' warehouse deposed that the deceased was in his employ; about nine o'clock on Friday evening an apprentice told him (Mr. Holroyd) had asked the deceased if he had not sent out some goods of which no entry had been made, when he said he had not; on witness telling him that he had seen the bill of them, which had not been paid, deceased admitted the fact and said that part of them was in payment for work done for himself, after deducting which there was a balance of some ten or twelve shillings to be paid at a future time - that he intended charging himself with the goods; witness told him it was not the only transaction of a similar nature he had that day discovered, but as he did not wish to make a public example of him, ..... would rather destroy himself than face his father. **D.J. TIERNEY**, M.D., deposed that before seven o'clock that morning he was called to see a person that had hanged himself, and went to see deceased; he was quite dead, and must have been so for some hours; the head was easily moved, which led him to think there was a dislocation; he was of opinion that death had been caused by suffocation from strangulation. The Coroner charged the Jury in substance as follows; - He felt bound to draw their attention to their line of duty as Jurors in this case, as he had gleaned from the examination of the witnesses by some of the jury,

that a good deal of feeling was manifested upon one or two points that had been elicited in evidence; he begged therefore, they would discard from their minds any rumours that may have reached their ears before they were impannelled on the inquiry – that they were bound to find a verdict according to the evidence, irrespective of any feeling or floating rumour that they might have heard; that he examined into the case at much greater length than would at first seem necessary, but that he felt there were many surrounding circumstances to be satisfactorily cleared up, both with respect to the peace of mind of the father of the deceased and the conduct of his employer, Mr. Holroyd; he referred to two circumstances as needing some explanation. First, as to the door of the room not having been immediately opened on the discovery of the body hanging from the window of that room; the second as to the course pursued by Mr. Holroyd in reference to the deceased, and the discovery of the fraud made by him, and the confinement of deceased consequent thereon. It appeared to him from the evidence on the first point, that Mr. Holroyd immediately delivered up the key of the door where the deceased had been confined, to Mr. **BROAD**, and that he (Mr. Broad) and the constable went first to the door of the room, when the constable declined opening it or allowing it to be opened while he reported the circumstances to Inspector Higgins; therefore the delay in opening the door was by no means properly attributed to Mr. Holroyd; on the contrary, any delay in relieving the body from its position, was entirely attributable to the ignorance of the constable. With reference to the previous evening, it appeared by the evidence that Mr. Holroyd discovered that some goods had been disposed of by the deceased, which were neither paid for nor entered; and that Mr. Holroyd in a very emphatic manner, on closing the shop for the day, asked his assistants, amongst whom was the deceased, “were there any goods sold that were not entered or paid for,” thereby giving deceased an opportunity of making any avowal which might have the effect of excusing or palliating the offence, but the answer was “No,” when it appeared that Mr. Holroyd pointedly put a particular case to the deceased, whereupon he admitted the fact of having sold the goods without their being entered or paid for, except in a way suitable to accomplish his own views; where upon (as the Coroner said very properly), Mr. Holroyd intimated his determination of going to the deceased’s father, and delivering deceased up to him, which was, in fact, adopting a course the most lenient and most considerate; as he (Mr. Holroyd) might at once have sent him to the watchhouse; but, no doubt, sympathising with the feelings of a father towards a son under such circumstances, and wishing too, perhaps to conceal altogether the misconduct of this unfortunate young man. To this course, however, deceased was decidedly opposed, and earnestly solicited Mr. Holroyd to wait until the morning, to which Mr. Holroyd only acceded on the interposition of Mrs. Holroyd, saying that he did not wish to keep the deceased on his premises after such a discovery, and that he would deliver him up to his father. However, it was finally determined upon, that the deceased should have a room up stairs; and Mr. Holroyd accounted for keeping the key of that room by fearing, as he said, the deceased would abscond before being delivered up to his father. It was also further in evidence that the deceased said *he would rather do anything than face his father*. Therefore, viewing the conduct of Mr. Holroyd in all its bearings, it appeared he was actuated by the most mild and considerate feelings towards the deceased and his family, and that there was not a shadow of reason to believe that he was not actuated by any other motive. Then as to the sanity or insanity of the deceased, at the time of this act, that was a question entirely for the jury. There was nothing in evidence to show that the deceased was labouring under even the slightest excitement; on the contrary, that he was calm and resolute; but such

deportment, it was to be observed, did not at all establish sanity, for several cases were on record (here the Coroner referred to several), where insane persons had recourse to extraordinary stratagems to deceive their keepers and medical attendants, in order to effect some object. That it appeared the deceased retired to rest about eleven o'clock on the previous night, and was not discovered suspended, as had been sworn to, until between five and six o'clock next morning. Therefore, what his feelings or apprehensions might be on being confronted with his father, which he appeared so much to dread, was a question entirely for the jury, and in aid of their consideration of that part of the case, he would refer them to the evidence of Mr. **LOVELL**, who it appeared, knew the deceased from his infancy and to whom it appeared, on a former occasion when the deceased had incurred the displeasure of his father, he had threatened to destroy himself *rather than face him*. That from the evidence of the medical gentlemen called in upon the occasion it was satisfactory to find that the deceased must have been dead for some hours previous to the discovery of the body; so that, however culpable the constable was in causing the delay in relieving the body, it had no effect whatever as to the ultimate result (and here the Coroner intimated to the Jury his intention of communicating with the Commissioner of Police on the conduct of the constable) although he believed there was no intentional misconduct, yet there was a gross mistake in the line of duty which, as a police officer, he should have pursued. The Coroner then left the case to the Jury, who returned a verdict that the deceased had put a period to his existence while labouring under a fit of temporary insanity, and directed the Coroner to acquaint the Commissioner of Police with the ignorance of the constabulary in such matters, and to request that he would instruct them in their duty therein.

CORONER'S INQUEST. - One was held on Wednesday, the 1<sup>st</sup>, at the Coach and Horses Inn, Kelso, on the body of a woman named **CARLISLE**, who had died suddenly about 1 A.M. that day. Dr. **CONNEL** attended, and his opinion was that death had been accelerated spirits. (sic) The Jury returned a verdict of died by the visitation of God.

MAITLAND MERCURY, 6/385, 11/03/1848

EDITORIAL. - SATURDAY, MARCH 11, 1848

CORONERS AND THEIR JURIES.

At an inquest held in Maitland on Sunday and Monday last, on the body of the unfortunate man **WHITE**, who had died from the effects of a kick received from a cow, some difference of opinion occurred between the coroner and the jury as to the necessity for, and the right to have, a post mortem examination. A brief statement of the circumstances under which this difference arose will best serve to show the point at issue between the coroner and the jury.

At the sitting on Sunday the medical man who had attended White in the hospital was called on to depose to the nature of the injuries received and the cause of death. Dr. Macartney stated to the jury the circumstances under which White had been brought to the hospital, and the treatment he had undergone, and also explained the way in which deceased had told him the accident occurred; but as there was no external mark of injury on the part of the body which had been struck, the doctor would not undertake to say, without making a post mortem examination, what the cause of death was. The jury were anxious that a post mortem examination should be made. This the coroner would not allow; the cause of death was so clear, he said, that it was altogether unnecessary, and would only be incurring a useless expense.

The jury would not return a verdict without a satisfactory medical opinion as to the cause of death; and the coroner intimated to them that if they did not come to a conclusion on the evidence before them he would lock them up for the night, and he did lock them for an hour or two. Ultimately, however, the inquest was adjourned till the following day, when Dr. Brown, who attended White previous to his being sent to the hospital, gave it as his opinion that death had been caused by inflammation of the bowels, arising from the injuries inflicted by the kick of the cow; and the jury then returned a verdict in accordance with that opinion.

In this particular case we think the jury, without calling for a post mortem examination, might safely have ventured to certify that the deceased died from injuries caused by the kick of the cow; but as a medical man had been called in, and declined giving a positive opinion as to the cause of death without such an examination, and as there was, moreover, some discolouration about the throat of the deceased which was not accounted for, they did not, it appears, feel themselves warranted in doing so. Sinking, however, the merits of the dispute between the coroner and the jury in this case, the question still remains – Have a jury who are unsatisfied as to the cause of death a right to require a post mortem examination; or is it at the option of the coroner to allow or withhold this examination? As the responsibility lays with the jury of determining the cause of death, so we think it rests with them to say whether an ordinary or a post mortem examination of the body on which the inquiry is being held is necessary to enable them to return a correct verdict. The coroner may be satisfied without such an examination; but is that sufficient to justify him in peremptorily refusing to allow one to be made when the jury desire it? If it be, why go through the mummery of impannelling a jury to determine the cause of death? It would be better, under such an assumption of power, that the coroner or another magistrate should hold the inquiry alone; and then the power and the responsibility would go together. If the jury take the responsibility of determining the cause of death, they have a right to all the evidence within their reach which they may consider essential to the proper discharge of their duty.

In the performance of their functions, we think coroners would do well to profit by the example of the higher judicial functionaries. In our courts of law the most ready and courteous deference is, we may say invariably, paid by the Judges to the wishes of the jury in regard to clearing up any doubtful or difficult point in a case; and coroners can hardly go far wrong in cultivating and displaying a similar feeling.

MAITLAND MERCURY, 6/386, 15/03/1848

HUNTER RIVER DISTRICT NEWS. - ARMIDALE

MELANCHOLY ACCIDENT. - A melancholy accident occurred here on the 29<sup>th</sup> February last. A man of Odell's was driving Mrs. **JEW** and infant in a cart; when near the creek the horse became impatient and ran back, capsizing the whole into a deep water-hole. The man and child sank, and were never seen alive again; and but for the praiseworthy exertions of Mr. **ROBERT KIRKWOOD**, of Beardy, Mrs. Jew would have met the same untimely fate. He, much to his credit, immediately jumped into the water-hole and saved Mrs. Jew, at the peril of his own life. The bodies of the

man and child were afterwards found, and interred in the ground consecrated to that purpose. The horse was also drowned.

SYDNEY NEWS.

CENTRAL CRIMINAL COURT. - THURSDAY, MARCH 9, 1848

GAOL DELIVERY.

**GEORGE ARMSTRONG**, convicted of manslaughter, was sentenced to ten years on the roads, the first three in irons.

WINDSOR. - MELANCHOLY OCCURRENCE.

It is with deep regret we have to announce the melancholy and sudden death of Mr. **WILLIAM WHITE**, farmer, of Wilberforce. Mr. White, having business of importance to transact at Windsor on Saturday last that detained him till rather a late hour before he could make it convenient to cross the river, at the Wilberforce side of which his horse had been left in the early part of the day, arrived at the punt about half-past ten o'clock, and it being at the opposite side, where it is usually left at night, he got into the ferry-boat under the pilotage of a imbecile known by the cognomen of "**Cranky Arthur**." When they had reached the flap of the punt at the other side, protruding into deep water, Mr. W., in attempting to step on it from the boat, came in contact with the warp, and was precipitated into the river, from which he never again rose alive. It is supposed, from the testimony given at the inquest by Arthur, that the unfortunate gentleman must have struck himself against the punt in the fall, as it appears he scarcely made a struggle. Mr. White has left a wife and large family to deplore his loss. *Bell's Life, March 11*

DETERMINED SUICIDE.

Early on Saturday morning the body of a young man named **JOHN STONE BAKER**, in the employ of Mr. Holroyd, Settlers' Warehouse, George-street South, was discovered suspended by two sheets from a back window of the premises. Assistance having been procured, Mr. Holroyd was aroused, and the bed-room door of the deceased broken open. The body was brought into the house through a window in the lower story, and a medical gentleman being almost immediately in attendance, it was ascertained that the deceased must have been dead for several hours. The fall which the wretched man allowed himself would not have been less than twenty-five feet, which in all probability caused instant death. An inquest was held on the body during the day, at the Odd Fellows' Arms, and a verdict of "temporary insanity" returned. It was given in evidence by Mr. Holroyd, that the deceased, having been detected in some act of dishonesty, had been confined by him to his bed-room until witness could communicate with Baker's father; and it would appear that the dread of confronting his parent prompted him to the commission of this fearful crime. *Bell's Life, March 11*

MAITLAND MERCURY, 6/387, 18/03/1848

ACCIDENTAL DEATH. - A boy of about four years of age, named **EDWARD LEECH**, who resided with his parents near the Sugar Works at Canterbury, met with his death by drowning, on Monday evening last, in a well near his father's door. The last time the child was seen alive was about five o'clock in the afternoon, by a man named **RILEY**, who saw him going towards the well with a can in his hand. The boy was soon afterwards missed, and search made everywhere but at the well, until about eight o'clock, when Riley, hearing of the boy's absence, mentioned when and where he saw him at five o'clock. The father then proceeded to the well, when he perceived something floating on the surface of the water: he drew it up, and his feelings may be better conceived than described at finding the body of his son. *Herald, March 16*

ANOTHER DEATH BY DROWNING. - At or about seven o' clock yesterday morning, the body of a lad named **WILLIAM TIBBETT**, who resided with his father, a shoemaker, at Ashfield, was found in a water-hole near his father's house, by one of his father's apprentices, whose attention was attracted to the hole by seeing a cap floating on the water. It appears that the boy had been amusing himself at the hole by swimming a toy-boat, and had been from home about an hour when his body was discovered quite dead. The hole is about twelve feet in depth, and in consequence of the recent rains pretty full of water. *Herald, March 16*

MAITLAND MERCURY, 6/388, 22/03/1848

MELANCHOLY ACCIDENT. - On Monday afternoon two little boys named **WILLIAM and GEORGE HAYLEY**, aged seven and five years, went down to the river side after leaving school. The spot they went to is a favourite place with the children of the neighbourhood, being the smooth grassy space on the edge of the river just in front of Ranfurly Terrace. The river had been several feet above its usual level for some days, but had then fallen to about two feet, leaving a great deal of slippery mud on the bank. The two little boys had been there but a short time when the foot of the eldest slipped, and he fell into the water; at the instant he cried to his brother to help him, and half turning round caught him by the leg; this immediately pulled down the other poor little fellow, and he also went into the water. At that spot the depth of the water was then probably above four feet, but the swift current took them both off at a rapid pace down M'Dougall's Falls, and they were seen by a woman to hold their little hands up above the surface for several yards, while struggling in the water, after which they sank to rise no more. An immediate alarm was given, and every exertion was made by the neighbours, assisted by several blackfellows, to find the bodies, but no trace of them could be found up to a late hour on Monday night. Their mother, Mrs. Hayley, was quickly on the spot [unreadable].

ANOTHER DEATH FROM DROWNING. - About noon yesterday a man named **JOHN EXLEY [UXLEY]**, in the employ of Mr. M'Ilwaine, of Morpeth, was returning from East Maitland, with a horse and dray, when he turned aside to allow his horse to drink at the lagoon opposite Mr. Howe's. The lagoon, which is usually very low, is now so swollen that it is ten or twelve feet deep. The horse unfortunately approached the edge too quickly, and Exley, seeing how far it was going, tried to check it by the head, but in vain, for the weight of the dray forced the horse rapidly in and Exley was knocked down, and the next moment the dray was on the spot where he had fallen. Exley never rose again, having probably been stunned. The horse was also drowned.

HUNTER RIVER DISTRICT NEWS. - NAMOI RIVER.

MELANCHOLY ACCIDENT. - Two men have been drowned up here, one in attempting to cross the Namoi (while in a flooded state) at Broadwater, the other in passing a creek about four miles from Mollee[?]. The name of the former was **GEORGE SMITH**, the latter **PATRICK MURPHY**, whose horse was also drowned with him.

DEATHS.

At Dundullimal [?], Wellington, on the 6<sup>th</sup> March, from the bite of an adder, **ANNA**, the wife of **JOHN MORRISSEY**.

SENTINEL, 4/166, 23/03/1848

CORONER'S INQUEST. - On Thursday last, a female named **PHOEBE HART**, formerly a nurse in the Benevolent Asylum, was taken to that establishment for

medical assistance, but her debility was so extreme, that Dr. **RUSSELL** at once perceived that she was in a dying state; such medicines as were appropriate were prescribed, but she lingered until the following morning, when she expired. Dr. Russell found that the liver was extensively diseased, and was, consequently, of opinion that death was the result thereof. It is said that the deceased had latterly been of very intemperate habits. - On Saturday, an inquest was held on the body at the Wheatsheaf Inn, when the jury returned a verdict of death by the visitation of God.

**MELANCHOLY ACCIDENT.** - A most melancholy accident occurred here on the 20<sup>th</sup> February last. A man of Odell's was driving Mrs. **JEW** and infant in a cart; when near the creek the horse became impatient and ran back, capsizing the whole into a deep waterhole. The man and child sunk, and were not seen alive again; but for the praiseworthy exertions of Mr. **ROBERT KIRKWOOD**, of Beardy, Mrs. Jew would have met the same untimely fate. He, much to his credit, immediately jumped into the water hole and saved Mrs. Jew, at the pain of his own life. The bodies of the man and child were afterwards found, and interred in the ground consecrated for that purpose. The horse was also drowned - *Armidale Correspondent of the Maitland Mercury.*

MAITLAND MERCURY, 6/389, 25/03/1848

**INQUESTS.** - On Tuesday afternoon the body of **JOHN UXLEY**, who was drowned in Mr. Howe's lagoon on Tuesday morning, was got out, and an inquest was shortly after held on it before **J.S. PARKER**, Esq., Coroner. From the evidence it appeared that the poor fellow was taking a water cart to the lagoon, when the weight of the cart drew the horse in too far, the bank being pretty steep, and the horse plunging Uxley was thrown off. He swam several yards, but was unable to get up the bank, and was drowned. A verdict was returned of accidentally drowned.

On Wednesday morning the body of one of the little boys named **HAYLEY**, who were drowned in the river on Monday, was found, above two hundred yards below where they fell in; and about mid-day the second body was found floating in the river about a quarter of a mile below where they fell in. An inquest was held on the bodies in the afternoon, before **J.S. PARKER**, Esq., coroner, when evidence as to their having slipped in was given by a little boy who, it appeared, was the only person who actually saw the accident, and who immediately gave the alarm. Dr. **LIDDELL** and the jury having looked at the bodies, the Dr. gave it as his opinion that they had died from drowning. The jury returned a verdict of accidentally drowned.

**HUNTER RIVER DISTRICT NEWS.** - **DUNGOG.**

**MELANCHOLY ACCIDENT.** - On Wednesday last Mr. **SAMUEL STEEL**, a settler on the Brandon Grove Estate, Chichester River, was in this township, when a storm of rain, or rather a water-spout, fell in the neighbourhood, which caused an almost instant overflow of the creeks. Notwithstanding the advice of a friend Mr. Steel persisted in starting for home about three o'clock, p.m. From that moment nothing was heard of him, and on Saturday several of the neighbours made a search through all the water-courses, when he was found drowned in the Myall Creek, about midway between Dungog and his own place. On the information being given, Mr. **COOK**, the coroner, with a jury of thirteen men, proceeded to the spot to hold an inquest, but n witnesses being present the inquest was adjourned till to-day, when it will be held at the Dungog Inn. Swollen as the creeks were on that evening, there is not the slightest suspicion of any unfair play. Mr. Steel was a man much respected in this neighbourhood, and has left a wife (who is aged and helpless) to deplore his loss. March 20

MAITLAND MERCURY, 6/390, 29/03/1848

A WILD BULLOCK. - About ten o'clock, yesterday, a wild bullock which had escaped from one of the slaughter-house yards, in Sussex-street, ran furiously down George-street South, and after passing the Old Toll Bar swatch-house, made a rush at a very old and feeble man named **OWEN MINNIGAN**, who, after being dreadfully gored in the thigh, was knocked down, and his head severely wounded in the fall. The bullock then kept on his way along Parramatta-street, pursued by several of the police force, who were joined by many of the inhabitants, and some dogs having been procured, the animal was, at Black Swamp, pinned by the muzzle by one of them, and a knife having been procured, his throat was cut. The old man was removed into the Benevolent Asylum, of which he was an inmate, and had only left a few minutes previously to the accident for the purpose of going to church. From his age and feebleness, and the nature of his wounds, some apprehensions exist as to his recovery.

*Herald, March 27*

SUDDEN DEATH. - Mr. **DEAR**, the publican, of Pitt-street, shortly after rising yesterday morning in his usual state of health, suddenly complained of being taken very ill; medical assistance was immediately procured, but between one and two o'clock he expired. Death is stated to have resulted from apoplexy. *Herald, March 27*

THE LATE ROBBERY WITH VIOLENCE ON THE PARRAMATTA ROAD. - INQUEST ON FULHAM.

The inquest on Fulham, who died in the Benevolent Asylum on Sunday night from the injuries received when he was robbed on the Parramatta Road on the 12<sup>th</sup> ultimo, was resumed, from its adjournment on Monday, at the police-office yesterday afternoon. The three men, **CARLISLE, PAVEY, and RYAN** (the latter allowed bail, but immediately apprehended again on Fulham's death), who were committed after a lengthened investigation by the police bench for the robbery, were before the inquest. Several witnesses were examined, and the coroner having summed up, the jury retired, and after half an hour's absence, returned a finding of manslaughter against Pavey and Carlisle, and acquitted Ryan. *Herald, March 23*

SENTINEL, 4/167, 30/03/1848

INQUEST. - An inquest was held on Monday, by Mr. **BRENAN**, at the Star and Garter, public house, Pitt-street, touching the decease of **WILLIAM DEAR**, late proprietor of the said house, and then lying dead therein. After some evidence had been taken as to the deceased having been a person of intemperate habits, although it appeared he had been far less so during the last five or six months, more material testimony was given by a resident in the house, who deposed that the deceased went to be about twelve o'clock on Saturday night, at which time he was perfectly sober; on the following (Sunday) morning, about seven o'clock, he called him (the witness), for the key of the bar, and on its being handed to him he went there, but in about quarter of an hour afterwards he was called by a person telling him the deceased was dying, and on proceeding down stairs, found him lying on his back, and one side of his body apparently paralysed, when witness immediately sent for medical assistance. Mr. Surgeon **MABERLY** deposed to being called in to attend the deceased between seven and eight o'clock on Sunday morning, when he found him presenting all the appearances of apoplexy; he bled him copiously, but its only effect was causing him to slightly move his head, and he remained until his death a few minutes before two o'clock in the afternoon, in the same state of insensibility as he was when first seen.

Mr. M. added he had no doubt death had resulted from apoplexy. The Jury at once returned a verdict accordingly.

MAITLAND MERCURY, 6/391, 01/04/1848; NOT AVAILABLE.

MAITLAND MERCURY, 6/392, 05/04/1848

DEATH BY DROWNING. - On Sunday afternoon, two little boys, named **DANIEL GRADY** and ----- **PERROT**, whose parents live near the Duck Holes, were playing about in a large space of shallow water left by the late rains, when Grady, who was about eight years old, slipped into a hole or well which had been dug in the paddock, and which was then surrounded and filled with water. The other little boy, who was then leaving the water, did not miss his companion at once, but a man named **CAMPBELL**, living near, and who had noticed the two little boys playing about, observed that only one was to be seen, and he ran down and asked little Perrot what was become of Grady. Perrot said he left him in the water. After looking about for a moment to see if Grady could be seen anywhere, Campbell ran over to **WILLIAM GRADY**, the father of the little boy, and they searched together all about, but could not find the little boy that evening. The next morning at sunrise Grady renewed the search, and remembering the hole, he sounded it with a pole, and found the body. An inquest was held on it on Monday afternoon before **J.S. PARKER**, Esq., Coroner, when a verdict of accidentally drowned was returned.

DEATH FROM THE BITE OF A DEATH ADDER. - A most melancholy and fatal occurrence took place a few days since at Bundudemore, the residence of **JOHN MAUGHAN**, Esq., J.P., near Wellington. A Mrs. **ANN MORRISSY**, in the bloom of health, fell a victim to the sting of a death adder, which she accidentally trod upon late at night, whilst passing from the kitchen to the store, and expired within three hours after. The reptile upon being trodden upon gave a sort of short shrill cry, that was generally supposed by the friends of the deceased to have emanated from a cat. The deceased, however, stoutly maintained that she had trod upon a death adder, whereupon search was made, and the venomous reptile was caught and destroyed. It is perhaps not generally known that most snakes wander about at night, but here we have a melancholy proof that such is the fact. As the symptoms apparent upon a human being, after the sting from a death adder, have never been fully described, the following may not be uninteresting:- The deceased trod on the death, or death adder, as it is generally designated, late in the evening, near the steps of the kitchen door; she wore a shoe and thick worsted stockings; she trod on, or so near to the head of the reptile, that little doubt seems to be entertained of the fatal wound having been caused by the sting in its tail. The anomalous fact of a sting in the adder's tail has often been doubted, but it is generally supposed to be the case. Upon examination blood was discovered on the stocking, proceeding from a single puncture, a few minutes after the occurrence. The wound, which was situated immediately below the inner ankle bone, was incised and sucked; a light ligature was placed above, and a poultice applied to the wound. A quarter of an hour after the injury, sickness and vomiting occurred, which was restrained by a little brandy and water. The patient was kept moving, being supported on either side by the arm of a relative; she complained of no pain. Within an hour a sensation of numbness arose in the head, and particularly in the forehead, and the eyelids became shortly afterwards paralyzed; the circulation at this time was not hurried, and the respiration unaffected. The mind retained its faculties. Being fatigued, the poor woman requested to lie down, and being unable to raise the eyelids herself, requested an attendant to do her that service. The vision was clear,

and the senses unimpaired. As time progressed, the bandage on the limb being troublesome was removed; the deceased became affected in the palate and throat, and her voice grew gradually more indistinct; she made signs to have a portion of her dress slackened; and from the first expressed a conviction she could not recover. Shortly before her decease she took leave of her husband, friends, and assistants separately, and expired in rather less than three hours and a quarter from the time of the infliction of the sting. So easy and natural was her transit, that the moment of her death was not apparent to a person holding her hand. She had been a resident of the district for nearly ten years, and was an amiable and respectable member of society. *Correspondent of the Herald, March 31*

**DEATH OF A SHEPHERD BY LIGHTNING.** - An inquest was held on the 24<sup>th</sup> March, at Mount Stromboli, a station of Mr. **W. LAWSON**, J.P., about thirty miles from Bathurst, on the body of **WILLIAM MURPHY**, a shepherd in that gentleman's employ. On the previous Wednesday, he had gone out with his flock in the morning; there had been much thunder and lightning and rain about during the day; in the evening the sheep came home without the shepherd, and the hut-keeper became alarmed; fearful that some accident had occurred to the deceased, he went out and searched around some distance, but did not find the deceased. On the following morning the hutkeeper, in company with another man, went out to make further search, and at some distance from the hut he observed a tree that had been shivered and splintered by lightning; on going up they discovered the body of the deceased near the tree, with his clothes literally burnt off his back, the leather of the boots he had on shrivelled up, and his body singed; close by was his dog, also killed from the same cause; a part of the splintered tree had fallen across the body of the deceased. This is another of the many fatal effects of taking shelter under trees in thunderstorms. Verdict – death caused by lightning. *Bathurst Correspondent of the Herald.*

SENTINEL, 4/168, 06/04/1848.

**DEATH FROM THE BITE OF A DEATH ADDER.** - A most melancholy and fatal occurrence took place a few days since at Dundedemore, the residence of **JOHN MAUGHAM**, Esq., J.P., near Wellington. A Mrs. **ANN MORRISSY**, in the bloom of health, fell a victim to the sting of a death adder, which she accidentally trod upon late at night, whilst passing from the kitchen to the store, and expired within three hours after. The reptile upon being trod upon gave a sort of short shrill cry that was generally supposed by the friends of the deceased to have emanated from a cat. The deceased however, stoutly maintained that she had trod upon a death adder, whereupon search was made, and the venomous reptile was caught and destroyed. It is perhaps not generally known, that most snakes wander about at night. [Long and detailed description of the symptoms and progress of the woman.] Shortly before her decease she took leave of her husband, friends, and assistants separately, and expired in rather less than three hours and a quarter from the time of the infliction of the sting. So easy and natural was her transit that the moment of her death was not apparent to a person holding her hand. She had been a resident of the district for nearly ten years, and was an amiable and respectable member of society. – *Herald.*

MAITLAND MERCURY, 6/393, 08/04/1848

HUNTER RIVER DISTRICT NEWS. - WOLLOMBI.

**FATAL ACCIDENT.** - We have just heard the melancholy news that a fine girl, about 5 years of age, daughter of Mr. **MAYDEN**, of Laguna, met her death this morning, by falling into a water-hole near her father's residence. It appears that

during the morning she had been near this place minding stock, with some other children, whose screams, when the accident occurred, alarmed the father and others, who hastened to the spot, where, after searching the water for a considerable time, the lifeless body of the poor girl was discovered. Major **SULLIVAN**, P.M., and coroner, has duly summoned a jury of the inhabitants to investigate the matter, **and which jury will form the first regularly constituted inquest ever held in the district.** April 3<sup>rd</sup>, 1848.

#### DEATHS.

At Laguna, Wollombi, on the 3<sup>rd</sup> April, from drowning in a waterhole, **HARRIET**, the third daughter of **ELIJAH MAYDEN**, aged 4 years and 8 months.

#### SYDNEY NEWS.

**INQUEST.** - This hitherto quiet and peaceable township was on Sunday morning, (March 28,) thrown into a state of great excitement by the discovery on that day of a atrocious murder having been committed on the body of a man, since identified as a sawyer, lately arrived from the Tweed River, named **ROBERT COX**. As the coroner's inquest has not yet been brought to a conclusion, it is impossible, at the present state of the proceedings, to state who is the actual murderer or murderers; but the following evidence, already taken, fixes great suspicion on a man named **WILLIAM FYFE**, cook, in the employ of Mr. **W.S. SUTTON**, of the Commercial Inn, Kangaroo Point, upon whose premises it is also evident that the murder was committed late on Saturday night or early on Sunday morning. The evidence given before the coroner for the district, **D.K. BARLOW**, Esq., and a jury of twelve, is, first, of **GEORGE CUMMINGS**, who being sworn states, that early on Sunday morning last, as he was proceeding down the river in a boat with his family, when abreast of the fence belonging to a person named **RANKIN**, at Kangaroo Point, he discovered the upper portion of a human body, without the head, lying about two or three yards from the lower portion of the body; he immediately gave information to constable **MURPHY** of the circumstance. The evidence of constable Murphy, on being sworn, was a corroboration of Cummings's statement, as to the position of the mutilated remains on the banks of the river - of his subsequent removal of the body to an empty house in the vicinity; as also, to the identification of the remains as being those of the man Robert Cox, who had been drinking, up to a late hour on Saturday evening, at the Commercial Inn; of the finding of the head of the deceased in a new building, in the course of erection, opposite Sutton's public-house; and of the finding of marks of blood about the yard in the rear of the Commercial Inn; to the searching of the well in the rear of those premises, when a blue shirt and a striped shirt, similar to those worn by the deceased, were found in it; also a second striped shirt, since identified as belonging to the man Fyfe, together with a white handled knife, and a portion of the intestines belonging to a human being. Subsequent discoveries proved beyond a doubt that the murder had been committed in or near the kitchen of the Commercial Inn, and the body disembowelled, cut into several portions, and then carried away, first (from the signs of blood in the water) washing the body in the well; in fact, from this witness's evidence, the murdered appears to have killed the victim when overpowered with drink, and then most deliberately cut him up into convenient portions, to facilitate their removal. The chief constable, Mr. **W. FITZPATRICK**, apprehended during Sunday the following persons on suspicion:- **WILLIAM FYFE**, the cook at Sutton's public-house; and the supposed murderer; **W.S. SUTTON**, landlord of the Commercial Inn< Kangaroo Point; **GEORGE PLATT**, **WILLIAM LYNCH**, **WILLIAM HOLT**, **THOMAS MACDONALD**, **JOHN CONNELL**, **THOMAS NOSELY**, and **JOHN HUMPHREYS**, all of whom, with the exception

of Sutton, who after the inquest, on the first day, was released on his recognizances, remain in custody; but there is not a shadow of evidence against the other prisoners (with the exception of Fyfe) to warrant a supposition that they had any participation in the murder. No doubt in my next communication I shall be able to furnish you with full particulars, and I trust of the discovery of the actual perpetrators of this sanguinary deed. *Brisbane Correspondent of the S.M. Herald*

**FRIGHTFUL ACCIDENT.**

On Friday morning, as a man named **SINCLAIR** was proceeding along the Canterbury road, with a cart heavily laden with firewood, one of the wheels went into a deep hole, and the horses, in dragging it out, swaying the cart over, he ran to its side to endeavour to prevent an upset, but fruitlessly, as it capsized over him, dreadfully shattering one of his legs, and from some billets falling on another part of his body, he sustained injuries of so serious a nature, that recovery is despaired of. The accident was witnessed by constable **DITCHAM**, who lost no time in hurrying to the assistance of Sinclair, and removing the cart, and then conveyed him into Sydney to the Benevolent Asylum. *Herald, April 3*

MAITLAND MERCURY, 6/394, 12/04/1848

MAITLAND QUARTER SESSIONS. - This Court was opened on Monday morning [April 19] last, ...

ASSAULT WITH INTENT. - **THOMAS WOOD** was indicted for assaulting **SAMUEL SCHOFIELD**, on the side of the head, and wounding him with intent to do him some grievous bodily harm, at Dungog, on the 10<sup>th</sup> February, 1848.

It appeared from the evidence of Schofield that on that day he was at Mr. Stephenson's inn, at Dungog, when he saw the prisoner, who was in Mr. Stephenson's employ, go past with some water, and asked him to take some liquor, but the prisoner refused. Some time afterwards Schofield went into the kitchen, and asked the prisoner why he did not drink; a scuffle ensued, and Schofield got the prisoner down, but let him up again at his request; Schofield then turned to leave the kitchen, when the prisoner struck him a violent blow from behind with some weapon, knocking him down insensible. Dr. **M'KINLAY** deposed that he found four wounds about the head and face of Schofield, one of which, on the cheek, was a severe incised wound. Mr. Stephenson asked the prisoner what induced him to injure Schofield, but he made no answer.

In defence the prisoner put in a long written statement, to the effect that Schofield assaulted him because he would not drink with him, and Schofield being a stronger man he was driven desperate, being unable to get him out of the kitchen.

The jury returned a verdict of guilty of common assault, and recommended him to mercy. He was sentenced to two months' imprisonment, with hard labour, in Newcastle gaol.

SERIOUS ACCIDENT. - On Monday evening last, about seven o'clock, an old man named **PETER COULTON**, better known as "**Old Peter**," met with a serious accident. He was standing, in company with one or two other persons, in the middle of the High-street, when Mr. **WADE** drove up in his gig. Mr. Wade, who was driving gently at the time, called to the men to get out of the way, but Coulton, being deaf, did not clearly understand the warning, and instead of getting out of danger, ran against the gig, one of the shafts of which struck him in the breast, breaking two of his ribs, one of the broken bones penetrating his right lung. The old man was removed to the shop of Mr. **PINHEY**, who immediately apprised Dr. **M'CARTNEY** of the accident, and sent Coulton on to the Hospital. We are glad to hear that the old man, under the

care of Dr. M'Cartney, was yesterday going on as favourably as possible, considering his great age (78), and the serious nature of the accident.

#### SYDNEY NEWS.

A serious accident occurred on Sunday. Mrs. **RIDER**, lately Mrs. **PITT**, landlady of the Black Boy public-house, a well known singing room, at the corner of King and George streets, was thrown from a gig near the toll-bar on the Parramatta-road, and had her leg broken. She was taken home, and amputation was found necessary. The limb was taken off, but in a few minutes afterwards she expired, from the effects of the state of nervous excitement into which she had been thrown by the accident, and the circumstances attendant thereon, which I shall now explain. That morning she had gone, in company of her husband, to Parramatta, and in her absence had left her son in charge of her house. He went out for a short time, and found on his return that the house had been entered, his mother's bed-room door opened, and her drawers broken open, and £30 in notes and £10 in silver taken from them. On discovering the robbery, the son immediately started for Parramatta, and Mrs. Rider returned without delay; and from their haste to reach Sydney it was that the accident occurred. An inquest was held on this body this morning.

#### INQUESTS.

An inquest was held by Mr. **BRENAN** on Saturday, at Mr. Palmer's, the Dumbarton Castle, in Kent-street, touching the death of **JOHN MACRAE**, then lying dead at his residence, in Trafalgar-terrace, in the same street, whither the body had been removed from where it was found, at an early hour of the morning, washed on the rocks off Bott's Wharf. From the evidence adduced, it appeared that the deceased was in the employ of H.M. Customs, as a tide-waiter, and in that capacity had been placed on board the *Robert Syers*, lying off Moore's Wharf. The last person by whom the deceased had been seen alive was the second mate, with whom he was conversing as late as half-past nine on the previous evening, and at which time he was on the after-deck of the vessel, where that person left him, while he went forward to give some orders respecting the taking in of an awning, and baling out of a boat; and, after a quarter of an hour's absence, on his returning aft he found him gone, but imagining he had gone to bed, made no inquiries after him, and he was not missed until the master of the vessel (Mr. **MORRISON**) called to him in his cabin at about half-past five on Saturday morning to get up. Dr. **TIERNEY** being examined, stated that the body presented all the usual appearances incident on death from drowning, but he was induced to think, from the peculiar appearance of the face, and size of the head, that the deceased had been attacked by a fit of apoplexy, and had fallen into the water, and being unable to extricate himself, had thus been drowned. The jury at once returned a finding of accidental death from drowning.

A second inquest was held on Saturday, by Mr. **BRENNAN**, at Mr. Lee's, the St. John's Tavern, George-street south, touching the death of an infant, aged eighteen months, named **JOHN LYNCH**, then lying dead in a neighbouring house. From the evidence of the deceased's father, it appeared that the infant, who, although unable to walk about, was in the habit of crawling, was at about eleven o'clock on that morning missed from a yard where he had been playing, and after a quarter of an hour's search in the streets and adjoining yards, whither it was thought he might have crawled, he was found in the pool of a privy, having, as it is supposed, in moving the lid on the seat overbalanced himself and fell in. Life was not extinct when the deceased was got up, but he did not survive five minutes. Mr. Surgeon **CARTWRIGHT** deposed to being sent for to see the deceased, but on his arrival life was extinct, and although the usual means to induce respiration were tried, they were ineffectual. Mr. Cartwright

having given his opinion that deprivation of life had been caused by suffocation, a finding of accidental death from such cause was recorded. *Herald, April 10*

DEATHS.

At Sydney, on the 8<sup>th</sup> April, Mr. **JOHN M'RAE**, of Kent-street.

SENTINEL, 4/169, 13/04/1848

INQUESTS. - An inquest was held by Mr. **BRENAN** on Saturday, at Mr. Palmer's, the Dumbarton Castle, in Kent-street, touching the death of **JOHN MACRAE**, then lying dead at his residence, in Trafalgar-terrace, in the same street, whence the body had been removed from where it had been found, at an early hour of the morning, washed on the rocks off Bott's Wharf. From the evidence adduced, it appeared that the deceased was in the employ of H.M. Customs, as a tide waiter, and in that capacity had been placed on board the Robert Syers, lying off Moore's Wharf. The last person by whom the deceased had been seen alive was the second mate, with whom he was conversing as late as half-past nine on the previous evening, and at which time he was on the afterdeck of the vessel, when that person left him, while he went forward to give some instructions respecting the taking in of an awning, and baling out of a boat, and after a quarter of an hour's absence, on his returning aft he found him gone, but imagining he had gone to bed, made no enquiries respecting him, and he was not missed until the master of the vessel (Mr. **MORRISON**) called to him in his cabin at about half past five on Saturday morning, to get up. Mr. Morrison having stated that he thought he heard a noise in the cabin during the night, as of some person going up on deck; and some remarks being made that the deceased had appeared to be rather desponding in spirits, evidence was gone into which fully removed any suspicion of *felo de se*; and strong testimony was given as to his extreme sobriety. Dr. **TIERNEY** being examined, stated that the body presented all the usual appearances incident on death from drowning, but he was induced to think, from the peculiar appearance of the face and size of the head that deceased had been attacked by a fit of apoplexy, and had fallen into the water, and being unable to extricate himself, had thus being drowned. The circumstance of no noise of a fall in the water being heard, was accounted for by the prevalence of strong winds at the time he (deceased) was last seen alive. The Jury at once returned a finding of accidental death from drowning.

A second inquest was held on Saturday, by Mr. **BRENAN**, at Mr. Lees', the St. John's Tavern, George-street South, touching the death of an infant, eighteen months, named **JOHN LYNCH**, then lying dead in a neighbouring house. From the evidence of the deceased's father it appeared that the infant, who, although unable to walk, was in the habit of crawling, was at about eleven o'clock on that morning missed from a yard where he had been playing, and after a quarter of an hour's search in the streets and adjoining yards, whither it was thought he might have crawled, he was found in the pool of a privy, having as it is supposed in moving the lid on the seat overbalanced himself and fell in. Life was not extinct when the deceased was got up, but he did not survive five minutes. Mr. Surgeon **CARTWRIGHT** deposed to being sent for to see the deceased, but on his arrival life was extinct, and although the usual means to induce respiration were tried, they were ineffectual. Mr. Cartwright having given his opinion that deprivation of life had been caused by suffocation, a finding of accidental death from such cause was recorded.

INQUEST. - An inquest was held on Monday, By Mr. **BRENAN**, AT Mr. Ryder's, the Black Boy public house, corner of George and Kent-streets, touching the death of **ANN RYDER**, then lying dead in the said house. In order to properly understand the

case, it is necessary to state that on the previous morning the deceased, with her husband, proceeded to Parramatta, leaving her son, with a barman named **ALLEN**, in charge of the house, and that the former, on returning to the house after a few hours absence from it on Sunday afternoon, found the side door open and Allen absent, and on proceeding up stairs discovered his mother's bed room chamber had been forcibly entered, and a box ransacked, £30 in notes and £10 in silver gone, as also some jewellery and a quantity of wearing apparel. After securing the house he started off on horseback to meet the deceased on the road, which he succeeded in doing, and informed her and his step father, who were in the gig, of what had occurred. The circumstances which subsequently occurred were given in evidence at the inquest. Mr. **W.F. RYDER**, the husband of the deceased, stated that when near the Sydney Toll-gate, the gig, in which he and his wife were, upset when she was severely injured, receiving a compound fracture of the left leg. She was removed without delay to Sydney, and on her arrival there Mr. Surgeon **HARPUR** was sent for. At the time of the accident she was perfectly collected, and complained immediately after the occurrence of her leg. She was forty-six years of age. The upsetting of the gig was purely accidental, and was owing entirely to a hollow in the road on the off side, and on which side of the gig deceased was sitting. A son of the deceased, who went out to meet her on the road, and tell her of the robbery, confirmed Mr. Ryder's evidence as to the occurrence and nature of the accident. Mr. Surgeon Harpur was the next witness that was examined, and stated that he was called to see the deceased about eight o'clock on Sunday evening, when he found on the injured leg of the deceased, who was then quite sensible, some extensive fractures that he immediately called in Mr. **NATHAN**, with whom, after holding a consultation as to the expediency of removing the limb, both concurred in the opinion that amputation ought to take place without loss of time. Mr. Nathan then suggested the use of ether, and the deceased expressed her willingness and readiness to inhale it. In about three minutes after its application the deceased became insensible, when Mr. Nathan, assisted by witness (Mr. H.) performed the operation, throughout which and until its termination she remained conscious, but then became sensible, and shortly afterwards went off in a fainting fit. There was not more hemorrhage in the case than is usual, and finding in an hour afterwards that none had succeeded, the limb was dressed and tied up. After this the deceased went off in a syncope, in which she continued up to the period of her death. Brandy and water was administered to her; from a gurgling in her throat it is doubtful whether she swallowed all given her. On dissecting the leg on Monday morning, witness found the fracture to the ankle joint was broken through in innumerable pieces, and was of that character which must have been produced by a heavy crash. In his opinion death resulted from a shock received on the nervous system, such shock occurring both from the accident as well as the amputation, and from the despondency which she exhibited and expressed on her being robbed; and on some questions being put to the witness he stated that he did not believe that death had resulted from any internal injury and the only hope that ever existed of saving life was the amputation of the leg. Mr. Nathan then gave evidence as to his being called by the previous witness, whose testimony he confirmed. The ether administered to her was just sufficient for the operation. When Mr. N. first saw the deceased she was in a very desponding state; complaining of the loss of her money, and, in his opinion, the shock received on the system generally produced syncope and death. The accident, the mental emotion, and the consequent shock of the nervous system produced by amputation all combined, tended to cause death. Subsequently, on the deceased's son being re-called, he fully established Mr. Nathan's views as to the

mental powers being in a high state of excitement, by stating that from the moment when he met his mother, she immediately became greatly agitated, and kept speaking until the time of the unfortunate occurrence of what she had been robbed. The Jury returned a finding a death from injuries accidentally received, and the shock of the nervous system consequent thereon. The following is the description of the man whom there is every reason to believe robbed the house and absconded; **HENRY ALLEN** or **BURGESS**; height, about five feet four inches; fair complexion, aquiline nose, small red whiskers. [Next column carried report of Nathan using choloform.]

A MAN DROWNED. - Between four and five o'clock on Monday afternoon, the attention of Constable **HUGHES** being attracted, by finding on Bartlett's Wharf, in Darling Harbour, a tweed coat, pair of trousers, a hat handkerchief, and pair of boots, and learning from a carter, belonging to Mr. **BARKER**, that he had observed about three hours, previous, a person dressed in similar clothes, go towards the wharf, a boat was procured, and after some searching the body of a man, since recognised as being a person named **JAMES LANE**, and at one time in the employ of Mr. **STANFIELD**, a butcher, in Bathurst-street, was picked up. The body was subsequently removed to [Bissland's?] public house, in Bathurst-street, to await a Coroners inquest.

The schooner *Secret*, which sailed hence for Moreton Bay on Friday last, returned to port on Sunday, in consequence of the Captain (**JOHN BOYLE**) having been unfortunately drowned on the evening of the above day, when about twenty-five miles to the northward of the Heads, and in sight of the light-house. The accident was caused by the tiller rope breaking, while he was steering, whereby he was knocked overboard. The boisterous state of the weather, together with the darkness of the night, rendered it impossible for any means to be adopted to save him. We are sorry to say he has left a wife and three children almost destitute.

MAITLAND MERCURY, 6/395, 15/04/1848

A MAN DROWNED. - An inquest was held yesterday on the body of a poor man named **JAMES LANE**, which had been found in the waters of Darling Harbour, his clothes being found on Barker's wharf. From the evidence it appeared that some weeks ago the deceased robbed a person of £35, and then went into the country. He returned again to Sydney, and returned this person £5, and although he was forgiven, the circumstance appeared to prey on his mind. On Monday forenoon he said he would go and bathe, and his wife said she would accompany him, but he left home without her, and was seen on Barker's wharf in the afternoon, looking very poorly. From that time no more was seen of him until it was observed that his clothes remained unclaimed on the wharf, and search was made for him. A verdict was returned of accidentally drowned. *Abridged from the Herald, April 13*

MAITLAND QUARTER SESSIONS. - TUESDAY, APRIL 13, 1848.

ASSAULT WITH INTENT. - **EDWARD M'CUE** and **JOHN QUINLAN** were indicted for assaulting **JAMES M'GUINNESS**, at Morpeth, on the 13<sup>th</sup> December, 1847, and wounding him on the head, with intent to do him some bodily harm.

Mr. Purefoy appeared for the defence; attorney, Mr. C. Nicholl.

It appeared that on the night of the 13<sup>th</sup> December, between nine and ten o'clock, constables James M'Guinness and **THOMAS WEAVERS** were coming up the street at Morpeth when Quinlan's wife stopped them, and made some remarks relative to her husband. In a minute or two after the constables heard Quinlan shouting "Tipperary for ever," "Where's the bl--- traps?" Shortly after the constables met Quinlan, accompanied by M'Cue, as M'Guinness deposed, although neither Weavers nor either of the other witnesses identified him. M'Guinness deposed that Quinlan

appeared to be drunk, and that he asked Quinlan to go home quietly; that Quinlan refused; that he then told him he should take him to the lockup; that Quinlan then caught hold of both Weavers and himself. Weavers deposed that on coming up to Quinlan and his companion M'Guinness laid his hand on Quinlan, and told him he should take him to the lockup; that the second man, who was sober, said, "Let him alone, he's going home with me;" that M'Guinness replied, "he has had a chance of going home," and refused to let him go; and that Quinlan then caught hold of both constables. Both deposed that M'Guinness then threw him, and that they endeavoured to handcuff him on the ground; that Quinlan endeavoured to get away, and in his struggles struck them both; that the second man, who had been repeatedly called on by Quinlan to interfere, came up, and asked M'Guinness to take him also, but M'Guinness refused; and that they each then received blows on the head from behind, which knocked them senseless, Weavers not seeing who struck him, but M'Guinness seeing that M'Cue struck him the first blow he received with a stick. The prisoners then escaped. M'Guinness deposed that M'Cue was sober, but that Quinlan appeared drunk, but turned out to be not so much as he looked; Weavers deposed that the second man was sober; and Quinlan half drunk; on being pressed by the jury, Weavers replied that Quinlan was in that state that he would have told him to go home quietly; to a question from the Crown Prosecutor, Weavers then replied that he could not swear that M'Guinness did not say so to Quinlan. The testimony of the constables as to the actual assault was corroborated by two witnesses. **GEORGE DUNCAN** saw the constables engaged with a man on the ground, when a second man, called **Ned** by the one on the ground, asked M'Guinness to take him also, and on M'Guinness's refusing, he caught up a stick from the ground, and struck Weavers and M'Guinness on the head, knocking both senseless. The men corresponded in appearance with the prisoners. **THOMAS WEAVERS, son of the constable of that name**, saw the constables engaged in trying to handcuff a man, when a second man caught up a stone, and dropped it again, and then caught up M'Guinness's waddy, and struck the constables senseless, striking Weavers once, and M'Guinness twice. Dr. **WILTON** deposed that he was called in to attend M'Guinness, and found him suffering from two dangerous lacerated wounds, one on the back of the head, and the other on the forehead; if inflicted with a stick it must have been used with great force; witness attended M'Guinness twice at his house, and M'Guinness afterwards called at witness's surgery. Chief constable **WOOD** deposed to Quinlan's having been pursued by him in vain on the following morning, and that both prisoners kept out of the way for some time, when M'Cue was apprehended, and Quinlan afterwards gave himself up.

Mr. Purefoy at great length addressed the jury for the defence, contending that under the indictment the jury must acquit the prisoners, as they were not charged with assaulting constables in the execution of their duty, and that was the only excuse even that could be offered for the interference of M'Guinness and Weavers with them; in any other light the assaulting was committed by M'Guinness and Weavers. But even had they been so charged the evidence showed that neither of the men was in a state to justify interference by the constables, who clearly exceeded their duty. The evidence, also, of the only witness who identified either of the prisoners as having actually struck the blows complained of was contradicted in many points by the evidence of Weavers. He called two witnesses to speak to the character of the prisoners.

The Crown Prosecutor replied.

The Chairman, in summing up, held that the charge being of a felonious assault, it was not necessary to charge it as being on a constable in the execution of his duty to enable evidence to be received that that was the fact; and that even had the constables exceeded their duty, which did not appear to him to have been the case, it would not have justified the assault.

The jury retired at one o'clock, and returned at three o'clock, with a verdict of guilty of assault with intent against M'Cue, and of common assault against Quinlan, but recommending M'Cue to mercy. M'Cue was sentenced to be worked twelve months in irons, and Quinlan to be imprisoned six months, with hard labour, in Newcastle gaol.

A MAN DROWNED. - Between four and five o'clock yesterday afternoon, the attention of Constable **HUGHES** being attracted by finding on Barker's Wharf, in Darling Harbour, a tweed coat, pair of trowsers, a hat, handkerchief, and a pair of boots, and learning from a carter, belonging to Mr. Barker, that he had observed, about three hours previously, a person dressed in similar clothes, go towards the wharf, a boat was procured, and after some searching the body of a man, since recognised as being a person named **JAMES LANE**, and at one time in the employ of Mr. **STANFIELD**, a butcher, in Bathurst-street, was picked up. The body was subsequently moved to Bissland's public house, in Bathurst-street, where an inquest will be held to-day. *Herald, April 12*

MAITLAND MERCURY, 6/396, 19/04/1848

MURDER NEAR MUSWELLBROOK. - Last Friday morning, as chief constable **FOX**, of Muswellbrook, was returning home from the Quarter Sessions, he was hailed near Muswellbrook by a bullock-driver, who told him he had just discovered a man lying dead in the bush, who had evidently been murdered. Mr. Fox went into the bush with the bullock-driver, and in a gully he found the body of a young man lying, covered over with a rug and some branches. The body was lying in a pool of blood, the head being completely smashed in. From the spot where it was found, Mr. Fox traced the track along which the body had been dragged, till he reached a place where a fire had been made, as if the deceased had camped there, and on the extinguished fire he observed a coat and hat lying, half consumed. Further inquiries were made, and Mr. Fox ascertained that two men had a day or two previously stopped at the Aberdeen Inn, and Mr. **CALDWELL**, the landlord, having viewed the body, at once recognised it as being that of one of those two men. While at Mr. Caldwell's, he noticed that this unfortunate man, called by his companion **CONOLLY or CONDON**, had on his person a gold watch, and two silver watches, as well as several orders and cheques. Conolly had presented a cheque for £5 to Mr. Caldwell in payment, but something about it or the men induced him to refuse it, and he was otherwise paid. Fox without delay traced a man answering the description of Conolly's companion down to Maitland, and from thence to Morpeth, which latter place he is supposed to have left by land on Monday morning, in the direction of Newcastle. Up to sunset last evening no further trace of his movements had been found, but Mr. Fox is still on the look out for him. Whether, when found, he will prove to be one of the men who were together at the Aberdeen Inn remains to be seen.

ACCIDENT AT ARMIDALE.

In the *Atlas* of the 15<sup>th</sup> instant we observe the following:- MR. ATLAS - In consequence of a paragraph appearing in one of your numbers, dated March 18<sup>th</sup>, concerning the melancholy accident which occurred at Armidale on the 29<sup>th</sup> February, to the driver of one of Mr. Odell's horse-teams and child of Mrs. **JEW**, I beg to state

that your informant should have given a more correct and undivided share of that praise which was bestowed on Mr. **ROBERT KIRKWOOD**, to Mr. **JOHN TRIM**, of Armidale; not that I would speak disparagingly of the said Mr. R.K.'s manly conduct – on the contrary. But it must be remembered that, at the very moment when Mr. Robert Kirkwood and Mrs. Jew were going under water, in consequence of the manner in which she clung to him, the said Mr. John Trim immediately plunged into the water-hole and rescued both of them at the risk of his own life. By giving this an insertion in your valuable paper, it may, I trust, stimulate others, should occasion require, to exert themselves in saving a fellow-creature's life.

AN EYE WITNESS. [We insert the above in order to render to every one his due. If our correspondent had carefully read the paragraph alluded to, he would have seen that the error did not rest with us, but our contemporary the *Maitland Mercury*, from whom we acknowledge it to have been taken. - ED.]

#### ANOTHER MURDER.

This hitherto comparatively quiet district, as regards these atrocious outrages, seems to have lately engendered the seeds of sanguinary violence. A report of another murder having been committed within the last few days has been confirmed. From the evidence given before the coroner for this district, it appears that the murdered man (**JIM CROW**) was employed as a shepherd at Mr. John Gammie's station, near Ipswich, and that two other men lived in the same hut with him; that on the evening of the 6<sup>th</sup> instant, the man accused of the murder (**DENNIS CAHIL**) and Crow had been drinking, and that about ten o'clock at night Cahil ran out to the man employed watching the sheep and said Crow had fallen down and cut himself; but upon an investigation taking place, it was made evident that Crow had been wilfully struck by some one, and as only Cahil was in the hut at the time, the conclusion arrived at was, that Cahil had committed the deed. The jury returned a verdict to that effect. - The inquest reported in my last communication as being held on the body of **ROBERT COX**, terminated – after a protracted investigation of four days – by a verdict of wilful murder being given against the man **WILLIAM FYFE**, cook at Sutton's public-house, Kangaroo Point. The rest of the people in custody on suspicion were discharged. There can be no doubt the unfortunate man was murdered on Sutton's premises, and afterwards the body cut up and thrown into the river. - *Moreton Bay Correspondent of the S.M. Herald.*

#### CLARENCE RIVER DISTRICT. - MORE MURDERS BY THE ABORIGINES.

Letters received by the steamer give accounts of more outrages by the aborigines. Mr. **COUTES** had another man murdered by them, and at the same time 900 sheep were driven off by them. This outrage took place on Sunday, the 9<sup>th</sup> instant, but up to the 12<sup>th</sup>, although a report was immediately made to the Commissioners, no steps had been taken either to apprehend the murderers or recover the sheep. *S.M. Herald, April 17*

SENTINEL, 4/170, 20/04/1848

SUDDEN DEATH. - Shortly after twelve o'clock on Thursday morning, Constable **LOWE**, while on duty in Clarence-street, being informed that a man had suddenly expired in one of the hovels in Green's-alley, at the rear of Solomon's temple, in Erskine-street, proceeded thither, when he found the dead body of a person, since recognised as a man named **PETER STEWART**, lying across the floor of a lower apartment, and a female sitting beside it, who stated herself to be his wife, but which it subsequently transpired was not the case. The account of the occurrence given by the female was that the deceased, who had been living with her for some time past,

had latterly complained of ill health, and that one the previous day he went out for the purpose of being bled, but on his return home said that the medical man he had applied to, had declined doing so, in consequence of his being in too weakly a state. In the course of the evening he complained of being worse, and took in some tea a powder which he had brought home with him. Between eleven and twelve, as he felt his illness gradually increase, and began rolling about the floor, she left the house to procure medical assistance, and on her return home found him dead.

MORETON BAY COURIER – Apr 1, 1848 – murder of **ROBERT COX**, sawyer; murder of **JOHN CROW**, shepherd. ????????

MAITLAND MERCURY, 6/397, 22/04/1848

THE MURDER NEAR MUSWELL BROOK. - On Tuesday evening last the man supposed to be the murderer was seen twice in East Maitland; on the first occasion early in the evening, when he called at a store to purchase powder and buck-shot, but bolted on observing that a man had left the shop, and ran as hard as he could for the bush; and on the second occasion about eleven o'clock, when he called at a public-house to light his pipe, and immediately decamped. On both occasions his appearance induced parties to go for the police, but he got clear off each time. His is supposed to be still lurking about Maitland, or to have gone in the direction of Wollombi. The mounted police, who, with chief constable **FOX** and some of the Maitland police, have been engaged in searching for him, are still doing so. Since we published the account in our last we have gathered a few further particulars of the case. It appears that chief constable Fox met the bullock-driver on Friday evening, the 14<sup>th</sup>, about a mile from Muswell Brook, and was taken by him to a water-hole in a small gully, where Mr. Fox found the murdered man lying on his face, with his hands crossed over the top of his head; the back of his skull was beaten in, and there were also three holes made in it, one over the right eye, one behind and one in front of the right ear. The body had evidently been dragged to this spot from the fire-place, along a small creek, and blood was seen on the grass near the fire-place. The body was afterwards identified by a man named **BAKER** as being that of **RICHARD CONNOLLY**, a man whom he had known in the service of Dr. **JENKINS**; and Mr. **CALDWELL** identified him as one of the two men who had stopped at his inn on the previous Wednesday. On Saturday morning Mr. Fox received a letter from Dr. Jenkiins, informing him that Connolly had absconded from his service, taking with him, as he suspected, a gold watch, and that he believed he had been induced to abscond by a man, a shipmate of Connolly's, who had visited the station; Dr. J. described the men, and directed Mr. Fox to apprehend Connolly, if he met with him. Mr. Caldwell stated that Connolly and another man called at his house on Wednesday, and dined and shaved themselves; Mr. Caldwell heard them talking about a gold watch, and saw two silver watches in their possession; they changed a cheque of Dr. Jenkins's with him, and he saw that they had a similar cheque. The second man is described as a square-built active young man, of about thirty years of age, of dark complexion, and dark hair, with full dark whiskers coming low under the chin, but not meeting; when at Mr. Caldwell's he was dressed in dark fustian trousers, striped shirt, and low-crowned cabbage-tree hat, and carried a square bundle in a handkerchief. Immediately on hearing of the murder, Lieutenant **O'CONNELL**, with a party of mounted police, proceeded to the spot, and traced such a man to Maitland, where they arrived late on Saturday evening. They continued the search on Sunday without success, and on Sunday evening chief constable Fox also arrived, having also trace d the man down to Maitland. During Sunday morning the man was met by two of the

Maitland police, but they had unfortunately not then heard a word of the murder, and the man has not since been seen by any of the police, although he was in a house in Morpeth on Monday morning, and in two others, as already related, on Tuesday evening.

**SUDDEN DEATH.** - A poor man named **JOHN WAYBURN** was on Thursday afternoon being brought to Maitland, from Buchanan, to be placed in the Hospital, as he was labouring under serious illness. He became worse on the road, however, and expired shortly after reaching a house at Dagworth. Notice of his death was forwarded to the Coroner, and we believe an inquest was held on the body yesterday, but we have not heard the result.

**DETERMINED ATTEMPT AT SELF-DESTRUCTION.** - Late on Sunday evening, a young girl named **TAYLOR**, (said to be the daughter of Mrs. Taylor, who a few years since was an actress at the Victoria Theatre), threw herself from off the Gas Company's wharf into Darling Harbour, from which she was rescued, and subsequently taken over, by a gentleman who had observed the occurrence, to Balmain, on his recognising her to be in the service of a resident there; but as it was found on her arrival at the landing place she was from weakness, and the state she was in, unable to proceed any further, Mr. **ALTON**, the publican, humanely took her into his house and did everything which her situation required, gave her lodging for the night, and yesterday morning she was taken home to her situation, but she shortly afterwards contrived to leave the house, and was afterwards discovered at the waterside almost in the act of again jumping in. She was then given in charge of the police. *Herald, April 16*

**STABBING.** - Between the hours of two and three on Sunday morning, a person named **PARR**, residing in Elizabeth-street South, had the door of his house forced open by two men, whom he knew by sight, but whose names he is unacquainted with, who then stabbed him in the neck and hand with some sharp instrument. The assistance of the police was as soon as possible procured, but the men had gone before their arrival. Parr was taken to the hospital, where his wounds were dressed; those in the neck are slight, but the cut on the hand is considered dangerous, from the possibility of tetanus ensuing. *Herald, April 18*

**MAITLAND MERCURY, 6/398, 26/04/1848**

**ALLEGED MURDER OF AN ABORIGINAL.** - A complaint having been made to the government that a murder was committed on an aged aboriginal by some of the parties who were out to apprehend the blacks charged with committing rape, at Gloucester River, the Police Magistrate of Maitland has been instructed to make an investigation into the circumstances.

**THE INQUEST ON JAMES WAYBURN.** - We are informed that at the inquest held on the body of **JAMES WAYBURN**, on Friday last, before **J.S. PARKER**, Esq., coroner, Dr. **EDYE** made a *post mortem* examination, and found that Wayburn died from extensive inflammation of the intestines, and that the jury returned a verdict of died from natural causes.

**SHIPPING.**

The brig *Christina*, hence for Port Phillip the 12<sup>th</sup> instant, put into Twofold Bay on Thursday last, and remained there when the *Shamrock* left on Friday. She had been met with exceedingly bad weather, and during a gale on the 16<sup>th</sup> instant one of the seamen was washed overboard and drowned.

**SUDDEN DEATH.** - Captain **INNES**, in the absence of Mr. **BRENNAN**, who was unwell, commenced on Saturday afternoon an inquiry at Mr. Oatley's public-house,

Goulburn and Pitt-streets, touching the decease of **CATHERINE JACOBS**, then lying dead at the house of a female named **BAILEY**, in Durand's Alley, where she had expired on the previous evening. The evidence of **ALICE BAILEY** and her daughter went to show that the deceased, who had resided with them for some time past, although in an ailing state, was on Thursday morning, at breakfast time, in her ordinary general health, and that after making a hearty meal she went out, and returned home in the evening, when she complained of being very ill, and stated that a person named **WARDEN**, residing on the Brickfield-hill, had greatly ill-used her by knocking her down, and attacking her with a broomstick. The deceased then went to her bed, from which she never again rose, having died within twenty-four hours afterwards. On the deceased's body being examined by these witnesses, it appeared that she must for some time past have been afflicted with a disease of a peculiar nature, and near its seat a wound was found. Dr. **TIERNEY**, having made a post mortem examination, confirmed this testimony, both as to the disease and the wound, which was one of very recent occurrence, and bore that appearance which the blow of a stick given in the manner the witnesses had stated or described it to have been, would present, and added, that although the disease she was suffering from would have induced death, yet the blow she had apparently received would be the means of greatly accelerating it. Captain Innes then issued his warrant for the apprehension of Warden, and adjourned the inquiry till this morning, when it will be holden at the Police Office. *Herald, April 24*

**FATAL ACCIDENT.** - On Friday last, a boat in which were six youths was crossing from Double Bay to the north side of the Harbour, and while close to the shore was capsized by a sudden puff of wind. All on board were precipitated into the water, but being able to swim, except one named **O'REGAN**, a lad about sixteen, were picked up by the timely aid of Mr. **SMITH**, of Castlereagh-street, and Mr. **VAUGHAN**, of Sydney, whose conduct merits every praise, and who witnessed the accident. O'Regan sunk instantly, and though every search is being made, the body has not yet been found. *Herald, April 24*

SENTINEL, 4/171, 29/04/1848

**THE MURDER AT MUSWELLBROOK.** - The body of the murdered man has been identified as that of a person named **RICHARD CONNOLLY**, who had been in the service of Dr. **JENKINS**, from whom he had absconded, taking with him the gold watch he had about him, and was supposed to have been induced to do so by a shipmate who is believed to be the perpetrator of the murder, and from the description given of him he was twice seen, but unfortunately before intelligence of the murder arrived in Maitland, and whither he was subsequently traced by Lieutenant **O'CONNELL**, and a party of the Mounted Police, who are still in pursuit of him.

**FATAL ACCIDENT.** - On Friday last, a boat in which were six youths, was crossing from Double Bay to the North side of the Harbour, and while close to the shore was capsized by a sudden puff of wind. All on board were precipitated into the water, but being able to swim, except one named **O'REGAN**, a lad about sixteen, were picked up by the timely aid of Mr. **SMITH**, of Castlereagh-street, and Mr. **VAUGHAN**, of Sydney, whose conduct merits every praise, and who witnessed the accident. O'Regan sunk immediately, and though every search is being made, the body has not yet been found.

**SUDDEN DEATH.** - Captain **INNES**, in the absence of Mr. **BRENAN**, who was unwell, commenced on Saturday afternoon an inquiry at Mr. Oatley's public house, Goulburn and Pitt-streets, touching the deceased of **CATHERINE JACOBS**, then

lying dead at the house of a female named **BAILEY**, in Durand's-alley, where she had expired on the previous evening. The evidence of **ALICE BAILEY** and her daughter went to show that the deceased, who had resided with them for some time past, although in an ailing state, was on Tuesday morning, at breakfast time, in her ordinary general health, and that after making a hearty meal she went out, and returned home in the evening, when she complained of being very ill, and stated that a person named **WARDEN**, residing on the Brickfield-hill, had greatly ill-used her by knocking her down, and attacking her with a broom stick. The deceased then went to her bed, from which she never again rose, having died within twenty-four hours afterwards. On the deceased's body being examined by these witnesses, it appeared that she must have been for some time past afflicted with a disease of a peculiar nature, and near its seat a wound was found. Dr. **TIERNEY**, having made a post mortem examination, confirmed this testimony, both as to the disease and of the wound, which was one of very recent occurrence, and bore that appearance which the blow of a stick in the manner the witnesses had stated or described it to have been, would present, and added, that although the disease she was suffering from would have induced death, yet the blow she had apparently received would be the means of accelerating it greatly. Captain Innes then issued his warrant for the apprehension of warden, and adjourned the enquiry till this ..... [ends]

MAITLAND MERCURY, 6/399, 29/04/1848; NOT AVAILABLE.

MAITLAND MERCURY, 6/400, 03/05/1848

**AWFULLY SUDDEN DEATH.** - Just as the horses were coming in for the third heat of the first race at Parramatta yesterday, a man who was in the grand stand suddenly fell backwards. The first impression was that he had been seized with an apoplectic fit, and a gentleman who was standing by lost no time in taking off his jacket and opening a vein in one of the arms, but only a few drops of blood followed, and he was in a few minutes a corpse. The deceased had been noticed during the morning as being in apparently very ill health, and to be greatly excited by the race, and it was subsequently found that he was, and had been for some time past, a patient in a private hospital at Parramatta. *Herald, April 20*

**FATAL ACCIDENT.** - About four o'clock yesterday afternoon a dingy, with a man in it, was observed to capsize off Billy Blue's Point. Some boats immediately put off from the shore to rescue him, but before reaching the spot where the accident occurred he had sunk. The body, on being recovered, was recognised as being that of a person named **TAIT**, the master of a coasting craft. *Herald, May 1*

**FRIGHTFUL ACCIDENT.** - In the course of the morning service, yesterday, at St. Patrick's chapel, a young child of about two years of age, the daughter of Mr. **IRWIN**, the publican, of Clarence-street, slipped through the railings of the gallery, and fell (a height of above forty feet) into the body of the chapel. The infant came in contact with the floor on its head, there being unfortunately no person standing near the spot, and when picked up, although there was no fracture of the skull, was perfectly senseless, and but little hope is entertained of its recovery. *Herald, May 1*

**FATAL ACCIDENT.** - Mr. **W.H.T. OAKES** was the fifth son of the late **H.R. OAKES**, Esq., formerly Commissioner of Crown Lands for the M'Leay district, and while out shooting, left his gun against a tree, and on taking it again, something being entangled in the trigger, it went off, discharging its contents in the lower intestines. He walked home, a distance of half a mile, and although medical aid was immediately obtained, he survived only a few hours. *Correspondent of Herald*

#### THE MUSWELL BROOK MURDER.

Information has been received by the Maitland bench that the man **MICHAEL M'CANN**, apprehended at Wollombi on suspicion of being the murder of **CONOLLY**, near Muswell Brook, and who was forwarded to Muswell Brook, has been discharged by the Muswell Brook bench, as he was not the man who was in company with Conolly at the Aberdeen Inn.

INQUEST. - An inquest was held yesterday, at Mr. Callaghan's, the Plough In n, West Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **WILLIAM SINGLETON**, a young man who had died the day previous. It appeared that Singleton had been in the employ of Mr. **LARKIN FOREMAN** [?], butcher, of East Maitland, and that he was taken unwell on Thursday afternoon last, and got some medicine at Mr. Earle's druggist's shop. The next morning he called again for medicine, saying that he felt better, but he looked so ill that the shop-assistant asked him to wait till he could speak to Dr. **WILTON**. Dr. Wilton saw Singleton, and told the assistant to make up some medicine for him, which he did, and Singleton took it. On Saturday morning Singleton felt worse, and he removed over to a friend's house in West Maitland, where Dr. **M'CARTNEY** saw him on Sunday, and found him suffering from violent inflammation of the intestines. Dr. M'Cartney saw that Singleton's case was hopeless, but he gave him some medicine to relieve the pain. On Monday morning Singleton died. The jury returned a verdict of died from inflammation of the bowels, adding that they considered no blame was to be attached to any person.

