

INTER-PERSONAL VIOLENCE – NSW  
1840-49

SYDNEY HERALD, 09/02/1841

Supreme Court of New South Wales

**JAMES TIBBS, JOHN ROGERS, THOMAS ROGERS, JOHN FARRAL, and MICHAEL ROACH**, were indicted for having while on board the immigrant ship *Resource*, on the high seas, committed a violent assault on one **RICHARD POUNDS**, by fastening him to the windlass, and giving him a dozen lashes. The parties were all indicted as natives of England, but it came out during the trial that four out of the five prisoners were natives of Ireland, who had been put on board the *Resource* at Plymouth, from an Irish steam boat. The first witness called was Richard Pounds, who being sworn, said, I am a plumber, a native of Kilkenny; I arrived on the 22nd of November; I embarked at Plymouth in the *Resource* from a steamer which had conveyed me from Dublin : we were five months on the passage : we embarked on the 21st of June, and sailed next day. The ship called at the Cape of Good Hope and stayed one week; I went on shore: I cannot swear how many passengers were on board: we were all bounty immigrants. After we had left the Cape I recollect something happening between me and the prisoners, all of whom were fellow-passengers of mine; four of them are my countrymen, all Irishmen, the only Englishman is James Tibbs. One evening on a Sunday morning between one and two o'clock, on board the ship, I was dragged out of my bed: half the voyage I slept on the poop, and the other half down the after hatchway. John Rogers dragged me out of my bed. I went to bed about three quarters past ten; had a glass of spirits and water before I went to bed; a man named **PATRICK GALLATLEY** slept with me; there were three poop messes, each of eight persons, all full. After I was dragged out of bed I dressed myself as quickly as possible, as they made use of such dreadful language that I was afraid; I saw the two Rogers there and Farrell; I wanted to go to the doctor, but they would not allow me. Tom Rogers seized me by the stock; I made my escape and went to the chief-mate, Mr. **SHARP**, and he told me to go below; I then went to the doctor and told him ; he came, with his lamp in his hand, and ordered all of us to go below; I then went to the second-mate's door, and told him, when one of the passengers, named **MAURICE CONROY**, commenced looking for me in the women's apartment, where they said I was whispering to Mrs. Conroy; I immediately took to the rigging, when Farran came up and ordered me down, and Roach was also coming up the rigging when I went down, they then took me forward and tied me across the windlass. I got loose and they tied me again; I again got loose and told them there was no occasion to tie me as I would stand it quietly. Tibbs then, on the order of Farran and Roach, gave me a dozen, which were given me over the left shoulder so hard that I could not lift my hand to my head for a week after. Farren and Roach wanted me to have another dozen, and I cried out that I was not able to bear it, then they wanted me to have half a dozen, and Tibbs said I was not able to bear it; next morning the reason alleged why I was so punished was, because they said I had cut off the rope securing the women's apartments; they did not bring me to trial, but before that they had tried to bring me to trial, because they said I was not married and was bringing out a bad character as my wife; I would not shew them my marriage line; I am a married man. I was married in St. Paul's parish, Dublin, by the Rev. Mr. Shipson.

Cross-examined – I am certain I sailed from Plymouth in the *Resource*. The men were often in among the women after the regulated hours; I had not so much as a glass

of spirits and water; I got it from Mr. Sharp, the chief mate, as I was frequently doing extra jobs, repairing the ship's pumps; we got no spirits except when sick; the captain generally knew that I got spirits from the chief mate. There was frequent quarrelling and fighting on board.

Cross-examined by Mr. **a'BECKETT** – I was pulled out by John Rogers; I was in the women's apartment that night, when she was going to bed, in order to get some tobacco, which I could not keep in my own box, for it would have been stolen; most of us were in the habit of smoking in bed; none of the women said anything about my being in their apartment; I got in through the ventilators; I could have called to my wife to bring me my tobacco. None of them were married. Rogers's mother was there, and one child. There was a female named **ISABELLA CHAMBERS** on board, to whom I often spoke, with the knowledge of the chief mate; my wife, Isabella Chambers, and myself, all went in the same way; I was in good terms with them up till that night, but they always owed me a good deal of spite, because I would not join in their societies; they had it against me all the voyage, because I would not go in with them; I did not complain to the captain, as he was always for taking their part against me; they might have accused me and my wife of bringing out Isabella Chambers to the chief mate. They called my wife a bad character. The chief mate treated Isabella Chambers to spirits; she is not twenty years of age; my wife is twenty. My wife, Isabella Chambers, myself, and the chief mate, were all standing at his cuddy door on the night in question, about 10 p.m.; my wife asked him for a small piece of ribbon; she wanted it for some purpose I know not of; my wife and I got about a glass and a half of spirits, but Isabella did not taste it that I saw. The rest of the passengers found fault because my wife and Isabella went so often together. There was a young man named **DRAPER** there. My wife got the bit of black silk ribbon from the chief mate. I did not want the tobacco on the poop. Isabella Chambers had a sister on board; I did not hear her chide her. After I was in bed, I smoked about a minute, and then stopped; I was undressed and in bed when they dragged me out by the shoulders; the captain knew that we were in the habit of smoking in bed; I afterwards heard that they did it to me because I would not show my marriage certificate; they afterwards called me a blackguard, and charged me with trying to seduce the girl Chambers. The society I would not join was one they made on board; was one that they made for flogging the Protestants.

By Mr. Broadhurst. The chief mate was put under arrest by the captain for entering something in the log-book about the men; I never saw her with Sharp by herself. There were between sixteen and seventeen Protestants on board; two more of them were flogged – they flogged them as fast as ever they deserved it: there was none to take the part of witness at the flogging. Dr. **LEE** never examined the marks which the witness then received. The ribbon was shoe ribbon. The spirits which the mate had on board were what he had obtained at the Cape, it was called "Cape smoke." I don't blame Tibbs half so much as the others; I could not say whether I ever told him so.

Cross-examined by Farrall. I went to Mr. Nichols to see if I might let off John Farrall, and he told me I might do as I pleased.

Re-examined. – The time of going to rest varied according to the weather, we went or sat up. When Rogers came to pull me out he said, "Come out here, you ruffian." There was a quarrel between the mate and the doctor. On my oath I never saw any improper conduct between the mate and the females. I have frequently seen the surgeon turn other men out from the women's apartments.

**Wm. TASKER**, carpenter of the Resource, corroborated the preceding witness' statement as to the disturbance on board the vessel, and to seeing the marks on the prosecutor's back next day.

**THOMAS WILLIAMS**, seaman on board the Resource, proved that the prosecutor was rope's-ended at the windlass-end on the starboard side, that before he was flogged, the prosecutor was on the mizen crosstrees.

- **CHECKERS** proved that Tibbs gave the prosecutor one dozen of strokes in the presence of twenty or thirty of the passengers, and that he did not cry out at all, and that he went off as soon as the flogging was over.

Mr. A'Beckett, for the two Rogers, submitted that there was no evidence to go to the jury against his clients, John and Thomas Rogers, as there was no evidence to connect them with the assault, the prosecutor having sworn they were not present.

His Honour was of opinion, that it was a joint trespass, it was all one transaction, and he should leave it to the jury to say whether they had been parties to driving the prosecutor from his berth in order that the assault might be committed.

Mr. A'Beckett then addressed the Court, in behalf of the two Rogers, and stated that the whole case, as against his clients, rested on the evidence of the prosecutor, which was of the most suspicious kind. It could not be denied that he had received his dozen, and he was sure that no wretch in Carter's Barracks ever deserved his corporal punishment more than the prosecutor; if what was alleged in his instructions was true, viz., that the prosecutor and his wife were acting as panderers to the unlawful propensities of the chief-officer, and also from his gross violation of the rules of decency, which were laid down in a series of rules for the preservation of good order, which he had so far violated by smoking in his berth; and concluded by stating that he would call the surgeon and captain of the vessel, to speak to the character of all the parties.

Mr. **BROADHURST**, for Tibbs, admitted the assault, but thought that there was some mistake, as the assault ought to have been charged, as being made in preserving good order. He felt surprised that such a trumpery case had even been brought into the Supreme Court, when the magistrates, as they are empowered to do, might have settled the matter in the Police Court. There was also another very striking feature in the case, and that was, that although the present was a criminal prosecution, yet Mr. Callaghan did not appear before the Court as a representative of the Attorney-General, but he appeared merely as a private counsel of the present prosecutor. He did not see any reason why the public time of the Court ought to have been employed in trying such a case, unless it had been for the express purpose of affording an opportunity for the prosecutor to exhibit himself as a witness in Her Majesty's Supreme Court, before Her Majesty's Chief Justice.

The two undefended prisoners made no defence.

The following witnesses were then called:- Captain **WILLIAM BOYLE**, thought that John and Thomas Rogers were unexceptionable, and Farrell was only concerned in one slight fight, which occurred on board, which was quelled by him and the doctor; all the others were quiet and peaceable well-conducted men.

Cross-examined. – From what we heard afterwards, he thought there was reason for the repending by the prisoners.

**MICHAEL WILLIAM LEE**, Doctor of Medicine, had come out as Surgeon Superintendant of the Resource, and felt no interest in the result of the trial; he also gave all the prisoners excellent characters excepting Farrall, who had been engaged in a fight with one of the sailors, and it was afterwards discovered that the sailor was in the wrong, having first struck Farrall.

**PATRICK WILLIAM GARRATY**, a blacksmith by the Resource from Milligan, also gave the five prisoners characters for being quiet, well behaved inoffensive men, and although he had slept with the prosecutor on the night of the assault, he saw nothing of it, but in cross examination he admitted that he heard the strokes on the prosecutor's back while lying in his berth, and that he saw his back black on the ensuing day.

Mr. Callaghan replied to the evidence for the defence, and repelled the taunt with which he had been twitted, of appearing as a hired counsel for a criminal prosecution, by stating that the Attorney-General was not the man who would trust any case to a junior counsel, which was not at once simple, and such as he was able, to manage, as the one at present before court.

His Honor in putting the case to the jury said, that he considered the present as a very grave charge. It had been asked why he had not the magistrates decided the case; had the prisoners been mariners, it might have been so disposed of, but not being so, the case must necessarily come before the Supreme Court. After commenting on the illegality of the proceeding, he told the jury, that they must be convicted, that the two Rogers had been present aiding and abetting. He also stated, that had any of the prisoners been killed by the defendant, while they were illusing him, it would have been his duty to instruct the jury to have found him guilty of justifiable homicide only.

The jury without retiring from the box, acquitted the two Rogers, and found the other three guilty of the assault, but recommended them to mercy on account of the characters they had received.

The Judgment of the Court was prayed by Mr. Callaghan. His Honor was willing to give the utmost effect to the recommendation of the Jury, but he could not otherwise regard it as a most outrageous proceeding, such as he never had heard had occurred on board an immigrant ship since he came to the colony. The proper source of all authority on board these ships was the captain, and but for the recommendation of the jury he would have inflicted a much more severe punishment. They were then each sentenced to three months to Sydney Gaol. See also Sydney Gazette, 11 February 1841; Australian, 11 February 1841.

Decisions of the Superior Courts of New South Wales, 1788-1899; Published by the Division of Law Macquarie University

MAITLAND MERCURY, 1/18, 06/05/1843

HUNTER RIVER DISTRICT NEWS. - POLICE.

On Friday an Amazonian looking female, named **CATHERINE FLINN**, whose face exhibited strong marks of recent punishment, was placed at the bar, charged with drunkenness and with violently assaulting her master, Mr. **J.M. DAVIS**, to whom she is a hired servant. Her master deposed that on the Wednesday previous, in passing his kitchen, he observed the prisoner apparently drunk sitting composedly smoking her pipe, which she quietly removed when she saw him, and gave vent through her compressed lips to a sound of all others the most horrific to ears polite, and the most humiliating to its object. Provoked by repetitions of this outrage on his feelings and authority he directly unseated her ladyship, when a struggle took place, which might have ended direfully for the complainant only for the timely interference of his friends. The woman stated in her defence that her master had struck her without any provocation, and that she was (as she expressed it) obliged to call out all sorts of murder for assistance. The magistrate dismissed the case of assault, as the complainant admitted that he was the assailant. She was sentenced on the charge of

drunkenness to 48 hours solitary confinement, or to pay a fine of £2, as it was her second offence.

MAITLAND MERCURY, 1/23, 10/06/1843

TIOCKETS OF LEAVE CANCELLED. - Yesterday a man named **JOHN STACEY**, a ticket of leave holder, was brought before the bench on a charge of fighting on the race course on the previous day. He was apprehended by constable **BRADBURY**, who deposed to the fact of the prisoner fighting; and the man with whom he was quarrelling having proved that Stacey struck him several times, he was convicted of an assault, and sentenced to be worked in irons for six months, with a recommendation that he be deprived of his ticket.

MAITLAND MERCURY, 1/25, 24/06/1843

A RIOTOUS SUBJECT. - On Wednesday last a man named **JOHN DONNELLY**, an immigrant, was brought before the police bench, charged with disorderly conduct and assaulting a constable on the previous evening. It appeared that about nine o'clock on Tuesday night Donnelly was drunk in the street. He used very abusive language towards Mr. **WISDOM** and Mr. **KINGSMILL**, and threatened if the former would come out of his house that he would settle him. A constable was sent for, and on his arriving, and trying to persuade the man to go away quietly, he assaulted the policeman, who thereupon took him into custody. He was sentenced to pay a fine of £5, or be imprisoned in Newcastle gaol for one month.

POLICE OFFICE. - On Wednesday last **JAMES DEWELL** and **MARTIN BRENNAN**, both ticket of leave holders, were brought before the police bench charged with assault and battery on the person of Mr. **DAVIES** on the evening of Tuesday, the 20<sup>th</sup> instant, and being convicted of the same they were sentenced to have their tickets of leave cancelled and to be returned to government. **JOHANNA DURAN, alias DEWELL**, the wife of Dewell, was convicted of aiding and abetting in the above assault, and was sentenced to seven days solitary confinement in the cells, and to be returned to government.

MAITLAND MERCURY, 1/26, 01/07/1843

ASSAULT. - Yesterday a woman named **MARY FORD**, assigned to Mr. Todhunter, was brought before the police bench charged with insolence and assault. It appeared from the evidence of Mrs. **TODHUNTER** that on the previous day she spoke to the prisoner, who she saw had been drinking, and on taxing her with this, the prisoner said Mrs. T. was a liar, for if she had been drinking she would have struck her. About two hours afterwards Mrs. Todhunter again went into the kitchen, and accused the man servant of bringing liquor from the new line of road, and giving it to the prisoner, who upon this immediately struck Mrs. T. in the face, and discoloured her eye; she afterwards endeavoured to throw some boiling soup upon her, but was prevented. The prisoner was found guilty of the assault, and sentenced to be worked in the third class at the female factory, Parramatta, for twelve calendar months.

A BOISTEROUS CUSTOMER. - On Monday morning last a man named **JOHN HENSON**, who had been given in charge by Mr. **COX**, of the Union Hotel, on the previous Saturday, was brought before the police bench charged with disorderly conduct. It appeared that on Saturday the prisoner was insulting almost every person about Mr. Cox's house, and Mr. Cox gave him in charge to constable **RAFFERTY**. Henson was very drunk and outrageous, kicked Mr. Cox and the constable, and bit the latter severely on the hand. It was with great difficulty that he was secured by the

assistance of four or five other constables. The above facts having been clearly proved against him, the bench sentenced him to pay a fine of 40s., or to be imprisoned in Newcastle gaol for one month. He was allowed until Friday to pay the fine.

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

POLICE OFFICE. (*Before Captain Armstrong, J.P.*)

ASSAULT. - On Tuesday last **JOHN MALOWNEY**, per Westmoreland, was arraigned on a charge of assault, with intent to commit some grievous bodily harm. The prosecutor, **JOHN PARRY**, deposed that on the evening of Monday, June 19<sup>th</sup>, about nine o'clock, he was sitting in the parlour of Rouse's inn, when the prisoner attempted to enter the room, on which the prosecutor rose and prevented him. Shortly afterwards, on his leaving the room, Malowney came up to him and struck him a severe blow on the face, which knocked him down, and on his being raised up by some persons who witnessed the assault the prisoner drew a clasp knife and inflicted a deep wound on Parry's head. The wound was attended to by a medical gentlemen, and a few days afterwards the prisoner was apprehended. It appears the prisoner was seen about the premises for some time after the assault was committed, and no notice was taken of him. It is a matter of surprise that the prisoner, who is a notoriously depraved character, should be allowed to be abroad at so late an hour, and thus be enabled to commit a brutal assault upon a free man, and to remain at large for some days afterwards. The prisoner was fully committed to take his trial.

MAITLAND MERCURY, 1/34, 26/08/1843

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

POLICE OFFICE, AUGUST 18. - **JAMES ROACH** was charged with an assault on the person of **MARY MAHER**, with the intent of seriously injuring her, and her property, by firing the house, in which the prisoner and his wife were lodgers. He was found guilty of the offence, and sentenced to pay of fine of £5, and in default of payment to be imprisoned in Newcastle goal for two months.

MAITLAND MERCURY, 1/35, 02/09/1843

ASSAULT. - Yesterday a young man, a native of the colony, named **JOHN MACKENZIE**, was brought before the police bench charged with assaulting Mr. **WILLIAM WITTON**, at the Northumberland Hotel, on the previous evening. It appeared that a quarrel arose between the parties respecting a toss for 5s., which each claimed to have won, and the defendant struck the complainant three times, and knocked out two of his teeth. The defendant admitted the assault, but asserted that he had won the toss. The bench convicted him of the offence, and sentenced him to pay a fine of £5, or to be imprisoned in Newcastle gaol for two months, and to find sureties to keep the peace for twelve months, himself in £40, and two sureties in £20 each. The fine was immediately paid, and the sureties procured, upon which the defendant was discharged from custody.

A man named **DONALD KENNEDY** and his brother have been committed by the Windsor bench to take their trial for shooting at and wounding a constable in the execution of his duty. It appears that the sheriff's bailiff, attended by a number of constables, went to execute a writ of ejectment on Kennedy's premises, which he resisted. Shots were exchanged on both sides, and Kennedy and his family were only got out of the house by the officers of the law setting fire to it.

MAITLAND MERCURY, 1/40, 07/10/1843

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

TUESDAY, SEPTEMBER 26.

**DAVIES v. HENNESSY.** - This was a case of assault, in which the defendant was charged with throwing a quantity of dirty water over the person of Mrs. **DAVIES** on Friday last. The defendant was found guilty of the offence, and sentenced to pay a fine of five shillings, and costs.

**HARLOCK v. JONES.** - This was another case of assault and drunkenness, preferred against a free woman named **ELIZABETH JONES**, who from the evidence adduced had, it appeared, assaulted the plaintiff by throwing sundry brickbats at him, one of which hit him on the countenance, and drew blood. It was also stated that a sheep's head bone was flung by the defendant at the plaintiff's child, an infant, which struck it on the back. The defendant alleged that the plaintiff's wife had greatly exasperated her, and that the sheep's head bone was flung at the plaintiff, but struck the child. The defendant was fined five shillings, and costs.

FRIDAY, SEPTEMBER 29.

**ROBERT BONNOR**, freed, appeared on summons to answer a charge of beating his wife, on Tuesday last. Constable **RINKLE** [RINKER] deposed that he went to the defendant's house, where he saw his wife in a gore of blood. The defendant was very drunk, and witness did not see him strike his wife. Mr. **KEMP** having been sworn, stated that on Tuesday morning he heard a loud screaming of murder, and on looking towards Bonnor's house he observed him pick up an axe that was lying in the yard, and with it cut off the handle of a broom, which he took into the house, and immediately after a most dreadful screaming was renewed; and witness saw the wife of the defendant come out of the house bleeding profusely from the head. Mr. Kemp also stated that although he did not witness the assault, he was morally certain, from circumstantial evidence, that the defendant had committed a brutal assault upon her. The court remarked to the defendant that it was a fortunate thing for him that the offence was not proved, and that his wife had interceded for him. The defendant (who is a remarkably ill-looking man) was then ordered to be discharged.

MAITLAND MERCURY, 1/41, 14/10/1843

(Summary Jurisdiction)

**JOHN MALONEY** was charged with having committed an assault upon the person of **JOHN PARRY**, with intent to do some grievous bodily harm, on the 20<sup>th</sup> June last, at Newcastle.

The evidence for the prosecution went to show that the prosecutor, who is a miner, and several of his friends were drinking at Mr. Rouse's public house on the night in question, where drink was given by the committee of Mr. Scott, and the prisoner attempted to come into the same room, but was repulsed by Parry, who told him he had no business there. Soon after Parry went out of the room, and the prisoner struck him in the lobby of the house, and cut him on the head with a pocket knife, which one of the witnesses saw him take out of his pocket.

To rebut this evidence the prisoner called a witness named **THOMAS COKELER**, a prisoner assigned to the Company, who stated that he was standing at the door of the public house listening to the speeches of the committee, and the prisoner, who was known by the name of the "**BULL PUP**," was standing beside him; witness had some drink, which was brought out of the house, and the prisoner went into the house and attempted to go into a room, when he saw Parry come out and strike prisoner across another man's shoulder; upon which the prisoner returned the blow, and they fought for about ten minutes; he saw no knife, and when the fight was over some of the men

about said that Parry had fell upon a glass bottle and cut his head, and others said it was cut with a knife.

The court found the prisoner guilty, and he was sentenced to be worked two years in irons. The witness for the defence, Cokeler, was ordered to be taken into custody on suspicion of perjury.

MAITLAND MERCURY, 1/45, 11/11/1843

CONTEMPT OF COURT. - On Monday last, during the sitting of the court of requests, a freed man named **ROBT. BONNER** (who a short time back was charged with brutally assaulting his wife) was committed for contempt of court, for making use of a most profane oath whilst giving evidence. Major Crummer very properly sentenced the man to six days imprisonment in the gaol, which course gave great satisfaction to those present, as during the time occupied in hearing the three or four cases in which Bonner was concerned he was repeatedly called to order by the commissioner for his indecorous bearing, extravagant gestures, and remarks to the witnesses. It is to be hoped this sentence will have a salutary effect on the man, who was evidently in a state of intoxication.

SYDNEY NEWS. - On Friday last Mr. Alderman **FLOOD** was fined £50 for assaulting Mr. Councillor **HOLDEN**, by striking him on the face. The assault was said to have been committed for some discourteous expression used by Mr. Holden towards the City Council. The Mayor and Council subscribed the amount of the fine, and handed it over to Alderman Flood.

MAITLAND MERCURY, 1/49, 09/12/1843

STABBING. - On Sunday last a man named **AYL**, who resides at Lochinvar, was stabbed in his own house, in the lower part of the abdomen. Sometime ago a conviction was obtained against Ayl for sly grog selling, in consequence of which he kept out of the way, but returned a few days back. Some assigned servants of Mr. Wentworth's went to his house on Sunday last, it is supposed for the purpose of obtaining some grog, and in some dispute which arose one of them stabbed Ayl in two places. For some time the wounds were thought to be very dangerous, but he is, we believe, now in a fair way for recovering. The man who stabbed him made off, and has not yet been apprehended. Two other men were taken into custody on Wednesday last at the police office, but they were allowed bail.

MAITLAND MERCURY, 2/53, 06/01/1844

TICKETS OF LEAVE CANCELLED. - The tickets of leave belonging to the undermentioned prisoners of the crown have been cancelled for the reasons stated opposite their respective names:- **ELIZABETH EDGAR**, Planter 2, living by prostitution, Singleton bench.

MAITLAND MERCURY, 2/56, 27/01/1844

HUNTER RIVER DISTRICT NEWS. - MUSWELLBROOK.

CAPTURE OF BAKER. - **WILLIAM BAKER**, formerly in the employment of the Australian Agricultural Comp[any], and for whom a reward was offered by government and the Port Stephens bench, has recently been taken at the Peel River, and in endeavouring to escape got well pommelled for his pains by the police. [But see 2/60, 24/02/1844, saying that he has NOT been apprehended.]

MAITLAND MERCURY, 2/57, 03/02/1844

ASSAULT. - **JANE COOPER** charged **JAMES WOLFE** with having assaulted her by striking her in the face with his fist on Wednesday, the 24<sup>th</sup> ult. It appeared the prosecutrix went on that evening into Mr. Young's public-house, about nine o'clock, and sat down there, at which time the defendant was in the room, tipsy; soon after he spoke to her, and she returned no answer, and he then told her to keep off his ground, or he would give her in charge to a constable; she told him to keep his wife from annoying her, or she would give them in charge. In about two minutes after he rose up, and came to her, and struck her in the eye with his fist, once. Mr. Wolfe admitted he had struck her, but assured the bench he would not have done so had he not received great provocation. As he had no witnesses present to prove this, the bench fined him 20s. and costs.