IPSWICH. - MURDER. - On Saturday, the 8<sup>th</sup> April, Dr. **BALLOW**, the Coroner, held an inquest on the body of **JOSHUA CROW**, who, as stated in our last publication, was murdered at one of Mr. John Gammie's sheep stations. Sufficient horses not being obtainable, seven jurors only proceeded with the Coroner to Mount Flinders to examine the body, which they had to exhume, interment having been absolutely necessary in consequence of rapid decomposition. The next morning the inquest was resumed at the Court-house, in the presence of the prisoners, **DENNIS CAHIL and OWEN CRONAN**, when several witnesses were examined, and the jury returned a verdict of wilful murder against both prisoners. The prisoners were forwarded to Sydney by the *Tamar* steamer on Wednesday last. *Moreton Bay Courier, April 15*

#### DEATHS.

At Coolangatta, Shoalhaven, on the 19<sup>th</sup> April, **JOHN BERRY**, Esq. His death was the result of an accident occasioned by his horse falling under him.

SENTINEL, 4/172, 04/05/1848

FATAL ACCIDENT. - About four o'clock Sunday afternoon, a dingy, with a man in it, was observed to capsize off Billy Blue's Point. Some boats immediately put off from shore to rescue him, but before reaching the spot where the accident occurred, he had sunk. The body, on being recovered, was recognised as being that of a person named **[JOHN] TAIT**, the master of a coasting craft.

AWFULLY SUDDEN DEATH. - Just as the horses were coming in for the third heat of the first race at Parramatta on Friday a man who was in the grand stand suddenly fell backwards. The first impression was that he had been seized with an apoplectic fit, and a gentleman who was standing by lost no time in taking off his jacket and opening a vein in one of his arms, but only a few drops of blood followed, and he was in a few minutes a corpse. The deceased had been noticed during the morning as being in apparently very ill health, and to be greatly excited by the race,

and it was subsequently found that he was, and had been for some time past, a patient in a private hospital in Parramatta.

INQUEST. - An inquest was held by the Coroner on Tuesday, at the Cornish Arms, North Shore, touching the death of **JOHN TAIT**, who had been drowned off Billy Blue's Point on Sunday afternoon. The evidence adduced was to the effect, that a dingy which the deceased was pulling was seen to capsize, and although only a few minutes elapsed before some persons who immediately made for the spot, reached it, life was found to be extinct. Mr. Surgeon **BEARDMORE** was promptly in attendance, and the usual means of resuscitation were employed, but unavailingly. The deceased being known to have been a man of sober habits, and there being no doubt that death was purely accidental, a verdict to that effect was recorded.

DIED

Suddenly, on Monday last, Mr. **JOHN TUNKS [JUNKS?]**, of Parramatta, Father of Mr. **WILLIAM TUNKS**, in his 67<sup>th</sup> year. [?Apo]

MAITLAND MERCURY, 6/401, 06/05/1848

THE MUSWELL BROOK MURDER. - The man apprehended at Newcastle on Tuesday, the 25<sup>th</sup> ultimo, by chief constable **HOLT**, on suspicion of being the murderer of **RICHARD CONNOLLY**, (or rather **JOHN CONNOLLY**, as known in Dr. Jenkins's service), has acknowledged to having been in company with Connolly at the Aberdeen Inn. He is now on his way to Muswell Brook, having been forwarded from Newcastle to Maitland on Thursday, and sent on from this place yesterday morning, under escort. He first gave his name as **GEORGE WARD** to Mr. Holt, but afterwards told the Newcastle bench that his name was **GEORGE WATERS WARD**, and that he came to the colony a free man. From information received by Dr. Jenkins his real name is supposed to be **GEORGE NEWMAN**, and he is believed to have come to the colony a prisoner in 1829, as George Waters, alias Newman. He has been recognised by the Maitland police as being the man whom they and the mounted police were in pursuit of about the 15<sup>th</sup> to the 18<sup>th</sup> April, having been met by two of the police before they had heard of the murder. Dr. Jenkins, in forwarding to the Muswell Brook bench what information he had obtained, stated that Connolly, when he left, had with him in addition to Dr. J.'s gold and silver watches, a silver watch of his own, without the second hand; and that parties who had known Newman were aware that he had lived some time in and near Parramatta, part of the time as gardener at Mr. Lawson's, of Prospect. Yesterday, a settler named **WILLIAM RYAN**, residing at Miller's Forest, appeared voluntarily before the Maitland bench, and gave up a watch he had bought from a man who gave his name as **GEORGE HUESS**. Ryan deposed that Huess came to his house about dusk on Sunday, the 16<sup>th</sup> April, asking for employment, stating that he had been recommended to apply to him by the puntman at Raymond Terrace. Ryan hired him at 8s. per week. Huess remained with him until the Sunday following, when he left to go to Raymond Terrace, after which Ryan saw no more of him. Huess told Ryan that he had served his time with Mr. Lawson, and had a discharge from a person at Prospect. During the time Huess remained at Ryan's he sold him a silver watch, without a second hand, with a brass key fastened to a platted string; the number 2593 scratched on the inside, maker's name "Robert, Geneva," on the dial and inside also. Huess was not paid by Mr. Ryan, nor did he ask for payment. Huess also left at Mr. Ryan's a light tweed coat, and it seems singular that he neither took it, nor asked for payment for the watch, when he left for Raymond Terrace. - Last evening a mate of Connolly's on Dr. Jenkins's station arrived in Maitland by the mail, and informed the police that

Ward, alias Newman, whom he met on the road in charge of the constables, was the man in whose company Connolly absconded from the station, and that the coat left by Huess at Mr. Ryan's was the coat that man was then carrying; he thought the watch sold by Huess was like Connolly's watch, but could not swear to it. There is now, therefore, no doubt that Connolly's companion is in custody.

#### DEATH OF AN ABORIGINE FROM WOUNDS RECEIVED IN FIGHTING.

On Friday se'night two aboriginals of the Maitland tribe quarrelled about a gin, and fought for some time. At length one of them, named **GORMAN**, gained the victory, beating his opponent, **BLACK BOY**, so savagely about the head with a waddy, as to leave him senseless on the field of battle, just on the outskirts of the town. Black Boy lingered till Sunday, and then died, from the effects of the injuries he had received. On Monday he was buried by the tribe, who, whether purposely or not we do not know, buried him in a paddock where a lot of bullocks were running, selecting a spot which the bullocks used as a road; after interring the body the blacks beat and smoothed the earth above till it was quite level with that around, and the bullocks having walked backwards and forwards over it as usual, the spot has become quite undistinguishable to the eye of a white man.

#### DEATHS.

Lost his life, on the 4<sup>th</sup> April, **THOMAS OWEN**, son of the late Thomas Owen, of Brimbir, Manning River, in crossing a creek after heavy rain, on horseback. He was the only child of now an afflicted mother – a good and dutiful son – aged 12 years and 4 months.

INQUEST. - An inquest was held by the Coroner yesterday, at the Cornish Arms, North Shore, touching the death of **JOHN TAIT**, who had been drowned off Blily Blue's Point on Sunday afternoon. The evidence adduced was to the effect, that a dingy which the deceased was pulling was seen to capsize, and although only a few minutes elapsed before some persons, who immediately made for the spot, reached it, life was found to be extinct. On the body being brought ashore, Mr. Surgeon **BEARDMORE** was promptly in attendance, and the usual means of resuscitation were employed, but unavailingly. The deceased being known to have been a man of sober habits, and there being no doubt that death was purely accidental, a verdict to that effect was recorded. *Herald, May 3*

MAITLAND MERCURY, 6/402, 10/05/1848

BERRIMA. - FATAL ACCIDENTS. - It is our melancholy duty to record the sudden death of Mr. **JOHN HENRY THROSBY**, (the third son of **CHARLES THROSBY**, Esq., of Throsby Park), which occurred on Tuesday, the 25<sup>th</sup> April last. An inquiry was held on the deceased by Dr. **BRANSBY**, the coroner, at which it transpired that the deceased was, on the day of his death, with some men running in a herd of cattle, and whilst following them at full speed, his horse fell, throwing him with great violence on his head, and fracturing the skull. The horse also rolled over him as he lay on the ground in a state of insensibility. Mr. Throsby, on hearing the dreadful news, proceeded to the spot in a gig, and took the deceased home; he died the same night about nine o'clock. Deceased was universally respected in the district for the urbanity of his manners, and strict moral rectitude of conduct. He was buried in the Bong Bong churchyard, and every individual who knew when the funeral was to take place attended, to testify the great respect that was entertained for him.

Our district has been for some time past the scene of several unhappy and fatal accidents. A few days since, a man named **FRIDAY**, whilst standing in front of his hut, in the township, fell, and instantly expired. Shortly previous to this, a young man

named **NORRIS**, who was the sole prop of an aged parent, whilst riding on the road towards his home, came in contact with a tree, which threw him from his horse and killed him. Another man, named **SIELK**, was in the like manner killed at Bullio whilst endeavouring to get a beast into the stockyard.

When we reflect on the numerous fatal accidents that occur through over venturesome riding, it does seem surprising that more caution is not used whilst occupied in the dangerous task of collecting cattle. *Herald, May 6*

THE RECENGT MURDER. - There is every reason to believe that the man apprehended at Newcastle is the man who was in company with the murdered man, **CONNOLLY**; he is expected to arrive this evening.

SYDNEY NEWS.

**CATHERINE HARRIS**, for attempting to commit suicide, was brought up and discharged. Her master, Mr. **BRODZIAK**, jeweller, of King-street, had accused her of stealing a sovereign, and the girl had seemed very low spirited. On Saturday evening, about half-past nine, her master whilst in the shop was alarmed at hearing a gurgling noise in the backyard, and going out, he found the girl hanging by the neck to a beam in the yard. Her determination to die must have been great, for her knees were nearly touching the ground as she hung. Mr. B. immediately cut her down, and medical assistance was procured; after a time she came round, and was then handed over to the police for protection.

SENTINEL, 4/173, 11/05/1848

ATTEMPT AT SELF-DESTRUCTION. - On Saturday night a female [Catherine Harris] in the employ of Mr. **BROADZIAC**, of King-street, was given by that person in charge of the police for having attempted to destroy herself. It appeared that during her absence from home in the afternoon a sovereign had been missed, and on her returning apparently under the influence of liquor he (sic) was accused of the theft. Some time afterwards Mr. Brodziac hearing a noise in the back yard proceeded thither, when he found her suspended by a rope she had attached to a paling, and was nearly expiring when discovered and cut down.

INQUEST. - An inquest was held on Friday, by the Coroner, at Mr. Solomon's the Crooked Billet, Lower George-street, touching the death of **GEORGE JONES**, then lying dead at the residence of Mr. **DEAN**, of Church-hill, in whose service he had been employed as a clerk. The evidence adduced showing the deceased to have been a man of most intemperate habits, and although he had abstained from drinking deeply during the past week, it had been principally on account of his suffering severely from affection of the heart. The deceased had been spoken to at about seven o'clock on Friday morning, when he drank half a glass of gin, but was shortly afterwards found dead. Dr. **M'KELLAR** deposed that Jones had called on him on Wednesday, at which time he was suffering from disease of the heart and lungs, when he prescribed for him; he (Dr. M'Kellar) had known him to be a hard liver, and had no doubt death had resulted by intemperance, from the diseases he alluded to. The Jury then returned a finding of death from disease of the heart accelerated by habits of intemperance.

MAITLAND MERCURY, 6/403, 13/05/1848

HUNTER RIVER DISTRICT NEWS. - WOLLOMBI.

ACCIDENTAL DEATH BY DROWNING. - Yesterday our police magiistrate, as coroner, with a jury of the inhabitants, instituted an inquiry, at the residence of Mr. **FOLEY**, into the circumstances attending the death of a boy, aged eight years, named

**RICHARD MOORE**, son to the late Mr. **MICHAEL MOORE**, formerly a settler of this district. From the evidence of the step-father, Mr. Foley, it appeared that the boy had been employed near home on the afternoon of Tuesday last to keep cockatoos away from a field of maize, and that his not returning home at dark gave rise to fears for his safety; that a strict search commenced, and was continued up to a late hour in vain; that early the next morning the aid of three aboriginal blacks was called in, when the body of the poor boy was found by one of them diving into a deep waterhole, situate in the bed of the Sugarloaf Creek, this creek being part of the boundary to the field where the boy had been employed the previous evening. Verdict, accidental death.

**SERIOUS ACCIDENT.** - Yesterday morning about eight o'clock as a lad named **PLACE**, an apprentice to Mr. **DAWSON**, the iron-founder, of George-street North, was attending the steam engine, one of his feet got in contact with the crank, which so lacerated the limb that on his immediate removal to the hospital it was decided that amputation must be performed. *Herald, May 11*

**ALLEGED MURDER BY POISONING OF THE ABORIGINES.**

Our readers will recollect that some time since Mr. **THOMAS COUTTS**, of the Clarence River, was committed by the bench of that district to take his trial on an alleged charge of poisoning certain aborigines in that locality; and was subsequently admitted to bail to answer this charge at the June Criminal Sittings of the Supreme Court. We understand the Attorney-General has declined exhibiting any information against Mr. Coutts for the alleged murders. *Herald, May 11*

**BIRTHS.**

At Cooknalla, county St. Vincent, on the 1<sup>st</sup> May, Mrs. **JOSEPH HUSH**, of a son.

**DEATHS.**

At Cooknalla, county St. Vincent, on the 1<sup>st</sup> May, shortly after giving birth to a son, Mrs. **JOSEPH HUSH**, aged 26 years.

At Wollombi, near the residence of Mr. **FOLEY**, on the 9<sup>th</sup> May, by drowning, **RICHARD MOORE**, aged 8 years, son of the late Mr. **MICHAEL MOORE**.

**MAITLAND MERCURY, 6/404, 17/05/1848**

**ESCAPE OF A CRIMINAL.** - The black who was in custody at Grafton, charged with the murder of Mr. Coutts's servant, made his escape from the lockup a few days ago. *Tabulam, May 1, 1848.*

**CHILD BURNED.** - About one o'clock yesterday afternoon, as Mr. **A.B. SPARK** was proceeding along the Cook's River Road, he was alarmed by the shrieks of a child, and on proceeding from whence they came, found a little boy about three years of age, of the name of **CAMPBELL**, in a stump-hole which was on fire. The child was immediately rescued and brought into Sydney for medical aid, but from the extensive and severe injuries sustained, there is no hope of recovery. *Herald, May 15*

**A CHILD RUN OVER.**

About three o'clock on Thursday afternoon, a child of about eighteen months old, of the name of **HURST**, was run over, on the Glebe Road, by a wood-cart, which was heavily laden, and the off wheel passing over the infant's head, death instantaneously ensued. The driver of the cart, a lad named **GALLAGHER**, was taken into custody, to await the issue of a coroner's inquest. The inquest was held yesterday, and a verdict of accidental homicide returned, when the boy was discharged. *Herald, May 13*

**DEATH FROM SCALDING.** - Some time on Wednesday afternoon, a child of about three years old, named **ELIZABETH HARRISON**, accidentally fell, in the

house of its parents in Clarence-street, into a large iron pot full of boiling soap suds, when the only part of the body which escaped being scalded were the head and neck. Medical assistance was, within a few minutes after the accident, procured, and the usual remedies were applied, but the child died in the course of the night. An inquest was held yesterday, when the evidence fully establishing the unfortunate occurrence to be the result of accident, a finding of accidental death from scalding was returned.

*Herald, May 15*

**WINDSOR. - INQUEST.** - On Wednesday the 3<sup>rd</sup> May, an inquest was held by **J. DOWE**, Esq., M.D., coroner of the district of Windsor, at Wiseman's Ferry, on some human bones found in the bush a few days previously, about three miles on the Windsor side of the Point, and supposed to be the remains of an old man named **JAMES WALKER**, who had been missing for the last five weeks. A Mrs. **WOODS** identified the hat, waistcoat, and trousers of the unfortunate man; also a fig of tobacco in one of his pockets, and a common clasp knife; there were two bottles containing some fluid, said to be eye water, which she recollected Walker had with him when last at her house, and which were found close to his remains. The next witness proved the finding of the bones close to a tree he was preparing to burn for charcoal, out of the usual track of the road, and immediately gave information to constable **WILLIAMS**, who is stationed at the Point. Dr. **BELL** identified the bones as human remains, and of a person of low stature; the ends of the long bones were all gnawed, as if by native dogs, the skull was perfect, and without any sign or mark of violence on it. Coroner summed up, and the jury, in the absence of any evidence to account for the death of the poor man, brought in a verdict of found dead. *Herald*

**MELANCHOLY ACCIDENT.** - The friends of Mr. **WALTER PETRIE**, a young man aged between 20 and 21 years, were excessively alarmed on the evening of the 25<sup>th</sup> April at his sudden disappearance, no tidings of his whereabouts being obtained by the members of his family, after repeated inquiries. As he was known to have occasion to cross the river to join his father's punt alone, proceeding to Ipswich, fears were entertained that he had been drowned in the river. Search was made in every direction, but without effect, all the following two days, when, melancholy to relate, the unfortunate young man's remains were found, on the 28<sup>th</sup>, (by a person casually passing that way), lying in a small creek near his father's residence. An inquest was held upon the body, when from the evidence adduced there can be no doubt the unfortunate young man was attempting to cross the creek by the aid of a log or fallen tree, when his foot slipped, and falling head foremost into the mud, was suffocated before he could extricate himself. *Moreton Bay Correspondent of S.M. Herald.*

**DEATHS.**

At Clarence-street, Sydney, on the 11<sup>th</sup> May, **ELIZABETH HARRISON**, aged 2 years and 7 months.

SENTINEL, 4/174, 18/05/1848

**BOY DRIVERS.** - In the summing up address to the jury at the late inquest on the infant **HURST**, who it may be recollected had been run over in the Glebe by a wood cart driven by a boy, the Coroner alluded to a dangerous practice, which is generally prevalent, of entrusting the driving of horses and carts to youths of very tender age, who are too frequently totally inexperienced in the management of horses, and even if they be otherwise, they have not on any sudden fall sufficient strength to guide or stop the animal. The jury, in returning their finding, embodying the Coroner's observation, and expressing their opinion that it would be beneficial that means were adopted to prevent the continuance of the practice. When on the same morning, the

boy who had been taken into custody on the occurrence of the accident, was before the Police Court, the Mayor directed Mr. **NICHOLS'** attention to the same subject, as being one of those evils which it would not be unadvisable a clause in the New City Police Act should be inserted to restrain.

**DEATH FROM SCALDING.** - Some time on Wednesday afternoon, a child of about three years old, named **ELIZABETH HARRISON**, accidentally fell, in the house of its parents in Clarence-street, into a large iron pot full of boiling soap suds, when the only parts of the body which escaped being scalded were the head and neck. Medical assistance was, within a few minutes after the accident, procured, and the usual remedies were applied, but the child died in the course of the night. An inquest was held on Sunday, when the evidence fully establishing the unfortunate occurrence to be the result of an accident, a finding of accidental death from scalding was returned.

**ACCIDENT.** - Dr. **M'KELLAR** having returned from the Hunter on Thursday evening, where he had been with his patient, Mr. **EALLES**, and on Friday when returning from a professional visit to Mrs. Captain **BOYLE**, on Strawberry Hill, who has long suffered under severe illness, his horse became restive, and started off near the Cockatoo Inn, the gig was upset near the New Court-house, and Dr. M'Kellar thrown to the ground with great violence, the gig falling upon him. A constable witnessing the accident gave his assistance, and then proceeded to Mr. **MOIR'S** residence in the neighbourhood, where Dr. **O'BRIEN** was at the time. And starting off immediately drove Dr. M'Kellar to the Infirmary. It was found on examination that Dr. M'Kellar had received several severe wounds and bruises in the head and body, and it was at first supposed that the case was dangerous. His friends, however, will be glad to learn that Dr. M'Kellar is now out of danger.

**INQUESTS.** - An inquest was held on Friday, by the Coroner, at Oatley's public-house, the corner of Pitt and Goulburn-streets, touching the death of a person named **GEORGE WILD**, then lying dead on the residence of a person named **DELOHERY**, in the same street, and where he had rather suddenly expired, at about two o'clock that morning. From the evidence adduced, it appears that the deceased, who was about thirty-five years of age, had since the time of coming to reside with Delohery, a period of five weeks, complained of suffering severely from a heart complaint; but he had declined and could not be induced, to see any professional persons and within forty-eight hours previous to his death, when he commenced taking Holloway's pills, had used no medicines; although it was thought that the deceased could never recover from his ailment, death had occurred very suddenly and almost momentarily. Dr. **TIERNEY** having made a post mortem examination, stated that there was an unusual quantity been between three and four quarts, of water, on the chest, and which, in his opinion, was the immediate cause of death. The Jury returned a finding of death by visitation of God.

Two inquests were held, on Saturday, at Taylor's, the Wheatsheaf, George-street South. The first was on the body of a female still-born infant, name unknown, which, it appeared, had been found by some young lads in the previous afternoon, enclosed in a cloth, in a hole, and in a state of considerable decomposition, close by the side of the Government Paddock, in Campbell-street. Mr. Surgeon **RUSSELL** having given evidence as to his examining the body when brought to him and his belief that it had not been born alive, a finding was returned of found dead.

The second inquest was touching the death of a female named **SARAH BUTTS**, an inmate of the Benevolent Asylum and then lying dead therein. From the evidence of Mr. **RUSSELL**, the Resident Surgeon, and a second witness, it appeared that the

deceased, about one o'clock on that morning, was suddenly seized with a difficulty of breathing, when she, was immediately removed into the hospital of the institution, and the medicines for her complaint administered, but within the succeeding hour she expired. The deceased was a woman of sixty-three years of age, and had been for some time ailing, but not ill; and the surgeon being of opinion that death had resulted from natural causes; a finding of death by the visitation of God was recorded.

**CHILD BURNED.** - About one o'clock on Sunday afternoon, as Mr. **A.B. SPARK** was proceeding along Cook's River Road, he was alarmed by the shrieks of a child, and on proceeding from whence they came, found a little boy about three years of age, of the name of **CAMPBELL**, in a stump hole which was on fire. The child was immediately rescued and brought into Sydney for medical aid; but from the extensive and severe injuries sustained, there is no hope of recovery.

**SUDDEN DEATH IN THE GAOL.** - On opening the door of a cell in Darlinghurst Gaol, on Thursday morning, in which a female named **MARGARET ASHTON** was confined while under going a sentence of twenty-four hours imprisonment, adjudged her at the police office on the previous day for drunkenness she was found to have expired in the course of the night. An inquest was held on Friday, when from the evidence adduced as to the deceased's previous habits, and medical testimony to the effect that there was congestion of the brain, accompanied by convulsions, probably produced from sudden cessation from the use of ardent spirits or stimulants which she had been in the habit of using to excess, the Jury returned a finding of death from the congestion of the brain accelerated by intemperance.

**INQUEST.** - An inquest was held on Monday by the Coroner, at Mr. Gannon's the Union Inn, Cook's River Road, touching the death of a child of about three years of age, named **FLEMING CAMPBELL**, then lying dead at the house of its parents in the same locality, where it had expired on Sunday from severe burns got in the bush in the afternoon of that day. From the evidence brought forward it appeared that the deceased and two other children, the eldest of the three not being above five years of age, made a fire of fern and brambles at an old stump hole, and that on its blazing up the flames caught the frock the deceased was wearing, and before assistance could be rendered, this garment was completely destroyed, and the deceased severely burned about the legs and thighs, and region of the abdomen and stomach. The injuries sustained having been certified by Dr. **TIERNEY** to be the cause of death, the jury returned a finding of accidental death.

**ACCIDENT.** - On Monday afternoon, as a seaman named **SMITH**, belonging to the Hyderabad, lying off Deloitte's Wharf, was engaged in lowering a bullock into the hold, the animal commenced kicking and striking him in the lower part of the abdomen, tore the flesh open, and otherwise severely injured him. Smith had on Tuesday to be removed to the hospital.

**MELANCHOLY ACCIDENT.** - The friends of Mr. **WALTER PETRIE**, a young man aged between 20 and 21 years, were excessively alarmed on the evening of the 25<sup>th</sup> instant at his sudden disappearance, no tidings of his whereabouts being obtained by the members of his family, after repeated enquiries. As he was known to have occasion to cross the river to gain his father's punt alone, proceeding to Ipswich, fears were entertained that he had been drowned in the river. Search was made in every direction, but without effect, all the following two days, when melancholy to relate, the unfortunate young man's remains were found, on the 23<sup>rd</sup> (by a person casually passing that way) lying in a small creek near his father's residence. An inquest was held upon the body, when from the evidence adduced there can be no doubt the unfortunate young man was attempting to cross the creek by the aid of a log or fallen

tree, when his foot slipped, and falling head foremost into the mud was suffocated before he could extricate himself. His remains were followed to their final resting place by a numerous body of the townspeople, by whom he was generally respected. The death of this young man has been a sad bereavement to his parents. His father, Mr. **ANDREW PETRIE**, has within the last few months lost the sight of both his eyes through ophthalmia, and the late melancholy event has removed one of his principal aides in the support of the family. *Correspondent of the HERALD.*

**CORONER'S INQUEST.** - An inquest was held, on Saturday last, before Dr. **BALLOW**, the Coroner for this district, upon the body of Mr. **JOHN LYNCH**, boot and shoemaker of this town, who expired suddenly in the afternoon of that day. From the evidence given before the Coroner and Jury, it appears the deceased had been in a state of extreme ill health for some time past, and that death arose from natural causes. A verdict was, therefore, returned to that effect. *Correspondent of the Herald.*

**WOLLOMBI.** - **ACCIDENTAL DEATH BY DROWNING.** - Yesterday our police magistrate, as Coroner, with a jury of inhabitants, instituted an inquiry at the residence of Mr. **FOLEY**, into the circumstances attending the death of a boy, aged eight years, named **RICHARD MOORE**, son to the late Mr. **MICHAEL MOORE**, formerly a settler of this district. From the evidence of the step-father, Mr. **FOLEY**, it appeared that the boy had been employed near the afternoon of Tuesday last to keep cockatoos away from a field of maize, and that his not returning home at dark gave rise to fears for his safety; that a strict search commenced, and was continued up to a late hour in vain, that early the next morning the aid of three aboriginal blacks was called in, when the body of the poor boy was found by one of them diving into a deep waterhole, situate in the bed of the Sugarloaf Creek, this creek being part of the boundary to the field where the boy had been employed the previous evening. Verdict, accidental death. *Maitland Mercury, May 18[?]*

**MAITLAND MERCURY, 6/405, 20/05/1848**

**CHLOROFORM.** - **OPERATION IN THE HOSPITAL.** - Some eight or nine months ago a man named **RYAN**, in the employ of Mr. **PRINGLE**, met with an accident while out driving bullocks, by which his right thigh was broken. For some time he remained up the country, suffering from the effects of the injury, an unsuccessful attempt having been made to set the leg by a resident doctor. As Ryan continued to get worse, he was at length sent down to the Maitland Hospital, in the hope that continual medical attendance would effect a cure, and his fellow-servants and friends raised a sum of about fifteen pounds to pay his expenses. About five or six weeks ago he was admitted into the Hospital, and several attempts were made by the medical officers to set the leg, but without avail, the flesh having become too callous from the lapse of time. It was at length resolved, with Ryan's consent, to amputate the leg, as the only chance of saving his life. As the operation would have to be performed rather high up on the thigh, it was considered desirable to do so with the aid of chloroform, and a small quantity was obtained from Sydney. On Tuesday morning last Dr. **SLOAN**, assisted by Drs. **M'CARTNEY** and **LIDDELL**, subjected Ryan to the action of chloroform, but the effect was to make him excited and nervous, as if under the influence of strong drink, and he remained acutely sensible to the prick of a pin; the operation was therefore postponed. On Thursday morning it was resolved to perform the operation without the aid of chloroform, and accordingly Dr. Sloan, assisted by Drs. M'Cartney and Liddell, amputated the leg; the operation being performed very rapidly and skilfully. Ryan was however weak and nervous from his

long illness, and the shock proved too great for him. He never recovered from the state of exhaustion produced by the operation, and died about half-pasty six on Thursday evening. [see also Maitland Mercury, 6/419, 08/07/1848]

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

MELANCHOLY ACCIDENT. - On Friday last, while a miner, named **THOMAS SIMPSON**, who was well known and highly respected here, was driving a headway at the Ebenezer Coal Works, Lake Macquarie, a mass of soil and stone fell in on him, causing his almost instantaneous death. An inquest was held on the body on Saturday, before the coroner, Mr. **STACY**, and a verdict returned of accidental death. The poor man has left a widow and two children to deplore his loss.

SUPPOSED MURDER. - On Saturday, the 13<sup>th</sup>, the remains of a man were found interred in the ground, on the Glebe Road, not far from the Pottery. A man living near the spot observed his dog scratching away at a little earth, and bringing up a limb of a human body, and on going to the spot, and removing a few inches of the soil, the man found the body laying, much decomposed, and having two fractures in the skull. He gave information to the authorities, and on Monday an inquest was held on the remains before Mr. **STACY**. The body had by that time been moved a few yards, and a part of it had disappeared; from its condition it must have been in the earth a month or more, while either of the wounds in the head would have been sufficient to cause death. After a good deal of consultation the jury returned a verdict of wilful murder against some person or persons unknown. The body has not been identified, and some doubts were expressed as to whether it was that of a white man, but the skull was not shaped at all like that of an aboriginal.

DEATHS.

At Camperdown, near Sydney, on the 16<sup>th</sup> May, Mrs. **THOMAS SMIDMORE**, of a son, still born.

INQUEST. - An inquest was held yesterday by the coroner, at Mr. Gannon's, The Union Inn, Cook's River Road, touching the death of a child of about three years of age, named **FLEMING CAMPBELL**, then lying dead at the ouse of its parents in the same locality, where it had expired in the course of Sunday evening, from injuries received from severe burns got in the bush on the afternoon of that day. From the evidence brought forward it appeared that the deceased and two other children, the eldest of the three not being above five years of age, made a fire of fern and brambles at an old stump hole, and that on its blazing up the flames caught the frock the deceased was wearing, and before assistance could be rendered, this garment was entirely destroyed, and the deceased severely burned about the legs and thighs, and region of the abdomen and stomach. The injuries sustained having been certified by Dr. **TIERNEY** to be the cause of death, the jury returned a finding of accidental death. *Herald, May 17*

MELANCHOLY ACCIDENT. - On Sunday last an inquest was held on the body of a man generally known by the name of **JACK SHEA**, and from the statements made before the jury it appeared that on Saturday afternoon he was leaving Bathurst with a bullock dray, and a Mrs. **CLARKE** was riding on the dray. Shortly after crossing the Vale Creek, at the fall near the "Black Bull," he made an attempt to jump upon the shafts of the dray, and in doing so he laid his hand upon the shaft bullock, which immediately began to kick, and caused him to fall; he was kicked by the bullock, and the wheel passed over his loins. His master (Mr. **GOULDING**) was presently by his side, and upon being asked where he was hurt he said "my head, my head." He was immediately put upon the dray, which was taken to the yard of the Black Bull, and the doctor fetched to him, but the poor fellow very shortly expired. The jury, upon

hearing the above statements, returned a verdict of accidental death. *Bathurst Advocate, May 13*

ACCIDENT. - On Monday afternoon, as a seaman named **SMITH**, belonging to the *Hyderabad*, lying off Deloitte's wharf, was engaged in lowering a bullock into the hold, the animal commenced kicking and striking him in the lower part of the abdomen, tore the flesh open, and otherwise severely injured him. Smith had yesterday to be removed to the hospital. *Herald, May 17*

MAITLAND MERCURY, 6/406, 24/05/1848

SERIOUS ACCIDENT. - On Saturday morning a little boy named **HENRY EDWARDS**, aged five or six years, was reaching down his cap from over the mantel-piece, when his foot touched the spout of the tea-kettle, upsetting it. At the same moment his foot slipped, and he fell, and was dreadfully scalded over the right hip, thigh, and leg. Dr. **LIDDELL** was sent for, and found him dangerously scalded. For nearly two days he lingered between life and death, but then rallied, and we are happy to hear that hopes are now entertained of his recovery.

HUNTER RIVER DISTRICT NEWS. - MERRIWA.

INQUEST. - On Tuesday, the 16<sup>th</sup> May, and inquest was held by **T.A.PERRY**, Esq., J.P., coroner of the district of Cassilis, at the Golden Fleece, Merriwa, to take evidence as to the death of **JAMES KERSHAW**, whose body had been viewed by the coroner and jury a week previous. It appears that the deceased was returning from the Maitland Hospital on a dray driven by a man named **HUGH M'CARTY**, and had dropped down dead in walking up a hill called the Sandy Gap. Deceased was known to have been ailing for some time, and the jury returned a verdict of "died by the visitation of God." May 20<sup>th</sup>.

POLICE COURT. - MURDER OF CONNOLLY.

**GEORGE WATERS WARD** was, on Monday, the 22<sup>nd</sup> of May, committed by Captain **WRIGHT**, J.P., to take his trial for the wilful murder of **RICHARD CONNOLLY**.

The following was the evidence taken on the examination:-

**Chief Constable FOX**, being sworn, deposed: On Tuesday, the 14<sup>th</sup> April last, I was returning home from the Maitland Quarter Sessions; I was at Bowman's Creek, 19 miles from Muswell Brook, about 12 o'clock that day, when I met the prisoner; he was crossing the water as I was going down into the creek; he past me by in a fast walking pace a short distance, and turned round and asked my how far it was to Patrick's Plains; I told him eleven miles; he then went on towards Singleton, and I towards Muswell Brook. I arrived within a mile of Muswell Brook about sun-down, when I was shown the body of a dead man, laying in Muswell Brook Creek, by a man named **ABREY**, who said he had not been nearer the body than the bank of the creek, which was about ten yards; I searched, previous to going near the body, to see if I could find any foot-marks; I found the print of a naked foot, very plain, in the sand; I have measured the prisoner's foot, and it corresponds with the foot-mark I found. After removing a dark rug that covered a portion of the body, and a cap that was on the head, I saw that the back part of the head had been broken in, apparently with an axe or tomahawk, or a heavy sharp-edged stone; there was a hole in the side of the head, and a hole in the temple, and over the eye, and several other cuts about the head; after the Doctor had examined the body I removed it to the Court-house; it was then dark. The red cap was evidently placed on the head after the murder had been committed, as there were no holes in it. Next morning I went out to where I brought the body from, and found the track where the body had been dragged along the

ground to where it lay; from a log about 200 yards off, where a fire had been; in searching the ashes I found part of a drab coat, clotted with blood, partly burnt, also a cabbage-tree hat part burnt, and a pint pot, with a tree scratched on the bottom of it, and wrote under "Tree of Knowledge;" a spot of ground close to the ashes, about nine inches in diameter, was covered with blood. I have shown the silver watch I now produce to the prisoner, and asked him if he knew it; he said he knew it well, it was his property, but it was Connolly's watch, and he bought it of him at the Aberdeen Inn when he was in company with him there. I also showed the prisoner the coat I now produce, and he said it was his, and that he could give a very good account how he came by it; **JOHN T. BAKER** has seen the coat, and says that the coat was once his property, but that he sold it to Connolly, whose dead body he saw on the 15<sup>th</sup> April last, in this Court-house, murdered.

**R.L. JENKINS**, surgeon, of Peel River, being sworn, deposed: Richard Connolly, who, I am informed, is murdered, was in my employ, but absconded; the watch now produced I can positively swear was Connolly's; I gave it to him myself after getting it repaired for him in Sydney; the account I now produce, I received from the watchmaker who repaired it, with the description and the number of the watch wrote on it.

**JOHN T. BAKER**, residing at Muswell Brook, being sworn, deposed: The coat now produced was my property, but I sold it to Richard Connolly, for one pound, whose dead body I identified at this Court-house on the 15<sup>th</sup> April last, the day after he was found murdered.

**GEORGE LEWIS**, of Muswell Brook, being sworn, deposed: On Wednesday, 12<sup>th</sup> April, I was at the Aberdeen Inn; I saw the prisoner, in company with another man there; I believe the man I saw dead in this Court-house on the following Saturday was the other man, who wore a coat of the same description as the one now produced, but I think it has since been washed.

**SAMUEL CALDWELL**, inn-keeper at Aberdeen, being sworn, deposed: I recollect the prisoner at the bar, and Richard Connolly, being at my house, on Wednesday, 12<sup>th</sup> April last; they had dinner together; in the afternoon Connolly came to my counter, and pulled out his watch, and asked me to regulate it for him by my clock; the watch now produced is exactly like it; it wanted the second hands, the same as this watch. Connolly also pulled out a second watch, which was very much out of repair; the hand was broken off; the second now produced is exactly like the watch. Connolly put both watches in his pocket. Connolly wore a tweed coat; it had no buttons behind, and the pockets were sideway near the front; the coat now produced is of the very same description. The prisoner and Connolly left my house in company together, about half-past 8 o'clock, to go towards Muswell Brook; they were both perfectly sober. May 22

FATAL ACCIDENT. - About four o'clock yesterday afternoon, as a seaman named **GEORGE WILD**, belonging to the *Arabian*, whaler, lying off Town's Wharf, was on the main topmast cross-trees, employed in sending down the maintop-gallant-mast, his foot slipped, and he fell on the deck. He was immediately taken on shore, when he was attended by Mr. **WHARTON**, the surgeon of the *Gazelle*, but life was found to be extinct. Dr. **MACKELLAR** was on the spot immediately afterwards, and expressed his opinion that the neck had been dislocated, and the base of the skull fractured. *Herald*, May 20

INQUEST. - An enquiry, in the absence through indisposition of the coroner, was held by Captain **INNES**, yesterday, at West's, the Angel and Crown, touching the death of a child of about seven years of age, named **AGNES GRAHAM DUER**, then

lying dead at the house of her mother, in Liverpool-street, where she expired in the course of the previous night. The evidence adduced shewed that, about ten days since, whilst the deceased was engaged in lighting a fire, her pinafore ignited, when becoming frightened, and there being no person in the house, she ran out into the street to a neighbour's residence, on her reaching which she was in a complete blaze. No time was lost in extinguishing the flames, when the deceased was found to have been severely burnt on the face, under the arms, and about the upper portions of the body. Mr. Surgeon **CARTWRIGHT** having given evidence to seeing the child almost immediately after the accident, and been in constant attendance since, and that death had resulted from the injuries alluded to, a finding of accidental death was returned. *Herald, May 20*

SENTINEL, 4/175, 25/05/1848

INQUIRY. - A person named **WHITTAKER** died on Saturday evening last under the following circumstances:- For about three months the deceased had been complaining of a pain in his right side, and on Friday went to bed as usual. At one o'clock on Saturday he was visited by a person named **HOBBS**, who found him complaining of severe pain. Dr. **MACKELLAR** deposed that he was called in to see deceased on last Saturday afternoon, whom he found to be labouring under inflammation of the stomach and bowels. His death, Dr. M. had no doubt, had resulted from natural causes.

FATAL ACCIDENT. - About four o'clock on Friday afternoon, as a seaman named **GEORGE WILD**, belonging to the Arabian whaler, lying off Town's Wharf, was on the main topmast cross-trees, employed in sending down the main-top gallant-mast, his foot slipped, and he fell on the deck. He was immediately taken on shore, when he was attended by Mr. **WHARBURTON**, the surgeon of the *Gazelle*, but life was found to be extinct. Dr. **MACKELLAR** was on the spot immediately afterwards and expressed his opinion that the neck had been dislocated, and the base of the skull fractured.

MAGISTERIAL INQUIRY. - Inquiry was held on Tuesday at the Wheat-Sheaf Inn, George-street South, before Mr. **FLOOD**, touching the deaths of **SUSAN QUIN** and **RICHARD JONES**, then lying dead in the Benevolent Asylum. Susan Quin was received in the Asylum about eleven o'clock on the previous night, and expired in little more than an hour thereafter. Mr. **RUSSELL**, the resident Surgeon of the Asylum, deposed that he had made a post mortem examination of the body, and was of opinion that death was the result of natural causes. Richard Jones was received into the Asylum on Friday forenoon, and expired on Saturday evening. Mr. Russell, after examination made, attributed death to a diseased state of the lungs. The finding in both cases was, died by the visitation of God.

INQUEST. - An enquiry, in the absence through indisposition of the Coroner, was held by Captain **INNES** on Friday at West's, the Angel and Crown, Liverpool and Sussex-streets, touching the death of a child about seven years of age, named **AGNES GRAHAM DUET**, then lying dead at the house of her mother in Liverpool-street, where she expired in the course of the night. The evidence shewed that about ten days since, whilst the deceased was engaged in lighting a fire, her pinafore ignited, when becoming frightened, and there being no person in the house, she ran into the street to a neighbour's residence, on reaching which she was in a complete blaze. No time was lost in extinguishing the flames, when the deceased was found to have been severely burnt on the face, under the arms, and about the upper portion of the body. Mr. Surgeon **CARTWRIGHT** having given evidence to seeing the child almost

immediately after the accident, and having been in constant attendance since, and that death had resulted from the injuries alluded to a finding of accidental death was recorded.

**SUPPOSED MURDER.** - On Saturday, the 13<sup>th</sup>, the remains of a man were found interred in the ground, on the Glebe Road, not far from the Pottery. A man living near the spot observed his dog scratching away a little earth, and bringing up a limb of a human body, and on going to the spot, and removing a few inches of the soil, the man found the body laying much decomposed, and having two fractures in the skull. He gave information to the authorities and on Monday an inquest was held on the remains, before Mr. **STACY**. The body had by that time moved a few yards, and a part of it had disappeared; from its condition it must have been in the earth a month or more, while either of the wounds in the head would have been sufficient to cause death. After a good deal of consultation the jury returned a verdict of wilful murder against some person or persons unknown. The body was not identified, and some doubts were expressed as to whether it was that of a white man, but the skull was not shaped at all like that of an aboriginal. *Maitland Mercury*.

MAITLAND MERCURY, 6/407, 27/05/1848

**TERRIBLE ACCIDENT.** - Yesterday afternoon as the Age coach was returning from the Homebush races, it upset between Cutts's public-house and the turnpike-gate, and the following fearful list of casualties was the result: - Mr. **HENDRICK**, of George-street South, had his skull fractured at the base, and died about ten o'clock. **LAMB**, who was driving the coach, had both legs broken. Mr. **FOSTER**, of Launceston, had his foot literally torn off, and his leg was subsequently amputated by Dr. **GWYNNE** below the knee. Mr. **BOWERMAN**, of Moreton Bay, had his leg fractured at the knee pan. Mr. **JAMES ABERCROMBIE** had received severe bodily injuries; and several other persons were much hurt by bruises on different parts of their bodies. It was stated that a rival coach passed, the passengers of which cheered the Age, which frightened the horses, and was the cause of the accident. There were six or seven medical men in attendance on the unfortunate sufferers, Mr. **WEST** having been near the spot at the time of the accident, and Messrs. **GWYNNE, ROBINSON, RUTTER, and BROWN**, having been summoned from Parramatta; and Messrs. **MACKELLAR and AITKEN** from Sydney. *Herald, May 25*

**CARCOAR.** - AMPUTATION OF A LEG UNDER THE INFLUENCE OF CHLOROFORM.

On Sunday last, Dr. **MACHATTIE** performed an operation on a patient while under the influence of the chloroform; the case was a severe compound comminuted fracture of the leg. The person had received the injury by a heavy log falling on his leg ten days before; he was placed under the care of Mr. **CLARKE**, an apothecary at Carcoar, who tried to save the leg, but gangrene commenced, and the person was sinking very fast, when Mr. Clarke determined to send for Dr. Machattie, who, on his arrival, saw that no time was to be lost, and that it was necessary to amputate the leg above the knee. He immediately put his patient under the influence of chloroform, and performed the operation. The patient did not evince the slightest pain, nor could he believe that the operation had been performed when he first recovered; the effect of the chloroform passed off very quickly; the patient slept well all night, and continues to do well. *Chronicle, May 24*

MAITLAND MERRCURY, 6/408, 31/05/1848

HUNTER RIVER DISTRICT NEWS. - GWYDIR DISTRICT.

DEAD BOY FOUND. - The baneful effects of sly-grog-selling (which is carried on to a great extent in this district) has lately been productive of the death of an individual of the name of **FRANK MULHOLLAND**: the circumstances are these. On Tuesday, the 9<sup>th</sup> May, two men on horseback arrived at Mr. Parnell's station, on the Gwydir River, and went into the men's hut for the purpose of stopping all night. One of the men's name was **ROGERS**, a stockman, in the employment of Mr. Hoskisson, of Barraba; his companion was a stranger, who had never been in that direction before; he had come from the MacIntyre, and overtaken Rogers that same day on the road. In the course of the evening there was a lot of rum drunk, and a good deal of noise, and rioting in and about the hut during the night; there was also more rum drunk by the men before and after breakfast the following morning. The two men, however, got their horses and left the station about ten o'clock on the Wednesday morning. They had only proceeded about four miles, when Rogers felt very sick, and the other man, who had been galloping and conducting himself like a madman, (according to Rogers's statement), having fallen from his horse more than once, and being otherwise incapable of proceeding, they stopped there for more than an hour, when Rogers, feeling himself unable to prosecute his journey, roused the other man, and urged him to start again, but he was incapable of doing so. Rogers having hobbled the man's horse, and placed his saddle under his head, took the precaution of searching the man's pockets and taking his papers, and also his blanket and other things with him; being on urgent business he proceeded on, and meeting Mr. **HENRY EASTON** about a dozen miles from the place, he told him that if he saw a man lying drunk by the road-side, (describing the whereabouts), Mr. Easton was to tell him that he (Rogers) had taken his papers and all his things with him, and would wait his arrival at Barraba. On reaching the spot described by Rogers, Mr. Easton found the body of a man laying on his back dead; there was a cabbage-tree hat over his eyes, and a saddle near his head; the man appeared to have been vomiting shortly before death, and whilst in the same position. There were no marks of violence about him, neither was his dress in any way disorderly. Mr. Easton proceeded on to Mr. Parnell's, and reported the circumstance to Mr. **JOHN PARNELL**, who went out with him again and examined the body, and placed two men to watch it during the night. On the circumstance being reported to Mr. **KERR**, who has a station in the neighbourhood, he went early on the following morning and examined the body, which had not been moved in any way from the spot or position in which it was originally discovered by Mr. Easton. There being neither a coroner nor even a medical man residing in the district, Mr. Kerr made the necessary enquiries into the matter, had the body properly interred, and found the man's horse hobbled within half a mile of the spot. Mr. John Parnell, and also some of his men, recognised the body as being that of the man who had left their station that same morning, in company with Rogers. Rogers has also since appeared and delivered up the dead man's effects; and from the papers found on him by Rogers his name appears to be Frank Mulholland, recently discharged from the service of Mr. **BOSSLEY** at the Macintyre, and on his way down to see Mr. Bossley's superintendant at the head station near Tamworth, for the purpose of receiving payment of his wages. Mulholland is supposed to have a brother living in Sydney, and appeared to be a stout, healthy, middle aged man. He had been previously in the service of Mr. **LAWSON**, at the Darwin. His horse and all his effects have been forwarded to the bench at Warialda. From the investigation of the case made by Mr. Kerr, it was found that the rum had been supplied to the men, for payment, by a carpenter named **JOHN DYSON** and his wife, in Mr. Parnell's employment. This worthy couple have since absconded, in

dread of the consequence of their illegal traffic, which they had been carrying on in the most barefaced manner for some time. Before Dyson absconded he smashed the rum keg and burnt it, leaving behind no sample of the liquor.

**DEAD INFANT FOUND.** - Yesterday morning, about eight o'clock, as a man attached to the commissariat establishment at Carter's Barracks was proceeding alongside the Benevolent Asylum paddock, his attention was attracted by observing something white lying inside the fence, and on proceeding to it, discovered it to be a cloth, on unwrapping which, the dead body of a male infant was found. The body was immediately removed to the Asylum, where it now lies, and Mr. Surgeon **RUSSELL** gave his opinion that the infant was newly born, of full growth, and had been born alive. There are no marks of violence about the body. *Herald, May 29*

**THE LATE FATAL ACCIDENT ON THE PARRAMATTA ROAD.** - On Thursday last, an inquest was held at Kirwan's Horse and Jockey Inn, Parramatta Road, before **C.B. LYONS**, Esq., coroner for the Parramatta District, on the body of Mr. **JOHN HENRICK**, who had expired there on the previous evening, in consequence of the injuries he had received in the upsetting of the Age coach. The inquest was initiated only, by a view of the body by the jurors, and afterwards adjourned to Monday next, in order to give time for the summoning of persons who had witnessed the accident. From the evidence already given, there is reason to believe that much of the blame of the accident is to be attributed to the driver of another coach from Parramatta, called "**Long Jack**," who, it is averred, ran the Age coach against a bank; but until the enquiry shall be terminated, we shall refrain from making any comment. Amongst the other persons injured by the upset, there are Mr. **FORSTER**, son of Mr. Forster, Comptroller of Convicts in Van Diemen's Land, who had a part of his left foot completely cut off by one of the steps of the coach that fell, and so dreadfully lacerated, as to cause almost immediate amputation to be considered necessary. The operation was performed by Drs. **GWYNNE and RUTTER**, of Parramatta, but the patient now lies in a most precarious state, and is not expected to survive. **LAMB**, the driver of the coach, was most seriously injured, having his left leg broken in two places, and his recovery is somewhat dubious. Mr. **BOWMAN**, of the Darling Downs, was also seriously injured, and is confined at Kerwin's, but of him a favourable report has been given. There were also Messrs. **M.M. COHEN**, and **ABERCROMBIE**, both slightly injured, but who escaped with a few bruises. Mr. **ALEXANDER**, the proprietor of the coach, was also slightly hurt by the fall. The accident has caused a considerable sensation in Sydney, and in fact threw a damp upon the races of Thursday, there not being anywhere near the attendance that had been anticipated. *Chronicle, May 27*

**MAN DROWNED.** - About half-past five o'clock yesterday afternoon, as Mr. **EDWARD THORNTON** and an aged man were cruising in Darling Harbour, in the *Champion*, when opposite the Gas Works were going about, when the boom struck the latter on the breast, and knocked him overboard. Two watermen, observing the accident, immediately put off, and succeeded in picking up the old man and bringing him on shore, at which time life was not extinct; but before the arrival of medical assistance, in ten minutes afterwards, he had expired. *Herald, May 26*

SENTINEL, 4/176, 01/06/1848

**DREADFUL ACCIDENT.** - About half-past four o'clock on Tuesday afternoon, a man named **CLARKE**, residing at Mrs. **TERRY'S** farm, at Cook's River, observed a woman named [**MARY**] **WILSON**, residing on the same farm, run out of the hut she occupied with her clothes in a volumn (sic) of flame. He immediately rushed to her

assistance, but before he reached her her clothes were entirely consumed off her body, and herself so severely injured, that Dr. **NATHAN** stated, on her being received into the Infirmary, whither she was conveyed, it was impossible for her to survive many hours. The accident is believed to have its origin in drunkenness, as about an hour previous to being seen with her clothes on fire she was observed to be intoxicated.

MAITLAND MERCURY, 6/409, 03/06/1848

THE LATE COACH ACCIDENT. - The *Herald* of the 30<sup>th</sup> May gives a detailed report of the inquest on the body of **JOHN HENRICK**, from which we make the following abstract. The inquest was held at at Horse and Jockey Inn, Parramatta Road, before Mr. **C.B. LYONS** on the 25<sup>th</sup> and 29<sup>th</sup> May.

It appeared that the deceased had been attending Homebush Races, and left it on Wednesday evening, the 24<sup>th</sup> May, by Alexander's coach, the Age. There were four persons inside the coach, and eleven or twelve outside, the deceased sitting on one of the back seats, with his back to the horses. The coach was driven by **JAMES LAMB**, and Mr. **ALEXANDER** was sitting by Lamb's side. One the race-course it appeared some talk of racing had passed between Mr. Alexander and Mr. **HILT**, the latter being the proprietor of another coach, the Britannia, but whether an offer by Hilt to race him for £100 to £80 referred to the coaches was not known. The Age left the course at a smart pace, nearly running over a horseman at the gate, and had got as far as the hill by Cutt's inn when Mr. **M.M. COHEN**, a passenger on the Age, saw Hilt's coach coming up at a gallop, driven by Hilt himself. At that moment the Age was going down the hill at a good trot, and had nearly reached a vehicle which was on the left of the road, and Mr. Cohen, seeing that the Britannia could not pass the Age on the right, while the space between the Age and the vehicle on the left was fearfully small, called out to Lamb to hold hard, and let the Britannia pass. In another moment the Britannia passed between the Age and the vehicle, the passengers of the Britannia cheering as they passed by. The noise startled the leaders of the Age, and they swerved, and before Lamb could again get command of them the wheels got into a hollow, and the coach went for some distance on the wheels of one side only, and then upset. As our readers have already been informed, the melancholy effect of the accident was the death of Mr. Henrick from fracture of the base of the skull, and the serious injury of several other passengers. At the time of the actual upset the Britannia had got 100 yards a-head, and was then abreast of Mr. Jones's break, which Mr. Jones had drawn off to the side of the road on seeing the two coaches coming down the hill, racing, as they appeared to him to be. Mr. Jones pulled up, on seeing the accident occur, and called out to Mr. Hilt, but the latter drove on.

The evidence regarding Lamb's behaviour, when called to by Mr. Cohen, was somewhat conflicting, but most of the witnesses considered that he immediately tried his best to hold his horses in, but was unable to restrain them as the Britannia passed, and its passengers cheered. One of the inside passengers of the Age deposed that he saw Lamb throw out his whip as the Britannia came up. Two or three of the passengers on the Britannia deposed that Hilt was only driving at a trot, and that there was ample room for him to pass. It was also deposed that Mr. Alexander said, on hearing Mr. Cohen's warning, "D—n him, let him go on." Lamb was sober.

The jury returned a finding as their unanimous opinion, that the deceased came to his death from the furious driving of the Age coach, driven by James Lamb, together with that of the Britannia coach, driven by John Hilt.

The Coroner said, in his opinion, the finding was one which amounted to manslaughter against the parties named, and he therefore felt it his duty to commit them for trial.

The jury, subsequently, on being asked by the Coroner to give their opinion whether manslaughter had been committed or no, replied that they left the case to be considered by a superior court.

**DEATH BY BURNING.** - On Thursday afternoon a little girl named **BURNS**, whose parents reside near the Long Bridge, was dreadfully burnt by her clothes catching as she was at the fire. She ran out of the house, screaming, and a neighbour put out the flames. The poor girl, however, was fearfully burnt on both legs, the stomach, and arms, and was removed instantly to hospital, where Dr. **M'CARTNEY** saw her within a few minutes, but found her in a hopeless state. She lingered until yesterday morning, when she expired. An inquest will be held on the body today.

**DREADFUL ACCIDENT.** - About half-past four o'clock yesterday afternoon, a man named **CLARKE**, residing on Mrs. Terry's farm, at Cook's River, observed a woman named **WILSON**, residing on the same far, run out of the hut she occupied with her clothes on a volume of flame. He immediately rushed to her assistance, but before he reached her her clothes were entirely consumed off her body, and herself so injured, that Dr. **NATHAN** stated, on her being received into the Infirmary, whither she was immediately conveyed, it was impossible for her to survive man hours. The accident is believed to have its origins in drunkenness, as about an hour previous to her being seen with her clothes on fire she was observed to be much intoxicated. *Herald, May 31.* An inquiry was held on the body on Wednesday, when a verdict of death from accidental burning was returned.

**MAITLAND MERCURY, 6/410, 07/06/1848**

**SHIPPING.** - The schooner *Coquette* was to sail from Auckland for the Fejee Islands on the 25<sup>th</sup>, and the brig *Maukin* for Sydney on the 30<sup>th</sup> ultimo. The chief officer of the former vessel (Mr. **PAIN**) we are sorry to say was accidentally drowned on her passage from this port. The accident occurred off the Three Kings, at 6 p.m., on the 3<sup>rd</sup> May, whilst reefing the mainsail. It appears he had got up on the taffrail to assist in tying the points, when the schooner gave a heavy lurch, and the jibing of the boom knocked him overboard. Although the vessel was instantly put about no traces could be any-where seen of the unfortunate man.

**CENTRAL CRIMINAL COURT. - SATURDAY, JUNE 3, 1848.**

**SHOOTING WITH INTENT.**

**TIMOTHY DUFFY** was indicted for shooting at an aboriginal, with intent, at Brisbane, on the 26<sup>th</sup> April.

It appeared that the prisoner shot after a number of aborigines, who were at the time from 200 to 250 yards from him, but whether he pointed the gun at them, or whether the gun was loaded with shot or bullets, there was no evidence. Not guilty; discharged.

**SHOOTING WITH INTENT.**

**MARTIN GILL** was indicted for that he, on the 21<sup>st</sup> day of May, did unlawfully, maliciously, and feloniously, shoot at one **JAMES BUTLER KINCHELA**, with intent to murder the said Kinchela. A second count charged him with intent to do some grievous bodily harm.

The prisoner pleaded not guilty.

The Attorney-General prosecuted for the Crown; Mr. Lowe for the prisoner; Mr. G.R. Nichols attorney.

It appeared that the prisoner rode up to Cutts's Inn, Parramatta Road, in a very excited state; Mr. Kinchela and other parties were standing at the door; prisoner drew out a pistol, and presented it at Mr. Kinchela's head, asking if he should give him any more time; a Mr. **DAVIDSON**, standing by. Seized the pistol, when the prisoner told him he would blow his brains out if he did not let go; Mr. Davidson let the pistol go, and prisoner immediately presented it again at Mr. Kinchela, and fired; he was standing in front of Mr. K., at about half a yard off, but Mr. Kinchela was not hit, nor was any mark made on the wall behind Mr. Kinchela, although Mr. Davidson deposed that the pistol was so directed that the charge could not have gone over the verandah; prisoner exclaimed, "My God, how could I have missed him," and throwing away the pistol, he drew out another, but walked up and down with it for a minute, during which Mr. Kinchela ran in-doors, and the prisoner was seized and disarmed, the pistol then taken from him being found loaded with ball.

Mr. Lowe addressed the jury, pointing out that there was no proof that the pistol discharged was loaded with ball or shot.

The jury returned a verdict of not guilty, and Gill was discharged.

[See Non-Hom. Assaults for the background to this case.]

ENQUIRY.

An enquiry was held on Saturday, at Mr. Driver's, the Three Tuns, King and Elizabeth streets, by Mr. **FLOOD**, J.P., touching the death of **SARAH PEARSON**, then lying dead in the Infirmary. From the evidence of the deceased's husband it appeared, that on the 22<sup>nd</sup> ultimo, as she was removing a pot from off the fire, her clothes caught, but which was not observed until they had thoroughly ignited, when he went to her assistance and extinguished the flames, but not before two out of three petticoats which she had on her were consumed, and she had been seriously burnt; she was then removed into the Infirmary. The usual remedies were applied, but the case was a hopeless one, and she expired about noon on Friday. A finding of accidental death from burning was recorded. *Herald, June 5*

CENTRAL CRIMINAL COURT. - THURSDAY, JUNE 1, 1848

STABBING WITH INTENT.

**ANDREW BELL** was indicted for stabbing **ANN BLACKBURN**, at Sydney, on the 31<sup>st</sup> March, with intent to do her some bodily harm. Not guilty. Remanded on another charge of the same nature.

FRIDAY, JUNE 2

**RICHARD PORTER**, born in the colony, charged with shooting at, with intent to do some grievous bodily harm, acquitted by the jury, without troubling the judge to sum up.

MAITLAND MERCURY, 6/411, 10/06/1848

CENTRAL CRIMINAL COURT. - WEDNESDAY, JUNE 7, 1848

MURDER

**JAMES CARLINE** was indicted for assaulting **MICHAEL FULHAM**, on the Parramatta Road, on the 12<sup>th</sup> February, and casting him on the ground in front of a dray, and then with his hands and feet and the wheels of the dray inflicting wounds on the said Michael Fulham, whereof he languished till the 19<sup>th</sup> March, and then died; **WILLIAM PEVEY** was also indicted for aiding and abetting; and both were indicted for the murdering the said Michael Fulham.

The prisoners were undefended.

It appeared that Fulham, who was an old man, and resided at Limestone Plains, was about leaving Sydney with his dray on the afternoon of the 12<sup>th</sup> February,

accompanied by two of his neighbours, named **DRUMMOND**, who also had a dray with them, when Fulham engaged Carline as a bullock-driver. The drays shortly after started together, Carline driving Fulham's dray. On reaching Thompson's inn on the Parramatta road, Fulham and the two Drummonds had something to drink, as well as Pevey, who came in while they were there. On leaving the inn Pevey walked by the side of Fulham's dray, which Fulham was driving; the Drummonds were on before, with their dray, and they noticed, after some time, a man in a white blouse and Manila hat walking leisurely before them; this man then went into the bush, and shortly re-appeared behind their dray, and near Fulham's. Shortly after this one of the Drummonds, looking round, saw Carline running for the bush, followed by Pevey and the man in the blouse, while Fulham could not be seen. The Drummonds went back, and found the old man lying on the ground, as if the dray wheel had gone over him; he was taken to the Benevolent Asylum, and having stated that the two men had pulled him off and robbed him, they were apprehended, and brought before Fulham as he lay ill, but he could only identify Pevey as the man who pulled him off, saying that he knew nothing of Carline. Fulham died, from the injuries he had received, on the 19<sup>th</sup> March, and Mr. Surgeon **RUSSELL** deposed that the injuries might probably have been caused by a dray wheel going over his body.

In defence Carline said that the robbery was committed by Pevey and a man in a white blouse; and Pevey said that Carline committed the robbery, and the man in the blouse, whose name was **RYAN**, came up afterwards and insisted on having a share of the booty.

The jury returned a verdict of guilty, and the prisoners were remanded for sentence.

**MURDER.**

**MATTHEW RYAN** was indicted for aiding and abetting **CARLINE** in murdering **FULHAM**.

The only evidence as to identity was circumstantial; the Drummonds not recognising Ryan, and neither Pevey nor Carline being called.

Not guilty; discharged.

**THE MURDER OF COX AT MORETON BAY.** - The trial of **WILLIAM FYFE**, for the murder of **ROBERT COX**, at Kangaroo Point, Moreton Bay, took place on Monday, in the Criminal Court, before his Honor the Chief Justice, as was briefly reported in Tuesday's *Herald*. It appeared that Fyfe had only two days previously to the 25<sup>th</sup> March engaged as a cook with Mr. Sutton, of the Bush Commercial Hotel, Kangaroo Point, and that Cox was then a lodger in the house, having placed a £4 order in Mr. Sutton's hands. On the afternoon of the 25<sup>th</sup> March Cox and Fyfe, who were both drunk, had some words, Cox accusing Fyfe of having robbed him, and Fyfe in reply threatening to knock Cox's head off before he left the town. Cox went to sleep afterwards, and about seven in the evening applied to Mr. Sutton for his dinner, when Mr. Sutton told him to go to the kitchen, and Fyfe would give it to him. In a few minutes after Fyfe came to Mr. Sutton, and enquired if he was to give Cox his dinner; Mr. Sutton said yes; Fyfe said that Cox had been accusing him of robbing him; Mr. Sutton said he should pay no attention to what Cox said, as he did not believe he had sixpence about him. Fyfe returned to the kitchen, and about the same time Miss Sutton went into the kitchen, and saw Cox sitting on the door-step of a room off the kitchen, which Fyfe was that night to occupy as his bed-room. Cox was never after seen alive. About ten o'clock Miss Sutton went again to the kitchen, which was dark, and called to ask Fyfe if he was in bed; he said he was; she returned to the house, after locking the kitchen-door and removing the key. About half an hour

afterwards Mr. Sutton went into the yard, and noticed a candle suddenly extinguished in the kitchen; he called out to Fyfe in surprise, and getting the key and a light, he unlocked the kitchen-door and found Fyfe there. Sutton said he had better sleep up stairs, as Cox was occupying his bed, and lifting the light, Mr. Sutton saw a man lying in Fyfe's bed, but covered over with a quilt or blanket; Fyfe replied that he would make up a bed in the kitchen, as he did not like to leave a stranger there; and, pointing to the bed, Fyfe said that was Cox. Mr. Sutton then returned to the house and went to bed, but was awoke after some time by some men, who demanded admittance; he admitted them, and they remained drinking about two hours. Just as they left Fyfe knocked softly at the back door, and asked for a light; Mr. Sutton refused it, but gave him a glass of ale, when Fyfe told him that Cox had left, having gone away over a side gate leading from the yard into the street. In the course of the following forenoon Cox's body was found, cut up in three pieces, two being found on the banks of the river nearly 300 yards from Sutton's, and the head in an unfinished building at some distance in another direction. Fyfe, Sutton, the men who had been drinking during the night, and a lodger who slept in the bar, were all apprehended on suspicion, but all but Fyfe discharged again. On one of Cox's arms a piece of a shirt was found, and the other portions of the shirt were found in a well in Mr. Sutton's yard, in which also were found a blue woollen and white cotton shirt, and a table knife, the water being very bloody. Traces of blood were also found near the well, on the top of the fence near it, on the ground beyond the fence leading towards where the body was found, on some clothing of Fyfe's, about his bedstead, and underneath it. Death appeared to have been inflicted by a sharp instrument, the wound penetrating the lungs. Mr. Holroyd made an able and elaborate address to the jury, in defence. The jury returned a verdict of guilty, and Fyfe was sentenced to death. *Abridged from the S.M. Herald, Jan. 8. (sic)*

#### HUNTER RIVER DISTRICT NEWS.

#### ENQUIRY INTO THE DEATH OF THE ABORIGINAL NATIVE KILLED AT THE MANNING RIVER.

On the 16<sup>th</sup> May a public enquiry was held at Bungay Bungay, on the Manning River, by **E.D. DAY**, Esq., P.M., into the cause of death of an **aboriginal named TOMBAI or TOWNBAI**. The enquiry was instituted in consequence of Mr. **WYNTER**, of Manning River, having written to the government stating that a perfectly helpless aboriginal, aged eighty, had been killed by the police acting under the orders of Mr. **P.G. KING**, a magistrate; the circumstances attending his death having been, as he (Mr. Wynter) was informed by the blacks, that the police had rushed a camp, on which the blacks attempted to escape, and had all got away but two old men, at whom the police fired, when they were perfectly helpless within their power, and killed the old man in question; that a little girl was also wounded by a shot, and that the police amused themselves by destroying the camp, burning the clothes left behind, and killing the puppies.

Mr. Wynter, his son Mr. **DELAMERE WYNTER**, and a man named **GEORGE EDWARD TILNEY**, were the first witnesses examined at the enquiry, and Tilney deposed to finding a wounded aboriginal in the brush near the camp which had been rushed, whom he (Tilney) conveyed across the Manning, where in an hour the black died, and was immediately buried by the other blacks; shortly after the Messrs. Wynter arrived at the spot, and caused the body to be exhumed, when they found a gunshot wound entering the body on the side above the hip, and passing out at the groin; and also a heavy bruise at the back of the head. Mr. Wynter was then informed by the blacks of the circumstances attending the death, as detailed in his letter. The

Messrs. Wynter and Tilney all deposed that the dead man (Tombai) had been well known to them; that he was perfectly helpless and imbecile, and they variously estimated his age to be from seventy to past eighty; neither of them had seen him carrying a gun for some time, and the Messrs. Wynter believed him to be helpless to be able to use one.

The evidence of the police party was then taken, that of Messrs. **KING** and corporal **WORSLEY** being taken last; and Mr. Wynter being requested to cross-examine.

It appeared that about September or October last, Corporal Worsley, of the Mounted Police, and others, were sent with a warrant to apprehend two blacks charged with rape; Worsley got hold of one of them in an aboriginal camp on the Manning, when three blacks named **NEWMAN, TOMBATYAT, and CAUBON TOMMY**, assaulted Worsley, and after a hard struggle, in which he was severely hurt, they succeeded in rescuing his prisoner, who then made his escape. A warrant was in consequence issued for the apprehension of these three blacks. In September last a warrant was also issued for the apprehension of three blacks of the Manning tribe, named **LONG JAMIE, JACKO, and JERRY**, charged with sheep-stealing.

Great difficulty was found in executing these warrants, but information of the whereabouts of some of the culprits having been received, and an additional police force obtained, a party started in March last to apprehend the offenders. The party consisted of thirteen persons, viz., Mr. **P.G. KING, J.P.**, Mr. **C. M'A. KING**, Mr. **C.A. WATSON, EDWARD BAGOT or MUSKETT, SAMUEL TURNER**, and eight of the mounted police, viz., Serjeant **GILES**, Corporal **WORSLEY**, Troopers **CHALBORN, BRUCE, SMITH, SNARE, WINNER and HALLECK**. Bagot acted as guide, assisted by a black boy. A short time before daylight on the 8<sup>th</sup> March the party reached the vicinity of a camp in which they understood Jacko and Caubon Tommy were. The black boy told Bagot that there were about a hundred blacks in the camp, and that they were determined to resist, having previously learnt that the police were sent for. Bagot told Mr. King this, and Mr. King ordered Serjeant Giles to select two of his strongest troopers, and direct them to secure the two blacks who should be pointed out by Bagot, but not to use their arms, and to direct his remaining force to cover and protect these two troopers, but none to use their arms unless they were resisted. Serjeant Giles gave orders accordingly.

The camp was placed on a tongue of high ground projecting from a hill, and was surrounded on three sides by dense scrub. As daylight broke the party silently mounted the hill above the camp, intending to rush down on it, but the dogs gave an alarm as soon as they appeared on the hill, and in an instant the blacks were up, shouting and leaping, several guns being seen among them. The whole party, except the Messrs. King, immediately galloped towards the camp, and the blacks made off for the scrub, although Bagot shouted in their own tongue that no harm should be done to them. As they ran, one of the blacks fired off his gun, apparently across the advancing party, although no one was hit. Giles ordered his men to cut off the blacks from the scrub, but they all got under cover, with the exception of one tall, elderly black, carrying a double-barrelled gun, who was overtaken by Turner; Turner seized him by the hair of the head, but the black struggled to get away, and managed to do so just as Worsley rode up; Worsley ordered the black twice to lay down his gun; the black, instead of complying, raised the gun, and levelled at Worsley, being then some yards distant from him; Worsley then fired at him with a pistol, and the black fell, dropping the gun from his hand; Turner got off his horse, picked up the gun, and he and Worsley rode off to report the affair. Meanwhile others of the police had fired off their pistols in the air, to intimidate the blacks, and two or three shots had been fired in the scrub,

probably by the blacks, as Serjeant Giles gave strict orders not to follow them into the scrub, lest they should pick off his men. Some of the police then, without orders, burnt some old blankets and opossum skins they found about the camp, and knocked two or three puppies in the head. The party were called in shortly after, after having made vain search for the wounded man.

Worsley deposed that his impression when galloping into the camp was that the first shot was fired at them, and that hearing more shots as he pursued the black chased by Turner, he believed the police and blacks were firing at each other; while his impression when the gun was levelled at him was that the black was about to fire at him. He afterwards examined the gun taken from the wounded black, and found one barrel loaded with ball. Turner's account of the transaction agreed with Worsley's, and they were corroborated by Mr. C. M'A. King, who reached the spot just as Worsley fired, although Mr. King could not see the position of the black from Turner's horse intercepting his view. Before the wounded man left the place or was removed, Mr. P.G. King rode past him, and his description of him, as well as that of Mr. C. M'A. King, was that he was an elderly man, but tall and robust. Worsley and Turner deposed to his running very fast before he was overtaken, which he would not have been but for Turner's horse being a very fleet one. The spot where Turner reached him was 137 yards from the camp.

The depositions taken on the enquiry were, we understand, to be forwarded to the government, by whose orders the enquiry was instituted.

CENTRAL CRIMINAL COURT. - MONDAY, JUNE 5, 1848

MURDER.

**WILLIAM FYFE** was indicted for the wilful murder of **ROBERT COX**, at Moreton Bay, on the 26<sup>th</sup> March, 1848.

Mr. Holroyd defended the prisoner.

The trial lasted until two o'clock in the morning, when the jury, after retiring for twenty-five minutes, returned a verdict of guilty. Sentenced to death.

TUESDAY, JUNE 6

**DENNIS CAHILL**, indicted for the murder of one **LASHEM CROW**, at Moreton Bay, was acquitted, and discharged.

CONTEMPLATED SUICIDE.

Mr. **KECK** having had intimation that the man **FYFE**, convicted of the murder at Moreton Bay, had prepared the means of committing suicide in the event of his conviction, after his removal from the dock, stripped him, and on an examination of his clothes, found (sewed up in his coat we believe) a pair of steel spectacles, one end of which was broken off and ground to an edge as keen as that of a lancet. It was of course taken possession of, and the intention of the murderer frustrated. Too much praise cannot be awarded to Mr. Keck for the vigilance which he uniformly maintains in the surveillance of the prisoners under his keeping. *Herald, June 7*

MAITLAND MERCURY, 6/412, 14/06/1848

SYDNEY NEWS.

INQUEST. - An adjourned inquest was held to-day, at the Three Tuns, Elizabeth-street, to enquire into the cause of death of a person named **BLOOMFIELD [BROMFIELD]**, who, on Friday night last, went into Goodman's, Circular Quay Hotel, and after partaking of a glass of brandy and water retired to bed, and was found in the morning by the landlord in a dying state. He was immediately removed to the Dispensary, where he died. It having appeared from the evidence that the deceased had taken a quantity of laudanum, which, in the opinion of the medical witnesses, had

caused death, a verdict to the effect that the deceased had destroyed himself whilst labouring under temporary insanity was recorded.

**SUDDEN DEATH.** - We have to report the sudden death of Mr. **AVERY BENHAM**, which took place on Saturday morning last, at his residence, Castlereagh-street. After throwing up a quantity of blood, he fell back and expired. *Daily Advertiser, June 12*

**SERIOUS ACCIDENT.** - On Wednesday afternoon, as a servant in the employ of Mr. **JOHNSON**, of Castlereagh-street, of the name of **MARY LORD**, was employed in some work near the kitchen fore, her clothes suddenly ignited, and before they could be extinguished, she sustained injuries of a very severe nature. She was as promptly as possible removed to the infirmary, where she now lies, but merely very faint hopes are entertained of her recovery. *Herald, June 9*

**STRANGE CASE OF SUDDEN DEATH.** - About five o'clock on Friday evening an old man, who stated that he had recently arrived in Sydney, went to a lodging house, kept by one **CONLON** in Market-street, and requested a bed for the night; he was accommodated with one, and seeming very weak and ailing he went to bed almost immediately. He seemed very uneasy after retiring, and asked the owner of the house once for a drink. Shortly after this he became quiet, and the mistress of the house, rather fearful that the old man was ill, went to look at him, and found to her amazement that he was dead. An enquiry was held into the cause of his death on Saturday last, and a return of died by the visitation of God was made. The deceased was unknown to the police, and his name remains consequently undiscovered. *Daily Advertiser, June 12*

**DEATH.**

At his residence, Castlereagh-street, Sydney, on the 10<sup>th</sup> June, Mr. **AVERY BENHAM** aged 30 years.

**SYDNEY NEWS.**

**CENTRAL CRIMINAL COURT. - WEDNESDAY, JUNE 7, 1848**

**MURDER.**

**JAMES CARLINE and WILLIAM PEVEY**, convicted of wilful murder, were placed at the bar, and sentence of death was recorded against them.

**DISCHARGED.**

**ANDREW BELL**, acquitted on a charge of violent assault.

**TOM JONES**, an **aboriginal** native, charged with manslaughter, but of which there was insufficient legal evidence.

**SENTINEL, 4/178, 15/06/1848**

**ENQUIRY.** - An enquiry was held on Tuesday by Mr. **FLOOD**, J.P., at Levy's the American Hotel, Lower George-street, touching the death of a female named **ELIZABETH JACKSON**, then lying dead in a wretched hovel off Brown Bear-lane. From the evidence adduced it appeared that the deceased about one o'clock on the previous day (Monday) when coming down the rocks leading from Cambridge-street, her foot slipped, when she fell a height of ten feet on the back of her head. She was almost immediately picked up by a man of the (sic) named **LEWIS**, with whom she lived, who conveyed her home, and washed a wound on the head which she had received, and binding a handkerchief round the injury put her to bed, and in about an hour afterwards she appeared to be better; but from then until two o'clock in the morning she continued moaning, but no notice was taken of it or medical assistance procured, as the deceased had been subject to fits and often received what were deemed similar accidents before, and recovered from them. A careful examination of

the other parts of the body was made, but there were no marks of violence appearing. A finding of accidental death was recorded.

MAITLAND MERCURY, 6/413, 17/06/1848

SUICIDE. - A magisterial enquiry was commenced by Mr. **FLOOD**, J.P., on Saturday, at Goodman's, the Circular Quay Hotel, near the Customs House, Sydney, and concluded yesterday, at Driver's, the Three Tuns, Elizabeth and King-streets, touching the death of **WILLIAM BROMFIELD**. The deceased arrived in the colony as a student with the Bishop of Newcastle in January last. Shortly after his arrival the deceased shewed such symptoms on insanity as induced those in whose charge he had been placed to arrive at the conclusion that it was necessary that he should at once proceed to England, and his passage having been taken by the *Chasely* he was brought down from where he was staying at Muswell Brook, and placed in the college at Lyndhurst until the vessel sailed, from whence he contrived to effect his escape in the course of Friday evening; and at a late hour of the evening proceeded to the Circular Quay Hotel, where he asked for a bed for the night; and on the following morning, on being called to breakfast, was found expiring from the effects of a heavy dose of laudanum he had taken. The enquiry was very carefully made, and testimony brought forward showing the state of mind the deceased had been in for the previous two months; and from which there could be but one conclusion drawn, and which was the finding returned on the enquiry, that the deceased had poisoned himself while labouring under temporary insanity. *Sydney Morning Herald, June 13*

CLARENCE RIVER. - SUSOICION OF MURDER.

A man named **FRANCIS GILLOGLHY** is in the custody of the police on suspicion of murder. The circumstances are briefly as follow:- Gilloghly and a man named **IKE**, and who does not appear to be known by any other name, were sawing timber together on the Richmond River, which place they left in the early part of April with a raft of cedar, for the purpose of taking it to the station of a cedar merchant of the name of Wright. They seen to have been seen together on the river with the raft; but Gilloghly alone arrived with it at Mr. Wright's - to whom he sold it, consisting of 10,700 feet, at the rate of 2s. 6d. per 100 feet, receiving payment for it, both on behalf of himself and the missing man, Ike, as being his mate, and whose account as well as his own with the purchaser, for provisions and other articles, he paid out of the proceeds of the sale. Enquiries were at the time made respecting Ike, of Gilloghly, when he stated that they had settled and parted, and that he had proceeded to the Clarence, but as no trace or information of him on the line of road or at this river could be obtained, suspicion of foul play arose, and Gilloghly was apprehended. A very strict search has been instituted, and is still prosecuting, but nothing has as yet been discovered, and a host of witnesses have been examined, but no testimony elicited bringing home the charge to the prisoner, who was on the 9<sup>th</sup> instant a third time remanded. There was a novel feature in the evidence of one of the witnesses, a man of the name of **PEARSE**, who stated that he was also proceeding down the Richmond, and had been on the raft on which the prisoner and Ike were, which seems to be the last time the latter was seen, when he gave both of them some rum; shortly after which he returned to his own boat, and being half drunk himself, almost immediately feel asleep, but he could not have got above a mile and a half from the raft when he suddenly started up, and in the excitement of the moment would have leaped overboard, had he not been prevented by some men who were with him, exclaiming that Ike had in a very loud tone of voice called on him to return. The men,

however, who were with Pearse, and were at the time pulling the boat, averred that they heard no such cry. *Correspondent of S.M. Herald*

MAITLAND MERCURY, 6/414, 21/06/1848

FATAL ACCIDENT. - On Saturday evening three men started from Raymond Terrace in a small boat, intending to pull up the Hunter to their homes, about two miles from Raymond Terrace. One of the men was named **CORCORAN**, and he and a second man first took the oars; after pulling some distance the third man offered to take an oar, and Corcoran got up to change places with him, but, his foot slipping, Corcoran fell overboard, and, although a good swimmer, he sunk at once, and never rose again. His companions picked up his hat, and waited about the spot some time, but could see nothing of the unfortunate man. The melancholy accident was shortly after reported by them, and search was made for Corcoran's body, but up to yesterday morning (Tuesday) it had not been found. The above is the account we have received of the accident, but we understand one of the parties in the boat was apprehended, but released again. Corcoran was a young man, of sober habits, and has left a wife and four children to mourn their sudden loss.

A CHILD KILED BY A HORSE. - Yesterday, about noon, two of Mr. Wm. Adams's children were playing in a paddock at East Maitland, when one of them, a fine boy of seven or eight years old, incautiously approached too near a horse grazing there; the animal kicked, and unfortunately struck the little fellow on the face, knocking him down senseless. Mr. **ADAMS** ran out on hearing the cries of the other child, and picked up his son, whom he carried instantly towards Dr. Brown's, but the poor boy died in his arms before he could reach the doctor's house. An inquest will be held on the body today.

FATAL ACCIDENT. - It now becomes our painful duty to record a melancholy and fatal accident which occurred on the race course on Friday evening, a little before sun-down, in which a young man in the full vigour of health was instantaneously deprived of life, and another young married man, who is much respected at Muswell Brook, was nearly killed. It appears from what statements we could collect from the parties who witnessed the accident, that a young man of the name of **GEORGE WARDEN**, who was a horse-breaker at Singleton, and had been drinking a good deal during the day, was riding round the course, when he was suddenly met by **JOHN HAYNES**, clerk to Mr. **HENRY NOWLAND**, Haynes being riding the wrong way round the course. Neither party, it is supposed, had time to get out of the other's way, and the horses came in collision; the off shoulder of the one horse striking the near shoulder of the other. Both horses and men were thrown with considerable force to the ground, and upon the people running up, Warden and the horse he rode were discovered to be dead. Mr. Haynes was also insensible, and bleeding very much at the nose. Two medical gentlemen were immediately on the spot, and an attempt was made to open a vein in the arm of Warden, but no blood could be drawn, life being extinct. The attention of the surgeons was bow directed to Mr. Haynes, who was after a while taken home in a cart, his face being very much cut and bruised. The next morning we were glad to hear that he was out of danger. The unfortunate deceased was taken to the Court House to abide a Coroner's inquest. We saw the body the next morning, and from the discoloured appearance of the neck there is no doubt that it was dislocated; there was also the appearance of a bruise on the spine. We waited a considerable time to hear the result of the inquest, but were obliged to leave while the jury were being sworn in; we have since heard that a verdict of "accidental death" was returned.

## HUNTER RIVER DISTRICT NEWS. - STROUD.

INQUEST. - An inquest was held here on Thursday, the 15<sup>th</sup> instant, before **THOMAS COOK**, Esq., coroner of the district, on the body of **RICHARD HUDSON**. It appeared that for the last two months Hudson had been complaining of illness, but that on Wednesday last he had done a little work, and went to bed apparently in his usual health. About one o'clock in the morning, however, his hut-mate heard a bubbling noise, and called out to Hudson; as he received no answer he got alarmed, and struck a light, when he found that Hudson was vomiting blood; he immediately went to the proprietor of the farm to give the alarm, but before they could return Hudson had died, although not more than five minutes had elapsed since his hut-mate left the hut. The jury returned a verdict of died from the visitation of God, death having been caused by the bursting of a blood-vessel. June 17, 1848

YASS. - A melancholy and fatal accident occurred a few days since at the steam mills here. A very fine lad named **EDWIN JONES** was greasing the first motion wheels of the mill while in motion, when his left hand was caught and drawn into the wheels, the left thigh followed, and both were much lacerated. Surgical assistance was promptly procured, and everything practicable done for the poor boy; but although the wounds appeared progressing towards recovery, his constitution seemed eventually to give way under the extent of the injuries received, and, two days ago, death put an end to his sufferings. *Correspondent of S.M. Herald*

MAITLAND MERCURY, 6/415, 25/06/1848: NOT AVAILABLE

MAITLAND MERCURY, 6/416, 29/06/1848: NOT AVAILABLE

SENTINEL, 4/179, 22/06/1848

SUDDEN DEATH. - We record with the deepest grief the sudden death, by drowning, of Mr. **WILLIAM COCHRAN**, the Agent for this paper at Raymond Terrace. He had gone to the Raymond Terrace Mill on Friday last on business, and on his return was unhappily drowned in the river. He has left a wife and four children to bewail his untimely fate. The deceased was a man most highly respected by all who knew him, and a large circle of friends will hear of the melancholy event we have recorded with unfeigned sorrow.

INQUEST. - An inquest was held on Monday, by the Coroner, at O'Donnell's public house, Kent and Market-streets, on view of the body of a female named **MARY ANN LONG**, aged eighteen, lately in the service of Mr. **J.F. JOHNSON**, who about ten days ago was severely burnt by her clothes igniting while lifting a kettle off the fire. She was removed to the Infirmary, where she was attended by Dr. **M'EVAN**, until Saturday last, when her sufferings were brought to a period by death. The verdict was that Mary Ann Long died of injuries from burning, accidentally received.

DEATH FROM THE INCLEMENCY OF THE WEATHER. - On Monday, the 12<sup>th</sup> instant, **JOHN VINCENT**, an old resident in this district was found dead at Lewis's Hill, in the neighbourhood of the Turon River, about fifty miles from Bathurst. He had left the latter place on Wednesday, the 7<sup>th</sup> instant, but whether on foot or horseback we have been unable to ascertain. On his not reaching home at the time he was expected, the family became alarmed, and a search was instituted, which resulted in the body being found at the place above named, apparently dead several days. The country around is of a wild and rugged nature, and it is supposed that the deceased had lost his way, and perished from being exposed in the night air. He must have been upwards of seventy years old, of very temperate habits, and highly respected. The coroner proceeded to the spot to hold an inquest, accompanied by Dr. **BUSHBY**.

SENTINEL, 4/180, 29/06/1848

INQUESTS. - An inquest was held by Mr. **RYAN BRENNAN** on Monday at Mr. Driver's, the Three Tons, King and Elizabeth-streets, touching the death of a female named **ELIZABETH AGARS**, then lying dead in the Infirmary. Evidence having been given by Mr. **ALBERT SPENCER** as to discovering the body of the deceased at about eleven o'clock the previous morning floating in Woolloomooloo Bay, close to the bathing-house, and getting it brought on shore, a man named **HANNAWAY**, with whom the deceased had lived, and a second person of the name of **M'CAULEY**, in whose house they had at one time resided, were called. From the statement of the first it appeared the deceased had been deranged for the last three weeks, from the effects of intoxication. Shortly after going to bed on Friday night, she started up saying she had seen ghosts, and insisted on proceeding to St. Mary's Cathedral to see one of the clergy there, and whither he accompanied her. A clergyman there having told her to come up again in the morning, she returned home and they went to bed, and he spoke to her between three and four o'clock on Saturday morning, but on his rising a few hours afterwards he found she had gone out, and he did not see her alive again. The second witness (M'Cauley) deposed that she came to his house about nine o'clock on the Saturday morning, when she was without shoes; asked if some fairies had not left a pair for her there and hearing there was none, she immediately ran out and this appears to be the last time she was seen alive. Dr. **M'EVAN** gave evidence as to examining the body, on which there were no marks of violence, but could not state whether, the deceased had died prior to, or subsequent to immersion in the water. There was, however, a peculiar appearance of vermilion coloured efflorescence about the mouth. The Jury returned a verdict of found dead in the water, but how or by what means the deceased came there, there was no evidence to show.

A second inquest was held at Goodman's the Circular Quay Hotel, touching the death of **ALEXANDER GRINDLEY**, second mate of the brig, Freak, then lying dead on board that vessel. From the evidence adduced, it appeared that the deceased, who was about 45 years of age, had been drinking very heavily during the last eighteen days, and was suffering no ailment except such as intoxication would produce. He had, however, during the last few days, somewhat recovered and about two o'clock on Sunday night got a glass of grog from the steward (sic), which he drank, and immediately afterwards, as was supposed, to his hammock, which was in the hall-deck near the main hatchway, and early on Monday morning was found lying dead in the fore-hold having apparently fallen down the hatchway. Dr. **MACKELLAR** was immediately sent for, but life had been extinct some hours before his arrival. From the evidence given at the inquest by this gentleman it appeared the body presented no marks of violence. A post mortem examination having been made, Dr. M. stated that from the appearance the body presented death had resulted from suffocation, the deceased having been seized in consequence of general debility and weakness, and a fainting fit with the exception of the stomach being inflamed, the result of intemperance, the body was perfectly healthy, the viscera and intestines particularly so, but there was no nutriment in the stomach, and which induced the opinion that he had given of a fainting fit occurring from general debility. Dr. M'Kellar's opinion was confirmed by one of the officers of the vessel stating that the deceased had taken no nutriment for upwards of ten days. A finding was recorded of suffocation from the effects of intemperance.

MAITLAND MERCURY, 6/417, 01/07/1848

**INQUEST AND ACCIDENT.** - An inquest was held yesterday by Mr. **RYAN BRENAN**, at Taylor's, the Wheatsheaf, George-street south, touching the death of a child named **NEIL M'NEIL**, then lying dead in the Benevolent Asylum. It appeared, from the evidence of the father of the deceased, that when near his house at Canterbury, on the preceding day, as he was going home to his dinner, he met the deceased completely enveloped in a body of flames. He extinguished them, and found the clothes had been entirely consumed, and the body of the deceased one burn from his feet to the eyes. The deceased was as promptly as possible removed into Sydney to the Benevolent Asylum, where he expired within six hours after reception, from, as stated by Mr. Surgeon **RUSSELL**, collapse, the effects of burning, and which caused death. The occurrence was stated to be purely accidental: the deceased being left alone in the house by his mother, in dipping a piece of bread into a pot of soup which was on the fire his pinafore ignited. A finding of death from accidental burning was returned. - As Neil, the father of the child alluded to in the report of the inquest, was returning home, after leaving the child at the Asylum, when near Canterbury, the horse he was driving suddenly took fright, and before he could be pulled up came in contact with a fence, and upset the cart, pitching M'Neil and a female who was with him on the ground. M'Neil received some very severe contusions, and the female had four of her ribs broken. *Herald, June 29*

**DEATH FROM BURNING.** - In the forenoon of yesterday two little girls named **VINCENT**, living at Redfern, went into the scrub near the Waterloo Mills, for the purpose of collecting firewood. By some means the unfortunately set fire to the brushwood, and so rapid was the progress of the flames that before they could extricate themselves, their clothes ignited, and one of them, about the age of seven years, was burnt to death. *Advertiser, June 29*

**BATHURST.** - A team belonging to Messrs. **J. and W. MACARTHUR**, of Richland, was on its way home, after being into town for flour; it having stayed beyond its time, some anxiety was felt as to the delay. When found, on the road between this and Richland, the man was lying on the road, dead; the wheel having gone over his head, and after the team going on a few yards further, one of the wheels caught in a saplin, and when found, two of the horses were dead – the shaft horse and another. An inquest has been held on the body. *Correspondent of S.D. Advertiser*

**INQUESTS.** - An inquest was held yesterday on the body of **ELIZABETH AGARS**, whose body had been found in the water near the bathing-house on the previous day, by Mr. **A. SPENCER**; no mark of violence was found on the body, and evidence was given to the effect that she had appeared insane for two or three days previously – verdict, found dead in the water, but how the deceased got there there was no evidence to show.

A second inquest was held on the body of **ALEXANDER GRINDLEY**, second mate of the brig *Freak*, who had been found lying dead in the fore-hold of that vessel yesterday morning. It had been supposed his fall into the hold had caused death, but a post mortem examination n showed that death was caused by suffocation, apparently induced by a fainting fit arising from weakness and exhaustion; evidence was given that deceased had been drinking deeply for 18 days, and had taken no solid food for 10 days – verdict, died of suffocation from the effects of intemperance. *Abridged from the Herald, June 27*

**AMPUTATION.** - **CHLOROFORM.** - **MELANCHOLY DEATH.**

On Saturday, the 17<sup>th</sup> instant, Dr. **MACHATTIE** again performed the operation of amputation of the thigh, while his patient was under the influence of chloroform, with perfect success. As there are some interesting circumstances connected with this case,

we present our readers with a short account of it:- **JOHN INGRAM**, of King's Plains, publican, had a severe fall from his horse five years ago, by which he received a severe compound fracture of the left leg. As he was then upwards of twenty miles from surgical assistance, a considerable time elapsed before his medical attendant arrived, who found him in so very weak a state from the loss of blood and previous intemperance, that he deemed it advisable not to amputate the leg until he rallied. About ten days afterwards the operation was performed below the knee, from which he rapidly recovered, and was able to transact his business – in fact, perfectly recovered. About two years ago he began to complain of pain in the knee; a small ulcer broke out on the stump, which continued open. Within the last few months the pain in the knee became intolerable – his health began to decline rapidly – he became hectic, and was sinking very fast, although every effort had been made to check the progress of the disease in the knee, but without effect. It at length was deemed advisable to amputate the limb above the knee, which was done on Saturday last. The chloroform was administered with perfect success; he did not feel the slightest pain; he recovered very rapidly from the effects of the chloroform; at first, however, he was very talkative, but he was not conscious of what he said while in this state. The case then proceeded very favourable, until another circumstance of a melancholy nature took place. Mrs. Ingram, who had been confined about three weeks, and who was so far recovered as to be able to walk about the house, had complained for a few days of a pain in the stomach, but on the Monday and Tuesday appeared considerably better, and sat up conversing quite cheerfully till eleven o'clock on Tuesday night; about midnight, or early on the following morning, she roused Mr. Clark, an apothecary, of Carcoar, who was left to attend to Mr. Ingram until Dr. Machattie returned, and stated to him that she was conscious she was dying, and wished to see her children; they were brought to her; she kissed them, and bade them farewell. As she complained of a feeling of coldness and pain in her chest, Mr. Clark administered a small quantity of hot brandy and water, and applied a mustard blister to her chest, but without relief. She insisted on being allowed to see Ingram, and got out of bed unassisted, walked into the room where he was lying, told him she was dying, and that if he survived the effects of the operation she hoped he would be kind to the children; she then kissed him, bade him farewell, and sat down beside him, and expired instantly. The shock on Ingram was very great, and but little hopes of his ever rallying were entertained for some time. Dr. Machattie was in attendance as soon as possible, and we are happy to say that Ingram is again in a fair way of recovery. On examination of the knee joint, the ends of the bones were found to be increased in size and spongy, and that of the tibia was caries. *Bathurst Advocate, Jan. 24*

MAITLAND MERCURY, 6/418, 05/07/1848

SYDNEY NEWS.

SUDDEN DEATH. - A female named **EMMA HEMSWORTH**, aged nineteen, who on last Thursday week came out of gaol, where she had been confined for nine weeks, died on Saturday night last, at her mother's residence in Castlereagh-street. An inquest was held this afternoon, at the Curriers' Arms, Castlereagh-street, and from the evidence of the mother it appeared that the deceased had been subject to fits ever since the execution of **KNATCHBULL**, which she had witnessed. She was attacked on Thursday last, and complained of a pain in the heart and the head, and said she was dying; a fit supervened, and she died on Saturday, as above stated. Dr. **TURNER** made a *post mortem* examination, and found that there was general disease

of the whole viscera, and an effusion of blood in the pleura, which he considered was the cause of death; she was also *enceinte*. Verdict, died by the visitation of God.

EXECUTION. - The execution of the convict **FYFE**, for the murder at Moreton Bay, will take place to-morrow (Tuesday) morning. Up to the present he persists in declaring his innocence.

BERRIMA. - On the 22<sup>nd</sup> June, an inquest was held, at the Queen's Arms Inn, at the Cross Roads, about six miles from Berrima, on view of the body of **KENNETH MUNRO**. Deceased was the landlord of the establishment. It appeared from the evidence that the deceased had been for the last two years labouring under temporary insanity, and that he had been for nearly six months in Sydney under the care of several medical gentlemen, who declared his case hopeless. About two years since he strayed into the bush, where he remained two days and two nights before he was found. It also came out in evidence that he frequently managed to get away from the house and lose himself in the bush. Since his return from Sydney he had no regular medical attendant, but everything that his wife could do to alleviate his sufferings was done for him. The jury returned a verdict of "Died by the visitation of God;" and the jury are of opinion Mrs. Munro did all she could, but think a medical gentleman ought to have been called in. *Herald*

INQUEST. - An inquest was held yesterday by Mr. **RYAN BRENNAN**, at Spears', the Redfern Inn, touching the death of **SARAH VINCENT**, a child of about five years of age, then lying dead at the house of her parents in the above locality. From the evidence of the mother, it appeared that about noon on the previous day she was alarmed by a sister of the deceased's running to and telling her that deceased, whom she had seen half an hour before playing with some children, was lying burned in the Waterloo paddock. On proceeding thither, the deceased was found to be most fearfully injured. The origin of the occurrence was detailed by a young girl named **M'GOWAN**, who deposed to being with the deceased and some other children in the paddock. There was a small fire burning in the paddock, and a girl named **ROSE** made two others at stump holes. Shortly after this witness heard a scream, and on turning round saw the deceased in a blaze. A report having got abroad that Rose had had a lighted stick in her hand at the time of the deceased's catching fire, this witness was closely examined, but her replies were, she was standing next this girl, and saw none, and that the occurrence was purely accidental, arising from the deceased sitting close to the fire, and the wind blowing in the direction of her clothes, they were thus ignited. Mr. Surgeon **CUTHILL** deposed to seeing the deceased almost immediately after the accident, but she was then dying, and expired a few minutes after his arrival. A finding was returned of accidental death from burning. *Herald, June 30*

SENTINEL, 4/181, 06/07/1848

ANOTHER MURDER. - We regret to state that a man named **ROBERT DAY** was received into her Majesty's gaol on Sunday, committed for the wilful murder of **WILLIAM WHITFORD**. The affair happened on the 14<sup>th</sup> June, at the station of Mr. **EDWARD DRYDEN**, of Newham, near Mount Macedon, commonly known as Nicholson's station. It appears that a squabble arose out of a drinking match, and Day seized a knife and plunged it into the other's side, between two of his ribs, from the effects of which he died almost immediately. The prisoner has been committed upon the warrant of **WILLIAM PIPER**, Esq., of the Mount Macedon Bench.

MAITLAND MERCURY, 6/419, 08/07/1848

**CHLOROFORM.** - On Sunday morning last a dangerous and difficult operation was performed by Dr. **SLOAN**, with the aid of chloroform, on a little boy named **WICKES**, aged four years. It appears that for some months past the little boy, who resided near Merriwa, has suffered from a malignant tumour in the right nostril, filling up all the space between the eye and the nostril. The tumour was of a dangerous character, and although medical assistance was called in, it continued to get worse. Mrs. Wickes at length resolved to bring her son to Maitland, and placed him under the care of Drs. Sloan and **M'CARTNEY**. After an examination of the tumour it was determined to dissect it out, and on Sunday morning accordingly Drs. S. and M'C. subjected the child to the influence of chloroform. Which immediately made him insensible; Dr. Sloan at once laid open the tumour, and the operation was performed with complete success, the whole of the tumour being effectually removed; the operation proved a very long one, from the extensive bleeding, and the dangerous extent of the diseased part; the most painful portion of the operation was accomplished while the child was insensible, and on his reviving he was a second time subjected to the action of chloroform, and became again insensible. The little boy, who is a very strong and active child, has gone on very well since the operation. It is remarkable that the chloroform used in this occasion was the remainder of that obtained from Sydney for the purpose of operating on the poor man **RYAN**, in the hospital: it will be remembered that the chloroform rendered Ryan violently excited and nervous, without making him insensible; while on the little boy, Wickes, the effects were all that could be desired, producing immediate insensibility. These facts prove that this powerful agent will produce effects governed by the constitution, and possibly the habits of life, of the individual subjected to its influence; although, judging from the cases reported in the English and colonial papers, immediate insensibility will be produced by it in the great majority of cases. [For Ryan, see above, Maitland Mercury, 6/405, 20/05/1848]

**AWFULLY SUDDEN DEATH.**

Yesterday evening, about half-past nine o'clock, as Mr. **STILWELL**, the packet agent, of Sussex-street, was proceeding along King-street, when opposite Mr. Mace's the duggist, he suddenly fell down. Several persons immediately came to his assistance, and he was conveyed into Mr. Mace's shop, where he was found to be in a dying state. He was then removed to the Infirmary, but within a few minutes after his arrival there he expired. Mr. Stilwell had only about an hour previously to the melancholy occurrence parted with some friends, and was then in apparently excellent health. *S.M. Herald*

*July 4.* - Yesterday an inquest was held on the body, at Mr. Graham's public-house, Sussex-street, when it appeared that no person saw Mr. Stilwell fall, but that Mr. **NICHOLSON**, of York-street, found him lying on the pavement, at the corner of Pitt and King-streets, and had him conveyed to Mr. Mace's. Here Dr. **M'DONALD** saw him and ordered him to be conveyed to the Infirmary, whither he was taken in a cab. When the cab arrived at the Infirmary, Mr. Stilwell was dead. On a *post mortem* examination the immediate cause of death was found to be pulmonary apoplexy. The jury returned a finding of death by the visitation of God. It having transpired in the course of the evidence that the deceased had, when leaving Mr. Graham's an hour previous to his death, between £100 and £130 in cheques and orders in a pocket book about his person, and which was missing when he was searched on his arrival at the Infirmary, some time was occupied in the coroner's closely inquiring into the matter; but it was evident that the theft was committed, or the loss occurred, whichever it may be, before the deceased was taken to Mr. Mace's. Further time was occupied by

inquiries being made as to the deceased's property, and in the production of some books of account and papers relating to his business, found in his office, at his wharf, and which the coroner acting ministerially sealed up. *Abridged from the Herald, July 5*

**MANSLAUGHTER.** - An inquest was held on Tuesday by the coroner, Mr. **BETHEL LYONS**, at Morton's public-house, touching the death of **ROBERT DONNELLY**, who had expired early on the previous day, under the circumstances detailed in the evidence then adduced. It appeared that on Sunday the deceased and a man of the name of Fullard, a wood-cutter, were at Morton's public-house. The deceased on leaving the house was observed to be drunk, and Fullard to be very far from sober. On reaching the steps of the door, Fullard was observed to strike Donnelly a blow, which caused him to stagger, and before he recovered himself a second blow was struck, from the force of which he was knocked down, and in falling he came in contact with some stone steps, and received a cut on one of his temples. The wound at the time was believed to be merely a slight one, and it being considered that the senseless state in which he lay resulted solely from intoxication, he was carried into the house and left on a stone floor of a back apartment until Monday morning, when, finding he had not at all recovered, a medical man was sent for, but before his arrival the deceased had expired. Dr. **ROBERTSON**, of Parramatta, having made a *post mortem* examination, deposed on finding opposite to where the graze appeared on the temple, about eight ounces of congealed blood on the surface of the dura mater, which had escaped from the meningeal artery. The viscera were in a healthy state, with the exception of the heart, which was enlarged from organic disease. Death had resulted from compression of the brain, consequent on the effusion of blood, which must have been occasioned by either a fall or a blow. The jury returned a finding of death from a fall caused by a blow given by **ROBERT FULLARD**, and that person, who was in custody, was then committed to take his trial for manslaughter. *Herald, July 6*

**EXECUTION.**

Yesterday morning **WILLIAM FYFE**, convicted of murder at Moreton Bay, was executed pursuant to his sentence. Being a Presbyterian, he was attended to his last moments by the Rev. Dr. **M'GARVIE** and the Rev. Mr. **RITCHIE**. He died protesting his innocence. The warrant for his execution was read by Mr. Under-Sheriff **PROUT**. At the request of a gentleman who has taken a very lively interest in his case, we print the following statement which Fyfe had prepared to read on the scaffold, but which he was prevented from doing by its having been taken from him by the authorities:- "I am about to suffer death for the awful crime of murder. I was found guilty on circumstantial evidence; and however well that evidence might have been supported by a complication of villainy on the part of some of the witnesses, the Almighty God, at whose bar I shall soon appear, knows that I am innocent of that awful crime; and I trust, for the safety of all human beings, and for the honour of my friends in a distant land, that the Almighty God, whose eye sees the least wing that flits along the sky, will bring the perpetrator of that awful deed to light, when my body is mouldering in the dust. I cast no reflection on the Judge who tried my case, as he cannot tell the inward thoughts of man. I think, had my case been tried at Moreton Bay, on the spot where the awful deed was committed, the jury would have taken a different view of the case. I have been a guilty sinner before God; but I was never so far hardened in crime as to imbrue my hands in the blood of my fellow-man. I forgive my cruel enemies; O shall leave them in the hand of God, who declareth 'Vengeance is mine; I will repay, saith the Lord.' I cannot impress on your minds my innocence of this crime, but I have a just God to face, who knoweth I am innocent of the awful crime of murder. I am now before my God, and I shall suffer death for a barbarous murder. I shall appear at the bar of Almighty God as innocent as the child in its mother's womb." *Herald, July 5*

MAITLAND MERCURY, 6/420, 12/07/1848

INQUEST. - On Saturday, the 1<sup>st</sup> instant, an inquest was held at Miller's Forest, before **J.S. PARKER**, Esq., coroner, on the body of **WILLIAM COCHRAN**, who was drowned in the Hunter on the 16<sup>th</sup> June, as we announced at the time. The inquest was adjourned from the 1<sup>st</sup> instant to the Tuesday following, at Raymond Terrace, when the whole of the evidence that could be obtained having been taken, the jury returned a verdict that William Cochran was drowned in the river Hunter, but how it occurred there was no evidence to show; the jury added that deceased and the two men with him were intoxicated, and unable to take care of themselves. The two men who were in the boat with Mr. Cochran were named **WILLIAM DAW or DANE** and **JOSEPH ROBERTS**, but both were found so drunk when they returned to give an account of the unfortunate occurrence that no clear statement could be gathered from them. It appeared that in the morning of the 16<sup>th</sup> June, Mr. Cochran left home in his boat, to take some wheat to the mill at Raymond Terrace, accompanied by Daw, Roberts, and a man named **COOK**. Mr. Cochran landed before reaching the Terrace, but the other three went on, and delivered the wheat. Mr. Cochran afterwards joined his companions, and the whole four spent the afternoon and evening at Raymond Terrace, and appear to have drank several glasses of rum each. About eight o'clock Mr. Cochran, Dawe, and Roberts, left the Terrace to proceed home in the boat; as they were leaving the wharf Mr. Cochran, who could not swim, slipped off the wharf into the water, but was picked up, and commenced pulling homewards. After going some distance he asked Daw to take the paddles; Daw did so, and commenced pulling, standing up; at this time all three men appear to have been standing, Mr. Cochran being in the bow, Roberts in the stern, while Daw was pulling, with his back to Mr. Cochran. Daw had not been pulling long when Roberts exclaimed, "Good God, Cochran is overboard"; Daw backed water, and Roberts picked up Mr. Cochran's hat, but they could see or hear nothing of him, although they waited ten minutes about the spot, and repeatedly called out Mr. Cochran's name. Daw stated that at Robert's suggestion they then pulled back to Raymond Terrace, and gave information of the accident. When they got there constable **JONES** found that Roberts was quite drunk, and that Daw appeared to have been drinking. Daw then appeared unable to account for the accident, or for the boat being very dirty, but Roberts stated that Daw had been sick, and that he saw Mr. Cochran jump out of the boat of his own accord. After ascertaining as much as he could from them, constable Jones despatched Daw to inform Mr. Cochran's father, and to procure drags, while Roberts, who refused to go, was placed in the lockup, but was released in the course of the night, and accompanied a party who went in search of the body. The body was, however, not found for nearly a fortnight. Dr. **STREET** deposed that there was no mark of violence on the body, and that death appeared to have been caused by suffocation by drowning.

SENTINEL, 4/182, 13/07/1848

INQUEST. - An inquest was held by Mr. **RYAN BRENNAN** on Monday, at Levy's, the American Hotel, Lower George-street, on view of the body of **BENJAMIN BLUNDELL**, then lying in the house of a person named **GOODWIN**, in Harrington-street, where he had resided. The deceased it had appeared from the testimony of a fellow lodger in Goodwin's house, was advanced in years and subsisted on a pension allowed him as a discharged soldier. From the time of receiving the last payment, at the commencement of the present month, until about three or four days before his

death, he had drunk a large quantity of what is called "penny ale," and been in an almost continuous state of intoxication. During Saturday last he frequently complained of a pain in his head, but as he was moving about and it was not considered he was ill, no notice was taken of it either by himself or others. About six o'clock in the afternoon, however he suddenly fell down, when he was immediately picked up, put into bed, and Dr. **M'KELLAR** sent for; but on that gentleman's arrival life had just become extinct, and an attempt to bleed him was unsuccessful. Dr. M'Kellar having given it as his opinion, that from the symptoms preceding death, it had resulted from apoplexy induced by previous intemperance, the Jury returned a finding in accordance with the evidence.

MAITLAND MERCURY, 6/421, 15/07/1848

DEATH, BY DROWNING, OF MR. NICHOLSON, AND NARROW ESCAPE OF MR. H.S. SMITH.

On Sunday morning Mr. **NICHOLSON**, shipbuilder, of the Karuah, left Raymond Terrace for Port Stephens, driving a horse and cart. The morning was wet, and much rain had fallen the previous day. About two hours later Mr. **H. SELWYN SMITH**, son of the late Rev. Mr. **J.J. SMITH**, left Raymond Terrace for Port Stephens on horse-back. Mr. Smith found the small creeks much swollen, but crossed them without accident till he reached the Nine Mile Creek, which flows from the range of hills between Clarence Town and Port Stephens. The creek had then greatly overflowed its banks, and was become a raging torrent. As the creek looked too dangerous to attempt crossing, Mr. Smith was about to turn back, when he saw Mr. Nicholson clinging to a tree in the midst of the torrent, on the Terrace side of the creek. Mr. Smith hailed him, and Mr. Nicholson instantly implored him to come and help him. Mr. Smith, thinking of the almost hopeless nature of such an attempt, answered that he would gallop back, and get more assistance. Mr. Nicholson begged him to come and help him without delay, as he could not hold on much longer. Moved by his entreaties Mr. Smith rode towards him, but before he could get near him his horse was swimming, and in another moment Mr. Smith was swept from his seat, and carried away by the torrent, passing within two yards of Mr. Nicholson, who cried piteously for help as he passed. Mr. Smith, who is a good swimmer, was swept out into the middle of the torrent, and for some moments struggled vainly to approach the shore. Finding his pilot-coat and gaiters getting very heavy he managed to get rid of them, and was then enabled to gain the shore, on the Port Stephens side. Mr. Smith then immediately returned to the spot opposite where he had seen Mr. Nicholson, but that gentleman had disappeared. After looking for him in vain, Mr. Smith turned towards Port Stephens, but had to cross several creeks in his way, and one of which he was swept down several times by the current before he could cross. When he reached the shores of Port Stephens at last, he found neither shelter nor means of getting across, the inlet there being four miles wide. Mr. Smith, therefore, turned towards Dungog, and at last, about five o'clock in the evening, reached a hut, more dead than alive, having had to swim several creeks in his way, the rains having been very heavy. Mr. Nicholson's body has since been found, and it appears he must have unharnessed the horse, as the animal has been found alive, with the blinkers on, on the Raymond Terrace side of the creek. Mr. Smith has also since found his horse, dead, with his saddle-bags and other property untouched. An inquest on the body of Mr. Nicholson was commenced on Thursday, but was adjourned.

SYDNEY NEWS.

**SUDDEN DEATH FROM INEBRIETY.** - On Wednesday afternoon a man named **JOHN DAVIS**, who has been for some time past addicted to excessive drinking, was carried home to his residence, in Parramatta-street, in a state of intoxication, by two men, and shortly afterwards it was discovered that life was extinct.

**SUDDEN DEATH OF MR. ROBERT COOPER, JUNIOR.** - A letter received in Sydney yesterday announces the death, after a few hours' illness, of Mr. **ROBERT COOPER**, junior, at his station, at Lake George. It appears that on Wednesday last, whilst Mr. Cooper (who was then in his usual good health) was superintending the erection of a boiling-down apparatus, he was seized with an apoplectic fit. Medical aid was as promptly as possible procured, and up to Friday night he was progressing towards recovery, when the complaint took an unfavourable turn, and he expired in the course of Saturday. *Herald, July 12*

**SUDDEN DEATH.** - About six o'clock on Saturday evening, an old man named **BLUNDELL**, residing with a person of the name of **GOODWIN**, in Harrington-street, suddenly expired. Until within a quarter of an hour of his death he was in his usual state of health. *Herald, July 11*

**ACCIDENT BY FIRE.** - On the morning of the 7<sup>th</sup> inst. an unfortunate accident occasioned by fire, took place at Stanmore, near Camperdown. A young woman named **ELIZABETH GARDINER**, daughter of **ABRAHAM GARDINER**, a resident of the above locality, was engaged in removing a pot of water from the fire, when unfortunately her clothes ignited, and before the flames could be extinguished she was so seriously burned as to render it extremely unlikely that she could recover from the accident. *Daily Advertiser, July 10*

MAITLAND MERCURY, 6/422, 19/07/1848

**STABBING.** - On Sunday evening, about six o'clock, **JOHN THOMAS STREET** was taken into custody, charged with stabbing a female named **MARIA APPLEBY** with a pair of scissors. He also violently assaulted his wife, **MARY ANN STREET**. It appeared that the man was under the influence of liquor at the time, and he was bound over to keep the peace.

**THE LATE WRECK.** - The body of one of the unfortunate sufferers in the late wreck of the *Wanderer* was found yesterday, lying in five fathoms of water, off the vessel. The body was first noticed by some gentlemen who were fishing in its vicinity. Having succeeded by means of their hooks and lines, in raising it, it was then conveyed by them to the Water Police Office, where an inquest will be holden on it to-day. The deceased seems to have been one of the seamen. The body is in a state of decomposition, and there are several wounds about it, which appear to have been caused through coming in contact either with some part of the wreck or a rock. *Herald, July 17*

**INQUEST.** - An inquest was held yesterday by Mr. **RYAN BRENNAN**, at Mr. Hooper's, the King's Head, George-street North, on the body of a seaman named **JOHN LOVEJOY**, late belonging to the schooner *Wanderer*, then lying dead at the Water Police Office, and who perished in the wreck of that vessel, off Inner Middle Head, at an early hour of last Sunday morning. Mr. **GEORGE GREEN**, boat builder, of the North Shore, deposed to having, a few hours previous to the inquest, found the body of the deceased off George's Head, floating amongst portions of the cargo of the *Wanderer*. The body, when found, was in about three fathoms of water. The next evidence called was **EDWARD SMITH**, a seaman of the *Wanderer*: he identified the body of the deceased, and went at considerable length into the details of the melancholy catastrophe. His statement being a mere repetition of that which

appeared in the *Herald* of Wednesday last, it is unnecessary to recapitulate it. Dr. **SILVER** deposed to having viewed the body, and from its appearance, and the history of the case, had no doubt death was caused by suffocation from drowning. The jury at once returned a finding of accidental death by drowning. *Herald, July 15*

SENTINEL, 4/183, 20/07/1848

INQUEST. - On Wednesday last, the 12<sup>th</sup> instant, the coroner held an inquest at the Cross Roads Inn, about eight miles from Berrima, on view of the body of **CHARLES KIRWIN**, who died on the previous Monday, at about ten o'clock in the forenoon. Deceased had been in the service of Mrs. **MUNRO** (landlady) the past three years. From the evidence of Dr. **ALLEN** it appeared deceased had been suffering from anasarrae, and required treatment, such as only can be obtained in hospital. He was attended by Mr. **ROBERT SHAW MONTGOMERIE**, who practices as a surgeon, but who has not been qualified under the Colonial Medical Act. The Jury are also of opinion that a duly qualified surgeon should have seen deceased.

MAITLAND MERCURY, 6/423, 22/07/1848

HUNTER RIVER DISTRICT NEWS. - MUSWELL BROOK.

THE LATE MURDER. - The following additional and material evidence has been given against the man **GEORGE WATERS WARD**, committed in May last to take his trial at the ensuing Assizes for the wilful murder of **RICHARD CONNELLY**, near Muswell Brook:- Police Court, Friday, 14<sup>th</sup> July, 1848 - It appeared from the evidence of chief constable **FOX**, that, as he was returning home yesterday from the Maitland Quarter Sessions, he was accompanied part of the way by a man named **THOMAS MAGUIRE**. When passing Bowman's Creek Mr. Fox told Maguire it was in that creek he met the man that was committed for the late murder near Muswell Brook, as he was returning from the last April Quarter Sessions. Maguire then said that he had been into Muswell Brook about that time, and that he was returning home on Wednesday night, the 19<sup>th</sup> April last, and came about a mile on the Singleton Road, and then lay down under a tree, but soon after arose, and went a little distance off to a fire in the bush; in a few minutes after two men came up to the fire; Maguire asked them how far they came; they said not far that night, but did not say from where; after some conversation they said it was about 12 o'clock, and one of them lay down, and said they would stop there until morning; Maguire asked them why they did not stop in Muswell Brook; one of them replied that the houses were all shut up as they came through, and that foot travellers could lodge anywhere. Maguire soon after left to go home, and went about three miles on the road, and lay down again, from the effects of a headache he had; when he arose he found that he had left his bundle where he was laying in the bush near Muswell Brook; he went back to search for it, and afterwards went over to the fire to light his pipe, where he had left the two men at camp, and found that the men were gone, and saw that there was burning in the fire what Maguire thought was a load of rags, or something of that sort. Maguire described one of the men as about 5 feet 6 or 7 inches, stoutish made, full face, with very large black whiskers, and as wearing a rough, light-colored drab coat, and Maguire said he would know the man very well again if he saw him; the other man he described as having no whiskers, and sandy hair, about 5 feet 6 inches high. Maguire lives at a station about ten miles from Muswell Brook, on the old Singleton road, but Mr. Fox requested him to ride on with him that night to Muswell Brook, and show him the place where he saw the two men at camp, and the rags burning in the fire after they had gone. He did so; but Mr. Fox states that it was with very much

reluctance that Maguire came to give evidence of what he had told him, and the chief constable positively swears that the place pointed out to him by Maguire was the very identical spot where Connelly was murdered on the night of the 12<sup>th</sup> or 13<sup>th</sup> April, and where he, Mr. F., found in the ashes, partly burnt, on the morning of the 15<sup>th</sup> April last, after finding the murdered body, the remains of a rough, light-colored drab coat, clotted with blood. Mr. Fox further states that one of the descriptions given by Maguire of the men answers that of George Waters Ward, the man committed for the murder, and the other answers that of the deceased, Connelly. Maguire was detained until court-time next morning, and then gave evidence corroborating the chief constable's statement; and further deposed that he had heard of the murder about the time it was committed, but did not know exactly when, or where, or how it happened, and that he had no opportunity of making this evidence known previous to his conversation with Mr. Fox about the murder yesterday, when accidentally travelling with him. It will be in the recollection of the readers of your journal that although Connelly's two watches and coat had been traced to Ward, no witness, previous to Maguire, had seen him nearer Muswell Brook than Aberdeen, 9 miles off, and Bowman's Creek, 18 miles off, from where the murder was committed.

**INQUEST.** - On Monday, the 17<sup>th</sup> instant, an inquest was held at Muswell Brook, before **J.B. WEST**, Esq., coroner, on the body of **ANN HOMEWOOD**, then lying dead in her father's house. It appeared from the evidence of the mother of the deceased that she had on Saturday afternoon, placed a fire to a log a little distance off her dwelling house, for the purpose of cross-burning the log; some time after one of her children came to her door, crying out, "mother, mother," and on her going outside the house towards the log, she saw her daughter Ann completely enveloped in a body of flames; she extinguished them, and found the clothes nearly consumed, and the body of the deceased one burn from her feet to the top of her head. Mr. **THOMAS HOWE**, surgeon, was immediately called in, and he applied the usual remedies, but the child died in a few hours after the occurrence, which was stated to be purely accidental. The deceased was a very intelligent child, about six years of age, and was followed to the grave this afternoon by all the school children of the parish. July 19<sup>th</sup>, 1848.

**SERIOUS ACCIDENT.** - On Saturday afternoon as a young man named **MACQUEEN**, the messenger to the Club House, was getting on the Penrith mail as it was leaving the Post Office, his foot slipped, and he fell between the fore and hind wheels, which immediately passed over his body in a longitudinal direction from the pelvis to the head, a portion of the frontal bone of which it completely crumbled. Macqueen was immediately removed to Mr. Surgeon Harper's, in King-street, when that gentleman afforded such immediate assistance as was necessary, and the sufferer was then removed to the Infirmary, where he now lies. Strange to remark, none of the bones of the chest and breast were injured. From the accounts given late yesterday, hopes are entertained of Macqueen's recovery. *Herald, July 18*

**MAITLAND MERCURY**, 6/424, 26/07/1848

**INQUESTS.** - Inquests were holden this day on two more of the bodies of the unfortunates who were drowned the night of the wreck of the *Wanderer*. One was that of **RICHARD FORSTER**, a seaman, the other that of a passenger named **LEWIS**. Both the bodies were identified by the survivor, **SMITH**. They were both in an advanced state of decomposition, and some portions of the abdomen and other parts were quite gone. Verdict, death by accidental drowning. These make five found of the nine who were lost on the above melancholy occasion.

**MELANCHOLY OCCURRENCE.** - Shortly after the *Royal Saxon* had anchored, on Wednesday, Mr. **HENBURY**, one of the cabin passengers, was attacked by a fit of epilepsy. Dr. **M'KELLAR** was immediately sent for, and was promptly in attendance. The usual remedies were adopted, but without avail, the unfortunate sufferer expiring under the severity of the attack in the course of Thursday. *Herald, July 22*

**DANGEROUS ACCIDENT.** - Last evening, a man named **MICHAEL CAVENAGH** was returning from Sydney with his team, and being intoxicated at the time, got his leg entangled with the wheel, and the consequence was his foot was nearly torn off. The accident occurred near to Magrath's Hill; but as no person was near him at the time, his horses went on, and he lay a considerable time before some people came up, who conveyed him to Hunnable's public-house. Dr. **BELL** was immediately sent for, and on arriving found the left ankle-joint nearly laid bare, with great laceration of the skin and ligaments, and portions of the bone almost triturated; and as it was a matter of extreme doubt whether or not the man would have to lose his leg, Dr. Bell advised and gave an order for his immediate reception into the hospital. More than five or six serious accidents have occurred in the same vicinity within as many months, from intoxication. *Windsor Correspondent of the Herald*

**DEATH FROM CHLOROFORM.** - In the *S.M. Herald* of the 22<sup>nd</sup> instant appeared a full report of a case in Windsor hospital, wherein a patient who was then being operated on died from the effects of chloroform. The following is a brief abstract. The patient, whose name was **WILLIAM LESLIE**, was suffering from a cancer in the mouth; he had tried medical assistance, but the disease increased, and death must shortly have ensued, so extensive was the cancer. An operation, it was feared, would be fatal, but Leslie urged it being tried, as his only chance. It was therefore resolved to dissect out the cancer, and to subject Leslie to the influence of chloroform during the operation. Drs. **DOWE, BELL, and WHITE**, therefore administered the chloroform on handkerchiefs; the handkerchiefs being charged apparently seventeen times, at intervals of from 25 to 45 seconds. It was resolved to secure the common carotid artery on the right side before removing the cancer. In a minute and a half, therefore, after the chloroform was first administered, Dr. Dowe cut down in the direction of the artery; a good deal of venous oozing immediately took place from the many tortuous vessels, and created a little trouble in finding the sheath of the vessels; at this time Dr. Dowe requested Doctors Bell and White to try for the pulsation of the artery, which they were unable to discover, and as two or three stentorous inspirations followed, the handkerchiefs were removed, and in a few seconds the man breathed his last; certainly in not more than five minutes from the first application of the chloroform. The operation for securing the carotid artery was skilfully done so far as it went, but the man had ceased to live before the vessel was secured, and not more than four or five ounces of blood were lost. Dr. Bell made a post mortem examination, and found the blood vessels of the brain, especially the venous system, extremely congested, and the lateral ventricles filled with an unusual quantity of bloody fluid; the converse surface of the brain presented appearances of previous disease; and there were also many adhesions of the membranes; he had dissected out the cancerous tumour, and found the whole cavity of the mouth occupied by it, and all the tissues adjacent partaking of the malignant schirrous nature of the disease; that, in fact, all attempts at the removal of such during life would have been fruitless, if not immediately fatal; he was of opinion death had been suddenly produced by the sedative action of the chloroform on the vital functions. An inquiry was held on the body before Mr. **PANTON, J.P.**, at the request of the medical men, when the above

evidence was given, as well as corroborative evidence from other persons who were present. The inquiry terminated with an expression of opinion from Mr. Panton that no blame attached to the medical men.

**THE LATE WRECK.** - Another of the bodies of the unfortunate men who perished at the wreck of the *Wanderer*, on the 9<sup>th</sup> instant, was found yesterday afternoon by Mr. **GIBSON**, the pilot, lying ashore on Lang's Point, between Camp Cove and Watson's Bay. The body is believed to be that of Captain **CROSTEN**, who was in command of the vessel. Mr. Gibson conveyed the body to the Water Police Office, where an inquest will be held on it to-day. *Herald, July 22*

SENTINEL, 4/184, 27/07/1848

[Thursday]

**THE WRECK OF THE WANDERER.** - On Monday last, inquests were held at the King's Arms George street on the bodies of two of the unfortunate men who perished in the wreck of the schooner *Wanderer*. Their identity was proved by the seaman **SMITH**, the only one who had survived to tell the tale. They were in a very advanced state of decomposition, and a large portion of flesh on the face and thighs together with the scalps had been destroyed by the fish. No evidence was adduced as to when or where the bodies were found further than that they were brought in a boat to the Water Police Office Wharf on last Sunday afternoon by some of the South Sea Islanders.

MAITLAND MERCURY, 6/425, 29/07/1848

**GUNDAGAI.** - JULY 22. - An inquest was held here on the 29<sup>th</sup> ultimo by Mr. **F.A. THOMPSON**, J.P., on the remains of a man named **JAMES TRINGLE**, late a shepherd in the service of Mr. **JOHN KING**. The deceased came into Gundagai on Wednesday, the 21<sup>st</sup> June, and when first noticed had neither jacket nor hat on his person. He appeared to those who observed him to be wandering in his mind, and either suffering from the effects of intoxication or affection of the brain from some acute cause. He had no money, and Mr. **SIMPSON**, of the Rose Inn, very kindly gave him accommodation for the night. He was got to bed by Mr. Simpson, who saw him about ten o'clock, p.m., he still complained of his head. The night was bitterly cold, boisterous, and the rain fell in torrents. In the morning it was found the man had gone out through the window of his room during the night, leaving his trousers and boots behind, so that he had on nothing but his shirt. A search was instituted for him, but without success, and it was generally supposed he had fallen into the river and been drowned. On the evening of Wednesday, the 28<sup>th</sup>, his remains were discovered about six miles from Gundagai.

Another inquest was held on Tuesday, the 11<sup>th</sup> instant, by **JOHN PETER**, Esq., J.P., on view of the body of a man named **JAMES WOOD**, late in the service of Mr. **PRING**, of Mangoplace, Bilybung. The deceased was in his usual health on Sunday night, the 9<sup>th</sup> instant, and on going to bed took ten of Holloway's pills, and which he said were the first pills of any kind he took in his life. On Monday morning he complained that "the pills had made him very thirsty at night, and were very bitter." At breakfast time he was moving towards the door to proceed to the well for water, when he suddenly fell down and expired after a few convulsive movements. The pills which remained in the box from which deceased took the ten, will be analysed. *Herald Correspondent.*

MAITLAND MERCURY, 6/426, 02/08/1848

**INQUEST.** - An inquest was held at Oakhampton, on Saturday, before **J.S. PARKER**, Esq., coroner, on the body of **ROBERT BRADLEY**. It appeared that Bradley, who has been for some weeks in the employ of Messrs. Prentice and Nott, received some fourteen months ago an injury in carrying a log, of which he felt the effects up to a recent period, although it did not interfere with his daily labour. A short time back he began to suffer from a short dry cough, but took no particular notice of it, nor went for medical advice, but he was placed on light work by his employers. Bradley appeared still, however, in his usual health, but between three and four o'clock on Saturday morning, whilst he was at work at the boiling-down coppers, with a fellow workman named **COLFOX**, he suddenly grasped Colfox's arm, and on Colfox turning round to know the reason, he saw that Bradley had fallen. Colfox called for a light, and on one being brought it was found that blood was issuing from Bradley's nose and mouth. He was lifted up, and removed into a hut, but in a few minutes he expired. Dr. **LIDDELL** stated that from the appearance of the body he was of opinion that Bradley had ruptured some blood-vessel, which had caused the blood at the mouth and nose; there was no mark of violence on the body. The jury returned a verdict of died by the visitation of God.

**SHIPPING.** - The *Countess of Yarborough* has had a tedious passage of one hundred and twenty-six days from the Downs, having experienced nothing but light winds and calms for nineteen days within the vicinity of Port Philip. On the 23<sup>rd</sup> April, within four degrees of the equator, one of the cabin passengers named **JAMES DIXON** fell overboard and was drowned. He was walking on the deck at two o'clock in the morning, owing to the excessive heat, and shortly after a noise was heard by the man at the wheel, as of some one falling over; the captain was immediately called up, but nothing whatever could be seen of the unfortunate individual.

**THE "WANDERER."** - We are informed that one of the bodies of the unfortunate people lost by the late wreck of the schooner *Wanderer* has been lying since Wednesday last on the rocks at the north end of Beilby's Beach; and although information of the same was given at the Water Police Office, it still remains there, and of course daily becoming more decomposed. *Herald, July 31*

#### **DEATHS.**

At sea, on the 6<sup>th</sup> October, 1847, on board the *Tory*, three days after leaving Sydney for England, the Rev. **JOHN PURDLE**, late teacher at Paddington.

SENTINEL, 4/185, 03/08/1848

**ACCIDENT.** - On Friday afternoon last, as a dray was passing through the toll-bar, a man named **CHARLES ABBEY**, fell off the vehicle, and came in contact with the gate post with such violence as to break both the bones of his legs and some of his toes. He was instantly conveyed to the Benevolent Asylum. [also Maitland Mercury, 6/426, 02/08/1848]

**SUICIDE.** - It is reported that a man in May's Lane, whose name we have not heard [**ENOCH BOOTS?**], hanged himself on Tuesday night last, whilst in a fit of temporary insanity, produced by intemperance.

**INQUEST.** - An inquest was held yesterday, by Mr. **RYAN BRENNAN**, at Mr. Driver's, The Three Tuns, King and Elizabeth-streets, touching the death of **CATHERINE MURPHY**, then lying dead in the Sydney Infirmary. From the evidence of one of the nurses of the institution, and of Dr. **M'EWEN**, it appeared that the deceased had been received into the Infirmary on the evening of the 20<sup>th</sup> ultimo, with compound fracture of the leg, the occasion of which had been purely accidental. The fracture was reduced, and she progressed most favourably until the 29<sup>th</sup> ultimo,

when tetanus supervened, from the effects of which she sank, and expired at an early hour on Tuesday morning. The Jury, under the direction of the coroner, returned a finding of death from the effects of a fracture accidentally received.

MAITLAND MERCURY, 6/427, 05/08/1848

INQUEST. - An inquest was held yesterday, by Mr. **RYAN BRENNAN**, at Mr. Driver's, the Three Tuns, King and Elizabeth-streets, touching the death of **CATHERINE MURPHY**, then lying dead in the Sydney Infirmary. From the evidence of one of the nurses of the institution, and of Dr. **M'EWEN**, it appeared that the deceased had been received into the Infirmary on the evening of the 20<sup>th</sup> ultimo, with compound fracture of the leg, the occurrence of which had been purely accidental. The fracture was reduced, and she progressed most favourably until the 29<sup>th</sup> ult., when tetanus supervened, from the effects of which she sank, and expired at an early hour yesterday morning. The jury, under the direction of the coroner, returned a finding of death from the effects of a fracture accidentally received. *Herald, Aug. 2*

MAITLAND MERCURY, 6/428, 09/08/1848

BATHURST. - CORONER'S INQUEST. - On Friday, the 28<sup>th</sup> July, an inquest was held at the Plough Inn, Russell-street, on the body of a woman named **HOLDSWORTH**, who had met her death by accidentally falling down a well. From the evidence it appeared, that no one actually saw the affair, but it was supposed that the deceased had been drawing up a bucket of water from the well, and from weakness, she having been some time unwell, in endeavouring to bring the bucket to land, was unable to do so, lost her balance, and was precipitated down the well, a depth of upwards of 50 feet. The first discovery of the circumstance was by a neighbour who, seeing a bucket that he knew belonged to the deceased standing near the well, suspected what had taken place; he went to her residence, and finding her absent, immediately gave the alarm, assistance was speedily procured, and a man was lowered down the well and the body was found, but life was extinct. It was supposed she was dead before she reached the bottom, as there were several bruises about the skull, supposed to have been received from concussions from the sides of the well in her fall. The woman was stated to be perfectly sober. Verdict, accidental death, from falling down a well. *S.M. Herald*

SENTINEL, 4/186, 10/08/1848

ACCIDENT FROM INTOXICATION. - On Thursday evening, a man named **FINCH**, in a state of intoxication, in charge of a dray which he was bringing down to Sydney, when about five miles distant from town, on the Parramatta road, fell off, the dray wheel passed over his body from which he received serious injuries about the abdomen and belly. Constable **DITCHEN** having been made acquainted with the occurrence, procured a cart and removed the unfortunate man to the Sydney Infirmary, where he lies in a precarious condition.

MAITLAND MERCURY, 6/429, 12/08/1848

FATAL ACCIDENT. - On Wednesday morning a man named **JOHN CAMPBELL**, of Phoenix Park, was driving his family and that of a neighbour to the races in a cart, and had reached as far as East Maitland, when a fatal accident occurred. In the cart were John Campbell, his wife, Mrs. **MACMAHON**, a boy and a girl, and two infants, seven in all. As the cart was approaching East Maitland at a trot,

a spring cart came up quickly behind, which frightened Campbell's horse, and he galloped on. Campbell tried in vain to hold him, and the horse turned sharp round Mr. Mayo's corner, the sudden turn throwing Campbell off; Campbell kept hold of the reins, but in an instant they were wrested from him, and he was pulled down on his face, the wheel passing close to his head as the horse galloped madly on past the court house. On reaching the turning into Bank-street, the horse made another sharp turn, and the wheel catching the raised footway the cart was overturned after running a short distance on one wheel. Campbell and a man named **CORRALL** were pursuing the cart, and they soon lifted it up, releasing Mrs. Campbell, on whose breast the rail was resting. Mrs. Macmahon was found much injured also, and Mrs. Campbell's infant, a little girl of five months old, was found to have fractured its skull. The injured persons were all removed into the nearest house, when Dr. **EDYE**, who saw the accident, was in instant attendance, as was also Dr. **BROWN**. The poor infant, however, lived but a short time after the accident, and both women were found to have suffered much injury. The overturn broke the leg of the horse, and he was shot, by desire of the owner. An inquest was held on the body of the infant, **JANE CAMPBELL**, on Thursday, at the Victoria Inn, before **J.S. PARKER**, Esq., coroner, when the above evidence was given, and Dr. Edye deposed that the infant died from fracture of the skull and concussion of the brain. The jury returned a verdict of accidental death, exonerating the driver from all blame.

MAITLAND MERCURY, 6/430, 16/08/1848

A BOY DROWNED IN THE HOLE IN ELGIN-STREET. - A little boy, about seven years of age, named **JAMES M' CARTEN**, an orphan, who has been kept by Mr. **DAVIES**, the pieman, of West Maitland, since he lost his parents, left Mr. Davies's on Tuesday last to go to the races, and since that day he had not been heard of or seen. Mr. Davies mentioned to the police that evening or the next day that the boy was missing, but said he thought it probable he had gone to Tomago, where he had an elder brother living. As the police heard no more about the matter, no immediate steps were taken, although Mr. Davies continued to enquire about the poor boy from parties who had come into town from the Sugar Loaf, where two others brothers of the lad are living. On Sunday evening, however, after the young woman whose narrow escape from being smothered in the hole in Elgin-street is related elsewhere, had been extricated, Mrs. **SULLY**, who resides in Elgin-street, mentioned that during the week a boy's cap and an orange had been found floating on the surface of the water, in the middle of the hole. This was reported to the police authorities yesterday, and in the course of the evening chief constable **WOOD** went to Mr. Davies to mention the circumstance to him. Mr. Davies at once said that the boy had on a cap when he went to the races; and that he had also left home with an orange or two. This left but little doubt that the little fellow had fallen into the hole and perished; and it being a moonlight night, Mr., Davies accordingly, about eight o'clock in the evening, accompanied by Mr. **MEARS** and ---- **GREEN**, went to the water hole to search. Mr. Mears was provided with a long pole having a hook at the end, with which he removed the superincumbent dung from the spot where the cap had been seen by Mrs. Sully, who was also present. When the dung was removed, the pole sunk at once six or seven feet through water before it reached the bottom, and although at one moment a soft round body was felt, it could not be again met with. Green, meanwhile had got a long pole, with which he ventured towards the middle of the hole, and after pushing away the dung, at that spot lying only a few inches thick on the water, he felt underneath, and in a few minutes lifted up a mass, which he drew

towards him, and which proved to be the body of the poor little fellow. Green raised it, and brought it to the bank, when Mr. Davies immediately recognised the body, and embraced it, evidently greatly distressed. The police were sent for, and the body was then removed to Mr. Davies's house, and an inquest will be held on it. When found, the little hands were firmly closed, some straw being grasped in each, as if the poor boy had vainly tried to save himself; the features were quite perfect, and the body was also quite firm, as if it had been dead only a few hours. We think the authorities would do well to have the hole thoroughly searched, for it is possible, and by no means improbable, that other persons may have shared the fate of the poor little fellow whose body was last night got out.

**SHOCKING ACCIDENT.** - On Friday morning a child of about three years old, son of a person named **FOWLER**, in Hosking's buildings, Castlereagh-street, fell into the fire, when its clothes ignited, and at the same time catching hold of a kettle of boiling water, upset its contents over it, and was fearfully scalded and burnt; after lingering in great agony until midnight of Saturday, he expired. *Herald, Aug. 14*

**BIRTHS.**

At her residence, Lower George-street, Sydney, on the 10<sup>th</sup> August, Mrs. **FREDERICK ISAACS**, of a still born male child.

SENTINEL, 4/187, 17/08/1848

**SHOCKING ACCIDENT.** - On Friday morning, a child of about three years old, son of a person named **FOWLER**, in Hosking's buildings, Castlereagh-street, fell into the fire, when its clothes ignited, and at the same time catching hold of a kettle of boiling water, upset its contents over it and was fearfully scalded and burnt; after lingering in great agony until midnight of Saturday, he expired.

**INQUESTS.** - An inquest was held yesterday by Mr. **RYAN BRENNAN** at H.M. Gaol Darlinghurst, on view of the body of a man named **PATRICK SMITH**, then lying dead therein. The deceased it appeared, was a confine awaiting trial. The only evidence was Mr. **HORNER** the Gaol medical attendant who stated that the deceased was seized on the first instant, with Symptoms of intense congestion of the brain, for a milder attack of which he had been treated previously with much benefit. The most active treatment was employed for his relief, and life was prolonged until about noon on Monday, when he expired. Consciousness was at one period of the attack imperfectly restored, but he was wholly insensible the few days preceding his death. The jury returned a finding of death by the visitation of God.

A second inquest was held on Tuesday by Mr. **RYAN BRENNAN**, at Mr. Taylor's 'The Wheat Sheaf' George street, touching the death of a person named **JOHN GAYNOR**, then lying dead in the Benevolent Asylum. Mr. **RUSSELL** the resident surgeon of the institution, deposed to the deceased's reception on the 18<sup>th</sup> ultimo, when he was suffering from compound fracture accidentally received of the tibia and fibia of the left leg, and dislocation of the greater toe of the right foot. The deceased, who was of a particularly excitable temperament, sank under the injuries he had sustained, and expired on Sunday evening. In Mr. H.'s [?] opinion death resulted from exhaustion consequent upon the fractures. The Jury returned a finding of death from injuries accidentally received. The accident which led to this fatal termination was as has been already reported [Sentinel 4/185, 03/08/1848 but different name?], the deceased's horse coming in contact with the centre post of the Annandale Toll Gate when he was thrown, and as it appears that several disasters had occurred from a similar cause the Jury in returning their finding, requested the Coroner to communicate with the proper authorities, representing the urgent necessity of

removing this post in consequence of its obstruction and danger of parties travelling on the road.

**NOTICE OF DISCONTINUANCE.**

MAITLAND MERCURY, 6/431, 19/08/1848

INQUEST. - On Wednesday an inquest was held at the Fitzroy Hotel, before **J.S. PARKER**, Esq., coroner, on the body of **JAMES M'CARTEN**, the poor boy whose body had been got out of the waterhole at the junction of Elgin and West-streets on Tuesday evening, as reported in Wednesday's *Mercury*. The circumstances, as given in evidence, were nearly as described in our report of the finding of the body. The poor boy left home to go to the races on Tuesday morning, the 8<sup>th</sup>, and was never seen afterwards; on Tuesday evening Mrs. **SULLY**, as she was passing the waterhole saw a cap floating near the middle, the water being clear around it, but she took no notice, supposing it had been flung in by some school-boy; on Thursday afternoon the cap was got out by a lad named **JOHN AHERN**, soon after the horseman had ridden in, and been saved by the people around; Ahern remarked to a man standing by that the cap might have belonged to somebody who had been drowned there; the man said it might; the man then looked over the cap, but could find no name on it, and he returned it to Ahern, who took it home, and wore it till Tuesday evening last, when, having heard of M'Carten's body being found in the hole, he took the cap to Mrs. **DAVIES**, who recognised it as having been M'Carten's. Dr. **M'CARTNEY**, having examined the body, deposed that he found no marks of violence on it, and that it was his opinion the deceased came by his death by suffocation by drowning. The jury returned a verdict that the deceased came by his death by drowning, and not otherwise; and added that they begged to suggest to the coroner the necessity of recommending that the water-hole in question be filled up, or otherwise secured against any future accidents occurring of a similar nature.