MAITLAND MERCURY, 2/62, 09/03/1844

ASSAULT. - Yesterday a man named **WILLIAM HAWKINS** was brought before the bench, charged with having committed an assault, with threats of violence, on **JAMES DANGERFIELD**. The assault was proved to have been committed on Dangerfield about one in the morning, in his own house, the prisoner having a knife in his hand, which he threatened to run up to the hilt in Dangerfield's body. He was committed for trial at the quarter sessions.

MAITLAND MERCURY, 2/63, 16/03/1844

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

POLICE. - On Tuesday last **MARY RICE**, a bold, masculine looking female, was arraigned before **J.H. CRUMMER** and **JOHN ARMSTRONG**, Esquires, on a charge of assault committed on the person of **AMELIA TUCKER**. The prosecutrix deposed that a day or two back she was bitten by a dog belonging to the accused, and on expostulating with her for not having the animal tied up she made use of abusive language, and then stabbed prosecutrix in the arm with a knife. The defendant was bound over to keep the peace for twelve months, and on payment of 10s. costs was discharged.

MAITLAND MERCURY, 2/67, 13/04/1844

MAITLAND QUARTER SESSIONS. - WEDNESDAY, APRIL 10.

(Summary Jurisdiction)

**WILLIAM HAWKINS** was charged with an assault upon **JAMES DANGERFIELD**, at Harper's Hill, on the 4<sup>th</sup> March last. It appeared that the prisoner went to the prosecutor's hut to light his pipe, and after doing so went away; he returned afterwards, and accused prosecutor of taking his money; he was in liquor, and threatened to stab him if he did not restore it. The prosecutor put him out of the hut, and assistance coming he was given in charge. The prosecutor said prisoner never attempted to use the knife, and they had always been on the most friendly terms. The prisoner, in his defence, said it was all owing to the influence of liquor; he afterwards found that he had wrongfully accused the prosecutor, but he had no intention whatever of offering violence to him. He hoped the court would not dwell too much on the dark side of the case, and he would promise nevermore to put an enemy into his mouth to steal away his senses. The court returned a verdict of guilty, and in passing sentence said that in consequence of the good character which the prisoner had received and the evident desire of the prosecutor to recommend him to mercy they would be as lenient as possible. The sentence of the court was that he be imprisoned in Newcastle gaol for three calendar months.

MAITLAND MERCURY, 2/80, 13/07/1844

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

POLICE OFFICE. – FRIDAY, JULY 5. - **ANN MULLER**, an old dame with a huge head and a small pug nose, and wearing a stiff cap, which appeared to have been recently washed in a horse pond and ironed with a brick bat, was charged by constable **LANE** with being drunk and *obstropolous*, and making use of naughty language on the Sunday previous, to the no small annoyance of the peaceable inhabitants of the town, and especially horrifying to the sensitive nerves of the witness, who took her in charge, and escorted her over to the tender mercies of the lockup keeper. This being Mrs. Muller's second offence, she was fine five shillings, and in default forty-eight hours solitary confinement.

**WILLIAM BACON** was also charged with being drunk and requesting a constable to summons him when he was in that condition. The constable kindly dispensed with the formal procedure to which he had been invited, and lodged his customer in the lockup. Mr. Bacon was fined 5s.

MAITLAND QUARTER SESSIONS. - TUESDAY, JULY 9.

**MARGARET MAHER** was indicted for that she on the 21<sup>st</sup> May last, and divers other days, had conducted herself at Newcastle as a common scold and common nuisance, to the annoyance of her Majesty's peaceable subjects at Newcastle aforesaid. The jury returned a verdict of guilty, and the Court sentenced her to be imprisoned for one month in Newcastle gaol.

MAITLAND MERCURY, 2/81, 20/07/1844

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

POLICE OFFICE. - FRIDAY, JULY 20. - Mr. **SAMIVEL GREEN**, a youngish-old-looking gentleman, with long curling locks, or rather ringlets, which fell luxuriantly down as far as his shoulders, and appeared to be the "ne plus ultra" of fashion, albeit his beard looked more of the fashion of the days of yore than of the middle of the nineteenth century, appeared to answer a charge of being drunk and violating the Sabbath. The case was about to be entered into, when Mr. Samivel pleaded guilty to the charge, and was fined five shillings, with which sum not being provided he was in default sentenced to 24 hours solitary confinement.

WEDNESDAY, JULY 17.

Mr. **SAMIVEL GREEN** again appeared to answer a charge of absenting himself from the hired service of Mr. **HENRY COLLEY**, of Hexham, since Thursday last. Mr. G. had been deprived, since his visit to the cells, of his flowing locks pretty considerably, and, in the Yankee lingo, he seemed catawampously clawed-up, having the appearance of being parboiled in oil, and as bilious as a cockney in the dog-days. Mr. Colley briefly stated his belief that Green meant to give him the slip altogether. The bench, after fully investigating the matter, decreed that Samivel should pay the sum of twenty shillings and the costs, or to be sent to gaol for a month. Samivel sniggered to his master to forgive him, and he'd work like blazes; but Mr. Colley intimated that it was "no go," and the unfortunate Sammy, deprived of his killing locks, was put aside to be re-conducted to the "big house" on the sand hills.

MAITLAND MERCURY, 2/85, 17/08/1844

A SCOLD. - Yesterday [FRIDAY] a woman named **ELIZA MITCHELL** was brought before the police bench, charged by **WILLIAM TURNER**, shoemaker, of West Maitland, with having used very abusive language towards him and his wife,

and with having assaulted him. It appeared that the complainant and defendant both lived under one roof, but the house was divided, and there was a communicating door between them, which was nailed up. About eight o'clock on Friday evening the defendant began to abuse complainant, and some time afterwards burst open the nailed-up door, and entering the room tore down the bed-curtains, and did other mischief; she afterwards threw several bricks at Turner, one of which struck him on the breast. She continued abusing him until about twelve o'clock, when he gave her in charge to a constable. The defendant called a woman named **MARY DAWSON**, who deposed that she had heard Mrs. Turner call defendant's children improper names, but defendant did not hear her. Constable **GRANT** deposed that the defendant was a very disorderly character, and had before been convicted as a scold. The bench sentenced the defendant to pay a fine of 40s. and 4s 4d. costs, or to be imprisoned in Newcastle gaol for one calendar month.

**DISORDERLY CONDUCT.** - On Saturday last **ELIZA MITCHELL** was convicted of being drunk and disorderly in the streets of West Maitland, and was sentenced to pay a fine of 20s., or to be confined in the cells for twenty four hours.

**MAITLAND MERCURY, 2/96, 02/11/1844**

**THREATS.** - Yesterday **JOHANNA WELCH** and **T. DEWELL** appeared on summons at the police office, to answer the charge of **JOHN WILLIAMS**, for putting him in bodily fear. It appeared that the female prisoner had been committed to tale her trial at the next quarter sessions for stealing a jacket and 15s., the property of Williams, and on Tuesday last she was bailed out of custody by the prisoner Dewell. On her liberation both prisoners proceeded to where Williams was at work, and after called him a hangman and other opprobrious epithets, threatened to settle him before the quarter sessions. Both the prisoners were bound over to keep the peace towards all her Majesty's subjects, and particularly the complainant, for twelve calendar months, in the sum of £20 each.

**ASSAULT.** - Yesterday **WILLIAM EVANS**, a ticket of leave holder, in the employ of Mr. **JAMES WOLFE**, was brought before the police bench on a charge of assaulting the wife of Mr. **P. MURPHY**, the contractor for building St. John's Church. It appeared from the evidence of Mr. Murphy that on Wednesday evening last, between seven and eight o'clock, he was in his room, when he heard a female cry out, and oin running into the next room he found that it was his wife, who told him that she had been attacked by a man, who struck her as she sat in the house with a piece of board, and knocked the child out of her arms. He ran out after the man and caught him: he offered a good deal of resistance, but with the assistance of two other persons, named **M'MANUS and BOYLE**, he secured him, and brought him back to the house. Several of the neighbours assembled, and from them he understood that the man was a ticket of leave holder in the service of Mr. Wolfe, and at their request he let him go. Complainant stated that he had a strong impression on his mind that the prisoner had been put up to do him or his family some injury in consequence of some communication which he (complainant) had had with his Excellency the Governor. He could not, however, swear that the prisoner then before the court was the man whom he caught on Wednesday evening. Mr. Wolfe, who was present, stated that there was no doubt the prisoner was the man, but the offence with which he was charged was purely accidental. The prisoner had been sent by him (Mr. Wolfe) on an errand to Mr. Lipscomb's, and in passing Murphy's house a number of dogs flew out at him; upon which he picked up a piece of wood which happened to be lying there and threw it at them, when it went into the house, and he did not believe that the

prisoner was actuated by any malicious motives whatever; but unfortunately the man was a ticket of leaver holder, and could not speak for himself. The case was then remanded until to-day, in order that evidence might be brought on both sides.

HUNTER RIVER DISTRICT NEWS. - NEWCASTLE.

POLICE OFFICE. - FRIDAY, OCTOBER 25.

**JAMES DEWELL**, a ticket of leave holder for this district, and **JOHANNA**, his wife, were charged with stealing thirteen shillings, the property of one Mrs. **BOWEN**, of Raymond terrace. It appeared from the evidence that about five months ago complainant came to Newcastle on business, and took up her abode at the prisoners' house for the night, and laid her bonnet and bag containing her money on prisoners' bed. On the following morning she went on board the steamer to Raymond Terrace, and on being asked for her passage money she found that thirteen shillings had been taken from the bag. Complainant could not swear that no person went into the room where her bag was deposited except Dewell and his wife. The male prisoner was acquitted of the charge, but the wife being found guilty, was sentenced to be imprisoned in Newcastle gaol for one month.

ASSAULT. - **ADAM LITTLE** appeared on warrant to answer a charge of assault on one **JANE STEEL** of Stockton. The evidence of Mr. **GOODWORTH** went to show that on the night of the 24<sup>th</sup> instant, at about eight o'clock, he saw the prisoner strike complainant and knock her down, and place his knees on her breast. After some time witness took Steel home, when she fell into fits, and remained in them until about a quarter past twelve o'clock. The witness thought the fits were occasioned by the treatment which the woman received from the prisoner, and she was in consequence of the injuries she had received unable to attend the court to give evidence against the prisoner. The prisoner was then remanded until Tuesday, the 20<sup>th</sup> instant, when he was again brought up, and finally bound over to keep the peace for twelve months.

MAITLAND MERCURY, 2/98, 16/11/1844

HUNTER RIVER DISTRICT NEWS. - MEWCASTLE.

POLICE OFFICE. - WEDNESDAY, NOV. 6

Mr. **JAMES PERRY**, brewer, of Newcastle, appeared on summons to answer the complaint of **MICHAEL KILFOYLE** for an assault on his person, by striking him with a piece of batten, on 31<sup>st</sup> October last. The plaintiff stated that he had some carpenter work to perform at the brewery, and whilst so employed a female came for some yeast, and as no one was present he went in search of the defendant, to whom he said, on meeting him at the rear of the premises, "is this the way you keep your customers waiting?" when the defendant called witness an Irish convict. Witness replied, "If you're not belied, you were a convict yourself." On this defendant went away, and immediately returned with a piece of batten in his hand, with which he struck Kilfoyle on the hip, and knocked him down; and whilst he lay on the ground the defendant struck him again several times with the batten. A female named **MARY PELLAM** then deposed to having heard the complainant make use of the words, "D---0 your old eyes, why don't you attend to your customers?" which he addressed to the defendant. This witness added that she came away directly, and did not witness any assault. Another witness, named **JAMES DOLONALD**, stated that he saw Mr. Perry strike Kilfoyle, but he could not say how the row commenced. The bench, after a patient hearing of the case, sentenced the defendant to pay a fine of two pounds and the costs. The money being forthcoming, the defendant was discharged.

MAITLAND MERCURY, 2/99, 23/11/1844

**BRUTAL ASSAULT.**

A charge of assault against **THOMAS COLLINS** in which the sufferer, and elderly man, named **JOHN MURPHY**, was dreadfully punished, has been before the police court during the last three weeks. By Murphy's deposition and the evidence it appeared that he had come into Maitland from Black Creek to obtain some money to release cattle from Black Creek pound, and on his road back had just got past Mr. Beattie's lodge when a man came up and laid hold of his rein; as the man appeared drunk Murphy said nothing for a while, till a cart loaded with green stuff, which was passing, had gone on, but presently asked him to let go, when the man said he would search him first to see what he had about him. Murphy said he had only a few shillings about him, and would not stand being searched. As he said the words another man came up and struck him on the head, while the first man seized his collar and brought him to the ground, Murphy falling on his head, and becoming insensible immediately. When he faintly recovered his senses, he heard a man say, "Come away, Collins," and a second voice answered "Yes," but Murphy could see neither of them, having been so brutally beaten that he could not see. Murphy felt for his money, and found his waistcoat had been torn off him; feeling the waistcoat lying by him, he ascertained that 10s. he had in his pocket was gone, but 20s. in silver he had in his boots he found was safe. His hat had fallen off also, but he found it near him. He would not charge the men with stealing the 10s., as he did not think they intended or had robbed him. Murphy swore positively that he had not seen any woman since leaving Lochinvar.

**HENRY BAKER** deposed that he was taking a load of corn to Black Creek on that day, and when passing a hollow near Beattie's lodge he saw two men in the road, one of whom was beating the other with a rope apparently, the one falling several times, while the other followed him up and beat him over the face and eyes; shortly after he overtook a dray on the road, but saw no person with it, and concluded the two men he had seen belonged to it. He had passed a woman just after leaving Lochinvar, who wanted him to give her a lift, which he refused, his cart being loaded; her face was much bruised, being all scars and spots, and she had a black eye; she told him her husband belonged to a dray which was on forward, and had been drinking and wanted her to drink, and that because she refused he had beat her; Baker went on with his load, the woman walking behind, till, on nearing the two men he saw in the road, her found on looking round that the woman had suddenly disappeared, and had probably gone into the brush. When he returned from Black Creek in the afternoon he saw the same dray in the roads, and the same man with it, apparently, who had been flogging the other, and when he got to Lochinvar he found the beaten man had just been removed there by some persons who had observed him lying in the road, in a dreadful condition. The prisoner, Collins, was like the man he saw beating the other, and the woman who said she was Collins's wife was the woman who wanted a lift in his cart.

Constables **KENDALL** and **GRANT** deposed that they were sent on Monday evening, Nov. 4, to apprehend two men travelling with a dray. They did apprehend Collins on Tuesday morning very early, near Black Creek. When he was told he was their prisoner, and asked why he had beat the old man so, he said it served him right, for robbing him. He was told the old man was nearly dead, but he said that could hardly be, as he had only struck him with his fist. Collins's wife, who was in the Black Creek lockup at the time, very much beaten, said her husband had beat the old man because he had taken a crape shawl from her, and would not give it up again. She told the constables that she had been riding in her husband's dray, but had slipped down behind, and gone over the fence for a few minutes, when two men, and old and

a young man, came riding up on one horse, and the young man got off, and attempted to take liberties with her, and when he resisted he began beating her with a short stick, but the old man persuaded him to desist, taking her shawl, however, from her; and that for this her husband had beaten the old man when he came up. This was said in Collins's presence, who did not deny it; but the woman varied a good deal in her statements at different times.

Dr. **SLOAN** deposed that he had been called in to attend Murphy after he was removed to Lochinvar, and found him brutally beaten; his life had not been in danger, but he feared he would never recover his sight.

During the examination on Friday, the 15<sup>th</sup>, the bench had Collins brought close to Murphy, and asked Murphy if he could recognise him as one of the two men; but the old man, after painfully endeavouring to make out his features, said he could not take it upon him to swear to him. During the examination Murphy was accommodated with a chair, and had a glass of water before him, with which he was obliged to moisten his lips every few minutes. He was supported into the police office and out again by two of the police, and the bench gave directions that everything should be done for him that could be.

On Tuesday last, after a short examination, in which Baker's evidence, as above, was taken, Collins was committed for trial for an aggravated assault. The other man mentioned in Murphy's account has not yet been apprehended.

**NEIGHBOURLY DISTURBANCES.** - On Tuesday last **ELIZA MITCHELL** was brought before the bench, charged by **STEPHEN DARK** with maliciously destroying his property, and abusing him. It appeared that on the previous evening Mrs. Mitchell, after abusing Dark, who lived under the same roof, though in separate apartments, to her heart's content, set to work to destroy his doors and windows, and had floored one door, and smashed nine panes of glass, when constable **KENDALL** coming up she was given in custody. She was fined £2, and 23s. 6d. costs, or in default to be imprisoned two months in Newcastle gaol.

**MAITLAND MERCURY, 2/103, 21/12/1844**

**ASSAULT.** - **MARY STEWART** was yesterday brought before the police bench on summons to answer the complaint of **ANN DAVIS** for an assault. It appeared that on last Tuesday week the defendant went to complainant's house rather tipsy, and wanted complainant to drink with her; she refused to do so, and on being asked again and again refusing, the defendant gave her a violent slap of the side of the head. The offence having been fully substantiated, the defendant was sentenced to be confined in the cells for twenty-four hours.

**MAITLAND MERCURY, 2/104, 28/12/1844**

**PUTTING IN BODILY FEAR.** - On Monday last **BERNARD M'GUIGAN** and **MARGARET POWER** were bound by the bench to keep the peace for twelve months under a penalty of £20, **SAMUEL HARE** having charged them with using awful threats towards him, which, as they were living in his house, he was fearful they would carry into force.

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

**ASSAULT AND ROBBERY BY SOLDIERS.** - A very unusual occurrence in Maitland happened on Christmas Eve, in which what appears to have been intended as a practical joke by two soldiers ended in a brutal assault being committed on a man who could not defend himself. On that evening a man named **RICHARD TAAFFE**

was sitting in the bar of the Golden Fleece, East Maitland, the only other persons present being two girls, servants of Mr. **SMITH**, when two privates of the 99<sup>th</sup> regiment, named **PATRICK MORRIS** and **CHARLES EASTBURN**, went in and had some drink. Taaffe began plaguing them, and after some chaffing on both sides, Morris caught up a bottle containing half a pint of rum from the counter, belonging to Taaffe, who handed it to Eastburn, who went off with it, saying "Good Night." Taaffe, who was drunk, began to complain to Morris, when Morris threatened to knock his eyes into one, and left with the avowed intention of getting a constable to take Taaffe into custody for accusing him of stealing his bottle. Taaffe left also directly after, saying he was going to complain to Mr. **DAY**. Morris soon returned, and asked what had become of Taaffe, and on being told by the girls where he had gone, said, "I'll Mr. Day him." Taaffe proceeded to the stockade, and laid his complaint before the sergeant of the guard, who made each man as he came in pass before Taaffe, but he did not recognise any of the, though continually repeating that he should know the man again; Morris had passed him amongst others, and the sergeant had asked Morris if he was the man, but he denied all knowledge of it. Taaffe asked to see Captain Day, but the sergeant, seeing he was drunk, told him he could not then, but if he would come up the next morning, Captain Day would have all the men who had been put that evening brought before him. Taaffe then left the stockade, to go to Mr. **E.D. DAY'S** to lay his complaint before him. He had not gone far on his way when he perceived a soldier in pursuit, who cooed when he came near, but Taaffe was alarmed and ran. The soldier, however, overtook him at the bottom, and struck him down twice with a heavy weapon, breaking his left arm, and inflicting several deep wounds on his head. The soldier then left him, and Taaffe got up, and went on as well as he could to Mr. Day's, who heard his tale, and immediately went over to the stockade, when a strict inquiry was set on foot by Captain Day. The next morning a hut-mate of Morris' voluntarily stated to Corporal **RUDDLE** that Morris had gone out on pretence of getting in his frock shortly after he came in, and after being away some time returned much agitated, and bringing a heavy stick or nullah with him, which he afterwards passed out at the window. On Saturday last, the 28<sup>th</sup>, Morris and Eastburn were brought before the bench on the charge (Captain Day and Mr. Day declining to sit), and after a great deal of evidence was taken, the case was remanded to Tuesday last. The identification of the two prisoners as the men who took the bottle of rum in the Golden Fleece was established by the two girls, but there was no direct proof of Morris's being the man who committed the assault, Taaffe being doubtful as to his identity, and **KUDD**, the hut-mate of Morris, swearing that Morris was only away from the hut about ten minutes, that he brought his frock but no stick, appeared quite easy, and went to bed calmly. Both prisoners were remanded for trial.

**THREATS OF FIRE AND DESTRUCTION.** - On Friday **ELLEN M'GUINNESS** appeared before the bench to answer the charge of **EDWARD ROBINSON**, who is a neighbour of hers. It appeared they had a quarrel on Monday, the 23<sup>rd</sup> ult., and Ellen getting desperate, had threatened to put a fire-stick into Robinson's wheat, and fetch his house down to ashes. Robinson swore that he was afraid she still intended to keep her promise. The bench bound Mrs. M'Guinness over in £20 to keep the peace for twelve months.

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

ASSAULT. - **JAMES GREEN** was brought before the bench on Tuesday last, charged with committing an assault on **WILLIAM JONES**, at Black Creek, on the Thursday previous. The case was fully proved, and Green was fined 10s. and costs.

ASSAULT ON A CONSTABLE.

**JAMES SCREWCHAN** was indicted for an assault on constable **THOMAS ASPINALL**, while in the execution of his duty, at Scone, on the 30<sup>th</sup> September, 1844.

It appeared that on that day a woman named **CELIA FROGETT** came to constable Aspinall, and informing him that Screwchan had committed an assault on her, asked him to come and apprehend him. Aspinall went to the house of a man named **ROBERT CORBIN**, where Screwchan lodged, and declining to apprehend him, as he had not seen the assault committed, remonstrated with Screwchan on his conduct. Screwchan said Froggett was a dirty blackguard, and he would kick her if she did not behave, and any one who would take her part. Aspinall replied, "Perhaps you would strike me." Screwchan said he would if he came into the house, and again threatened the woman. Aspinall on this went into the house, and laid his hand upon his shoulder, saying he was better in the lockup than there. Screwchan immediately grappled with him, and they both came to the ground, Screwchan kicking Aspinall desperately on the head before they were separated, and inflicted several severe wounds. After hearing two witnesses for the defence, the Chairman charged the jury, who after a short consultation enquired of the Court whether the constable was justified in apprehending the man, not having seen an assault committed; the Court replied that he was not justified in apprehending him exactly, but coupling the information he had of a previous assault with the threats against the woman, he was justified in interfering to prevent a breach of the peace; and on the contrary, Screwchan would have been justified in removing the constable's hand quietly, but was no way justified in committing a violent assault. The jury then retired for an hour and three quarters, when they brought in a verdict of guilty. Screwchan was remanded for sentence.

LARCENY. Trial of **PATRICK MORRIS** and **CHARLES EASTBURN** both Privates of the 99<sup>th</sup> Regiment, for stealing bottle of rum from **RICHARD TAAFFE**. Both guilty; six weeks imprisonment Newcastle Gaol.

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

ASSAULT. - On Tuesday **DENNIS SLATTERY** appeared before the bench, to answer the charge of **JOSEPH BARNIER** for assaulting him. It appeared both parties live at Mulberry Creek, Slattery being a stockkeeper on Mr. Halfpenny's run there, adjoining the land occupied by plaintiff's father. On Tuesday, January 28<sup>th</sup>, plaintiff saw Slattery herding cattle near his father's ground, and going out found that he had allowed them to stray amongst their pumpkins, which were suffering greatly under this treatment. Hereupon, after abusing Slattery a little, plaintiff drove the cattle into his father's stockyard, and was just securing the slip rails when Slattery without much parley struck him on the back with a stick. Plaintiff turned round and hit Slattery in the face, on which Slattery retreated behind Mr. Halfpenny's nephew, who by this time had arrived on the field of action, and picking up two stones threw them at plaintiff, on whose body both of them took effect. Contradictory evidence was called on both sides, but as the honor of the first blow remained with Slattery, the bench convicted him of the assault, and fined him 10s. and costs.

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.