**THE DANGEROUS WATERHOLE IN ELGIN AND WEST-STREETS.**

On Wednesday this waterhole, which looks like a stable yard, as expressively described by a witness at the inquest, was fenced in with a substantial two-rail fence. As no other person has been reported as missing since the hole became so deceptive and dangerous, we believe the authorities do not intend searching it. We hope the government will comply with the recommendation of the jury, and take further measures to prevent similar accidents in future.

EFFECTS OF DRUNKENNESS. - Last night, about ten o'clock, a man named **DENNIS MADDOX**, who was very much intoxicated, was standing near the fire in a public house at the corner of Pitt and Goulburn-streets, when he received a push from a woman, which threw him forwards on the fire, and upset a kettle of boiling water over his body, by which he was severely scalded. He was immediately conveyed to the Infirmary.

BRISBANE WATER. - INQUEST. - On Monday, the 7<sup>th</sup> August inst., an inquest was held at Avoca, before **BOYD HORSBRUGH**, Esq., coroner, and a jury, upon the body of a man, name unknown, then lying dead upon the beach, near Terrigal. From the evidence it appeared that the body was found on the previous day by a man named **FROST**, a small farmer in the neighbourhood. The body, which was much mutilated, appeared to be that of a seafaring man, having the remains of a blue shirt and a black silk neckerchief round the neck. The Jury returned a verdict of "Found dead, apparently caused by drowning." From the circumstance of some pieces of wreck, the stern of a boat marked "Union of Sydney, George Thom," with a number of casks branded A.B. and a quantity of tallow, having been washed on shore about a month

ago, it was conjectured that the deceased was one of the crew in that vessel on this coast at that period. She was the property of **ALEXANDER BERRY**, Esq., of Shoalhaven. *Herald Correspondent.*

**FATAL ACCIDENT.** - On the evening succeeding the Sydney election, as a person of the name of **GAYNOR** was returning in his cart along the Parramatta Road to his residence at Canterbury, his horse, when near Annandale Toll-gate, suddenly took fright and became unmanageable, and coming into contact with the gate the cart was upset, and Gaynor thrown out – in the fall having both bones of the left leg broken, as also several of the metatarsal ones of the right foot. Gaynor was removed into the city to the Benevolent Asylum, where he received every possible attention, but he sank under the injuries received, and expired at a late hour on Sunday night. It is remarkable that the deceased was received into the same institution about nine months since, after an accident in which the right leg was fractured. *Herald, Aug. 15*

MAITLAND MERCURY, 6/432, 23/08/1848

**INQUEST.** - An inquest was held yesterday, by Mr. **RYAN BRENNAN**, at O'Neale's, the "Harbour Inn," Sussex street, on view of the body of **JONATHAN MORGAN**, then lying dead on the Market Wharf. The evidence disclosed that the deceased, who was about fifty years of age, had for years past obtained his livelihood by assisting in the loading and unloading of boats and carts at the wharf alluded to; also, that he had for years past slept on the wharf exposed to the weather, notwithstanding however inclement it might be, on the spot where he had been found dead. From the testimony of those who had been acquainted with him, it was shown that his habits were in general intemperate. And he had lately complained of being much troubled with a cough, but which was not apprehended, either by himself or others, to be likely to be attended with serious consequences, and he was seen in his usual health up to about nine o'clock on the previous evening. A *post mortem* examination was made by Dr. **SILVER**, who stated he found existence of disease of the heart and lungs, and that death had been occasioned by pulmonary apoplexy. The jury returned a finding of death by the visitation of God. *Herald, Aug. 19*

**FATAL ACCIDENT.** - On Thursday afternoon last, two little boys, **MICHAEL and ----- MOONEY**, sons of **JOHN MOONEY**, a small settler living at Phoenix Park, near Morpeth, were out looking after their father's cattle, Mooney himself being thrashing maize. Suddenly he heard one of the boys cry out, and looking out he saw Michael running towards him, with his arms stretched out, and his clothes nearly burnt off his body. Mooney ran up to the lad, and found that he was very much burnt about the body. He removed him indoors, and poured oil over him, and then sent for Dr. **BROWN**, who attended, but found the injuries so severe as to leave no hope of life; the poor boy lingered, however, till Saturday morning, when he died. An inquest was held on the body on Sunday morning, when the above facts were deposed to, and it appeared that neither the remaining little boy, or Mooney himself, knew how the accident occurred, but as the afternoon was windy, and one or two stumps were burning near where Michael Mooney was, they supposed he must have been playing with the fire, when his clothes ignited. The jury returned a verdict that the deceased came to his death from injuries received from fire, but how his clothes caught fire there was no evidence to show. The poor boy was not quite six years old.

**HUNTER RIVER DISTRICT NEWS.** - CLARENCE TOWN.

**INQUEST.** - An inquest was held here on the 9<sup>th</sup> instant before **T. COOK**, Esq., coroner for the Dungog district, on the body of **JAMES WILSON**. It appeared that Mr. Wilson, who was an old soldier, enjoying a commuted pension, had dropped dead

on the previous day. Dr. **M'KINLAY** having made a post mortem examination, the jury returned a verdict of died from apoplexy.

**INQUISITION.** - **JOHN TAWELL**, after the murder for which he was hanged in 1845, assigned all his property, both real and personal, wheresoever situate, to trustees, in trust for his wife and others. This deed was of course void; but the Queen, on the petition of the parties concerned, consented most graciously to relinquish her right in the property of the trustees of that assignment, and to re-convey it to them. Accordingly, to-day, an inquisition was held before the Master in Equity (the chairman), the Prothonotary of the Supreme Court, **JOHN GEORGE ROGERS**, and **JAMES NORTON**, jun., Esqs., and a jury of thirteen, to enquire and ascertain of what real property the said John Tawell was possessed on the 1<sup>st</sup> day of March, 1845, the day, as it was alleged, on which the murder was committed. **GEORGE COOPER TURNER**, Esq., appeared on behalf of the crown. The several deeds relating to his supposed property in Rose Bay, Sussex-street, Macquarie-street, William-street, Darlinghurst, were severally produced and proved. After a few words from the chairman, the jury found that John Tawell was possessed of these several properties. A grant of these several properties will therefore be issued from the crown to the trustees upon the trusts of the assignment. *Herald, Aug. 23*

**FATAL ACCIDENT.** - A young lad of the name of **BOWLER** met his death on Friday night last, on the Campbelltown road, under the following disastrous circumstances. It appeared from the evidence adduced at the inquest subsequently held, that the deceased was asleep on a dray belonging to his employer, but a flock of sheep suddenly coming on (subsequently explained, through an acute angle of the road preventing their approach being seen,) the dray suddenly, the horses took fright, and he was jerked from off the floor of the dray, and one of the wheels went over him, killing him instantaneously. The verdict returned at the inquest held by the coroner for the district, Mr. **ALLEYNE**, was accidental death. *Herald, Aug. 23*

**SENTINEL**, 4/188, 24/08/1848

**FATAL ACCIDENT.** - A young lad of the name of **BOWLER** met his death on Friday night last, on the Campbelltown road, under the following circumstances. It appeared from the evidence at the inquest subsequently held, that the deceased was asleep on a dray belonging to his employer, but a flock of sheep suddenly coming on (subsequently explained, through an acute angle of the road preventing their approach being seen,) the dray suddenly [?], the horses took fright, and he was jerked from off the floor of the dray, and one of the wheels went over him, killing him instantaneously. The verdict returned at the inquest held by the Coroner for the district, Mr. **ALLEYNE**, was accidental death.

**RE JOHN TAWELL**, executed 1845; estate. Inquisition re his estate.

**MAITLAND MERCURY**, 6/434, 30/08/1848

**SERIOUS ACCIDENT BY FIRE.** - On Wednesday morning lkast, about eleven o'clock, as Miss **HUMPHREY**, eldest daughter of Mr. **THOMAS B. HUMPHREY**, and niece to Alderman Humphrey, M.P., of London, was standing with her back to the fire, her dress caught, and in her fright she ran into the open air. The wind being high at the time she was soon in a blaze. Mr. Humphrey unfortunately had left the house a short time before the accident occurred. Several parties who saw her in a blaze were quite panic struck; therefore she was burning some minutes before she got any assistance; and at last a ticket-of-leave holder, of the name of **JOHN BROWN**, rendered her great service by pouring buckets of water over her, and at last

extinguished the flames. All the clothes that Miss Humphrey had upon her were burnt to a cinder; and had it not been for Brown's perseverance, there is not the least doubt she would have been burnt to death on the spot. As it is she is most severely burnt, and lays in a dangerous state, under the medical treatment of Dr. **BOWKER**. Parties who witnessed this sad accident are getting up a testimonial to the governor, recommending some indulgence for Brown's praiseworthy conduct. He was much burnt. *S.M. Herald, Aug. 28*

**SUPPOSED SUICIDE.** - An elderly man, of gentlemanly appearance, but a stranger, died suddenly yesterday at Morpeth, who it is supposed committed suicide. We understand that he arrived at Morpeth on Sunday, by steamer, and put up at Mr. Graham's inn. On Monday afternoon he had a few glasses of liquor, but went to bed without appearing much the worse. Yesterday morning Mr. Graham waited breakfast very late for him, but at length, at half-past none, finding his door continued fastened, he burst in, and found the unfortunate man apparently in great agony, while by his bedside was a small phial, labelled "poison," with the name of a Sydney chemist. Dr. **STREET** was immediately sent for, and attended, but after suffering for an hour and a half, the man expired. We presume an inquest will be held on the body to-day. We cannot vouch for the exact correctness of the above, having heard of the occurrence at a late hour last evening.

**DEATH BY DROWNING.** - During the passage of the *Subraon* from Newcastle to Port Nicholson, one of the passengers, Mr. **JOB HUDSON**, who had been drinking to excess, jumped overboard, and was drowned. Mr. Hudson was formerly a builder in Sydney, and having obtained a contract for the erection of the barracks at Newcastle, proceeded to that place, where he has principally resided during the last few years, and had amassed considerable property. He had latterly given way to intemperate habits. He has left a widow and several children. *S.M. Herald, Aug. 28*

**PORT PHILLIP.** - The *Cheapside* arrived here yesterday, with emigrants from London and Plymouth, having completed the passage in rather less than eighty-eight days, being the quickest ever yet made from England to Port Phillip. When within a few days' sail of Port Phillip Heads, a melancholy accident befell a finer young seaman of the name of **GEORGE FARQUHAR**; he was up on the main yard and his foot slipping from the rope he lost his hold, and falling violently on the deck, died instantly, his head, upon which he fell, being dashed to pieces.

**CENTRAL CRIMINAL COURT. - WEDNESDAY, AUGUST 23, 1848**

**MANSLAUGHTER**

**JAMES LAMB and JOHN HILT** were indicted for that they on the 24<sup>th</sup> day of May last, on the body of one **JOHN HENDRICK**, did make an assault by furiously, negligently, and violently driving certain coaches, in one of which the said John Hendrick was, and in consequence of which the said John Hendrick was cast on the ground, and received several wounds and contusions, from which the said John Hendrick did instantly die. The counts were variously laid, charging each of the prisoners with the actual assault, and each with aiding and abetting in the same.

The facts of the case, as deposed to, were almost precisely as they were given in the *Mercury* at the time of the occurrence.

The jury returned a verdict of not guilty, and the prisoners were discharged.

**MANSLAUGHTER**

**JOSEPH FULLARD** was indicted for assaulting **ROBERT DONNELLY**, at Parramatta Road, on the 2<sup>nd</sup> July, and inflicting certain wounds and contusions, whereof the said Donnelly died on the following day.

It appeared that on Sunday, the 2<sup>nd</sup> July, Fullard and Donnelly were drinking at Morten's public house, and that they had a few words, after which Fullard knocked Donnelly down. Donnelly never recovered from the effects, and died on the following morning.

Guilty, but recommended to mercy. To be imprisoned for six months, with hard labour.

**INQUESTS.** - An inquest was held yesterday before Mr. **BRENAN** on the body of **JAMES INGRAM**. Ingram it appeared was a seaman belonging to the *Lady Kinnaird*, and had been missing since Sunday evening, when he was last seen near Campbell's wharf, very drunk. No splash or noise was heard during the night, but yesterday morning the body was found in the water alongside the wharf. Verdict - accidentally drowned.

A second inquest was held yesterday, on the body of **EDWARD BURGESS**. It appeared that on the previous evening Burgess had been found lying on the road to Five Dock, and on being examined was found to be dead, apparently from injuries as if a dray-wheel had passed over the abdomen. Burgess's horse-team had been stopped a short distance further on by passengers, which induced a person who had passed Burgess, believing him to be lying drunk, to go back for him. Verdict, accidental death. *Abridged from the Herald, Aug. 24*

On Saturday an inquest was held before Mr. **BRENAN** on the body of an elderly man named **ROSS**. It appeared that Ross had been for years an intemperate man, seldom going to bed sober, and had some time received an injury from a fall, since which he had complained of a pain in the left side. On Friday afternoon he was about to take dinner, when he rose suddenly and went to the door, where he fell, and in a few minutes expired. A *post mortem* examination showed that disease of the heart was the cause of death. Verdict, death by the visitation of God. *Abridged from the Herald, Aug. 28*

**BRISBANE WATER.** - **INQUEST.**

On Tuesday, the 15<sup>th</sup> August instant, an inquest was held at the Victoria Hotel, East Gosford, before **BOYD HORSBURGH**, Esq., the coroner, and a jury, on view of the body of **JOHN PATFIELD**, native of the colony, sawyer, then lying dead at the hut of one **JOHN HAMFORD**, at East Gosford. It appeared from the evidence that on the previous evening Patfield had gone to Hamford's house to spend the evening, and had drunk a good deal, after which he left to go home, between nine and ten o'clock, and was never again seen alive. Early on the morning of the 15<sup>th</sup> a carpenter named **ROBERT CREIGHTON**, on going to his work, found the body of Patfield lying in a pool of water in the road; he dragged him out, but found him quite dead, his mouth being full of mud, and his clothes and face black with mud. Marks were seen on the road leading to the pool as if a man had staggered about, and had fallen once or twice. Patfield's dog first drew Creighton's attention, by jumping on him, and leading him towards the pool. A sawyer named **PHILIP MURPHY** had also been drinking at Hamford's, but nothing was elicited to throw suspicion on him or Hamford. No marks of violence were found on the body. The jury returned a verdict of accidental death, caused by suffocation in a pool of mud and water when in a state of intoxication. *Abridged from the Herald*

SENTINEL, 4/189, 31/08/1848

**SUDDEN DEATH.** - We have this week to record the sudden death of Mr. **WILLIAM E. ROSS**, which took place at his residence, Glebe, on Friday evening last. The deceased was an old colonist, and one who was connected, in different

capacities with the Press of this colony, for the last fifteen years. He was employed during the last three years by the Proprietor of this journal, as an advertisement collector, &c., during which time, he was in a bad state of health. An inquest was held on the body on Saturday evening, when it appeared he had been for many years known to Mr. **SCOTT**, the landlord of the house where he died. The evidence showed that he had been for years so addicted to habits of intemperance that he scarcely ever went to bed sober, and on Friday morning last he was that drunk that he was compelled to go to bed, but arose again in the afternoon. After being refused a glass of liquor which he had called for, he proceeded to go to the kitchen to get something to eat, which was given him; he had not taken more than two mouthfuls when a servant who was near him, heard something rattle in deceased's throat, and immediately afterwards Ross rose and went to the door of the room, when, after trying for about a minute to remove something from his throat, he fell down. An alarm was given, but deceased shortly afterwards expired. Evidence was also given that the deceased had at times complained of a pain in his left side, arising from a fall he had many years since received. Dr. **SILVER** having made a post mortem examination stated that he had found a fracture of the ribs over the heart, and which was of some standing. There was also disease of the heart sufficient to account for death, it being unusually small, and loaded with fat, by which its functions were impeded. A verdict of death was returned by the visitation of God.

**SERIOUS ACCIDENT BY FIRE.** - On Wednesday morning last, about eleven o'clock, as Miss **HUMPHREY**, of Newcastle, eldest daughter of Mr. **THOMAS HUMPHREY**, and niece of Alderman Humphrey, M.P., of London, was standing with her back to the fire, her dress caught fire, and in her fright she ran into the open air. The wind being high at the time she was soon in a blaze. Mr. Humphrey had unfortunately left his house a short time before the accident occurred. Several parties who saw her in a blaze were quite panic struck, therefore she was burning some minutes before she got any assistance; and at last a ticket-of-leave holder, of the name of **JOHN BROWN**, rendered her good service by pouring buckets of water over, and at last extinguished the flames. All the clothes that Miss Humphrey had upon her were burnt to ashes; and had it not been for Brown's perseverance, there is not the least doubt she would have been burnt to death upon the spot. As it is she is most severely burnt, and lays in a dangerous state, under the medical treatment of Dr. **BOWKER**. Parties who witnessed this sad accident are getting up a testimonial to the Governor, recommending some indulgence for Brown's praiseworthy conduct.

**MAITLAND MERCURY**, 6/435, 02/09/1848

**INQUEST.** - In Wednesday's *Mercury* we mentioned that a stranger had died suddenly on Tuesday, at Morpeth, and was supposed to have committed suicide. In the afternoon of Tuesday an inquest was held on the body, at the Crown and Anchor Inn, Morpeth, before **J.S. PARKER**, Esq., Coroner. From the evidence it appeared that the deceased was Mr. **THOMAS H. WATSON**, and that he was formerly Assistant Librarian to the Sydney School of Arts, and in 1846 was Secretary to the Australian Grand Lodge of Odd Fellows. Latterly Mr. Watson had been employed as a collecting clerk, and was usually of cheerful habits, nor was he known to be labouring under any difficulties. On Sunday week Mr. Watson arrived from Sydney by steamer, and put up at the Rose Inn, when he told Mr. **M'DONALD** he was going to Morpeth. Mr. Watson called in at Mr. Graham's, the Crown and Anchor, about sundown, and having ascertained that he could have a bed there, he sat down, and spent the evening in conversation with Mr. Graham and the guests, appearing cheerful

and full of anecdote. While left for a short time on a room with some children, however, Mr. Watson burnt some papers, after looking over them, and appeared rather to exult as they blazed up. This was not mentioned at the time, and about eleven Mr. Watson retired to bed, bidding Mr. Graham good night. On the following morning Mr. Graham, after waiting breakfast till half-past nine, went to Mr. Watson's bedroom door and knocked, but receiving no answer he listened, and heard Mr. Watson breathing very heavily. Getting alarmed Mr. Graham called a servant, and forced open the door, when he found Mr. Watson in bed, lying in an easy position, but breathing as if at the last gasp. On the table Mr. G. saw a phial labelled "poison," and he instantly sent for Dr. **STREET**, who attended, and pronounced that Mr. Watson had taken laudanum. Every exertion was used, but the unfortunate gentleman expired at twelve o'clock. It was remarkable that Mr. Watson had hung his neckerchief on the looking-glass, and arranged his clothes on a chair, exactly as a person might who had laid them convenient for putting on the next morning; while his posture in bed was quite easy and undisturbed. Dr. Street having given his deposition as to the cause of death, the jury returned a verdict that the deceased came by his death in taking a quantity of laudanum, but under what circumstances they had no evidence before them to show.

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

SHOCKING ACCIDENT. - On Wednesday last a dreadful accident occurred to Mr. **GEORGE CURTISS**, a watchmaker and jeweller, for many years a resident in the township, and considered one of the most useful and industrious mechanics in the district. It appears that Mr. Curtiss, who is particularly fond of shooting, had made an appointment with a friend to go out for an afternoon's excursion at his favourite amusement; and had not proceeded far, when their way leading them across a fence, Mr. C. (after having crossed), drew his fowling piece after him through the fence, when a part of the fence caught the trigger of the piece, and the contents went through his hand. The unfortunate sufferer, although bleeding profusely, lost no time in obtaining surgical assistance, and proceeded by himself, first to the residence of Dr. **VALLACK**, but not finding that gentleman at home, went on to Dr. **STOLWORTHY'S**, where he met with prompt and skilful attention. Upon examination of the hand it appeared to be dreadfully shattered, and awfully lacerated on the back and fore parts; the metacarpal bone of the fore or index finger was blown to atoms, high up through the wrist, accompanied with dislocation of the second or adjoining finger, the parts adjacent dreadfully lacerated. After due examination the Doctor proceeded to amputate the fore finger, which was skilfully accomplished in a short space of time, the patient undergoing the operation with great fortitude; the fracture was then reduced, and wound stitched and bandaged, and the patient put to bed. We are happy to state that the unfortunate sufferer is progressing favourable. August 31<sup>st</sup>.

CENTRAL CRIMINAL COURT. - GAOL DELIVERY.

**FRANCIS GALLOUGHTY**, committed in June last, from the Clarence River, on a charge of murder, was allowed bail, to appear and answer the charge at the next Criminal Sessions, himself in £40, and two sureties in £20 each.

SUFFOCATION ON BOARD SHIP. - An inquest was held yesterday before Mr. **BRENAN** on the body of **EDWARD SANDFORD**. It appeared that the brig *Bee* lying at Ebsworth's wharf, had been subjected to smoking, which was commenced on Saturday afternoon last, the hatches being then battened down, and every aperture closed up. Early on Sunday morning the main hatchway was opened, but a large volume of smoke issuing out it was again closed; the vessel was visited at different

times during the day by the officers, but all remained undisturbed. Early yesterday morning the chief mate again went on board, when he found the door of the companion half opened, and the clay disturbed which had been plastered over it. The captain shortly after came on board, and on going below he found Sandford lying dead. On enquiry he found that Sandford, who had been occasionally employed about the vessel, had been allowed by the sailors to sleep in the forecabin, and he would appear to have been making for the forecabin when overcome by the poisonous fumes. After a post mortem examination had been made by Dr. **SILVER**, the jury returned a verdict of death from accidental suffocation.

**BODY FOUND.** - About three o'clock yesterday afternoon, the body of a man was observed under the bows of the (New Zealand) Government brig *Victoria*, lying off Fotherington's Wharf, in Darling Harbour. On its being got ashore it was recognised as being that of a person who had been employed as cook on board of the *Giraffe*, which sailed for China on Thursday last. The deceased had been reported as an absentee from his vessel since the evening of Sunday week. *Herald, Aug. 29* - An inquest was held on the body yesterday, and a verdict of found drowned returned. *Herald, Aug. 30*

**MAITLAND MERCURY, 6/436, 06/09/1848**

**ERRATUM.** - In our report of the late accident [**GEORGE CURTISS**] here an error occurred. Instead of "the metacarpal bone of the fore of middle finger was blown to atoms, high up *through the wrist*," it should have been "*towards the wrist*" - the wrist not being injured at all. The patient is now doing well, the parts kindly healing, and it is hoped in a short time he will have the use of his hand.

**HUNTER RIVER DISTRICT NEWS. - DUNGOG.**

**FATAL ACCIDENT.** - On the evening of Saturday last a little settler, residing near this town, of the name of **SAMUEL WILKINSON**, went down into his field for the purpose of cutting down some small trees, when his wife, with a child in her arms, shortly afterwards followed him, contrary to his instructions. He had partly felled a tree when she came up, and she had but just put the child from her arms when a sudden gust of wind came and took the half-cut tree in a direction contrary to that in which it was intended to fall, and the body fell on Mrs. Wilkinson, and killed her dead on the spot. She was a young and estimable woman, and her fate is sincerely regretted by the whole neighbourhood. An inquest was held on the following day, before **T. COOK**, Esq., Coroner, when a verdict of accidental death was recorded. September 4<sup>th</sup>.

**DEATHS.**

Drowned, on the night of Tuesday, the 22<sup>nd</sup> August last, in attempting to cross the Murrumbidgee, **LAURENCE HARNETT**, of Rosebrook, in the district of Maneroo, Esq., J.P.

**DEATH FROM DROWNING.** - Intelligence reached Sydney yesterday, that Mr. **L. HARNETT**, J.P., was drowned last week, in attempting to cross the Murrumbidgee River. Mr. Harnett was a brother of the late Dr. Harnett, of Sydney. *Herald, Sept. 2*

**SENTINEL, 4/190, 07/09/1848**

**BATHURST: SERIOUS ACCIDENTS.** - A few days since, a young girl in the employ of Mr. **MACDONALD**, blacksmith, in George-street, whilst endeavouring to put an iron pot on the fire with water in it, her clothes became ignited. She rushed into the adjoining yard, where her clothes were soon burned from off her back. The poor little suffered (sic) has been for several days in a state of torture. Dr.

**MACHATTIE** was speedily in attendance and rendered every assistance in his power, but we understand there are little hopes of the child's recovery.

On Saturday, the 2<sup>nd</sup> instant, a female, (one of the recently arrived emigrants) and who with her husband had been engaged in the service of Mr. **JOHN FORD** of Kelso, met with a serious accident. It appears on the morning named, the woman was standing near the fire in the kitchen, when she was seized with a fit, that is usually called a falling sickness, and fell towards the fire, her clothes became ignited, and she was seriously burnt; in addition to her fall she upset a boiler of scalding water, and a great portion of it was thrown over her body; to add to the melancholy part of this story, we are informed the poor woman was far advanced in pregnancy, and that there are little hopes entertained of her recovery from the accident.

MAITLAND MERCURY, 6/437, 09/09/1848

THE WATER-HOLE IN ELGIN-STREET. - We are glad to learn that the police magistrate has received authority from the government to pale in the waterhole at the corner of Elgin and West streets, in compliance with the recommendation of the jury at the late inquest.

SYDNEY NEWS.

GOULBURN CIRCUIT COURT. - SATURDAY, SEPT. 2, 1848

STABBING WITH INTENT

**JOHN ROADHOUSE** was indicted for stabbing and cutting **JOSEPH REID** with a knife, at Goulburn, on the 15<sup>th</sup> March, with intent to do bodily harm.

From the evidence it appeared that the parties were in a public-house, when Reid made some remarks on Mrs. Roadhouse, on which Roadhouse threatened to knife him; Reid rather jeeringly replied, and Roadhouse ran at him, and stabbed him in four places on the left side; the wounds bled profusely, but were not dangerous.

Guilty; remanded for sentence.

MAITLAND MERCURY, 6/438, 13/09/1848

FATAL ACCIDENT. - An inquest was held at Miller's Forest on Sunday last, before **J.S. PARKER**, Esq., coroner, on the body of a child named **MARY CARNEY**, about two years old, who had come by her death under the following circumstances. It appeared that on Saturday last the father and mother of the child had been to Raymond Terrace with a bullock team. On returning home, their two little children ran out to meet them as they were entering the yard, and were standing near the dray when the father went to take out the bullocks, at which time the mother was seated on the dray with her back at the moment to the children. While the father was taking out the pole pin, the off bullock backed the dray, and the wheel knocked down the deceased, who was, unobserved by either of the parents, standing close to it at the time, and passed over the lower part of her chest. The father picked up the little girl, and finding that she was seriously injured, started off immediately with her to the doctor at Raymond Terrace, but the doctor, on his arrival, told him he could do nothing for the child, as she was dying, and advised his returning home with her immediately. The poor little girl died about sundown. Dr. **CADELL** believed that death was caused by the rupture of one of the internal organs; and the jury returned a verdict that the deceased was accidentally killed by the wheel of a dray passing over her body.

SERIOUS ACCIDENT. - On Monday afternoon, while a little boy of four years old, son of Mr. **CHARLES WILSON**, tailor, of East Maitland, was playing in his father's yard, he went incautiously too near a horse feeding there, and the animal kicked him

in the side of the head, fracturing his skull. Dr. **BROWN** was sent for, and attended at once; he found that the brain of the little sufferer was protruding from the wound, and after vainly trying to restore it, he removed the protruding portion. The poor little fellow was then partially sensible, and although a good deal of spasmodic action and vomiting was manifested through the night, the child was rather better yesterday morning, and it is difficult to say whether or not he may eventually recover, although the injury is so severe that an adult would have but small prospect of recovery.

SENTENCES.

**JOHN ROSEHOUSE**, found guilty of cutting and stabbing one **JOSEPH REED** – to be worked on the roads or other public works for 7 years.

GOULBURN CIURCUIT COURT. - MONDAY, SEPTEMBER 4, 1848

MURDER

**WILLIAM COOPER** was indicted for assaulting **OWEN MAY** with a blunt instrument on the 30<sup>th</sup> January, 1848, and inflicting wounds on the head whereof the said Owen May died on the 5<sup>th</sup> February, and that he thus murdered the said Owen May.

The prisoner was undefended.

It appeared from the evidence, and from statements made by the prisoner to the Chief Constable of Berrima, that the prisoner was in the employ of a publican at Berrima, and that on the 30<sup>th</sup> January May was at the inn; at that time Mrs. Cooper, prisoner's wife, was tipsy, and lying in bed; prisoner saw May go into the room where she was, and he immediately ordered May out, and told him not to go there again; some time after, however, prisoner chanced to go into the room, and found May lying in bed with his wife; prisoner instantly caught up a forked stick which was lying near, and struck May on the head with it. Evidence was also given to prove that prisoner afterwards kicked May, while lying outside his hut; but this the prisoner denied. May lingered till the 5<sup>th</sup> February, and then died.

The prisoner in his defence stated that he caught the deceased in bed with his wife, and that he seized hold of the stick and hit him.

His Honor, in summing up, said that from the evidence he did not think the jury could find the prisoner guilty of wilful murder. The prisoner had struck the blow when in a passion, and under circumstances of extenuation.

The jury, after a brief consultation, returned a verdict of guilty of manslaughter, but recommended the prisoner to mercy.

His Honor, in consequence of the length of time that the prisoner had been in gaol, sentenced him to be imprisoned in Goulburn gaol till the 30<sup>th</sup> of January, 1849.

MAITLAND MERCURY, 6/439, 16/09/1848

INQUESTS.

On Wednesday an inquest was commenced at the Hunter River Hotel, East Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **MARK DUFFY**. After the examination of two or three witnesses the inquest was postponed till Monday morning, at ten o'clock. It appeared that Duffy, who was formerly in the service of Mr. **HICKEY**, was received into the Maitland Hospital on the 9<sup>th</sup> August, very ill, and died there on the 11<sup>th</sup>. It having been rumoured that Duffy's illness arose from injuries received in a scuffle, his body was exhumed on Wednesday for the purpose of having an inquest held on it.

On Thursday another inquest was held before the same gentleman, at Phoenix Park, touching the death of **SAMUEL DYKES**, aged three years. From the evidence of Mrs. Dykes, it appeared that the child was taken unwell on Sunday, and suffered

much from sore throat and cough. It continued to get worse until Wednesday, when Mrs. Dykes took it to Dr. Street's about noon. The Dr. was from home, but as he was soon expected to return the mother waited until nearly sundown, when the child expired in her arms. Dr. **SATREET** examined the body, on which there were no marks of violence, or any appearance of a bite from any venomous reptile, and certified that he believed the child had died from inflammation of the lungs. A verdict in accordance with this opinion was returned.

**SERIOUS CHARGE OF ASSAULT.** - **TIMOTHY TOONEY**, who is evidently labouring under some unnatural mental excitement, was brought up yesterday at the police-office, having been apprehended the previous night on a charge of having stabbed **WILLIAM AUSTIN**, a general dealer in Gloucester-street, in his arm, with a large clasp knife; her also grievously wounded Mrs. Austin in the back, so much so that she was incapable of attending to give her evidence. Austin could not imagine any reason for the attack; he was closing his gate when Tooney came up with an open knife in his hand, and inflicted the injuries above stated. The prisoner, in his defence, made some rambling statement with reference to Austin, who, he said, was with his banditti constantly hunting him down. The case was remanded till to-day for the evidence of Surgeon **HARPUR**, who stated that Austin's wound was serious, though not of a dangerous character. With regard to Mrs. Austin, the knife had entered between the ribs, and had proceeded upwards towards the inferior lung; he had probed the wound, which was an inch and a half deep; he could not say when she would be able to appear, even if matters went on favourably; at present her situation was very precarious, and although she might recover, he had at present little hope.

#### SHIPPING.

The ship *City of Poonah*, hence for London 21<sup>st</sup> July,... One of the crew, named **WILLIAM HOBBS**, fell from the main topmast yard shortly after she left this port, and was drowned.

**INQUESTS.** - An inquest was held on Tuesday last at Mottram's Coach and Horses public-house, Cumberland-street, on the body of **ANN MITCHELL**, aged two years and seven months, who died the previous day about noon, after a brief illness. From the evidence of Mr. Surgeon **HARPUR**, by whom (assisted by Dr. **MACKELLAR**) a *post mortem* examination was made, it appeared that death had been caused by congestion of the brain; a singular occurrence on account of the suddenness of the event, and the age of the child. Verdict – visitation of God.

A second inquest was held at Mr. Driver's, Elizabeth-street, touching the death of **ELIZABETH RUDD**, who died in the Infirmary on Tuesday night, in consequence of injuries received from her clothes accidentally catching fire on the morning of that day. From the evidence of the mother of the deceased, it appeared that the burning was purely accidental, and a verdict was returned accordingly. *Australian, Sept. 14*  
**DEATHS.**

At Prince-street, Sydney, after a few hours illness, on the 12<sup>th</sup> Sept., **ANN**, eldest daughter of Mr. **JOHN MITCHELL**, aged 2 years and 7 months.

MAITLAND MERCURY, 6/439, 16/09/1848

MAITLAND CIRCUIT COURT. - THURSDAY, SEPTEMBER 14.

#### WILFUL MURDER

**GEORGE WATERS WARD** was indicted for having, at Muswellbrook Creek, on the 12<sup>th</sup> April, 1848, feloniously assaulted one **RICHARD CONNOLLY**, otherwise **RICHARD KING**, and for having with a certain unknown blunt instrument, held in both his hands, on the left side of the head and on the front of the head of the said

Richard Connolly inflicted divers mortal wounds and bruises, whereof the said Richard Connolly did instantly die, and that thus he, the said George Waters Ward, did feloniously kill and murder the said Richard Connolly. In a second count the wounds were said to have been inflicted, and the murder committed, by an axe, held in both hands of the said George Waters Ward.

Ward applied for a postponement of his trial to the next Circuit Court, on the ground that two material witnesses for his defence were absent.

He was ordered to renew the application on affidavit on the following morning, and was removed from the bar.

SENTINEL, 4/191, 17/09/1848

CORONER'S INQUEST. - On Friday, a female of about twenty years of age, named **SARAH SIDDELL [IS THIS ANNE LIDDELL?]**, was received into the Benevolent Asylum, labouring at that time under a disease of the lungs. Mr. **RUSSELL**, the resident surgeon of the institution, adopted the remedies usual in such cases, but unhappily without the desired effect, for on the following morning she expired. On Saturday afternoon, an inquest was held on the body at Mr. Taylor's, Wheatsheaf Inn, George-street, South: The only witness examined was Mr. Russell, who stated the foregoing circumstances, adding that she walked to the Asylum, and was quite sober, he did not expect that she would have died so suddenly. The Jury found that Sarah Siddell died of the visitation of God.

MAITLAND MERCURY, 6/440, 20/09/1848

INQUEST. - On Wednesday last an inquest was held at the Hunter River Hotel, East Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **MARK DUFFY**, which had been exhumed for the purpose, in consequence of its being rumoured that Duffy's last illness and death had been caused by injuries inflicted on him by Mr. **ALLAN HICKEY**. The inquest was adjourned till Monday last, for further evidence, and occupied the whole of that day, the jury being locked up to consider their verdict about half-past three o'clock on Tuesday (yesterday) morning. The evidence taken was very lengthy, but the following is a summary of the facts deposed to. It appeared from the evidence that the deceased, Mark Duffy, who appeared between forty and fifty years old, entered into the service of Mr. **EDWIN HICKEY**, of Osterley, on the 11<sup>th</sup> May last, as cook. Shortly afterwards it proved that Duffy was an ailing man, often complaining of pain and illness, and Mr. Hickey sent him to Dr. **LIDDELL**, who prescribed for him, and sent word that the man was suffering from a bilious attack, but that he did not appear to be seriously ill. The man continued in Mr. Hickey's employ, occasionally complaining of illness, and being laid up, and he asked Mr. Hickey to discharge him, finding the work too heavy for him, which Mr. Hickey consented to do, on being able to obtain another cook. During this time Duffy told several of the servants that his constitution was undermined by the effects of past intemperate and dissipated habits, and that he felt sure he should not live long. On a Sunday afternoon about the end of July Duffy was in the kitchen, when a servant girl entered to get some fire to make a fire in the nursery. The cook would not allow her to take any, and used improper language to her. Mrs. **F. HICKEY**, who happened to be in the yard, overheard him and went to the kitchen, and told him that he should not swear at her servants, and asked him why he would not let the girl take the fire; Duffy told Mrs. Hickey that she had no business to come into the kitchen at that hour of the day; Mrs. Hickey said she would come whenever she thought proper; Duffy said that when she did she ought to come as a lady; Duffy was at the time standing in the

kitchen doorway, and would not make room for Mrs. Hickey to pass in; Mrs. Hickey sent the girl for Mr. Allan Hickey; when Mr. Allan Hickey came (as it was afterwards reported to Mr. E. Hickey, who was then engaged in the parlour) the deceased told him that no one should enter his kitchen; deceased had at this time a knife in his hand, and Mr. Allan Hickey took the knife from his hand, and then pushed him backwards, and struck him on the head with his fist, knocking him down and cutting the skin above the eye. Duffy was usually a very civil man, but on this day he appeared excited, and was known to have had two glasses of liquor. Mr. A. Hickey and Mrs. E. Hickey then left the kitchen, and returned into the house. In a few minutes afterwards the housemaid entered the kitchen, and found Duffy's eye bleeding, and observed that he was sitting on the ground. Duffy was threatening vengeance on Mr. Hickey for the blow, and refused to let the girl dress his eye. Duffy went to bed after some time, and his eye having become swollen, the girl got a piece of sticking plaister and put on it, and on the following morning she put a leech on it by the direction of Mr. E. Hickey. Duffy's eye continued swollen on the Monday, and he remained in bed, complaining also of pain in his side, which he said arose from his falling over a log as he fell when struck by Mr. A. Hickey. On the Tuesday the eye was much better, and the man did not complain of the pain in his side, nor does it appear that he ever afterwards mentioned it. On the Wednesday or Thursday he was up, and about his work, and continued for a period variously estimated at from three to fourteen days to perform his accustomed duties, appeared in his usual health. On a Saturday evening he was again taken ill, complaining of pains in his chest, and he went to bed. He continued to get worse, complaining of the pains in his chest, and of feeling a difficulty of breathing, and on the Thursday following he was taken to the Maitland Hospital by his own request. Throughout this last illness the witnesses deposed that Duffy never said anything to them to the effect that he attributed the illness to the blow or injury he received when he was knocked down by Mr. Hickey, but several witnesses deposed to his attributing his last illness to his broken down constitution. He was admitted into the hospital on the 9th August, and Dr. **M'CARTNEY**, the house surgeon, seeing at once that the poor man was labouring under pneumonia, or disease of the chest, and that there was no hope of his recovery, called in Dr. **SLOAN**, who concurred in this opinion. The usual remedies were had recourse to, but Duffy died on the 12<sup>th</sup>. To Dr. M'Cartney, and to the hospital attendant, Duffy stated that his disease arose from fatigue and cold, but to neither did he say a word about its having arisen from injury or violence, nor were either of them led to suspect it from what they had heard from him. Dr. M'Cartney examined Duffy's head, chest, and belly, in ascertaining the disease, but observed no marks of violence, and from Duffy's statements and appearance Dr. M'Cartney was led to the conclusion that he had formerly been a great drunkard, and that he was then suffering from illness arising from disease caused by intemperance. Cold was the most probable cause of this disease, in general; spirits drank to excess might produce it; and symptoms such as he observed might possibly be produced by great violence, but it was unlikely. Duffy having been buried in the usual manner, the matter rested for some little time, when the reports above being circulated, and reaching the Coroner's ears, that gentleman, after having them stated on affidavit, caused Duffy's body to be exhumed on Wednesday last, the 13<sup>th</sup> instant. Dr. **LIDDELL** made a post mortem examination of the body, and found no external marks of violence on the body, and no morbid appearance of any internal organ; excepting the left lung and heart, both of which, especially the former, exhibited marks of acute inflammation, the left lung adhering to the ribs, and being of a semi-fluid consistence, impervious to air; no ribs were broken,

and no wound penetrated the chest; there was no fracture of the cranium or pelvis; the limbs were entire; he believed the deceased to have died from inflammation of the left lung, and that he could not survive the altered structure of that organ; all these diseased appearances might have arisen from natural causes, or from accidental injury, even without fracture of the bones. On Monday Dr. Liddell was re-examined, in reference to a servant of Mr. Hickey's whom he had prescribed for, and whom he believed to be Mark Duffy; from what he saw of that patient he might have had a chronic disease, which would be suddenly brought into operation by a cold or exposure; he wished to explain that the effects of previous attacks of inflammation might have existed in the lung, and that a recent attack, however arising, would carry the man off in a shorter time, and with less chance of benefit from medical treatment; the appearances witness described on the post-mortem examination would be produced by inflammation, whether arising from blows, violence, intemperance, or cold; blows on the head would certainly not produce it; he had no hesitation in saying that if undue violence was used on the body of the deceased it would have hastened death, and would have eventually caused such inflammation as witness saw. After all the evidence was taken, the Coroner summed up, and the jury were locked up for nearly five hours, when they returned the following verdict:- "We are unanimously of opinion that the blow given to the deceased, Mark Duffy, was not the cause of his death, as deceased was of an infirm constitution. We think Mr. Alan Hickey's conduct was highly blameable for striking him, and record our opinion accordingly.

#### MELANCHOLY OCCURRENCE.

About a fortnight since, a little child strayed into the bush after his father, who is a shepherd, in the employ of Mr. Hovell, of the Barowa, and not having been noticed by his parent, was lost. The most diligent search was made for eleven days for the poor wanderer by no less than fourteen persons, when Mr. **S. SALAMONS**, on Friday week last, discovered the body of the child, which had apparently been dragged out of a water-hole and half eaten by the native dogs. *Goulburn Herald, Sept. 16*

MAITLAND CIRCUIT COURT. - FRIDAY, SEPTEMBER 15, 1848

#### WILFUL MURDER

**PATRICK BRYAN** was indicted for having, on the 29<sup>th</sup> December, 1847, at Irish Town road, feloniously assaulted **ELIZA NEILSON**, and for having with both his hands and feet cast her on the ground, and by such casting against the ground, and by striking and beating her with his hands and feet, while she was lying on the ground, inflicted certain mortal wounds and bruises on the front of her head, whereof she did instantly die, and that thus he did feloniously kill and murder the said Eliza Neilson. There were six counts in the indictment, the first as above; the second charging the wounds as inflicted by striking and beating with the hands and feet; the third, by casting her against the ground; the fourth, by certain stones held in both his hands, and cast and thrown on her; the fifth, by a certain stick held in both his hands; and the sixth, by the stones and the stick.

Mr. Dowling appeared for the defence; attorney Mr. Ward.

The Attorney General stated the circumstances of the case at some length, cautioning the jury that it was a case that required great care and circumspection, and called

**ARTHUR NEILSON**, who deposed that in December last he lived at Irish Town; witness had a wife and three children; his wife's name was **ELIZABETH NEILSON**, and his children were then eight, five, and three years old; on the morning of the 29<sup>th</sup> December witness left home, and returned home about one o'clock; his wife had intended going to Clarence Town to purchase tea, sugar, and other articles,

and when witness returned home he found she had gone. In the evening witness went out alone to meet her, but not meeting her he soon returned to his children, lest they should get too near the fire, and went with them to meet her, going as far as Clarence Town; there he enquired for his wife, but did not find her; witness then, leaving his children at Clarence Town, turned to his own house, thinking she might have gone home by a different road; the road had formerly led through a paddock, but the paddock having been fenced the road was formed outside it, although people still went through the paddock also. Witness did not find his wife at home, and returned again to Clarence Town. Witness then got a light, and searched for her near the road, but could not find her. The next day witness continued the search, but she was not found till the morning of the 31<sup>st</sup> about seven o'clock; witness was out searching, and hearing a cooey he went to the spot, and found that Mr. **HILLIER** and a blackfellow had found the body of witness's wife. She was lying dead, on her back, the front of her head being beat in, and much mutilated; the spot was a small clear space, partially surrounded by brush, the body laying on a little hill. Several stones covered with blood lay near the body, of which witness identified one of those produced as being one. Her bonnet was on. The prisoner had been in witness's service, entering it on the 12<sup>th</sup> July and leaving it at the end of November, 1847; he left in consequence of a dispute, witness having struck him in endeavouring to separate him from a man named **M'INERNY**, who was working for witness, and with whom prisoner was fighting; after this prisoner told the witness, "Now, Arthur, you have struck me, what I wouldn't have done to your dog, but I'll have revenge of you or your's, should it be for fifty years to come." On the following day prisoner left witness's employment, although witness tried to persuade him to remain. On Tuesday, the 28<sup>th</sup> December, witness went to Dungog to procure a summons against **ROBERT JOHNSON** for trespass of pigs; witness returned shortly before sunset, having left his home early in the morning. Prisoner before that day had two or three times come and asked witness to employ him, but witness refused; witness did not know of his having been visiting at the house otherwise, or on the day when witness was at Dungog.

Mr. Dowling cross-examined the witness at some length, in the course of which it appeared that the witness struck prisoner on the occasion alluded to purposely; witness and his wife had always been on the most comfortable terms.

After Mr. Dowling had finished his cross-examination, the prisoner said he wanted to ask many more questions. His Honor said he must leave it to his counsel, or take his case into his own hands. Mr. Dowling explained that he had only at the last moment undertaken the case, at the prisoner's request. After a short conversation with Mr. Ward, the prisoner persisted in defending himself, and Mr. Dowling sat down.

The prisoner then cross-examined the witness at great length, as to the terms on which they had lived, and the nature of the quarrel between himself and M'Inerny, and the terms on which witness and his wife were, as well as his reasons for taking his children with him when he went to meet his wife on the evening of the 29<sup>th</sup>, and what occurred on his way; the witness, in regard to this last, said that he met two men, **ROBERT HANCOCK** and **LUKE LAYCOCK**, who were riding homewards from Clarence Town; this was when he was alone; the second time he went out with his children witness met **JOSEPH M'INERNY** and a blackfellow, who were walking; witness spoke as he passed them, and walked on, and they walked on their way; witness did not see Mrs. **USHER** till he saw her at Mr. Hogue's public-house, Clarence Town; Mrs. Usher told him Mrs. Neilson had gone home, and that she accompanied her as far as the gravelly hill, and that she had time to get home by

daylight; the gravelly hill is between a quarter and half a mile from Mr. Hogue's; on that day witness had on a light colored pair of trousers, a regatta shirt, and a cabbage-tree hat; witness was in his shirt sleeves; those trousers witness had on now; they were made by prisoner, and he believed prisoner had a pair made out of the same piece; witness borrowed a horse to look for his wife, after coming to Clarence Town the second time, thinking that as his wife had once before lost her way when returning, she might have done so that evening; witness rode in search of his wife as much as seven miles on the road she formerly took by mistake; witness produced a note he left on his table that evening, requesting his wife to wait patiently till he returned, if she got home before him, as he was very uneasy about her; witness did tell several persons he feared his wife was murdered, and by the prisoner, but could not distinctly recollect whether he said so to **ROBERT WARD**, or "**Scotch Bob**," as he was called.

By the jury: When witness returned home for his children, it was not far from sunset, but the sun had not set; witness went as far as Casey's paddock before he turned, about two miles from where the body was afterwards found.

By the Attorney General: The plan produced of the localities was not strictly correct; there were more turns in the road, and there was another path.

By the jury: Witness first came home at one o'clock in the day; witness remained home at least three hours; Casey's paddock, to which he went, was about a mile and a half off; it took him more than half an hour to walk there and back; the sun had not quite set when he returned.

By the Court: Witness had no words or quarrel with his wife that day; witness was on good terms with her, and had no jealousy of her.

By the Attorney General: Mrs. Usher on that occasion told witness no more than what he had already stated; the shirt produced is a twilled shirt, not a regatta; the shirt witness wore had a somewhat similar stripe, but was not twilled; witness did not suspect the fidelity of his wife while she was alive; when witness met M'Inerny and the black witness's children were with him, M'Inerny appeared affected by liquor; it was then quite dark; it was witness's custom to go and meet his wife when she was returning from Clarence Town.

By prisoner: No person ever told witness that there was anything wrong between prisoner and witness's wife until after her decease.

**WILLIAM SMITH**, district constable of Clarence Town, deposed that the articles produced had been in his custody, and that he picked up two of the stones produced close by Mrs. Neilson's body; they were covered with blood, which was fresher on them than at present.

**MARGARET USHER** deposed that on the Wednesday before New Year's Day she was at Mr. Hogue's inn, and saw Mrs. Neilson there twice; the first time she said she was going to buy some things, and witness promised to go part of the way home with her in the evening; witness could not say how long Mrs. Neilson was away from the house; she arrived there first about twelve or one o'clock, and was away perhaps three hours; during the day prisoner had been in the kitchen, and had repeatedly urged witness to drink; witness saw him in the kitchen on one occasion, and saw Mrs. Neilson just going into the kitchen, several other people being there. Whether this was on the first or second occasion Mrs. Neilson was there, witness could not say. When Mrs. Neilson left to go home, witness went part way with her, going about a quarter of a mile with her, to an iron-bark tree at the gravelly hill, where the roads parted; witness met no one on the road, and saw nothing of the prisoner; witness and Mrs. Neilson talked perhaps three minutes before parting. Witness returned direct to the inn, but walked very slowly; when she returned she was glad to find that prisoner

was absent from the inn; afterwards she saw him there; she was coming out of a back bed-room, and passed the prisoner standing at the back door, talking to two or three people about fighting; witness noticed a drop of blood on the tip of his nose, or on his upper lip; witness saw nothing of it before on that day. Witness was not at the inquest on the body, nor did she see the body; witness pointed out the tree where they parted to Mr. Hogue and the others.

**JOHN HILLIER** deposed that he found the body on the morning of the 31<sup>st</sup> December, on the left hand side of the road, by following ants from an ant-hill; witness and others were assisting Mr. Neilson, and witness had some blacks with him; witness cooied for the others as soon as they found the body; the body was covered with ants, which had eaten away the nose; there was a hole in the forehead in which witness could put his fingers. When Mr. Neilson and two constables came up, after the cooey, Mr. Neilson wanted to embrace his wife, but witness prevented him. Witness had on the previous day noticed a bad smell on the right hand side of the road, and searched that side first; witness found in a gully there some cheese, and a piece of paper, and on the bank he saw an impression of a small foot, the toe part deeply marked.

**WILLIAM SULLIN** deposed that he was cook at Mr. Hogue's inn, and that he saw prisoner in the kitchen there on the 29<sup>th</sup> December; Mrs. Neilson was in the bar about one or two o'clock, and again about three; about two or half-past two witness saw prisoner go outside the kitchen and peep round the chimney, after which he went in front of the house, and crossing a gully and the roads he went away in the direction of the Irish Town road, going above the burial ground; he might be seen from Waters's, perhaps, between the trees. In an hour or an hour and a half prisoner returned, looking rather down-like.

By prisoner: You had been quarrelling with different parties in the kitchen, and looked very vexed at times.

By the jury: Witness saw Mrs. Usher in the bar with Mrs. Neilson; Mrs. Neilson and the prisoner might have been there together for a few minutes without witness seeing them; no blows were struck in the kitchen, and witness saw no blood or scratch on prisoner's nose; did not notice his shirt.

**FRANCIS WILKINSON** deposed that he lived near Clarence Town, and that on the 29<sup>th</sup> December he was at Clarence Town, and was at Mr. Waters's house from midday till six in the evening; prisoner was also at Mr. Waters's in the morning, and at times afterwards; prisoner and a man named M'Inerny had some words, and went towards the burying ground, but returned; prisoner again went in that direction, towards the Irish Town road, two or three times, and at length, between four and five o'clock, prisoner went in that direction, and after stealing from tree to tree near the road for some time witness saw that prisoner had disappeared through the bush; witness had previously seen two woman going along the road, and within three minutes after the prisoner disappeared he saw one of the woman returning, and saw that it was Mrs. Usher; the other woman corresponded in appearance with Mrs. Neilson; witness saw the body of Mrs. Neilson where it lay, about an hour after it was found; that spot was perhaps 150 yards from where prisoner disappeared, and in that direction. About six witness went to Mr. Hogue's, and in a few minutes after prisoner came there also, entering by the front door. Prisoner had on a pair of tweed trousers and a blue striped shirt, but whether he had on a jacket witness could not say; witness had noticed that prisoner's shirt sleeve was torn, and next day he saw that it was torn on the back also; witness did not observe any blood on it. Witness was certain prisoner was the man he saw going from tree to tree.

By the prisoner: You insulted me that morning, but I had no words with you.  
**ELIZABETH HOGUE** deposed that Mrs. Neilson first reached her house on the 29<sup>th</sup> December; about one or two o'clock witness lent her five shillings, and she went out, and returned again about three or four o'clock; Mrs. Usher and Mrs. Neilson afterwards went away together, in the direction of Irish Town; prisoner had been in the house in the morning, but witness could not say if he was then; witness did not again see him in the house for an hour or an hour and a half, when she saw him carrying a quart of ale. On two previous occasions Mrs. Neilson had been in the house with prisoner, and they went away together each time; on the first occasion witness saw that prisoner was crying when she happened to enter the room, and Mrs. Neilson appeared to be also crying.

**PETER CONNOLLY**, constable, of Clarence Town, deposed that he was standing with Wilkinson, and saw the prisoner going through the bush, as described by Wilkinson, but witness did not take much notice; the way prisoner took would cut off an angle of the road; witness was with Mr. **VERGE** when prisoner was apprehended at the mill; and in M'Inerny's house witness found the blue shirt produced, with blood on the breast and on the shoulder; witness saw the stones produced laying by the body, with blood upon them; witness apprehended prisoner on the 31<sup>st</sup> December; where the body was found witness saw a good deal of blood on the stones and sticks, and at some twenty yards off saw blood about a second place; at this place also the bushes looked knocked down. The mill is about three miles from Clarence Town; when they apprehended prisoner they examined him and found his person looked scratched under the arm, just where his shirt was torn.

By the prisoner: The mill is about two miles and a half from the spot where the body was found; prisoner owned the shirt witness found at M'Inerny's, and said that the blood on it was from his lip where Smith had struck him.

By the jury: Witness saw prisoner struck on the lip by a man, while fighting, on the 29<sup>th</sup>, and saw blood on his lip, but prisoner sucked it into his mouth; prisoner had no jacket on.

**MICHAEL CURRAN** deposed that he lived three miles from Clarence Town, at the mill hut; witness was at Mr. Casey's, 100 rods from the mill, on the night of the 29<sup>th</sup>, about nine or ten o'clock., when prisoner, M'Inerny, and a coolie came up; they remained an hour or an hour and a half, drinking rum; the next day witness lay in bed late, and prisoner came in and told witness as a pierce of news that Mrs. Neilson had bolted, and that he would be blamed for it; in the course of conversation prisoner said he was sorry for it, and hoped she would be found; prisoner remained there until he was apprehended; he had on a clean shirt on the 30<sup>th</sup>, but witness did not observe what shirt he had on the evening of the 29<sup>th</sup>.

By the prisoner: Witness remembered saying it would be a neighbourly act to go in search of her, but did not remember prisoner saying so.

**SARAH DREW** deposed that she lived at Irish Town, and that on the morning of the 28<sup>th</sup> December she was going into Clarence Town, and called at Mr. Neilson's, where she saw Mrs. Neilson and the prisoner; prisoner whispered to Mrs. Neilson, and Mrs. N. then gave witness money to bring a bottle of rum from Clarence Town, telling witness not to show it if Mr. Neilson had returned when she came back. This was about ten o'clock in the morning, and witness returned about four in the afternoon with the rum, at which time prisoner was still there.

**JOHN SHEEHAN** deposed that shortly before Christmas he saw the prisoner on two occasions at Mr. Neilson's house in Mr. N.'s absence; did not see anything particular

in the manner of the prisoner and Mrs. Neilson; they were conversing outside for a couple of hours on the second occasion.

**MARGARET JOHNSON** deposed that she and her husband lived on the adjoining farm to Mr. Neilson's, and that on the Thursday morning Mrs. Neilson was missed prisoner came to her place and lay down in the barn with two of her children. About ten o'clock he rose, and after looking out from the top of a stack he asked witness if she had seen anything of Neilson's family that day. Witness replied that she had not. In conversation she then told prisoner that Neilson had summoned her husband, and prisoner said that she need not fear Neilson's meeting her husband at court, for his wife was missing and could not be found. Prisoner went away, saying that he would go to Neilson's, and see if any of them were there. In the afternoon, about four o'clock, prisoner returned, and witness told him to have his dinner and go, for she had heard that he had got Mrs. Neilson planted, and was going to take her away from her husband and children. Prisoner said he knew no more of where she was than a child unborn; in conversation also prisoner said that he was afraid that Neilson would do him an injury. Witness had once washed the shirt produced, for prisoner, while he was working for her husband.

**ROBERT JOHNSON** deposed that he was the husband of the last witness, and that prisoner worked for witness about a week last Christmas, leaving on the Monday after Christmas; when witness paid prisoner his wages he drank prosperity to witness and his family, but added that, if it was for fifty years to come, on Neilson he would be revenged. In the afternoon of the Thursday following prisoner said witness need not be alarmed about Neilson's summons, that he had something to trouble him now; that he (prisoner) met a man on the previous night on Humbug Hill, who told him that Neilson was searching for his wife.

**ARTHUR NEILSON** re-examined by his Honor: Witness's wife was named Elizabeth or Eliza; she signed Eliza, and she was called sometimes Eliza, and sometimes Elizabeth; witness married her as **ELIZA KILLAN**.

By the Attorney General: Witness usually called her Eliza; she was generally called that by her family.

The Attorney General submitted that the name was in fact the same, that Eliza and Elizabeth was the same name.

His Honor had some doubt as to that point, and should feel it necessary to reserve the point in case of a conviction.

**BRIDGET SULLIVAN** deposed that she lived at Irish Town, and that on the Thursday after Christmas prisoner came into her place, and in conversation about Mrs. Neilson and Mrs. Johnson prisoner said the women about the place had too much to say about him, and he'd leave an open example on the river before he left it. Prisoner, when told that Mrs. Neilson was missing, said that she and her husband were by that time at Mr. Hogue's at breakfast.

By prisoner: Mrs. Neilson never told witness that her husband had a jealous feeling.  
**FRANCIS GALE S. STREET** deposed that he was a qualified medical practitioner, and attended the inquest on the body of Eliza Neilson; he found the frontal bone of the head fractured, and the fracture extending round on each side of the skull to its base at the back; there was no other injury that he could detect on any part of the body; any heavy large blunt instrument would have caused the fracture; witness saw there the three large stones produced; the blood on them was then fresher than it was now, quite fresh; the fracture in his opinion had been caused by several blows; blows with the stones would have caused it, but it would have been awkward to do so; they would be more likely to produce the fractures if held in the hand while inflicting the blows than

if thrown, unless they were thrown with great force; he should be inclined to say that there was a resisting force at the back of the skull, that deceased was lying down, in fact. The fracture of the skull was the cause of death.

By the jury: Witness saw no injury on the mouth, such as gagging would probably have caused.

**RICHARD BUTLER** deposed that about three weeks before Christmas prisoner was in his employment reaping, and that himself and the prisoner went to the house about four in the afternoon to get a drink; Mrs. Neilson was sitting there, and prisoner sat down by her side, putting his arm round her shoulders; prisoner said to her, "You will not deceive me;" "No," said she, "I will not;" prisoner said, "On the day appointed;" Mrs. Neilson replied, "Yes." They then returned to the field, and witness remonstrated with prisoner on his purpose of taking away Mrs. Neilson from her husband and her children; prisoner said the children would be where she was; witness said, "Mrs. Neilson will not go with you, she is only keeping you in a string;" prisoner turned round, and swore by the God that made him that if she deceived him on the day appointed he would be the death of her. Witness instantly discharged prisoner from his employment.

Dr. **STREET** re-examined: Witness saw a spot of blood, or blood and saliva, on the breast of the shirt produced, at the inquest; it might have been caused by a drop from a man's lip; witness saw no mark of blood on the shoulder, where pointed out by constable Connolly.

**WILLIAM SMITH** re-examined: Witness went up immediately after Mr. Hillier discovered the body; the ground was scrubby, but clear for a short space around the body.

By the jury: The ground round the body looked as if a scuffle had taken place, and at a short distance off there was another place where a scuffle appeared to have taken place; witness saw no particular appearance about the mouth; Mr. Hillier drew witness's attention to a stick, four or five feet long, lying close by the body; witness saw no marks of teeth on it; the mouth did not appear as if it had been gagged.

This closed the case for the prosecution.

The court was then adjourned till ten o'clock on Saturday morning, the jury being allowed to retire, in the custody of the Sheriff, to the Hunter River Hotel.

#### SATURDAY, SEPTEMBER 16

The case of **PATRICK BRYAN**, charged with the murder of **ELIZAS NEILSON**, was resumed this morning.

**ARTHUR NEILSON**, re-examined by his Honor: Witness married his late wife by the name of Eliza; she called herself Eliza during the ceremony; witness never heard her called Elizabeth at her father's house or in Ireland, where witness married her in 1836; witness had heard her called Elizabeth and Eliza in this country, and had himself called her by both names, and also Betty.

**THE PRISONER**, being called on for his defence, said he wished to ask the witnesses Bridget Sullivan and constable Connolly a few more questions. They were re-called, and examined by the prisoner, but nothing material was elicited.

The prisoner then addressed the jury at very great length, speaking for three hours and a half. He stated that he was an ignorant man, undefended, and relying solely on his innocence; and that in the statement he was about to make he would not deviate one word from the truth. The prisoner detailed minutely the transactions which he alleged took place from about the end of November between himself, Mr. and Mrs. Neilson, Joseph M'Inerny, and various other persons, repeating also a great many

conversations. In effect he stated that on the 12<sup>th</sup> July he entered Mr. Neilson's service, and continued on good terms with him to the very day he left his service; that about November an improper intimacy existed between Mrs. Neilson and himself, which was observed by an old man named **Old Harry**, who was also in Neilson's service, who informed M'Inerny, and who he (prisoner) expected would also inform Mr. Neilson. That in consequence of this old man remarking on this intimacy one day in Mrs. Neilson's presence, he (prisoner) struck him on the mouth, and ordered him never to mention the matter again; that M'Inerny, who was also present, took the old man's part, and that M'Inerny and himself fought twice about it that day, Mr. Neilson coming in while they were fighting. That on the following day Mr. Neilson went to see M'Inerny, and that he (prisoner) fearing Mr. N. would hear reports from old Harry, left on the day after that, viz., on the 24<sup>th</sup> November, although then on the most friendly terms with Mr. Neilson and his family. That at Mrs. Neilson's request he (prisoner) got service in the immediate neighbourhood, changing from settler to settler during the harvest, and asked Mr. Neilson also to take him back, but Mr. N. refused, as he had engaged another man. That he (prisoner) continued to visit at Mr. Neilson's house frequently, being sent for by Mrs. N. whenever he was absent, and also went two or three journeys to and from Clarence Town with Mrs. Neilson. That the matter began to be talked of by the neighbouring women, and that on the 14<sup>th</sup> December Mr. Neilson met them as they were returning from Clarence Town. That on the 15<sup>th</sup> he (prisoner) went to Mr. Neilson's in consequence of receiving a message, and that while he was there Mr. N. came in, and appeared very gloomy, refusing to take breakfast. That from that day Mr. N. appeared quite changed when he saw him (prisoner). The prisoner then related what he professed to be several conversations he had afterwards with Mrs. Neilson and M'Inerny, to the effect that Mr. N. attempted to commit suicide more than once. On the 28<sup>th</sup> December he (prisoner) was at Mr. Neilson's for some hours during his absence at Dungog, and took away with him the bottle of rum Mrs. Drew brought from Clarence Town; this he took to M'Inerny's, and M'Inerny and himself afterwards got more rum and continued drinking all that night. On the morning of the 29<sup>th</sup> he (prisoner) and M'Inerny went together into Clarence Town, and got more drink at Mr. Hogue's; a tumbler having been broken by a black gin, Mr. Hogue thought he (prisoner) had done it, and some words ensued, which threw the house into confusion. He (prisoner) left the house, and afterwards met with M'Inerny very drunk, and having in vain tried to raise him from the ground, he left him, but hearing a noise looked back and saw him chasing a man named Smith with a stick. He (prisoner) ran back, and got into a dispute with Smith, who struck him on the mouth and made his lip bleed a good deal. Two constables threatened to apprehend them, and they parted, but some time afterwards he (prisoner) was challenged at Hogue's by a mate of Smith's, and went to look for M'Inerny to become second to him. Not finding him, and knowing that he would often lay down on the road when going home drunk, he (prisoner) wandered in looking for him, and not noticing where her was going, he got into the bush off the road till he got below Mr. Lowe's place, and then got on the road again, and returned to Mr. Hogue's, where he got a quart of ale. At Mr. Hogue's he found Luke Haycock, Michael Moore, and others. After this he again left Mr. Hogue's and went homewards, looking for M'Inerny, but got off the road to the left, and reached Mr. O'Neil's place. Here a boy put him on his road, and witness met a Coolie, with whom he got in conversation, and they missed the road again, the night being dark. Near Mr. Casey's he met with M'Inerny, who had got so far towards home. M'Inerny told him that he had met Mr. Neilson going towards Clarence Town with his three children, and that Mr. N. in a

mournful tone asked him if he had seen his wife. The prisoner then detailed their calling at Mr. Casey's, and seeing Curran, and to his (prisoner's) calling at Clark's place, having overshot Johnson's, where he meant to sleep, and which eventually he did reach. That in the morning he had some words with Mrs. Johnson, on her speaking to him about his intimacy with Mrs. Neilson, and that he then left her place for Mr. Sullivan's, but having to pass Mr. Neilson's on the way, he there saw constable Conway sitting on a log, and sat down beside him, and got into conversation with him, in which Conway told him that he had been to Neilson's house, but found no one at home. He (prisoner) was anxious for more rum, and knowing there was some in M'Inerny's hut, he went there and obtained entrance by the chimney, M'Inerny not being at home. That it was in doing this, he believed, that he got the tear in the shoulder of his shirt, and also the small mark in the back. That he then went to Mrs. Sullivan's, and had some words with her also about Mrs. Neilson. Returning to M'Inerny's, he found him at home, and shaved and changed his shirt, taking off the one produced in court, and putting on a clean one. That he then heard of two armed men being seen talking with Mr. Neilson, and thought as there were so many reports about the intimacy between himself and Mrs. N., that Mr. Neilson would probably suspect he had some hand in her elopement, as it was then reported. That he then went to Mrs. Johnson's again, and from thence to the mill hut, where he remained until the following morning, when he was apprehended by Mr. Verge and three other armed men, whom he saw coming up, and stood quietly in the door looking at them. This, he assured the jury, was the strict truth, and he called their attention to the extreme improbability that a man who had committed such a deed as he was charged with would expose himself to the view of so many persons in the neighbourhood, including constable Conway, without changing his clothes; or would remain in the neighbourhood, making no attempt at escape, even when armed men approached him. He said he would rather have lost his own life than have hurt a hair of Mrs. Neilson's, and knew nothing whatever of her death. He complained much of the treatment to which he was subjected after his apprehension, and charged nearly all the witnesses with perjury and a combination to ruin him. Her appealed to the jury whether, looking at the terms on which he was with Mrs. Neilson, there could be any motive for his murdering or injuring her. He had been promised a counsel by the Chief Justice at the last Circuit Court, but had been disappointed to learn in gaol that none would be assigned to him.

The prisoner then called

**PATRICK CONWAY**, who deposed that on the morning of the 30<sup>th</sup> December he was sitting on a log near Mr. Neilson's house, when he saw the prisoner going towards the house, and called to him; prisoner came and sat down by witness, and conversed with him for about a quarter of an hour; witness had been into Mr. Neilson's house, where he found M'Inerny, and was shown by him a note lying on a table signed with Mr. Neilson's initials, telling his wife to wait patiently for him if she returned home before him, as he was very uneasy about her; M'Inerny said that he feared there was something up.

By the Attorney General: Witness was on his way home, and his horse having broken away, he had obtained the loan of one from Casey, which witness had sent M'Inerny to look for, and finding M'Inerny long away, went after him, and found him in Mr. Neilson's house; this was about ten in the morning; witness had sent M'Inerny away before prisoner came up; witness did not think prisoner saw him till witness called to him as he was going straight towards the house; witness mentioned the note

to prisoner, and prisoner said they must be on the spree in Clarence Town; witness knew nothing then of the woman being missing.

By the jury: Witness had slept the previous night at Clarke's; prisoner called there about daylight.

The prisoner called three other witnesses, but they did not appear.

The Attorney General did not reply.