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

HUNTER RIVER DISTRICT NEWS. - JERRY'S PLAINS.

A ruffian of the name of **MALONEY**, who has been long notorious here for acts of violence, and has generally escaped through the distance of Jerry's Plains from a court of justice, is now in custody, charged with a blood-thirsty assault upon a person called "**DICK THE TAILOR**" with a spade. Both men were intoxicated, and had been quarrelling, but "*the tailor*," having got "over fu," was desirous of an armistice, when Maloney treacherously struck him with the spade, inflicting a dangerous and severe wound above the right temple. Fortunately, for the ends of justice, a magistrate (Captain **RUSSELL**) accidentally arrived at the spot whilst the wretch was exulting over his bleeding and insensible comrade and threatening destruction to any one "that didn't like it," and immediately ordered him into custody. He has been refused bail, as being too dangerous a character to be at large. I am happy to add that the poor tailor is in a fair way of recovery; he has promised to take the pledge, *and keep it next time*. February 26<sup>th</sup>.

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

DETERMINED ASSAULT. - On Monday evening, about nine o'clock, Mr. **JOHN ANLABY**, innkeeper, of Morpeth, was putting a man named **SAMUEL GREEN** out of his house for creating a disturbance, when another man, named **WILLIAM HEALY**, turned upon him and struck him a violent blow on the cheek. The pair then went out in the road, challenging Mr. Anlaby out to fight, but the police coming up Healy was taken into custody, though Green made his escape. About an hour afterwards Mr. Anlaby was opening his door to let in one of his lodgers, and whilst standing talking to him at the door, he observed a man creeping across the road on his hands and knees. He asked who it was, when Green jumped up, and said he would let him know who it was. Mr. Anlaby immediately went in, and shut the door just in time to save himself from a blow from a stone, which struck the door. Green threw several other stones, but was secured by two or three persons going round from the back of the house, and given into custody. He was brought up before the bench on Tuesday, in company with Healy, when the latter was discharged, and Green was sentenced to pay a fine of £5, or to be imprisoned for two months, and afterwards to find sureties to keep the peace, himself in £20, and two sureties in £10 each.

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

DRUNKENNESS AND ASSAULT. - The quietness of the town of Morpeth and the reveries of the constable stationed there were disturbed, on Monday evening last by the outrageous clatter of two female tongues, and the worthy guardian of the peace

proceeding to the spot, found a ticket of leave holder, **ELEANOR CRAWFORD** by name, skirmishing with one Mrs. **BENSON**, and making occasional digressive attacks from her to her windows, four of which she managed to break. To prevent further disturbance the constable took Miss Crawford into his safe keeping till the next morning, when the assault having been sworn against her by her antagonist, she was sentenced to forty eight hours confinement in the cells.

ASSAULT CASES. - **JOHN PARKER** appeared on summons, to answer the complaint of **CHARLES CATHROW**. It appeared that defendant had a right of pasturage in complainant's paddock, and to let a calf in he was cutting down a panel of the fence, when the complainant came to prevent him. A little scuffling ensued, and defendant struck the complainant. He did not deny the assault, and was fined 5s. and costs of court.

On the same day **ELIZABETH SMITH**, a prisoner of the crown, was brought before the court charged with assaulting a Mrs. **MALONEY**, on the previous evening, by knocking her down, and dragging her by the hair, and striking her with a stone, no provocation having been previously given. The prisoner confessed to striking the complainant, but said it was not until she had been given into custody, and then, not wishing to go to the lockup for nothing, she had given Mrs. Maloney a trifle for herself. She was sent for 14 days to the cells.

Mrs. **MARY HANNON**, together with her two sons, **EDWARD and WILLIAM HANNON**, appeared on the same day, to answer the complaint of **MARGARET GLEESON**; the two youths for throwing bricks at her, and the mother for standing up with a stick in her hand, encouraging them in their proceedings, and intimidating the complainant by saying that "if she had her she would make money of her." Defendant's husband was ordered to find sureties, on behalf of his wife and children, to keep the peace, himself in £20, and two sureties in £10 each.

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

ABUSIVE LANGUAGE. - **SARAH CREW** was brought before the police bench on Tuesday last, charged with abusive and ill language to Mr. **EDWARDS**, and on a second summons with the same treatment of his wife. Mr. Edwards was walking with a friend past the defendant's house, when she came out and commenced a volley of abuse directed at the complainant, though not using his name. He, however, got home uninjured, in spite of the extreme volubility of the female tongue, and then found that the defendant had only been giving him a second act of the performance, having gone through the first in front of his house, abusing his wife, and detailing imaginative facts in her private history. Mrs. Edwards declared herself fearful that defendant would some day use something else beside her tongue on her, and the bench consequently bound Miss Crew to the peace, herself in £10, and two sureties in £5 each.

DESPERATE ASSAULT. - On Tuesday evening last information was given to the constables stationed at West Maitland that an old man was lying near the edge of the road bleeding, and apparently dying. On going to the spot they found an elderly man, surrounded by a crowd of people, very much cut and wounded about the head, having a desperate gash across the left eye. He stated that he was riding on a dray belonging to Mr. Wentworth, one of whose men was driving it, and that coming past Mr. Owen's some words ensued, and he was pulled off the dray, and beaten by his companion. The old man was taken care of by the police, but afterwards refused to point out the man who had ill-used him, and on Friday the bench ordered him into custody until he should point out to the police the man who had committed the outrage. He promised to do so on the next morning.

**CAUTION TO LITIGANTS.**

On Friday last a person named **STEPHENS** summoned a neighbour, **MARY ANN THOMSON** by name, before the police bench, for rescuing some calves, her property, which he was driving to the pound, but as it appeared on the examination that the complainant had had some words with the defendant, and that had they not so quarrelled he would not have preferred this charge, the bench immediately dismissed the case, stating that they could not allow the public time to be employed over charges which were brought for the purposes of private pique, and not for those of public justice.

**AN INNOCENT AMUSEMENT.** - On Thursday evening last Mr. **PATRICK GEAGAN**, a gentleman residing in West Maitland, having indulged pretty freely in potations "deep and strong," took it into his head to amuse himself, on his return home, by roaring out, at the highest pitch of a stentorian voice, what he called music, but what his neighbours imagined to be the growl of distant thunder. His wife objecting to this recreation, he very soon added her treble to his concert, by belabouring her soundly with a broomstick. In the midst of this hubbub, the trusty guardian of the night, constable **GRANT**, came to the window, and requested that the vigils and the peace of the neighbourhood might not be disturbed. This enraged Paddy, who sallied forth, armed with the redoubted broomstick, and with loud shouts about "Freedom and Tyranny" he dealt the constable several sound thwacks on the skull, but the latter beat a retreat before any serious wounds were inflicted. Paddy, however, was brought before the police bench yesterday for his misconduct, and was sentenced to pay a fine of ten shillings and costs, as he pleaded very hard for forgiveness, and promised to take the pledge.

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

**DOMESTIC SQUABBLES.** - **THOMAS EAGAN** appeared on summons to answer the complaint of **CATHERINE MASTERSON**. The parties were both servants on the employment of Mr. **J. DICKSON**, and, according to the female's account, the defendant had "pitched into" her, and beat her violently, besides inflicting a wound in her neck with a knife, in token of which she produced in court a black eye and a towel spotted with blood. In defence Eagan stated that the woman was either so enamoured with him or the kitchen, or with the good things it contained, that she could not be kept out of it; and, as he had received his mistress's orders not to suffer her in the kitchen, he certainly had turned her out, but just as certainly never inflicted the wounds, although she "bullyragged him awful." The bench decided that too much force had been used upon the unfortunate female in return for her misplaced affection, and sentenced the defendant to pay a fine of 20s., and costs, or to be imprisoned for 14 days. Defendant proclaimed his inability to pay, and was walked off to durance vile with an air of conscious and insulted innocence.

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

**STABBING AND WOUNDING.** - Some short time back, a man named **HENRY SANDERSON**, residing in Morpeth, had a quarrel with his next door neighbour, a shoemaker, named **JOHN MAHONY**, and on Monday last they resumed their altercation in front of the door of the latter. Mahony ordered Sanderson away, and on his refusing to go, laid hold of him, and a scuffle ensued, in the midst of which Sanderson felt himself stabbed in the leg. When they were parted, he found seven or eight stabs in his leg, which had been inflicted by some steel cockspurs which Mahony had in his hand at the time the quarrel ensued. Sanderson's hands were also

much cut. Mahony was taken into custody and brought before the police bench on Wednesday last, to answer the charge, and Dr. **WHITLAW**, who attended Sanderson, having certified that the wounds were only trifling, the prisoner was committed to take his trial.

**AN AFFECTIONATE PARTNER.** - On Monday evening last one of the constables on duty in East Maitland, hearing the screams of a female proceeding from Wallis's Creek Bridge, immediately ran to the spot, and found a man very energetically engaged in the pleasurable and healthful exercise of horsewhipping his wife, who was running about with unusual agility, and displayed considerable skill in running round and leaping over the puddles, into which her partner, who was in a state of considerable elevation, occasionally stumbled, and gaining on her by such short cuts, he managed to deal upon his better half some sound blows, to which she most heartily responded with loud shrieks. The constable, however, put an end to this entertaining scene, by bearing off the husband, one **DANIEL HANNAN**, to duance vile; who, on the next morning, was brought before the police bench, and fined 20s.

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

**ASSAULT.** - **JOHN HALL** was charged before the police bench, yesterday, with assaulting one **SAMUEL SLATER**. Slater had gone to some sawyers who were at work on the defendant's ground, when the latter came up to him, and taxed him with stealing corn. Slater told him to keep his fowls on his own ground, when Hall came up close to him, hinting at the probability of his getting a broken head, telling him at the same time to leave his ground, but before he could do so defendant seized him and tried to push him into the sawpit, and occasionally putting himself into boxing attitudes, and it was with considerable difficulty that defendant managed to get clear out of danger. The defendant was bound over to keep the peace, himself in £20, and two sureties in £10 each.

**DISORDERLY CONDUCT.** - Two ticket of leave holders, named **ELIZABETH EDGAR** and **PATRICK WARD**, entered Mr. Stone's public house, at Morpeth, on Monday night last, and whilst having a glass of grog, the man, who was considerably inebriated, noticed district constable **CRAWFORD** in the house, and expressed an earnest desire of kicking several persons' heads off, but more particularly that of constable Crawford. After some further manoeuvres he, in the course of the evening, accused the woman of robbing him, and at length became so violent that both himself and his frail partner were locked up. The bench recommended Ward's ticket to be cancelled, and sentenced Miss Edgar to 14 days confinement in the cells, with a like recommendation.

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

**RIOTOUS CONDUCT.** - A woman, named **ELLEN ROACH**, who had been apprehended in East Maitland on Monday night last, in a considerable state of elevation, and making rather more noise than was necessary for her, or agreeable to the sleeping subjects of the Queen who resided in the neighbourhood, was brought before the police bench on Tuesday morning for the offence, and as she could give no very lucid account of her means of living, she was sentenced to one month's imprisonment in Newcastle gaol.

**FURIOUS RIDING.** - On Tuesday last a man named **JONATHAN DAVEY**, holding a ticket-of-leave for the Maitland district, was riding a young horse through the streets, which was dashing along at a furious rate, occasionally kicking and rearing, much to the dangers of the passers by, as well as to the rider, who was so

inebriated as to be unable to manage the horse. Constable **KEDWELL**, who was passing, took the man into custody, and the next day he was sentenced by the police bench to seven days confinement in the cells, with a warning as to his future conduct. HUNTER RIVER DISTRICT NEWS. - COOLAH.

A sad accident occurred here on the 3<sup>rd</sup> instant, at Boommher, a station of Mr. Hall's near Ullemambra, to a man named **STOREY**. He had carelessly left his fowling piece at full cock, whilst loading it, and in ramming down the charge, the piece went off, and lodged the contents of the barrel in the unfortunate man's head. Medical assistance was immediately sent for, but without avail, for in a few hours afterwards he died.

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

QUARRELSOME NEIGHBOURS. - Mesdames **HANNAN** and **MARGARET GLEESON**, who have so often figured in the annals of the police office, were again brought before the bench, on Tuesday last, Mrs. Hannah being the complaining, and Mrs. Gleeson the defending party. Last Friday week Mrs. Hannah had gone into a clay pit which had been previously let to Gleeson's husband, accompanied by two men, and ordered them to proceed to work there in digging clay. Mrs. Gleeson, fancying some trespass on her supposed right to the pit, nothing daunted by the numbers of the foe, immediately advanced into the pit, and after a smart discharge of lingual musketry, she opened a fire from her heavy ordnance, and bricks, stones, clay, and bones showered amongst the coadjutors of Mrs. Hannah, several of which struck them, and two of which hit Mrs. Hannah, who was compelled to draw off her forces, leaving the victorious Mrs. Gleeson mistress of the field. The defendant, being unable to substantiate any defence, was ordered to pay a fine of 20s., or in default of payment, 14 days confinement, and likewise to be bound to the peace in £20.

CURIOUS CHARGE. - A ticket of leave holder named **JOSEPH HUGHES**, was charged by **PATRICK GLEESON** with a breach of agreement, in leaving his employment. Gleeson stated that he had some time back gone to work at the Paterson, when defendant, who was under an agreement for twelve months with him, asked for his agreement to go to the police magistrate to get a pass for that district. He did so, but the pass was refused, and the defendant never gave back the agreement, but left his employment. The defendant said that on the magistrate refusing his pass, complainant had told him that he had no work for him, and had given him up his agreement. As it appeared that Hughes had gone into the service of **HANNAN**, whose battles with the Gleesons have so often been recounted, and for whom he had come to court as a witness, the bench thought that the greatest part of the prisoner's crime in the eyes of Gleeson was going into the service of Hannan, and as Gleeson's testimony was unsupported, the case was dismissed.

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

VIOLENT CONDUCT. - **JOHN SADLING** appeared before the bench, on Tuesday, to answer the summons of **THOMAS MOORE** for putting him in bodily fear by abusive language and threatening gestures. He was also summoned by Mr. **NELSON**, of West Maitland, for a similar offence. From the statements of the complainants, and the evidence of Mr. **R. REUBEN**, it appeared that the defendant had acted in the violent manner complained of, particularly in the latter case, in which the only provocation was, that Mr. Nelson would not allow him to follow his (the defendant's) brother into his shop. The defendant was ordered to find security to keep the peace, himself in £20, and two sureties in £10 each.

## GOVERNMENT GAZETTE. - TICKETS OF LEAVE.

The tickets of leave belonging to the under-mentioned prisoners of the crown have been cancelled for the reasons stated opposite their respective names:-

**ELIZABETH EDGAR**, Planter, disorderly conduct; Maitland bench.

**PATRICK WARD**, Roslyn Castle, disorderly conduct; Maitland bench.

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

PORT MACQUARIE. - On the 12<sup>th</sup> instant, an attempt was made on the life of the police magistrate (Mr. **GRAY**) at this place. Mr. Gray went into his stable, accompanied by Mr. Commissioner **MASSIE**, and having had occasion to rebuke his groom (a prisoner of the crown) for not having cleaned his horse properly, the ruffian made a thrust at him with a stable prong, which fortunately did not take effect. Before he and Mr. Massie could get out of the stable, however, the infuriated man made another charge, when Mr. Massie was wounded in the arm. Assistance having arrived, he was then secured.

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

MORE FURIOUS RIDING. - **PATRICK CORCORAN** was brought before the bench yesterday for furious riding in the streets of Maitland. Constable **KERR** deposed that the defendant was riding at such a furious rate that he found it impossible to stop him by any means short of knocking down the horse. This sturdy and active officer spoke of knocking down the horse with as much *nonchalance* as if it were an every-day occurrence. It was his opinion that if he had not been provided with a stick for that purpose he would have been ridden over. The Police Magistrate informed the defendant that he would act up to the intention repeatedly expressed by the bench of using every means to put a stop to the prevalent and reckless practice of furious riding. He must therefore pay a fine of 40s. or spend 14 days in gaol. The same defendant and a man named **WOODMAN STANTON** pleaded guilty to a charge of drunkenness, and were fined 10s. each, or in default to suffer 24 hours confinement in the cells.

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

MORE FURIOUS RIDING. - **JAMES FOGARTY** appeared on summons before the bench, on Tuesday last, for the common offence, notwithstanding the exertions lately made by the police, of furious riding. The offence was proved against the defendant by Constable **BOYLAN**. The defendant attempted to excuse himself by saying that the beast had been only three days backed, and it was not in his power to hold it in; but he was informed by the bench that the town of Maitland was not a proper place to break in horses, and the constable, moreover, being positive that he rode with a slack rein, and leant forward on the horse's neck, instead of trying to hold it in, he was sentenced to pay a fine of £4, or suffer 14 days imprisonment in Newcastle gaol.

ASSAULT. - **WILLIAM ORTON** was brought before the bench on Tuesday last, charged with assaulting **Wm. CRAWFORD**, district constable, in the execution of his duty, at Morpeth, on Thursday, the 26<sup>th</sup> ultimo; and also with assaulting Mr. **ANLABY**, innkeeper, of the same place. Crawford deposed to having been called by Mr. Anlaby's servant to quell a disturbance in the house. When he got there, however, all was quiet, but the prisoner was pointed out to him by Mr. Anlaby as one of the persons who had struck him, and he therefore proceeded to apprehend him; but the prisoner resisted to the utmost, violently assaulted the witness, and severely bit his

hand. Mr. Anlaby confirmed this testimony, and added that he had merely entered the tap for the purpose of restoring order, when he was grossly assaulted by several persons there. The prisoner was sentenced to be worked in irons 12 months for the assault on the constable, and 12 months further for the assault on Mr. Anlaby.

**PUTTING IN BODILY FEAR.** - A young lady, rejoicing in the interesting appellation of **PEGGY HOLLY**, was summoned before the bench yesterday, by Mrs. **STARK**, of West Maitland, for putting the latter in bodily fear by the language she used on Tuesday evening last. Mrs. Stark stated that on Tuesday evening last the defendant came to her shop in an uncommon state of excitement, in consequence of the refusal of complainant to take back a small quantity of butter which she had sent some one to purchase at her shop. She threatened to "serve her out," and used language still more inelegant to express her indignation, which complainant could not allow herself to repeat. Mrs. Holly, on the other hand, declared that she had quite as much reason to consider herself in bodily fear of Mrs. Stark. The Police Magistrate told her that if such was the case, the law was open to her as well as to her opponent. In the meantime, she must be bound over (through her husband) to keep the peace, herself in £20, and two sureties in £10 each.

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

**ASSAULT.** - **JAMES SMITH** was charged before the police magistrate and Mr. **A. LANG** yesterday, with assaulting Constable **PRITCHARD**, in West Maitland, on Thursday last. The assault was committed by the prisoner in resistance of his apprehension for drunkenness by Pritchard, whose evidence was confirmed by Constable **BOYLAN**, whom the prisoner also attempted to assault. He was fined 20s., or to suffer 14 days imprisonment.

**MICHAEL ROACH** was also charged with assaulting **JEREMIAH MURPHY**, at Morpeth, on Sunday last. Murphy, an old man, appeared with his head plastered, and bore the appearance of having suffered much from the injury he had received. He seemed, however, quite anxious to screen the defendant; and it was not until threatened by the bench for prevarication, that he admitted having got a little bit of a "scrape" on the head from him, but he had been quite able to attend to his work since. Mr. **PORTUS** deposed that when the assault was committed, the complainant called out "murder" for a long time without ceasing; that he said he would surely die from its effects; that he had been obliged to keep his bed for three days in consequence of the injuries he had sustained; and that the general conduct of the defendant was marked by drunkenness and ferocity. The stick (a very thick one) with which the assault had been committed was produced, with some of the hair of the complainant still adhering to it. In answer to the bench, the complainant insisted that no inducements, pecuniary of otherwise, to hush the matter, had been offered him. The bench informed the defendant that, from the evident unwillingness of the complainant to prosecute, he would not be committed for trial, but summarily convicted in the penalty of £5, or two months' imprisonment, besides entering into recognizances to keep the peace, himself in £20, and two sureties in £10 each.

On Thursday last **THOMAS CROSS**, free by servitude, was fined 20s., or to suffer 14 days imprisonment, for assaulting Constable **PRITCHARD** while in his custody. Although the man was handcuffed at the time, he contrived to get hold of the neckerchief of the constable, who could not extricate himself, but was released by another man, named **RHODES**, whom he also had in custody, coming to his assistance.

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

MURDEROUS ASSAULT. - A man named **THOMAS BOOMER [BULMER]** was apprehended by constable **CRAWFORD**, on Wednesday last, for inflicting three stabs in the left thigh of **THOMAS PRENTICE**, in a public house at Hinton on the previous day.

SYDNEY NEWS. - DEATH FROM DROWNING. - On the 11<sup>th</sup> July the Rev. **JAMES DUNPHY** was drowned in the river Mudgee, which he had occasion to ford on his return to Bathurst from the discharge of his pastoral duties in that neighbourhood. He was last seen by a shepherd in the act of entering the river, and it was supposed he had fallen from his horse. The body of the unfortunate gentleman was not recovered till the 16<sup>th</sup>.

INQUEST. - On the 23<sup>rd</sup> ultimo, an inquest was held at the "Ship and Mermaid," Miller's Point, on the body of a man named **HENRY THOMPSON**, who had committed suicide on the previous evening by cutting his throat. It appeared that the deceased had left his work on Monday morning for the purpose of going home to his breakfast. He had been drinking from the Saturday night previous, and did not return to work, but continued drinking till Tuesday evening, when he was seen with a pistol and powder flask, which were taken from him by a man who lived in the same house, to whom he said he would soon get "something else." Shortly afterwards he met the same man on the staircase, embraced and kissed him, and gave him a watch with a request that he would keep it for his sake, as he was going to sea. In about ten minutes afterwards he cut his throat. The jury, by direction of the coroner, returned a verdict of "felo de se."

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

STABBING. - On Saturday last **THOMAS BULMER** was committed for trial for stabbing Mr. **THOMAS PRENTICE**, at the Victoria Hotel, Hinton, on the 29<sup>th</sup> July. The prisoner was first brought before the bench on 31<sup>st</sup> July, when the evidence of constable **CRAWFORD** was taken; he saw Mr. Prentice in the house, wounded, who wished the prisoner, as the person who wounded him, to be apprehended. On the 7<sup>th</sup> August the prisoner was again brought up, when Mr. Prentice was able to attend. It appeared from his evidence that on the 29<sup>th</sup> July he went to Mrs. Cook's hotel, in company with Mr. **DAVISON**, with whom he drank a couple of glasses of grog. The prisoner was there, and importuned witness to fight with him; the latter, to keep him quiet, gave him a glass of grog, and he went away, after a good deal of trouble, during which he took witness by the collar, and otherwise annoyed him. The witness then went into the parlour, and remained some time, after which he left the house. Just as he turned the corner, the prisoner rushed upon him with a knife. The witness, in self-defence, knocked him down, and in doing so fell himself. He was no sooner up again then he felt himself tripped, not by the prisoner, but by another man whom he saw standing about two or three yards off, and who never came to his assistance, although he called out loudly. The prisoner made many thrusts at him, but only succeeded in stabbing him three times (in the thigh). At length two persons named **CROFT** and **MARTIN** came to his assistance. He did not see the other man afterwards. The prisoner was drunk, but witness was sober. Mr. Davison and Mr. Croft, of Hinton, and Mr. Martin, of Clarence Town, corroborated this evidence; the latter took the knife from the prisoner, and gave it to a man in the house, whom he believed to be the prisoner's brother; he could not say that he was one of two or three men he saw standing near where the assault was committed. The case was remanded till Saturday last, when Dr. **STREET**, of Hinton, was examined: he saw Mr. Prentice at the

Victoria Hotel, on the 29<sup>th</sup> July, and observed two scratches and one wound about half an inch deep, apparently inflicted by some half round instrument, certainly not by a sharp knife: it was not a dangerous wound. The witness did not think Mr. Prentice sober at the time.

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

ASSAULT. - **MARGARET FOWLER** was brought before the police bench yesterday, at the instance of Mrs. **CUMMINS**, of West Maitland, for an assault upon her in her own house, the Sportsman's Arms, on Wednesday last. Margaret is not remarkable for the rectitude of her conduct, or the mildness of her conversation, at any time; and on this occasion she seems to have gone beyond herself in violence, both in word and deed. Among other exploits she seized Mrs. Cummins by the hair of the head, and used towards her very violent and threatening language. Mrs. Cummins proved the offence by the evidence of **RICHARD PALMER**, a servant. The defendant protested loudly against his evidence, as of course he would say anything for his master or mistress; and if her friend "Ruggie" had been there, he would have done as much for her. As Ruggie, however, proved a faithless knight, and did not make his appearance when summoned by verbal proclamation outside the court-house, Margaret was ordered to pay a fine of £5, or in default to suffer two months' imprisonment. She was also fined twenty shillings for being drunk.

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

MAITLAND QUARTER SESSIONS

ASSAULT. - **THOMAS BULMER** was charged with having, at Hinton, on the 29<sup>th</sup> July last, violently assaulted **THOMAS PRENTICE**, with intent to do him grievous bodily harm. A second count laid the offence as a common assault. In the course of the trial the first count was abandoned, on account of an informality in the indictment.

Mr. Purefoy appeared for the prisoner; Mr. Parker solicitor.

For the prosecution Thomas Prentice deposed to having gone into Mrs. Cook's public-house, at Hinton, on 29<sup>th</sup> July last, when the prisoner, who was there at the time, wanted him to fight, and although he refused, prisoner would not leave him until he gave him a glass of rum, when witness went into the parlour, and staid some time. On leaving the house he had just turned the corner of the wall when he saw prisoner rushing at him with a knife in his hand, and thigh he told him to keep back he still approached, till witness, in self-defence, knocked him down. Witness was immediately knocked down himself by a man standing by, when prisoner got on him, and stabbed him repeatedly in the thigh. Witness called for assistance, and presently a man came from the house and pulled the prisoner off. His evidence was corroborated by **JOHN MARTIN**, who pulled prisoner off, and wrenched the knife out of his hand; by **JOHN CROFT**, and **SAMUEL DAVISON**; and Dr. **STREET** gave evidence as to the nature of the wounds, only one of which he should call by that name, and which he did not consider dangerous. For the defence **JOSEPH M'CONNELL** was called, who swore to Prentice giving the first blow unprovoked, but he was forced into some ludicrous contradictions by the Crown Prosecutor. Mr. **M. HALL** and Mr. **DAVISON** gave prisoner the character of being an inoffensive man, as far as they knew.

After a short consultation, the jury found Bulmer guilty, and he was sentenced to twelve months imprisonment in Newcastle gaol, and afterwards to find security for good behaviour.

WEDNESDAY, OCTOBER 8. - STEALING FROM THE PERSON.

**PATRICK GLEESON, WILLIAM COTTAR, and MARGARET GLEESON**, on bail, were charged with having, at Paterson, on the 12<sup>th</sup> September last, stolen seven bank notes of the value of 20s. each, the property of **JOHN HALLETT**.

Mr. Purefoy appeared for the prisoners.

It appeared from the deposition of Hallett that the prisoners, himself, chief constable **SULLIVAN**, and another man, were altogether in Gleeson's house on the day he lost his money. There was some talk between him and the constable about the purchase of a horse from the latter, during which Hallett pulled out his notes by way of showing he had money to pay for it. After that, the constable and the other man having gone away, he got so drunk that he lay down and fell asleep; before that, Gleeson had lain down from the same cause. They were all sober when he exposed his money to view. When he awoke, he found that he had been robbed, and that the pocket which had contained his money had been cut off. Mrs. Gleeson had more than once tried to induce him to give his watch to her, by way of keeping it safe, lest he should break it.

Chief constable Sullivan, and constable **GILLIES**, of Paterson, were also examined. It appeared that the house of Gleeson had been searched, but not the prisoners; and also that the person of Hallett, the loser of the money, had been searched, but not the persons of those who were suspected of robbing him. Both were severely reprimanded by the Crown Prosecutor for their conduct.

**GEORGE WOOD**, chief constable of Maitland, gave the Gleesons an excellent character, as did also the chief constable of Paterson.

Mr. Purefoy addressed the jury for his clients.

The jury retired to consider their verdict for about two hours, when they returned a verdict of not guilty as respects all the prisoners. They passed strong censure on the chief constable and the other constable for their omission of a search of the prisoners; and the Chairman intimated that their censure and that of the Crown Prosecutor would be made known in the proper quarter. The prisoners were then discharged.

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

**DRUNKENNESS AND ASSAULT.** - On Tuesday last **RICHARD KERWIN** and **JOSEPH ROBERTS** were brought before the bench on a series of charges of the above description. In the first place, they both pleaded guilty to having been drunk on the previous day, and were fined 5s. each, which the former paid at once. - Kerwin was then charged with having, on the same day, assaulted Mr. **LEE**, of the Blue Bell Inn, East Maitland, from whose evidence it appeared that he had come into the house drunk, and had committed the assault complained of during Mr. Lee's efforts to put him out; and that he had not finally been removed from the premises until the assistance of constable **FRY** had been obtained. **ELIZABETH BOATWRIGHT** was also called as having witnessed the scuffle, but she saw no actual blow given, the prisoner having been prevented, partly by herself, from carrying his repeated attempts to strike Mr. L. into effect. The bench held the assault proved, and inflicted a penalty of £5, or in default of payment two months in Newcastle gaol. - Kerwin was next charged with assaulting constable Fry in the execution of his duty, namely, while removing him in custody from Mr. Lee's house on the above charge. The case was proved by the evidence of Fry, who deposed that Kerwin struck him, threw him down, and attempted to escape, but was prevented by the timely assistance of Serjeant **GILES**, of the mounted police. He was also fined £5 for this offence, or in default of payment one month's imprisonment. In both cases he declared his utter inability to pay; and before being removed, he applied, but without effect, for the restitution of the 5s. he had paid for drunkenness. - Roberts was, at a subsequent period of the day,

again brought before the bench for an assault on **EDWARD LOWTHER**, a corporal of the 99<sup>th</sup> regiment, from whose evidence, and that of **PETER NAILOR**, a private in the same regiment, it appeared that, while in the state of drunkenness for which he had already been fined, the prisoner more than once rushed in among the road gang under the corporal's charge, while on their way home from their work on the Morpeth road, and struck the corporal, who had strict orders not to allow any communication with the gang, because he ordered him off. He also tried to create dissension among the men by throwing some coppers among them. The prisoner appeared to feel contrition for what he had done; but the bench informed him that the practice of tampering with road parties must be put a stop to by severe examples, and ordered him to pay a fine of £5, or suffer two months' imprisonment in Newcastle gaol. It appeared from his statement that he was a labourer in the employ of a settler at Miller's Forest.

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

QUARRELSOME NEIGHBOURS. - On Tuesday last **SARAH CRUMP** and **JANE STERLING** appeared before the bench to prefer mutual accusations of grievances arising out of petty quarrels as neighbours, the parties being wives of shopkeepers in West Maitland, residing in houses nearly adjoining, there being only a passage between. Mrs. Crump was first put on her defence, and Mrs. Sterling deposed that, on the previous Thursday week, Mrs. C. accused her of having lamed one of her ducks, the duck in question appearing at the time before the door with a broken leg. The expression used by Mrs. C. was that "her or some of her crew had done it; but she would be revenged by poisoning her cats." Next day, accordingly, Mrs. S. found one of her cats dead, and the day following another. She got a person who used poison for preserving birds to examine them, and having ascertained that they had been poisoned, she had them thrown into the river. Still she (Mrs. S.) did not retaliate, or do or say anything to renew the quarrel; notwithstanding which moderation, Mrs. Crump's next step was to block up the passage between their houses, so that when Mr. Sterling, who is a baker, came home with his bread cart he could find no ingress. She (Mrs. S.), upon this, ordered a man to clear the passage, saying she would take the consequences upon herself. Mrs. C. interposed to prevent this being carried into effect, and said to Mrs. S.'s daughter, who was present, that she would poison her as soon as the cats. This expression, Mrs. Sterling said, was the principal ground of her complaint, and she handed to the magistrates a receipt of the poison Mrs. C. had purchased from the doctor's, and declared her belief that she had reason to dread her violence after the threat she had used. An old man named **JOHN BORMAN** corroborated this evidence; he heard Mrs. Crump say that if she did poison the cats, she would poison something of more value next time. Mrs. Crump was ordered to find security (through her husband) to keep the peace for 12 months, herself in £20, and two sureties in £10 each.

Mrs. Sterling was then put on her defence, and Mrs. Crump being placed in the witness-box, deposed that on the Tuesday previous she got a man to block up the passage; she had a right to do so, the land being part of the allotment (left her by her father) on which her house stood. For doing this, Mrs. S., assisted by her daughter, and others, shoved a piece of wood against her, and knocked her down. The assault was the ground of her complaint. Being questioned by the bench, Mrs. Crump admitted that the passage had not been fenced in or otherwise obstructed for seven or eight years; she had left it open because she had some cottages up the yard occupied by tenants. The bench informed her that if she wished to prove her right, she must adopt the proper legal means; and that as the magistrates could not assume that she

had any right to obstruct Mrs. Sterling in the use of the passage, the case must be dismissed: Mrs. S. had used no more violence than was necessary to make her way in a place she had always considered a public thoroughfare.

**WILFUL DESTRUCTION OF PROPERTY.** - Mr. **C. PRENTICE**, butcher, of West Maitland, yesterday preferred a complaint, before the bench, against Mrs. **HENRY, the elder**, for wilfully destroying a sheep, his property, by causing a dog to worry it. The offence was proved by **THOMAS TAAFE**, a boy in the employ of Mr. Prentice, and the value of the sheep which had been killed, by Mr. **FINCH**, another butcher. The defendant was ordered to pay 9s. damages and costs.

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

**UNPROVOKED ASSAULT.** - **JOHN WALDON**, an assigned servant of Mr. **DAWSON**, of Black Creek, was yesterday brought before the bench, at the instance of **EDWARD HAWKINS**, for an assault. It appeared that Mr. Hawkins, who lives near West Maitland, was on Monday crossing the Long Bridge, mounted on a mare which he was taking to the river, when he was met by the defendant, also mounted, who rode up to him, seized hold of his mare, tried to kick him, tore the shirt off his back, &c. In the scuffle both were thrown to the ground, and the prisoner then mounted Mr. Hawkins's mare, was got off, and mounted again. In the mean time a man went for a constable, and the prisoner was taken to the lock-up. It appeared that he had a metallic plate in his head, and was liable to be very outrageous when drinking. The bench ordered him to be confined seven days in the cells.

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

**CENTRAL CRIMINAL COURT.** - On Friday **HENRY LANE** was indicted for having committed an assault on **MARY ANN RENNIE**, on 30<sup>th</sup> September last; the prosecutrix and her husband (Professor Rennie) resided at the time in the house of Mr. Lane, their son-in-law, and family quarrels appear to have led to an affray on the day in question, which caused Mr. Lane and a servant named **ELIZABETH DONALDSON** to get Mr. and Mrs. Rennie bound over to keep the peace, when the prosecution against Mr. Lane for having assaulted Mrs. Rennie was commenced; the defendant was acquitted.

**ASSAULT.** - **TUESDAY, JANUARY 13.** - **JOHN DEAN** was indicted for having, at Newcastle, on the 6<sup>th</sup> November last, assaulted **RICHARD FITZGERALD**, by cutting, wounding, and maiming. A second, a third, and a fourth count laid the offence as being with intent to disfigure, to disable, and to do grievous bodily harm.

It appeared from the evidence of Fitzgerald, a sergeant of the 99<sup>th</sup> regiment, at Newcastle, that about two or three o'clock on the morning of the 7<sup>th</sup> November, he went to the house of a woman known by the name of **BIDDY [JOHANNA] WELSH**. The prisoner appeared at the door with a weapon behind him, and saying "I'll let you see you shan't come here," struck him on the head with the weapon, with such force that he was felled senseless to the ground, and afterwards remained 11 days in the hospital, besides being attended by Dr. **BROOKS** subsequently; the wound, in fact, continued to run up to the present time. The witness had suffered still more from a severe beating which the prisoner had inflicted at the time he was lying senseless. **DANIEL DUNN**, a private of the same regiment, saw Fitzgerald come home to the barracks covered with blood: he said the wound on his head did not matter so much as the internal injury – he vomited a quantity of blood.

The evidence of Dr. Brooks, colonial surgeon at Newcastle, shewed the injuries received by Fitzgerald to have been very severe, so much so as to endanger his life,

especially the internal injury, caused by a bruise on his side. It appeared to have been inflicted with a stick, but the blow must have been given with great force. The wound on the side appeared to have been caused by a kick.

The prisoner, in defence, said that the house in question was his home, and he had a scuffle with Fitzgerald to prevent his forcible entrance at an unreasonable hour, which he considered he had a right to do. In the scuffle Fitzgerald fell against a post, and thereby received the injuries he complained of.

Dr. Brooks, recalled by the jury: The injuries of Fitzgerald could not have been caused by a fall.

The jury immediately returned a verdict of guilty of the fourth count, that is, of assaulting with intent to do grievous bodily harm. The prisoner was remanded for sentence.

SENTENCE ON JOHN DEAN. - **JOHN DEAN** was then brought up, and sentenced to two years' imprisonment in Parramatta Gaol, with hard labour.

DRUNKENNESS. - Yesterday [Tuesday, January 13?] **JOHN DEAN** and **JOHANNA WELSH** were fined by the police bench 10s. each for being drunk in the streets, or in default twenty-four hours in the cells.

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

MAITLAND QUARTER SESSIONS. - WEDNESDAY, JANUARY 14, 1846.

ASSAULT. - **JOHN DICK**, on bail, was indicted for having, at Maitland, on the 5<sup>th</sup> December last, committed a common assault on **PATRICK LONG**.

It appeared from the evidence that the prisoner had picked a quarrel with Long (a private in the 99<sup>th</sup> Regt.) in the Sportsman's Arms, West Maitland, and taken an opportunity in an unguarded moment to inflict on him a blow in the eye with his clenched fist, containing a stone of some other hard and weighty substance, thereby inflicting an injury so severe as to render it doubtful for some time whether or not the eye would be ultimately destroyed. There was some doubt, however, to the defendant's identity, but when apprehended by constable **JOHN SIMS** he said the soldier deserved what he got, and he was ready to answer for it.

The jury returned a verdict of guilty, and he was sentenced to three months' imprisonment in Newcastle gaol.

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

THREATENING LANGUAGE. - A man named **GEORGE PEARSE** was yesterday bound over to keep the peace (himself in £10 and two sureties in £5 each) for using threatening language towards **WILLIAM GREGORY**. It appeared that about three years ago Pearse was sentenced to three years in irons, Gregory being a witness against him, and that since his liberation he has been in the habit of abusing and threatening him. The instance complained of occurred on the 12<sup>th</sup> instant, when the defendant made use of such language that the complainant had no hesitation in swearing that he stood in bodily fear of him.

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

ASSAULT. - **JEREMIAH FITZGERALD** was summoned before the bench yesterday for an assault upon Mrs. **RILEY**, at Morpeth, on Friday last, by driving a gig over her. **JOHN RILEY** deposed that he and his wife were proceeding towards the wharf at Morpeth, when the defendant drove his gig, in which there was also a lady, against Mrs. R. The shaft caught her in the side and threw her down, when the vehicle passed over her ankle. He was driving on the wrong side of the road, although

there was plenty of room on the proper side, and when called upon by witness to stop, he replied by whipping the horse to increase its speed. A witness named **JOHNSON** fully corroborated this evidence. He was ordered to pay a fine of £5, or suffer two months' imprisonment; he was removed in custody.

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

FRIVOLOUS CHARGES OF ASSAULT. - Yesterday **PETER O'BRIEN** was summoned before the bench for assaulting **MARGARET PARKER**, at Narrowgut, near Morpeth, on Saturday last. According to Mrs. Parker's statement she was sitting quietly at her door, when the defendant, without any provocation, stepped up and both struck and kicked her. In answer to her inquiry – "What's that for?" he said it was on account of her conduct towards one of his tenants, by which she was about to leave his house. Mrs. Parker called **JUNE MIDDLETON** to corroborate her statement, but she wished to know how her expenses were to be paid before she would open her lips on the subject; and it was not until she was threatened with committal for contempt of court, that she consented to tell what she knew of the matter unconditionally. As it turned out, that was not much: she had merely seen a man (did not know whom) shake his fist in the complainant's face; and when it occurred she could not say. The case was dismissed for want of proof. - At a subsequent period of the day, the same Mrs. Parker appeared on summons to answer the complaint of **SARAH BAKER** for assault; but, according to the complainant's own statement, no assault whatever had been committed: the defendant had merely abused her for something or other which did not transpire, and called her "all sorts." The case was dismissed.

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

SYDNEY NEWS. - A farmer named **JOHN MULHEARN** has been committed for shooting at Mrs. **MACKENZIE**, a neighbour of his. She produced her cap in court to show where the balls had gone through it. *Herald, Feb. 13*

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

RUNAWAY APPRENTICE. - **JAMES MURPHY**, bound apprentice to **JAMES CARROLL**, shoemaker in East Maitland, was yesterday summoned before the bench by his master for absconding. It appeared, however, by the evidence of **ALEXANDER M'PHERSON**, that the lad had been unmercifully thrashed by Carroll, and the bench being of opinion that the latter was not to be trusted with his care, cancelled the indentures.

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

**MARGARET FOWLER** AGAIN. - This indefatigable disturber of the peace of her Majesty's subjects, who was released from prison only on Tuesday last, was brought before the bench yesterday, for assaulting **GEORGE EDMONSTONE**, waiter in the Sportsman's Arms, West Maitland. She promised she would not only give the magistrates no further trouble for the future, but leave Maitland, if forgiven on this occasion. The Police Magistrate said this was certainly a great inducement; and as the assault did not appear to be of a very serious nature, the case was dismissed.

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

RETURNING THE COMPLIMENT WITH INTEREST. - On Wednesday evening last **MAURICE SLACK** was standing at the door of Mr. Clift's public-house, East Maitland, when a man named **JOHN HILL** came rolling out, very drunk, and running

foul of Slack, when the latter put out his hand to bear him off, and a small matter being sufficient to capsize Hill at the time, he fell, but presently rising, he knocked Maurice down in return. As they had had no previous quarrel, Slack preferred taking Hill to court to flooring him again; and yesterday Hill was sentenced to seven days in the cells for being drunk and disorderly.

**ASSAULTING A POLICEMAN.** - On Saturday evening last constable **KEDWELL** found a man named **JOHN PATTERSON** lying drunk in the streets, in West Maitland, and a large dog standing guard over him, and attacking every one who went too near his master. With assistance, the constable succeeded in getting Patterson to the watch-house, after considerable opposition, and on handing him over to **TONGE**, the watch-house keeper, the latter searched him in the usual manner, when Patterson suddenly lifted up his handcuffed hands, and struck Tonge a violent blow on the face, nearly knocking him down. Patterson was then more effectually secured, and yesterday he was brought up before the bench, when his ticket (for the Paterson district) was recommended to be cancelled, and himself to be returned to government.

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

**ASSAULT.** - **DENNIS GAYNER** was yesterday fined 5s. for an assault on **JOHN DONNELLY**. It appeared an old grudge existed between them, and that On Monday, March 9<sup>th</sup>, Donnelly and his wife were sitting in Mr. Bailey's public-house, East Maitland, when Gayner came in with a companion, and the latter knowing Donnelly, asked him what ill feeling there was between him and Gayner that they did not speak. Donnelly used some opprobrious epithets, when Gayner immediately struck him a violent blow in the face, and going out challenged him to fight, but Donnelly said he should take another course. The bench said they would only inflict the light fine above on Gayner, in consideration of the provocation he received. Donnelly then applied to have him bound over to the peace, but the bench refused, telling Donnelly that he had evidently brought the assault on himself by his unjustifiable language.

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

**FRIVOLOUS CHARGES.** - Several of those vexatious charges of threatening and putting in bodily fear came before the bench yesterday, and all were dismissed.

**STEPHEN HOGG** was charged by **MARY HENRY** with having, on the 15<sup>th</sup> instant, threatened to "settle" her, without any reason or provocation whatever; but Mr. Turner, who appeared for Hogg, made it appear that the provocation consisted in the complainant having severely injured a pig of his client's which had trespassed on her premises; and that one threat made use of by the defendant was, that he would take out a summons against her for inflicting the said injury. He believed that this charge had been brought to prevent his doing so. The complainant admitted that the defendant had used as violent language on former occasions, but never attempted to injure her. The case was dismissed, and Hogg immediately laid an information against Mrs. Henry for injuring his pig.

**MARY CONROY** was summoned by **HELEN DUFFY** for having, at Morpeth, on Monday, the 23<sup>rd</sup> ultimo, put her in bodily fear by threats, because she would not let her come into the yard to look for fowls. It appeared that in this case the defendant was provoked to use the language complained of by being called a pickpocket. The case was therefore dismissed.

The next charge was made by the same complainant against **MARY TONGE**, also of Morpeth, who did not answer to the summons, and service of the summons having been proved, the case was proceed with in her absence. It appeared, however, that

complainant, by her own admission, was not in fear of the defendant, although she was at the time of the occurrence, and the case was dismissed.

**ANN SNELL** was then called upon to answer the complaint of **ELLEN HONEY** for a similar offence, coupled in this instance with assault. It appeared from the statement of the complainant that she and the defendant quarrelled in Mr. Cohen's booth, on the race-course, on Thursday, the 26<sup>th</sup> ultimo, when the defendant struck her, and repeated the assault in her (the complainant's) own house, the same evening, when she was rescued by her husband from the unprovoked attack, the defendant having rushed in upon her from the street while she was in the act of telling her husband of the former assault. Mr. **MEARS**, however, who lives near the parties, proved that Mrs. Honey came home drunk, and that the defendant found fault with her, but struck no blow that he saw, and he had reason to think none had been struck. This case also fell to the ground.

MAITLAND MERCURY, 4/183, 04/04/1846

CAMDEN. - On the 30<sup>th</sup> ultimo, the police bench was occupied for seven hours in investigating the circumstances of a very serious riot at the house of **CHRISTOPHER FLYNN**, the Queen's Arms Inn, Narellan, on the evening of Saturday, the 28<sup>th</sup>. It appears that on that day, fifteen men, chiefly expirees from Van Diemen's Land, who had been hired by **JOHN HOSKING**, Esq., left the station of that gentleman at Macquarie Fields for their destination at Molonglo Plains. They had with them a dray, with bedding, cooking utensils, &c. On the road they came to a determination of creating a disturbance at the first halting place, or, in their own words, they were resolved to "have a slaughter." Accordingly, at Flynn's, that evening, these "Derwent Slashers," as they called themselves, picked a quarrel with a person named **KEITH** and another man, whom they severely maltreated. They were rescued, however, by the landlord and some of his friends. The rioters then challenged every one in the house to fight, and at the instigation of one of their number, named M'Guire, who cried out, "Van Diemen's men, why don't you stick together as you promised on the road?" they rushed into the street, where they assaulted **WALTER HENNESS**, and **JOHN MARTIN** who interfered in his favour. The police, being only two in number, were of no avail, and one of them proceeded on horseback to report the affair to the chief constable, **EVANS**, at Camden. In the meantime the ruffians, still under the command of M'Guire, who acted as ring-leader throughout, proceeded to the dray, where they armed themselves with bludgeons of a most formidable description. With these they attempted to force an entrance to Flynn's house, which finding to be too strongly secured, they smashed the windows, and then took possession of the yard, which they barricaded, and threw therefrom stones, brickbats, &c., at the inhabitants. They also dragged Keith from his hiding place in the kitchen, and amused themselves by knocking him down and setting him up to be knocked down again, which process they repeated till they left him completely disabled, with the blood flowing from his ears. The chief constable, with the remainder of the police, at length arrived, and great credit is due to them for the prompt manner in which they quelled the riot, and apprehended eight of the rioters that evening (although the night was very dark), together with two more on the following morning. The names of those apprehended are **JOHN M'GUIRE**, **THOMAS STUBBS**, **EDWARD HEATH**, **JOHN DONNELL**, **WILLIAM SWIFT**, and **JAMES CHAMBERLAIN**, who were all committed to take their trial for the offence; and **WILLIAM COULSON**, **JAMES GOULDEN**, and **JAMES MALONEY**, were discharged. They cross-examined the witnesses in the most

violent manner, and after their committal applied very gross language to the magistrates. Some idea may be formed of the intentions of these men from the following description of their bludgeons;- They were about two feet long, of swamp oak, a small hole was drilled in the handle, through which was tied a piece of string to hold by, at the other end spiral grooves about one-eighth of an inch in depth and width were filled with lead, to the distance of three inches from the end, was covered with sheet lead; the whole was painted green, giving them the appearance of constables' staffs, for which they were mistaken by some of the witnesses.