His Honor, in summing up, said that the prisoner, Patrick Bryan, stood charged with having feloniously, wilfully, and with malice afore-thought, made an assault on and murdered Eliza Neilson. The mode of killing her was differently described in different counts; the fourth count charged her death as having been occasioned by stones cast and thrown on the front part of her head, and as the evidence principally pointed to wounds inflicted by stones he should direct their attention principally to the fourth count. He called their attention principally to the cause of death as detailed in Dr. Street's evidence. The body had been spoken of by the witnesses indifferently as that of Eliza or Elizabeth Neilson; now as the prisoner was charged with the murder of Eliza Neilson, the jury ought to satisfy themselves beyond any reasonable doubt that the deceased's name was Eliza Neilson, or that she was commonly known as Eliza Neilson or known as Eliza Neilson. It appeared that she had been called by both names; now if they believed she was commonly called Elizabeth it appeared to him that the indictment would not be sustained by her being also called Eliza, for it appeared to him that they were not the same name. If her name was really Eliza, or if she was usually known by that name, her being occasionally called Elizabeth would not matter. His Honor then read over the evidence as to the name, calling the attention of the jury to the testimony of Mr. Hillier, that at the moment when he first saw the murdered body, her husband fondly called her Eliza; this unpremeditated testimony, uttered at such a moment, was of great weight. Their first consideration would therefore be whether the deceased was named Eliza Neilson, for as the prisoner was indicted for killing Eliza Neilson, he could not be convicted of killing Elizabeth Neilson, and if they were satisfied that the latter was the correct name, the prisoner would be entitled to their verdict. They had no direct evidence before them of how the deceased was killed, and the question therefore rested entirely on circumstantial evidence. His Honor then went through the evidence as to the finding of the body, and the state it was in. If therefore they were satisfied from the evidence that the body was that of Eliza Neilson, and that she came to her death as laid in the fourth count, then came the question by whose hand she so came to her death. And here he would repeat to them the caution given by the Attorney General, that they must come to the investigation of this question in a calm and circumspect manner, dismissing from their minds all they had previously heard, and remembering that the question for them to decide was not whether in their opinion the prisoner was guilty, but whether he was proved to be guilty by the evidence they had heard. It would be monstrous to return their verdict on anything else, on statements of information obtained which the prisoner had not had open opportunity of examining and sifting. No one had come forward to prove that he saw the prisoner, or any one, commit this deed, and if the prisoner's guilt could be established at all, it must be by circumstantial evidence. In regard to circumstantial evidence he would read to them some extracts from an author whose views he adopted as his own. His Honor then read several extracts from "Wills on Circumstantial Evidence," accompanying them with comments. The determination of facts rested entirely with the jury, and although he should state to them his opinion as to the law of the case, yet when questions of law and of fact were so inseparably mixed up, the jury would have to decide on both, if in their

consciences they felt competent to do so. If a person had appeared and said he saw the blows struck and that death ensued, this would be infer from these facts their conclusion as to the principal fact. It was quite possible that all the minor facts sworn to by witnesses in such cases might be true, and yet that they might be inconsistent with the conclusion sought to be established, that the prisoner was guilty. As it was only on the irresistible force of concurring circumstances that a jury could come to a conclusion as to the main fact charged, it behoved the jury to weigh well, and with caution, every circumstance given in evidence, before they decided as to the main fact. The law as regarded circumstantial evidence had been ably expressed by Mr. Justice Alderson, who, in charging a jury in a similar case to the present, told them that they must be satisfied beyond all reasonable doubt not only that the circumstances were consistent with the belief that the prisoner committed the murder, but also that they were inconsistent with any other rational conclusion than that he was guilty. And Mr. Justice Alderson then with great propriety pointed out to the jury the proneness of men's minds to jump to the conclusion that a man was guilty directly they heard him accused of having done anything wrong; forgetting that although many circumstances might appear fairly to lead to such a conclusion, yet that if one circumstance was inconsistent with it, it was of more importance than all the rest. This opinion he now adopted as his own, and repeated it to them, inasmuch as if that single circumstance did embarrass their conclusion, it must destroy all confidence in the prisoner's guilt. They were of course not to go out of their way to imagine any fresh supposition other than those suggested by the evidence, but they must feel satisfied beyond all reasonable doubt, as he had before expressed, or they were bound to give their verdict for the prisoner. His Honor then gave an outline of the evidence, accompanying it with comments on the leading circumstances disclosed, and afterwards read to the jury the whole of the evidence verbatim. In regard to the threats deposed to have been uttered by the prisoner, his Honor told the jury that in such cases threats became of importance when they were clearly shown to be connected with some subsequent deed, as showing the motive or intention of the deed. He would caution them to pay no heed to the opinion expressed by any of the witnesses, but to consider only the facts deposed to, and to form their own conclusion as to the credibility to be attached to the evidence, and its effect on the question they were trying. Having gone over the evidence, and repeated his caution as to being careful and deliberate, his Honor told the jury they had to satisfy themselves whether Eliza Neilson was killed by stones, as described in the fourth count, for no other weapon was disclosed or suggested by the evidence, and whether the prisoner was guilty of so killing her; if they were satisfied on both these points, they would return a verdict of guilty on the fourth count; but if they were not satisfied beyond all reasonable doubt that the fact of the prisoner's guilt flowed necessarily from the evidence, and that every other supposition was necessarily inconsistent with the evidence, they would return their verdict for the prisoner.

The jury retired for thirty-five minutes, and returned with a verdict of guilty on the fourth count, and not guilty as to the other five counts.

His Honor asked the jury to retire again, and decide as to whether they considered that the murder was effected by stones cast on Mr. Neilson's head, or by beating her with stones while held in the hand.

After retiring for a few minutes the jury returned and said that they were of opinion that the wounds were inflicted by beating her with stones held in the hand, from the description of the fracture given by Dr. Street.

The verdict was recorded as one of guilty on the fourth count, by beating with stones while held in the hand.

[His Honor had previously called the attention of the Attorney General to the fact of the fourth count charging the wounds as inflicted by casting stones on the head, and said that it appeared to him the evidence went to show they were inflicted by beating with stones held in the hand. If the jury proved to be also of this opinion, he should submit the point to the Judges.]

The prisoner being asked if he had anything to urge why sentence should not be passed on him, spoke at some length, asserting his innocence, expressing a confident belief that the Almighty would surely make it known, accusing most of the witnesses of perjury, and the jury as being unenlightened and unable to judge between truth and falsehood.

His Honor then passed sentence of death on the prisoner, impressively addressing him on the awful situation in which he was placed, adjuring him to repent and not to place reliance on his own merits. His Honor said the prisoner had been convicted of the murder of Eliza Neilson, after a long trial, most dispassionately conducted by the Attorney General, and after the most patient consideration by the jury, who had every caution given to them by the Attorney General and himself. The jury had found him guilty, and he thought there could be very few persons in that court who thought the jury had arrived at a mistaken conclusion. Having again impressively exhorted the prisoner to repentance, he told him not to imagine there was any hope of mercy for him in this world, but to place his sole hope on the world to come. It was his painful duty now to sentence the prisoner Patrick Bryan to be taken to the place from whence he came, and from thence to the gaol at Newcastle, and there, on a day to be hereafter named, to be hanged by the neck until he was dead.

His Honor then discharged the jury, after a brief address on the great importance of the duties of jurors, and thanking them for their services.

#### POSTPONEMENT

**GEORGE WATERS WARD**, who had been arraigned on Thursday for the murder of **RICHARD CONNOLLY**, at Muswell Brook Creek, on the 12<sup>th</sup> April, 1848, and who had then applied for a postponement of his trial, was brought up (while the jury were retired in Bryan's case) and informed that his trial was postponed till the next Circuit Court, the Attorney General also wishing to have it postponed.

SENTINEL, 4/192, 21/09/1848

**GEORGE WATERS WARD** was indicted for having at Mussellbrook Creek, on the 12<sup>th</sup> of April, 1848, feloniously assaulted one **RICHARD CONNOLLY**, otherwise **RICHARD KING**, and for having, with a certain unknown instrument, held in both hands, on the left side of the head and on the front of the head of the said Richard Connolly, inflicted divers mortal wounds and bruises whereof the said Richard Connolly did instantly die, and thus he, the said George Waters Ward did feloniously kill and murder the said Richard Connolly. In a second count the wounds were said to have been inflicted, and the murder committed by an adze, held in both hands of the said George Waters Ward.

Ward applied for a postponement of the trial to the next Circuit Court, on the ground that two material witnesses for his defence as absent.

He was ordered to renew the application on affidavit on the following morning, and was removed from the bar.

Friday.

**PATRICK BRYAN** was indicted for having, on the 20<sup>th</sup> December, 1847, at Irish town road, feloniously assaulted **ELIZA NEILSON**, and for having with both his hands and feet cast her on the ground, and by such casting against the ground, and by striking and beating her with his hands and feet while she was lying on the ground, inflicted several mortal wounds and bruises on the front of her head, whereof she did instantly die, and that thus he did feloniously kill and slay the said Eliza Neilson. There were six counts in the indictment, the first as above, the second charging the wounds as inflicted by striking and beating her with the hands and feet, the third by casting her against the ground, the fourth by beating her with certain stones held in both his hands, and by casting and throwing the said stones at her; the fifth by a certain stick held in both hands; and the sixth by the stones and the stick.

The case for the prosecution occupied the whole day, and at ten o'clock the Court was adjourned till the next morning the Jury having been allowed to retire for the night to the Hunter River Hotel, in the custody of the Sheriff.

INQUEST. - An inquest was held on Monday by Mr. **RYAN BRENNAN**, at Driver's, the Three Tuns, King and Elizabeth-streets, on view of the body of **MICHAEL CORCORAN** then lying dead in the Sydney Infirmary. By the evidence of a wardman and Mr. Surgeon **HOUSTON**, it appeared the deceased was received into the infirmary in the course of Saturday, after noon when he complained of acute pain in his chest, accompanied by difficulty of breathing. The usual remedies were applied, and towards evening the deceased expressed himself somewhat relieved, but which it would appear was merely temporary, as he expired about four o'clock on the following (Sunday) morning. Mr. Houston having stated that from a conversation he had with the deceased, together with what he had personally seen, his belief was that death was the result of disease of the heart and probably of the lungs; a finding of death by the visitation of God was recorded.

MAITLAND MERCURY, 6/441, 23/09/1848

FATAL ACCIDENT. - A few days ago a man in the employ of a gentleman near Gresford laid down after dinner to sleep under a tree which had been much burnt away at the base. Some time after he was found crushed to death, the tree having fallen on him as he lay. An inquest was held on the body by Mr. **J. BROWN**, of Colstoun, when it appeared that no person had actually seen the occurrence.

THE MACINTYRE. - We understand that Mr. Commissioner **BLIGH** has been for some little time engaged in investigating reported murders of several aborigines on the Macintyre River. There are different rumours current about town in relation to the murders, but none that appear to be founded on authentic data.

INQUEST. - An inquest was held yesterday, at the Black Horse Inn, East Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **EDWIN WILSON**. In the *Mercury* of the 13<sup>th</sup> instant we mentioned the unfortunate accident that had happened to this poor boy, who was kicked on the head by a horse on the evening of Monday, the 11<sup>th</sup> instant. It appeared by the evidence that the little fellow was playing in a yard which belongs jointly to houses occupied by Mr. **H. GORDON** and Mr. **C. WILSON**. The child had been in the habit of going near his father's horse when feeding, and taking away some of the barley to make whips of, and it is supposed he on this occasion went closed to Mr. Gordon's horse for the same purpose, when the animal kicked him on the head, fracturing the skull. Dr. **BROWN** was called in, and found a portion of the brain protruding, which he removed, and for some days the poor child wavered between life and death, Dr. Brown hoping at times that he might succeed in saving him. The injury had been too severe, however, and on Thursday

evening, the 21<sup>st</sup>, he died. Mr. Wilson deposed that the horse was a vicious one, but Mr. Gordon deposed that he was not so, nor was he in the habit of kicking people who went behind him, although he had once kicked him (Mr. G.) while rubbing down a bruise on the hind leg. The jury returned a verdict that the deceased was accidentally killed by a kick from Mr. Gordon's horse, and they acquitted Mr. Gordon of all blame.

#### ORIGINAL CORRESPONDENCE

*To the Editor of the Maitland Mercury*

SIR – I conceive I am called on in the absence of my brother, Mr. **ALLAN HICKEY**, to notice the verdict delivered by a jury on Monday last, respecting the death of **MARK DUFFY**, my late cook. There is a *rider* attached to the verdict declaring Mr. Allan Hickey's conduct as highly blameable for having struck this man. Under what part of the evidence adduced at the examination this opinion has been gathered by the jury, I am at a loss to understand. I myself was present at this examination, and did not hear one word that could warrant such an opinion. My brother gave this man a slight blow on his eye, which knocked him backwards in a sitting posture; for using most insulting language to my wife, and for driving her before him from the kitchen door with a knife in his hand, because she remonstrated with him for swearing at her female servants. And I trust, sir, that upon any similar occasion my brother will never hesitate to act in a like manner, notwithstanding the opinion of the jury.

I am, sir, your most obedient servant,

EDWIN HICKEY.

Osterley, 22nd Sept., 1848

[We have omitted Mr. Hickey's remarks respecting the individual whose reports are said to have given rise to the inquest. - Ed. M.M.]

INQUEST. - An inquest was held yesterday, by Mr. **RYAN BRENNAN**, at H.M. Gaol, Darlinghurst, on view of the body of a confine named **WILLIAM SMITH**, then lying dead therein. Evidence having been given by the clerk of the gaol of the deceased's reception into that establishment in the month of June last, under a sentence of twelve months' imprisonment, with hard labour; the testimony of Mr. **HONNER**, the gaol dispenser, followed. Mr. Honner deposed that he had, with Dr. **O'BRIEN**, made a *post mortem* examination of the body of the deceased, who had been taken ill at about half past five on Sunday afternoon, and expired at four o'clock on the ensuing (Monday) one. The result of the examination was the finding of a rupture of one of the large blood vessels, and which was the immediate cause of death. A finding was recorded of death by the visitation of God. *Herald, Sept. 20*

MAITLAND MERCURY, 6/442, 27/09/1848

NARROW ESCAPE FROM DROWNING. - On Saturday afternoon several children were playing on a piece of vacant ground in Morpeth, fronting the river, when one of them, named **PARKER**, a fine little boy of about five years old, rolled off the bank into the river, at that place perhaps sixteen feet deep. Another of the children immediately ran to the street and gave the alarm, and a blacksmith named **JOHN CAREY**, who was at the moment shoeing a horse, hearing what she said, ran down and plunged in after the poor boy, who had sunk, apparently to rise no more. Carey dived immediately, and happily met with the little fellow, whom he brought to the surface and swam to the bank with. At this time the boy had been four or five minutes in the river, and showed no signs of life, but after some time he recovered, and was all right in an hour or two. Had Carey delayed to throw off his clothes, or

had he not fortunately found the little fellow at the first dive, it is very probable this happy result might not have been attained.

**FATAL BOAT ACCIDENT.** - On Sunday afternoon a boat was suddenly upset in Neutral Bay. The persons on board at the time were Mr. and Mrs. **ISAAC JOHNSON**, and Mr. and Mrs. **THOMAS ROLANDS**. Mrs. Johnson was saved by clinging to the boat till she was picked up by a portion of the crew of the steamer *Acheron*, who witnessed the accident. The lifeless body of Mr. Rolands was found under the boat when she was towed ashore. The other two bodies were not found till this morning, when they were much mutilated by sharks.

**BATHURST CIRCUIT COURT.**

The Bathurst Circuit Court was opened on Wednesday, the 20<sup>th</sup> instant, before his Honor the Chief Justice.

#### MURDER

**PATRICK WHITE** was indicted for the wilful murder of **PETER CARLING, or CARROLL**, at Broken Shaft Creek, on the 17<sup>th</sup> June last.

From the evidence it appeared that the prisoner and deceased were employed at a station of Mr. **TIMOTHY SULLIVAN**, at Broken Shaft Creek; the prisoner was employed as hutkeeper, the deceased as shepherd; there was another individual employed at the same station, a youth named **GREEN**, about sixteen years of age. On the day named three other men arrived at this station; a man named **GRIFFIN**, a man named **STOKES**, and another man named **DONNERGAN**. Shortly after the whole had assembled a sort of subscription-purse was proposed, and raised, to purchase a gallon of rum. The prisoner and Green started to purchase it, and did not return until about midnight. The inmates of the hit – the deceased, Stokes, Griffin, and Donnergan – were in bed. As soon as intimation was given that the spirits had arrived, Stokes and the deceased arose and, with the prisoner and Green, indulged in liberal libations, the natural result of which was that, in a short time, a row took place amongst the; there were several battles. Stokes struck the deceased a violent blow on the head with a hurdle stick, which knocked him down; Stokes also struck the prisoner with the same weapon, and floored him; after a short time there was a change in the scene, the prisoner and deceased attacking Stokes; the deceased then lay down on his bed in front of the fire, when the prisoner went up to him and kicked him, called him a coward, and seemed annoyed that the deceased had not better backed him, the prisoner, in his assault on Stokes. From the evidence it appeared that the prisoner took up a small iron pot and threw on the head of the deceased. All this took place on Monday, the 19<sup>th</sup> June, and the deceased died on the following Friday, the 23<sup>rd</sup>. Dr. **FAVELL** had been sent for, but on his arrival Carling or Carroll had been dead about two hours; he examined the head, and found a severe fracture of the skull on the left side of the head, just above the ear; particles of skin had been forced in on the brain, and he had no doubt that death had ensued from this fracture; there was another slighter fracture on the forehead, and a severe bruise on the back of the head, but the doctor was decidedly of opinion that neither of these could have been the cause of death. There seemed to be a doubt as to how the fatal blow was inflicted, whether by Stokes with the stick, or by the prisoner with the iron pot. This was the main question on which the case hinged, and did not appear to be fully explained. His Honor summed up, intimating before the jury retired, that whatever might be the verdict of the jury, that the prisoner would not be executed.

The jury, after an absence of about five minutes, returned a verdict of guilty.

His Honor ordered sentence of death to be recorded, with an intimation that he should consider it his duty to recommend to the Governor and the Executive Council, that the sentence should be mitigated to fourteen years' transportation.

#### MURDEROUS ATTACK.

About a week since a report appeared of a person of the name of **AUSTEN** and his wife having been most murderously stabbed with a clasp knife, by a ruffian, of the name of **TOOMEY**. This man was secured almost immediately after the outrage, and although Mr. Austen received only a slight wound, the injuries his wife sustained were of so serious a character that life was at one time despaired of. The evidence taken at the Police Court was that of the apprehending constable, Mr. Austen, and Mr. Surgeon **HARPER**, as to the extent of the injury both that person and his wife had sustained; a full record of which was duly given; and as at the time this testimony was given, it was impossible for Mrs. Austen to attend the court, Toomey was remanded until she should be in a fit state to do so. Yesterday, Mrs. Austen, although it was palpably evident to all present, under the endurance of considerable pain, and which fearfully evidenced Toomey's violence, attended. Her testimony was corroborative of that of her husband, and Mr. Surgeon Harper, already given, and Toomey was committed for trial. *Herald, Sept. 23*

#### CORONER'S INQUEST.

An inquest was held on Saturday last, at the Lemon Tree public-house, Phillip-street, on view of the body of **CHRISTIANA WHITE**. The circumstances attending her death, as set forth in the evidence, are as follows:- **CATHERINE SPITTAL** deposed that she was a midwife, and in that capacity was at ten o'clock on Thursday night called in to see the deceased; she found her stomach in a very bad state, and she was vomiting; no pains of labour were then present; remained until three o'clock on Friday morning, when the deceased said she was sleepy; witness desired her to go to sleep, and when her pains came on to send immediately; after six o'clock she was sent for, and on arrival found the child was dead, and that it had not been alive for several days; the deceased said she received a fall on board ship from the jerking of the vessel – that she received bad treatment on board the ship – and that she had been fretting about a son of hers who had died on the passage; the bad treatment she complained of was an insufficiency of food; witness left her about eight o'clock, and was informed of her death while on her way to see her in the afternoon. **JOHN WHITE**, the husband of deceased, deposed that he and his wife came to the colony in the *Royal Saxon*, and arrived on the 20<sup>th</sup> July last; his wife was then pregnant; in the month of April, their eldest son, about 15 years of age, died, which deceased attributed to bad treatment; the bad treatment consisted of insufficient food, and want of proper nourishment; there was a doctor on board; the treatment the boy received affected his mother; she also received similar treatment, and the constables appointed by the captain used her ill by making use of violent and abusive language towards her; she was in good health when she went on board ship, but she was so much affected by these circumstances, that fourteen days before the arrival of the vessel in Sydney it was not expected she would live to the end of the voyage; the salty beef and pork which was served out for the first nine or ten weeks was unfit for human food – the emigrants frequently threw it overboard, it was so bad; in return for the beef or pork deceased only received three or four ounces of rice or sago for a day's provision; no sugar was allowed her as an invalid beyond the mess allowance; from the rocking of the ship she met with an accidental fall, but he did not attribute any of her illness to that circumstance; he complained of the insufficiency of the food, and of the treatment described, but received no satisfaction; he believed that the treatment experienced by

her son, and his subsequent death, preyed upon the mind of deceased more than the usage she herself experience; at tea time on Thursday, deceased was in her usual health, having improved since she came on shore, and was in better spirits than ordinary; she died about two o'clock on Friday afternoon. The evidence of Drs. **HOUSTON and NELSON**, who had been called in to attend Mrs. White, corroborated the above as to the state in which they found the deceased. A post mortem examination showed that death was caused by rupture of the substance of the womb; the medical men thought the treatment deposed to have been experienced by the deceased on board the *Royal Saxon* would predispose to the rupture of the womb. The child was premature, and not a healthy child, which would be the result of want of sufficient nourishment, and mental anxiety, on the part of the mother. The general appearance of the mother would lead them to believe that she had probably suffered as described by the witnesses. The jury returned a verdict of died from the visitation of God. *Abridged from the Herald, September 25*

SENTINEL, 4/193, 28/09/1848

#### MURDER

**PATRICK WHITE** was indicted for the wilful murder of **PETER CARLING**, or **CARROLL**, at Broken Shaft Creek, on the 17<sup>th</sup> June last. The prisoner had presented a petition to the Judge, stating his inability to fee counsel, and praying that his Honor would aid him in the dilemma. His Honor, said that he was sorry that as there was only one barrister present, besides the Solicitor-General, and that one was engaged for another prisoner charged with the murder. Mr. **J.W. DOWLING**, who was present in Court offered to watch the evidence for the prisoner. From the evidence it appeared that the prisoner and deceased were employed at the station of Mr. **TIMOTHY SULLIVAN**, at Broken Shaft Creek; the prisoner was employed at hut keeper; the deceased as shepherd; there was another individual employed at the same station, a youth named **GREEN**, about sixteen years of age; on the day named, three other men arrived at the station; a man named **GRIFFIN**, who with a horse and cart was carrying rations for the men employed there, a man named **STOKES**, who was sent to replace Stokes as shepherd, his term of service having expired, and another man named **JOHN DORGAN**, or **DOANERGAN**, could not make out which, the latter to replace the prisoner, who was required to make some hurdles; shortly after the whole had assembled, a sort of subscription-purse was proposed, and raised, to purchase a gallon of rum. The prisoner and Green [??] to purchase it, and did not return until about midnight. The inmates of the hut, the deceased, Stokes, Griffin and Donnergan were in bed. As soon as intimation was given that the spirits had arrived, Stokes and the deceased arose, and with the prisoner and Green indulged in liberal libations, the natural result of which was that in a short time a row took place amongst them, there were several battles. Stokes struck the deceased a violent blow on the head with a hurdle stick, which knocked him down; Stokes also struck the prisoner with the same weapon, and floored him; after a short time there was a change in the scene, the prisoner and deceased attacking Stokes; the deceased then lay down on his bed in front of the fire, when the prisoner went up and kicked him, and called him a coward and seemed annoyed that the deceased had not better backed him, the prisoner, in his assault on Stokes. From the evidence, it appeared that the prisoner took up a small iron pot and threw it at the head of the deceased, all this took place on Monday, the 19<sup>th</sup> June, and the deceased died on the following Friday, the 23<sup>rd</sup>. Dr. **FAVELL** had been sent for, but on his arrival Carling or Carroll, had been dead about two hours; he examined the head, and found a severe fracture of the skull on the left side of the

head, just above the ear; particles of skin had been forced in on the brain, and he had no doubt death had ensued from this fracture on the forehead, and a severe bruise on the back of the head, but the Doctor was decidedly of opinion that neither of these could have been the cause of death. There seemed to be a doubt as to how the fatal blow had been inflicted, whether by Stokes with the stick or by the prisoner with the iron pot. This was the main question on which the case hinged, and did not appear to be fully explained.

His Honor in summing up intimating before the Jury retired, that whatever might be the verdict of the Jury, that the prisoner would not be executed.

The Jury after an absence of about five minutes returned a verdict of guilty.

The prisoner handed in a statement which was read by the Clerk of Arraigns, and a very feasible and probable account of the whole transaction this statement gave; it should also be borne in mind that the whole of the witnesses declared that up to the time of the unfortunate affair, the prisoner and the deceased were on friendly and amicable terms that the act was committed without any premeditation or malice prepense. This seemed to be the view his honor took of the case. He ordered the sentence of death to be recorded, with an intimation that he should consider it his duty to recommend to the Governor and Executive Council that the sentence should be mitigated to fourteen year's transportation.

**BOAT ACCIDENT.** - On Sunday afternoon, between three and four o'clock, a waterman's boat, in which were four persons, **ISAAC JOHNSON** and **WIFE**, and **THOMAS ROWLANDS** and **WIFE**, was suddenly upset in Neutral Bay, by means of the sail gibing, and three out of the four drowned. Mrs. Johnson was saved, she having clung to the boat until such time as she was picked up by two lads who were close by in a dingy. The accident being perceived on board the steamer Acheron, a boat was immediately despatched to the assistance of the parties, with the surgeon of the vessel, but unfortunately arrived too late. On the boat being towed ashore the body of the man Rolands was found underneath, but life was then extinct.

**SUDDEN DEATH.** - About seven o'clock on Sunday morning, a female named **MARY ANN REDLEY** was found by constable **O'BRIEN**, lying dead in a small house which she occupied in Kent-street, between Market and Druitt-streets. It appears the deceased was a woman in years and lived in the house by herself, and although she had lately been complaining of ill health her death was wholly unanticipated by any of her neighbours.

**CORONER'S INQUEST.** - An inquest was held on Saturday last, at the Lemon Tree public house, Phillip-street, on the body of **CHRISTIANA WHITE**. The circumstances attending her death, as set forth in the evidence, are as follows. **CATHERINE SP[??]ER** deposed, that she was a midwife, and in that capacity was at ten o'clock on Thursday night called to see deceased; she found her stomach in a very bad state, and she was vomiting; no pains of labour were then present; remained until three o'clock on Friday morning, when the deceased said she was sleepy; witness desired her to go to sleep, and when her pains came on to send immediately; after six o'clock she was sent for, and on arrival found the child was dead, - and that it had not been alive for several days; the deceased said she received a fall on board ship from the jerking of the vessel - and that she had been fretting about a son of hers who died on the passage; the bad treatment she complained of was an insufficiency of food; witness left her about eight o'clock, and was informed of her death while on her way to see her in the afternoon. **JOHN WHITE** the husband of the deceased, deposed that he and his wife came to the colony in the Royal Saxon, and arrived on the 20<sup>th</sup> July last; his wife was pregnant in the month of April, their eldest son, about

fifteen years of age, died, which deceased attributed to bad treatment consisting of insufficient food and want of proper nourishment; there was a doctor on board; the treatment the boy received affected his mother; she also received similar treatment, and the constables appointed by the captain used her ill by making use of violent and abusive language towards her; she was in good health when she went on board ship but she was so much affected by these circumstances, that fourteen days before the arrival of the vessel in Sydney it was not expected she would live to the end of the voyage; that salt beef and pork which was served out for the first nine or ten weeks was unfit for human food – the emigrants frequently threw it overboard, it was so bad; in return for the beef or pork deceased only received three or four ounces of rice or sago for a day's provision; no sugar was allowed her as an invalid beyond the mess allowance; from the rocking of the ship she met with an accident fall, but he did not attribute any of her illness to that circumstance; he complained of the insufficiency of food, and of the treatment described, but received no satisfaction; he believed that the treatment experienced by her son, and her [sic] subsequent death, preyed upon the mind of the deceased more than the usage she herself experience; at teatime on Thursday, deceased was in her usual health, having improved since she came on shore, and was in better spirits than ordinary; she died about two o'clock on Friday afternoon. **WILLIAM HOUSTON** surgeon, deposed, that about nine o'clock on Friday morning, he was called on to see the deceased, who told him that she had been delivered of a still born child a few hours before; she had an anxious expression about her countenance, and complained of pain in the region of the naxel (sic); he was again sent for about twelve o'clock, when he found her sinking, apparently dying; his treatment seemed to have little or no effect, he called in Dr. **NELSON**, who concurred with him that nothing more could be done; he, in conjunction with Mr. nelson, had made a post mortem examination of the body, and found a rupture of the substance of the womb, which was the cause of the sinking and the sudden death. From the history of the treatment which the deceased received on her passage to this colony, he was of opinion that it would predispose to the rupture which had occurred. On examining the child he found that it was of premature birth, that it might have been dead two days, and that it was not a healthy child – which would be the result of want of sufficient nourishment, and mental anxiety, on the part of the mother. No medical treatment, however soon rendered, could have saved the deceased's life. **R.W. NELSON**, surgeon, deposed to having been called on to see the deceased, and after describing the appearance presented on the post mortem examination of the body, said that taking the appearance of the deceased herself, as also that of the infant, would lead him to imagine that she had been labouring under the depressing influence of grief, or want of sufficient nourishment, or both. The Jury found a verdict of died by the visitation of God.

INQUEST. - On Monday afternoon Mr. **RYAN BRENNAN**, held an inquest on the bodies of **ISAAC JOHNSON, THOMAS ROLAND, EILEEN ROLAND**, at Hooper's the King's Head public house Lower George-street who were drowned on the previous evening. The body of the man Rolands was found underneath the boat on its being towed ashore within half an hour of the accident by the assistance of some persons who, having at some distance from the scene of its occurrence, observed it, pulled as rapidly as possible, and rendered their aid. The bodies of Johnson and Mrs. Rolands were recovered on Monday morning in a dreadfully mutilated state, from sharks or other fish, and the three were removed to the Water Police Office. The evidence adduced in the several cases was chiefly merely initiatory. That given in the case of Thomas Rolands's however is at present the most

complete. A person residing at Robinson's Point named **JONES** deposed that between two and three o'clock on Sunday afternoon he observed a boat under sail, which he knew to belong to two men named **JOHNSON** and **LORD**. It was at the time blowing fresh; the boat was not far from land, and was apparently steering for Robinson's Steps; shortly afterwards the witness heard a scream proceeding from the direction in which the boat had last been seen and on running to the beach observed the boat keel uppermost; at this time more than two persons were observed clinging to the boat, but the witness could not tell who they were; he then hailed a boat off Garden Island, and ultimately succeeded in attracting the attention of the parties in it, and on the arrival Mrs. Johnson was picked up by them, and got into their boat and brought ashore she was in a very exhausted state, and was taken by witness into a house, and on his returning to the beach he found the deceased man, who had been in the meantime got ashore; deceased was at the time quite dead, but slightly warm, and hot water in a bottle was applied to his feet, and other means taken to restore life, but unavailingly. The medical officer of HMS Acheron arrived a few minutes afterwards, and opened a vein, when a small quantity of blood flowed; twenty minutes elapsed between witness hearing the scream and the deceased being got out of the water. The boat when upsetting was between sixty and seventy yards from the shore, and when first observed was keel up; but was afterwards seen to lean over on her beam ends; a lad of the name of **WILLIAM LANGFORD** stated that he was with his brother in a boat on the previous afternoon, when he noticed that a boat in which three deceased persons and Mrs. Johnson were upset. They immediately proceeded towards it and found Mrs. Johnson holding on by the keel near the stern, and up to her neck in the water; witness and his brother got her into their boat, brought her ashore, and gave her into the care of the previous witness, Jones. They then returned to the upset boat, they saw no person in it or floating, but in hauling up the bows on their own boat, and unshipping the mast, discovered the deceased man with the sail fast round his neck, and the rope around the same part in a regular hitch. The sheet was about twelve of thirteen feet, and in witness's opinion the deceased must have been upon the rocks. The deceased's face was perfectly white and he was quite dead when hauled up; he was in the water about a quarter of an hour. The boat which upset carried a sprit-sail and jib, and both were set, the layer sail being very loose; it was blowing hard at the time the body was picked up. The evidence taken in the case of Isaac Johnson, was that of **WILLIAM RICHARDS**, a waterman, who deposed finding, between, five and six o'clock that morning, opposite Robinson's Point, the body of the deceased man, also that of the female Roland. Dr. **M'KELLAR** gave evidence that on viewing the body of Johnson he found a large piece of flesh torn out of the left thigh, as if by a shark, and Dr. **TIERNEY** stated that there were large quantities of flesh torn away by sharks from different parts of the body of the female Rolands. The several inquests were then adjourned for the attendance of the medical officer of the Acheron, and some other witnesses, whose testimony was requisite, until next day.

#### ATTEMPT AT SELF-DESTRUCTION.

About half-past twelve o'clock on Monday morning an ex-publican named **ROBERT HEANEY**, who lately kept the Hope Tavern, at the corner of York-street and Barrack-lane, attempted to put an end to his existence by throwing himself into the water from off the Commercial Wharf. Fortunately his proceedings for about half an hour previously had been watched by the police, and a publican of the name of **JONES**, who followed him from the Hope Tavern to the wharf, and within minutes after his plunging into the water he was got out by constables **M'CAWLEY** and **M'KEOWN**, who then confined him for protection. The unfortunate man's wife was

before the Police Court on Monday, on two charges of violent assault, one preferred by the wife of the present landlord, and the second by a female resident in the same house named **WILSON**. Neither of the parties, however, appeared to prosecute. This and some late disgraceful proceedings at this house were stated to have been the cause inducing the rash act.

MAITLAND MERCURY, 6/443, 30/09/1848

GROSS OUTRAGE ON THE ABORIGINES. - We have been favoured with the following extract from a letter dated "Warialda, Sept. 15:- "A few weeks ago a report reached this bench that some cruel and wanton murders had been perpetrated by the whites on the aboriginal natives of the Macintyre River, in consequence of which Mr. **BLIGH** and Mr. **SNAPE**, with a party of constables, proceeded to that part of the country. On arriving at Mr. Young's station, they received a heart-rending account of the cruel manner in which a party of friendly and peaceable natives (who were residing under the protection of the proprietor of the station) had been attacked during the night by a party of white men, who shot at them indiscriminately, regardless of either sex or age. Fortunately, however, for the poor savages, only one of the number, a "gin," was killed. Mr. Bligh had her body disinterred, and a deal of evidence was adduced in relation to the manner of her death, in consequence of which the acting coroner found a verdict of wilful murder against parties unknown. Mr. Bligh, who displayed a great deal of praiseworthy zeal in the matter, was unwilling to return home without making an effort to bring the perpetrators of the outrage to justice, and therefore prolonged his stay several days longer than he intended; and I am happy to say he succeeded in tracing out one of the men who were suspected, who, although he at first denied all knowledge of the transaction, before reaching Warialda made a voluntary confession of his guilt, and implicating seven other individuals. Warrants were issued for their apprehension, and I hear that the police have succeeded in apprehending six out of the seven." *S.M. Herald*

INQUEST. - The inquest upon **THOMAS ROLAND, ELLEN ROLAND, and ISAAC JOHNSON**, was resumed yesterday. The evidence of Mrs. Johnson, who was in too feeble a state to attend, was taken by the Coroner at her residence, who read her deposition to the jury. She deposed to having gone in the boat with the deceased persons, and that it suddenly came on to blow hard, and, as her husband was hauling down the sail, the boat upset. She held on as well as she could, but she did not see any of the parties; she heard Mrs. Roland scream violently, and after that she lost all recollection. She believed the occurrence was purely accidental. A delay here occurred for the attendance of the medical officer of the *Acheron*; but this not being procured, the Coroner summed up the evidence, after which the jury returned a verdict of "Death by accidental drowning." *Advertiser, Sept. 28*

SYDNEY NEWS.

BATHURST CIRCUIT COURT. - FRIDAY, SEPTEMBER 22, 1848

Mr. Holroyd moved that **WILLIAM STOKES**, who had been committed, charged with the murder of **PETER CARLING**, should be discharged, **PATRICK WHITE** having, in the previous day, been found guilty of the murder of the deceased.

The Solicitor General said that he had carefully read over the depositions in the case, and was of opinion that the prisoner was innocent of the murder, and that the blow it was stated he inflicted on the deceased was clearly in self-defence, and had even death ensued from this blow, the prisoner would not be indicted for murder.

His Honor intimated that he agreed in the opinion of the Solicitor General, and that the prisoner would leave the court clear of any stain on his character from the present charge.

The prisoner was then discharged by proclamation.

**ATTEMPT AT SELF-DESTRUCTION.** - About half-past twelve o'clock yesterday morning an ex-publican named **ROBERT HEANEY**, who lately kept the Hope Tavern, at the corner of York-street and Barrack-lane, attempted to put an end to his existence by throwing himself into the water from off the Commercial Wharf. Fortunately his proceedings for about half an hour previously had been watched by some of the police, and a publican of the name of **JONES**, who followed him from the Hope Tavern to the wharf, and within a few minutes after his plunging into the water he was got out by constables **M'CAWLEY and M'KEOWN**, when they confined him for protection. The unfortunate man's wife was before the police court yesterday, on two charges of violent assault, one preferred by the wife of the present landlord, and the second by a female resident in the house named **WILSON**. Neither of the parties, however, appeared to prosecute. This and some late disgraceful proceedings at this house were stated to have been the cause inducing the rash attempt. *Herald, Sept. 26*

**BOAT ACCIDENT.** - Yesterday afternoon as three men were conveying a heavy piece of timber across the harbour, from the Gas Company's Wharf to one of the shipbuilding yards at Balmain, owing to a sudden gust of wind catching the boat they were in and causing the timber to shift, it suddenly capsized, and the men were thrown into the water. The occurrence being seen from the shore, boats immediately went off to their assistance, and rescued the men as quickly as possible; but as one of them is considerably advanced in years, and was some time in the water, there are doubts of his recovery from the accident. *Herald, Sept. 26*

MAITLAND MERCURY, 6/444, 04/10/1848

**SUDDEN DEATH.** - An inquest was held at Rutherford on Monday afternoon, before **J.S. PARKER**, Esq., coroner, on the body of **MICHAEL GOLOUGHTY, alias GOULDING**. From the evidence it appeared that Goloughty had been for about five months in the service of Messrs. Gorrick and Fleming, and that about four months ago he was knocked down insensible by a heavy beam of wood falling on his head. Goloughty was then sent in to Dr. **M'CARTNEY**, and after remaining under his care for a week he returned to his work, although complaining at times of his head, and stating that he could not well stoop to any work. It appeared also that about twelve months ago Dr. M'Cartney had attended Goloughty, who was then suffering from palpitation of the heart. On Monday morning Goloughty, who appeared in his usual health, was taking breakfast with two other men, conversing cheerfully, when he suddenly fell forward, and died in about three minutes. At the request of the jury Dr. M'Cartney made a *post mortem* examination of the body, and found that death had been caused by the rupture of a blood vessel in the cavity of the pericardium. The jury returned a verdict of died from natural causes.

**DRAYTON. - FATAL ACCIDENT.** - A melancholy event occurred at Drayton on the 12<sup>th</sup> instant. A man named **DAVIS**, who was a resident at that place, was unyoking a team, when, after he had disengaged the near side bullock, the other, in endeavouring to get away, struck him on the back of his head with the yoke, which was still fastened by the bow to the animal's neck. The blow fractured the poor man's skull, and he was immediately carried to his own house, where he was promptly attended by Dr. **MILES**; but surgical skill was vain, and he expired the same evening.

It is distressing to add that the unfortunate deceased has left a wife and two children, with but little provision for their maintenance. The inhabitants of Drayton, however, with a promptitude that does honour to their humanity, have entered into a subscription for the benefit of the bereaved family. *Moreton Bay Courier, Sept. 23*

COACH ACCIDENT. - About seven o'clock on Friday evening, Mr. **ALEXANDER**, proprietor of one of the Parramatta coaches, brought to the station-house on the Parramatta-road, two persons, a man named **WILLIAM COTTRELL**, and a female named **ELLEN STROUT**, who had been injured by falling off his (Alexander's) coach, when coming along the road near Ireland's public-house. It appears that both these parties were under the influence of liquor, and they took their places on the back seat. Mr. Inspector **HIGGINS** had them removed to the Infirmary, and on examination by the surgeon it was found that Cottrell's leg was fractured a little above the ankle, but that the woman had only received a few scratches of no moment. Cottrell, who is upwards of seventy years of age, was conveyed to the Infirmary, and on Saturday evening his leg was amputated while he was under the influence of chloroform. There is every prospect of his recovery. *Herald, Oct. 2*

#### DEATHS.

At sea, on the 26<sup>th</sup> July last, on board the schooner *Coquette*, the Rev. **JOHN M'CONNELL**, late of the Clarence River, in the diocese of Newcastle. Mr. M'Connell was the first and only clergyman in the Clarence and Richmond River District, where his labours were untiring until attacked by the disease (pulmonary consumption) of which he died.

MAITLAND MERCURY, 6/445, 07/10/1848

THE LATE MURDER AT CLARENCE TOWN. - The Executive Council yesterday directed the issue of the warrant for the execution of **PATRICK BRYAN**, found guilty at the last Maitland Circuit Court, under most atrocious circumstances, of Mrs. **NEILSON**. The execution is appointed to take place at Newcastle on the morning of the 13<sup>th</sup> instant. *S.M. Herald, October 4*

MAITLAND MERCURY, 6/446, 11/10/1848

#### REWARD

Whereas it has been represented to the government that, on the night of Saturday, the 2<sup>nd</sup> ultimo, a party consisting, as it is supposed, of seven white persons, attacked two aboriginal women in charge of the sheep of Mr. **AUGUSTUS MORRIS**, of Broomfield, on the Macintyre River, and murdered them, and the infant of one of the women, , etc.

#### REWARD

Whereas it has been represented to the government that a dray belonging to Mr. **JAMES MARK**, of "Goodar," was, on the 14<sup>th</sup> ultimo, attacked by the aborigines of the Macintyre River, who murdered the bullock driver, and carried off a considerable quantity of flour with which the dray was laden; &c.

#### THE MACINTYRE.

In a letter received from the Macintyre it is stated that there are five men confined in the lockup at Warialda charged with the murder of the aborigines in that neighbourhood, and that three other persons, not yet apprehended, are charged with a similar offence. Reports have been received from the Macintyre that four stations had been abandoned to the blacks; but this wants confirmation. A bullock-driver, however, in the employ of Mr. **MARKS**, had been murdered by the aborigines, two bullocks killed, and a quantity of property in charge of the murdered man stolen.

MAITLAND MERCURY, 6/447, 14/10/1848

INQUEST. - Yesterday an inquest was held at the Globe Inn, Morpeth, before **J.S. PARKER**, Esq., coroner, on the body of **THOMAS HUNT**, a boy of five years old. It appeared that the deceased was an orphan, and was left in charge of Mr. and Mrs. **WEBB**, of Morpeth. On Thursday evening Mrs. Webb went for a few minutes into the house of Mrs. **ELMES**, young Hunt being playing about at the time. Mr. Elmes came in shortly after, and Mrs. Webb asked him if he had seen her boy; he replied that he had not, on which she went out to look for him, and after searching for a short time saw his cap floating in a small waterhole in Mr. Elmes's paddock. She gave an alarm, and Mr. E. got a long pole, and almost immediately found the body of the poor boy in the waterhole, and got him out; he was taken into the house, and every expedient used to restore animation, but in vain, although the body was quite warm when taken out of the water, and could have been in but a few minutes. No one saw the accident, but the evening was very windy, and it was supposed the little fellow might have unfortunately got too close, and been blown in. A verdict of found drowned was returned.

MAITLAND MERCURY, 6/448, 18/10/1848

ACCIDENT TO MR. M'DOUGAL. - On Wednesday last, as Mr. **JOHN M'DOUGAL** and several other persons were returning to Wollombi from the Maitland Quarter Sessions, Mr. M'Dougal was unfortunately thrown from his horse, and very seriously injured. We understand that Mr. M'Dougal was riding the mare Creeping Jenny, which he had recently bought. The party had reached within six miles of Wollombi, when Mr. M'Dougal, who was riding with Dr. **Du MOULIN**, at a sudden turn, where the road was very bad, was thrown off, and fell on his head and shoulder. Dr. Du M. immediately stopped and got off, and bled Mr. M'Dougal; and a bullock-dray being procured, the wounded man was placed on a bed and taken home. We are informed that he was so much injured that his life is in danger, and that he continued insensible up to the date of the latest news from the Wollombi.

FATAL ACCIDENT. - Yesterday morning three men, named **JOHN BUCKLEY**, **DANIEL M'CARTHY**, and **RICHARD WILSON**, went into the bush to bring a large log or tree to the sawpits. They had a timber carriage and four bullocks with them, and having slung to the carriage a log about thirty-two feet long, they returned with it, passing down Newcastle-street, East Maitland. Having no spare chain they could not put any bullocks behind to lessen the momentum of the carriage in descending the hill, and M'Carthy and Wilson both got on the front of the carriage, to keep the log down, and prevent its pressing on the bullocks. As they neared the bottom of the hill, however, the speed increased, and the bullocks were almost unable to keep out of the way of the log. M'Carthy became alarmed, and jumped off just as the carriage got into a rut, and Wilson at the same moment gave one of the bullocks a blow with his hand to quicken the pace; the jerk coming at the same instant threw Wilson off the pole, and after clinging for an instant to the pole he was thrown to the ground, and the near wheel went over his head, killing him on the spot. An inquest was held on the body in the afternoon, before **J.S. PARKER**, Esq., Coroner, when it appeared that Wilson, who was a single man, had been drinking on Monday night, but was sober yesterday morning. The jury returned a verdict – that the deceased was accidentally killed by the wheel of a timber carriage passing over his head; and they requested the Coroner to call the attention of the authorities to the road being so much out of repair where the accident occurred.

## WARIALDA

THE MURDER OF THE BLACKS ON THE MACINTYRE RIVER. - The man who was first apprehended on suspicion of murdering the blacks on the Macintyre River was named **DANIEL M'LEAN** (not **M'KINNON** as formerly reported); he had been lately discharged from the employment of Mr. **A.J. HENDERSON**, superintendent for Mr. Campbell, of Sydney, and then entered into the service of Mr. **WIGHTMAN**, as stockman. From information furnished by M'Lean, four other men were apprehended and brought in here; their names being **STEPHEN HOLBURN**, a black boy of the Port Macquarie tribe named **BILLY**, **JOHN REARDON**, and ----- **KNIGHT**; the first three being from Mr. Chapman's station, and Knight from Mr. James Marks's station. They were brought before the bench yesterday, the magistrates being Messrs. **BLIGH**, **OTTLEY**, and **GALLY**. A man named **GEORGE HARRIS**, in the employ of Mr. Henderson, was brought forward as a witness, and underwent a long examination before the bench, when it appeared he was at the time at Mr. Marks's station. The approver, M'Lean, put several questions to Harris, with a view to establish his report, but without effect; the evidence of Harris did not go to prove any offence as being committed by the prisoners, nor even to prove that a murder had been committed at all. The four men above-named were fully committed to trial at the close of the examination.

## MURDER OF A BULLOCK DRIVER BY THE BLACKS.

I have yet a more painful and melancholy case to relate, and that is the murder of a man in the employment of Messrs. **YEOMANS and BALDWIN**, who was known by the name of **Scotchie**. Upon the 14<sup>th</sup> September Scotchie was driving a team belonging to Messrs. Y. and N., and employed in removing flour and stores from Mr. Marks's station; **GEORGE HARRIS** was with Scotchie, armed, for protection. They had not proceeded far on their journey when they were surrounded by a tribe of about a hundred and fifty blacks, and Harris's gun having missed fire, the blacks set up a yell, and speared Scotchie. Harris, who was on horseback, managed to get Scotchie up behind him, and they decamped, but as they had no safety without returning to Mr. Marks's station, upon their return they were again attacked, and Scotchie murdered, his jaw being broken, and ten spears run through his body. The dray was completely stripped of 3000 lbs. of flour, tea, sugar, clothing, and opossum cloaks; one of the bullocks was also killed, cut up, and carried away. Mr. Marks had the body of poor Scotchie buried after Mr. **JONATHAN YOUNG** and others had been to witness the lamentable sight. His faithful dog kept close by the body, and it was with difficulty the men could approach it. The owners of stations in this unhappy quarter are suffering more than ever, and unless immediate and efficient protection be granted them they must abandon their stations.

SUDDEN DEATH. - An inquest was held this afternoon, touching the death of **GEORGE MUNDEN**, of Argyle-street, who suddenly fell down and expired yesterday afternoon. The deceased had been drinking for some days previously. Verdict - death from the effects of *delirium tremens*.

MAITLAND MERCURY, 6/449, 21/10/1848

## HUNTER RIVER DISTRICT NEWS. - MERRIWA.

An inquest was held this evening, at the Fitz Roy Hotel, before **T.A. PERRY**, Esq., the coroner, on the body of **DENNIS DAYLY**, an old man in the service of **C. BLAXLAND**, Esq. It appeared that the deceased was returning to his station, and was passing along the creek; the bank was steep, and slippery from the late rains, his

foot slipped, and he was precipitated into deep water, and drowned. A verdict to the above effect was returned.

FATAL ACCIDENT. - On Wednesday evening last, shortly before six o'clock, as some children were playing alongside the Mulwaree Ponds, close to Mr. Hawkins's, a little girl, about six years of age, daughter of Mr. **MUNOZ**, tailor, of this town, in reaching to secure the body of a kitten which was floating on the stream, over-balanced herself, and fell in. Some little time elapsed before the distracted parents heard of the accident, and hastening to the spot with some neighbours, found a man of the name of **WOOD**, diving for the child. It was after his going down the third time that he brought the body to the surface. It was taken to a surgeon, but all endeavours to restore animation were unsuccessful. *Goulburn Herald, Oct. 14*

MAITLAND MERCURY, 6/450, 25/10/1848

WINDSOR. - SERIOUS ACCIDENT. - On Tuesday, the 17<sup>th</sup> instant, about 9 p.m., and old man, named **WILLIAM BOTHEEVE**, in the service of Mr. **JOHN CUNNINGHAM**, publican, on the Wilberforce side of the river, was seized with an epileptic fit, and fell with his head and shoulders into the kitchen fire. Mrs. Cunningham was the first to discover him, (though the unfortunate man made no noise or alarm,) and shouted for her husband, who was close at hand, and who pulled the poor sufferer from the burning embers. Dr. **BELL** was immediately sent for, and succeeded in restoring the poor man to sensibility, though not for nearly an hour after the accident. The burn is of a frightful description, occupying the whole of the head, face, neck, shoulders, and back; and there is very little hope of a recovery. *Herald Correspondent*

THE EXECUTION OF PATRICK BRYAN. - On Friday last **PATRICK BRYAN**, who was found guilty at the late Maitland Circuit Court of the murder of Mrs. **NEILSON**, at Clarence Town, was executed at Newcastle. We have received the following account of the execution from our Newcastle correspondent:- On Friday, the 20<sup>th</sup>, at half-past 9, a.m., pursuant to his sentence, the execution of Bryan took place near the gaol. The unfortunate man declared on the scaffold his innocence of the crime for which he was about to suffer. I understand, from reports, that the poor creature was near a quarter of an hour in agony, owing it is said to some mismanagement, and that the executioner had to ascend a ladder twice to adjust some part of the apparatus before life was extinct." From the *Sydney Morning Herald* of the 21<sup>st</sup> instant we take the following account of the last fatal scene:-

"EXECUTION. - Patrick Bryan, found guilty at the last Maitland Circuit Court of the murder of Mrs. Neilson, at Clarence Town, was executed at Newcastle yesterday morning, at nine o'clock. The culprit, accompanied by the Rev. Mr. Dowling and Mr. Under Sheriff Prout, ascended the scaffold with a firm step, and addressed the crowd assembled in the following words:-

'My dear friends; it gives me the greatest comfort this world can now afford, that I am enabled to declare from the utmost recesses of my heart, that I am as innocent of the death of Eliza Neilson as any of you standing before me. I am not guilty even of a thought of such. I only knew of it when apprehended and taken where the body lay.'

The rope being then adjusted by the executioner, the drop fell, but an unfortunate occurrence took place. Bryan moving his head, the knot of the rope slipped under his chin, and the consequence was that his neck was not dislocated. The unfortunate man thus remained hanging in the greatest agony for thirteen minutes, beating his breast with his hands, and ejaculating 'Oh! My God!' Mr. Prout sent the executioner up, who jammed the knot under the chin, and also laid hold of the end of the rope with his weight upon Bryan. The populace were very much excited, and commenced showing their displeasure at the above circumstance; but on the Under Sheriff addressing them, to the effect that it was a melancholy sight, but that it was the unfortunate man's own fault by moving his head, they dispersed quietly."

**SUDDEN DEATH.** - On Saturday an inquest was held at the Red Cow Inn, before **J.S. PARKER**, Esq., coroner, on the body of **MARY WOOLFE**, the wife of the landlord of the Red Cow, who had died suddenly that morning. It appeared from the evidence that Mrs. Woolfe had for years past been habitually given to drinking spirits, and in the habit also of taking opium, and that this led to frequent quarrels between her and her husband. On Thursday night, when Mr. Woolfe went to bed, he found his wife had been drinking spirits to excess, and after some words with her, he caught up his boot by the strap, and struck her on the face with it. A young man who slept in the next room, named **LITTLEHALE**, heard the quarrel, and called Mr. Woolfe out, when Mr. W. went to sleep in another room by himself. Mrs. Woolfe shortly after left her bedroom, and went into the kitchen for a short time, when Mr. Littlehale noticed that she had blood on her lip. The next day Mrs. Woolfe had a black eye and swollen lip, but otherwise appeared much as usual. On Friday night she was again intoxicated, and was sent early to bed by her husband, but no quarrel ensued between them. The next morning Mr. Littlehale called to a young girl who slept in the same room with Mr. and Mrs. Woolfe, and he heard Mrs. Woolfe say, "Anny, get up, you're called." Mr. and Mrs. Woolfe were then both in bed, but between eight and nine o'clock Mr. Woolfe called in Mr. Littlehale to see his wife, saying that he feared something was the matter with her. Mr. Littlehale went in, and saw that Mrs. Woolfe was laying on the bed insensible, and apparently in a fit, and by his advice Mr. Woolfe sent for Dr. **M'CARTNEY**; but before he arrived Mrs. Woolfe was dead. Dr. M'Cartney inspected the body, and found the marks above mentioned, with a slight mark on one arm and another on the leg, but nothing that showed the cause of death. A post mortem examination was then made, and Dr. M'Cartney found that deceased died from serous apoplexy, brought on from habits of intemperance, and the frequent use of opium.

**INQUEST ON AN ABORIGINAL.** - On Monday a body was discovered floating on the water in a deep hole or well which had been excavated for coal near Mr. Brown's coal-works, East Maitland. There was about fourteen feet of water in the well, and it was about thirty feet from the ground to the surface of the water. The body was floating on its back, naked, with a large gohanna lying on it, and seen from above it looked exactly like the body of a white man. Notice was sent to the Coroner, **J.S. PARKER**, Esq., who was shortly in attendance, and empanelled a jury. After several fruitless efforts the body was raised to the surface, and examined by Dr. **EDYE**, who found it to be that of an aboriginal, and that death had been caused by several blows with a sharp instrument on the back of the head, which had fractured the skull in many places; the body appeared to have been dead some ten days, and in Dr. Edye's opinion the wounds could not have been produced by injuries received in falling down the well. The gohanna clung closely to the body as it was lifted out, but was immediately killed by the spectators; it did not appear to have bitten or eaten any portion of the body. The jury returned a verdict that they believed the aboriginal (unknown) to have come to his death by wounds inflicted on the head by some person unknown, and that the body had been then cast into the well for concealment.

**MAITLAND MERCURY**, 6/451, 28/10/1848

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

**AN ABORIGINAL DROWNED.** - On Monday last, the 23<sup>rd</sup> instant, a native black named **MACQUARIE**, well known in the neighbourhood, was drowned in the breakers at the back of the Lighthouse Hill. It appears a party of men were diving for lobsters or crayfish, and poor Macquarie, perhaps not quite so sober as he might have

been, got under some rocks, or struck his head against the rocky bottom, and became stunned, so that he did not rise to the surface. Some of his comrades went to look for him, and diving brought him up quite dead. An inquest was held on the body yesterday by Dr. **STACY**, and a verdict returned of accidentally drowned. October 25, 1848

**WOLLOMBI.** - The friends of Mr. **J. M'DOUGAL** will be glad to learn that he is gradually recovering from the effects of the accident mentioned in your paper of Wednesday week. He is under the care of Dr. **DUMOULIN**, who pays him the most unremitting attention, and who seems to have sanguine hopes of the early and complete re-establishment of his health.

**SINGLETON.**

**DREADFUL ACCIDENT.** - On Monday afternoon last, as a carrier named **GEORGE JONES** was proceeding on his way from Singleton to Maitland, with his dray, laden with wool, and containing about thirty-six cwt., when about three and a half miles from Ramsay's (on the Maitland side) he was by some means knocked down, and the dray went over him, the wheel passing from the point of his shoulder over his back. He was discovered lying on the road by his eldest son in about a quarter of an hour afterwards, about fifty yards in the rear of his dray, when assistance was procured as speedily as possible. He was conveyed to Mr. Ramsay's public house, and Dr. **STOLWORTHY** sent for. Upon that gentleman's arrival it was discovered that two of the unfortunate man's ribs were broken, and he had also received several other internal injuries. The Dr. has been unwearied in his attentions to the sufferer, but he still lies at Mr. Ramsay's in a very precarious state. He is the father of seven children, and has resided in this neighbourhood for many years.

**MAITLAND MERCURY, 6/452, 01/11/1848**

**THE LATE EXECUTION AT NEWCASTLE.** - We think the government would do well to cause an investigation into the manner in which the late execution at Newcastle was conducted. From some cause or other the unfortunate man [**PATRICK**] **BRYANT** was kept a considerable time in the most excruciating agony. This is said to have been caused by the executioner being unfit, from *delirium tremens*, to perform his business properly. If this was really the case, it is discreditable to the government, and to those whose more immediate duty it was to see the sentence of death carried into effect. Inquiry ought to be made, not only for the purpose of dealing with those who are to blame in this case, but to prevent similar mismanagement in future.

**HARTLEY. - ACCIDENTS.** - An accident of a serious nature occurred on Saturday, October 26<sup>th</sup>, a short distance from Hartley; and which I mention more particularly on account of its affording another proof of the necessity of trusting to the sagacity of your horse in case of difficulties in the bush. A Mr. **LESTER**, residing far up the country, found it necessary to come thus far down the country to meet his teams, on their return from Sydney. After having found them, a short distance from this place, he was returning late in the night to Mr. Mylecarane's house, at Hassan's Walls, when by some means he got out of the road and wandered through the bush behind Mr. M.'s. Nearly a mile and a half in the ear of the house there is a most dangerous gully, the banks of which shoot abruptly up to the height of nearly 150 feet - rocky, broken, and precipitous. Along the edge of this chasm there is a narrow and slippery path, worn by the wild cattle; a hill of considerable elevation forming the other boundary to the track. To this hazardous spot Mr. Lester wandered; and his horse, as soon as he hit the track, continued scrambling along it, but the rider, not

satisfied to trust him further, and thinking he had descended too much, endeavoured to turn the animal several times from the path (which winds round the base of the hill, and would ultimately have led him to his destination) and to force him to breast the hill; four or five times the horse regained the track (as may be seen by the marks in the soft ground), but at last a more violent jerk from the bridle overbalanced the poor animal, and down went horse and man, at one plunge, over the abyss, dashing against projecting rocks, and at last lighting at the foot of a waterfall which tumbles off the cliffs in that place. The rider escaped with life, and barely that; the horse was literally dashed to pieces, not a limb remaining whole. Mr. Lester crawled from the place, and about morning reached Mr. Mylecarane's, nearly exhausted by the loss of blood, and completely crippled. He is gradually recovering.

- Another accident, ending much more seriously, occurred yesterday at a late hour, to a man named **HUTCHINSON**, who, as he was crossing the river, close to the residence of Captain Ball, at Glenroy, by some means got himself entangled in the chains of the leading horses. Before his companion could extricate him the horses took fright, and set off with the cart at a furious rate, dragging poor Hutchinson along with them for more than a mile. When the horses were stopped, and the poor fellow released, it was found that besides a mass of bruises, some of the most serious nature, his ankle-bone was wrenched from its socket, and his foot mutilated in such a manner that immediate amputation was necessary. Dr. **ROGERS**, from the Stockade, at Blackheath, was immediately sent for, and this morning performed the operation most skilfully and expeditiously. The invalid is now lying at Mr. Nairn's, at the Hartley Hotel, where he receives every attention both from the operator and the inmates of the house. This accident is the more to be regretted as Hutchinson has a wife and several children, whom he had supported by his industry, and had only recently succeeded in becoming the owner of a small flock of sheep, the fruits of his labour. *Correspondent of Daily News*

**BUNGONIA.** - **MELANCHOLY CASE OF SUICIDE.** - On Saturday forenoon, the 21<sup>st</sup> instant, Mr. **J. SCEALES**, innkeeper, of Bungonia, took a quantity of morphia. He was a married man, and it is said the case that had led him to it is the unhappy state he has been in for some time back on account of Mrs. Sceales having taken to drink; but it is also said he has not been very correct in his own habits. On the above day he said he was miserable, and with the mistaken view of getting rid of his trouble he threw back his existence in his Maker in the manner above stated. After he took the poison he sent for the Rev. **G.N. WOODE**, saying that he was the only friend that he had, and to whom he communicated the distressing intelligence. Mr. Woodd pressed on him to take an emetic, but he would not hear of it, and resisted every attempt to bring him to a proper state of mind. He took a female servant into a bedroom where his wife was lying, she having lost the power of her legs some time ago, and said before the servant, who was to witness it, that what property he had was to belong to Mrs. Sceales. He continued under the influence of the poison from about ten o'clock A.M. till seven P.M., when death ushered him into the presence of his Maker. An inquest was held by Dr. **WAUGH** on the following day, when a verdict of *felo de se* was returned, and his body, according to the said verdict, was ordered to be interred at midnight. *Herald Correspondent*

**HUNTER RIVER DISTRICT NEWS.** - **MUSWELL BROOK.**

**POLICE COURT.** - **THE LATE MURDER.** - Chief constable **FOX** has brought forward further evidence relative to the murder of **CONNELLY**, corroborating the evidence of **THOMAS M'GUIRE**, who has identified **GEORGE WATERS WARD** as one of the two men that camped at the fire where the murder was

committed on the night of the 12<sup>th</sup> April last. It appeared from the evidence of **PATRICK BURNS**, who is the father of a family, and in charge of the station where M'Guire resided, that M'Guire went into Muswell Brook in April last, and that he returned home to the station a little before daylight on the morning of the 13<sup>th</sup> April, this being the morning after the murder; and that after Burns asking him the reason of his being absent from the station so long, M'Guire then related to him the same circumstances as related in his evidence, with respect to his leaving two men at the fire about 12 o'clock at night, and his returning to the fire two hours before daylight and finding that the men were then gone, the particulars of which appeared in your journal of July last. 31<sup>st</sup> October, 1848

MAITLAND MERCURY, 6/454, 08/11/1848

SYDNEY NEWS. - ATTEMPT AT SUICIDE. - **GEORGE BROWN**, who evidently appeared of unsound mind, was brought before the sitting magistrate at the police office this morning, having made several attempts to drown himself yesterday afternoon in that part of the harbour which lies abreast the Botanic Gardens. He was on each occasion prevented from completing the rash act, and was ultimately, though with difficulty, conveyed to the watch-house for prosecution. He could not understand the charge brought against him, and was remanded, that evidence as to the state of his mind might be obtained.

CENTRAL CRIMINAL COURT. [Abridged from the S.M. Herald]  
THURSDAY, NOVEMBER 2, 1848

#### STABBING

**TIMOTHY TOOMEY** was indicted for stabbing **WILLIAM AUSTIN**, at Sydney, on the 12<sup>th</sup> September, with intent to do some grievous bodily harm.

The particulars of this unprovoked outrage we gave at the time. The jury acquitted the prisoner on the ground of insanity, and he was remanded to gaol till the pleasure of the Governor should be known.

#### GAOL DELIVERY

**JACKEY JACKY** (aboriginal native), in custody on a charge of murder at the M'Leay River, was remanded till next sessions.

MAITLAND MERCURY, 6/455, 11/11/1848

#### EDITORIAL

##### THE MACINTYRE RIVER

Our own columns have afforded proof that during the last fifteen or eighteen months the relations between the whites and the blacks on the Macintyre River have been of a most unsatisfactory character. Within that time not less than seven whites have been murdered by the blacks. First there were two men killed on the road; then Mr. Marks's boy; then two men of Mr. Perrier's; then Jemmy the Jockey on Mr. Wightman's station; and just lately a bullock driver in the employ of Messrs. Yeomans and Baldwin, while removing the stores and other property from the deserted station of Mr. Marks. There is no such authentic record to be had of the blacks who have been killed by the whites during that period; but we may rest assured that at least life for life has been exacted, and sometimes more.

And yet during this period the government has been little more than a passive spectator of these mutual murders. Instead of taking immediate and vigorous measures to follow up and punish the perpetrators of the earlier outrages, without respect to colour, its interference has been delayed until a

fearful mass of crime has accumulated; and then the powers of the law are set in motion to punish the offenders of one party, while no effective effort is made to bring those of the other to justice. The practical effect of this policy is now being exemplified; the blacks are emboldened in their aggressions; that stations on the Macintyre are being abandoned, the men declining to remain on them exposed to the attacks of the aborigines, without protection from the government, and yet afraid to fight in their own defence.

Has the government, in allowing things to get to this pass, done its duty either to the whites or to the blacks? Has it no higher and better function in regard to the relations between these parties than the irregular and partial punishment of crime? Is it not its bounden duty, when disturbances of this nature arise, to interfere immediately and effectively, instead of facilely sanctioning mutual outrage? It is surely better to prevent bloodshed than to punish murder.

The squatters on the Macintyre hold their stations under the sanction of the government. They pay their license fees as a consideration for the use of the land they occupy; they contribute their full quota to the general revenue of the colony, from which the ordinary police expenditure is defrayed; and, over and above this, they pay a special tax on stock, from which those who are not squatters are exempt, in order to provide a fund from which extra expenses incurred for their protection and benefit may be paid. And yet during eighteen months of lawless aggression against life and property on the one side, and against life and natural rights on the other, the government has virtually done nothing to prevent outrage, and to afford the extra protection which under the circumstances was absolutely required. If government cannot, or will not, afford protection, they are not justified in sanctioning occupation or in levying license fees and assessment.

From the latest accounts which have come down, it appears probable that of the government do not immediately organise some force for effectually protecting life and property on the Macintyre, many of the stations on that river will have to be abandoned. The longer this efficient protection is withheld, the greater will be the waste of life and property, and the more difficult the ultimate task of restoring order in the district.

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FATAL ACCIDENT. - On Thursday evening last Mr. **JOHN SAWARD**, of the Seaham punt, on the William River, was in Morpeth buying goods, and left, driving a spring cart, about six o'clock. He was seen afterwards driving homewards through Hinton at rather a quick pace. Nothing more was heard of him that evening, but we regret to add that yesterday morning his dead body was found on the road, near Bartie's Swamps, lying near the overturned cart. At that place the road is in a very bad state, and it appeared as if the wheel had gone against a stump, overturning the cart, the wheel going over Mr. Saward's neck, or the cart striking him on the neck, there being a bruise observed on it. Mr. Saward was highly respected, and leaves a widow and six children to lament his untimely death.

BIRTHS.

At Rushcutter's View, Sydney, on the 6<sup>th</sup> Nov., Mrs. **W. STEIR**, of a daughter, still-born.

DISTRESSING BOAT ACCIDENT. - About four o'clock yesterday afternoon, as Captain **CUDLIP**, of the North American whaler *Canmore*, with the chief officer, Mr. **COOK**, were in a sailing boat off Longnose Point, the boat, owing to a sudden gust of

wind, upset. The accident was simultaneously observed on board Mr. Want's boat the *Pearl*, and at the magazine on Goat Island, and boats were immediately put from the vessel and from the Island by Mr. **BUCHANAN**. The *Pearl's* boat was the first to reach the scene of the disaster, when the body of Captain Cudlip was picked up within ten minutes after the accident, and Mr. Buchanan's boat coming up at the time, it was conveyed to the Island, where every possible means of resuscitation were tried, but without avail. The body of Mr. Cook was not seen after the accident. Capt. Cudlip, it may be remembered, arrived in this port some months since with the *Canmore*, of which he was part owner, and was remaining here for the benefit of his health until the return of his vessel, which he sent on a six months' cruise, under the command of Captain **COURTENNY**. Mr. Cook, the chief officer, left her at this port to take charge of the schooner *Columbine*, but having been succeeded in the command of that vessel by Captain **SERJEANT**, he was remaining in Sydney to join the *Canmore*. *Herald, Nov. 7*

An inquest was held yesterday by Mr. **RYAN BRENNAN**, on the body of **AMELIAS CUDLIP**, late master of the North American whaler *Canmore*, then lying dead at his late residence at Balmain, whither the body had been removed from Goat Island after the melancholy occurrence on Monday afternoon. The evidence adduced was as follows:- Mr. **COHEN**, of Balmain, deposed that, about four o'clock on the previous (Monday) afternoon, he saw the deceased and a second person sailing in a small boat, carrying a jib and mainsail; they were then off Bollard's Point, and on their return the witness saw the sail shake in the wind, but it appeared to him to be fast, and the next puff of wind brought the boat down on her broadside, and she immediately disappeared. The witness observed the deceased and his companion struggling on the surface of the water for about five minutes, and immediately on seeing the accident, with a second person, manned a boat and out off to their assistance, but before reaching the spot where it had occurred, a second boat, which had also put off, had picked up the body. About ten minutes elapsed from the time when the boat capsized until the body of the deceased was recovered. Mr. Surgeon **HUNTLEY**, of Balmain, gave evidence to hearing a cry of a boat being capsized, and immediately after seeing two boats rowing about apparently in search of something; subsequently saw the body of the deceased, with whom he was acquainted, picked up by one of the boats and conveyed to Goat Island. Witness immediately proceeded to the Island, and on viewing the body saw there was no sign of life. Inflation of the lungs and the usual remedies of resuscitation were tried and continued for about an hour, but without avail. There could be no doubt death was caused by drowning. The jury at once returned a finding of accidental drowning. The body of Mr. Cook, who was with Captain Cudlip in the boat, had not up to a late hour of yesterday afternoon been recovered. *S.M. Herald, Nov. 8*

**GUNDAROO. - FATHER AND SON DROWNED.** - We have heard by a gentleman returning from Queanbeyan of a most melancholy accident that occurred last week at Gundaroo. According to report, the two sons of Mr. **STEAD**, of that place, were amusing themselves at the side of a waterhole, when one of them fell in; the other ran home, a short distance, and told his father, who sent the boy on to tell others to come, and he ran to the place where the accident occurred, and went into the water to save his son, but when the others whom the surviving son had told arrived (Mrs. Stead was amongst the number), neither the father or the son could be seen, but the boots of the former were by the water's edge. Our informant also says that Mrs. Stead was confined an hour after the accident occurred. We believe it was a

considerable time before the two bodies were recovered. *Herald Goulburn Correspondent.*

MAITLAND MERCURY, 6/456, 15/11/1848

THE MACINTYRE RIVER. - The following is an extract from a letter received in town on Monday, dated Bogabilla, Macintyre River, Nov. 5, giving the latest particulars relative to the blacks on that river:- "Mr. Commissioner **BLIGH** is here, with Mr. **SNAPE**, and two men, also a party of six special ticket-of-leave constables, under a chief. Yet the blacks are very troublesome. They have killed several of Mr. Marshall's cattle this week, and this morning they have killed some in the camp, and chased a man home to his hut. Mr. Bligh is this moment taking his deposition under a tree. The Commissioner attempted the day before yesterday to take one of the notorious murderers, but he escaped with a shot from Mr. Bligh's pistol in his thigh." INQUEST ON MR. SAWARD.