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

MAITLAND QUARTER SESSIONS. - TUESDAY, APRIL 7, 1846

ASSAULT. - **WILLIAM HEALEY**, on bail, was indicted for having, at Phoenix Park, near Morpeth, on the 1<sup>st</sup> October last, assaulted one **PATRICK BUCKLEY**.

It appeared from the evidence that the prisoner and Buckley were working together at Phoenix Park, putting in corn with hoes. A contest arose as to who should sow the largest quantity in a given time, and it ran to such a height that a quarrel ensued, and the prisoner took an opportunity of striking Buckley on the back with his hoe, and with such force as to incapacitate him for work for some time. A good deal of laughter was caused by Buckley's simplicity. He could not tell with what he had been struck, or who had inflicted the blow. He could not even tell whether it was wheat, maize, oats, or barley, he was sowing at the time. All he could say was that it was called corn in this country, and he believed it was called American wheat at home (in Ireland). It appeared, also, that the quarrel arose partly out of a religious dispute. None of the witnesses actually saw the blow given.

The jury immediately found the prisoner guilty, but said the assault appeared to have been committed under aggravating circumstances.

The prisoner, who had suffered three moths' imprisonment before his admission to bail, was sentenced to twenty-four hours additional imprisonment.

MAITLAND MERCURY, 4/190, 29/04/1846

UNPROVOKED ASSAULT. - A man named **PATRICK CARROLL** was yesterday convicted of a most unprovoked assault on **MARY M'MANUS**, wife of the constable of that name. The assault was proved by the evidence of an eye-witness named **JANE THOMPSON**, who said that the defendant, in the first place, assaulted her by laying hold of her, and on her screaming out, Mrs. M'Manus came to the door, when the defendant went up to her and gave her a violent blow under the eye. He was sentenced to pay a fine of £2, or suffer two months' imprisonment in Newcastle gaol.

ASSAULT. - **JAMES FITZPATRICK**, of Rose Brook, a rather tall and strongly built young man, was yesterday summoned before the bench for assaulting his neighbour, **JOHN DEW**, who, among his equals in stature, would no doubt be able to take his own part, but could not be expected to contend with those so much above him as the defendant. The parties occupy adjoining grounds, and the quarrel arose out of the trespass of the defendant's pigs amongst the complainant's corn. According to the statement of the complainant, the only provocation the defendant had was that one of his pigs was being worried by the complainant's dog, although the complainant at the time was in the very act of taking it off, and had called off another dog immediately before. He was twice knocked down by the defendant, and would have fallen again from a third blow but that he was caught by the defendant's brother, who interfered to prevent further strife. The defendant called this brother as a witness to prove that the complainant challenged him to fight, and that he (the defendant) thereupon merely

pushed him off, to make him retire to his own ground, this having taken place on the defendant's ground. The defendant added that he had been two years on the far, and had never quarrelled with any one before. The complainant, however, positively denied having challenged him to fight, and the bench thought it very unlikely that he should have done so, considering the disproportionate size and strength of the parties. The defendant was therefore ordered to pay a fine of "1, or suffer one months' imprisonment, and to give security, moreover, to keep the peace for twelve months, himself in £20, and two sureties in £10 each.

MAITLAND MERCURY, 4/194, 13/05/1846

**MORE NEIGHBOURLY QUARRELS.** - Another of those vexatious assault cases, arising out of petty jealousies of neighbours, occupied the bench yesterday. **PATRICK CAFFREY**, a small farmer, at Narrowgut, near Morpeth, was summoned by **ELIZABETH JOHNSON**, the wife of another person of the same class, for a violent assault, alleged to have been committed on the 30<sup>th</sup> ultimo. It appeared that the parties were close neighbours, their lands adjoining, and, according to the complainant's statement, the defendant, when working, having trespassed on her husband's portion of the field, which was marked off by stakes, she found fault with him, when he used most indecent and abusive language, and struck her on the head and hand with a heavy stick, the wounds, although healed, being still visible in the shape of deep scars. The defendant, on the other hand, stated that while he was harrowing his field, the harrow, in turning, happened to knock down one of the boundary marks, upon which the complainant most virulently abused him, assailed him with heavy clods, and latterly with a piece of wood, in warding off which he might have hit her. He called **JOHN HUGHES**, who was working with him at the time, to prove the truth of this statement. The witness did so, but added that the complainant fell from the violence of the blow she received, although it appeared to him to have been accidentally inflicted by the defendant while warding off the blows she aimed at him. Both parties were ordered to give security to keep the peace for twelve months, themselves in £20 each, and two sureties in £10 each, and to be detained in custody until the required recognizances be furnished. The husband of the complainant was in attendance, and undertook to enter into the recognizances on behalf of his wife forthwith.

**ASSAULT.** - **JAMES FITZSIMMONS** yesterday appeared before the bench on a charge of assault preferred by **CHARLES WILSON**. The parties are neighbours, and this was one of that numerous class of neighbourly squabbles in which both parties are to blame; at all events, such was the conclusion arrived at by the bench, for the same punishment was awarded both to complainant and defendant. There was no material witness on either side, but it appeared from the statement of the complainant, a person of very respectable appearance, that on the previous Friday a quarrel occurred between him and the defendant about a dog which did not belong to him, but which served the purpose of keeping the defendant's fowls and pigs out of his house. This dog the defendant threw stones at, and chased with a brick-bat. Upon being remonstrated with by the complainant, he challenged him to a fight, but the challenge being declined, he struck the complainant, with his child (a very young infant) in his arms. The child happened to receive one of the blows, whereby its head was swelled, upon which the complainant became so enraged that he gave the child to its mother and ran for an axe to "chop the defendant down," and he declared that he would have done so if he had not been prevented. The complainant called **ROBERT MORRISON**, but he had seen nothing of the affray: all he could say was that he had

heard the child cry, and that the defendant called to him over the fence, "You'll be witness to that;" but he could not say what was alluded to. The defendant stoutly maintained that he did not touch the complainant until after the latter had threatened him with an axe. To prove this he called **GEORGE PEARSE**, but this witness could only say that he saw the complainant making towards him with the axe; he could not say whether it was before or after he had been struck. The bench informed the complainant that the defendant had doubtless been the aggressor, but in consequence of the unwarrantable violence he had, according to his own showing, attempted to commit, he as well as the defendant should be bound over to keep the peace. Both parties were then ordered to find security accordingly, themselves in £10 each, and two sureties in £5 each, for twelve months, and to be detained in custody until compliance.

**THREE MONTHS AFTER MARRIAGE.** - **GEORGE GREEN**, a shoemaker in West Maitland, appeared before the bench yesterday to answer the complaint of his wife for assaulting her on the 7<sup>th</sup> instant. The complainant presented ocular demonstration of the violence of her husband, who whom she had been married only three months. It appeared that the complainant having been unwell, her husband procured some medicine for her, but instead of taking only the prescribed dose, she drank off the whole bottle full, and it was on that occasion the assault was committed. This circumstance, coupled with the singular oddness of her demeanour, induced the magistrates to call in her father and ask him if she had always been right in her mind: it appeared that she had always been perfectly so. The defendant was ordered to give security to keep the peace for twelve months, himself in £20, and two sureties in £10 each.

**SHOOTING A DOG.** - **ROBERT DUNN** was yesterday summoned before the bench by **PETER COOK**, for having, on the 9<sup>th</sup> instant, shot a dog, the property of the latter. The parties occupy adjoining farms, near the race course, West Maitland, and the defendant, who did not deny the charge, said he had been provoked to shoot the dog by its having been in the habit of destroying his poultry. He had also threatened to knock the complainant's head off if he had not been an old man. The complainant said he did not wish the young man to be punished, and did not consider himself in bodily fear of him, as he had qualified his threat with an "if." - Case dismissed, with an admonition of the defendant by the bench.

MAITLAND MERCURY, 4/200, 03/06/1846

**UNPROVOKED ASSAULT.** - **JOHN MARSH**, blacksmith, of West Maitland, was yesterday summoned before the bench for assaulting **JOHN PETER THORNTON**, of the same place. It appeared that as the complainant was walking in High-street, the previous evening, the defendant, who appeared to be in company with two other men, and was the worse for liquor, followed him until he came to an auction room near the Waterloo Inn, going in with him and jostling him. He followed him out again, and shortly afterwards came up and struck him. Upon this the complainant held him until he could procure a constable, but let him go on his making a motion as if he would pull out a knife. He did not wish him to be severely punished, and hoped the bench would make allowance for his drunkenness. He had never seen the man before. The defendant pleaded unconsciousness of the whole affair, from drink. The chief constable gave him a good character for quietness and so forth. He was fined 40s., or in default to be imprisoned 14 days in Newcastle gaol.

MAITLAND MERCURY, 4/203, 13/06/1846

**ASSAULT.** - **PATRICK FIELD** was yesterday summoned before the bench by **MARY COTT**, wife of **JAMES COTT**, of West Maitland, for an assault alleged to have been committed by him on herself and her child, an infant in arms. According to the statement of the complainant, the defendant came to her house on Wednesday evening last, and without any provocation struck first the child and then herself with a board; but a man named **JAMES SPRUNE**, who had come to ask Cott (his mate) to go to work next day, positively swore that the board in question was thrown into the house by some person, and that the defendant immediately closed the door, in doing which he might have hurt the child, who was sitting on the floor, but not intentionally; he could not say how the child had got a black eye, but he did not get it then as far as he could judge. The case was dismissed.

**FURIOUS DRIVING.**

**STEPHEN TANSWELL and THOMAS BAYNHAM** were brought before the bench yesterday, charged, at the instance of Mr. **YEOMANS**, of the Northumberland Hotel, with furiously driving a cart, at Morpeth, on Monday or Tuesday last. Mr. Yeomans stated that he rode a spirited young horse on the occasion complained of, and that Tanswell was drunk, so that he had reason to fear the consequences, and had given the defendants in charge. Constable **M'GUINNESS** was examined, but his evidence was not conclusive against either defendant. Baynham was discharged; but Tanswell was informed that in consequence of his habitual misconduct, steps would be taken to secure his removal to a distant district, or he should lose his ticket-of-leave altogether.

**MAITLAND MERCURY, 4/205, 20/06/1846**

**INGRATITUDE.** - Yesterday a young man named **BENJAMIN WEMYSS** was brought before the bench by his master, Dr. **SLOAN**, of West Maitland, for absconding from his hired service. The Doctor stated that the defendant came to him in a lamentable state of disease, and ran away the moment he was cured. There was a written agreement which had been read over to him, and which he agreed to. The defendant admitted having absented himself, but pleaded ignorance of the nature of the agreement. He was sentenced to two months' imprisonment in Newcastle gaol, and was informed that but for his having been already some time in custody from the difficulty of forming a bench to try the case, the sentence would have been for three months, in consequence of the circumstance of ingratitude which distinguished his case.

**MAITLAND MERCURY, 4/206, 24/06/1846**

**DERWENT SLASHERS.** - **THOMAS NEWMAN, GEORGE HAWE, and JOSEPH ALLEN**, were yesterday brought before the bench, on a charge of assaulting **JAMES M'GUINNESS**, district constable of Morpeth, on Friday last. M'Guinness deposed, that about four o'clock on Friday, he saw the prisoners come out of the Crown and Anchor, public-house, quite drunk, and using the most horrible language. He laid hold of Hawe, when the others came to his rescue, and in the scuffle all three assaulted the witness; his trowsers were torn by their violence, and he was cut in the head by a kick. They called themselves "Derwent Slashers," and said they had come to clear Morpeth. Constable **M'MANUS** corroborated this evidence. Hawe, who was evidently the "lawyer" of the party, defended himself and his "fellow servants" in most lawyer-like style. The other prisoners said nothing. They were fined 40s. each, or to suffer two months' imprisonment in Newcastle gaol.

MAITLAND MERCURY, 4/208, 01/07/1846

ASSAULT WITH FIREARMS. - **DANIEL SHEA**, of Narrowgut, near Morpeth, and **WILLIAM HICKS**, his neighbour, appeared before the Maitland bench yesterday morning, the former to prefer a complaint against the latter for assault, and for presenting a loaded gun at his (the complainant's) wife. The persons of both bore marks of violence, particularly the defendant, whose face and throat showed that he had been throttled and bruised in no very gentle manner. The complainant had a severe bruise on the temple, near the left eye. On Monday evening last, it appeared, the complainant went out for about an hour, leaving Mrs. Shea at home, and on his return he found the defendant at the door in the act of presenting a gun at her. When she saw her husband coming she let the defendant (whose back was to him) know it, in order to intimidate him, as she dreaded the explosion of the gun, the muzzle of which was within a yard of her. On this the defendant turned round, and a scuffle took place between the two men, which ended in the defendant being disarmed, but not before the gun was discharged, without, however, doing any damage. The complainant positively stated that he saw the defendant put his finger on the trigger, and that, judging from the report, the gun had been charged with either ball or shot. The complainant then took the gun into his house, and returning to the defendant, who did not offer to go away, told him to go home. Upon this the defendant knocked him down, and as he was falling kicked him in a dangerous manner in the lower part of his person, and also on the temple, making the wound before mentioned. Both the complainant and his wife were certain that no fourth person was present. They had never quarrelled with defendant. The defence of Hicks was, that he had merely put a little powder in his gun to frighten away the fowls, which had twice eaten his crop of lucerne, twenty rods each time, so that he had none left for his horse; that he had gone to the complainant's house to give him notice to keep his fowls away; and that the moment he presented himself he was assailed by the complainant, his father-in-law, and his wife, who left upon him the marks of their violence. His own wife, he said, whom came to his rescue, took a stick out of Mrs. Shea's hand. He had no evidence to prove this counter statement, and was committed for trial for presenting a loaded gun at **CATHERINE SHEA**. He was admitted to bail.

MAITLAND MERCURY, 4/215, 25/07/1846

PUTTING IN BODILY FEAR. - **MARY HORNE** was yesterday summoned before the bench, to answer the complaint of **GRACE FULFORD**, for putting her in bodily fear. Mrs. Fulford (wife of Mr. **JAMES FULFORD**, baker, West Maitland,) deposed that the defendant had, without cause, put her in bodily fear, and that she was still fearful that Mrs. Horne would do her or her son some injury. The defendant was bound over to keep the peace, herself in £10, and two sureties in £5 each.#

MAITLAND MERCURY, 4/216, 29/07/1846

ONE OF MR. SCRUTTON'S MOB. - A rather rough-looking customer, named **JOHN HUNT**, latterly imported to this colony from Van Diemen's Land under the presiding agency of Mr. Scrutton, took up his position in the police dock yesterday, charged with having committed a violent assault upon sergeant **ADAMS**, of the police, while in the execution of his duty. Adams stated that Mr. Hunt was drunk in Clarence-street between eleven and twelve o'clock on Thursday morning, and also so uproarious and riotous that in a very short time he managed to collect a mob of a hundred persons about him, some of whom were equally disposed to be as riotous as himself. On Adams telling the prisoner to be off, the latter replied that he was a

Vandemonian, and that he would do just as he pleased. Finding the worthy Vandemonian obstinate, he got hold of him with the view of lugging him to the watch-house. But it was “no go,” for Hunt became so violent that he kicked and bit the sergeant in a most ruffianly manner, and had ultimately to be lodged in the female watch-house, while assistance was being procured to bring him to the proper quarters. Mr. Hunt pleaded entire obliviousness as an excuse for his offence – he said he had not the most remote recollection of having even treated the sergeant to a frown. The magistrate sentenced him to pay a fine of 40s., or, in default, to be confined for twenty-one days. In about half an hour afterwards, Hunt took his departure for Darlinghurst. *Chronicle, July 25*

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

SERIOUS CASE OF ASSAULT. - Yesterday morning a man named **THOMAS MOORE**, of West Maitland, was brought before the Police Bench, charged with assaulting **HENRY INSKIPPE**. The case, as stated before the bench, was as follows:- On Monday evening last, the complainant, accompanied by two men, named **ROSS** and **RUSSELL**, were visiting a person named **NICHOLS**, residing in the next house to the prisoner, and, on coming out, prisoner said to them, “What do you three robbers want here?” Inskippe asked if he meant him, when he replied that he would soon show them. He then went into the house and returned with an instrument, either a bayonet or an augur, and after sharpening it against the door-post, he laid hold of the complainant with the left hand, while he thrust at him with the weapon in his right, the point of which passing through the complainant’s trousers and shirt, entered his side; he then seized him by the hand, and would have stabbed him again, had not one of the men taken the weapon from him. This story was closely corroborated by the men Ross and Russell, who were present all the time, and the prisoner was fully committed to take his trial; but allowed bail, himself in £50, and two sureties of £25 each.

A CONSTABLE ON THE SPREE. - On the evening of the 18<sup>th</sup> of July last, constable **SMITH**, stationed at Black Creek, entered the public house of Mr. **JOHN LLOYD**, at that place, about eleven o’clock, and, after partaking of two glasses of brandy, went into the taproom, where a number of persons were assembled, and finding there a man whose physiognomy he was not exactly acquainted with, he immediately proceeded to overhaul him as to his freedom, when a man present, named **WALTER FERRETT**, after in vain guaranteeing his friend’s liberty, finding his friendship and veracity thus placed at stake, resolved to strike a blow for freedom: and, so, politely challenged Smith to a set to. Jackets were doffed, and at it they went; but the general feeling being against the “trap,” all hands present did their best to get a sly dig at him, but were prevented as much as possible by Mr. Lloyd. At last, in the heat of the engagement, the two combatants stumbled against a store-room door, which, yielding on its hinges, the pair disappeared within the dark recess. On a light being thrown on the subject, the member of the strong arm of the law was found to have suffered severely, and was borne, anything but triumphantly, from the spot. Yesterday morning Ferrett appeared before the police bench, on summons, to answer Smith’s complaint, when the above facts came out in evidence. Smith, of course, swore that he was perfectly sober, whilst two or three witnesses proved the reverse; in addition to which some five or six glasses of rum and brandy were brought in evidence against him. The case was consequently dismissed, the bench stating that however desirous they might be to uphold their officers in the execution of their duty,

they could not pass over misconduct, and they certainly thought that any ill usage he had received he had brought upon himself.

MAITLAND MERCURY, 4/220, 12/08/1846

FAMILY BROILS. - A gentleman named **THOMAS HILL**, who came, like the "hero of a thousand fights," bearing his "blushing honours thick upon him," that is to say, having his face tattooed, not quite so delicately, but far more impressively than even that of the celebrated **JOHNNY HEKI** himself – this gentleman, we say, came before the police bench, charged with "all the ills that flesh is heir to." It appeared that, on the previous Sunday, the prisoner had hallowed the day by sacrificing at the shrine of the rosy god, and coming home in the evening rather elevated, commenced a lecture to his sister on some alleged impropriety of conduct, but as, in the warmth of his feelings, his language was much more energetic and impressive than choice or delicate, his sister, a Mrs. **HENDERSON**, took offence at it, and having a doughty champion and a stalwart, a certain butcher, **CHQAMBERS** by name, close at hand, an attempt was made to eject the prisoner, though without success. Sticks, knives, pistols, jugs, teacups, and other little articles of family use, were called into requisition on each side for attack and defence. But at length Chambers beat a retreat, leaving his *bona roba* closely engaged with the enemy, while he went for reinforcements from the body of the constabulary. The man of the *baton* was quickly in attendance, but on reaching the domicile of the hapless Mrs. Henderson, all was quiet, Hill having forced the enemy from the outworks, and holding the citadel in solitary but bloody grandeur. From the bird's eye view of the battle-field taken by the constable, he was led to imagine that the victor, that is, the owner of the ground, had got the worst of it, and to save him from further attack, he thought it safer to "shop" him. The bench, after patently hearing the case for upwards of an hour, bound both the prisoner and Chambers over to keep the peace, themselves in £20 each, with two sureties of £10 each.

MAITLAND MERCURY, 4/221, 15/08/1846

MATCH AGAINST TIME. - Miss **MARGARET FOWLER** the interesting Cyprian whom we mentioned on a former occasion as engaged to do a certain quantity of imprisonment within a certain given time, was yesterday committed, under the vagrant act, to Newcastle Gaol for one month. We need hardly say that the damsel bitterly lamented her confinement, especially at such an interesting period, when she had confidently anticipated a week's spree at the Races.

MAITLAND MERCURY, 4/224, 26/08/1846

SYDNEY NEWS.

BRUTAL ASSAULT. - **JOHN JAMES**, a seaman, was committed on Thursday to take his trial for a brutal assault upon a female named **MARGARET FARRELL**, who keeps a lodging-house in Lower George-street. The prisoner had lodged with her after leaving the ship *St. George*, and on subsequently engaging to serve under articles in the whaling barque *Margaret*, he left her house without paying what he owed, in consequence of which she detained his box. On Monday night last he went to her house, knocked her down, and treated her in a most brutal manner. He was taken into custody, but managed to effect his escape from the constable. On the Tuesday morning, however, he returned, and treated the poor woman in the most shameful manner, knocking her down, kicking her, &c., and swearing that he had come to take

her life. After some delay he was apprehended, and the foregoing facts were proved against him, although he strongly denied them. *Australian, Aug. 22*

MAITLAND MERCURY, 4/238, 14/10/1846

MAITLAND QUARTER SESSIONS.

**THOMAS CAGNEY** was indicted for assaulting one **THOMAS BYRNES**, at Cockfighter's Creek, on the 24<sup>th</sup> June.

Mr. Purefoy appeared for the defendant.

The prosecutor, on the day named, had gone to the stockyard of the prisoner whilst he was branding cattle, to look after a fat cow of his which was missing, and whilst there prisoner had come to him, and without warning had struck him and knocked him down, and had kicked him severely whilst on the ground. Dr. **STOLWORTHY** had examined the prosecutor the next day at Singleton, and had found numerous abrasions on various parts of the body, and also a cut on his mouth; the former as though produced from kicking, and the latter seemingly from a blow of the fist.

Mr. Purefoy, for the defence, urged that the only witness of the assault was the prosecutor, who no doubt had some ill feeling in the matter, and called

**LEIGH HALSTEAD**, who deposed that he would not believe the prosecutor non his oath, from his known bad character.

The jury found a verdict of guilty, but recommended the prisoner to mercy, from their having no doubt of some provocation having been given.

The Court, in consideration of the long time the prisoner had been incarcerated (nearly four months), said the purpose of justice would be fully satisfied by his paying a fine of 20s. This was paid, and the prisoner discharged.

MAITLAND MERCURY, 4/239, 17/10/1846

MAITLAND QUARTER SESSIONS. - WEDNESDAY, OCTOBER 14, 1846

ASSAULT. - **THOMAS MOORE** was indicted for feloniously assaulting and stabbing one **HENRY HINCHSKIP**, at West Maitland, on the 3<sup>rd</sup> August, with the intent to be to disfigure him; a third count, to disable him; and a fourth to do him grievous bodily harm.

By the evidence for the prosecution it appeared that the prosecutor, in company with two other men, had been to the house of a neighbour of the prisoner named **NICHOLS**, on business; and that whilst returning through the prisoner's yard, prisoner had come out to the door with some weapon in his hand similar to an augur, and, without any previous provocation, had called the men robbers, and had attacked Hinchskip, pushing him back with the left hand, whilst he stabbed him with the right. Mrs. Nichols, who was a witness to the whole business, declared that there was a scuffle previous to the prisoner going into the house to fetch the weapon.

Prisoner, in his defence, stated that the men had previously aggravated him, in passing, by making mouths at him; and that one of the men had been previously fined and bound over to keep the peace at his instance, and had vowed to serve him out.

The jury, without leaving the box, returned a verdict of guilty; and the Court sentenced him to be imprisoned in Newcastle gaol for six months, and afterwards to find sureties to keep the peace, himself in £20, and two sureties in £10 each.

MAITLAND MERCURY, 4/240, 21/10/1846

ASSAULT. - Mr. **WILLIAM BURNE** appeared on summons yesterday, at the police office, to answer the complaint of **DAVID WHITTAKER** for an assault. From the evidence of Whittaker it appeared that Burne had come to the complainant's

house and called him an old rogue. Complainant answered "then there are two of us," and immediately he received a blow in the face, which hurt him severely, cutting him on the cheek and above the left eye. He could not see what the blow was inflicted with, but thought it must have been from defendant's fist. Complainant was upwards of 75 years of age. In his defence Mr. Burne stated that complainant had been very abusive and threatening to his (defendant's) children, and he had gone out to remonstrate with him, when he got into a passion, abused defendant by calling him opprobrious names, and ultimately concluded by banging the door in defendant's face in a most insulting manner. Defendant had then pushed the door open, and in his doing so had struck the complainant with an edge of it, and so cut his face. It had been purely accidental, and he, at the time, had expressed his regret for it. The bench thought the assault one of a most serious nature, having been committed on so aged a man, and sentenced him to pay a fine of £5, or in default to be imprisoned for two months.

MAITLAND MERCURY, 4/242, 28/10/1846

ASSAULT. - **JAMES FULLFORD**, of West Maitland, yesterday appeared before the police bench, at the instance of **JAMES SMITH**, to answer a charge of assault. From the evidence of Smith it appeared that on Friday evening last he was in the verandah of the Albion Inn, when defendant came up to him and struck him. They had a scuffle, when they were pushed into a back room, where defendant knocked him down, and kicked him in the eye, cutting him in the cheek in a severe manner, as well as cutting his lip, both of which had to be sewn up by a doctor. For the defence Mr. **HENRY REEVES** was called, who deposed that Smith had been very quarrelsome all the evening; that he first wanted to fight a man named Bob; that he had afterwards knocked defendant's hat over his eyes, and had then stood up to spar with him; that he had hit the defendant several times very hard, and defendant had said to him, "Why, you seem to mean it." Smith answered, "Yes, you ---- I do"; and at the same time struck again at Fullford. The result was that Smith was knocked down, and his eye cut open by defendant's fist; and witness would positively swear that defendant never raised his foot against Smith. The bench then dismissed the case.

MAITLAND MERCURY, 4/244, 04/11/1846

THE POLICE OFFICE.

... The only cases heard since our last, ... were those of **JOHANNA WALSH**, better known as "**Long Johanna**," who was fined 10s. for being engaged in a "scrimmidge" with another lady named **GRACE**, and another, whilst under the exciting influence of rum.

MAITLAND MERCURY, 4/251, 28/11/1846

NEIGHBOURLY SKIRMISHING. - Two persons residing on the Midlorn Estate, named **WILLIAM PACEY** and **JOHN PAIN**, who had been relieving the monotony of a bush life by a little occasional squabbling, appeared before the police bench on Thursday last under the following circumstances. It appeared that they lived on adjoining farms, without a fence between them, and a few days previously Pain had impounded some bullocks belonging to Pacey, which of necessity induced a little civil jaw and a slight skirmish. As it appeared that both parties had been mutually abusive, and as the peace was as much in danger from one as from the other, the bench bound them both over to the peace, in their own recognizances of £10.

SYDNEY NEWS.

... I regret to state that, on Friday or Saturday last, Mr. **FISHER**, the barrister, was thrown from his horse and seriously injured. He was riding out to Petersham to superintend the surveying of some property there, which was about to be put up for sale by auction, when his horse threw him, and his foot catching in the stirrup, he was dragged a considerable distance; and when rescued from this perilous situation, he was quite insensible. To-day, I hear, no hopes are entertained of his recovery.

**MELANCHOLY ACCIDENT.** - Mr. **MOUNTFORD LONGFIELD**, on Sunday last, endeavoured to cross Botany Bay in a small sailing boat. When about half-way the boat was swamped, and Mr. L. and a servant man who was with him, were drowned. The bodies had not been recovered.

**INQUEST.** - An inquest was holden on Saturday, at the Lighthouse Tavern, on the body of one **JOHN CONNOR**, which was found about five o'clock in the morning, floating in Darling Harbour, near Grose's Wharf. It appeared, from the evidence of several persons, that the deceased was intoxicated on Friday, on which day his daughter was married, and that about ten o'clock he left Whitehead's public-house, in George-street South, (where he had been sleeping since dusk,) and went towards his daughter's residence, after which time he was not seen alive. He was not quite sober when he left Whitehead's tap-room. Dr. **TIERNEY** deposed that he had examined the body, which exhibited no external marks of violence; and he was of opinion that death had been caused by suffocation from drowning. A verdict of "found drowned" was returned. *Australian, November 24*

**MAITLAND MERCURY**, 4/256, 16/12/1846

**A SAVAGE ATTACK.** - On Friday evening last, a man of colour, named **CLARKE**, having quarrelled with another man named **M'GILL**, attacked him with a razor, and wounded him in the cheek. He also cut M'Gill's wife severely on the arm, and then ran from the house, crying out that he would cut his own throat. He has not since been seen.

**MAITLAND MERCURY**, 4/258, 23/12/1846

**VAGRANCY.** - **MARGARET FOWLER**, **CATHERINE HARRIGAN**, and **WILLIAM MORRELL**, were all brought before the acting police magistrate, on Saturday last, as vagrants, and were each sentenced to be confined in H.M. goal, Newcastle, for the period of three calendar months.

**PUTTING IN BODILY FEAR.** - On Monday last **ELLEN WINCHESTER** appeared, on summons, to answer a charge of threatening and putting in bodily fear one **CATHERINE JOYCE**. It appeared that Mrs. Joyce was sitting at her door, without interfering in any way with the defendant, who threatened to throw some sort of domestic utensil at her head. On the other hand, the defendant alleged that the prosecutrix (Mrs. Joyce) gave her cause by abusing her. The bench thought they were equally quarrelsome, and order them to be both bound over to keep the peace to all her Majesty's subjects for twelve months.

**MAITLAND MERCURY**, 5/261, 02/01/1847

**AN INDEFATIGABLE TALKER.** - A young lady of the romantic name of **ELIZA MITCHELL** was on Thursday last brought before the police bench under the following circumstances. It appeared that constable **KEDWELL**, wearied with the arduous duties that the assumption of office necessarily entails, was returned home from the race-course towards midnight, when he passed the door of the prisoner's house. She, with the instinctive hate that ladies of a certain class invariably have for a

“trap,” commenced a volley of abuse, and at length working herself up to the proper point she made a rush at him, gave him a right handed facer, and floored him. She then retreated behind the breastwork of her own door, and began a rattling fire of abuse in all that easy fluency of language for which irate females are so remarkable. In language rich, glowing, and of the choicest Billingsgate, did she continue for the space of two hours to sooth her wounded feelings by exhausting her expletives upon the head of the hapless official; who at last, in a fit of desperation, made a bold dash at her, and succeeded in securing and bearing her off to the lock-up. She was sentenced to be imprisoned for one month, there being some doubt as to the legitimacy of the manner by which her living was procured.

MAITLAND MERCURY, 5/264, 13/01/1847

ASSAULTING A CONSTABLE. - A gentleman named **WILLIAM GLEESON**, who had reached the particular degree termed the pugnacious, for which the inhabitants of West Maitland are more particularly celebrated, was apprehended on Monday last on a charge of being in a very advanced state of beer. His libatory propensities had fixed him in the determination of resisting everything in the shape of tyranny and oppression, and the first words of the constable sent the blush of freedom mantling to his cheeks; and with right good will he “pitched into” the police right and left, and it was only by the advent of two or three others of the force that he was conveyed to durance vile. On the following day, Tuesday, he was fined for drunkenness, and a summons served on him to appear and answer the charge of assault yesterday, which he, doubtless fully awake to the extent of his delinquency, declined doing. The case was, however, heard in his absence, on proof of the service of the summons, and he was sentenced to be imprisoned for fourteen days, *when he was caught*, which was a particular time that no law or bench could exactly fix on.

MAITLAND MERCURY, 5/267, 23/01/1847

A VERY NICE MAN. - At the last Quarter Sessions, a denizen of Maitland, named **FLORENCE SULLIVAN**, better known as “**Ould Killarney**,” was sentenced to one week’s imprisonment, for assaulting a constable who was taking him to the watchhouse, under a charge of drunkenness. With the last day of his week’s imprisonment Killarney was in West Maitland, and towards the evening commenced his old system of “clearing the streets,” and vaunting the superior prowess of the boys of Killarney over the depraved races of other towns and counties. By some miracle this very decent gentleman escaped the clutches of the police on that evening, and has not since been heard of.

MAITLAND MERCURY, 5/276, 24/02/1847

ASSAULTING A CONSTABLE. - **GEORGE MARTIN** was yesterday brought before the police court charged with drunkenness, exposing his person, and assaulting constable **MURRAY**. It appeared that constable Murray went up to Martin, to remonstrate with him on exposing himself in the street, and that Martin, instead of expressing contrition, questioned Murray’s right to interfere with him, on which Murray took him into custody, and Martin resisting a struggle took place, in the course of which Murray received sundry blows. Mr. **GRACE**, who defended Martin, or rather was an unsworn evidence for him, succeeded in upsetting the charge of exposure, and Murray having admitted that Martin was sober enough to take charge of his bullocks, the bench only found him guilty of assault, for which he was sentenced to pay £2, and costs.

MAITLAND MERCURY, 5/277, 27/02/1847

COMMITTAL FOR AN ASSAULT BY HORSE-WHIPPING. - On Saturday last, while the police were loitering in some numbers in the police office yard, after pay time, their peace preserving organs were called into active operation by a fray between two gentlemen on horseback, one of whom was apparently heading and rounding the other, and applying as often as practicable, the thong and stock of a new hunting whip. The peace officers secured the assaulter, who proved to be a Mr. **ATKINSON** of Jamison-street, describing himself as a wine merchant; the assaultee was Mr. **MURIEL**, a clerk in the house of Mr. Botts, merchant. The case was heard yesterday, when from the evidence of Mr. Muriel, it appeared that on Saturday he was riding up George-street, when Atkinson, also on horse-back, rode up to him and said something to the effect "Do you know who I am?" and not receiving any answer, said, "I will teach you," and then went to work with the new whip. There had been a quarrel between the parties some ten days previously. Mr. Brennan, who appeared for the defendant, wished to go into this quarrel in evidence, but it was objected by Mr. Nichols, that what occurred ten days previously could be no excuse for the offence now charged; and the bench ruled with Mr. Nichols, and moreover, suggested that if a provocation of ten days standing was proved, it would be an aggravation of the defendant's offence, as it would establish the fact that the assault was premeditated. Mr. Atkinson was committed to take his trial for the assault, but allowed bail, himself in £40, and two sureties of £20 each. *Australian, Feb. 23*

MAITLAND MERCURY, 5/279, 06/03/1847

NEWCASTLE.

POLICE COURT. - On Friday last, a ticket-of-leave holder, named **BENJAMIN HARRIS**, was charged before J.H. Crummer and R. Furlong, Esqrs., J.P.'s, with having committed a violent assault on a respectable young female, by name **ELIZA MILNER**, in the service of the Rev. Mr. **WILTON**, of this town, as far back as the 12<sup>th</sup> February last, the prosecutrix having only been pronounced fit to attend court a day or two before by Mr. Surgeon **STACEY**. Eliza Milner, an immigrant, deposed that she was in the employ of the Rev. Mr. **WILTON**; that about eight o'clock on the morning of the 12<sup>th</sup> February, she was sitting by the fire in Mr. Wilton's kitchen; the prisoner, who was cook there, was engaged frying some fish, and whilst so employed he called out to witness, in an angry manner, "Get out of my way, or I'll scald you;" and in less than a minute afterwards prisoner deliberately took off the frying-pan from the fire and poured the boiling fat over the head of witness; the fat ran from her head down her bosom to her chest. The shock was so frightful, the poor girl stated, that she could not recollect what happened, as she became insensible. The witness added that prisoner had, before the day the assault was committed, repeatedly threatened that he would scald her. The Re. Mr. Wilton then deposed to hearing, from his dressing-room, a dreadful screaming in the yard near his kitchen; that he ran out and saw the girl Milner with her hands on her head, in the most excruciating agony. "At first," added the rec. gentleman, "I thought that her hair was on fire." Mr. Wilton also said, that so intense was the agony of the girl, that he could scarcely hold her. On looking at her more closely, Mr. Wilton observed a quantity of hot fat running from the head of the girl towards her chest, and that on turning round he observed at the door of the kitchen the prisoner Harris, with the frying-pan in one hand, and deliberately turning over the fish which he had cooked with the other, and calling out, with the utmost unconcern, "What's the matter with you! What's the matter!" during which time the

prosecutrix continued screaming dreadfully, and unable to articulate a word, from her horrid sufferings. Prisoner still standing by quite unconcerned, saying, in reply to a question, that "it was an accident." Mr. Wilton concluded his evidence by stating that with the greatest difficulty the girl was carried to a bed-room, and had been attended daily by Dr. Stacy since the day of the assault. Mr. Wilton also said that for the first eleven nights after the assault, the sufferer had the constant attendance of the female members of his family, so critical was her state. Dr. Stacy then deposed as to the character of the wounds inflicted on the girl, describing them as extending from the head and partly down the back over one side of the face, and terminating at the chest, and but for the unremitting and assiduous attention shewn to the girl by the family of the Rev. Mr. Wilton she would not have appeared in the convalescent state that she then did. At the request of the bench, the prosecutrix removed her bonnet, and exposed a most frightful scald; one of her eyes was also disfigured, and the sight of it, Dr. Stacy said, was only preserved by the extreme attention paid to the girl by her benevolent and watchful attendants. The prisoner, at the close of the proceedings, said, in a somewhat petulant manner, in answer to the bench, that it was an accident, and that he would leave the affair in the hands of their worships. The bench, after commenting on the heinous nature of the charge, sentenced the prisoner to be worked in irons for twelve months, and cancelled his indulgence.

MAITLAND MERCURY, 5/291, 17/04/1847

USING THREATENING LANGUAGE. - **JANE FITZSIMMONS** was charged by **ALFRED LEVEIN** with having, on the 10<sup>th</sup> of April, used threatening language, by saying that she would set fire to the house, or murder him and his child. Mr. Levein stated that the defendant was in the constant habit of abusing his family, and that for his own personal safety he would wish the magistrates to have her bound over to keep the peace. Mrs. Fitzsimmons stated in defence, that she had never spoken an ill word directed to Mr. Levein, but that it was some other person who resided in Mr. Levein's house to whom she had always directed her discourse. The magistrates, after a patient hearing of the case, directed that she should be bound over to keep the peace. Upon hearing this decision the defendant became "like Niobe – all tears," and declared that she would sooner go to Newcastle Gaol than be bound over. She was accordingly locked up, as she would allow no one to be bail for her.

MAITLAND MERCURY, 5/293, 24/04/1847

BODILY FEAR. - **SAMUEL and MARY DAVIS** yesterday appeared before the bench, to answer a charge of putting **ELIZABETH TENNANT** in bodily fear. It appears that the parties are neighbours, and had been on bad terms for some time, when last Sunday a stone flung by Mrs. Davis at a chicken of Mrs. Tennant's struck Mrs. T. on the foot, when immediately a war of words commenced, which brought on such threats of kicking and hitting from Mr. and Mrs. Davis, that Mrs. Tennant was fain to make a precipitate retreat into her house. As she swore that she was in fear they would do her some bodily injury, they were bound over to keep the peace, Davis in £10, and two sureties in £5 each.

MAITLAND MERCURY, 5/302, 26/05/1847

THE ATTORNEY GENERAL APPREHENDING A RUFFIAN. - **DANIEL MORRISSEY** was charged on Thursday with having committed a violent assault upon several persons at the Homebush Races on the previous day. From the evidence of the Attorney General, who witnessed the transaction, it appeared that two persons

were fighting with their fists, when the prisoner, who had a long heavy stick in his hand, rushed into the crowd and struck several persons very severely on the head, when their backs were turned towards him. He (the Attorney General) thought the prisoner's conduct so dastardly, that he jumped from his horse and seized him, and by the aid of some persons in the crowd succeeded in wresting the stick from him. During the whole of the time, he was exceedingly violent, and said, "Let any b----y native in the colony come near me." He (the Attorney General) considered it his duty to come specially forward against a man who had acted in such a desperate and cowardly manner. The prisoner, who did not urge anything in his defence, was found guilty of the assault, and sentenced to pay a fine of £5, and in default of payment to be committed to Parramatta Gaol for two calendar months. *Parramatta Messenger*, May 22

MAITLAND MERCURY, 5/307, 12/06/1847

PUTTING IN FEAR. - Yesterday **ELIZA MITCHELL**, of West Maitland, appeared before the bench to answer the complaint of Mrs. **DIECKMAN**, her neighbour. It appeared that some dispute had arisen between Mr. Dieckman and Mrs. Mitchell about the latter's pigs, and that Mrs. M. in consequence became outrageous, and uttered such threats against Mrs. Dieckman, the next time she saw her, that the latter became much alarmed, and appealed to the bench for protection. Mrs. Mitchell was bound in a recognizance of £10, with two sureties in £5 each, to keep the peace for twelve months.

MAITLAND MERCURY, 5/308, 16/06/1847

VIOLENCE ON BOTH SIDES. - Yesterday an elderly man, named **JAMES M'LEAN**, brought a charge before the bench against his son-in-law, **DENNIS MAHER**, of assaulting him and putting him in bodily fear. It appeared the two men held adjoining pieces of land at Phoenix Park, and had quarrelled about some goods in Maher's house, which M'Lean claimed as his. On Thursday last this ripened into a fight, which M'Lean declared was brought on by Maher's violence, as he had used the most civil though firm language himself. Maher's statement was just the contrary, and the two proceeded to accuse each other of uttering the most violent and disgusting threats, each backing their statements by reference to the number of witnesses they had in readiness outside the court-house. The bench sentenced them both to be bound over to keep the peace towards each other in £20, with each two sureties in £10, and read Maher a lecture in the unmanliness of assaulting his own father-in-law.

MAITLAND MERCURY, 5/312, 30/06/1847

ASSAULT. - Yesterday, **SAMUEL DERRINGTON and ANN DERRINGTON** appeared before the bench, to answer the charge of assaulting **JANE GRANT**, wife of **PETER GRANT**, publican, of Lochinvar. Mr. T. Lipscomb appeared for the prosecution, and Mr. Davies for the defence. It appeared that the parties were near neighbours, and that on the afternoon of Wednesday last Mrs. Derrington was talking with Mrs. Grant in the verandah of the public-house, when Mrs. Grant took offence at some derogatory remark made by Mrs. Derrington regarding her daughter, and went in to tell her husband, who was in the bar. Mrs. Derrington followed her almost immediately, and on Mrs. Grant remonstrating with her, she took up a quart pot of water which stood on the counter, and threw the water all over Mrs. Grant, and then threw the pot itself at her. Mrs. Grant had her baby in her arms at the time, but fortunately the pot did not touch it, but struck Mrs. G. with some force on the

shoulder. Mrs. Grant handed the baby to her husband, and pounced on Mrs. Derrington as she was lifting a tumbler to send after the pit, and a battle royal between the two ladies ensued, in which Mrs. Grant's finger was severely bitten by her determined opponent. With much difficulty Mr. Grant quelled the fight, and turned Mrs. Derrington out. About two or three hours afterwards, seeing that Mr. Derrington had returned home, Mrs. Grant went to tell him of his wife's delinquencies, but found to her astonishment that he had been pre-informed, and that he refused to hear her. She persisted in speaking to him, when he commenced roundly abusing her, in which she turned to go home. Mr. D. followed, and laying his hand on Mrs. Grant's shoulder, she turned round and caught him by his flannel shirt, and recommenced her unwelcome tale, he endeavoured to shake her off, and failing, he struck her two blows on the breast and neck, and Mr. Grant, fortunately coming to the rescue, warded off a third blow with his arm. Violent threats were then uttered by Derrington against Mr. and Mrs. Grant, and their whole family. Each case of assault was heard separately, and at the conclusion both parties were convicted. Mrs. Derrington was fined 40s., and her husband 20s. and both were bound over to keep the peace for twelve months towards Mrs. Grant.

MAITLAND MERCURY, 5/316, 14/07/1847

MAITLAND QUARTER SESSIONS. - TUESDAY, JULY 13.

ASSAULT. - **WILLIAM FREDERICK SMITH** was indicted for assaulting **FRANCIS MATTHEW DOYLE**, at Maitland, on the 18<sup>th</sup> June.

The defendant pleaded guilty.

Mr. Purefoy said that he appeared for the defendant, who had pleaded guilty by his advice, as it was impossible to deny that a slight assault had been committed, arising out of a family dispute. Mr. Purefoy was proceeding to state the immediate circumstances that gave rise to the assault, when

The Crown Prosecutor begged to interrupt him, and to state that the defendant having pleaded guilty, such statements could only be made with an affidavit, when he should feel it his duty to file counter affidavits. He thought it better to leave the matter in the hands of the Court, and he would suggest that the defendant should be bound over to keep the peace, as a part of the punishment.

Having consulted a short time, the Court sentenced the defendant to pay a fine of £5, and to enter into recognisances to keep the peace, himself in £50, and two sureties in £25 each, which was done forthwith.

MAITLAND MERCURY, 5/317, 17/07/1847

DRUNKENNESS. - On Tuesday **MARY EVANS** and **MARGARET FOWLER** were brought before the bench, and pleaded guilty to the charge of drunkenness in the streets, and were each fined 10s., or to pass twenty-four hours in the cells. ...

AN INVETERATE OFFENDER.

Yesterday **MARGARET FOWLER**, who had been discharged on her own recognizance on the previous day by the Quarter Sessions Court, was brought before the police bench charged with being drunk in the street, and with disorderly and indecent conduct. It appeared that after leaving the court she must have begun imbibing forthwith; for in the afternoon she was apprehended in a disgraceful condition. This being her sixth conviction for drunkenness within twelve months, she was sentenced to be imprisoned in Newcastle gaol one month, as an idle and disorderly person.

MAITLAND MERCURY, 5/317, 17/07/1847

MAITLAND QUARTER SESSIONS. - WEDNESDAY, JULY 14, 1847

ASSAULT. - **JOHN WELSH, RICHARD MURPHY, and MARY WELSH**, were indicted for assaulting **DANIEL FANNING**, at Mount Thorley, on the 9<sup>th</sup> of April.

Mr. Purefoy appeared for the defence.

It appeared from the evidence that on that morning a neighbour named **JOHN DAWKINS** had impounded some cattle belonging to Welsh, and that Fanning had afterwards been assisting Dawkins in killing a pig. At mid-day Mrs. Welsh met Dawkins, and told him she was sure Fanning was the cause of their cattle being impounded. About nine in the evening Fanning was returning home, and was met by Welsh, who accused him of making mischief between him and Dawkins, and struck him on the head with a stick; Fanning took the stick from him, when Welsh caught him by the legs, and Mrs. Welsh and her brother Murphy, running up, commenced assaulting Fanning, and between them they injured him so much that he was under medical care for several days afterwards.

Mr. Purefoy addressed the jury, dwelling on the slight nature of the assault, apparently arising out of neighbourly quarrels.

The Chairman charged the jury, who retired for half-an-hour, and returned with a verdict of guilty against all the defendants. In consideration of her having four children, Mary Welsh was fined £1, or to be imprisoned for a week; and John Welsh and Murphy were each sentenced to be imprisoned one month in Newcastle gaol.

MAITLAND MERCURY, 5/320, 28/07/1847

TAKING A SIGHT. - Yesterday, **ELIZABETH TENNANT** appeared before the bench, to answer the charge of using threatening language towards **SAMUEL DAVIS**, and putting him in bodily fear. It appeared from Davis's statement, that not long since he was bound over to keep the peace towards Mrs. Tennant; since which period, as they are next door neighbours, he has never been allowed to forget that his hands are tied. On the 10<sup>th</sup> instant, Davis's much enduring spirit was driven beyond all bounds by Mrs. Tennant and a friend of her's "taking a lunar" at him as he was returning towards his house, and he therefore got out a summons for her, since which he had not dared to show his nose out of doors at night, being constantly assailed with stones (of which he brought a handkerchief full to court) from Mrs. Tennant's yard. Mrs. Tennant, all tears, denied having so far forgot herself, and brought her friend, a Mrs. **RYAN**, to prove it. Mrs. Ryan saw nothing of the "sight," but heard Davis say he would make that b----- w----, meaning Mrs. Tennant, leave him alone. The bench dismissed the case.