In our last we mentioned the fatal accident that had caused the death of Mr. **SAWARD**, of the Seaham punt, William River, on the evening of Thursday last. On Friday an inquest was held on the body, before **J.S. PARKER**, Esq., Coroner, at Mr. Bartie's house, Rosebank. It appeared that Mr. Saward had driven through Hinton before six o'clock on Thursday evening, being perfectly sober; he drove quickly as he left the township, but was seen to pull up, and drive steadily, further up the road. A stockman named **CHRISTOPHER WEST** was riding towards Hinton the next morning, and about two miles from Hinton he found the spring cart overturned, and lying on its side, the unfortunate Mr. Saward being underneath it; the cart had a seat with high sides to it, and one of these sides rested on his neck, his head and right hand projecting from underneath; West found that Mr. Saward was quite dead and cold, although he did not appear to have died instantly, his right hand having swept the dust about in a semicircle, as if he had vainly endeavoured to release himself. The horse, a very quiet one, was lying on its side in the shafts, and very much exhausted. West galloped off to Mr. Bartie's, who sent assistance, when the horse was released, and the cart lifted up; it was found that a bag of sugar had rested on Mr. Saward's leg and that he had evidently died from the weight of the cart resting on his neck. The cause of the accident was the butt of a fallen tree lying close to the roadside, over which one wheel had gone, and had caused the cart to overturn. The jury returned a verdict of accidental death.

NEWCASTLE. - SUDDEN DEATH. - On the evening of Friday last, between nine and ten o'clock, as Mr. **GEORGE FELTON**, Episcopalian schoolmaster, of Newcastle, was sitting in his verandah, he was suddenly seized by apoplexy, which entirely destroyed the use of his right side, and rendered him perfectly speechless. Dr. **BOWKER** was immediately called in, and everything that skill and unremitting attention could suggest was done, but without avail, Mr. Felton lingering until five o'clock on Sunday evening, when he died, having continued speechless from the time of the attack. Mr. Felton, who has left a widow and a numerous family to lament his sudden death, has been for many years a resident of Newcastle, where he was greatly respected as a man of undeviating integrity of character, of social and friendly habits, and of varied information.

THE LATE DISASTROUS BOAT ACCIDENT. - The body of Mr. **COOK**, the chief officer of the whaler *Canmore*, who was drowned with the master of the vessel, Captain **CUDLIP**, on the afternoon of last Monday, was yesterday evening recovered. The body of the unfortunate man was found, much mutilated by a person of the name of **DERBYSHIRE**, floating close to the spot where the melancholy accident

occurred, and was brought ashore to the Captain Cook Inn, Balmain, where an inquest will be held to-day. *Herald, Nov. 13*

INQUEST. - An inquest was held this day, at the Shipwrights' Arms, Balmain, on the body of **AMOS COOK**, who was drowned on Monday last by the upsetting of a boat, in which he and Capt. **CUDLIP** were sailing in the harbour. Verdict - accidentally drowned.

DEATH FROM DROWNING. - Between four and five o'clock on Friday afternoon, Mrs. **MURPHY**, a resident at Newtown, missed her son, a child of little more than two years and a half old; finding that he did not answer to her call, she went in search of him, and, melancholy to relate, on passing by a water-hole, saw the body of her son floating on the surface. She immediately pulled the body out of the water, but the vital spark had flown. An inquest was held on the body, at the residence of her parents, on Saturday afternoon. Dr. **TIERNEY** having stated his opinion from the appearance of the body, and the history of the case given by the mother, that death had resulted from suffocation by drowning, the jury returned a verdict of accidentally drowned. *Herald, Nov. 13*

#### DEATHS.

On the 9<sup>th</sup> Nov., Mr. **JOHN SAWARD**, of Seaham, in the 38<sup>th</sup> year of his age. He was a very industrious man, much esteemed, and respected by all who knew him; he has left a wife and four children to deplore their loss.

DROWNING. - A few days since a man named **SALTMARSH**, nicknamed "**Bill the Barber**," in attempting to cross the Lachlan River on horseback, was swept off his horse and drowned; the horse safely reached land. The body was found and interred without any inquest being held. About a fortnight since five men were crossing the junction of the Macquarie River in a boat, which came in contact with the stump of a tree, and the boat was capsized; three of the men who could swim reached land, but two who could not were drowned. They were in the employ of Mr. **HIERONIMUS**, the innkeeper, at Wellington; diligent search was made for the bodies, but up to the time of our despatched they had not been found. *Bathurst Correspondent of Herald*

SHOCKING ACCIDENT. - On Wednesday afternoon last, an accident of a most distressing nature occurred to a seaman named **JAMES BROWN**, mate of the *Clarissa* schooner. It appears that as the *Helen*, three-masted schooner, was going alongside Mr. Peterson's wharf at South Brisbane, where the *Clarissa* had been lying, the latter drifted stern on to the *Helen*. Brown thrusting his feet against the *Helen* endeavouring to "fend off," unfortunately got his legs crushed between the two vessels; the bone of the right leg being snapped off short, a little above the ankle, and that of the left being jammed into a compound fracture, at about the same place. The unhappy sufferer was immediately extricated, and a litter having been formed, was conveyed to North Brisbane, where Drs. **CANNON and BALLOW** immediately attended to his injuries; and both legs were properly set in splints. The poor man bore all his sufferings with the greatest fortitude, and preserved his presence of mind throughout. We are glad to add, from the opinions of the medical gentlemen in attendance, that there is every hope of both legs being saved. *Moreton Bay Courier, Nov. 4*

MAITLAND MERCURY, 6/457, 18/11/1848

SHOCKING CASE OF SUDDEN DEATH. - Yesterday the man **WILLIAM BAMFORD**, who underwent an examination at the police office, on Monday, on a charge of stealing a cask, the property of Mr. **JAMES WRIGHT**, was on being sent

for from the lockup in order to undergo a second examination, found lying dead in the cell in which he had been confined. From the prisoner's appearance yesterday, it was evident that he was labouring under the effects of delirium tremens; and it was noticed also in the lockup that he seemed, last night, in a certain degree wandering in his intellect. This morning at eight o'clock, on relieving the watch at the lockup, the arriving constable visited the prisoner's cell, and found him sitting up apparently all night; at half-past nine, however, when sent for to be examined, he was found lying stretched out on the floor of the cell, quite dead. An inquest was held on the body this afternoon. *Daily News, Nov. 14*

MAITLAND MERCURY, 6/458, 22/11/1848

CORONER'S INQUEST. - One was held on the 28<sup>th</sup> October, at the Fish River, on the body of a man named **TOWNSHEND**, found dead near Kinghorn's mill. It appeared that more than a month since, the deceased, with his son, were riding in the neighbourhood of the Fish River, when the former's hat was blown off, when he exclaimed "there is **CASTLES**, the constable, who would sell his own father for a shilling;" he set spurs to his horse and rode off at a furious pace towards the bush; the son stopped to pick up the hat and then rode after his father, but after a search of many hours he could not find him; he then returned home, and it was nearly a month after before the body was discovered, then in a perfect state of nudity; when found the body of the deceased was in a dreadfully mutilated state, the flesh having been apparently gnawed off by native dogs, and the body black from exposure to the weather. - Verdict, found dead. It was generally supposed by the family of the deceased that he had been seized with a fit of temporary insanity, and whilst labouring under it had divested himself of his clothing, had rolled down a creek bank where his body was found; and, rather singular, the horse he had been riding was found within a short distance of the body, and from the appearance of the herbage around it was clear the animal had not kept in close proximity to the deceased from the time of his death until the body was discovered; the wearing apparel was found within a short distance of the body. *Bathurst Correspondent of the Herald*

GUNDAGAI. - A short time since a man residing at the Tumut went out to catch a horse, and not returning again to his home, it was supposed he had been drowned in one of the creeks near his residence, which were then much swollen from the rain. After several days' search, his body was discovered on a hill side, and in such an advanced state of decomposition, that although it was possible to identify him, no satisfactory conclusion could be arrived at as to the cause of death. It was, however, I believe, ascertained that it did not result from personal violence.

A man of the name of **JOHN GRASSE**, a stockman in the employment of Mr. **RICHARD GUISE**, of Gundaroo, was drowned a short time since in crossing a swollen creek on the Lower Murrumbidgee. After a few days his body was recovered and buried. *Correspondent of the Herald*

MAITLAND MERCURY, 6/459, 25/11/1848

MELANCHOLY ACCIDENT. - An accident of a very distressing nature occurred at Greenwich, on the North Shore of the Parramatta River, on the afternoon of Thursday last. It seems that a female of the name of **WARRINGTON**, a widow, residing in the bush in this locality, quitted her hut for about an hour, leaving her eldest daughter, about twelve years of age, in charge of some younger brothers and sisters. So far as surmise goes, and nothing more is to be acquired, the deceased went to a well to procure some water, and in drawing it up must have overbalanced herself. The only

information that could at all be gained, and which supports this view, at the inquest held on the following day by Mr. **RYAN BRENNAN**, was that of a person named **CONLIFFE**, who was employed at about a quarter of a mile distant from the deceased's residence. The witness stated that one of the deceased's sisters, a child of very tender years, ran to him, and told him the deceased had fallen into the well; he (Conliffe) lost no time in proceeding thither and recovering the body, which he found floating on the top, but on bringing it up life was extinct. Examination of the locality showed there was so steep a declivity to the well, that it was probable any person rapidly traversing it, would, ere they could recover themselves, be precipitated into it. The evidence of Dr. **TIERNEY** further coincided with this view. The body presented such bruises and marks as would be caused by accidental falling. The other appearances shown were usually attendant on death by drowning. A finding was returned by the jury in accordance with this evidence. *Herald, Nov. 20*

**DEATH FROM BURNING.** - An accident of a very distressing nature occurred on Sunday evening to one of the sons of the Rev. Mr. **MAKINSON**, a child of about four years of age, at his father's residence in Castlereagh-street. It appears that within two or three minutes after a female had put the child to bed, she was alarmed by loud screams, and on returning to the apartment found him enveloped in flames, having arisen and, as it is supposed, in playing with a candle left burning on the wash-stand ignited his clothes. The flames were promptly extinguished. And Mr. Surgeon **NATHAN** called in. It was then found that the body, hands, face, and thighs were dreadfully burned. Every possible means to save life were tried, but the sufferer, after lingering until early in the forenoon of yesterday, expired. An inquest was subsequently held on the body, when a finding of accidental death from burning was recorded. *Herald, Nov. 21*

**MAITLAND MERCURY, 6/460, 29/11/1848**

**GOULBURN, NOVEMBER 22.** - A most melancholy and fatal accident happened in the immediate neighbourhood of this town, at a place where a great many brickmakers carry on their work. Two men of that occupation were undermining a portion of clay about ten feet high, and had excavated about two feet six inches; they were not without apprehension of their danger, and one, at the request of the other, had just stepped aside for the purpose of going up to see if the earth was cracking or giving way at the top, when the whole mass came down on the one named **JOHN BANKS**, and buried him. All the help that could be mustered used every exertion to remove the earth, and the poor man was heard to say, when recovered, that it was all over with him. When taken out he was quite insensible, and continued in great agony about an hour and a quarter, when he died. An inquest was held this day, when a verdict of accidental death was recorded. *Herald Correspondent*

**MELANCHOLY ACCIDENT.** - On Thursday last, as a little girl, about four years of age, the daughter of **PATRICK and BRIDGET HAYFIELD**, at the Sugarloaf, was playing by the side of a waterhole, within a hundred yards of her home, she accidentally slipped in, and was drowned. The accident was immediately perceived by an elder sister, a girl about six or seven years of age, who hastened to inform her mother, who, it appears, had a short time previous gone to a neighbour's hut, about a quarter of a mile distant, but before the distressed mother could reach the waterhole her child was lifeless. The same day information of the sad circumstance was conveyed to the nearest magistrate, **W.K. CHILD**, Esq., who, after the usual inquiries in such cases, gave instructions for the early interment of the deceased, which

accordingly took place on the following day, at the catholic burial ground, East Maitland.

**FATAL ACCIDENT.** - On Saturday evening last, **CATHERINE KEARNEY**, a little girl of nine years old, whose parents reside at Miller's Forest, was playing about in the house, when her clothes accidentally caught fire, and although her father and mother extinguished the flames as quickly as they could, she was so much injured that she died early on Sunday morning. On Sunday afternoon an inquest was held on the body, before **J.S. PARKER**, Esq., coroner, and a verdict of accidental death returned. This is said to be the third child Kearney has lost by fatal accidents in the last nine months; in this case his own hands and his wife's were much burnt in endeavouring to save the poor girl.

**THE LATE AFFRAY WITH THE BLACKS ON THE M'INTYRE.** - A man and woman have been committed this week by the bench here, it is said for attempting to bribe the approver **M'LEAN** to make his escape, by offering him a sum of money. They are allowed bail, but have not yet procured it. M'Lean, you will observe, has been kept here, not having been forwarded with the other prisoners when they were sent down some time ago. Mr. Commissioner **BLIGH** and party lately visited the M'Intyre in pursuit of the blacks who murdered Mr. Yeomans's man, but did not succeed in capturing them. Mr. Bligh, it is said, wounded one of them. It appears that the savage was armed with a large knife, which he kept concealed under some rude clothing that covered him, and he appears to be a desperate villain. A constable and three tickets-of-leave men are now stationed at Mr. Morris's station, on the M'Intyre, and will remain there, I believe, until the black police be sent up. It is a pity that this was not long since done, as the settlers there are almost ruined by the aboriginal marauders continually driving the cattle from the runs. It is hoped the plans now adopted and in progress will ultimately quieten the district.

**MAITLAND MERCURY**, 6/461, 02/12/1848

**CORONER'S INQUEST.** - An inquest was held on Saturday afternoon, at the house of Mrs. **COULSTON**, the Whitehaven Castle, Sussex-street, on view of the body of **GEORGE THOMAS SPICER**, a child of about nine years of age, who had met his death by drowning. It appeared from the evidence of a lad named **SWAN**, that about noon on Friday, the deceased, and another little boy, went down to Dodd's Wharf; the deceased stripped, and walked into the water, which did not reach above his thighs, until he came to a hole, w3hen he disappeared; twice he came to the surface, but the third time he sunk to rise no more, until he was brought up by a net, which was brought to the spot by some men who were at work near the spot, who came up on the instant alarm was given by the witness. The body was quite cold and life-less when recovered. The jury found a verdict of accidental death. *Herald, 27<sup>th</sup> November*

**INQUEST.** - An inquest was held yesterday by Mr. **RYAN BRENNAN**, at Lee's, the St. John's tavern, George-street, touching the death of one **HUGH M'KAY**, then lying dead therein, and who had expired rather suddenly at half-past seven o'clock on that morning. By the evidence adduced it appeared that the deceased, who was about fifty years of age, resided at New England, but had been in Sydney since Thursday last, since which time he had been staying at the St. John's Tavern. Late in the afternoon of the previous day (Tuesday) he complained of cramp in the stomach, an ailment to which he was subject, and at about ten o'clock at night was seen by Dr. **FOULIS**, who prescribed for him. On the following morning M'Kay drank a quantity of water, and being in much pain afterwards, Mr. Surgeon **CARTWRIGHT** was called in, but M'Kay shortly afterwards expired./ A post mortem examination

was made by Dr. Foulis and Mr. Cartwright, when extensive effusion of blood and fluid on the surface of the brain was found. There was also disease of the kidneys, and partially of the heart, and the lungs were very much congested. In the opinion of the medical men death had resulted from apoplexy, and a finding in accordance therewith was recorded by the jury. *Herald, Nov. 30*

**AWFULLY SUDDEN DEATH.** - On Wednesday afternoon last an inquest was held on view of the body of **ROBERT JONES**, late a corporal in the 11th regiment of foot, and then lying dead in the Hospital. From the evidence of **JOHN DAVIS**, private in the 11<sup>th</sup>, it appeared that deceased was on guard on Wednesday morning last, and that he had brought the relief to Davis's post at about eight o'clock. After they returned to the guardhouse, deceased looked fixedly at witness, and asked him if he had been drinking last night, as his face looked red, and his eyes seemed to have a strange glare. Witness said, no; you know I was not drinking. Deceased seemed to speak incoherently, and wildly; he was cutting up some tobacco at the time. Witness had not observed anything remarkable in the manner of the deceased when he relieved him from guard. While deceased was still cutting the tobacco, he suddenly dropped on his knees - leaning forward against the guardbed. Witness assisted in braising him, and took off his stock and watch-coat; he was then laid upon the ground, and sprinkled in the face with water - but he seemed to be almost immediately dead. The Coroner having left the case to the jury, they returned a verdict of "Died by the visitation of God." *Moreton Bay Courier, Nov. 18*

MAITLAND MERCURY, 6/462, 06/12/1848

HUNTER RIVER DISTRICT NEWS. - ARMIDALE

**FATAL ACCIDENT BY LIGHTNING.** - On the evening of Wednesday, the 22<sup>nd</sup> instant, during a severe thunder-storm which occurred at this place, two labouring men, brickmakers, who had just returned from work to their hut, were instantly struck dead by the electric fluid. It is supposed that a frying-pan which they were in the habit of using, and which was suspended from the roof of the house, was the means of attracting the fluid. We regret to state that in consequence of their [sic] being no coroner here, and the resident magistrate being absent, the bodies were interred without an inquest. Immediately after the accident Dr. **MARKHAM**, with his usual promptness, visited the unfortunate men, but the vital spark had fled. A third man, who was in the hut at the time of the storm, was struck down, but not much injured. An instance of this nature is not remembered before to have occurred here.

**SERIOUS ACCIDENT.** - About half-past six o'clock on Thursday afternoon, as a man in the employ of Mr. Dixon, of Waverly, was driving a cart along Lower George-street, the horse suddenly took fright, and the man was thrown out of the vehicle. Falling in front of the wheels, one of them went over him, and on being picked up he was found to be insensible, and seriously injured. He was immediately removed to the infirmary, and is in a very precarious state. *Herald, Dec. 2*

MAITLAND MERCURY, 6/463, 09/12/1848

**FATAL OCCURRENCE.** - We learn that either on Wednesday or Thursday a drunken row took place between several men employed on a farm near Hinton, which ended in one of them, an elderly man [**PETER JOHNSON**], receiving such injury that, after lingering for a time, he died yesterday morning. An inquest was expected to be held on the body last evening, and we shall probably be in possession of full particulars before our next issue.

**ATEMPT AT SELF-DESTRUCTION.** - About eleven o'clock yesterday forenoon, a female of the name of **CARTY**, a resident at a house of questionable repute in Castlereagh-street, kept by a person named **WRIGHT**, attempted self-destruction by leaping into a well at the rear of the premises. A man descended immediately with a view of getting Carty up, when she caught hold of him and was near dragging him down with her. Both were, however, eventually rescued by a man in the employ of Mr. Smith, the soda water manufacturer. The unfortunate woman is stated to have been at the time of the occurrence in a state of intoxication, and that some violent language had just previously passed between her and the proprietress of the house. *Herald, Dec. 6*

**ACCIDENTS.** - In the course of Monday forenoon, as a child of about seven years of age, of the name of **ELDER**, was playing at the quarry at the end of Cumberland-street, he suddenly slipped and fell over the rock, and was precipitated on to the first shelf, a depth of about ten or twelve feet, when he immediately rolled over and came to the second shelf, a further descent of about ten feet, before reaching the ground. The sufferer was immediately picked up, and the assistance of Mr. Surgeon **HARPUR** promptly rendered, when the boy was found to have sustained severe injuries of the pelvic viscera, and had a deep cut on the chin. There were, as may easily be supposed, extensive contusions, but, strange to remark, no fractures. The child on Tuesday was progressing favourably.

About one o'clock yesterday afternoon, as a constable in the gaol of the name of **THOMAS** was riding a horse near that establishment, the animal suddenly took fright, and the rider was thrown with great violence against some stones lying on the road side. Thomas is stated to be in a very dangerous state from the injuries he has received. The horse was very improperly ridden, Thomas having neither saddle nor bridle, and guiding the animal merely by a halter. *Herald, Dec. 6*

MAITLAND MERCURY, 6/464, 13/12/1848

**THE FATAL AFFRAY AT HINTON.** - On Saturday an inquest was commenced at the Hinton Hotel, Hinton, before **J.S. PARKER**, Esq., Coroner, on the body of **PETER JOHNSON**, who died from injuries received in or after a drunken fight between several men at the farm of Mr. **P. QUINN**, Nelson's Plains, on Tuesday, the 5<sup>th</sup> instant. At eleven o'clock on Saturday night the inquest was adjourned till two o'clock yesterday afternoon, for further evidence, and was not expected to be concluded yesterday. We refrain from giving particulars till the inquest is finished.

**INQUEST.** - On Monday an inquest was held at the Waterloo Inn, West Maitland, before **J.S. PARKER**, Esq., Coroner, on the body of **ELIZA WRIGHT or FARROW**. It appeared that the deceased had been for many years a very hard drinker, but had not recently drank so much. About nine weeks since she got very wet, and caught cold, bringing on a severe cough, and after some weeks Dr. **LIDDELL** was called in, and found her suffering from an affection of the windpipe. About a week ago she went to live in a small house by herself, and Mrs. **NORTON** used to send her tea and other things. On Sunday evening the deceased went to bed sober, and the next morning early Mrs. Norton sent her little girl to enquire if deceased would have some tea. The little girl returned saying that deceased would not answer her. Mrs. Norton then went herself, and on looking through the window she saw deceased on the floor; and getting into the house, Mrs. Norton found deceased kneeling on her floor, dead; her head was resting on the floor, and her hand on the bed, and a quantity of blood had flown from her mouth to the floor. Dr. Liddell examined the body, and found no marks of violence on it, and gave it as his

opinion that deceased had probably died from the bursting of a blood-vessel leading from the heart, or that a violent fit of coughing had burst a blood-vessel in the lungs; it had always been his opinion that deceased would die suddenly. The jury returned a verdict of – Died by the visitation of God.

#### HUNTER RIVER DISTRICT NEWS – MUSWELL BROOK

It is with feelings of the deepest regret we have to relate that intelligence has been received here on yesterday evening from Yallaroi, announcing the death of Mr. **THOMAS KERR**, J.P., who put a period to his existence by inflicting a mortal wound on his throat with a razor.

It appears that in the morning he was attacked with a fit, from which he soon recovered, and looked as well as usual; that about evening time, he was engaged in conversation with Messrs. **ROGERSON and EASTON**, both of whom observed something strange in his manner, and saw him retire to an adjoining room; shortly after which they heard a gushing noise as of water, when the two immediately rushed into the room, and to their horror and surprise found the unfortunate gentleman weltering in his blood. They immediately bandaged the wound, but so desperately intent was he in carrying his fatal intent into effect that he instantly tore the bandages away, at the same time grasping the hand of Mr. Rogerson, smiled, and shook hands with him, doing the same with Mr. Easton, both of whom, it is needless to say, were unremitting in their attention. Mr. K. lingered for a few hours and expired.

An inquest was held on the body by Captain **RUSSELL**, the result of which has not yet transpired. From what we can learn the medical gentleman examined expressed belief that the deceased destroyed himself while labouring under a fit of morbid sensibility, produced by an over-dose, or too frequent use, of a medicine which the deceased was in the habit of taking to cure chronic rheumatism.

Immediately on the particulars of Mr. Kerr's death being made known her, the greatest excitement prevailed in the township, some giving vent to their surprise by expressing their doubts; but now that the sad intelligence proves too true, the feeling is that of universal regret.

Mr. Kerr was known to be an active, intelligent, enterprising man; and, whether as a citizen or a magistrate, his conduct at all times was such as to gain him the respect and esteem of all parties. 11<sup>th</sup> December, 1848

#### SYDNEY NEWS.

**SUSPICION OF MURDER.** - About 6 o'clock on Sunday evening a man named **STEPHEN CAVEY** was apprehended on suspicion of having murdered a female named **STONE**, who lived with him in a house in Kensington-street. About two hours previously he had alarmed the neighbours, and stated that the woman had hanged herself. She was found in a sitting posture, with her back at the foot of the bedstead, to which one end of a rope was attached, and the other was round the neck of the female, who was quite dead. The peculiar position in which she was found, together with other circumstances, led to Cavey's being taken into custody. An inquest will be held this afternoon; but I fear I shall not be able to get the result time enough to forward by the *Maitland*, which is advertised to sail at six o'clock.

**INQUEST.** - An inquest was held to-day on the body of **CHRISTOPHER M'KENNA**, one of the water police, who was drowned on Saturday night, and a verdict of accidental drowning was returned.

#### SHIPPING.

We are sorry to have to announce the loss of the police schooner *Satellite*, during the gale of Saturday night. She had started in the forenoon on a pleasure trip down the harbour, with the Colonial Secretary, Captains **BROWNE, INNES, and BATTY**,

Mr. **MANN**, and others. On returning from the Heads, about dusk, having to beat up against a westerly wind, these gentlemen left her in the hands of the crew, three in number, and came up to Sydney in Captain Browne's boat. A few minutes before the gale commenced the schooner was observed by some parties standing across from Bradley's Head to Clark's Island, and it is supposed that almost instantly after she must have capsized and gone down, as no trace whatever can be found of her. The names of the unfortunate men who have thus met with a watery grave, are **CRAWELL, M'KENNA, and VINCENT**. The Water Police boats were all over the harbour yesterday morning, and finding no vestige of the vessel, they commenced dragging for the bodies of Crawell and Vincent, that of M'Kenna having been found on the rocks near Bradley's Head.

**INQUEST.** - An inquest was held on Thursday last at the house of Mr. **BOOTH**, Queen's Arms, George-street, on the body of **FRANCIS COOPER**. It appeared that the deceased carried on the business of a saddler, but resided by himself. About six o'clock on Thursday morning, when his men went to work, the place was not opened, and one of them went to the rear of the premises and got in at a window. Not finding the deceased down stairs, he went to his sleeping room, and discovered him dead in bed, the body at the time being still warm. An alarm was giving, and another workman, on looking about the room, found a bottle of hydrocyanic acid on the mantelpiece, within reach of the deceased. The stopper was in the bottle, but about two drachms of the poison appeared to have been taken out of the phial. The deceased was between thirty and forty years of age. He was not a drunkard, though he had been frequently seen intoxicated. He was rather of a cheerful disposition, and had latterly complained of an affection of the chest. He had also said that he was in some pecuniary difficulties. Of late he had appeared to be rather more reserved than formerly, though nothing peculiar was observed in his manner, and he had been at a neighbour's house until half-past ten on Wednesday evening, where he partook of some ale with a few friends. Mr. Surgeon **CARTWRIGHT** had made a post mortem examination, and found the fetor of prussic acid in the stomach, and also its effluvia in the brain. There were no symptoms of disease in either the chest, abdomen, or head. He had no doubt that death had been caused by the hydrocyanic acid. The Coroner summed up at some length, putting it to the jury as to whether the finding should be one of *felo-de-se*, or temporary insanity. The jury, after about an hour and a half's deliberation, brought in a verdict of "death from poison taken during temporary insanity." There were thirteen on the jury, and one dissented from the verdict. *People's Advocate*, Dec. 9

**SERIOUS ACCIDENT.** - An accident of a very serious nature occurred on Thursday forenoon, in the yard of Bissland's public-house, in Sussex-street. It appears that whilst a man of the name of **MERRIT** was lying drunk under a wool dray, heavily laden, the prop-stick suddenly broke, and the carriage tilted up and came in contact with the upper part of his body, injuring him most severely. Blissland immediately took the injured man into the house, where every possible assistance was procured, but he remains in a very precarious state. *Herald*, Nov. 9

**WINDSOR, DEC. 6 - BODY FOUND.** - Yesterday, the 5<sup>th</sup>, an inquest was held at Mr. Muniz's, Queen's Arms, Windsor Road, by Mr. **J. DOWE**, coroner, touching the death of a female, name unknown, whose body was found floating the morning previous in one of the chain of ponds on the Hambledon farm, now in the possession of Mr. Longfield, by **SMITH**, a servant of Mr. Longfield's, who immediately went for **SEYMOUR**, the district constable, and got the body out. At the inquest Dr. **BELL** deposed that he had examined the body of a female, name unknown, but from

the advanced state of decomposition it was impossible for him to tell whether death had been occasioned from violence or not; the bones of the extremities, trunk, and head, were all perfect, and from the general appearance of the body, coupled with the wet state of the clothes, and from having found human hair, corresponding to that on the head of the deceased, close to one of the ponds, he was of opinion death had been caused by drowning. The jury, under the direction of the coroner, and in the absence of any other evidence to account for death, brought in a verdict of "found dead." This unfortunate woman was neither known nor missed in the neighbourhood, and the pond in which she was found was one quite unfrequented by cattle, of bad approach, almost isolated, without even a track to it, and surrounded by fallen dead timber; how she could have come to that spot remains now a perfect mystery, giving rise to dark and gloomy conjectures. Neither a bonnet, shoes, or stockings were found, nor money or documents of any description, to lead to the discovery of name or residence of the unfortunate deceased. *Correspondent of the Herald*

MAITLAND MERCURY, 6/464, 13/12/1848

[SUPPLEMENT]

**SUDDEN DEATH.** - In the course of yesterday afternoon an inmate of the Benevolent Asylum, named **EDWARD DUGGAN**, suddenly dropped down and expired. The deceased, who was a very aged man, had been in the institution between nine and ten years, and up to the moment of his decease appeared to be in good health. *S.M. Herald, Dec. 8*

**SERIOUS ACCIDENT.** - About seven o'clock yesterday evening, as a man named **RILEY**, a hawker, was proceeding along Macquarie-street in a cart, he being drunk at the time, suddenly fell out, when one of the wheels went over his head. Riley was immediately removed to the Infirmary, where he now lies in a most dangerous state. *Herald, Dec. 8*

MAITLAND MERCURY, 6/465, 16/12/1848

#### THE MURDER OF PETER JOHNSTON

On Wednesday evening, at a late hour, the jury at the inquest on the body of **PETER JOHNSTON**, after a retirement of two hours and a half, returned the following verdict:- "We are of opinion that the deceased, Peter Johnston, came to his death by blows received from the sticks of **JAMES CAREY and JOHN CAREY**, in conjunction with the violence used by **JOHN CUMMINS**; and we also find that **MATHEW CONROY** had committed wilful and corrupt perjury." The Coroner, Mr. **J.S.PARKER**, on receiving this verdict, committed James Carey and John Carey for trial for the wilful murder of Peter Johnston, and issued his warrant for the apprehension of John Cummins, charged with the same crime,; he also committed Mathew Conroy for trial for wilful and corrupt perjury in giving his evidence at the inquest.

The inquest lasted three days, having been commenced on Saturday last, the 9<sup>th</sup> instant, at the Hinton Hotel, Hinton, continued on Tuesday, and concluded on Wednesday. The evidence taken was very lengthy, and a great portion obscure from the state of drunkenness of the principal witnesses at the time the unfortunate occurrences were taking place. The following is a brief abstract of the evidence given:-

It appears that Peter Johnston was an old man, who had been for some time employed as cook by Mr. **PATRICK QUINN**, farmer, of Nelson's Plains, near Hinton. On Monday, the 14<sup>th</sup> December, Mr. Quin commenced reaping, and on

Monday evening he himself, accompanied by one or two of his men, went to Hinton for a cask of beer, and brought it home about the middle of the night. There was also some rum in the house. On Tuesday morning early Peter Johnston commenced drinking, as did Mr. Quinn also; after breakfast one or two of the reapers followed their example, and about mid-day nearly the whole of the reapers abandoned their work to come to the house to turn out some strangers who they heard were making free with their beer. It appears, however, that matters were arranged, and that the whole party, reapers and strangers, sat down after dinner to a drinking bout. In the course of the afternoon quarrelling took place, and James Carey, a young man whose friends reside at Morpeth, was much injured by blows about the head and face. He sent off word to his friends that he was nearly killed, and in the evening (Tuesday) his brother, James Carey, came over to his assistance.

On arriving at the farm John Carey found that his brother, who had been put to bed, was much disfigured about the face, and he eagerly inquired who had done it; he was told by his brother (and Mathew Conroy told him that it was reported) that three men had done it, namely, **LAWRENCE CUMMINS, JOHN SHANAHAN, and THOMAS SMITH**. John Carey immediately asked to be shown where these men were, and his brother and Conroy showed him to a hut on the farm where Lawrence Cummins and Shanahan were lying asleep on one bed, drunk, and where several witnesses state that Peter Johnston was also lying in a bed close adjoining them, and also drunk. A man named **CORNELIOUS SHEAHAN**, employed by Mr. Quinn, but who appears to have kept sober, saw the two Careys enter the hut, provided with sticks, and accompanied by Conroy, and fearing that mischief was on foot, he followed, and found the two Careys violently beating Cummins and Shanahan, but not, so far as he saw, touching Johnston. Sheahan tried to persuade the two Careys to leave. And Mrs. Sheahan coming up at the moment, she caught James Carey round the waist, and the two Careys were at length persuaded to leave the hut. Sheahan and his wife went to their hut, not very far off, and Sheahan almost immediately heard blows proceeding from the other hut, and running to it, he found that the two Careys had returned, and were again beating Cummins and Shanahan with sticks, but not touching Johnston, as far as he saw. Sheahan, with some difficulty, got them out of the hut again, and they left. Sheahan described the two victims as making no resistance or complaint when the blows were stuck them, but merely muttering something, and drawing their shoulders up.

On the next morning (Wednesday) Lawrence Cummins and Shanahan appear to have been surprised on waking to find themselves sore and injured, and Johnston is described as also complaining of having been beaten by flash coves, and as desiring that a constable might be sent for to receive his deposition, as he would not stand such beating. Johnston appears, however, from the testimony of several witnesses, to have then shown no mark about the head further than a cut near one eye, and to have complained only of an injury on his side. During that day, too, he appears to have mostly kept in bed, doing no work, and saying little; one witness, however, deposing, that he joined the other men in drinking, which was continued all that day.

A lad named **JAMES MOY**, in the employ of Mr. Quinn, deposed that on Wednesday afternoon, between three and four o'clock, a young man named **JOHN CUMMINS**, son of Lawrence Cummins, and who had been quarrelling with and beating many of the men, entered the hut where Johnston was sleeping, and one room of which was used as the farm kitchen, and pulling Johnston from off his bed, insisted on his cooking some food for him; Johnston refused, and Moy deposed that John Cummins said he would make him, and struck Johnston twice on the head with his

fist, and once on the chest, and that then, holding deceased for a moment by the hair of his head, he allowed him to fall on the floor; Moy then got frightened, and left the hut. During the same afternoon, between four and five o'clock, it appears that John Cummins entered the kitchen in the hut with his shirt off, and seeing a man named **M'GREGOR** sitting there he took him for a constable, and attacked him at once, beating him about the head with his fists so severely that M'Gregor's life was at first considered in danger. M'Gregor, it appears, was simply passing through the farm with an entire horse, and was invited by Mr. Quinn to come in and take some beer, and it was while waiting for this that Cummins met with him. The lad Moy got M'Gregor away, and M'Gregor deposed that he considered the lad saved his life.

It does not appear in what state Johnston was on Wednesday night, after being thus beaten by John Cummins, but on Thursday morning he was so bad that Mr. Quinn, now somewhat sobered, sent for Sheahan, Mrs. Sheahan, and Mrs. **HARRIET BAILEY** to see him and wash him. They immediately went to the hut, and found Johnston very ill, and unable to speak; his face and head were bloody, but they saw no blood on the bed; about one ear the blood was quite coagulated, and he moaned and resisted when that part was touched, and would not allow it to be washed. This was about nine o'clock on Thursday morning, and Johnston lingered till about the same hour on Friday morning, when he expired. Constable **M'GOWAN**, who is stationed at Hinton, from information received visited the farm early on Thursday, and saw Johnston, but he was then lying almost insensible, and did not appear to recognise M'Gowan, and made no reply when asked who had injured him. M'Gregor stated that on the lad Moy asking Johnston who injured him, Johnston replied "John Cummins," but nothing of this kind appeared in Moy's evidence.

The above is merely a summary of what the greater part of the evidence appears to sustain, for there is considerable discrepancy and obscurity in the evidence on many points, probably arising from the drunkenness going on at the farm. Conroy directly contradicted the evidence of Sheahan, Shanahan, and Cummins, as to Johnston having been sleeping close to the two latter when they were beaten by the Careys, Conroy deposing that the third man was named **FARRELL**, and that he did not see Johnston in the room at all.

Dr. **STREET** made a post mortem examination of the body, and found a contused wound of the left ear, extending to the fore part of the left temporal bone, from three to four inches long; a smaller contused wound behind that ear; a contused wound on the side of the neck; the skin abraded over the left eye; an ecchymosis under the right eye; and a small contused wound on the left side of the lower part of the back. If these wounds Dr. S. was of opinion the wounds behind the ear, and the wounds on the back, were produced by kicks; and that the remainder were inflicted by some blunt instrument. On removing the top part of the skull, Dr. S. found an effusion of blood on the right side of the brain, and also the coverings of the brain gorged with blood; these he considered the causes of death, and he was of opinion the blows on the head led to the effusion of blood. The skull was not fractured. Dr. Street also found that there had been existing disease of the right kidney, part of the liver, and the right lung. The effusion of blood on the brain would produce insensibility; drunkenness might cause such effusion; no fall could produce the wounds described.

On the commencement of the inquest the four following men were in custody:- **JOHN CAREY, JAMES CAREY, JAMES HARRIS, and MATHEW CONROY.** The two latter were afterwards released, and both gave evidence, Harris on behalf of the prisoners Carey. John Cummins had disappeared before the inquest commenced. Mr. Davies appeared on behalf of the prisoners to watch the proceedings. After the

verdict was delivered James Carey and Conroy were quiet in their manner, but John Carey became very violent in his language, threatening one of the jury by name. The three prisoners were immediately handed over to the police by the coroner.

SYDNEY NEWS.

THE WATER POLICE SCHOONER. - No attempt could be made for the recovery of the *Satellite* yesterday, in consequence of the boisterous weather that prevailed. The diving bell and the punts belonging to the dredge left Sydney before daylight this morning to make the attempt. The bodies of the two other missing water police [**CRAWELL & VINCENT**] have not yet been recovered. The government, I am informed, have resolved that as the boat at the time of the occurrence was out on a pleasure party, and not on "duty," the water police magistrate shall pay for her loss. [The schooner located but not the bodies. Dec. 13]

INQUEST. - An inquest was held yesterday, at the Erin's Green Isle, Parramattastreet, on the body of **ELIZA STONE**. We have previously stated that a man named **STEPHEN CAVEY**, with whom the deceased woman lived and cohabited, had been apprehended on suspicion of causing her death. From the evidence it appeared that on Sunday afternoon an alarm was raised by Cavey, and two neighbours entered his house, and found him supporting the dead body of Stone, which was suspended from the bed-post, both ends hanging down to the floor. Cavey stated that on entering the house just previously he discovered the deceased lying dead on the floor, her head under the bedstead, and one end of the rope round her neck. The body was still warm when the neighbours entered, and when Mr. Surgeon **CUTHILL**, who was sent for, arrived. Evidence was called, which proved that Cavey had been talking to two men in front of his house for some time, and that one of them had scarcely left him ten minutes before he heard the alarm. A verdict was returned of suicide while labouring under temporary insanity, and Cavey was discharged. *Abridged from the Herald, December 12*

MAITLAND MERCURY, 6/466, 20/12/1848

HUNTER RIVER DISTRICT NEWS.

WARIALDA. - THE MURDER OF THE BLACK WOMAN.

Having observed that you have not yet published any complete account of the evidence taken against the men charged with the murder of the black gin, **BOOTHA**, on the night of the 10<sup>th</sup> June last, I have taken some pains to procure from arties on whom I could depend the particulars stated in evidence, and I think you may rely on the following as being a correct abstract.

On the 26<sup>th</sup> August last Mr. Commissioner **BLIGH**, as acting coroner, held an inquiry into the death of Bootha, at Umbercolli, M'Intyre River, the station of Mr. **JOHN BROWNE**, being the place at which the murder was committed.

It appeared from the evidence of Mr. **JONATHAN YOUNG**, superintendent to Mr. Browne, that a number of blacks of the Peichambool tribe were encamped at Umbercolli on the night of the 10<sup>th</sup> June; several of them having been for some time employed by him. About three o'clock in the morning of the 11<sup>th</sup> June (Whit-Sunday) Mr. Young was aroused by hearing gunshots. He got up and went out into his verandah, and heard several more gunshots, numbering nearly thirty in all, he thought. The night was not light, the moon having gone down, and Mr. Young could only sewed the flashing of the guns as they were fired, not being able to distinguish who held them, or how many. After the firing ceased Mr. Young heard the slip-rails of the paddock wherein the blacks were encamped taken down, and some persons entering, and presently by the light of the blacks' fires he saw two or three men enter their

camp, and heard the spears and coolamans of the blacks broken up. The men appeared to be dressed in large top-coats. Mr. Young was afraid to approach the men, but he called out, asking "Who's there," to which no reply was given. He could distinguish that the men threw the blacks' nets and opossums on the fire, and heard one of them say "that'll do;" he next heard the slip-rails being put up again, and in two or three minutes after heard the tramp of several horses leaving his station in the direction of Minimee, a station of Messrs. Smith and Campbell's. Mr. Young then went to the blacks' camp, and took the articles off the fires, and called to the blacks, five of whom at length answered, and came to him, the rest having run off too far. As he was leaving the camp, Mr. Young stumbled over a body lying by the slip-rails, and found it to be the dead body of Bootha. Mr. Young returned to his house with the five blacks, and after daylight he examined Bootha's body; he could find no gun-shot wound on it, but her skull was beaten in in the front, as if by some heavy instrument. The body was buried by the blacks, and about eight or nine days after a shepherd named **WILSON** found in the bush the dead body of another black gin, named **MARY**, who was in the camp on the night of the 10<sup>th</sup> June, and had been previously shepherding for eighteen months for Mr. Young. Her body, however, was so eaten and disfigured by the dogs that it was impossible to ascertain whether her death arose from violence, or, as was possible, from exposure to the cold on that night, which was very frosty. On the morning of the 11<sup>th</sup> June Mr. Young examined the road to Minimee, and found the tracks of five horses coming and going, the track running along by the side of the road. At some distance from his station he found on the track a rough home-made wooden ramrod, belonging to a short gun.

The body of Bootha was disinterred by directions of Mr. Bligh, and identified by Mr. Young.

Mrs. Young corroborated her husband's evidence as to what was heard from the house that night.

Mr. Young stated also that two black boys, employed by him, told him that they lay concealed in the bush and saw all that passed. Mr. Young said that early in July he forwarded a letter addressed to Mr. Bligh, informing him of the occurrence, but he believed it had never reached its destination.

Three blacks of the tribe were then questioned by Mr. Bligh, and named five white men as the parties who had attacked them that night.

On the 4<sup>th</sup> September a man named **DANIEL M'LEAN** was brought before Mr. Bligh at Warialda, and having been cautioned as to any statement he might make, he made a full deposition as to the murderous attack, naming as the parties concerned:- himself, then stockkeeper at Minimee; **JOHN REARDON**, then herding cattle at Minimee; **WILLIAM JONES**, stockkeeper at Minimee; **JAMES MARK**, stockholder, residing at Goodar, a station on the same creek as Minimee; **RICHARD KNIGHT**, in Mr. Mark's employ; **MARTIN**, bullock-driver in Messrs. Chapman and Welch's service, at their station on the same creek; **STEEVIE**, stockman in the same service; and **BILLY**, an aboriginal native of Port Macquarie. (Martin and Steevie's names were afterwards ascertained to be **MARTIN CUMMINS**, and **STEPHEN HOLDEN or HALTON**.) M'Lean deposed that he and Jones went on the 9<sup>th</sup> June to Chapman and Welch's station for four head of cattle, calling at Goodar as they passed; at Mark's desire they brought Steevie back with them, and Martin and Billy also accompanied them back to Goodar. While there Jones remarked that there were a good many blacks at White's place, and Mark replied that they would go there, and asked Jones if he would go. Jones agreed, and Steevie, and Martin volunteered to go also, taking Billy. This was on the afternoon of the 10<sup>th</sup> June. By agreement M'Lean,

Jones, Steevie, Martin, and Billy then went on to Minimee, and after supplying deficiencies in their fire-arms from the stock in the Minimee hut, they started from Minimee, Reardon accompanying them, and Jones riding off to being up Mark and Knight; there being then left in the Minimee hut George Harris, the hutkeeper. M'Lean, Steevie, Martin, Billy, and Reardon went on their road till they reached a waterhole, about half an hour before sundown, where they waited till Mark, Jones, and Knight joined them, the whole party (eight) being armed with fire-arms. After riding on some distance, on a suggestion of Jones's they went to Jonathan Young's station instead of to White's, and on reaching it passed by at some little distance from the hut; it was then about nine o'clock, and it was bright moonlight; and it was agreed to wait for some time, as the blacks were moving about in their camp, and the black boys playing. The party then rode some distance up the creek, and stopped there until the moon went down. They then returned to the station and dismounted in a scrub near the paddock in which the blacks' fires were burning. Knight was the last person with the horses, and M'Lean did not observe him leave them with the rest of the party. The other seven then went to the rails of the paddock, and could see the place where the blacks were lying, and they fired two or three shots upon the blacks. Mark, Steevie, Reardon, Martin, Jones, and Billy then jumped over the rails and rushed the camp, and M'Lean believed killed some dog or puppy; Billy was looking about and found a gin concealed by the fence, and he pulled her out; she escaped from his grasp and ran; someone called out "shoot her," and the whole party fired at her, and she fell by the slip panel; Martin then struck her once or twice on the head with a pistol he carried. The party then put the nets, cloaks, and spears on the fire, and left the camp. As they left they saw Mr. Young standing in his shirt at a distance, and heard him call out "who's there," but none of them answered. When they returned to the horses Knight was with them, and M'Lean could not remember having seen Knight while they were firing or in the camp. The party then mounted and rode back to Minimee, avoiding the direct road; M'Lean got home last, and found the rest of the party there waiting for some meat which Harris was cooking for them. This was about nine o'clock in the morning.

The above is the substance of M'Lean's deposition, and he was asked many questions about the fire-arms and ramrods, the dresses of the party, &c.

On the 16<sup>th</sup> September the following parties were brought up in custody before the Warialda bench, charged with the murder:- Richard Knight, Stephen Holden or Halton, John Reardon, Daniel M'Lean, and Billy. All the parties except M'Lean denied all knowledge of the murder, or being concerned in it.

On the 21<sup>st</sup> September the same prisoners were brought up before the Warialda bench, and Mr. Young examined. His evidence was similar to that given by him at the inquest.

Daniel M'Lean was then sworn, and his former deposition read over to him in the presence of the other prisoners; he deposed that it was true, and that the prisoners then present were four of those named by him. He was cross-examined briefly by each of the prisoners, but persisted in his statements, and denied that he had ever told Harris that he would drive Reardon and Mark from that neighbourhood.

**THOMAS M'GEE**, chief constable of Warialda, deposed that he apprehended the prisoners; he also apprehended Mark at his station, but Mark said he would resist being taken, and would not leave his wife and child to be killed by the blacks; fearing that if a struggle ensued he might risk the loss of the other prisoners he consented to Mark's remaining at his station, on his undertaking to give himself up at Warialda that

day; Mark had not, however, kept that promise; the prisoners all denied having any knowledge of the murder.

On the 5<sup>th</sup> October the prisoners were again brought up, and George Harris was examined. He deposed that he could not remember Jones and M'Lean being out all night in the beginning of June, or at any time; they could not have been out without his knowledge; he remembered their going to Mr. Mark's, and to another station further on, and returning with Mr. Mark, who assisted them to brand cattle at Minimee; this was in May or early in June; he could not remember the prisoners being at Minimee; never saw Knight there; when Mr. Henderson was moving the cattle some of the prisoners were there; this must have been the first or second week in July. Jones first arrived at the station on the 18<sup>th</sup> June, having been engaged about the 30<sup>th</sup> May. He knew nothing about the prisoners or others going out for the purpose of shooting blacks; never loaded arms for that purpose. Jones and M'Lean were never absent from the hut all night together, or at twelve o'clock at night; they could not have left the hut with three or four armed men without his knowledge. This witness deposed that Mr. Henderson having moved the station, told him in July to go and remain at Mark's place, and he did so; a great number of questions were then asked as to the reasons for this, and what passed on Mark's station, as well as to the witness's former life. In cross-examination Harris deposed that Mark told him of M'Lean having killed a calf belonging to him, and on his (Harris) telling M'Lean this, M'Lean said he would be revenged on Mark before long; and that M'Lean uttered a similar threat against Reardon. Harris was cross-examined by M'Lean at some length, but adhered to his statement.

The prisoners Knight, Holden, Reardon, Billy, and M'Lean were then committed for trial for the murder.

The first four prisoners were shortly after forwarded down to await their trial, but M'Lean was kept in custody at this place.

Since that time Mr. Henderson has been examined by the bench, but his evidence simply related to the credibility or otherwise of Harris's evidence.

On the 10<sup>th</sup> November Martin Cummins was brought before the bench, and M'Lean's deposition being read over, and M'Lean sworn to its truth, Cummins was also committed for trial. Cummins denied all knowledge of the deed.

I have not heard whether Mark or Jones have been apprehended yet, but I believe they have not. December 4, 1848

SYDNEY NEWS.

The water police schooner *Satellite* was, late on Saturday night, recovered, and has been towed into Neutral Bay, where she now lies. She was found with all her sails set, and not a rope misplaced. She has sustained no damage worth speaking of, or at all events not beyond what a few pounds will cover. The body of one of the two missing policemen, a man named **CRAILL** [**CRAWELL**], was found on Friday night, at Pott's Point, lying between two rocks. It was in a fearful state of decomposition, and could with difficulty be identified. An inquest was held on Saturday. The evidence adduced was precisely the same as that given at a former inquest held on the body of the man named **M'KENNA**, and a finding of death from accidental drowning was recorded. [Another report later in same column.]

MURDER.

Late on Thursday evening three men, named **WILLIAM HARDCASTLE**, **DAVID SHORT**, and **WILLIAM KIRBY**, were delivered into the custody of the police at Brisbane, being fully committed, by warrants under the hand of **G.F. LESLIE**, Esq., of Warwick, to take their trials for the wilful murder of one **JOHN DOYLE**. Owing

to the Downs mail only arriving in Brisbane once a fortnight, we are not yet in possession of any particulars relative to the facts of the case. *Moreton Bay Courier*, Nov. 25

MAITLAND MERCURY, 6/467, 23/12/1848

BATHURST. - DEATH BY DROWNING. - On Wednesday evening last, as several children were playing on the banks of the river at O'Connell Plains, one of them, about three years old, a son of Mr. **M.S. FINLEY**, who is at present residing in that neighbourhood, fell into the water unperceived by his play-fellows, and when the child was missed they searched for him and found him laying on his face among some weeds by the side of the river; he was quite dead, for although there was not much water, the weeds prevented his rising to escape. *Bathurst Advocate*, Dec. 10

MAITLAND MERCURY, 6/468, 27/12/1848

FATAL ACCIDENT. - Yesterday an inquest was held at Driver's, the Three Tuns, King and Elizabeth streets, touching the death of **JAMES SAMUELS**, then lying dead in the Infirmary. The deceased, it appeared, had been a seaman on board the barque *Raymond*, and had late on Monday evening in going to his hammock, which was slung 'tween decks and close to a hatchway, missed his footing, and fallen down the hold. He was, within a minute or two of the accident, picked up, when he was found to be in a delirious state, and on the following (Tuesday) morning removed to the Infirmary, where he expired at about noon yesterday. Dr. **M'EWAN** deposed that he attended on deceased in the Infirmary, and that he had received an injury on the head sufficient to account for death. The jury returned a verdict of accidental death. *Abridged from the Herald*, December, 22.

MAITLAND MERCURY, 6/469, 30/12/1848

FATAL ACCIDENTS. - On Wednesday an inquest was held at Hexham, before **J.S. PARKER**, Esq., coroner, on the body of **ROBERT WATERS**, a boy eight years old. It appeared that **JAMES WATERS**, a brother of the deceased, and aged thirteen years, went on Tuesday from his father's house at Hexham into the bush with a dray and two bullocks to fetch some saplings, Robert Waters accompanying him. After getting the dray loaded the deceased and two other children mounted on it to ride home, sitting in the saplings, James Waters walking by the bullocks. In descending a hill, one of the wheels got suddenly into a water-course, and the jerk threw off Robert Waters, who was sitting nearly over that wheel. He screamed out, and his brother immediately stopped the bullocks, and ran round to lift him up, the jerk having thrown him just in front of the wheel; the sudden movement, however, frightened the bullocks, and they moved on, the wheel passing over Robert Waters's neck and head. His brother lifted him up, and called out for assistance to a neighbour living close by, who came immediately, but the poor boy died in a few minutes. The jury returned a verdict of accidental death, acquitting James Waters of any blame.

On Friday last a man named **SAMUEL CROSS** was taken to the Maitland Hospital, being suffering from a heavy bruise on the lower part of the abdomen, which he said was caused by his having jumped off his dray, and alighted between the wheel and a tree, when descending the hill into the Paterson township, when he got severely crushed. Little hope was entertained of his recovery by the medical attendant, Dr. **M'CARTNEY**, and although every means was adopted to relieve him, the poor man lingered until Monday, when he died. An inquest was commenced on the body on Tuesday, at the Northumberland Hotel, before **J.S. PARKER**, Esq.,

coroner, but was adjourned till to-day at the request of the jury, that a witness might be summoned who was stated by the deceased to have been present at the time of the accident.

**SUDDEN DEATH.** - On Thursday an inquest was held at the Plough Inn, West Maitland, before **J.S. PARKER**, Esq., Coroner, on the body of an aged man, name unknown, who is stated to have lived for some time past by begging, sometimes in Maitland, at other times in Sydney and in other places. It appears that on Wednesday afternoon, between one and two o'clock, a man named **MICHAEL M'CUE**, in the employ of Mr. Finch, while getting in his master's cows in a paddock in the Horse-shoe Bend, West Maitland, found the deceased lying in the sun near the fence between Mr. Finch and Mr. Wallis's paddocks; his face was upwards, and M'Cue, supposing him to be drunk, and being able to get no answer from him, turned him over on to his side, and hastened home with his cows. After milking one cow Mrs. Finch desired him to go again and see after the man, which he did, taking some milk with him. M'Cue found, however, that the poor fellow could not drink, and having, with Mr. Wallis's assistance, got him into a position sheltered from the heat of the sun, they left him for a time, still supposing him to be merely lying drunk. The circumstance afterwards came to the ears of the police, and on the spot being visited, it was found that the man was dead, having remained in the same position as when he was left by M'Cue and Mr. Wallis. A post mortem examination was made by Dr. **LIDDELL**, which showed that death was caused by serous apoplexy; in the Dr.'s opinion this was brought on either by exposure to the sun, age, or intemperance, and he thought that some slight abrasions on the face were caused by the deceased's fall at the time of the attack, and that from that moment no attentions could have saved his life. The jury returned a verdict of died from serous apoplexy.

**SERIOUS CHARGE.**

A man of the name of **JAMES BARRY** was about five o'clock on Monday afternoon given into the charge of the police, for having, in Queen's-place thrown a bucket at two little children, daughters of a person named **EGAN**, residing in that locality, and which striking them on the head, had most seriously injured them. On Barry being before the Police Court yesterday morning Inspector **CONNOR** stated that he had seen the children, one of whom was about five years old, and the second about two years old. He had seen them, and both were lying in a moist precarious state; and he had been informed by the medical gentlemen attending them, Drs. **FOULIS and M'EWAN**, that although there was a chance of the eldest recovering, scarcely any hope could be entertained of the second, as the skull had been fractured. The bucket was also produced, which had adhering to one of the hoops the hair of one or both of the children. The prisoner was remanded until Friday. Barry volunteered a statement to the court, that he was intoxicated at the time, and was about to beat his wife with the bucket, and that as he was whirling it the handle gave way, and the children, standing by, were accidentally hit by it. *Herald, Dec. 27*

SYD1849

MAITLAND MERCURY, 7/470, 03/01/1849  
SYDNEY NEWS.

SUICIDE. - About noon on Sunday **ROBERT RUSSELL**, a woodcutter, residing on the Parramatta Road, and who had been drinking for some days previously, came home, and sent his wife for a fig of tobacco. While she was absent, he cut his throat from ear to ear with a razor. Of course he died almost instantaneously.

A BLACK PLUNDERER SHOT. - On Wednesday last the hut of a man named **SUTHERLAND**, in the employment of Mr. **GEORGE THORN**, at Normanby Plains, was broken open by a party of blacks, and plundered of all the provisions it contained. Sutherland pursued the marauders for the purpose of rescuing his provisions, but, being unable to come up with them, he fired at the vagabond who was loaded with the food upon which his own support depended, and shot him dead. Immediate information was given to the authorities, but we have not yet heard the result of the inquiry. *Moreton Bay Courier, Dec. 28*

ACCIDENTAL DROWNING. - About eleven o'clock on Saturday night, as a young man of the name of **KEEFE [THOMAS EDWARD KEEFE]** was going on board the American barque *George Champlin*, lying at the Circular Wharf, to which vessel he belonged, he accidentally fell out of one of the ship's boats, and was drowned. The body was recovered early yesterday morning, and conveyed to the Water Police Office, where it now lies awaiting an inquest. *Herald, Jan. 1.*

MANSLAUGHTER. - On Saturday an inquest was held at the Three Tuns on the body of **JOHN ENGLEBRACHT**, then lying dead in the Sydney Infirmary. It appeared that Englebracht had resided at Strawberry Hills, with a woman named **HANNAH HELY**, and that about seven o'clock in the evening of Monday, December 25, the neighbours heard the pair, who had been drinking, having some words; a heavy fall against some furniture was heard, and immediately afterwards Englebracht was seen in his back yard, and Hely was heard crying in the house; he went in again, declaring that he would go to Sydney and get drunk, and demanding his money from her; a second heavy fall was then heard, and in a moment after the report of a pistol, Englebracht then came into the back yard again, with blood flowing from his face, and said Hely had shot him. Hely told the neighbours that she had been twice thrown from her chair by Englebracht, and that she, to frighten him, flashed the pistol in his face, not knowing it was loaded. Englebracht, it appeared, had previously loaded the pistol with five grains of Shot No. 3 intending to shoot or frighten a dog which had killed some poultry. A surgeon was sent for, who found that the shot had taken effect on the upper and lower eyelids, but the wounds did not then appear dangerous. A constable shortly after arrived, to whom Hely gave the pistol, but she was not apprehended, the surgeon believing there was no danger. In the course of the night Hely, who was much grieved at the accident, tried to destroy herself, and a neighbour was called in by Englebracht. He got worse the next day, however, and Hely was apprehended, against his wish, he being at the same time taken to the Infirmary. He lingered there till Saturday morning, when he expired. A post mortem examination showed that one of the shots had penetrated to the back of the orbit, and that a second had entered the brain, where it caused inflammation, abscess, and death. The jury returned a verdict of manslaughter, and Hely was committed for trial. *Abridged from the Herald, Jan. 1.*

CENTRAL CRIMINAL COURT

Thursday, December 28, 1848

MANSLAUGHTER

**WILLIAM HARDCASTLE**, **WILLIAM KIRBY** and **JAMES SHORT**, were indicted for assaulting **JOHN DOYLE** on the 11<sup>th</sup> November, at Canning Downs, and inflicting certain mortal wounds, bruises, and contusions on the body of Doyle, whereof he languished till the 12<sup>th</sup> November, and then died; in other counts Hardcastle was indicted for having committed the assault, and Kirby and Short as aidors and abettors.

It appeared that on the evening of the 10<sup>th</sup> November a drunken quarrel and fight took place between Doyle and Hardcastle, and it ended in their agreeing to fight for £5 a side on the following morning. They did meet, and although Hardcastle did not wish to fight, Doyle insisted. They then fought three rounds, Kirby and Short acting as seconds; in the second round Hardcastle fell, and in the third round Hardcastle threw Doyle, and they fell together. Doyle, who had on previous occasions complained of great pain in his head, had in the third round put his hand to his head, and muttered something, and after the third round he was unable to hold up his hands, or apparently to see Hardcastle, although he still wished to fight Hardcastle; the seconds, however, interfered, and no further blows were struck. Doyle was carried to his hut, never rallied, and died the next day. Doyle during the fight struck Hardcastle several blows, but Hardcastle appears to have been unable to hit him. The jury returned a verdict of not guilty, and the prisoners were discharged.

MAITLAND MERCURY, 7/471, 06/01/1849

HUNTER RIVER DISTRICT NEWS. - COCKFIGHTERS' CREEK.

MELANCHOLY OCCURRENCE. - We have just heard from parties residing at Jerry's Plains, and on whom we can place implicit confidence, of the following melancholy occurrence, which took place some time back at Mr. Bettington's, a few miles above Jerry's Plains. It appears that a shepherd went out in the morning with his flock to the station to be shorn, leaving his wife (who had only been confined about six weeks) and four young children in the hut, the wife being very ill in bed at the time. During the day a Mrs. **BYRON**, who resides at some distance, and was in the habit of sending her little girl to the poor woman, sent her child upon the usual neighbourly errand. Upon the girl's arrival the poor woman appeared to be very ill, and asked the girl if she would go back to her mother, and apply for permission for her to return and make a cake for her children, as she felt too weak and unwell to do it herself. The girl then returned, as requested, to her mother, who granted her permission to go back; some time, however, elapsed before the girl again arrived at the hut, and great must have been her horror and consternation at finding the poor woman a lifeless corpse in the bed, her infant still in her folded arms, creaming, and endeavouring to get at the breast, which the poor creature, finding she was dying, had covered up with her clothes, to prevent the babe from sucking her after her decease. The girl hurried back, and informed the neighbours of the circumstance, who flocked to the sad scene, and found the mother as described. January 4, 1849

INQUESTS. - An inquest was held yesterday by Mr. **RYAN BRENNAN**, at Cooper's, the King's Head, Lower George-street, touching the death of **THOMAS KEEF**, then lying dead at the Water Police Office. The deceased was a seaman on board the American barque *George Champlin*, lying off the Circular Quay, and on going on board of which vessel late on Saturday night he accidentally fell out of a boat and was drowned. A finding of death by accidental drowning was returned. *Herald, Jan. 2.*

A second inquest was held by the coroner yesterday, at Colston's, the George and Dragon, touching the death of a seaman named **WILLIAM CAIN**, belonging to the schooner *Effort*, whose body had been found at an early hour of the morning by Police Sergeant Coyle floating near the stern of the vessel, off the Union wharf. By the

evidence it appears that the deceased had been alive as late as twelve o'clock on the previous (Saturday) night, but he was at that time intoxicated, and it was believed that whilst in that state as he was going on board he fell and was drowned. A finding of accidentally drowned was returned. *Herald, Jan. 2.*

**ANOTHER DEATH BY DROWNING.** - About three o'clock yesterday afternoon, a young man of the name of **JAMES HARRISON** in the employ of Messrs. Hyland and Co., of George-street, was accidentally drowned whilst bathing off garden Island. A second person with him would have undoubtedly met the same fate, as he was not able to swim, had it not been for his being rescued by Mr. **THOMPSON**, of Pitt-street, who happened to be on the island, noticing him just as he was sinking. *Herald, Jan. 2.*

**MAITLAND MERCURY, 7/472, 10/01/1849**

**ATTEMPT AT SELF-DESTRUCTION.** - About 10 o'clock yesterday forenoon, a female of the name of **TANNER** threw herself into the dam adjoining Mr. **TERRY HUGHES**'s premises, in Elizabeth-street. She was just sinking when cries for assistance brought a prisoner of the crown, named **JACKSON**, attached to the Carter's Barracks establishment, to the spot, who plunged in, and succeeded in getting her out. *Herald, January 6.*

**DUNGOG.**

**INQUESTS.** - The following inquests have been held by the coroner for Dungog:- At Mulronda school-house, county of Gloucester, on the 22<sup>nd</sup> December last, on view of the body of a boy named **RICHARD ROBINSON**, aged 8 years, grandson of a Mr. **THOMAS TROTTER**, a settler on the estate of the late Sir James Dowling, who lost his life by a sudden swell of the William, while nobly trying to rescue his sister **EMMA** and a girl named **GIBSON**, who, in the act of crossing a log in their return from school, were in imminent danger of being swept away by the flood which rose on the afternoon of the 19<sup>th</sup> from eight to ten feet in less than an hour. The girls were providentially saved, but the little hero, in his trepidation, unfortunately lost footing, and was instantly carried out of sight, along with the log, which was forced from its resting place by the strength of the current. The body was only found two days after, by some kind neighbours who went in search of it. Verdict – accidentally drowned. - At Rose Point, parish of Wilmot, county of Gloucester, on view of the body of **JAMES JOSEPH PEARSON**, aged 7 ½ years, step-son of a settler named **BRUCE**, who came to his death the evening before, by the limb of a tree falling on his head and fracturing his skull, while amusing himself, in the presence of his mother and brothers, with examining a gohanna his step-father had just shot. The little sufferer was carried to his bed, and medical aid sent for; but though Dr. **CADDELL** came from Raymond Terrace in the middle of the night, it was too late – the spirit had fled to him who gave it. - Finding – accidental death. - On the morning of the 26<sup>th</sup> of December, at Brookfield, in the district of Dungog, on view of the body of a woman named **REBECCA BRAZEL**, aged 25 years, wife of a settler there, and mother of four children, who died suddenly on the 25<sup>th</sup>, whose death caused some suspicion in the neighbourhood; but on the inquiry, before a respectable jury of thirteen, all suspicions were settled, and the verdict – death from natural causes. - Again, on the evening of the 26<sup>th</sup> December, at the George and Dragon inn, Clarence Town, on view of the body of a seaman named **JAMES HEXHAM**, aged 45 years, belonging to the cutter Edward, who was drowned the same day in attempting to reach the vessel by a plank, while lying at Mr. Parker's wharf; and though the accident was discovered by two friends who had just parted with him, and instant search made, the night being dark, the body was not found till seven

hours after. Hexham bore an excellent character. Verdict – accidentally drowned. *January 6<sup>th</sup>, 1849.*

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

SUCCESSFUL OPERATION UNDER THE INFLUENCE OF CHLOROFORM.

Amputation below the knee was performed in this town on Saturday last, by Dr. **STOLWORTHY**, assisted by Dr. **GLENNIE**, and the use of the above agent was applied with partial success. There is no doubt that complete and total insensibility would have been produced, but owing to the debilitated state of the patient, it was deemed advisable to administer it very sparingly. We mentioned a few weeks since, among other accidents, a very serious compound fracture above the instep, occasioned by a horse carrying his rider furiously against the stump of a tree. In the hope of saving the limb, Dr. Stolworthy cut down to and removed several pieces of bone previous to adjusting the limb, but as it was found a week since, upon examining the injured part, that though union had taken place, the surfaces were not sufficient to bear the weight of the limb, the above amputation below the knee was determined upon. The patient, **PETER GIBBON**, aged 35, by trade a shoemaker, evinced considerable fortitude prior to the operation, which was performed in about 2 ½ minutes, and in less than 20 the patient was in bed, having lost not more than half a pint of blood. We are happy to state that he has continued to progress most favourable, not a single bad symptom having occurred. It is quite evident that the effect of chloroform, in different subjects, varies very much, as Dr. Stolworthy, a few days since amputated a finger from Mr. **CUNNEON**, of Glennie's Creek, when the chloroform was applied for several minutes without any effect. 9<sup>th</sup> January

MAITLAND MERCURY, 7/473, 13/01/1849

SYDNEY NEWS. - BERRIMA, JANUARY 7.

FATAL ACCIDENT. - An inquiry was this day held by **C. THROSBY** and **J. NICHOLSON**, Esqrs., J.P.'s, into the cause of the death of a man named **JAMES WILLIAM BLAKE**, aged about thirty-two years. It appears deceased came to town on his master's (Mr. Crew's) business yesterday morning, from Carrickbilly, and having remained about an hour or better, proceeded on his way home, and when on Harper's Hill, (about a quarter of a mile out of town) was thrown from the horse he was riding, dislocating his neck by the fall. A dray coming by a few minutes after the accident, deceased was placed thereon, he being at the time alive, and was brought to the gaol gate, but when taking off the dray he was found dead. Opposite where he was found on the road was also found a saddle, and on examination it was found that the straps by which the girth was fastened had given way. *Herald Correspondent.*

INQUESTS. - On Wednesday an inquest was held at the Northumberland Hotel, West Maitland, before **J.S. PARKER**, Esq., Coroner, on the body of **BRIDGET O'KEEFE**. It appeared that Mrs. O'Keefe was an aged woman, and had been occasionally, for some months past, under Dr. **M'CARTNEY**'s care, being suffering from indigestion. On Saturday night last she was taken with a violent pain in the chest, but got better towards morning, and was much relieved by some medicine obtained from Dr. M'Cartney. She continued better on Monday, and her husband went to work on that day at her request, and again on Tuesday. Shortly after noon on Tuesday, however, she complained to a neighbour, Mrs. **ALEXANDER**, of being very unwell, and Mrs. Alexander gave her some hot spirits and water, as she expressed a desire for something hot. Soon after this Mrs. O'Keefe was seen shutting up her house, and the neighbours, supposing she intended to take a sleep, did not disturb her. When her husband returned at five o'clock he found the house still shut up, and having in vain tried to arouse his

wife, he had to break open a window before he could enter. He found his wife lying on a sofa in the parlour, dead, but her body quite warm; one hand resting on her chest, and a handkerchief over her face. Having heard the evidence of Dr. M'Cartney, with the above, the jury returned a verdict of died from natural causes.

On Thursday afternoon an inquest was held before Mfr. **PARKER**, at the George and Dragon Inn, East Maitland, on the body of **WILLIAM DIXON**, a lad 17 years old, an immigrant per *Subraon*. It appeared that William Dixon, with his younger brother **ANDREW**, and a lad named **THOMAS M'FARLANE**, had gone on Wednesday evening to bathe in the Hunter, some little distance above Pitnacree. The river appears to be shallow there on the side they entered, but the bottom to be much covered with weeds. M'Farlane and Andrew Dixon could swim, but William Dixon could not; and after walking about with him a little, they swam out into the river. Andrew Dixon had parted with his brother but a few moments, when on turning round he could see nothing of him, and although he and M'Farlane swam and walked about in the direction he was going, and M'Farlane dived several times into a hole which they discovered, they could not find the poor fellow, the thick weeds and muddy bottom rendering it more difficult to discover anything under water. A man named **BENJAMIN COOK**, who lived close by, and had noticed the boys bathing, walked in a few yards towards the place where he had last noticed William Dixon standing, but being a poor swimmer his courage appears to have failed him, and he went back again. Other neighbours soon assembled, but notwithstanding every effort was made, the body of poor Dixon was not found till Thursday morning, when it was discovered about two rods from where his brother last saw him, and in about six or seven feet of water. The jury returned a verdict of accidentally drowned.

**MURDER.** - Two or three weeks ago, Dr. **TIERNEY** was called upon at three o'clock in the morning to see a man named **M' CARTNEY**, at Loseby's public-house, who it was alleged had hurt himself by falling out of bed. Dr. Tierney found that the man was so severely hurt on the head that the injury could not have been inflicted by a fall, and that he could not by any possibility survive its effects – the deceased was then so far gone as to be unable to speak three words with coherence. He advised the instant removal of the man to the Infirmary, and on leaving the house met a policeman, stated the circumstance, and advised him how to act, but strange to say the worthy observatory appears not to have taken the slightest notice thereof – not even so much as to report the information to his superior officer. The next day the father of the wounded man came to Sydney and removed him – not to the Sydney Infirmary, but to his residence at Bankstown. The man shortly afterwards died, and but for the information on the subject which was most praiseworthy forwarded by Dr. Tierney to Dr. **PARSONS**, of Liverpool, no inquest would have been held on the body. A *post mortem* examination was made by Drs. Tierney and Parsons, and the finding of the jury, we are told, was wilful murder against some person or persons unknown. The singular part of the business is, that there were three other persons sleeping in the same room with the deceased, and several more in adjoining apartments. It is scarcely credible that if the policeman had used that diligence which is usually manifested by members of the force where a paltry fine is involved, and had examined the premises, and perhaps made prisoners of the men sleeping in the same apartment with the deceased, evidence would not have been wanting on which ground a more definite verdict by the coroner's jury than under the circumstances they were able to arrive at. *Herald, Jan. 11.*

MAITLAND MERCURY, 7/474, 17/01/1849  
SINGLETON. - MURDER OF A FEMALE.

On Saturday last the town and neighbourhood of Singleton were thrown into a state of intense excitement, owing to the discovery of one of the most brutal murders that has, perhaps, ever been perpetrated in the colony. The murdered person was a female who had been for some years in the family of **HELENUS SCOTT**, Esq., of Glendon, and was engaged in matrimony to Mr. **EDMUND KING**, superintendent to **GEORGE WYNDHAM**, Esq., at Glendon Brook, and the day appointed for the wedding was last Sunday, the day the unfortunate deceased was buried.

It appeared that the deceased, **MARY SADLER**, who was a widow, about 39 years of age, had been stopping at Singleton for a few days, and that on Thursday last Mr. King sent a horse and cart, in charge of a man named **JOHN HEARN**, to bring back Mrs. Sadler to Glendon, preparatory to their going to Maitland to get married.

Hearn, and a man named **MICHAEL TARPY**, in company with the deceased, left Mr. Meyn's public-house about half-past one on the above day, and they had with them four bottles of rum. During their journey to Glendon they called at two or three places, where a considerable portion of the rum was drunk. The last place they stopped at was a hut where some people of the name of **BARNES** dwelt; here Tarpay tried to persuade the deceased to stop for the night, but Hearn objected, as he said he had orders from Mr. King to be home that night, and he would go without her. Hearn and deceased soon after resumed their journey, leaving Tarpay at Barnes's, where he remained for an hour afterwards.

Mr. King became alarmed at their non-appearance when night came on, and on the following morning he sent a man named **PATRICK BOYLE** to make enquiries. The man proceeded as far as Barnes's, when he heard that they had passed there the evening before. He then returned back, and after tracking the cart through some portion of the bush went to Mr. King, to whom he stated what he had heard and seen.

Mr. King then mounted his horse and went to Glendon, but could hear no tidings. He again started in quest of the cart, and was out the whole of the night in a fruitless search. He returned home at about three in the morning, when he obtained a fresh horse, and continued his search, proceeding to the "Stockyard" sheep-station; and on his way thither he tracked the cart for a long distance over mountains and gullies, but afterwards lost the track. Upon nearing the sheepstation Mr. King met Hearn, on horseback, in company with a shepherd named **SWEENEY**. Mr. King enquired where he had left the cart, to which Hearn replied that he had left it on the range. To Mr. King's enquiries where he had parted with Mrs. Sadler, he said that he had not seen her since yesterday (Friday) morning. They then returned back to a gulley, about a mile and a-half from the "Stockyard," where the cart was found. The horse which Hearn had been riding was then about being harnessed to the cart, when to the horror of Mr. King he discovered the dead body of Mrs. Sadler lying near an ant-hill about 7 or 8 yards off. Mr. King appeared greatly agitated, and accused Hearn of the murder. Hearn replied, "Oh, it's no use, it's done and can't be undone." Mr. King covered the body with a tarpaulin, and he then returned to Glendon, where he gave information of the murder.

Mr. **HORNE**, the chief constable, on hearing the news, started off to the scene of the murder, and on his way met the cart with the body of the deceased in it, and also Hearn, whom he immediately arrested. Upon being taken into custody, Hearn said, "this is the fruits of drink;" they then proceeded to a sheep station of Mr. Hamilton's. The next day (Sunday) Mr. Horne went to the place where the murder had been committed, where he discovered three places where scuffling and struggling had taken place; in one of these spots some human hair was found, clotted with blood, which proved to have belonged to deceased; there were also, on a sloping piece of ground, marks of fingers, like

scratches; a pool of blood about the size of a tea saucer was also seen. Mr. Horne searched the prisoner, but could find no marks of blood either on his clothes or person.

Dr. **STOLWORTHY**, by direction of the coroner, examined the body of the deceased on Sunday, at Scrubby Flat, and found it to be dreadfully bruised about the head, arms, and thighs; there were marks from the abdomen downwards, as if the deceased had been dragged along a considerable distance over gravel and stones, with her clothes up; there was a large contusion on the right temporal muscle, extending to the right eye. On dissection the part the brain appeared to be healthy and quite sound, but there was an adhesion of the *dura mater* to the skull. The blows appeared to have been given with a blunt instrument, either a stick or stone. The deceased appeared to have been dead about twenty-four hours. It was his opinion that the deceased died from the blows which she had received, combined with exposure to the heat.

The inquest was commenced at a place called Scrubby Flat, on Saturday last, before **HENRY GLENNIE**, J.P., the coroner, and a jury of twelve, and was adjourned till Monday, at Mr. Meyn's, the "Golden Fleece," Singleton. The jury room was crowded, and also the verandah. Seven witnesses were examined. After all the evidence was gone through, the coroner summed up; the jury then retired for about fifteen minutes, and on their return the foreman said "It is our unanimous verdict that the prisoner John Hearn is guilty of wilful murder." Hearn was then fully committed to take his trial at the next Circuit Court. His statement in defence was, that the deceased left him on the Friday morning to go down a by-path – a short cut to Glendon Brook – and that he never saw her afterwards; that the cart got in the creek, and he could not get it out, and that he then sat down under the cart and got drunk with the bottle of rum; and that he knew nothing of the murder. January 16, 1849

MERRIWA.

An inquest was held by **T.A. PERRY**, Esq., the Coroner of the district, on the 10<sup>th</sup> instant, at the establishment of **W.C. WENTWORTH**, Esq., on the body of **JEREMIAH KENNELLY**, who died suddenly on the afternoon of that day. Verdict – "died by the visitation of God." The deceased is reported to have been a faithful servant to Mr. Wentworth for about twenty-two years.

WARIALDA

It is stated that the approver, **M'LEAN**, in the case of the murder of the black gin, will be forwarded down from here tomorrow. Parties have been out in search of Mr. **MARSH**, but have returned without him.

ACCIDENTAL DROWNING. - About 4 o'clock yesterday afternoon a child about five years of age, named **GEORGE THOMAS BLUNDELL**, whilst playing with another child at Barker's Mill Dam, off Sussex-street. Accidentally fell in, and was drowned. *Herald, Jan. 15*

MAGISTERIAL INQUIRY. - On Saturday last Dr. **BALLOW** attended at Mr. Thorn's station, at Normanby Plains, for the purpose of holding an inquest upon the body of the aboriginal native whose death was reported in our last; but as the body was not to be found, Dr. Ballow proceeded to investigate the subject in his capacity of a magistrate. It appeared in the course of the inquiry that the report which reached us last week was not perfectly correct. **SUTHERLAND** had been out with his sheep in the morning, and on returning to the hut for the purpose of getting his breakfast, he found the natives in possession of the place, and busily engaged in packing up his rations and clothing. Sutherland called out to them to desist, when one of the savages raised his boomerang to throw it. Sutherland then levelled his gun and fired; he saw the black fall, and then ran away in the direction of the head station, which was about four miles distant. On his way he met another man, whom he persuaded to return with him, and

assist in removing the sheep to head station, which was done. Information of the circumstance was then forwarded to Mr. **THORN**, who transmitted a statement thereof to the Coroner, and went out next morning to the station; but on his arrival there he found that the body had been removed – no doubt by the natives. As no trace of the body could be found, Dr. Ballow took sufficient sureties for the appearance of Sutherland, to answer any charge of manslaughter that might be instituted against him on this account. *Moreton Bay Courier*.

MAITLAND MERCURY, 7/475, 20/01/1849

FATAL ACCIDENT. - On Saturday last a fatal accident happened to a little boy of four or five years old, named **JOHN STEVENSON**, the son of a small settler residing at Ravensfield. The little boy was playing under his father's wheat stack, when three sheaves fell on him, one striking him on the head and two on the back. They were immediately lifted up, when the little fellow was found to be sensible, and although he complained of a pain in his head, he showed no bruise except one on his back. He continued ailing until Tuesday, when he got worse, and medical assistance was called in; on Wednesday night he grew rapidly worse, and on Thursday morning his father brought him in to Maitland on the dray, intending to take him to the doctor's. The dray had, however, barely reached the boundaries of the town when the poor little fellow was found to be dying, and he expired before crossing the Long Bridge. It is singular that some time back a tree in falling fell on the same little boy, and broke his leg, but he had got over the effects of that injury before he met with the last fatal accident.

AWFULLY SUDDEN DEATH. - On Monday evening, as one of the passengers was alighting from Hilt's coach, in Parramatta, a man, in descending from the roof, fell, and on being immediately picked up, life was found to be extinct. On examining his person, there was found a letter addressed to "William Lewis, cook of the barque *Bermondsey*, Sydney," which appears to have been written by Lewis's brother. The purport of the letter was requiring him to come up to Bathurst to see the writer, and that his road expenses would be paid. *Herald, Jan. 17*

INQUEST. - On Wednesday afternoon an inquest was commenced at the Waterloo Inn, West Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **MARGARET NUNN**, who had died the same morning. The inquest was continued till a late hour, and was then adjourned for further evidence till Monday morning next. We therefore refrain from giving particulars. The deceased was a young woman, aged 24, and had only on Sunday last been confined of her fifth child; her husband, **WILLIAM NUNN** is in custody, on suspicion of having inflicted a blow on his wife's head, which is said to have been the cause of her death.

MAITLAND MERCURY, 7/476, 24/01/1849

MURDER. - A WIFE KILLED BY HER HUSBAND.

An inquest was commenced on Wednesday last at the Waterloo Inn, West Maitland, before **J.S. PARKER**, Esq., coroner, on the body of **MARGARET NUNN**. At a late hour the inquest was adjourned for further evidence till Monday, when it was resumed; additional evidence having been taken, the jury returned a verdict that the deceased, Margaret Nunn, was murdered by her husband, **JOHN NUNN**, striking her on the head with an iron pot. John Nunn was then fully committed for trial for wilful murder.

It appeared by the evidence that John Nunn was a hawker, in the habit of travelling about the upper districts of the Hunter, and occasionally coming down to Maitland. On these journeys his wife and four young children accompanied him; and latterly his brother, **SIMEON NUNN**, a young man recently come to the colony, had joined them.

Simeon Nunn, who gave his evidence on this occasion in a rather singular manner, appearing as if he was not altogether sensible, stated that Margaret Nunn got drunk pretty often, and that his brother, who was passionate, had several times beat her for being drunk.

About Thursday or Friday, the 11<sup>th</sup> or 12<sup>th</sup> January, John Nunn reached Maitland, accompanied by his wife and children, and his brother, and bringing with him a dray and two horses. He encamped in a paddock belonging to Messrs. **COHEN**, and Simeon Nunn deposed that Mrs. Nunn had already begun to drink freely of some ale which her husband had bought at one of the breweries when he reached town, and that her husband three times took the keg from her. It appears that on Friday John Nunn had been transacting business in town, and reached the dray later in the evening, accompanied by his brother. Simeon Nunn, the sole witness of what then passed, states that they found Mrs. Nunn lying drunk on the bed under the dray, and that his brother asked her how she got drunk, to which she made no answer; Simeon Nunn deposed that John Nunn had at this moment an iron pot in his hand, and that he could have struck his wife's head with it, but that he (witness) did not see him do so; but in a voluntary statement made by Simeon Nunn before the magistrates he had stated that he saw John Nunn strike his wife on the head with the pot. Simeon Nunn now deposed that he saw blood coming from Mrs. Nunn's temple, but that she made no complaint, being very drunk.

As Mrs. Nunn was in daily expectation of being confined, on Saturday John Nunn obtained lodgings for her in a house occupied by **PATRICK DALEY**, and they removed to them on Saturday morning, Mrs. Nunn being observed by Mr. **SAMUEL COHEN** driving the dray away from the paddock herself, and appearing (from a distance) much as usual. Whether Daley saw Mrs. Nunn on her arrival was not stated, but he did not observe any wound on her head till the Monday after, when he saw people bathing it. Early on Sunday morning Daley went in a great hurry for a midwife, **ROSANNA NORTON**, and begged her to come at once to his house, to attend on Mrs. Nunn in her confinement. Mrs. Norton went, but found that Mrs. Nunn had been delivered, and was then kneeling on the floor. Mrs. Nunn told Mrs. Norton that she had had an easy time of it, and that she felt very well if it was not for her head, where she complained that she suffered much pain. Mrs. Nunn then bathed her head with water, and her husband coming in he asked her if he should send for a doctor to see the wound in her head, but Mrs. Nunn declined, saying he could only put a plaister on it. After remaining some time, Mrs. Norton left. About this time John Nunn had sent his brother to Mr. Cohen's for two gallons of port wine, as his wife had been confined. Some time after Mrs. Norton left Daley chanced to look into the bed-room, and was shocked to see Mrs. Nunn out of bed, naked, and drinking wine from the keg. He went for Mrs. Norton again, and she came and found Mrs. Nunn drunk, and lying across the bed, while her husband was asleep in the adjoining room; Mrs. Norton aroused him, and to her questions he replied that he knew nothing of how his wife had got drunk. After some consultation Mrs. Norton took away the keg of wine by Nunn's desire. The next morning (Monday), about seven o'clock, Mrs. Norton again saw Mrs. Nunn, and found her vomiting from the effects of the wine, and asking for more.

About breakfast time on Monday morning Dr. **M'CARTNEY** was sent for, and found Mrs. Nunn suffering from the effects of drink, but able to sit up in bed and converse; she complained of pain in the right side of her head and neck, and Dr. M'Cartney observed a slight swelling on her temple, and a small wound, from which decomposed blood issued. The doctor at the time entertained great fears as to her recovery, from her imprudent conduct more than from the wound, and he attended her

till her death, which occurred on Wednesday morning, about six o'clock. Early on Tuesday morning John Nunn called up Mrs. Norton, telling her his wife was dying. Mrs. Norton went to the house, and found Mrs. Nunn insensible, and in a hopeless state, and she continued insensible till her death.

On making a post-mortem examination Dr. M'Cartney found a comminuted fracture of the temporal bone penetrating the brain; the brain in the neighbourhood of the fracture was suffused with blood, but the substance of the brain was penetrated to little more than a line. The wound was sufficient to have caused death by inflammation, more particularly as the deceased was of intemperate habits, and at the time suffering from n drink. A fall accompanied by a violent push against a solid pointed substance might have caused the wound, but his impression was that it was the result of a blow with a blunt pointed instrument.

Dr. **LIDDELL**, at the request of the jury, also made a post-mortem examination, and found a small punctured wound in the scalp, immediately above the right ear, which penetrated through the bone to the brain, the brain being extensively inflamed and softened at that place. There was a very slight appearance of inflammation in a portion of the bowels, but not sufficient to have caused death; death was the inevitable consequence of the punctured wound in the temple, which must have been caused by a direct blow with a blunt pointed instrument; the fracture was exactly fitted by the foot of the iron pot produced, and in his opinion that was the instrument that made the wound; it might be produced by a person falling in a helpless state on such a point.

From the evidence it does not appear that either the deceased or her husband made any statement to Mrs. Norton, Dr. M'Cartney, or Daley, as to how the wound was caused, although John Nunn himself pointed out the wound, with some bruises on his wife's hand and shin bone, to Dr. M'Cartney. A witness named **GEORGE LONG**, however, deposed that on the Saturday he paid John Nunn some money he owed him, and while drinking together he (Long) inquired after Mrs. Nunn and the children; on which John Nunn replied that she was not very well, that she had been drinking yesterday evening, and that he threw an old pot at her and hit her in the head; he (Long) asked if it was much; Nunn replied not a great deal, and that he thought it was worse when first done.

From Simeon Nunn's evidence it appeared that his brother on the Wednesday morning gave him ten shillings to go up the country till the affair was settled; but he wished to stay to hear the upshot, and took lodgings in town; and on the Friday evening succeeding the death he was apprehended by constable **POOL** while returning from visiting his brother's children.

Mr. Ward attended the inquest on behalf of Nunn to watch the proceedings.

**INQUESTS.** - In addition to the inquest on the body of **MARGARET NUNN**, reported in another column, two inquests have been held before **J.S. PARKER**, Esq., coroner. The first was held on Friday last, at Hexham, on the body of **JOSEPH SLATER**. It appeared that Slater was an old soldier, 70 years of age, having come to the colony with Governor Macquarie; he was mainly supported by his pension, but for some months past had been residing with Mr. **ALEXANDER CAMERON**, near Hexham, doing what little he could about the place. His health had been poor all this time, and gradually got worse; about December he went for a month to Newcastle Hospital, but returned nearly the same. On the 1<sup>st</sup> instant Slater had come to Maitland to receive his pension, and returned after four days; he then appeared worse, and very low in spirits, and continued ailing, but moving about, till Thursday morning, at breakfast-time, when as he was picking up a brand to light his pipe, he fell forward on his face; Mr. Cameron, who was conversing with him at the moment, called in his son,

and they lifted the old man, but in a minute or two he gave a deep sigh, and died without a struggle. Verdict, died by the visitation of God.

The second inquest was held on Saturday, at Mr. Mayo's, East Maitland, on the body of **JOHN ROBERT STEPHENSON**, whose body had been exhumed for the purpose. This was the poor boy whose death we reported in our last as having been caused by sheaves of wheat falling on him from his father's stack. The evidence adduced was the same in substance as reported by us. Verdict – accidental death.

**THE MURDER AT GLENDON BROOK.** - We have been requested by Dr. **STOLWORTHY** to furnish the following additional particulars respecting the *post mortem* examination of the body of the deceased **MARY SADLER**. The doctor states that, in making mention of the sound and healthy condition of the structure of the brain, it was to show the jury that the extravasation from a ruptured blood vessel found upon that portion of the brain corresponding to the external contusion upon the temple was evidently the result of the blow; that decomposition had not commenced, to which cause any lesion or alteration in structure might be attributed. Dr. S. also mentions that the *dura mater* was adhering closely to the same side of the skull on which the blow was inflicted. *From our Singleton Correspondent.*

**INQUEST.** - An inquest was holden on this day, at the Rock of Cashel, in Cumberland-street, touching the death of **MARGARET PIGGINS**, residing in that street, who, on Sunday morning last, destroyed herself by taking a quantity of oxalic acid, which she obtained at a neighbouring druggist's, under a very clever pretence of its being required for cleaning straw bonnets, and in the name of a person who was in the habit of obtaining it for that purpose. The deceased took so large a quantity of the poison that, notwithstanding the prompt attendance of two medical men, she died in a quarter of an hour. She had been drinking for several days previously, and is the mother of three or four children, her husband, who is a seaman, having left Sydney on Saturday morning in a Moreton Bay schooner, of which he is the master. Verdict, died from the effects of poison, taken while labouring under temporary insanity.

**ANOTHER CHARGE OF ASSAULT.**

After the above case had been disposed of [Samuel Smith, omnibus driver, v three passengers; warned he was putting his licence in jeopardy.] **SAMUEL SMITH** appeared as defendant in a similar case, **JOSEPH PERCOX** being the complainant. It appeared from the evidence of Percox and two witnesses that on the 9<sup>th</sup> instant, early in the morning, Percox drew his coach up at the Red Cow to pick up some passengers to Morpeth. Mr. Smith shortly after drew up in his omnibus, and he urged the passengers not to go by Percox's coach, uttering much foul language against Percox and his wife; he also shook his fist at Percox, being about a yard from him at the time, and said he should feel much pleasure in knocking his head off, which Percox invited him to try. The defendant denied a portion of the language, and that he shook his fist. The bench dismissed the case, but repeated their warning to Mr. Smith in respect to using such foul language.

**ATTEMPT AT SELF-DESTRUCTION.** - About half-past seven o'clock yesterday evening considerable alarm was excited by a man running down Essex-hill at a rapid pace into George-street, and bleeding profusely from a deep cut in his throat. On his being overtaken near the Queen's Wharf by constables **HARPER** and **GRAINGER**, here was found to be a dreadful gash, and that he was raving mad. He was immediately taken to the Hospital, where the wound was found not to be a dangerous one itself, but from his labouring under a very severe attack of delirium tremens his recovery cannot with safety be counted on. The man has been discovered to be a seaman named **DIGNAM**, and lately belonging to the brig *Spec*, and since Christmas has scarcely ever

been sober. It appears yesterday morning he went on board a vessel at the Flour Company's wharf, and asked for the loan of a knife to cut some tobacco with, and on receiving it, went ashore, and having sharpened it at a grindstone, drew it across the side of his throat, and then took a second knife from one of the sleeves of his jacket and drew it across the other side. He was immediately seized by some bystanders; but he broke away from them, and set off at the pace he continued at until apprehended. *Herald, Jan. 19*

**VIOLENT ASSAULT.** - It may be recollected, that on the afternoon of Christmas Day, a man named **JAMES BARRY**, residing in Queen's-place, flung a bucket at the head of two children of the name of **EGAN**, the daughters of a neighbour. Both children one of whom was about five years of age, and the other two years old, were seriously injured; the youngest so much so, from a fracture in the skull, that little hope was entertained of its recovery. Both children were removed to the Infirmary, where such skilful treatment has been employed that they are now both out of danger. Barry, who was immediately on the assault taken into custody, and since been on remand on gaol, was on Saturday brought up before the Police Bench, when evidence of the commission of the offence have (sic) been given he was committed for trial. *Herald, Jan. 22*

MAITLAND MERCURY, 7/477, 27/01/1849

SYDNEY NEWS.

I have received intelligence of one of the most cold blooded and outrageous murders having been committed early on Saturday morning last at Campbelltown [**ELIZABETH RICHARDSON, SARAH LACK and UNKNOWN LACK**], and my only surprise is that no account of it has yet appeared in the *Sydney Morning Herald*. It seems that at the time above named **JAMES RICHARDSON**, a tailor by trade, acting also as sexton of the church, went armed with an axe to the house of his wife, from whom he had been some time living apart, and having wrenched open the door of her residence with the instrument, deliberately murdered her, her daughter, and a child about ten months old, the offspring of his wife's son, leaving a second child, a girl about four years old, all but dead. The murderer was the second husband of the elder deceased, and they had latterly, as before stated, been living separately. After he had perpetrated the horrid deed he went, covered with blood, to the watch house and gave himself up, stating that he had finished them all off except one, who he did not think was dead, and recommended that a doctor be sent to her. The murderer was a lazy character, and somewhat addicted to drinking, but it did not appear that he had been guilty of extraordinary excesses prior to his commission of the crime, for which jealousy was the assigned motive. It was committed in the most frightful and barbarous manner with the edge of the axe; his wife having received seven cuts and his daughter five, chopping the head and jaw literally to pieces. One of the cuts on the former was seven inches in length. The man had been heard to say, some time ago, that he would settle his wife if ever he caught her out. He is committed for trial by the Campbelltown bench.

SYDNEY NEWS.

MAITLAND MERCURY, 7/478, 31/01/1849

**FATAL BOAT ACCIDENT.** - On Saturday evening, as Mr. **W.H. ELLIOTT**, third clerk in the Sydney Police Office, was cruising in a small sailing boat in Lavender's Bay, it was seen by persons ashore to capsize. The boat was recovered, but up to the

hour at which we went to press, the body of the deceased had not been found. *Herald*, 29<sup>th</sup> January. [See also 7/479, 03/02/1849]

The remains of the poor young man **ELLIOTT**, who was drowned on Saturday last, were found this afternoon; the head and upper part of the body have been destroyed by the sharks, and the lower part much mutilated, and are only recognised by the dress.

**CORONER'S INQUEST.** - A coroner's inquest was held on Monday, at ten o'clock in the forenoon, before **HENRY GLENNIE**, Esq., the coroner for the district, and a jury of twelve, touching the death of **PATRICK DEANE**, a fine little boy about four years and a half old, who came by his death in the following manner:- It appears that on Sunday last, which was a very hot day, he had gone out in company with his parents to a neighbour's house, and while there had taken two drinks of cold well water, and it was supposed had eaten some unripe peaches. Upon his return he complained of pain in his stomach, but occasionally slept a while; he, however, soon grew delirious, and convulsed, and in about two hours from the first time he complained, the poor little fellow breathed his last. Dr. **STOLWORTHY** gave it as his opinion that the deceased died from cramp in the stomach, occasioned by drinking cold water while he was in a heated state. The jury returned a verdict of died by the visitation of God.

**BERRIMA. - DEATH BY BURNING.** - On Tuesday last, January 23<sup>rd</sup>, a fine little boy about four years old, the son of a person named **WOODCOCK**, was left by his mother to play outside the house for a few minutes whilst she went on some errand a few doors off, taking the precaution to lock her own door in order to prevent the child's access to the fire. By some means, however, the unfortunate little fellow effected an entrance, and in an instant was enveloped in flames. His screams attracted the notice of several persons, who rushed to his assistance, but who were retarded in their efforts to afford it by the door being securely fastened; and when at length it was burst open and the little sufferer rescued, he was found to be so frightfully burned that he died in a few hours afterwards. An enquiry was held by **CHARLES THROSBY**, Esq., and Captain **NICHOLSON**, J.P.s, touching the circumstances of the case, and a verdict of accidental death from burning recorded. *Correspondent of Goulburn Herald*.

**SUICIDE.** - A married female of the name of [**CATHERINE**] **JONES**, the wife of a constable who resides on the Parramatta road, died yesterday morning in the Infirmary, from a dose of poison taken by her on the preceding afternoon. It appears some time elapsed before any discovery was made of the rash act the woman had committed, when she was brought into town for medical aid, and removed to the infirmary, but from the extent of the dose, as well as the time it had been taken, all attempts to save her life were unavailing, and she expired within six hours after her arrival at the infirmary. *Herald, Jan. 27*

**SERIOUS ACCIDENT.** - On Monday afternoon an old man named **WILLIAM LEE**, who was somewhat in liquor, was riding from West Maitland towards East Maitland; his horse became restive as he neared Wallis's Creek Bridge, and at the turn of the road Mr. Lee was thrown off, and fell on his head, heavily bruising his cheek and the side of the head. He was at first taken in an insensible state to a small house by the bridge, and medical assistance was sent for. Mr. Lee was afterwards removed to Mr. Adams's, the Black Horse, where he now lies. We believe that at present his life is not considered in danger, although his advanced age, 70 years, makes the injury a more serious one.

**MAITLAND MERCURY**, 7/479, 03/02/1849

**INQUEST.** - An inquest was held yesterday, by Mr. **RYAN BRENNAN**, at Hooper's, the King's Head, Lower George-street, touching the death of Mr. **WILLIAM HENRY ELLIOTT**, late a clerk in the Police Office, and which had been caused by the

accidental upsetting of a boat in which he was, on the afternoon of Saturday. The only portion of the body recovered, and then not until it had been upwards of forty hours dragged for, were the lower extremities, from the hips downwards, and was found by a waterman named **JOLLIFFE**, about 100 yards from where the accident had occurred. Mr. **BROWN**, a resident at Balmain, stated he was on Sunday afternoon in a boat with the deceased, and when after leaving Pinchgut, they were half way between the Flag Ship and the North Shore, returning home, a sudden puff of wind threw her own beam ends, and she immediately went down. The witness was almost immediately picked up, when he begged of those who were assisting him to look after the deceased, when he was informed he had momentarily gone down. Mr. Brown had no hesitation in stating that the remains found were a portion of the body of Mr. Elliott. The deceased was a young man of very steady habits, and was at the time of the accident perfectly sober. A finding was returned of accidental drowning. The deceased, it is stated, was unable to swim, and the sudden manner in which he was seen to sink, coupled with the appearance the remains recovered presented, as if the trunk had been severed from the extremities, there seems great probability in the conjecture hazarded, that at the moment of the capsize the unfortunate gentleman was seized hold of by a shark. *Herald, Jan. 31*

**SERIOUS ACCIDENT.** - Late on Monday afternoon a man named **WILLIAM WHITE**, in the employ of Mr. Wentworth, was driving a heavily laden dray at Windemere, being sitting on the shaft, when a sudden jerk over-balanced him, and he fell through between the shafts, behind the bullocks. In an instant after one wheel had grazed his head, while the other passed over both his legs, fracturing the left thigh, and tearing off all the flesh from the right knee joint, separating the muscles to the bone. He was sent in at once to the Maitland Hospital, where Dr. **M'CARTNEY** saw him and dressed the wounds; it was found impossible to set the fractured thigh until Thursday evening, but we are happy to hear that, although the injuries are very serious, hopes are entertained of White's recovery. White is about 55 years old, and was intoxicated at the time.

MAITLAND MERCURY, 7/480, 07/02/1849

**MURDER AT BURROWA** – About four years since, a number of armed men attacked the house of Mr. **ISAAC DAVIS**, of Burrowa, bailed up the family, shot Mr. Davis, who shortly afterwards died, plundered the house, and made off. A reward was immediately offered for the apprehension of the parties, but until very lately, no trace was heard of them. Three men have been taken into custody and the murderer has, we understand, been identified. *Australian Sportsman*

MAITLAND MERCURY, 7/480, 07/02/1849

THE MAITLAND CIRCUIT COURT

The following is a list of the prisoners for trial at the Maitland Circuit Court, which will commence on Monday next; ...

**GEORGE WATERS WARD**, for the murder of **RICHARD CONNOLLY**, Muswellbrook bench;

**JOHN HEARN**, for the murder of **MARY SADLER**; Singleton bench;

**RICHARD KNIGHT**, **STEPHEN HOLDEN**, **JOHN REARDON**, **BILLY** (an aboriginal), and **MARTIN CUMMINS**, for the murder of **BOOTHA**, an aboriginal woman; Warialda bench;

**JOHN NUNN**, Manslaughter; Maitland court;

**JAMES CASEY and JOHN CASEY**, manslaughter; Maitland court.

FATAL ACCIDENT. - On Monday last two sons of Mr. **THOMAS PRENTICE**, named **CHARLES and CLARENCE**, and aged seventeen and seven years, went from Hinton to Morpeth to fetch a load of bricks. When returning, the brick makers placed Clarence on the load, but he got off again, not liking it; they again placed him up, saying he had better ride; he then got on the front of the cart, and taking up the whip, he drove on the bullocks, a quiet pair, while his brother walked behind. Suddenly, without any stoppage of the cart, or his hearing any cry, Charles came across his brother lying on his face in the road, in the track of the wheels, and with marks on his jacket showing that the wheel had gone over him. As his brother stopped and cried out, the little fellow got up, and kissed him, saying – “Brother, I will die.” Assistance was got, and the poor boy taken to Mr. **GRAHAM**’s house, and Dr. **BROWN** sent for, who found that the injuries were so great that there was no hope of saving his life, the wheel having gone over him about the pit of his stomach, and over both arms. He lingered, quite sensible, until six o’clock in the evening, when he expired. An inquest was held on the body yesterday, at Mr. Graham’s inn, when a verdict of accidental death was returned,

ACCIDENTS. - The poor man, **WILLIAM WHITE**, who was so much injured at Windemere last week, by dray wheels passing over him, died yesterday, from mortification of the knee joint, the dreadful injury to which we alluded in our last. White, it appears, was older than we were told, being nearly seventy years of age; he had been a very active man, and even within the last year or two would occasionally for pastime challenge young men to leap with him over fences or hurdles.

MAITLAND MERCURY, 7/481, 10/02/1849

DEATH OF A LAD FROM CLIMBING TREES. - On Thursday an inquest was held at Vacy, Upper Paterson, before **J.S. PARKER**, Esq., Coroner, on the body of **RICHARD ARNELL**, aged fifteen years, who arrived with his parents as an immigrant by one of the recent ships. It appeared that Arnell was apprenticed to Mr. **WILLIAM MILLER**, a blacksmith, residing at Vacy, and was in the habit of amusing himself in the evenings by opossum hunting; his master, observing that he was venturesome in climbing trees after them, had several times cautioned him not to do so. On Tuesday evening last, young Arnell went out in the direction of a paddock belonging to Mr. **BLAKELOCK**, and was cautioned by Mr. Miller not to go after the opossums, which he promised he would not do; between eight and nine o’clock in the evening, Mr. Blakelock’s attention was aroused by hearing some one crying in the paddock, and on going to the spot he found young Arnell lying under a gum-tree with blood on the sleeves of his shirt. To Mr. Blakelock’s question Arnell at first replied that he had not fallen from the tree, but he afterwards said that he had climbed up after opossums, and that in returning his hand slipped, he lost his hold, and fell from nearly the top of the tree to the ground. Mr. Miller was called, and young Arnell removed home. No bones were broken, and Arnell did not at first appear very much hurt, although he complained of pain in the belly; Mr. Miller wished to get a doctor, but at Arnell’s request postponed it till the morning. On Monday morning, Arnell said he was much worse, and Dr. **PARK** was called in, but in about an hour afterwards the poor lad expired. Dr. Park had seen the tree, and from its height, and the symptoms. He had no doubt that Arnell had received internal injuries when he fell which caused death. A verdict was returned of accidental death.

SYDNEY NEWS.

As a man named **ROBERT WATSON** was crossing the race-course this morning, he fell down apparently dead; he was conveyed to the hospital, where he shortly afterwards expired. At a *post mortem* examination, on an inquest, it was discovered

that a rupture of some of the vessels of the heart had caused death, and a verdict of died by the visitation of God was returned.

**DEATH FROM A POTATO LODGING IN THE THROAT.** - An inquest was held on the 31<sup>st</sup> ultimo, at the Invalid Asylum (late the Female Factory) at Parramatta, on view of the body of **BENJAMIN PRATT**, then lying dead therein. It appeared that the deceased, who was of middle age, and a prisoner of the crown, had been confined in the asylum in consequence of imbecility. Whilst eating his dinner in a very voracious manner he was suddenly choked by a piece of potato lodging in his throat. The medical resident of the establishment was almost immediately at his assistance, but failed in removing the stoppage before the deceased expired. The deceased, it further transpired, was subject to epileptic fits, and it was probable one was brought on by the lodgement of the potato, and caused death. A finding was returned of "accidental suffocation." *Herald, February 7.*

**CORONER'S INQUEST.** - An inquest was held yesterday at Marcus's public-house, Bathurst-street, on view of the body of **WILLIAM ORR**, whose melancholy death was noticed in yesterday's *Herald*. From the evidence of **MAURICE MURRAY** and **JAMES ALLEN**, two boys who were bathing off Grose's Wharf at the time the deceased went into the water, it appeared that in about ten minutes after he went in they observed him, at a distance of about twenty yards, under water, and suspecting from the manner of his conversation on the wharf, which led them to think that he was not perfectly sober, that something was the matter with him, they swam out to him; when they neared him the deceased made a snatch at one of them, which was eluded. One of them then took him by the hair, and the other by an arm, and brought him on shore. Finding then that he had not the use of either arms or legs, they gave the alarm, which brought down Mr. **H.R. WHITTELL**, and shortly afterwards Mr. Surgeon **NELSON** arrived. Mr. Whittell and Mr. **JOHN MEREDITH** gave evidence that the deceased had been drinking a little on Tuesday afternoon, but was not, between seven and eight o'clock, intoxicated. Mr. **R.W. NELSON**, surgeon, deposed that he was called to see the deceased shortly after eight o'clock on Tuesday evening, and on his arrival found that he was quite dead; from the previous evidence which had been taken, he believed that his death was the result of effusion of blood on the brain, caused by the shock given to the system by bathing while in a state of intoxication. The jury returned a verdict in accordance with Mr. Nelson's opinion - Death from effusion on the brain. *Herald, Feb. 8*

**DEATHS.**

At his residence, Bathurst-street west, Sydney, on the 6<sup>th</sup> February, Mr. **WILLIAM ORR**, engineer, aged 43 years.

**MELANCHOLY OCCURRENCE.** - Between 7 and 8 o'clock yesterday evening, as Mr. **WILLIAM ORR**, the engineer, of Bathurst-street, was bathing off his wharf, he was seen by two lads, who were swimming there, to be suddenly seized with a fit, when they immediately brought him ashore, where life was found to be extinct. Messrs. Surgeon **NEILSON** and **WHITTLE** were in a few minutes in attendance, but all attempts to restore life were unavailing. *Herald, Feb. 7*

**GOULBURN CIRCUIT COURT.**

**WILLIAM HENRY SKELTON** was indicted for stabbing **JOHN NUTTALL**, at Yass, on the 20<sup>th</sup> November. It appeared that Skelton had taken a letter to the hut of Nuttall and a man named **CARROLL**; Carroll was away at the time, and Nuttall after some time seized Mrs. Carroll, and was carrying her into the hut, when Skelton interfered to protect her; Nuttall turned on him and savagely assaulted him; Skelton got

away from him, but Nuttall pursued and caught him again, and stabbed him twice in the back with a knife. Verdict, guilty; to be worked on the roads for six years. [sic!]

MAITLAND MERCURY, 7/482, 14/02/1849

MAITLAND CIRCUIT COURT. - TUESDAY, FEBRUARY 13, 1849

WILFUL MURDER

**GEORGE WATERS WARD** was indicted for having, at Muswell Brook Creek, on the 12<sup>th</sup> April, 1848, feloniously assaulted **RICHARD CONNOLLY**, otherwise called **RICHARD KING**, and for having with a certain unknown blunt instrument, held in both his hands, on the left side of the head and on the front of the head of the said Richard Connolly, inflicted divers mortal wounds and bruises, whereof the said Richard Connolly died instantly die, and that this he, the said George Waters Ward, did feloniously kill and murder the said Richard Connolly. In a second count the wounds were said to have been inflicted, and the murder committed, by an axe, held in both hands of the said George Waters Ward.

Mr. Purefoy, at the request of his Honor, undertook to watch the evidence on behalf of the prisoner; and Mr. Ward also consented to act as attorney for the prisoner.

The Solicitor General stated the particulars of the case to the jury, urging them of they felt any reasonable doubt of the prisoner's guilt to give him the benefit of it.

**THOMAS WHITE** deposed that in April, 1848, he lived at Woolaman, Dr. Jenkins's station; Richard King, commonly called Richard Connolly, also lived there then; the prisoner was at the station on the 10<sup>th</sup> April, and was present when Connolly, witness, and three or four others were at breakfast together; from their conversation it appeared that Connolly and prisoner had been acquainted in Van Diemen's Land, and after they had had some private conversation the prisoner went away, telling witness that he was going back straight to Sydney. Witness and Connolly went out to work, but about two o'clock Connolly left the station also, and witness had never seen him since. When Connolly left he was dressed in a drab tweed coat and cabbage-tree hat, and he wrapped up in an opossum cloak some tea, sugar, and tobacco, two check shirts, two guernsey shirts, a pint pot and a quart pot; the tweed coat had no buttons behind, and the pint pot had a tree marked on the bottom; the tweed coat produced he believed to be the one Connolly wore when he left, and the pint pot produced he believed to be the one Connolly wrapped up, and it had a tree like that one on the bottom. Connolly had with him a silver watch, which he had bought from another shepherd, who had entrusted it to Dr. Jenkins to get repaired in Sydney.

**MICHAEL RILEY** deposed that he was a shepherd; in April, 1848, he was in the employ of Mrs. **WHITE**, at a station beyond Aberdeen; one evening, about that time, two men came to him, and asked if they could stop the night, which witness consented to; one of the men witness believed was the prisoner, but he could no say so positively, although he had no doubt of it; with this man witness had no dealings, although that man offered him a rug, but with his companion witness had dealings, giving him a coat for an opossum cloak, and an old watch for some Guernsey and common shirts; the coat was of the same colour and quality as the remnants produced, and it had a large cape; the watch wanted the glass, but witness could not say that he should know it again.

**SAMUEL CALDWELL** deposed that he kept the Albert Hotel, at Aberdeen; on the 12<sup>th</sup> April, about one or two o'clock in the day, the prisoner and Richard Connolly came to witness's house, and called for dinner, which they had; they remained in the house till evening; while there witness saw that Connolly had two watches with him, and witness had them some time in his hands; the watches produced were the same, to the best of witness's belief; Connolly had a light tweed coat on, exactly corresponding with

the one produced. Connolly said he was going on to Muswell Brook, and prisoner remarked that he wished to go there to see a man named George Lewis, who had dined with them, as he thought he could engage with him for a job of sawing. Connolly and the prisoner left witness's house about seven or eight o'clock in the evening, half or three-quarters of an hour after Lewis had left. Connolly had stopped at witness's house before, and gave his name as Richard Connolly; witness had never seen the prisoner before that day.

**GEORGE LEWIS** deposed that he took a meal at Mr. Caldwell's on the evening of the 12<sup>th</sup> April, in company with two men; prisoner was one of them, and a man who was spoken to as Connolly or Connell was the other; the prisoner was talking of hiring with witness, but did not do so; witness left before the men left, and never saw the prisoner after till he saw him in custody. Witness afterwards saw at the court-house at Muswell Brook the dead body of a man whom he believed to be the man Connolly or Connell, but whose head was so mangled that he could not swear to him; that was on the 14<sup>th</sup>, witness believed; witness had no doubt it was his body.

**JOHN THOMAS BAKER** deposed that in January, 1848, he was in the employ of Dr. Jenkins, at Woolaman; Richard Connolly was also there, and in the latter end of 1847 witness had sold to Connolly a tweed coat that had been made for witness; witness removed to Muswell Brook, leaving Connolly at Woolaman; in April, on Saturday, the 15<sup>th</sup>, witness believed, he saw the dead body of Connolly in the court-house at Muswell Brook; he was positive it was his body; the coat produced was the coat witness sold to Connolly.

**THOMAS MAGUIRE** deposed that he was, in April last, a labourer in the employ of Mrs. White; on Wednesday, the 12<sup>th</sup> of April, he left Muswell Brook to go home; he felt ill, and lay down about ten o'clock in the morning, and slept till four o'clock in the afternoon; witness again went to sleep, and woke up in the night, at what hour he could not say, but it was dark; witness then observed a fire on the opposite side of the road, and going to it, he was about lighting his pipe, when two men came up from the direction of Muswell Brook, which was about a mile off; one of the men was the prisoner; witness asked how far they were going, and prisoner said not far; witness remained at the fire about five minutes longer, and then left, leaving the prisoner laying down, and the other man making up the fire. Witness went on about a mile, and getting ill again he went to sleep, and when he woke up he walked on about two miles, when he missed a bundle he had been carrying; witness returned to the for to look for it, and when he got there noticed that there were some rags on the fire, but both men were gone. Witness lit his pipe, and left in about a minute, not having found his bundle. Witness never saw prisoner before that night, but he was positive he was one of the two men, although there was now a difference in his appearance. There was a creek near the fire, called Muswell Brook Creek.

This witness was cross-examined at great length as to that made him so positive that the prisoner was one of the two men.

**EDWARD AVERY** deposed that he was coming down the country with drays, in company with Thomas Ward, and encamped on the 14<sup>th</sup> April, in the afternoon, alongside Muswell Brook Creek, about a mile from Muswell Brook; while looking for a place for their bullocks they noticed something in a shallow water-hole, which they found was the dead body of a man; they went and reported the fact to the magistrates, and afterwards took chief constable Fox to the spot; the body was removed to Muswell Brook court-house the same night.

**THOMAS WARD** corroborated this evidence.

**CHARLES FOX**, chief constable of Muswell Brook, deposed that on being taken to the spot by the last two witnesses, he found the body laying on the face in a shallow water-hole; it was covered over with a dark rug, and on lifting it off witness saw a red cap on the head; witness took this off, and then saw that the back of the skull had been beaten in, and also the side of the head; there was a shirt rolled round the neck, but otherwise the body was naked. Witness removed the body to Muswell Brook Court-house the same evening, and the next morning witness tracked from the spot a track as if the body had been dragged to the water-hole; the track led to a place where there had been a fire; by the ashes was a pool of blood about the size of the crown of a hat, and in the ashes witness found the remains of a hat and a shepherd's tweed coat, and also a tin pot; the remnants produced, and the tin pot, were the same. The body was examined by many persons in Muswell Brook Court-house, and amongst others by Lewis. Before meeting Avery and Ward witness had met the prisoner, at an earlier hour, on the same day; he met him at Bowman's Creek, nineteen miles from Muswell Brook, and eleven from Singleton; after passing, prisoner turned round to ask the distance to Patrick's Plains, which witness told him, and they parted, prisoner going on towards Singleton.

**GEORGE LEWIS** recalled: Witness was present when Dr. Fowler examined to body of the man Connolly or Connell; could not say on what day.

**THOMAS FOWLER** deposed that he was a surgeon, and examined a body at Muswell Brook court-house; witness found a wound on the left temple, and another on the back of the head; either would have caused death, if inflicted during life; the wound on the temple had been inflicted by some sharp instrument, and the wound on the back of the head by a blunt instrument. Blows with a tomahawk would have caused such wounds; blows with an axe might have done so; death would have been caused by both or either of those wounds. Witness believed them to have been inflicted before death, from the extent of extravasation on the brain.

**JOHN THOMAS BAKER** was recalled, and deposed that he was present when Dr. Fowler examined the body of Richard Connolly.

**WILLIAM RYAN** deposed that he was a farmer, residing at Miller's Forest, below Maitland, and that on Sunday, the 16<sup>th</sup> April, prisoner came to his place, and hired with him for three months, at 8s. per week; on the Sunday following, however, prisoner left, without saying that he should not come back again; while he was with witness, witness bought from him a silver watch for £1 5s., and prisoner left in witness's house a light tweed coat; the watch and coat produced were the same, and still bore the marks witness put on them.

**SAMUEL HOLT**, chief constable of Newcastle, deposed that he apprehended the prisoner in the street at Newcastle early on the morning of the 25<sup>th</sup> April, when prisoner, in reply to witness's questions, denied that he had ever been at Muswell Brook, but said that he had been four days in Maitland, and had moved from place to place down the river till he reached Newcastle. On being asked if he had a watch, the prisoner, after some hesitation, took a silver watch out of his waistcoat pocket; the watch produced was the same, and prisoner said he got it from Sydney nine years ago. After prisoner had been brought before the bench, and was ordered to be forwarded to Muswell Brook, he admitted to the lock-up keeper that he had been in Muswell Brook, in company with two other men and the man who was killed, whom he spoke of as Dick Connolly, but he added that he was not the man who killed him. This was in answer to a remark of the lock-up keeper, which witness did not distinctly hear.

**RICHARD L. JENKINS** deposed that on his return from Sydney he delivered the watch produced to Connolly; he had taken it to Sydney to be repaired for a man named

Hutton, and on his return delivered it to Connolly, by Hutton's desire. Connolly left the station about the 7<sup>th</sup> April, 1848. [This was the watch identified by Ryan.]

This closed the case for the prosecution.

Mr. Purefoy, who had cross-examined nearly all the witnesses, recalled chief constable Fox, who stated that he showed prisoner, in Muswell Brook court-house, the watch produced [that sold to Ryan], when the prisoner, in reply to his question as to what he knew of it ---

His Honor could not allow a statement of the prisoner in his own favour to be received, unless it were simply a declaration accompanying an act. A reply to a question was not of that nature.

Mr. Purefoy recalled Mr. Caldwell, who deposed that pen, ink, and paper, were asked for and obtained by Connolly and the prisoner, but for what purpose he did not know.

**MICHAEL RILEY** was recalled by his Honor, but could not identify either of the watches as the one he parted with to one of the two men.

Mr. Purefoy addressed the jury for the defence. It was his duty now to offer to them some few observations on the evidence that had been adduced, but he should detain them as short a time as possible, consistent with his duty to the prisoner. It appeared to him that the question of most importance to them to determine in this case was as to the identity of the prisoner, which the evidence did not conclusively show, to his apprehension. He need not tell them that it was a well understood maxim of the laws of England, that where a doubt was felt by the jury, they should give the prisoner the benefit of that doubt; and he thought he could satisfy them that there was by no means such conclusive and satisfactory evidence of the prisoner's identity as should lead them to the irresistible conclusion that he was the companion of the unfortunate man Connolly. Any inconsistency in the chain of evidence put before them to prove that fact, should induce them to doubt the correctness of the conclusion sought to be established. The learned counsel then went at considerable length through the evidence, pointing out to them how difficult it was to believe that a man who had seen the prisoner for so short a time could so positively identify him as Maguire had done; and also that the actions of the prisoner subsequently were quite different from what might be expected from a man who had committed so serious a crime, and who would naturally be anxious to escape, and to keep himself concealed. It was no doubt pretty clearly proved that prisoner had had some dealings afterwards with property that had belonged to Connolly, but there was a wide difference between believing that fact and concluding that he was his murderer, as it was clear that some transaction took place between them at Mr. Caldwell's. No appearance of blood was described as having been seen on the prisoner's dress, and so far from avoiding Mr. Fox when he met him, he turned round to ask him a question.

His Honor, in summing up, repeated to the jury the substance of the two counts in the indictment, and stated that in one the prisoner was charged with having inflicted the wounds with an unknown blunt instrument, and in the other with an axe, while in both he was charged with thus having designedly and with malice aforethought killed and murdered Richard Connolly, otherwise Richard King. They had first to enquire whether a man called Richard Connolly, otherwise Richard King, had met with his death, and in the manner set forth in the indictment, for if he had, the law implied that a man so killed had been killed by design, and by malice aforethought, and had therefore been murdered; leaving it to the person charged with the crime to prove, if he could, that death was not caused by malice aforethought. For no doubt men might be killed, and by design, yet without malice, as, for instance, by a person in defence of his own life. But in the present case, the prisoner had not been able to call any evidence, and

they consequently were left to imply that death was caused by malice aforethought. His Honor then gave an abstract of the evidence as to the finding of the body, its appearance, its being identified as that of Richard Connolly, and the doctor's evidence as to the wounds, and that either of them would have caused death. He called their attention to the fact that the proof was that the wounds were on the left side and back of the head, instead of the left side and front, as laid in the indictment, but he thought this was immaterial, and that the indictment was sustained if it was proved that death was caused by wounds on the head. He thought, therefore, that there was evidence for their consideration that Richard Connolly had met with his death in the manner set forth; and the question remained, at whose hands had he met with his death? For it was hardly conceivable, and there was no evidence to lead to the supposition, that the deceased had inflicted the wounds himself. The question was then, was the prisoner the person who inflicted the wounds, and caused Connolly's death. And here he would repeat the intimation of the Solicitor General that the case was one entirely of circumstantial evidence, and one, therefore, specially calling for their most careful attention. It had been said that circumstantial evidence was stronger than direct, as circumstances could not lie; but he could not assent to this position, for, although circumstances could not lie, yet the witnesses to them might, equally as much to direct evidence. He therefore thought that direct evidence was much superior to circumstantial, and that in all cases of circumstantial evidence the jury had a more than usually solemn duty to perform, particularly where life was concerned. He would call on them, therefore, to weight the evidence most carefully, noting the manner of each witness when giving it. In a civil case the duty of a jury was to consider on which side there was a preponderance of evidence, and to give their verdict accordingly; but in criminal cases their duty was far different, for unless they were satisfied of the guilt of the prisoner, beyond any reasonable doubt, they must give him the benefit of the doubt, and acquit him. They should not certainly, if any slight difficulty in the evidence presented itself, catch at it, and, abandoning their duty to the community, at once give a verdict for the prisoner; but should carefully compare and test it with the remainder of the evidence, and then, if they could not get over the doubt, give the prisoner the benefit of it. He would repeat to them the opinion of an eminent English judge, who told a jury they must not only, before returning a verdict of guilty, feel that the evidence was consistent with the idea of the prisoner's guilt, but that it was inconsistent with any other conclusion, so as to lead them to the necessary and inevitable conclusion of the prisoner's guilt. He cautioned them to dismiss from their minds anything they might have heard or read outside relating to the case before them, and to be guided only by the evidence laid before them by the Solicitor General. If that evidence left any reasonable doubt on their minds as to the prisoner's guilt, they must acquit him, for the question for them was not whether he was guilty, but whether he was proved guilty. His Honor then gave a brief abstract of the evidence, and finished by reading over the whole as given, cautioning the jury particularly to be cautious as to the evidence to identity; and inviting them, if they felt any difficulty after having retired, to return to ask him for any information.

The jury retired at four o'clock, and returned in about half an hour with a verdict of guilty.

When asked, in the usual form, whether he had anything to urge why sentence should not be passed on him, the prisoner, whose manner throughout the trial had been quiet and somewhat depressed, said in a distinct and resolute tone that he was innocent of the crime; he urged that his name had been altered; that he had gone to the Peel River looking for a woman, and was still looking for her when he returned down the country, when he left Mr. Ryan's service and went to Newcastle, and that he found her in

Newcastle lockup, and was waiting to see her when he was accosted by Mr. Holt. He said that he was twenty miles from Muswell Brook at the time the murder was said to have been committed; that Riley and Maguire had not told the truth, but that all the other witnesses had. Finally, he re-asserted his innocence of their crime, and said that those were the last words he should speak.

His Honor impressively addressed the prisoner, expressing his entire concurrence in the verdict of the jury, and his hope that the prisoner would, if he were guilty, as all who had heard his trial must believe, make all the reparation he could to the community he had outraged by confessing his crime, in order that no other person might hereafter be accused of having committed the fearful deed. He could hold out no hopes of mercy to him in this world, and urged him to repent, and seek the consolation of religion. It was now his painful duty to pass the sentence of the law upon him, which was, that he should be taken to the place whence he came, and thence on a day to be appointed to the place of execution, and there to be hanged till he was dead.

The prisoner heard the sentence quite unmoved.

WRECK OF THE CUTTER "ELLEN." - FOUR LIVES LOST. - We regret to announce the loss of this vessel between the Heads, on Friday night last. She was bound for Brisbane Water, and on the southerly wind coming on, about eight o'clock, got under weigh from Darling Harbour. On arriving at the Heads, about eleven o'clock, she encountered a perfect hurricane, and her ballast shifting, she capsized and went down. There were two passengers on board (**WILLIAM RENSHAW** and **WILLIAM HAMLEWAY**,) who, we are sorry to say, perished, as also **JOHN LIHR**, (the owner and master), and **WILLIAM WILD**, a seaman; **JOHN TAPLEY**, the other seaman, being a good swimmer, contrived to reach the rocks of North Head. On his quitting the vessel, he observed Lihr and Hamleway clinging at the end of the jib-boom, neither of them being able to swim; Wild, he believed, followed his example of trying for the shore, but perished in the attempt. Tapley is very much bruised, and was in a very exhausted state when he reached the shore, having been in the water two hours and a half. The *Ellen* was of 10 tons burthen, and won the first prize of the second class coasters at the late regatta. The master, we believe, leaves a wife and child to deplore their loss.

DREADFUL ACCIDENT. - FOUR LIVES LOST. - A fearful accident occurred about midday, on Friday, at the Pennant Hills Quarry, by which four persons lost their lives, and a fifth was so seriously injured that apprehensions are entertained respecting his recovery. It appears that as five quarrymen, named **THOMAS HARDY**, **MARK HOLTAM**, **THOMAS GAFFEY**, **JAMES HELY**, and **JOHN FORD**, were engaged at their work, a sort of land-slip took place of metal and gravel, of several tons weight, and situate about seven feet above where they were working; it suddenly slipped from the side and main body of the rock, and came upon them. All were knocked down and more or less covered by the stuff. Immediate assistance was rendered by the other men in the quarry, about 30 in number, and a very short time elapsed before the stuff was cleared from off them. Life was found to be extinct in Hely, who presented a most fearful sight; he was barely recognizable; the body was completely crushed, every limb being broken, and the heart and viscera protruding through the throat and back of the neck. Hardy was also dead, but would seem to have been killed by a stone which had flown from off "the fall," as he showed only a bruise or two. Holtam was found alive; one of his legs broken, as also the spinal bone, and some fractures of the skull. Ford was found to have sustained fracture of one leg and two compound fractures of the other. Messengers were immediately dispatched to Parramatta for medical assistance, and Drs. **RUTTER** and **ROBERTSON** were in attendance in a very short time.

Holtam, being still alive, was sent into Parramatta, together with Gaffey, to the hospital there, but the former expired within five minutes after arriving at that institution. Gaffey was up to yesterday alive and apparently doing well; but the nature of his injuries necessarily prevents any confident opinion being given as to his recovery. Inquests on the unfortunate men were subsequently held by Mr. **BETHEL LYONS**, the district Coroner, when findings of accidental death were recorded. Three of the men who perished have left widows and families, two of them large, and the children of very tender age. It is gratifying to remark, that within a few hours after the accident a subscription was set on foot for the bereaved; £10 was in a few minutes collected as a commencement. As three females and thirteen children are left entirely destitute, it is a case in which the alms of the charitable will be well bestowed. *Herald, Feb. 12*

**WOLLONGONG.** - Two inquests have been held here during the week, the first on the body of a man named **JAMES WILLIAMS**, who was accidentally burnt, and died on the sixth day after the accident occurred. The other was upon a child, which was also burnt. In both cases the jury returned verdicts of accidentally burned to death. *Correspondent of the People's Advocate, Feb. 10*

**MAITLAND MERCURY, 7/483, 17/02/1849**

**ACCIDENTAL DEATH.** - On Wednesday an inquest was held at Midlorn before **J.S. PARKER**, Esq., Coroner, on the body of **PHILADELPHIA UNICOMBE**, a girl aged five years, who had been burnt to death. It appeared that early on Wednesday morning Mrs. Unicombe left her house for a short time, leaving five children in it, in the charge of the eldest girl, aged about nine years. She had not been away ten minutes when one of the children come running after her to tell her that little Phill. was burnt, and that her clothes had taken fire while she was roasting potatoes. The mother hurried back, but found the poor girl dreadfully burnt; she sent off for Dr. **BROWN**, but before he arrived the little girl expired. The jury returned a verdict of accidental death.

**ATTEMPTED SUICIDE.** - Yesterday afternoon a man named **GEORGE BROWN** attempted to destroy himself by throwing himself into the water near the Flour Company's Wharf. Two persons, named **MEEHAN and GRIFFITHS**, were on the wharf at the time, saw the occurrence, and immediately went to rescue the unhappy man from a watery grave, and handed him over to the police for protection. The man had twice before attempted to destroy his life by drowning, and as there can be no question of his sanity, some means ought to be taken for his safe custody. *Herald, Deb. 15*

**MAITLAND CIRCUIT COURT. - WEDNESDAY, FEBRUARY 14, 1849**

**WILFUL MURDER**

**JOHN HEARN** was indicted for feloniously assaulting **MARY SADLER**, at West Brook, on the 12<sup>th</sup> January, 1849, and striking and beating her with a certain unknown blunt instrument on the right side of the head, inflicting divers mortal wounds, bruises, and contusions, whereof the said Mary Sadler did instantly die; and that thus he the said John Hearn did feloniously and of malice aforethought kill and murder the said Mary Sadler.

At the request of his Honor Mr. Darvall undertook to watch the evidence on behalf of the prisoner; and Mr. Owen undertook to act as the prisoner's attorney.

The Solicitor General stated the circumstances of the case to the jury.

**WILLIAM MEYN** deposed that he was a publican, living in Singleton; on Wednesday, the 10<sup>th</sup> January, the prisoner brought Mary Sadler there; on Thursday, the 11<sup>th</sup>, he came to fetch her away again, bringing a horse and cart for the purpose; a man named Michael Tarpv left with them, about two o'clock in the afternoon, the three

being in the cart; witness never saw Mary Sadler again alive, but he saw her dead body at the Scrubby Flat stockyard on the 13<sup>th</sup> January.

Cross-examined: Mrs. Sadler dined on Thursday with witness and his wife, and prisoner dined in the kitchen; Mrs. Sadler had a glass of ale for dinner, but what prisoner had witness did not know; prisoner had a glass of rum before leaving, and four bottles of rum were put into the cart, Mrs. Sadler taking two, the prisoner one, and Tarpv one; they appeared friendly; Mrs. Sadler was a very stout woman, apparently about forty years of age.

**GEORGE BARNES** deposed that he was in the service of Mr. Scott, of Glendon; on the 11<sup>th</sup> January witness returned home about three quarters of an hour before sun down, and found there the prisoner, Michael Tarpv, and Mary Sadler; about a quarter of an hour after witness arrived Mrs. Sadler and the prisoner left in the cart, Tarpv remaining in witness's house for an hour or two longer, when he left also, in company with a man named Thomas Watson; three boxes of Mrs. Sadler's had been put into the cart before it left; witness's house was seven miles from Glendon Brook.

Cross-examined: Mr. Meyn's inn was about six miles from witness's house; the prisoner and Mrs. Sadler were going to Glendon Brook; none of the parties were drunk, but it appeared by their eyes as if they had had some drink; they were not unsteady on their legs; witness on his arrival found Tarpv in the outer room, and prisoner and Mrs. Sadler with witness's wife in the bed-room; Tarpv brought a bottle of rum from the bed-room, in which there remained about four glasses, which witness and Tarpv drank.

**MICHAEL TARPV** deposed that he lived at Singleton, and accompanied Mrs. Sadler and prisoner on the 11<sup>th</sup> January when they left Mr. Meyn's; they first called at Mr. Miller's inn for a sucking pig, and had each one glass of ale there; they drove on to Gillam's, a small farmer, whose wife Mrs. Sadler said she would treat; a bottle of rum was taken out of the cart by Mrs. Sadler, and she gave two glasses each to two men there, one glass to the prisoner, took a tea spoonful herself, and gave nearly a glass to witness; they remained at Gillam's rather more than an hour, and then went on to George Barnes's; about half an hour before sundown prisoner and Mrs. Sadler left there in the cart, although witness told Mrs. Sadler she had better remain at Barnes's the night than go seven miles to Glendon Brook; the prisoner was quite capable of driving the cart when he left, and Mrs. Sadler was not much the worse for liquor, although witness could tell she had had a glass by her talk. Witness remained at Barnes's an hour longer, and then went with Watson to Glendon, about a mile further; witness stopped there till the moon rose, and then went on, intending to go to Black Creek, but altered his mind, went to Scott's Flat, and stopped there all night. Witness never saw Mary Sadler again alive after she left Barnes's.

Cross-examined: Witness had known prisoner five years, and had been in the same service; never heard any harm of prisoner, who usually bore the character of being a quiet man. Witness only saw three bottles of rum in the cart; the cart had sides to it; the road from Barnes's to Glendon Brook was a dray road, pretty good, having stumps in places in it, but not difficult to drive round; some boxes were inside the cart when it left Barnes's, on which Mrs. Sadler was sitting; her legs were inside the cart.

By his Honor: It was a common light cart, with narrow wheels.

**EUGENE SWEENEY** deposed that he was shearing for Mr. Wyndham in January, at a sheep station they called the Stockyard; one morning, about the middle of the month, before sunrise, the prisoner came to his hut, and asked for a drink of water; witness gave him one; prisoner asked witness to go with him to help up his cart out of a gully into which it had fallen; witness declined, but afterwards consented, on finding the distance was not great; witness then left the hut with prisoner, but had got but a short

distance when they met Mr. King and another man. Mr. King asked prisoner where the cart was; prisoner replied that it was in a gully on the range; Mr. King asked him where was the woman; prisoner said he did not see her since yesterday morning. Witness heard no moiré, but went on, and after a time they reached the cart, which they found in a gully, but not overturned; witness helped to pout the cart on the bank; witness was in the gully, and Mr. King was up on the bank, when he heard a cry from Mr. King, and going up, witness saw the dead body of a woman there.

Cross-examined: The boxes were in the cart; witness saw where the cart came down by the marks of the wheels; it was lifted out by witness, Mr. King, and prisoner. The witness was cross-examined at length as to what he heard pass between Mr. King and the prisoner, but did not vary his evidence. Witness found in the cart a bottle, containing a very little liquor, apparently rum.

**EDMUND KING** deposed that he was superintendent for Mr. Wyndham, at Glendon Brook; on Thursday, the 11<sup>th</sup> January, witness sent prisoner with a horse and cart to Singleton to bring Mary Sadler to Glendon Brook; prisoner did not return as witness expected, and on Friday witness went in search of him; witness reached Barnes's on his search between eleven and twelve o'clock on Friday night, and heard of them; witness continued the search till about three in the morning, and resumed it at daylight; about ten o'clock on Saturday morning witness met prisoner with Sweeny, near the Stockyard station, going to look for the cart. Witness asked prisoner where the cart was; prisoner said it was on the range in a gully; witness asked him where he had left the woman; prisoner said he had left her at the Dollar-hill paddock slip-rails, and that he had not seen her since the morning before. Witness went on with Sweeny, and on prisoner calling to them they went to him and found the cart in the gully; having got it out, they examined the place a little, and witness again and again urged prisoner to state where the woman was; prisoner persisted in repeating his former assertion, adding that she left him at the slip-rails to go to Glendon Brook; Glendon Brook was about a mile distant from those slip-rails, and the place where the cart was was from four and a half to five miles. Witness at length said they had better move on, and the horse was found and put in; while looking for a piece of the harness, witness discovered Mary Sadler's dead body, on the other side of an ant-hill, and about seven yards from where the cart had been; it lay on the open ridge, on a sloping piece of ground; about four yards from that spot witness found her bonnet under a tree where a body had evidently been lying, and three yards further off witness found her comb, under another tree; the bonnet was not at all crushed; her hair was loose, and lay railing on the ground behind the head. Witness had tracked the cart from Barnes's along to road to Glendon Brook till a short distance outside the Dollar-hill paddock sliprails, where it turned off into the bush, and led among the ranges, where there were no roads. The body was afterwards examined by Dr. Stolworthy. Mary Sadler was coming to Glendon Brook to get married to witness.

Cross-examined: Prisoner took witness and Sweeny to the cart; the cart did not appear to have been upset; the boxes were out of the cart, but appeared to have been taken out; nothing was broken in them, nor was anything stolen; it appeared as if the cart had been passing round the head of the gully, and slipped in. Witness removed the body, as it was covered with insects; he wrapped a tarpaulin round it, and removed it to Scrubby Flat station. There were appearances as if the body had been dragged from place to place down the incline; prisoner persisted after it was found in his former story, saying twice, "It's no use your putting yourself in such a way about it; it's done, and can't be undone." Witness found the dead body of a pig by the cart.

By the Solicitor General: Witness showed the place where the body was found to Mr. Horne.

**SAMUEL HENRY HORNE** deposed that he was chief constable of Singleton, and apprehended prisoner on Saturday, the 13<sup>th</sup> January, at Scrubby Flat; witness handcuffed him, and took him away; after going some distance witness told him he was apprehended on he charge of murdering Mary Sadler; witness also remarked that prisoner had done a pretty thing for himself; when prisoner replied "It's the fruits of drink." On Sunday morning witness went, by the coroner's request, to examine the place where the body was found, with Mr. King; about fourteen yards from the spot witness saw a place under the tree where the grass was beat down, and the earth disturbed, as if somebody had been struggling there; there was a similar appearance at a spot six or seven yards nearer where the body had been found, while on that spot itself witness observed a small space, the size of a saucer, where the soil was coagulated with blood, and on examining it closely he found some hair in the soil and blood, which he produced. The moon rose about nine o'clock on the night of the 11<sup>th</sup> January.

Cross-examined: The ground was gravelly and sandy; witness could trace no footsteps, nor could he say how the ground got disturbed as he described; a horse laying down or rolling there could not have produced the same appearance. Witness saw no instrument or stick with blood, and saw no mark of blood on prisoner's person when he apprehended him; he made no resistance. There were few stations and no cross-roads about that neighbourhood; nothing to help a man find his way who had lost it on a dark night.

**DAVID STOLWORTHY** deposed that he was a surgeon, and examined the body of Mary Sadler, on Saturday, the 13<sup>th</sup> January, at Scrubby Flat, a sheep station of Mr. Wyndham's; witness found on the head, face, neck., and chest very extensive bruises and contusions, and also on the fore part of the thighs, and contusion ns also on the inner part of the thighs; the whole face was discoloured, and there was a swelling over the right temporal bone, extending to the eyelid; the right side of the face was more particularly bruised, and the right thigh was most bruised, but the skin was not broken on any part of the body, nor was there a bone broken; the bruises had apparently been inflicted with some blunt instrument; the back of each arm, extending from the elbow to the hand, was also bruised and discoloured. Witness removed the upper portion of the skull, as low down as possible, to examine the appearances under the bruise on the right temple; her found the temporal muscle much bruised, the fibres being completely crushed, and at that spot there was extravasation on the brain; the outer membrane of the brain at that spot was also adhering to the skull; the brain was otherwise sound. Witness considered the bruises on the temple, neck, and chest, aggravated by exposure to the heat of the previous day, the cause of death. The back of the lower part of the body, from the hips downwards, was covered with scratches, as if the body had been dragged over gravel. The blow on the temple was severe, and he considered that injury in especial the cause of death, combined with the other injuries and exposure; that blow alone would cause death, without medical attendance, but might not have caused death had here been no other injury, no exposure, and had medical assistance been immediately at hand. He believed that that blow from some blunt instrument was the efficient cause of death; from the situation and extent of the injury, it was barely possible that a fall could have caused it; if a cart-wheel had gone over the head, and caused the injury, there would have been a fracture of the skull; there was no appearance whatever of a wheel having gone over the head or body. If the blows had been inflicted by any person with a blunt instrument, there was no necessity whatever

for his being covered or sprinkled with blood, for no blood had escaped except from the right ear; it might not have caused a stain of blood on his person.

Cross-examined: Witness thought the body had been dead about twenty-four hours when he saw it; such bruises would not necessarily become darker and worse in appearance after death, although they would change in appearance; a fat person would show bruises more than a thin one; the deceased was stout; had she slid down a gravelly hill with her clothes up the scratches on the back of the legs and hips might have had a similar appearance; in all probability a cart-wheel going over the head would fracture the skull, although it would partly depend on the nature of the soil; all carts were not equally heavy, nor all skulls equally thick; in deep sandy soil the wheel of a light cart might possibly pass over the temporal bone without fracturing the skull; witness was governed in his conclusion by the general appearance of the contusion and brain; a fall from any height and with some force would produce such a contusion if that particular part came in contact with a stone or other projecting substance. Death would be much accelerated by a person being in a state of intoxication; the effects of drink would aggravate the injuries, but the injuries in this case were sufficient to cause death without intoxication. Witness examined the body closely; the other injuries were less severe, not sufficient to cause death; he did not think it likely that a drunken person falling down a rocky bank would receive all the injuries he had pointed out. Witness discovered no appearances to indicate an attempt at violence on her person except the bruises on the inside of the thighs; the body was so much fly-blown that witness could not make a further medical examination on that point.