THIN WALLS AND YARDS IN COMMON. - A case of neighbours' quarrels was heard yesterday before the bench, in which **CHARLES WILSON** charged **CHRISTINA BROAD** with having uttered deadly threats against himself and children. Mr. Turner appeared for the defence. It appeared from Wilson's statement that Mrs. Broad came home very drunk and very eloquent on the 19<sup>th</sup> July, and some difference existing between herself and Mr. Wilson, she entreated her husband, who was apparently restraining her, to let her go and finish his hateful existence with a knife. As her wish was not granted, she next proceeded to denounce summary vengeance with scalding water on Wilson's children. All this Wilson heard through the wall separating her house from his, and prudently kept out of the way. Mr. Turner cross-examined Wilson as to whether his children had not been amusing themselves with making mud pies in Mrs. Broad's rooms, but the bench intimated that no

evidence or cross-examination would alter Wilson's oath that he feared personal violence from Mrs. Broad. As the fair defendant holds a ticket-of-leave, the bench said they would not bind her to keep the peace, but dismiss her on payment of costs, with a caution that she would lose her ticket if the offence was repeated.

MAITLAND MERCURY, 5/324, 11/08/1847

FAMILY DISPUTES. - Yesterday **JAMES WILLIAMS** appeared before the bench to answer the complaint of his wife, **CATHERINE WILLIAMS**. By Mrs. Williams's statement, it appeared that a dispute had existed between herself and her husband for some time, and that on Wednesday last he got so enraged by her continued refusal to state anything regarding a certain written document, as to strike her twice in the face, and afterwards to threaten her so much that she was in fear he would do her some bodily injury. In defence Mr. Williams made a long statement, in which he alleged the only assault to have been committed on himself by his wife and daughters. The bench directed him to enter into recognisances to keep the peace for twelve months, himself in £40, and two sureties in £20 each, which was done.

MAITLAND MERCURY, 5/329, 28/08/1847

ASSAULTING A CONSTABLE. - On Wednesday night, about eleven o'clock, constable **MURRAY** was called in by Mr. **KERRIGAN**, of the Buck's Head, who had endeavoured to clear his house out, but could not succeed, owing to the violence of a man named **GEORGE MILDWAY**. With some trouble Murray got him out, but they were no sooner outside than Mildway struck Murray in the mouth, and cut his lip. He was immediately taken into custody, and being brought before the bench the next day, was convicted of the assault, and fined 40s., or one month's imprisonment in Newcastle gaol.

CENTRAL CRIMINAL COURT. (Abridged from the S.M. Herald.)

TUESDAY, AUGUST 24, 1847

MANSLAUGHTER.

**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, 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 driver, named **GODRY**, then accosted O'Brien, and challenged him to fight; a scuffle then 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 deceased received a blow which knocked him down. Venables, opposite to whose house the affair took place, swore positively that no one fought with Foley, nor did he see any one strike him; he said also that the only persons present were the prisoner, the two M'Carthys, Godry, and the deceased, besides himself, at the time of the scuffle. After the 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 saw the scuffle at a distance of two hundred or three hundred yards, as 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. Another witness was present when Foley was removed from the road, who said that Richmond was not present.

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 discoloration behind 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.

The Attorney General briefly replied; after which his Honor put the case to the jury, who returned a verdict of not guilty.

**MANSLAUGHTER.**

**WILLIAM ELLISTON** was indicted for the manslaughter of **WILLIAM WHITTAKER**, an infant of about two years of age, by riding over it, at Sydney, on the 10<sup>th</sup> June last.

On the day named the prisoner and another person (unknown) were riding their horses at full speed along Clarence-street, from Church-hill towards King-street, and rode over the child of a resident in Clarence-street, named Whittaker; the prisoner rode on. He was overtaken in King-street, and given into the custody of a constable, when he was found to be drunk. Dr. **MALLON** was sent for; but the infant died in a very few minutes. The child had received a kick from, or was trodden upon by, the horse, which completely separated the frontal bone from the skull.

The jury returned a verdict of guilty, and he was remanded for sentence.

MAITLAND MERCURY, 5/332, 08/09/1847

**THREATENING LANGUAGE.** - **JOHN ROSS** appeared before the bench, on Monday, to answer the charge of putting **JOHN DORUS** in bodily fear, by his threatening language. It appeared that the two men were neighbours, and had had some quarrel bout Dorus's cattle eating Ross's hay. Ross, not fancying this proceeding, went to Dorus's house on Tuesday last, and told him that he had been looking for him in the morning, and if he found him would have bashed his brains out; he further invited Dorus to come out and fight him at once, when he would perform that operation on him. Dorus declined fighting with such a prospect, but being greatly alarmed got out a summons for Ross. As he admitted in cross-examination that no further violence had been offered, and that Ross had not struck him, the bench dismissed the case for want of proof.

MAITLAND MERCURY, 5/333, 11/09/1847

**CHARGE OF ASSAULT.** - On Tuesday last a charge of assault was brought by **CATHERINE WELSH** against **ELIZA MITCHELL**, both of West Maitland. It appeared that Mrs. Mitchell was some time ago bound over to keep the peace, but, notwithstanding this, she, as Mrs. W. deposed, insulted Mrs. W.'s son grossly as he was passing her place, in company with his mother, on the 27<sup>th</sup> August; and, when they were returning, late in the evening, she first commenced using her foul language to Mrs. Welsh, and then struck her on the face with a piece of iron hoop. When cross-examined by Mr. Davies, Mrs. Welsh admitted that she had abused Mrs. Mitchell on

her son being insulted. Mrs. Davies represented to the bench that the fact was that since Mrs. Mitchell had been bound over to keep the peace some of her neighbours had taken every opportunity of abusing and insulting her, as she was powerless; and in this case he could prove, by a witness who was unfortunately not in attendance, that no blow had been struck, although Mrs. Mitchell had naturally replied to Mrs. Welsh's abuse. The case was postponed till Thursday, to allow of this witness's evidence being obtained. On Thursday the case came on again, and **JOHN HITCHMAN** deposed that on that evening he was in Mrs. Mitchell's house when a woman commenced abused her outside; Mrs. Mitchell went out, and they had a great scolding match, the lady outside being more than a match for his friend Mrs. Mitchell in using foul language, but that he saw no blow struck. On this the bench dismissed the case.

MAITLAND MERCURY, 5/338, 29/09/1847

DESPERATE ASSAULT. - On Sunday afternoon, the 12<sup>th</sup> instant, constable **HENRY SMITH** was sitting with his wife and child in the lockup at Black Creek, when a man named **PATRICK RYAN** came in and asked for a light of his pipe. Ryan sat down on a stool for a few minutes, looking hard at Smith, but without trying to get a light, and Smith asked him if he did not want a light. Ryan answered, "No, you b----- dog, I do not," and walked out into the road, where he picked up a couple of stones. Smith followed him out, on which Ryan went to the other side of the road, and stood at bay. Smith got by a tree, to answer as a shield in case of necessity. Ryan invited him to come on and be murdered, but Smith preferred remaining on the defensive. Ryan at length bolted, and ran off through the bush to his team, which was at no great distance. Smith also ran to the team by the road, and asked Ryan's mate, who was with it, whose team it was; the man refused to tell him, and Smith stooped down to read the name on the dray. At this moment Ryan, who had reached a bank close by, threw one of the stones at Smith, and hit him near the ear, knocking him senseless; he then threw another, which knocked Smith's hat off. Mrs. Smith, who had followed her husband in terror, Ryan having called her opprobrious names in the lockup, now came up, when Ryan threw her down three times, and seizing her little girl, he threw her twice under the feet of the bullocks, but providentially the child received only trifling injuries about the head and neck. The brute, who appeared sober, then cried out, "There is a Tipperary trick for you." Smith was so much injured that some time elapsed before pursuit was made after Ryan, who was, however, apprehended beyond Singleton on the Tuesday evening following. Dr. **GLENNIE** having certified to the injury done to Smith, who lost a great deal of blood, but is not in danger, and the above evidence having been given, the bench committed Ryan for trial yesterday.

MAITLAND MERCURY, 5/342, 13/10/1847

MAITLAND QUARTER SESSIONS. [Monday, September 11]

This Court was opened on Monday last, ...

#### ASSAULT

**PATRICK RYAN** was indicted for assaulting **HENRY SMITH**, at Black Creek, on the 12<sup>th</sup> September, 1847, with intent to do him some bodily harm.

It appeared that on that day the prisoner entered Smith's house, and asked for a light, but instead of getting it he abused Smith and his wife and ran out, picking up a couple of stones, and threatening to murder Smith. Smith followed him, and shortly after went to where the prisoner's dray was, to find out who was his master. The prisoner's mate refused to tell Smith, and the latter stooped down to see if there was a

name on the dray, when the prisoner, who stood on a bank close by, threw a couple of stones at him, the first of which struck Smith on the side of the head, knocking him down senseless, and cutting him so that he bled very much; the second also striking him on the head. The prisoner then assaulted Mrs. Smith and her child, who had followed Smith to the dray.

The prisoner, in defence, asserted that the assault was commenced by Mrs. Smith on himself in the lockup, and that he rushed out to save his life, when Smith followed him with a gun.

The Chairman summed up, and the jury retired for ten minutes, and returned with a verdict of guilty. The prisoner was remanded for sentence, but was afterwards brought up, and sentenced to be worked three years in irons.

MAITLAND MERCURY, 5/345, 23/10/1847

OBSTRUCTING A MAGISTRATE. - On Wednesday **JOHN TIERNEY** appeared before the bench, to answer the charge of obstructing a magistrate and using abusive language to him. From the evidence of **EDWARD DENNY DAY**, police magistrate, it appeared that on Monday, about two o'clock, Mr. Day received a message from Dr. **M'CARTNEY** that **JOSEPH BRIDEKIRK** had dangerously wounded his wife with a carving knife, and that Mrs. Bridekirk's life was in danger. Mr. Day immediately rode over to West Maitland, and entered Mr. Bridekirk's shop, but found no one there; hearing voices, however, from a back room, he opened the door, and looked in. In the room were Mrs. Bridekirk, lying on a sofa; Mr. Bridekirk, the defendant, and a woman, whom Mr. Day believed to be Mrs. Tierney. Not seeing Dr. M'Cartney there, Mr. Day asked how Mrs. Bridekirk was, and receiving from her an incoherent answer, he left the house in search of Dr. M'Cartney, whom he met just outside. He had scarcely commenced speaking to him when he heard the defendant coming through the shop to the door, cursing and swearing against some person for daring to enter the house. Mr. Day turned and asked the defendant who or what he meant. Defendant replied, "I mean you, you d----- rascal," and shaking his fist at Mr. Day, defendant said he was a d----- infernal rascal for entering the house. Mr. Day had purposed returning into the house, to take the necessary depositions there, but seeing how violent the defendant was, he believed it was most likely the defendant would assault him if he entered the house again, and wishing to avoid giving an additional shock to Mrs. Bridekirk, he went into an adjoining house to take the depositions. Dr. M'Cartney corroborated this evidence, and did not think the defendant was tipsy. Mr. Davies appeared for the defence, and elicited from Mr. Day that defendant might have been merely pointing him out when he thought he was holding out his fist, and that no assault was committed; and also elicited from Dr. M'Cartney that he saw no indications of an assault on Mr. Day on the part of the defendant. Mr. Tierney was then bound over to keep the peace for twelve months.

MAITLAND MERCURY, 5/347, 30/10/1847

ASSAULT ON A NIGHT WATCHMAN. - On Sunday night **STEPHEN BALCOMB**, who is employed as a night watchman in West Maitland, heard cries of robbery proceeding from the house occupied by **ANN SNELL**. He went thither, and found two men inside, one of whom bolted off; Balcomb struck a light, and saw the other man struggling with Ann Snell on the ground, and accusing her of robbing him. Balcomb went towards them, on which the man jumped up, and knocked Balcomb down, accusing him of taking the woman's part. The man then grasped the watchman by the neckerchief, and nearly strangled him, but was pulled off by Mr. **SAMUEL**

**COHEN**, who had been attracted to the spot by the noise. The man was still violent, and constable **RUSHTON** was sent for, when Rushton and the watchman took the man off to custody. On Wednesday he appeared before the bench, and gave his name as **PETER MEEHAN**. He was convicted of the assault, and fined £1 or one month's imprisonment in Newcastle gaol.

**CHARGE OF STABBING.** - Two men, named **THOMAS JAMES** and **GEORGE MAGGS**, are in custody on a charge of stabbing **JOSEPH WILLIAMS**. It appears that on Tuesday afternoon last James, Maggs, a man named **LANGHORNE**, and a stranger, were drinking in Mr. Holden's public-house, Black Creek; in the evening the stranger left with his team, and shortly after James and Langhorne commenced fighting, Maggs seconding James. Mr. Holden being from home, Mrs. Holden tried to pacify the men, but in vain, and Langhorne was eventually beaten, and remained lying on the floor, when James threatened to jump on him, and did put one foot on him, but Mrs. Holden's servant pulled away Langhorne, and placed him on a stool for protection. Mrs. Holden then directed her servant, **FLINN**, to put out James, Maggs, and a man named Joseph Williams; after some difficulty Flinn got them out, and the door was shut on them, but the men commenced to throw stones at the door and windows, Mrs. Holden had the lights put out, that they might not see where the people were inside. But a short time had passed ere Mrs. Holden heard one of the men call out that he was dying, and when she lit a candle, and went out, she found that Williams had been stabbed twice about the ribs, and was bleeding much. Williams was removed inside, and constable **SMITH** sent for, who apprehended James and Maggs, when Maggs told him that he had also been stabbed in the arm. Dr. **STOLWORTHY** was called in to attend Williams, and found that one of the stabs was a serious one, but having bled him the dangerous symptoms abated, and he is now going on favourable. Dr. Stolworthy found that Maggs had a slight stab in the arm. Williams told Smith that he could not tell who stabbed him.

MAITLAND MERCURY, 5/348, 03/11/1847

**ASSAULT CASES.** - The third case was **ANN CONNOR v. BRIDGET SCOLES**. The two women are neighbours, Mrs. Connor being a coloured woman. Connor stated that, without provocation, Mrs. Scoles threw a brickbat at her head one day, after cursing her for a black cannibal. Mrs. Scoles denied the brickbat, and accused Mrs. Connor of having torn her hair, after having called her bad names. A witness, Mrs. **LUGG**, being called, gave a graphic description of the fight, and of the damage done to caps and frocks, but could not distinguish which commenced the abuse or the assault. The bench dismissed the case.

In the fifth case **JOSEPH BRIDEKIRK** appeared to answer any charge brought against him. It appeared that on the 18<sup>th</sup> October Mrs. Bridekirk was dangerously wounded in the arm with a carving knife, and as she told her medical attendants that her husband had done it he was arrested, but afterwards admitted to bail. Mrs. Bridekirk being out of danger, deposed yesterday that the wound was accidentally inflicted by her husband's throwing the knife from one table to another, and that what she had said to her medical attendants was incorrect, being uttered in the heat of passion. Mr. Bridekirk was then released from bail.

MAITLAND MERCURY, 5/354, 24/11/1847

**A DANGEROUS WOMAN.** - Our readers will remember that on two or three occasions lately a woman named **MARY JOHNSTONE** has appeared before the bench, as plaintiff or defendant, and that on one of these she was bound over to keep

the peace for twelve months. About that time she had sold several articles of furniture to a woman named **BRIDGET CORRIGAN**, of Morpeth, for £1 8s. **JONAS JOHNSTONE**, her husband, afterwards claimed the furniture back from Mrs. Corrigan, who offered to return it on being repaid the money. A few days ago Mrs. Johnstone told Mrs. Corrigan to keep the furniture till the money was repaid, which she hoped some day to do. On Sunday morning last Mrs. Corrigan was proceeding from Morpeth to the chapel at East Maitland, when she met Mr. and Mrs. Johnstone on the road. They commenced abusing her, and used such threats that, alarmed for the safety of her household goods, Mrs. C. turned back again, intending to return to Miorpeth. In passing Mr. and Mrs. Johnstone on her return, the later seized hold of Mrs. Corrigan, and threw her down, and called her husband to her assistance; when Mrs. Corrigan states that both beat her most dreadfully; Mary Johnstone swearing she would have her lifer. Mr. **RAE** fortunately came up, and separated them, and shortly after Jonas and Mary Johnstone were apprehended by district constable **M'GUINNESS**, Mrs. Corrigan having run to him at once, bleeding very much, and with all her clothes torn off, except a petticoat and her shoes. They were brought before the bench on Monday, when the above facts were deposed to, Mr. Rae stating that when he came up Jonas Johnstone was standing by, looking at the fight between the two woman, but that on being asked he immediately assisted Mr. Rae to separate them. Mary Johnstone told constable M'Guinness, after her apprehension, that she would have Mrs. Corrigan's life yet, as well as the lives of one or two others. They were both committed for trial for the assault.

MAITLAND MERCURY, 5/356, 01/12/1847

ASSAULT. - Yesterday a case of assault came on before the bench, in which **ELLEN O'BRIEN** was the plaintiff, and constable **JOHN MURRAY** the defendant. Mr. Nichol appeared for the prosecution, and Mr. Chambers for the defence. From the evidence for the prosecution it appeared that Murray was suspected of having induced **JOANNA O'BRIEN**, the daughter of Ellen O'Brien, to leave her home. Mrs. O'Brien found her daughter on the 8th November, at Mr. Bridekirk's, West Maitland, and with some difficulty induced her to go home with her. Mrs. O'Brien and her husband, accompanied by their daughter, accordingly proceeded up High-street, on their way home, and while doing so saw Murray and constable **KEDWELL** together. They had scarcely reached the Northumberland Hotel, as Mrs. O'Brien deposed, when Murray caught hold of her by one arm and Kedwell by the other, and hurried her off to the lockup, Murray striking her with a stick on the head, shoulders, and fingers; the charge made against her at the lockup was for assaulting Murray; she was afterwards bailed out, and the next day appeared at the police office, but no charge was brought on against her; when Mrs. O'Brien was taken into custody, her husband proceeded on his way home, keeping firm hold of his daughter. Mrs. **JAMES** and **FRANCIS CUNNINGHAM** corroborated the blows on the bonnet and fingers. Mr. Chambers, in cross-examination, elicited that Joanna O'Brien had called on constable Kedwell for protection, and that Mrs. O'Brien was struggling to get away from the constables, and got hold of Murray's shirt. Mr. Chambers addressed the court for the defence, and called Constable Kedwell and Joanna O'Brien. From their evidence it appeared that Mrs. O'Brien had struck and kicked her daughter after leaving Mr. Bridekirk's, and that she called in at Mr. Callaghan's, where Joanna called on Kedwell for protection, and asked him to take her mother into custody. He did not do so, however, and he and Murray (who had joined him) followed the party up the High-street till they reached the turning off by the Falls road, where Murray,

who had witnessed Mrs. O'Brien's rough usage of her daughter, spoke to Mrs. O'Brien, begging her to let her go home quietly. According to Kedwell, Mrs. O'Brien turned round and struck Murray three times in the face, on which they took her into custody, and, as he stated, used no unnecessary violence on the way to the lockup, although Murray, to force Mrs. O'Brien to let go his shirt, struck her twice lightly on the fingers, but no farther. The bench severely cross-examined Kedwell as to the exact proceedings of himself and Murray, and having consulted on their decision, convicted Murray of the assault, and fined him 40s., and further depriving him and Kedwell of their situations as constables, for abuse of the office.

MAITLAND MERCURY, 5/357, 04/12/1847

A PLEASANT NEIGHBOUR. - On Thursday **ANN CONNORS** appeared before the bench to answer the complaint of **MARY HOY**, her neighbour. It appeared that on Wednesday, the 24<sup>th</sup> ult., the two women, who reside in East Maitland, had some words over the fence, when Mrs. Connors spit in Mrs. Hoy's face, and followed it up by throwing dirt and gravel at her. Mrs. Hoy retreated into her house, on which Mrs. Connors picked up a brickbat and threw it through the window, frightening Mrs. Hoy greatly by her violence of word and action. The bench sentenced Mrs. Connors to pay 1s. damages and the costs, and to enter into recognisances to keep the peace.

MAITLAND MERCURY, 5/360, 15/12/1847

ASSAULTS. - Yesterday two charges of assault were brought before the bench. In the first Mrs. **MARY ANNE PORTER** charged her husband, **JOHN PORTER**, with assaulting her and threatening her life. It appeared that Porter, who is a journeyman butcher, on the night of Saturday, the 27<sup>th</sup> November, went home at a late hour, and on finding from his wife that she only had bread and butter for his supper, he commenced beating and kicking her, and with much foul language threatened her life. Mrs. Porter's evidence as above was corroborated by a neighbour, Mrs. **CHAPMAN**, who heard the assault and Porter's expressions. The bench convicted him of a serious assault, but in consideration for his wife, who had stated that she was dependent for support on his labour, they sentenced him to pay 40s., or to be imprisoned for a month, and to enter into recognisances to keep the peace.

The second case was **MARY DARK v. HUGH M'DONALD**. Mr. Ward appeared for the defence. According to Mrs. Dark's statement, her husband had been for some hours gambling at M'Donald's house yesterday, and she went about nine in the evening to get him home; she saw M'Donald, and told him freely of his sin in keeping a gambling house to decoy away honest husbands; but he denied her husband's being there, and shut the door. Before eleven o'clock she went again, and M'Donald scarcely waited to hear her repetition of the denunciation before he kicked her under the breast, knocking her down. Mr. Ward stated that Mr. M'Donald denied the kick, and that Mrs. Dark had raised a mob and disturbance round his door, when he prevented her by pushing her away. Mrs. Dark produced two witnesses, but neither of them saw the assault, and M'Donald had subpoenaed two witnesses, who did not attend. As several persons were stated to have been present, the bench postponed the case for a week.

MAITLAND MERCURY, 5/361, 18/12/1847

FASHIONABLE ARRIVAL. - Among the visitor's to Delandre's Hotel that have arrived during the past week, we have to announce the name of a lady well known in Maitland *Court* circles; the personage alluded to being no less a visitor than

**MARGARET FOWLER**, who was yesterday put into durance vile on warrant, charged with smashing the glaze of the shop window of Mistress **STRETCH**, a dealer in sundries, residing at Darlington.

POLICE COURT. - THURSDAY, DEC. 16

**MARGARET FOWLER AGAIN**. - This fair damsel was brought before the bench charged with the offence alluded to above; but Mrs. **STRETCH** having been sworn, declared that she could not identify the person at the bar as the same individual who broke her windows. The prisoner was therefore discharged, apparently highly delighted with the hair-breadth escape.

MAITLAND MERCURY, 5/362, 22/12/1847

ASSAULT. - In the *Mercury* of Wednesday last we gave the particulars of a charge of assault brought by **MARY DARK** against **HUGH M'DONALD**, which had been postponed the previous day to allow of further witnesses being called. Yesterday the case came on again, when Mr. Ward, for the defendant, applied for a further postponement of the case, and for warrants for two material witnesses who had been subpoenaed but had not attended. The bench said they could not grant warrants for that purpose, nor could the case be again postponed. A witness named **JUDITH BARNETT** was then called for the prosecution, whose evidence as to the defendant's having assaulted Mrs. Dark by kicking her under the breast corroborated that of Mrs. Dark herself. Mr. Ward, for the defence, stated that his absent witnesses could have proved that Mrs. Dark used foul language to the defendant, and, after throwing gravel at him, tried to force her way into his house, when the defendant pushed her out, and shut the door, but did not kick her. The bench, having consulted, said that they convicted the defendant of a gross assault, aggravated by the fact of Mrs. Dark's having been twice at his house to look for her husband, and prevent his wasting his substance in gambling; they therefore fined the defendant £5, or in default three months' imprisonment in Newcastle gaol.

MAITLAND MERCURY, 5/363, 25/12/1847

REDRESS. - A lump of a man named **TAIT**, yesterday, appeared to complain of his wife using threatening language towards him, and praying redress. Captain Innes ordered him to enter into sureties in the sum of £10 for his wife's good behaviour to all her majesty's subjects, but more particularly towards himself, for the period of twelve months. *Herald, Dec. 22*

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

DRUNKENNESS. - On Thursday **MARGARET FOWLER** pleaded guilty of having been drunk, and was fined 20s., or forty-eight hours in the cells.

ASSAULT. - On Thursday **MAURICE STACK** appeared before the bench, to answer a charge of assaulting **MARGARET FOWLER**. Margaret deposed that Stack and herself were both in Mr. Tuck's inn on the 24<sup>th</sup> December, both somewhat elevated, when Stack, who was going out, asked her if she would not leave also. The lady gave a contemptuous reply, which wounded Stack's feelings so much that, according to her account, he commenced a desperate assault on her, striking her down and then kicking her, on which she called him a hangman, and he repeated the kicks. Constable **RUSHTON**, who was present, corroborated her evidence to some extent, but two witnesses for the defence, **ROBERT POTTER** and **MATTHEW TRIGGS**, made the assault appear less, and the provocation greater. The bench convicted Stack, and fined him 10s., or in default 14 days' imprisonment.