By the Solicitor General: Witness did not think the injuries could have been caused by a cart-wheel going over the deceased, or by her falling from the cart.

**HENRY GLENNIE** deposed that he was coroner for the district of Patrick's Plains, and held an inquest on the body of Mary Sadler, at which Dr. Stolworthy made a post-mortem examination. Prisoner was before witness, in custody, and made a statement which witness took down in writing – [Mr. Darvall enquired whether Dr. Glennie cautioned him. Witness told prisoner that if he wished to make any statement he could, and it would be taken down in writing, but it was likely that it would be referred to at some later day. His Honor said that this was a caution that nearly came within the objection allowed by Mr. Justice Maule, referred to by him in a previous case, but he would receive the statement, if the Solicitor General pressed it, subject to a consultation hereafter with his brother Judges. The Solicitor General said he thought the rule referred to a sound one, and he would not press the admission of the statement.]

Mr. Darvall addressed the jury. It was now his duty to address them on behalf of the prisoner. It was unnecessary for him to remind them that this was a case calling for unusual caution, and a most careful consideration of it in all its bearings, looking at the momentous consequences of their verdict to the prisoner. He need not urge on them the usual caution to dismiss from their minds all that they had heard previously, and to be guided solely by the evidence brought before them, for he was sure they were all resolved to do their duty. But as in this case the inquiry was into the cause of death of a woman, whose unhappy fate every man of right feeling must deplore, he prayed them to divest themselves of every natural prejudice on this ground, and look at the evidence dispassionately and calmly. If they would do this he thought they would agree with him that the conduct of the prisoner throughout was not only not consistent with his guilt, but that it was impossible he could be guilty. The unhappy woman seemed to have met with her untimely death from having given way to that vice of drunkenness which was so frequent a cause of misery and death. Whatever had happened to her it was clear from the evidence had arisen from her own misconduct and drunkenness, and

not from any crime on the part of the prisoner. Several of the witnesses had no doubt extenuated her falling in the hope of showing their own sobriety, but even their evidence showed that this unfortunate woman was anxious to make every man she met drink with her, and that not in a way to rouse angry passions or give rise to violence, but making all heartily welcome to her rum-bottle. How or when the rum was all drunk they knew not, but when the cart was found in the gully it was all gone, and what could they conclude but that the woman and the prisoner had drunk it; and that in her drunken state she had fallen about among the rocky ranges, and thus received those injuries which caused her death. They found the prisoner, so far from concealing himself, going, as soon as his drunken sleep was over, to bring to the spot where the body lay as many witnesses as possible, as if to accumulate evidence against himself. Was that the conduct of a guilty man? No doubt they did leave the high road, and got wandering about the bush, and his learned friend in his opening address had kindly suggested a motive for this, and for the crime he sought to make them conclude the prisoner was guilty of, viz., that the prisoner wished to gratify his lust, to commit violence on the person of the deceased; but that suggestion had been swept away by the doctor's evidence; had there been such an attempt, the doctor would have been able to discover it, and would have told them. It had been much pressed on their attention that the prisoner and his companion got off the high road, and got on the ranges, but what was more natural than for a drunken fellow to go off a bush road on a dark night. That, therefore, led to no conclusions against the prisoner. Had he shown any desire or attempt at concealment it might have gone for something, but the first step he took when he awoke was to being several persons within ten yards of the dead body. It was clear that if he had murdered her he would have taken any step rather than that. When asked about the cart he told truly where it was. It was urged that he had told untruths about where he left the woman. But supposing, as was no doubt the case, that she had met with the injuries in falling about the ranges or out of the cart, it was possible the drunken scoundrel who drove it did not actually know of her death; or if he did, what was more natural than that, in the horror of finding himself when he awoke so near to her dead body, he should make some blundering statement as to where he had last seen her. For had he really meant to deceive Mr. King and his companions he would scarcely have brought them within ten yards of the body. He had done exactly what any drunken scoundrel who might be similarly circumstances with a dead companion in the midst of the bush would be likely to do. It was proved that no attempt had been made to violate the person of the deceased; it was proved there was no robbery of the cart. They were called on, then, to assume that the prisoner murdered the unfortunate woman without any motive whatever. He was sure they would conclude with him that it was not conceivable the prisoner did commit the crime, but that the death of the woman was the result of injuries received by falls in her drunken state. The injuries inside the legs would no doubt be caused by her getting in and out of the cart in her then state, and the scratches by her falls down the incline of the ranges. The expressions of the prisoner to Mr. King and the chief constable were just such as a man would make, conscious of the fatal results his drunken carelessness had led to. So far from the prisoner's innocence being inconsistent with the facts deposed to, he thought, and he trusted the jury thought too, that those facts were totally inconsistent with the idea of his guilt. The learned counsel proceeded to comment at some length on the evidence, urging the views he had already taken.

His Honor, in summing up, reiterated the cautions he gave to the jury in the case of **GEORGE WATERS WARD**, on Tuesday, telling the jury he thought it his duty to do so, although some of them might probably have heard them on that occasions. In this

case also, if the jury believed that death was caused by blows inflicted with a blunt instrument, the law would imply malice, no evidence having been called by the prisoner to show the contrary. If they did think so, their next question would be whether the prisoner inflicted the blows. After cautioning the jury in regard to the necessity of their being satisfied beyond all reasonable doubt before they could find that he did, his Honor read over the whole of the evidence verbatim, pointing out the bearings of different facts on each other, and on the case. His Honor, in conclusion, said it appeared clear to him from the doctor's evidence that there had been no attempt to violate the person of the deceased, and it was proved that there had been no robbery; they were thus left without any apparent motive for the prisoner's committing the crime. Still, it was a matter for their consideration whether or not he was guilty, for the absence of apparent motive did not prove his innocence. Repeating the cautions he had given them, he now left them to consider their verdict.

The jury, after retiring for nearly three quarters of an hour, returned with a verdict of not guilty.

Hearn was then discharged.

THURSDAY, FEBRUARY 15

ASSAULT

**JAMES CAREY and JOHN CAREY** were indicted for assaulting **LAWRENCE CUMMINS**, at Hinton, on the 6<sup>th</sup> December, 1848; and in a second count, with assaulting **JOHN SHANAHAN**, at the same place, and on the same day.

Mr. Purefoy appeared for the defence; attorney, Mr. Davies.

The Solicitor General, in stating the case to the jury, said that the two prisoners had been committed by the Coroner on a charge of murdering an old man who met with his death on the course of a series of drunken quarrels occurring on a farm near Hinton; but on looking through the evidence it was clear to him that, from the drunken state in which all the parties on the farm were at the time, that no sufficient evidence could be put before the jury on such a serious charge. He had therefore thought it his duty to charge the prisoners with assaults on two other men injured by them.

It appeared from the evidence of **CORNELIUS SHEAHAN and JOHN FARRELL** that on that day there had been a drunken row on the farm of **MICHAEL QUIN**, near Hinton, in the course of which James Carey had been much bruised about the face; James Carey had been reaping there during the day, but John was not on the farm until the evening; the witnesses then saw James and John Carey go to a hut with sticks in their hands, wherein Lawrence Cummins and John Shanahan were lying, helplessly drunk; Sheahan and Farrell followed them, and Sheahan deposed that he saw both the Careys strike the two men with their sticks, and also saw that Shanahan was kicked; Farrell deposed that he saw John Carey strike both men with his stick, but saw no kicks, nor did he see James Carey strike any blow.

Mr. Purefoy addressed the jury. He was taken by surprise by the charge on which the prisoners were put on their trial; but it was evident that there had been drunken fights on the farm during the day, in which James Carey was much injured, as he was informed, by Lawrence Cummins, and his brother naturally came over to the farm to protect him; if it was true, therefore, that they had beat the two men, there had been great provocation offered previously. He called on Mr. **JOHN ANLABY**, one of the jury, as a witness to character.

His Honor summed up.

The jury returned a verdict of guilty of common assault on both counts. The prisoners were each sentenced to eight months' imprisonment in Maitland gaol.

MAITLAND MERCURY, 7/484, 21/02/1849

FATAL ACCIDENT. - On Tuesday afternoon, the 13<sup>th</sup> instant, two girls, named **ANNE CARNEY** and **MARY ANN MUCKLEWAINE**, were bathing together in the Hunter at Morpeth, behind the post-office, Carney being able to swim a little, and Mucklewaine being a good swimmer. The latter got out first, and while dressing herself she called repeatedly to her companion to come out also, Anne Carney replying that she would presently. Suddenly Ann Carney called out, "Mary Ann, I'm drowning, there's something the matter with my toe." As fast as she could, Mucklewaine threw off her clothes again, and dashed in to the assistance of her companion, but before she could reach the spot Anne Carney sunk, nor could Mucklewaine discover her by diving. Mary Ann Mucklewaine then got out of the water again, and gave an alarm, and immediately several persons ran to the spot, while boats and grappling-irons were procured. Notwithstanding every exertion was made, however, and the brief space that had elapsed since the accident happened, no trace of the body could be found, the bottom being rocky and the water deep. During the whole of that night and on Wednesday the search was continued, but without success. On Thursday guns were fired over the spot, with a view to raise the body, and on Friday morning the steamer *Thistle* passed over the spot. On Friday afternoon, between three and four o'clock, the body was observed floating in the water, about three miles further up the river, by two little boys who were fishing, and assistance being obtained the body was got out, and carried to the father's house, in Morpeth. An inquest was held on the body on Saturday, at the Globe Inn, when a verdict of accidentally drowned was returned. The deceased was 13 years old, and bore an excellent character, being a very industrious and good girl.

MAGISTERIAL INQUIRY. - Captain **INNES**, in the absence of the coroner, held an inquiry to-day, at the Forth and Clyde, Cumberland-street, on view of the body of **WILLIAM WILLIAMS**, then lying dead at the late residence of the deceased, who was about 59 years of age, and who followed the occupation of general dealer. It appeared that he had been complaining for two years past, and had always a dislike to taking medicine; on Sunday evening, about eight or nine o'clock, he was suddenly taken ill, and complained of a pain in the chest, but, as before, refused medical assistance; his wife, however, sent for Mr. Surgeon **HARPER**, who, on his arrival, found that death had taken place. A verdict of "died by the visitation of God" was recorded.

MAGISTERIAL ENQUIRY. - An enquiry was held yesterday by Captain **INNES** (in the absence of Mr. **RYAN BRENNAN**), at the Police Office, touching the death of **MICHAEL HAYES**, then lying dead at the Nag's Head, public-house, in Pitt-street. The deceased, it appeared, was cook at the establishment of Messrs. Pite and Preston, and, according to the statement of the former gentleman, on the afternoon of Friday last, whilst stroking a horse, accidentally running his hand over a girth gall, the animal threw his near hind leg forward, and struck him violently on the right side. The deceased, who was knocked down, immediately rose, saying he was not hurt, but subsequently grew worse, and was taken to his home. Dr. **FOULIS** was called in, when he prescribed the necessary remedies, but without avail, as he gradually grew worse, and expired at about a quarter to four o'clock yesterday morning. A finding was recorded of accidentally killed by a kick from a horse. *Herald, Feb. 19*

DAVIES'S MURDERER.

**O'BRIEN**, the man charged with having murdered Mr. **I. DAVIS**, of Burrowa, has been committed at Yass to take his trial at the ensuing Goulburn Circuit Court. *Goulburn Herald, Feb. 17*

MAITLAND CIRCUIT COURT. - SATURDAY, FEBRUARY 17, 1849

MANSLAUGHTER

**JOHN NUNN** was indicted for having made a felonious assault on **MARGARET NUNN**, on the 15<sup>th</sup> January, 1849, at Maitland, and for having, with a certain iron pot which he held in his right hand, struck and beat the said Margaret Nunn on the right side of the head, and near the right ear, inflicting a mortal wound of the depth of six inches and breadth of three inches, whereof the said Margaret Nunn languishingly lived till the 17<sup>th</sup> January, 1849, and then died; and that thus he the said John Nunn did kill and slay the said Margaret Nunn.

The Solicitor General said that in consequence of the illness of a material witness he was not prepared to go to trial, and should have no objection to the prisoner's being admitted to bail to appear at the next Circuit Court, if his Honor thought fit to allow it.

His Honor directed the prisoner to be admitted to bail if he could procure it; and, on the application of Mr. Purefoy, his Honor consented that, if the prisoner could not get bail, he should be tried at the next Criminal Court held in Sydney, if the Attorney General thought fit.

MURDER

**MARTIN CUMMINS** was indicted for having made a felonious assault on one **BOOHA**, at Umbercolla, on the 11<sup>th</sup> June, 1848, and for having, with a certain pistol held in his right hand, struck and beat the said Bootha on the front of the ghead, giving her divers mortal wounds, bruises, and contusions, whereof she instantly died; and **RICHARD KNIGHT, STEPHEN HOLDEN, JOHN REARDON, and BILLY**, were indicted for having been present, aiding and abetting the said Martin Cummins; and that thus they the said Martin Cummins, Richard Knight, Stephen Holden, John Reardon, and Billy, did feloniously and of malice aforethought kill and murder the said Bootha.

The Solicitor General said he was not prepared to go to trial in this case, but as the prisoners had been committed since the last Circuit Court, and the charge was so serious, he should leave them in his Honor's hands.

His Honor asked for the depositions in the case, and having perused them, he directed the prisoners to be admitted to bail if they could procure it.

GAOL DELIVERY

The Solicitor General said the only other prisoner in gaol, who had been committed for trial at the Circuit Court, was **DANIEL M'LEAN**, who had been admitted as approver in the last case; he applied that he might be detained in custody till the next Circuit Court.

This was ordered accordingly.

FATAL ACCIDENT. - About half-past one o'clock yesterday afternoon, as Mr. **WEEDON**, of the Parramatta road, was proceeding in his gig along George-street, when near the Old Burial Ground, the head-stall of the horse suddenly broke, and the winkers and the bit fell. The animal then started off at a furious pace, turning into Park-street, and bringing the gig in contact with a post at the corner, knocked it down, but still kept on his course, and turned into Pitt-street, maintaining the same rate of speed. When opposite the Old Independent Chapel in this street, a man of the name of **THOMAS FULLER**, a waterman, tried to stop the animal with a bag which he had in his hand, but was knocked down in the attempt, the shaft of the gig coming against his breast, and was run over, one wheel passing over his head and the other over the legs. The horse still galloped on, and in turning into Marker-street, where he was stopped, Mr. Weedon was thrown out, and received some injuries on the face and head. No time was lost in conveying the waterman (Fuller) to the Infirmary, where every possible aid

was rendered him, but from the severity of the injuries he had received, he expired a few minutes before eight o'clock last night. *Herald, Feb. 16*

**A BOY DROWNED WHILE BATHING.** - A coroner's inquest was held at Mr. Thomas White's Inn, Durham-street, Bathurst, on Friday, the 9<sup>th</sup> instant, on the body of a boy named **JOHN CARNEY**, aged 12 years. It appeared that the deceased and some other boys had gone into the Macquarie River to bathe; that on the other boys reaching the shore they saw the clothes of the deceased on the bank, but could see nothing of him. One of the boys immediately started off and reported the circumstances to the keeper of the lockup, **FINNERTY**, who forthwith repaired to the spot, plunged into the river, and brought up the body. Dr. **BUSBY** was sent for, and was promptly in attendance; but as the body had been nearly an hour under water, all attempts to restore animation were found ineffectual. A verdict of found drowned was returned. *Herald Correspondent*

**GOVERNMENT GAZETTE.** - **INTESTATE ESTATES.**

**WILLIAM ELLIOTT**, of Clarence River; ... Drowned at the wreck of *Sovereign* steamer.

**HENRY DENNIS**, of Jimba, Darling Downs; ... Drowned at the wreck of the *Sovereign* steamer.

**EDWARD FROST**, of Wollombi; ... Accidentally killed; all funds paid out.

**PATRICK POWER**, of Tamworth; ... No certainty as to Power's fate; has been missing upwards of three years; supposed to have been murdered by bushrangers.

**GEORGE WILKINSON**, of Sydney; ... Died of apoplexy, April, 1848.

**WILLIAM ROBINSON**, of Drayton; ... A shepherd; murdered by the blacks.

**JOHN DONOHUE**, of Black Creek; ... Killed in a drunken quarrel.

**GEORGE WARDEN**, of Singleton; ... A jockey, killed at the Singleton races by another person riding against his horse at full speed.

**MAITLAND MERCURY**, 7/485, 24/02/1849

**SERIOUS CHARGE.** - A man named **WHEATLEY** is in custody of the police under the following circumstances. On Monday evening last **THOMAS HENRY**, the gardener, was walking down High-street, West Maitland, carrying his infant child in his arms, when two drunken men, named Wheatley and **ANDERSON**, overtook him. In some way words arose between them, and Wheatley struck Henry a violent blow; either the blow itself or the jerk threw the infant out of Henry's arms, and it fell on its head on the pavement, fracturing the skull on the side of the head. Although at present appearances are favourable, it is yet difficult to say whether the poor child will recover from the injury, and Wheatley is detained in custody to await the result.

**ARMIDALE.**

By a person who has recently arrived in Maitland from the neighbourhood of Armidale, we learn that about three weeks since a young man named **BRACKEM**, a butcher, residing in Armidale, while riding a young horse which he was breaking in, was thrown, and fell on his head, fracturing the skull, and then expired from the effects of the injury.

Our informant reports also that a man named **MASRTIN WELCH** had been shot through the head at an inn on Beardy Plains, in the course of a quarrel there; and that Welch died four days afterwards, when the person who had fired the shot went to Armidale and have himself up to the police.

**MAITLAND MERCURY**, 7/486, 28/02/1849

**DISTRESSING AND FATAL ACCIDENT.** - A communication from Dr. **CURTIS**, coroner for the Wellington district, was received on Thursday by Mr. **THOMAS PATRICK**, of this city, conveying the affecting intelligence of the death of his second son, Mr. **WILLIAM NUNN PATRICK**, on the 15<sup>th</sup> instant. The unhappy gentleman, it appears, was riding in company with Mr. **DAVISON**, when, from some as yet unexplained cause, he was thrown from his horse, falling upon his head, and almost instantly expired. An enquiry was subsequently held, when a verdict of "accidental death" was recorded. *Bell's Life, Feb. 24*

**HUNTER RIVER DISTRICT NEWS.** - **SINGLETON.**

**INQUEST.** - **EXTRAORDINARY CASE.** - An inquest was held on Saturday, the 17<sup>th</sup> February, at Mr. Watts's inn, Cockfighter's Creek, before **HENRY GLENNIE**, Esq., J.P., the coroner of the district of Patrick's Plains, and a jury of twelve, touching the death of **JAMES WATTS**, second son of the landlord of the Cock Inn, who came by his death under the following extraordinary circumstances. It appeared, from the evidence of the witnesses, that about the latter end of November last the deceased, who was fourteen years of age, was playing with or teasing an aboriginal black boy named **CHARLEY**, whom he struck, when the black boy becoming enraged, called out to his master, Mr. **WILLIAM THORLEY**, for a knife, threatening to rip open the deceased *bingee* (stomach). Thorley, however, refused for some time to give him one, until deceased's brother, who was present, told Thorley he might give him the knife, as by that means his brother would be frightened and run home, he wishing to get him away. Upon this, Thorley gave the black boy the knife, when, before deceased had time to run, the young savage threw the knife (a pointed one), *spear fashion*, at the deceased's head, where it stuck firmly in the skull on the left side. The knife was with some difficulty extracted by the witness Thorley, and the boy went home, making no complaint, and the wound soon apparently healed up. On New Year's Day, however, the boy complained of a pain in his head, and continued to get worse and worse. Dr. Glennie was sent for, and attended the deceased, but not knowing what had occurred, considered the wound merely external, and treated it accordingly. About a week before his death deceased appeared to have perfectly recovered, but on the Friday again took bad, and died on Saturday, the 10<sup>th</sup> February; the doctor not knowing the cause of deceased's illness till the day before his death. Dr. **STOLWORTHY**, by order of the coroner, made an examination of the head, and discovered on the left side a swelling with an incision about an inch in length in the integuments; in passing his knife through this, a small quantity of matter escaped. On removing the integuments, he discovered opposite the external incision a hole penetrating through the skull, about half an inch in length. Upon raising the upper portion of the skull, it was attached by means of the *dura mater* adhering around the opening in the skull, which opening was also continued through that membrane, and adhesion had taken place between the *dura mater* and the *arachnoid*, or two external coverings of the brain, around the opening; from which also descended into the substance of the left hemisphere of the brain a membranous bag of a dense firm structure, upon opening which two or three ounces of yellow pus escaped. It was very evident by the appearances that the knife had entered the skull obliquely, passing through both plates, and penetrating the substance of the brain. Dr. Stolworthy gave it as his opinion that the shaped knife produced at the inquest (a Dover knife) was very likely to have effected the wound - being a pointed knife - owing to the wound gradually becoming less till it penetrated the membranes, which around the orifice were contracted into a funnel-shaped canal, which communicated with the sac beneath, so that an instrument passed through the integuments could easily penetrate through the skull and membranes to the lower part of the pouch. The surface of the brain and

membranes was perfectly livid, and presented marked appearances of inflammation. The doctor had no doubt that the wound inflicted with a knife by the aboriginal in the month of November last was the cause of deceased's death. The jury, after consulting together for some time, returned a verdict of manslaughter against Charley the aboriginal, accompanying their verdict with a severe vote of censure against the witness William Thorley for giving a knife to an aboriginal savage under the then circumstances.

**ANOTHER INQUEST.** - An inquest was held on Monday last, the 19<sup>th</sup> instant, at Mr. Watson's, the Lady Mary Fitz Roy Inn, Chain of Ponds, before the above named coroner, and a jury of six, touching the death of a man, **name unknown**, who came by his death as follows. It appeared that deceased, who was suffering from dropsy, had left his employment at a place called Barraba, Mr. Kidd's, which is between Tamworth and Warialda, and was coming down on a team, intending to put himself under medical treatment at Singleton. He, however, got worse and worse until he reached an encamping ground about six miles beyond Mr. Watson's, where, about ten o'clock on Saturday night, he died. Verdict, died by the visitation of God.

**MELANCHOLY ACCIDENT.** - On Wednesday last as a person named **HENWOOD** was proceeding on horseback to his residence, at the Upper Paterson, in company with another person, when a short distance beyond Glendon, while in the act of turning his head to look for his companion, the horse suddenly ran him against a tree, causing a concussion of the brain. He immediately fell from his horse perfectly insensible, and was carried back to Mr. Meyn's public house, where he now lies under the medical treatment of Dr. **GLENNIE**, and is still in a very precarious state. The unfortunate sufferer is a native of Cornwall, and had been to Singleton to see Mr. Meyn, who is a native of the same county, and came from within three miles of Henwood's residence when at home.

**MAGISTERIAL INQUIRIES.** - An inquest was held this morning, at Beirne's public-house, on the North Shore, touching the death of a child named **SUSANNAH TAYLOR**, who accidentally fell on a case gin-bottle, whereby she severed the carotid artery and the other large blood vessels, dying of course instantly. A verdict of accidental death was recorded.

An inquiry was also held to-day, at Darlinghurst gaol touching the death of **CHARLES JAMES WARD**, who was on Thursday last remanded thither, with a view to the necessary evidence being taken for his being forwarded to Tarban Creek. The man was at once received into the hospital, but epileptic fits ensued, and he died on Saturday, his constitution being so shattered from intemperate habits. Verdict, died from the visitation of God.

**BUNGENDORE. - EXPLOSION OF GUNPOWDER.** - Yesterday afternoon (20<sup>th</sup> instant), about 3 o'clock, there was a severe storm here of thunder, lightning, wind, rain, and hail, from the westward, which lasted about half an hour. The lightning struck the house of Mr. **JOHN WHALEY**, storekeeper. It is supposed the electric fluid came in at the door, when Mr. Whaley was in the store just in the act of picking up a pair of scissors; there were about twenty or more canisters of gunpowder standing close by him, when in an instant the powder took fire, and the whole of the soft goods were in a blaze. A great part of the house was torn asunder, and very much shook, the north hip being completely torn off and thrown down. Mr. Whaley was severely burnt on both hands and arms, head and face. A servant girl, named **ELIZABETH SHORT**, about 12 years of age, was also severely burnt; she was at the time holding the infant daughter of Mr. Thos. Whaley, about 8 months old, who was also severely burnt about the head, and face, arms, hands, and legs, and feet, and is now dangerously ill; and **BRYAN**

**MURPHY**, a little boy about eight years old, son of Mr. **HENRY MURPHY**, was burnt on both hands, and about the head and face. The fire was extinguished in a short time. Some of the goods were entirely destroyed, and the remainder very much damaged. As soon as the accident happened, Mr. Thomas Whaley started off to Queanbeyan for medical assistance, and returned with Dr. **HALEY** about ten o'clock, who dressed the wounds. *Correspondent of Goulburn Herald*

FATAL ACCIDENT. - On Tuesday last two boys, one 10 and the other 12 years of age, sons of a person named **MENZIES**, living at Bannaby, were sent with a saddle-horse and two kegs to a creek for the purpose of bringing water to the hut. Not returning in reasonable time, serious apprehensions of their fate were entertained, and several persons started for the purpose of seeking them. That night the search was without avail, but the next morning the water-hole at which the kegs were filled having been dragged, the bodies of the two unfortunate boys were found. *Goulburn Herald, Feb. 24*

THE MURDERER OF MR. M'KINLAY. - It has been ascertained beyond doubt, that the man **SILVESTER SHERIFF**, who murdered Mr. M'Kinlay (the particulars of which cold-blooded deed have already appeared in your journal), blew out his brains on the morning after he shot his master. He stood on the bank with his back to the river, and committed the act which crowned his career of crime. His body fell into the stream, and floated down to the point at which it was discovered. *Yass Correspondent of Goulburn Herald*

MAITLAND MERCURY, 7/487, 03/03/1849

GEORGE WATERS WARD. - The warrant for the execution of **GEORGE WATERS WARD**, convicted at the late Circuit Court of the murder of **RICHARD CONNOLLY**, has been received by the authorities here. Ward is to be hung at the Maitland gaol, on Monday, the 19<sup>th</sup> March.

DEATH FROM BURNING. - An inquest was held on Thursday, at Lidney Park, before **J.S. PARKER**, Esq., coroner, on the body of **FRANNCIS WALSH**, a little boy of four years old. It appeared that **CHRISTOPHER WALSH**, the father of the child, was a tenant of Mr. E. Hickey's, at Lidney Park, and that between one and two o'clock on Wednesday he left his child eating his dinner, and went out himself to work; he had just got to work among some standing corn, when he heard the little boy cry out, and looking up he saw him running towards him, with his clothes all in flames; he ran to the child, tore his clothes off, and carried him indoors, when he found that he was dreadfully burnt about the chest, belly, and legs. Mr. **HICKEY**, who had heard of the accident, crossed the river immediately, and covered the child's body with flour, and the distressed father sent off for a doctor. A medical man arrived in the evening, but the poor little fellow had been too severely burnt to recover, and about two o'clock in the morning he died. There were several logs burning near the house, and Christopher Walsh supposed his son must have got too close to them, and got his clothes on fire; for to his questions about how he got burnt, the poor boy repeated the same answer, "Daddy, why did you set the logs on fire." The jury returned a verdict of death from the clothes of the deceased catching fire.

FATAL ACCIDENT. - Yesterday afternoon, as three carters were procuring water from Wallis's Creek, at the steps by the bridge, one of them, named **JOHN WILLIAMS**, took the cloth covering of his barrels into the creek to rinse it; in doing so he dashed the cloth about, and insensibly stepped further out till at length he lost his footing, and being unable to swim, he got frightened, and sunk. His companion and the third carter were so paralysed by the unexpected accident that instead of attempting to

aid him themselves they ran off for assistance, but it unfortunately arrived too late, and poor Williams was dead before he could be got out.

**MAN DROWNED.** - A man of the name of **MUDIE**, a carpenter, residing at Woolloomooloo, was accidentally drowned on Tuesday afternoon whilst attempting to swim across Middle Harbour. The deceased, who it seems was employed by Mr. **MOORE**, of Lower George-street, in the erection of some houses at the abovenamed locality, instead of waiting for a boat to proceed across the harbour to where his work was situate, endeavoured to swim thither, and was seen when half across to suddenly sink. The body, although the usual means had been employed, had not, up to a late hour last night, been recovered. The deceased has left a wife and six small children.

*Herald, March 1*

**FATAL ACCIDENT.** - On Tuesday evening, whilst a lad of the name of **HARTLEY**, [**HARTLAND**] of about sixteen or seventeen years of age, whose parents reside at Tambourine Bay, was climbing a tree in that locality after an opossum, his foot slipped accidentally, and he was precipitated on the stump of an old sapling, which went through his body. The unfortunate lad expired almost instantaneously. *Herald, March 1*

**A CHILD KILLED BY FALLING ON A BROKEN BOTTLE.**

A magisterial inquiry was yesterday held by Captain **INNES**, at Beirnes's public house on the North Shore, touching the death of a child named **SUSANNAH TAYLOR**, then lying dead at its parents' residence, at Middle Harbour. The case was a most singular and melancholy one. The evidence adduced was that of the father of the deceased, as the witness who saw the unfortunate occurrence was her sister, and of such tender years that her testimony was inadmissible. It seemed that on the afternoon of Friday last, the sister of the child, the subject of the inquiry, and who was about eight years of age, had been sent to get some water, and that, unknown to her mother, the deceased, aged about four years, had followed with an empty "case gin" bottle. The first intimation of the deceased having done so was the elder child running home and stating that her sister had fallen and was bleeding. On the father proceeding to the deceased he found that she had slipped from off a rock, and that the bottle had broken in the fall in such a direction as to form two angles, between which the deceased's neck had come, and was then profusely bleeding. The father lifted the child, but before he had proceeded many paces she expired in his arms. Dr. **TIERNEY** deposed that on examining the neck of the deceased he found the carotid artery and all the large blood-vessels severed. A finding was recorded of death from injuries accidentally received. *Herald, Feb. 27*

**MURDER.** - Information has reached us of a murder committed at Dubbo, about seventy miles beyond Wellington. It appears that Mr. **HYERONIMUS**, a few days since, had opened a public house that he had recently built there; there was some carousing on the occasion, when two men who were present began quarrelling, and one stabbed the other seven times with a knife. The man died in a very short time after. The murderer was immediately apprehended, and has since been committed, and is now on his way down to Bathurst Gaol. From the distance, we have been unable, up to the present date, to gain further information. *Bathurst Correspondent of the Herald*

MAITLAND MERCURY, 7/488, 07/03/1849

SYDNEY NEWS.

**ATTEMPT AT MURDER BY A LUNATIC.** - **JOHN RYAN**, a man of unsound mind, who has been for some time past in the Infirmary, made his escape thence yesterday, and found his way home to his wife, who was living as servant to one **MICHAEL SULLIVAN**, on the Surry Hills. About one o'clock in the morning, an

outcry was heard to proceed from the chamber in which his wife generally slept, and on the door being opened Ryan was found on the floor struggling with his wife, whose throat he had cut, not effectually, with a common table knife. He was taken into custody, and brought before the police bench this morning, when he was remanded till the evidence of a medical gentleman could be obtained as to the nature of the injury inflicted.

**INSANITY.** - A man named **HARTLAND**, the father of the youth who was impaled on the stump of a sapling in a fall, whilst looking after an opossum, as reported in last Tuesday's *Herald*, was this day brought before the police bench for protection, having become demented in consequence of the above fatal occurrence, some words having previously thereto passed between father and son, and the latter having left his home owing to that circumstance. He is remanded to gaol preparatory to his being sent to Tarban Creek.

**RATHER ROUND-ABOUT.** - A man, named **BITTNER**, was on Saturday before the Police Court, for the purpose of being remanded to the bench at Brisbane, from whence a warrant had issued for his apprehension on a charge of rape and robbery. The prisoner, it seemed, had been apprehended on the Clarence River, and by the police authorities there forwarded in charge of a constable, by steamer, to Sydney, in order to be sent to Moreton Bay. *Herald, March 5*

**BATHURST CIRCUIT COURT.** - *Monday, February 26*

**HENRY JACKSON** was indicted for having stabbed **ROBERT LINDSAY**, at Cowra Rocks, on the 20<sup>th</sup> September; not guilty; discharged.

**MAITLAND MERCURY, 7/489, 10/03/1849**

**DEATH BY DROWNING.** - On Thursday an inquest was held before **J.S. PARKER**, Esq., at Lochend, near East Maitland, on the body of **WILLIAM WILLIAMS**, a boy of six years old. It appeared that about seven o'clock on Wednesday morning **JOHN WILLIAMS**, father of the deceased, left home for Maitland, and desired his sons to take out the cattle to feed, as usual; on his return about eleven o'clock he was informed by his eldest son, in answer to his enquiries for William, that he had gone to drink at the creek, and had not returned home, but that he (the eldest) had about an hour afterwards gone to look for him, and seen his cap floating on the water. Williams then went to the creek, and saw his son's cap still floating there, and after about two hours' search he found the body of the poor boy close by a large log which lay across the creek, and was used as a foot bridge. He supposed that the little boy must have stooped down from the log to drink, and that the water being low, he had over-balanced himself and fallen in. The jury returned a verdict of died by drowning.

**CENTRAL CRIMINAL COURT.** - *Monday, March 5*

**HANNAH HEALEY** was indicted for the manslaughter of **JOHN INGLEBACK**, at Strawberry Hill, Sydney, on the 25<sup>th</sup> December, by shooting him in the eye with a pistol, and inflicting a mortal wound whereof he died on the 30<sup>th</sup> December; guilty; six months' imprisonment. [This case was fully reported in the *Mercury* at the time].

*Tuesday, March 6*

**JAMES RICHARDSON** was indicted for the wilful murder of his wife, **ELIZABETH RICHARDSON**, at Campbelltown, on the 20<sup>th</sup> January, 1849; guilty; sentenced to death. [This case was also reported in the *Mercury* at the time; being the murder of Mrs. Richardson, her daughter and an infant, in Mrs. Richardson's house, early on the morning of the 20<sup>th</sup> January, the prisoner not being residing with his wife at the time.] *Abridged from the S.M. Herald*

FATAL ACCIDENT. - In the course of Sunday, as a person employed as gardener, at Villa Maria, the residence of the French Mission, at Tarban Creek, was out shooting, the gun he was carrying suddenly went off when at half-cock. At the time the gun was being carried on a level with the abdomen, and with the stick towards that part, where he was struck by the recoil, by which, from the piece not being firmly held, so severe an injury was inflicted, that death ensued in about twenty hours afterwards. The injury sustained was stated to be the bursting, by the blow, of the bladder. *Herald, March 7*

MAITLAND MERCURY, 7/490, 14/03/1849

THE LATE ACCIDENT AT BUNGENDORE. - We regret to state that one of the children who suffered by the explosion of gunpowder at Bungendore has since died from the effects of the burns. *Goulburn Herald, March 10*

FATAL ACCIDENT. - A shoemaker, named **FREDERICK PITHOUSE**, with a daughter of about nine years old, left here for Braidwood in a cart on Sunday morning last. Pithouse got intoxicated on the way, and was invited to stop for the night in a hut on the road, but he refused and went on. Next morning the cart was found by a shepherd overturned on the road, and the dead bodies of Pithouse and his daughter laying underneath; the cart had apparently been upset by one wheel getting foul of a fallen tree. An inquest was held on the bodies, and a verdict returned of accidentally killed. *Abridged from Goulburn Herald, March 10*

CENTRAL CRIMINAL COURT. - *Thursday, March 8*

**CHARLES SHRIMPTON** was indicted for the manslaughter of **ELLEN NIXON**, at Richmond, on the 1<sup>st</sup> January, 1849; and **BENJAMIN CARVER** and **BENJAMIN MORTIMER** were indicted for being present, aiding and abetting him. It appeared that between ten and eleven o'clock on the night in question, which was a moonlight one, Ellen Nixon was walking homewards through the streets of Richmond, accompanied by her husband and children, and a man named **PILGRIM**; the party crossed the road in Boswell-street, and before they had quite crossed the three prisoners came galloping up the street, and Shrimpton's horse knocked down Mrs. Dixon and Pilgrim, and then fell itself, fracturing Mrs. Nixon's skull, and inflicting injuries, from which she died next morning; the prisoners Carver and Mortimer pulled up on seeing the accident, and all three prisoners were very attentive to Mrs. Nixon, expressing great regret, and sending for a doctor. The jury retired for three hours, and returned a verdict of not guilty, on which the prisoners were discharged.

INQUEST. - An inquest was held yesterday by Mr. **RYAN BRENNAN**, at Cunningham's Hotel, King and Castlereagh-streets, touching the death of a boy of about 8 years of age, named **HENRY WILLIAMS**, then lying dead at his parents' residence, in the last named street. By the evidence adduced, it appeared that between five and six o'clock on the previous afternoon the deceased was sitting on the bank of the kerb-stone at the side of the school-house wall, in Castlereagh-street, when a horse, which was being held by a man who was riding a second, broke away, and the deceased was struck by the fore leg of the animal in the head, and afterwards jumped on. The deceased was, within a few minutes afterwards, seen by Mr. Surgeon **HOUSTON**, but whose aid was unavailing, as from the injuries received death ensued by nine o'clock the same night. It appeared from the *post mortem* examination that the horse trod on the boy's body, above the loin, and that the internal injury thus caused was the cause of death, the scalp wound being merely surface. The horses belonged to Mr. **W. NASH**, and the groom who was taking them out, named **TIMOTHY KELLY**, was apprehended, and was present at the inquest. It appeared that the horses were very spirited, and that Kelly had received express instructions from Mr. Nash never to take

them out without orders; on this occasion Kelly was in liquor, and had not had orders to take out the horses. A finding was returned of death by accidental homicide. The coroner, in discharging the man Kelly, whom he cautioned, from custody, stated that, although paying every respect to the finding, which was distinguished by its leniency towards the prisoner, he could not concur in it as being a correct one as far as regarded the law of manslaughter. *Abridged from the Herald, March 9*

MAITLAND MERCURY, 7/491, 17/03/1849

**GEORGE WATERS WARD.** - The execution of this unhappy man will take place on Monday morning, soon after nine o'clock, within the gaol walls, East Maitland; free admission will be given to the public. We understand that he still asserts his innocence of the crime for which he was convicted; but that, although after his conviction he maintained a firm and almost hardened manner, he has gradually become more penitent and subdued in his demeanour, and has for some time received with alacrity and cheerfulness the visits of the Rev. Mr. **RUSDEN** and of other persons who have visited him from religious motives. At Ward's request another prisoner has for the last few days been placed in the same cell, for the purpose of reading to Ward.

**INQUEST.** - Yesterday an inquest was held at the Fitzroy Hotel, before **J.S. PARKER**, Esq., coroner, on the body of **HANNAH GARDENER**. It appeared that Mrs. Gardener being about to be confined, called in Mrs. **TURNER** as a midwife, on Wednesday evening. Mrs. **PURCELL**, who had been living with Mrs. Gardener for a week, sat up that night with Mrs. Turner, and on Thursday morning Mrs. Gardener was delivered of a healthy male child, after having suffered a good deal; violent hemorrhage immediately followed, and Mrs. Turner sent Mrs. Purcell for Dr. **M'CARTNEY**, who lived close by, and who went immediately; in that brief space, however, Mrs. Gardener had lost so much blood that she lay dying, and although Dr. M'C immediately stopped the hemorrhage, she died in a few minutes. A post-mortem examination showed that no violence had been used, and that there was no cause for death except the great loss of blood. Dr. M'Cartney deposed that in his opinion had a surgeon been in attendance on Mrs. Gardener when the hemorrhage commenced her life might have been saved. Mrs. Purcell and **GEORGE GARDENER** deposed that no liquor was in the house except one bottle of spirits, a little of which was given to Mrs. Gardener on Wednesday night, and that Mrs. Turner was quite sober, and did everything in her power for Mrs. Gardener. The jury returned a verdict of death from natural causes, and they acquitted Mrs. Turner of any blame.

**SERIOUS ACCIDENT.** - On Sunday morning last, ----- **M'GEARY**, an orphan immigrant girl, was engaged at Mr. Long's farm, on Mrs. Cobb's estate, in the kitchen, and was taking a pot off the fire when her clothes caught fire, and in a moment she was enveloped in flames. Her screams brought Mr. **LONG, junior**, to the spot, and he seized her round the body, and half dragged half carried her into the parlour, some distance off, where he rolled her up in a sofa mattress, and extinguished the flames. Although he escaped with a few slight burns, the poor girl was dreadfully burnt, and Dr. **M'CARTNEY** being sent for he found her so much burnt that the skin was entirely off both legs from the feet to the hips, and both arms from the hands to the shoulders; she was also burnt on the neck and about the lower part of the body. Towards evening Dr. M'Cartney got her removed into Maitland to the hospital, stretching a quilt across a spring cart and placing a mattress on it, and the poor girl on the mattress, so that she might suffer as little as possible on the journey. In the hospital every means has been taken to alleviate her sufferings, and till yesterday she remained quite sensible; on Thursday she was going on well, considering the dreadful injuries she had sustained,

but there were but little hopes entertained of her recovery. Last evening we are sorry to hear that she was much worse, and had become quite delirious.

**DISCHARGE.**

In the *Mercury* of February 24<sup>th</sup> we mentioned that a man named **WILLIAM WHEATLEY** was in custody, waiting the result of a serious injury which had been inflicted on a baby, the child of **THOMAS HENRY**, by Wheatley's agency. Henry was standing in the street near his own door, holding the baby in his arms, and being near a man who wanted to fight with him, when Wheatley came up, and without a word struck Henry a violent blow, which knocked or jerked the child out of his arms, and it fell on its head, fracturing the side of the skull. The infant was placed under Dr. M'Cartney's care, and for some time it was impossible to say how the injury might result; but on Wednesday Wheatley was discharged from custody, Dr. **M'CARTNEY** having certified that the infant was out of danger.

**HUNTER RIVER DISTRICT NEWS. - SINGLETON.**

**AWFUL MURDER.** - A most cold-blooded and deliberate murder was committed in this town-ship last night by a married woman, the mother of four children, the youngest of which is at the breast. The party murdered is also a female, known here as "**Scotch Mary**," and was for some time servant to Mr. **JOHN GREEN**. From what we can learn it appears that the murderess, whose name is **CATHERINE CARTER**, was jealous of the deceased, who had been seen in company with her husband, who was living separate from her. On the night of the murder Carter went to a neighbour's house and borrowed a gun, stating that it was for her father to shoot a dog, and requesting powder and shot for the purpose. The gun was accordingly lent, the party stating that he had neither powder nor shot, but that the gun was already loaded. Carter then proceeded with the gun towards the residence of the deceased, and upon meeting with her, after a few words, deliberately shot her through the head. She then went home, and told her father that she had shot "**Scotch Mary**", and proceeded to change her dress, and also to make up a bundle of things previous to her apprehension. Her father gave the necessary information, and she was soon after taken prisoner. An inquest is to be held on the murdered female this afternoon, at three o'clock. March 16, 1849

**ATTEMPT TO MURDER.**

A man named **JOHN CLARKE** was on Friday committed for trial by the Parramatta bench, charged with attempting to murder an old man named **LUTHER**. It appeared that district constable **RYAN** lives in a house on the Liverpool road, formerly occupied as a public house. Late on Sunday night, the 4<sup>th</sup> instant, Ryan was awakened by a knocking at the door, and on enquiring who was without, he was told a friend. On the door being opened Ryan found Clarke outside; Clarke said at once, "Here's £200 worth of wool for you for £50; have you got that money?" Ryan said nothing to induce Clarke to believe that the place was not still a public house, and Clarke went on to inform him that there was an old man travelling on the road with a heavy load of wool, some two or three miles off, and that he might be got to stop at the house. This was followed by an inquiry whether there was any laudanum in the house, so that he might be sent to sleep. After an answer being given that it was not kept, a remark expressive of neglect in the (supposed) publican not keeping the drug followed, and Clarke muttering something about getting the old man and dray into a ditch, left the house, and went in the direction of where the dray and the person in whose charge it was, were subsequently found. Constable Ryan having procured the assistance of a neighbour named **FLETCHER**, followed the direction Clarke had taken, but keeping within the road-side brush so as to be unobserved. After keeping this rate for about three quarters of a mile, a cry of murder was heard, and on leaping the fence in to the road, a dray

laden with wool was found bogged in a ditch, and Luther, whom it subsequently appeared was the driver, lying on the ground bleeding profusely from severe wounds inflicted on him in various parts of his body. Luther, who was at the time wholly insensible, was then removed to Ryan's house, but shortly after he had been brought there, Clarke returned, and still mistaking the premises as being a public house, and Ryan the proprietor of them, again offered the wool, stating the purchase was safe, as the dray was in a ditch, and the old man (Luther) not able to give any statement as to how it got there. The prisoner was then, but not without considerable difficulty and danger from the violence he displayed, secured. Subsequently Luther, who was a man considerable advanced in years, on recovering from the shock he had sustained from the injuries he had received, recognised the prisoner as having been in the course of the day of the night on which he was attacked, in his company at several road-side public houses, where he had treated him to drink, and the last recollection he had of him was, after being some time absent from the dray which he had for miles kept by the side of, coming up and striking him a heavy blow. *Herald, March 13*

MAITLAND MERCURY, 7/492, 21/03/1849

EXECUTION OF GEORGE WATERS WARD.

On Monday morning **GEORGE WATERS WARD**, convicted at the late Maitland Circuit Court of the murder of **RICHARD CONNOLLY**, was executed inside the walls of Maitland gaol, on the presence of several hundred persons, including a great number of children, and some women.

About five minutes past nine o'clock Ward was brought out from the gaol onto the yard, accompanied by the Rev. Mr. **RUSDEN** (who had been with him since six o'clock that morning), **C. PROUT**, Esq., the Under Sheriff, **E.D. DAY**, Esq., Dr. **WILTON**, Mr. **TRISTREM**, and others. The Rev. Mr. Rusden read prayers, in which Ward joined with apparent fervour. Having reached the scaffold, Mr. Rusden knelt down with the unfortunate man, and passed some minutes in prayer, Ward audibly joining in the responses.

About twelve minutes past nine Ward mounted the scaffold, Mr. Rusden still accompanying him, and the executioner following. On reaching the platform Ward called out in a clear firm voice, "Good bye, Mr. Tristrem, God bless you, and you all," looking round on the crowd. Having engaged in prayer with Mr. Rusden for a minute or two, Ward addressed the crowd assembled nearly as follows: "My friends, I am going to die this day, and I hope that you will take warning by me and keep from drink, and that if any of you ever give evidence in a court of justice you will speak the truth. I am not going to accuse any one, but I will only say that some spoke the truth on my trial, and some spoke false. I die in peace with all the world, and in the hope of a better life. I pray for you all, and hope you will all take warning by my example."

The executioner then fastened the rope round Ward's neck, and put a white cap over his head and face, during which Mr. Rusden continued praying and Ward joining with him. Mr. Rusden then left the scaffold, and the bolt being drawn, the wretched man fell, and died after struggling convulsively for a few minutes. Ward's bearing on the scaffold was firm and composed throughout.

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It will be observed that in his last address Ward did not say a word as to whether he was guilty or innocent. We believe he had, to all who visited him during his confinement, maintained his innocence of the murder of Connolly, and on Sunday morning he added that within a year he felt assured that his innocence would be made clear to all. In the course of Sunday, however, Mr. Prout, the Under Sheriff, arrived with the death-

warrant, which he read to Ward; and in the course of conversation with the unfortunate man Mr. Prout urged him to tell the truth before he died; Ward asserted his innocence, and complained that the witness **M'GUIRE** had not sufficiently identified him as one of the two men he saw at the fire. Mr. Prout remarked that there was so much evidence against him, altogether irrespective of M'Guire's, that no one could doubt his guilt; and that another proof had since been afforded, inasmuch as Dr. Jenkins's gold watch had been offered for sale in Maitland. Ward eagerly replied that that was impossible, for he could prove that it never had been offered for sale in Maitland. Mr. Prout immediately replied that that answer had condemned him, for how could he possibly know whether the watch had been presented for sale if he did not know where it was; it was ascertained that the murdered man had taken this watch before he left, and now he had admitted that he knew where the watch was. Ward made no reply, but sat down trembling, and visibly disconcerted. After that moment, we understand, he made no further professions on innocence.

HUNTER RIVER DISTRICT NEWS.

SINGLETON. - CORONER'S INQUEST.

A coroner's inquest was held on Friday last, at Mr. John Green's, the Cross Keys Inn, Singleton, before **HENRY GLENNIE**, Esq., the coroner of the district, touching the death of **MARY M'PHERSON**, otherwise known as "**Scotch Mary**," who came by her death as reported in last Saturday's *Mercury*. The unhappy woman, **CATHERINE CARTER**, who was in the inquest room during the examination of the various witnesses, was accommodated with a chair, but appeared totally unconscious of the proceedings. By the coroner's direction the jury went to view the body, which lay in a hut a few feet from where the unfortunate and fatal transaction had taken place. The face and neck of the deceased were perfectly black from the effects of the gun-powder; there was a wound in the upper lip; the jaw-bone appeared to have been fractured, and at the back part of the head, near the base of the skull, was a large hole, where the shot must have escaped. Upon the return of the jury the following witnesses were examined:-

**HENRY SANDERSON**, tanner, of John-street, sworn: About a quarter past seven o'clock On Thursday night prisoner came to his house and asked for some gun-powder and shot, stating that her father wanted it to shoot a dog that had been annoying them. Witness told her that he had none, but that his own gun was loaded; prisoner replied that that would do as well. The gun was loaded at the time with No. 6 shot. Prisoner appeared much agitated, but witness thought it was from her being annoyed by the dog. Prisoner enquired whether the gun would go off, but witness replied that it would not as it was, as the hammer was down on the nipple. Prisoner then took the gun away, and witness saw no more of her till now. The gun produced was the one witness lent the prisoner.

By a Juror: Never knew anything peculiar in prisoner's manner, or any defect in her intellect; was not sufficiently acquainted with her; she always appeared rather distant; did not hear of any quarrel between prisoner and deceased; prisoner was quite sober when she came to witness; witness did not show her how the gun was to be fired off.

**HENRY WHITE**, labourer, was at a hut opposite Mary M'Pherson's, and at about half-past seven on Thursday night the deceased came over to him to borrow a candle; while deceased was talking to witness he heard a noise like somebody knocking at M'Pherson's door; witness asked deceased what noise was that, when she walked over towards her hut. Witness then heard her quarrelling with some other person; after a time witness heard a person say, "Down on your knees, for you have not long to live." After some more words had been said the gun was fired, when witness went over and

saw the piece in prisoner's hand, and knew her well; witness then heard the gun fall. Witness saw the deceased fall down, and went up to the prisoner and took her by the hand. There was a large pool of blood under the head of deceased; deceased made a faint cry as she was falling. Witness accompanied prisoner to her father's; she stated on the road that deceased had disturbed her peace for a long time, and she (prisoner) was quite satisfied with what she had done. Prisoner asked witness to take her to Mr. Horne's (the chief constable), but witness took her to her father's, and mentioned to him what had happened, but her father would not believe it; he, however, accompanied witness to where the body lay in the road, and picked up the gun, which he placed upon his shoulder, and took it to Mr. Horne's. It was so dark witness could not well see the gun.

By the Jury: Witness did not hear any scuffling; they might have been scuffling for the gun, but witness could not tell; could not say that prisoner's clothes were torn by scuffling with deceased; the gun might have gone off in the scuffle.

**HENRY SANDERSON** re-called: The trigger requires a very strong pull to make it go off, but sometimes goes off at half-cock; had fired off the gun several times, but never knew the ramrod to fly out. Prisoner's dress was not torn when she called for the gun, but her hair was down. The ramrod might have been pulled out in the scuffle.

**ALEXANDER JOHNSON**, tanner, of John-street, Singleton: Is the father of the prisoner. On Thursday evening the prisoner requested me to give the children their supper, as she was going out; she came back in about half an hour, and told witness that she had shot "Scotch Mary," and she wanted to put herself under the protection of Mr. Horne; witness would not believe her until the witness White came in and told about the circumstance. Witness then went up with White and found the deceased on the ground, and the gun beside her. Witness then proceeded to Mr. Horne's with White, and gave information. Prisoner appeared at the time very deranged.

By the Jury: Prisoner's husband had been away from her about three weeks or a month; he was given to drink; he was down last Saturday and Sunday, when he and prisoner had words. Witness never used any influence in parting them; never heard of any intimacy between prisoner's husband and deceased. Witness picked up the gun from the side of the deceased, and carried it to Mr. Horne. There was no occasion for prisoner to have borrowed a gun.

**SAMUEL HENRY HORNE**, Chief Constable of Singleton, sworn: On Thursday night, about eight o'clock, received information that Mrs. Carter had shot "Scotch Mary," and that she was then lying dead in the road. The gun produced was the one given by the witness Johnson to witness. Witness proceeded with Johnson to the deceased, where he picked up a ramrod, which he fixed into the gun. Witness identified the body as that of Mary M'Pherson.

**DAVID STOLWORTHY**, surgeon, sworn: On Thursday evening last, while coming on horseback towards home, heard a report that a woman had been shot; witness at once went to the spot, and saw the body of Mary M'Pherson lying in the road; she was quite dead. Witness discovered that the jaw-bone was fractured, and that the shot had escaped at the base of the skull; the ears and upper lip were bleeding profusely; the face and neck of the deceased were discoloured as if from powder; the mouth was full of fragments of bones; witness passed a probe through the mouth into the base of the skull. The appearances were caused by the discharge of a gun; such a wound would cause instantaneous death.

This being the last witness, the Coroner then recapitulated the evidence, pointing out to the jury several important points for their consideration.

The jury then retired for a few minutes, and returned with a verdict of “wilful murder” against Catherine Carter. She was then committed to take her trial at the next Assizes at Maitland.

During the whole of the inquest the prisoner appeared to be in a state of perfect stupor, not taking the slightest notice of the proceedings. March 19, 1849  
WEE WAA.

The only melancholy occurrences I have to relate are – A man named **BENJAMIN COX**, in company with two or three others, about two months ago, travelling from one station to another, the distance about thirty miles, he being unwell at the time from previous intoxication, and the day being excessively hot, parted with his companions, and has not since been heard of. His horse having returned with only the saddle on, it is to be feared he has perished in the bush from exhaustion.

The only other death I have to mention is that of a person called **DUNCAN M’MILLAN**, who died very suddenly about a month since at a station known as Wee-et-tee Waa, on the Namoi. He was, in company with a number of other men, employed in driving cattle, and upon encamping for the night laid down on his bed, and never rose again, only asking for a drink of water before he expired. He had been long complaining, and frequently under the hands of medical men, so that his death was not altogether unexpected. I believe an investigation was made into the circumstances by the proper authorities. March 6<sup>th</sup>, 1849  
NEWCASTLE.

INQUEST. - An inquest was held on Saturday, March 17, at the Newcastle Inn, before Dr. **STACY**, coroner, on the body of **ELLEN LINDSAY**, then lying dead at her own residence. It appeared from the evidence adduced that the deceased’s husband, who is a miner in the employ of the A.A. Company, and also an overseer, procured from the company’s magazine a quantity of powder for blasting purposes, part of which by some means became damp. In order to dry the same, it was placed by Lindsay in a square box upon a beam in an out-house, which extended from one wall plate to the other; he locked the door, and gave deceased the strictest caution against going near it, especially with fire. On the morning of the accident, the 2<sup>nd</sup> of March, the deceased entered the out-house with fire in her hand, which she placed in the fire-place for the purpose of washing clothes. Observing a quantity of powder on the floor, she endeavoured to prevent its explosion by sweeping small quantities from the large lump, and while doing so the powder exploded, but not suddenly, it being too damp. After it had exploded Mrs. Lindsay picked up the infant that was lying on the floor, and ran into the house, calling for assistance, her clothes being at the time one mass of flame. By the exertions of **DAVID ROBERTSON**, who is a lodger in the house, the flames were extinguished, but not before the deceased and infant were so severely burnt as to cause the death of the former, which took place on Saturday, the 17<sup>th</sup> instant. Every means were procured to alleviate the sufferings of the unfortunate woman, but without avail. The jury, after a careful investigation, returned a verdict of died from exhaustion, produced by burns, caused by the accidental explosion of powder. It may be as well to remark that in the opinion of deceased the box containing the powder had been upset by fowls, which will account for its being upon the floor. March 19<sup>th</sup>, 1849  
CASSILIS.

An inquest was held on the 13<sup>th</sup> instant, at Mr. Cope’s station, Deridgery, before **T.A. PERRY**, Esq., J.P., the coroner of the district, on the body of **CLARA FLETCHER**, a child between two and three years old, who it appeared was left in a hut with two other children, her brothers (one an infant and the other rather more than four years old), by the mother, who was engaged in washing wheat at a gully about two hundred rods

distant. Deceased had been groping in the ashes, and part of her dress had become ignited; she had ran out of the hut alarmed, but happened to go in the opposite direction to the one her mother was in, who, chancing to see some cattle, ran up to see if her children were out of harm's way. Upon arriving at the hut her second child (deceased) was missing, and understanding from her eldest boy that she had gone in the direction of some grass which was burning in the neighbourhood, she ran in search, but could see nothing of the poor child for twenty minutes, when a low moaning caught her ear, and she found the little suffered almost burned to death, laying near a log. It just had sufficient strength to hold out its little burnt arms and call "mamma," and expired in her arms in about twenty-five minutes. A verdict of accidental death was recorded. March 16, 1849

**MAN FOUND DROWNED.** - About 6 o'clock yesterday morning, the body of a man was discovered floating in Darling Harbour, off the wharf at the end of Liverpool-street. On its being got ashore it was found that life had been for some time extinct, and it was removed to a neighbouring public-house, where it now lies awaiting identification. About 16s. 6d. was found in one of the deceased's pockets, but nothing which could lead to his recognition. All that at present is known respecting the deceased is, that he had been sleeping at a lime kiln near the wharf on the early part of the preceding night, and was noticed by a man, who was lying on the opposite side of the kiln, to rise about midnight and go in the direction where the body was found. *Herald, March 16*

An inquest was held yesterday by Mr. **RYAN BRENNAN**, at Mrs. Wallace's, the Hand and Heart, Liverpool-street, on view of the body of a person whose name was unknown, then lying dead in the same house. The body of the deceased man was found floating in Darling Harbour, off Dunn's Wharf, at the end of Liverpool-street, at an early hour of Thursday morning. A finding was returned of found drowned, how or by what means (in the absence of evidence) the jury cannot say. *Herald, March 17*

**SUDDEN DEATH.**

A female of loose character, named **SARAH ROBERTS**, was yesterday afternoon found dead in her house in Phillip-street. It seems the deceased had lain down on a sofa in a state of intoxication, and on being gone to in about two hours afterwards life was found to be extinct. *Herald, 16<sup>th</sup> March*

An inquest was held on Friday last, by Mr. **BRENNAN**, at Tuohy's, the Lemon Tree, Phillip-street, touching the death of **SARAH GLASSOP, alias ROBERTS**, then lying dead at a house in the same street. The finding recorded by the jury was death from congestion of the brain, the effects of previous habits of intoxication. *Herald, March 19*

**SERIOUS ACCIDENT.** - About half-past six o'clock on Saturday evening, as a drayman named **KITTSOON**, living at Chippendale, was conveying two barrels of oil through Cumberland-street, some dispute arose between him and a second drayman named **BUCKLEY**, who was in company with him. The latter, it appears, was sitting on the loaded dray, and was either pulled off by Kittson, or on getting off his foot slipped, from the ground being wet, and he, being the worse of liquor, fell, and the dray passed over his body, catching at the same time one side of his face. The injured man was immediately removed to the Infirmary, where some of the ribs, as also one of the jaws, were found to be broken. He lies in a very precarious state. Kittson was taken in charge by the police. *Herald, March 19*

**BIRTH.**

At Roxburgh-place, Baulkham Hills, on the 15<sup>th</sup> March, Mrs. **A.L. M'DOUGALL**, of a son, which only survived a few hours.

MAITLAND MERCURY, 7/493, 24/03/1849

**THE LATE GEORGE WATERS WARD.** - Since Wednesday we have been informed that up to the time of his execution Ward strongly asserted his innocence, and denied all knowledge of Dr. Jenkins's watch. The statement, therefore, in our last number, that after Mr. Prout's mentioning that Dr. Jenkins's watch had been offered for sale on Maitland, Ward made no further professions of his innocence, was incorrect.

**THE LATE GEORGE WATERS WARD.**

[COMMUNICATED]

**GEORGE WATERS WARD**, though silent as to **CONNOLLY**, confessed that he had been a very great sinner; that he had, over and over again, broken the commandments of his God, and that he deserved to die. ....

Then follows biographical statement by GWW dated March 9 & 10th, 1849, giving his life story, details of parents [**JAMES WARD & ANNE WATERS**] in Ireland, life in Bath with grandmother, and then taking to drink and women. Mentions a working companion, a **WILLIAM WISE**, who he met again later, and who died in the York hulk, at Gosport. Also mentions his wife and son.

MAITLAND MERCURY, 7/494, 28/03/1849

**INQUEST.** - On Thursday night last **MARY M'GEARY** died, in the hospital. This was the poor girl (an Irish orphan immigrant) who was so fearfully burnt on Sunday, the 11<sup>th</sup> instant, by her clothes catching fire while engaged in Mrs. Long's kitchen, as reported in the *Mercury* of the 17<sup>th</sup>. Notwithstanding the very extensive injuries she received, the poor girl, who appeared to have had a very strong constitution, lingered until the night of the 22<sup>nd</sup>, when she expired. An inquest was held on her body on Saturday, at the hospital, before **J.S. PARKER**, Esq., coroner, when a verdict was returned of died from injuries received by her clothes catching fire.

**BLACKMAN'S SWAMP RACES.**

Two serious accidents occurred at Blackman's Swamp on the 17<sup>th</sup>. One of a man named **PHEENY**, who was thrown from his horse on the way to the course; the other, a man named **JAMES ROONEY**, whose horse ran away with him, when his head came in contact with a tree, which caused a fracture of the skull, being otherwise seriously hurt. Both men were promptly attended to by Dr. **RICKARDS**. Doubts are entertained of the recovery of Rooney. *Herald Correspondent*

MAITLAND MERCURY, 7/495, 31/03/1849

**BATHURST.** - **CORONER'S INQUEST.** - One was held on Friday, at the Elephant and Castle, in Keppel-street, on the body of a man named **JOHN BURKE**, many years in the service of Mr. Suttor, M.C., as shepherd, and who was killed on the Race Course the previous Wednesday. It appeared that shortly after the races on Wednesday, a mob of the Tipperary boys turned out in front of the booths, fully determined to have their usual shindy; the deceased was struck a violent blow on the head near the temple with a stone, which caused almost instant death; a man named **BARRY** was apprehended as the perpetrator of the murder, and at the inquest one witness swore positively that he was the man. Barry, however, said that if he was allowed the opportunity he could prove he was not, when the Coroner adjourned the inquest until the following day, when Mr. M'Intosh appeared for Barry. Several witnesses were examined, and from their evidence, it was clear that Barry was innocent of the charge preferred against him, and he was discharged. The jury, after a patient investigation, returned that the deceased came to his death by a wound inflicted on the head with a stone by some

person unknown. Dr. **MACHATTIE** attended the inquest, and held a *post mortem* examination, and certified that death had arisen from the wound on the head, and further that the heart of the deceased was in that diseased state that he could not have lived many weeks. *Herald Correspondent*

INQUEST. - An inquest was held yesterday, by Mr. **RYAN BRENNAN**, on board the brig *Emma*, lying off Pinchgut Island, in the harbour of Port Jackson, on view of the body of **SAMUEL PETERSON**, then lying dead on board the said vessel. The evidence adduced was that of Mr. **BEWS**, second officer of the *Emma*, who deposed that at about eleven o'clock on the forenoon of the previous day (Monday) the vessel to which he belonged was ran foul of by the brig *Maukin*, and in the collision the main yard was broken. The deceased, who was carpenter of the vessel, then went aloft to send down the yard, and whilst he was doing so, the tail of the watch tackle parted, and by the jerk he lost his hold and fell. In the fall, the deceased's forehead struck the edge of the hatchway, and on his being picked up, he was found to be insensible, and that serious wounds had been inflicted. Medical assistance was immediately sent for, but before its arrival death had ensued. The deceased was at the time perfectly sober, and in witness's opinion the occurrence was purely accidental. Dr. **TIERNEY** stated the finding of a fracture of a large portion of the frontal bone, as also that of several others, which fully accounted for death. A finding was recorded of "died from injuries accidentally received." *Herald, March 29*

MAITLAND MERCURY, 7/496, 04/04/1849

DEATH BY DROWNING. - On Sunday and Monday an inquest was held at the Albion Inn, Old Banks, Paterson River, before **J.S. PARKER**, Esq., coroner, on the body of **DANIEL LONG**, an orphan boy aged nine years, who had for many years resided in the family of **THOMAS MURPHY**. It appeared from the evidence that the deceased, who was of weak intellect, was in the habit of stripping off his clothes, and running about naked, "planting" himself, and often bathing in a lagoon that was near Murphy's house; and that on Friday last two men that were fencing near there, drove him away from the lagoon while bathing, as it was considered unsafe, being full of deep holes, dug to retain water in the dry seasons. On Saturday morning the little boy had assisted Murphy to milk some cows, and then after breakfast had strolled out as usual. About mid-day his clothes were observed lying by the lagoon by another lad, named **JEREMIAH M'CROWN**, who went and told the fencers of it, but no alarm was felt by either of them, in consequence of the habits of the poor boy Long, and no notice was then taken of the circumstance. Some time later, however, another little boy, named **LANDREKIN**, was watering some cattle at the lagoon, and seeing the clothes there, he told a man named **BILLINGTON**, who was passing by; Billington, after examining the clothes, went to Mrs. Murphy, and found that the lad was not at home, nor had been seen since breakfast time. The worst fears were then entertained, and search was made in Murphy's lagoon for the boy, but without success; in the afternoon, however, another portion of the lagoon, separated from Murphy's by a fence, was searched, and the body was at length found in a deep cut or drain, about six feet under water, and covered with mud. The spot was only two rods from where his clothes were lying, and about thirty rods from where the two fencers were at work; had any screams or noise been made the fencers were confident they must have heard it. A verdict was returned of found drowned.

WIDE BAY AND THE BURNETT. - A fatal accident occurred a few days ago to Mr. **CHARLES SIDNEY PORTER**, formerly residing at Brisbane. He was riding, in company with several other gentlemen, towards the station of Mr. Corfield,. When his

horse took fright, and, after dashing him against a tree, threw him with great violence upon a log. He was immediately carried back to the township of Maryborough, and medical assistance being on the spot, every exertion was made for his recovery, but, we deeply regret to say, without success; and the unfortunate young man expired in a few hours.

**ACCIDENT.** - It is our painful duty to report a serious accident that befell Mr. **WILLIAM MASON**, of the Pine River, on Sunday morning last. Mr. Mason was about to mount his horse at his own door, and was in the act of adjusting a strap on the off side of the saddle, when his gun, which was slung there, exploded, and the ball passed through his thigh, entering in front, just below the hip joint, and passing downwards until it came out at the ham, after fracturing the thigh bone. As Mr. Mason is sure that the hammer of the gun was not accidentally raised, the unfortunate event can only be accounted for on the supposition that the pressure on the cap was too great. Immediate assistance was rendered to the unfortunate gentleman, and Mr. Mason, by the advice of his friends, was placed in the hospital, where, we are happy to add, he is now doing well under the hands of the surgeons. It will be perceived that the ball narrowly escaped the femoral artery, the separation of which would, in all likelihood, have been attended by fatal consequences. *Moreton Bay Courier, March 17*

**GOULBURN.** - **INQUESTS.**

An inquest was held at Springfield, on the 21<sup>st</sup> instant, before **W. WAUGH**, Esq., coroner, upon the body of **MARIANNE MOVLEY**, aged five years. It appeared from the evidence that the mother of the deceased, with her three children, accompanied by a Mrs. **COPPUCK** and child, started from Springfield on the day previous to take a drive in a horse and cart. After they had proceeded about a mile, one of the children screamed out, which startled the horse; Mrs. M., who was driving, being unable to stop it, the vehicle came in contact with a tree, and was upset. Mrs. Coppuck was thrown a distance away, but the rest were buried beneath the cart; the pointy of the upper part falling upon deceased's chest. The jury returned a verdict of "accidentally killed."

On the following day an inquest was held at Tarradale, on the body of **MARGARET RYAN**, who died from burns she had received on the previous day. The deceased and two other children were playing near where the bush was on fire, when her clothes were suddenly caught by the flame. Before they could be extinguished the sufferer was severely burnt, and died the same evening. A verdict in accordance with the evidence was returned. *Goulburn Herald, March 31*

**MAITLAND MERCURY, 7/497, 07/04/1849**

**SERIOUS ACCIDENT.** - We are informed that on Thursday evening a Mr. **FINLAY**, when riding near Hinton, was thrown from his horse, and received great injury about the head; and that Dr. **BROWN** was sent for, who found him so ill that yesterday morning his life was considered in danger.

**FATAL ACCIDENT.** - Yesterday an inquest was held on the Bolwarra estate, before **J.S. PARKER**, Esq., Coroner, on the body of **ANGUS M'DONALD**. From the evidence of **DONALD M'LACHLAN** and **HUGH M'FADYEN**, it appeared that both these parties had been in Maitland with Mr. M'Donald on Thursday on business; and that late in the afternoon they crossed the Falls on their way homeward, Mr. M'Donald and his family still residing on the Bolwarra estate. They had got about a mile along the road, riding slowly, when Mr. M'Fadyen, saying that he could not go on at that pace, as he wanted to get home, set off at a canter; Mr. M'Donald followed him, but Mr. M'Lachlan rode on leisurely; the two disappeared from Mr. M'Lachlan's view as they descended a hollow in the road, and on reaching the edge of the descent, he was

surprised to see Mr. M'Donald's horse ascending the opposite rise without his rider; riding down quickly Mr. M'Lachlan found Mr. M'Donald lying in the road, bleeding from both ears, and only just moving as he called to him. Mr. M'Lachlan rode on in pursuit of the horse, and met Mr. M'Fadyen, who had been alarmed by seeing the riderless horse, and was riding back; Mr. M'Fadyen, on reaching Mr. M'Donald, found him lying in the road, his hat lying a short distance off, and his hair covered with dirt, while close by was a pool of blood, which had flowed from his ears; he was insensible, but not quite dead, but in a few moments, during which Mr. M'Lachlan and Dr. **STREET** rode up, he died. In what manner Mr. M'Donald fell or was thrown neither witness could tell, but they supposed that the fatal accident had been occasioned by the deceased's riding with his stirrups too long, and that, as he was not a skilful rider, the sudden descent had caused him to lose his seat. No medical man was called in at the inquest, the Coroner and jury being satisfied as to the cause of death from the evidence and the appearance of deceased, and a verdict was returned of accidentally killed by a fall from a horse. [aged 34]