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

MAITLAND QUARTER SESSIONS.

This Court opened on Monday morning last, at ten o'clock ...

ASSAULT.

**JONAS JOHNSTONE and MARY JOHNSTONE** were indicted for assaulting **BRIDGET CORRIGAN**, at Morpeth, on the 21<sup>st</sup> November, 1847.

It appeared that Mrs. Corrigan had purchased a few articles from the female prisoner, and refused to restore them till she was repaid. Both parties lived at Morpeth, and on the Sunday following Mrs. Corrigan was proceeding from Morpeth to Maitland, when she passed the prisoners; the woman abused her so much that Mrs. Corrigan turned back, but Mary Johnstone flew at her, and tore off her clothes, and dragging her to the ground, she tore her hair and beat her so savagely that Mrs. Corrigan was afraid that she would murder her, but fortunately Mr. **RAE**, came up and interfered between them, separating the two women by the assistance of Jonas Johnstone. At the time Mrs. Corrigan was covered with blood. Mrs. Corrigan stated that Jonas Johnstone had previously held her arm while his wife beat her, having been called on by her to do so. When apprehended for the offence, Mary Johnstone still used violent threats against Mrs. Corrigan.

In defence, Jonas Johnstone put in a written defence, asserting that Mrs. Corrigan commenced the fight by striking his wife with a parasol, and that all he did was to separate them when called on by Mr. **RAE**. Three witnesses were also called for the defence, but neither of them appeared.

The Chairman having summed up, the jury returned a verdict of not guilty as regarded Jonas Johnstone, but found Mary Johnstone guilty. The man was then discharged, and Mary Johnstone sentenced to six months' imprisonment in Sydney gaol.

ASSAULT. - Yesterday two charges of assault were brought before the bench. In the first **DOROTHY PAYNE** was the complainant, and **MARIA TAYLOR** the defendant. It appeared that both parties rent farms from Mr. M'Dougall, and that on Monday last Mrs. Taylor assaulted Mrs. Payne with a stick. Mrs. Payne, who stated that she had given no provocation, took refuge in her house, but Mrs. Taylor burst the door open, and Mrs. Payne was forced to seek the protection of a neighbour, till her husband came home. Mrs. Taylor gave a different version of the affair altogether. As Mrs. Payne had sworn she apprehended personal injury from Mrs. Taylor, the bench required the latter to enter into recognizances to keep the peace.

**MARIA EVANS v. ELIZA MITCHELL.** Mrs. Mitchell has been bound over already to keep the peace, but yesterday Mrs. Evans charged her with assaulting her. The affair appeared to have arisen out of the quarrels of children belonging to the respective ladies, and as the statements of the women were directly opposite, and no witnesses who had seen the commencement of the assault were present, the bench dismissed the case.

MAITLAND MERCURY, 6/370, 19/01/1848

ASSAULT. - Yesterday two cases of assault came before the bench. The first was **ELIZA MITCHELL v. MARY EVANS**. Mr. Davies appeared for the plaintiff, and Mr. Grace for the defendant. Mrs. Mitchell deposed that as she was passing Mrs. Evans's door, about dusk, on Monday, the 27<sup>th</sup> December, Mrs. Evans called to her to know why Mrs. Mitchell's children were so abusive, and why Mrs. M. herself always called her "**Currumbubla**." Mrs. Mitchell replied that she never knew that she had

any other name, to which Mrs. Evans retorted by hitting her a swinging blow on the head with a stick, cutting it. **THOMAS M'CORMACK**, an opposite neighbour, saw Mrs. Mitchell pass the defendant's door and return, and presently, hearing a scream, he looked up again, and saw Mrs. Mitchell step back, holding her hands to her head, while Mrs. Evans stood in her doorway, with a stick in her hand. Constable **COLLINS**, who was at some distance, ran up on hearing the noise, when he saw Mrs. Mitchell's head bleeding, and by her directions snatched a good-sized brand from the fire, which she said was the very weapon. Mrs. Evans told the constable that Mrs. Mitchell had come there to murder her. No witnesses were called for the defence, but as no evidence was produced to corroborate Mrs. Mitchell as to the commencement of the affray, the bench merely required Mrs. Evans to enter into recognizances to keep the peace.

**DRUNKENNESS.** - On Saturday, ... were brought before the bench, charged with drunkenness; ... while **MARGARET FOWLER**, whose fourth conviction it was, and who had behaved in a disgusting manner after being apprehended, was convicted of being an idle and disorderly person, and sentenced to two months' imprisonment in Newcastle gaol.

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

**ASSAULT.** - On Tuesday last **CATHERINE PAWLEY** appeared before the bench, charged with assaulting **SARAH MITCHELL**, a girl of eleven years of age. From the evidence of her mother, **ELIZA MITCHELL**, it appeared that on Saturday Mrs. Pawley and Mrs. Mitchell had some quarrel, which induced Mrs. Mitchell to send her daughter for a constable. [part unreadable] she had to pass by Mrs. Pawley's door, and that the latter not only abused her, but struck her on the head with a knife, which she threw at her, inflicting a serious wound, and threatened to have her life. The case was then remanded for further evidence, and on Thursday Dr. **LIDDELL** deposed that on Sunday evening the girl was brought to him and that he found a slight cicatrix between her shoulders, as if there had been a slight wound there some time back, but certainly not a recent one; it was too slight for him to distinguish how it might have been inflicted. On hearing this evidence the bench dismissed the case.

**BRUTAL CASE OF ASSAULT.** - On Wednesday morning, between one and two o'clock, Constable B.38, heard some women crying out murder in Philip-street, and on going to the spot, found two men, one named **ROBERT ARMSTRONG** and the other **JOHN EGBERRY**, who were violently assaulting some unfortunate women in front of a house of ill fame there. One of the men was armed with an iron bar, the other with a Sandwich Island war club, with the first of which weapons the constable was struck on first reaching the place. He then saw Egberry with the club, who attacked him with it, and knocked him down, afterwards striking and knocking down three women. Assistance, however, having by this time arrived, the constable was enabled to secure both men. They underwent an examination at the Police Office yesterday, but both were remanded to gaol for one week, for the evidence of the woman. One of these poor creatures, whose name is **MARGARET CAMPBELL**, has been dreadfully ill-used, having had her arm broken, her ribs fractured, and three dangerous wounds inflicted in her head. She is under the hands of Dr. **MALLON**, who has doubts of her recovery. *Chronicle, Jan. 27*

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

**QUARRELSOME NEIGHBOURS.** - Yesterday a case of assault came before the bench, in which some contradictory evidence was given. The plaintiff was **ELIZA**

**MITCHELL**, and the defendants **WILLIAM and CATHERINE PAWLEY**. Mr. C. Nicholl appeared for the defence. From the evidence for the prosecution, it appeared that on Saturday, the 22<sup>nd</sup> of January, Mrs. Mitchell was quietly coming down High-street, when the defendants came out of a neighbour's house, named **JAMES BROAD**, and with furious threats made towards her. She took refuge in the yard of another neighbour, named **HENRY NICHOLS**, where the defendants overtook her, and knocked her down, and Mrs. Pawley first kicked and struck her while lying on the ground, and was followed by her husband, who also attacked Nichols, who came to the rescue, but was dragged by ingloriously by Mrs. Nichols. For the defence James Broad was called, who deposed that Mrs. Mitchell had been abusing the whole neighbourhood that morning, and especially Mr. and Mrs. Pawley, but that the first he saw of the actual fight was when the two women were struggling by the gate of Nichols's yard; Pawley took no part until Nichols twice struck Mrs. Pawley, when he went to assist his wife. The bench convicted the defendants, and fined them 40s. each, and costs, or two months' imprisonment.

#### BRUTAL ASSAULT.

Yesterday **PATRICK BARNES** appeared before the bench, to answer charges of assaulting **THOMAS STAPLETON and BRIDGET STAPLETON**. Mr. Davies appeared for the defence. The cases were commenced separately, but afterwards jointly, for greater convenience. It appeared that on Thursday afternoon, the 27<sup>th</sup> January, Barnes and Mr. Stapleton was talking together near the premises of the latter, in West Maitland, when Mr. Stapleton refused to lend Barnes some money. Barnes then left him, and shortly after Mr. Stapleton, suspecting that Barnes was in the house of one of his tenants, who was absent, went there, and called Barnes out, and found that his tenant's wife was drunk. Mr. Stapleton told Barnes he ought to be ashamed of himself, and ordered him off his premises. Barnes then struck him, and Mr. Stapleton, who is blind, caught hold of him, and accused him of doing so. Barnes denied it, but Mr. Stapleton again ordered him away, and struck him with a light cane which he carried to guide his steps. By this time Mrs. Stapleton had come out, and she also ordered Barnes off the premises, on which he refused to go, and knocked her husband down with a sudden blow on the head. Barnes then drew back a little and kicked Mr. Stapleton on the head, on which Mrs. Stapleton ran forward to save him, but Barnes, striking at her left and right as if fighting, knocked her down also. Both Mr. and Mrs. Stapleton tried to rise up, but the first was kicked by Barnes on the head, and fell helplessly to the ground again, while Mrs. Stapleton fell down again from weakness. They were now both lying helpless and insensible, and Barnes was seen by two persons to give each of them two or three heavy kicks, and then to leave the place. Mr. Davies cross-examined the witnesses, but could not shake their evidence. Mr. Davies said he had a witness to produce, who could prove that Mr. Stapleton struck the first blow. The bench said that they must send the cases for trial, and that no provocation could justify the brutal treatment inflicted on a blind man and a woman. Mr. Davies said he should then reserve his defence at present. Barnes was then committed for trial at the Sessions, but admitted to bail.

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

THREATENING LANGUAGE. - Yesterday **ANN LLOYD** appeared before the bench, charged with using threatening language to **FREDERICK WILLIAM DAVIES**. Mr. Davies stated that for some years past Mrs. Lloyd had subjected him to great abuse when she met him, in consequence of her having been wronged out of a good deal of property while he was clerk in an attorney's office, but not by him, or by

the fault of the attorney, although she imputed her loss to him; and that on Saturday last he passed her in the street, when she abused him, and said she would tear his liver out. Mrs. Lloyd denied using those words, but admitted that she had abused Mr. Davies. The bench ordered that she should enter into recognisances, with two sureties, to keep the peace.

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

THREATENING LANGUAGE. - A case of cross-charges of threatening language between **ROSE FAGAN** and **SARAH HAYES** came before the bench yesterday, Mr. C. Nicholl appearing for Mrs. Fagan, and Mr. Grace for Mrs. Hayes. Mrs. Fagan's charge was first gone into, and having afforded the spectators considerable amusement, was stopped by the bench deciding that both ladies should be bound over in their own recognisances to keep the peace.

PERTINACEOUS ANNOYANCE. - On Saturday last a man named [**JAMES?**] **VAUGHAN** appeared before the bench charged with disorderly conduct. It appeared from the evidence of Mr. and Mrs. **ADAMS**, of the Black Horse, that some time ago Vaughan was lodging there, and that since he left he had taken every opportunity of insulting and annoying Mr. and Mrs. Adams, using much foul language. On Saturday night, the 29<sup>th</sup> ult. he knocked them up about one o'clock, and was so violent and used such threatening language that a neighbour was called in, by whose assistance he was secured. Vaughan holds a ticket of leave, and he was convicted of disorderly conduct, and sentenced to fourteen days' confinement, and to be returned to government.

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

ERRATUM.

In last Wednesday's *Mercury*, in a paragraph headed "Pertinacious Annoyance," we stated that Mr. **HENRY ADAMS**, of the Black Horse Inn, was the person whom **VAUGHAN** had insulted and annoyed. We find we were in error, it having been Mr. **WILLIAM ADAMS**, carrier, of East Maitland, with whom Vaughan had lodged, and whom he afterwards annoyed, for which he was punished, as stated by us.

STABBING AND WOUNDING.

**THOMAS SMITH**, a shoemaker, residing in Pitt-street, was yesterday charged before the city police court, with assaulting and stabbing one **ELIZABETH FOSTER**, the wife of a sail-maker residing in the same street. It appeared that the parties were neighbours, and that on the Saturday following the anniversary of the colony some words arose between them, when the prisoner attacked the prosecutrix with a heavy bamboo vane, as thick as a man's arm. And beat her severely; in the course of the struggle he also stabbed her with a shoe-maker's knife in the arm, inflicted a very severe wound. She was taken immediately to the shop of Dr. **J.N. SALTER**, in a fainting state from loss of blood, and the wound promptly attended to. Dr. **SILVER** deposed to the serious nature of the wound. Prisoner in his defence stated, that the woman had attacked him, and that she had cut her hand by breaking a window. He was committed to take his trial for the offence. *Chronicle, Feb. 10*

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

ASSAULT. - Yesterday **MARY SWALES** appeared before the bench to answer the charge of assaulting **JANE ASHTON**. Mr. C. Nicholl appeared for the prosecution. It appeared from the evidence of Mrs. Ashton and **HENRY WOODS**, that on the afternoon of the 11<sup>th</sup> February Mrs. Ashton was passing Mrs. Swales' house, when Mts. S. came out to her with a short stick, with which she struck her two blows,

asking her at the second blow how she dared write to Mr. Swales for money. Mrs. Ashton's answer still further enraging Mrs. Swales, she increased the vigour of her beating, and being assisted by a neighbour or two, Mrs. Ashton was unable to get away till her husband came to her help. In cross-examination Woods admitted that Mrs. Ashton stopped, leaning against a log, when she came opposite where Mrs. Swales was standing. In defence Mrs. Swales said that she had reason to believe that her husband and Mrs. Ashton were too intimate, and that Mrs. Ashton having written to him for some money, she reproached Mrs. A. with it as she passed, on which the latter pulled her cap off, which being too much she struck her, and was struck again. The bench convicted Mrs. Swales, and fined her 10s. and costs.

**NEIGHBOURS' QUARRELS.** - Yesterday three counter-charges of assault came before the bench. The first was **ANNE MAXWELL v. ELIZA MITCHELL**; the second **MARGARET BARRY v. ELIZA MITCHELL**; and the third **ELIZA MITCHELL v. RICHARD HIGHAM and JAMES BARRY**. Mr. Davies appeared for Mrs. Mitchell, and Mr. Ward for her opponents. The first two cases were dismissed on account of technical defects in the informations, without the cases being gone into. In regard to the third lengthy and contradictory evidence was brought forward. After a patient hearing the bench convicted Richard Higham and James Barry of the assault, and fined them £5 each, or two months' imprisonment in Newcastle gaol; and further required them to enter into recognizances to keep the peace.

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

**DRUNKENNESS.** - On Monday **FRANCIS PEARSON, WILLIAM DANIELS, CATHERINE PAWLEY, and WILLIAM PAWLEY**, were brought before the bench, charged with drunkenness; Pearson pleaded guilty, and was fined 10s. and the other three were fined 20s, or 24 hours in the cells; William Pawley was also required to enter into recognizances to keep the peace towards **ELIZA MITCHELL**.

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

**DISORDERLY CONDUCT.** - On Wednesday **MARGARET FOWLER** was brought up, charged with drunkenness and disorderly conduct; she was convicted on the evidence of constables **CONHAM** and **HOLLAND** if being drunk and using obscene language in the street, and of being habitually idle and disorderly. She was sentenced to six weeks' imprisonment in Newcastle gaol.

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

**ASSAULTS.**

**JOHN LEWIS** was yesterday charged with assaulting **DENNIS TURLEY**, at Rutherford. The defendant had shit the gate leading to the main road, and as Turley was in the act of opening the gate, he received a blow with a waddy on the head, which knocked him senseless for about three quarters of an hour. Turley had never quarrelled with defendant. The defendant was fined £2, or in default to undergo two months' imprisonment, and to enter into recognizances to keep the peace of twelve months in £20, and two sureties in £10 each.

**GEORGE BELLINGER** was charged with committing an assault on **WILLIAM BOSSLEY**. It appeared that while **MARIA BOSSLEY**, the wife of plaintiff, was passing by the defendant, he began abusing her, using the most obscene language, and on Mr. Bossley coming up defendant struck him a blow on the cheek. There had been no quarrel between the parties, and at the time of the assault the defendant had a stone

or piece of brick in his hand. Bellinger was sentenced to pay a fine of 40s., or to be confined in her Majesty's gaol for one month.

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

**VIOLENT ASSAULT.** - A woman named **MARY MARTEN** was summoned to appear before the bench on Wednesday, but did not appear when called on. As the case had been postponed on a previous occasion evidence was now taken, and **MARGARET FINCH** deposed that on Tuesday, the 6<sup>th</sup> April, she saw Mary Marten come up to her daughter, a young woman, and strike her; seeing Marten about to strike her again, Mrs. Finch ran forward, and told her to go home, and pulled her daughter inside; Marten then caught Mrs. Finch by the hair, and struck her two severe blows. Mrs. Finch deposed that she had given no cause for this violence, and that since that day Marten had uttered the most violent threats against her. The bench convicted Mary Marten of the assault, and fined her £5, or two months' imprisonment in Newcastle gaol, and further required her to enter into sureties to keep the peace.

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

**A DUTIFUL SON.** - **WILLIAM STEVENS** appeared on summons at the Police Court on Thursday to answer a charge of assaulting one **WILLIAM HAYES**. It appears that Hayes had taken a young man named **CURRAN** out with him on one or two occasions, and had brought him home in an advanced state of intoxication. Upon this Mrs. Stevens remonstrated with Hayes, who getting rather excited, used some strong language to the lady in the hearing of her son, the defendant, who thereupon knocked complainant down. Captain Innes, on hearing the case, dismissed the charge, remarking with some warmth, "If anybody d----d my mother I know I should knock him down." *Chronicle, April 22*

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

**INCITING TO BREAK THE PEACE.** - Yesterday two neighbours, who had quarrelled, came to settle their differences before the bench; **ELIZA KENNY** being the plaintiff, and **AGNES GUDGER** the defendant. Mrs. Kenny charged Mrs. Gudger with having used such threatening language to her on Saturday last that she was afraid of her life. Mrs. Gudger being called on for her defence gave a recital of the wrongs she had sustained from Mrs. Kenny, whom she accused of being in the habit of using bad language to her. The bench, after listening to, and laughing at, the ladies for some time, dismissed the case.

**A VERY KIND HUSBAND.** - **VALENTINE FAY**, a queer little man, rather hard of hearing, appeared before their worships, to answer a charge preferred by constable **M'GUIRE**, with having been found in the Queen's highway under the inebriating effects of the jolly God; his better half, **ELIZABETH or ELIZA FAY** ("whichever you please,") was also warned to attend, but was in too delicate a state of health to be present. Mr. Fay was convicted, and fined ten shillings or twenty-four hours in the cells. As he was being led out of the Court House to work out his "debt of honour," he turned round to the magistrates, and begged them to allow him the privilege of working out his wife's debt also. The magistrates were convulsed with laughter, and being in good humour did not negative his proposal.

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

**VIOLENT CONDUCT TOWARDS A WIFE.** - On Tuesday a man named **THOMAS CROTTY** was brought before the bench, charged with violent conduct

towards his wife. Mrs. Crotty deposed that she had been obliged to leave her house on Monday afternoon, having been struck by her husband, who used such threats towards her that she was afraid to remain in the house with him. Chief constable **WOOD** deposed that he had more than once been induced to enter Crotty's house, whose manner was that of an insane man, and who was very violent at times. The bench cautioned Crotty as to his conduct, and ordered him to find bail to keep the peace.

**DRUNKENNESS.** ... Yesterday **MARGARET FOWLER, THOMAS WILLIAMS, and ANN HALL** pleaded guilty to the charge of drunkenness, and were each fined 10s. or 24 hours in the cells.

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

**DRUNKENNESS.** - Yesterday **MARGARET FOWLER, JOHN QUINLAN, THOMAS KENNAVY, and WILLIAM FLAHERTY**, were brought before the bench, charged with drunkenness, of which Fowler and Quinlan pleaded guilty, and Kennavy and Flaherty were convicted; Fowler was fined 40s. or 48 hours in the cells, and the other three were fined 10s. each, or 24 hours in the cells.

**MAITLAND MERCURY, 6/408, 31/05/1848**

**DRUNKENNESS.** - Yesterday also **MARGARET FOWLER** was convicted of drunkenness, using obscene language in the streets, and of being of loose character, this being her third conviction for drunkenness within a month; she was dealt with under the Vagrant Act, and sentenced to three months' imprisonment in Newcastle Gaol, with hard labour.

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

**CHARGE OF MALICIOUS INJURY.** - Yesterday **CATHERINE WELSH** appeared before the bench, to answer a charge of malicious injury, brought against her by **ELIZASBETH WHARTON**. Mr. Davies appeared for the defence. It appeared that the woman are neighbours, and have had words, and that on Tuesday last Mrs. Welsh went to Mrs. Wharton's house with an axe, and with great threats against her and her house, chopped at the brick and stonework of the house. The damage done neither of the witnesses could estimate, but Mrs. Wharton deposed that she was in fear of her life from Mrs. Welsh's violent threats. Mrs. Welsh was ordered to enter into recognisances, with sureties, to keep the peace for twelve months.

**DRUNKENNESS.** - Yesterday a man named **MICHAEL MASON** was brought before the bench, and pleaded guilty to the charge of drunkenness; he was fined 10s. or 24 hours in the cells. Mason was again put to the bar, charged with assaulting **SARAH FLINN**, a married woman. It appeared that Mason and Flinn, the complainant's husband, had been fellow workmen on a farm some time ago, since which Mason had occasionally called at Flinn's house; On Wednesday Mason, who was drunk, called at Flinn's, and found only Mrs. Flinn at home; she was getting tea ready for him, when, because she refused to light his pipe a second time, he threatened to have her life, and shook his fist close to her face. As it appeared, however, that no actual blow was struck, the bench dismissed the case.

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

**NEIGHBOURLY QUARRELS.** - **MICHAEL LEARY** appeared at the court, to answer a charge preferred against him by **GEORGE MARSHALL**, his next door neighbour. It appeared from Marshall's evidence that, on the 9<sup>th</sup> of June, two

apprentices of Leary's were fighting in the workshop; Marshall hearing them, went across to see then, and said, "Well done, Frank:" upon which Leary struck Marshall, kicking him when down. The defendant cross-examined Marshall at considerable length, by which it appeared that they had often quarrelled before. Leary pleaded guilty of the assault, under circumstances of great provocation. He was fined 20s., and costs.

ANOTHER CASE OF THE SAME. - Mrs. **THWAITES** appeared on summons to answer a charge of assaulting Mrs. **EASTMORE**. It appeared, from the evidence for the plaintiff, that on the 13<sup>th</sup> June a quarrel occurred between the children of the two parties, who live close to each other, when Mrs. Thwaites's son complained to her that Mrs. Eastmore's daughter had struck him. Mrs. Thwaites ran out to avenge her son's wrongs, and struck the girl; on which Mrs. Eastmore came out and remonstrated that this was carrying the joke too far. Mrs. Thwaites threatened to treat her the same, and spit in Mrs. Eastmore's face, on which Mrs. E. retreated in-doors, leaving Mrs. T. abusing her outside. Mrs. Thwaites denied the charge, and from her defence it appeared that there was an old grudge between the families. Mrs. T.'s son was offered as a witness, but was so young that the bench declined examining him. The bench convicted the defendant, and fined her 20s., and costs, and, in addition, required her to enter into recognisances to keep the peace. - A counter-charge was then brought in by Mrs. Thwaites against Mr. Eastmore, who she stated had threatened to launch her into eternity on the following day, and had put her in bodily fear. Mr. E. denied using the words imputed to him, and stated that he had said that had he been home when the quarrel occurred he should have taken the law into his own hands. The bench ordered Mr. Eastmore to enter into recognisances to keep the peace.

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

MAITLAND QUARTER SESSIONS. - ASSAULT.

**MARGARET JOHNSON and JOHN JOHNSON** were indicted for assaulting **THOMAS CLARKE**, at Irish-town, on the 14<sup>th</sup> April, 1848.

It appeared from the evidence of Thomas Clarke and his wife that they and the Johnsons were neighbours, living on a farm near Dungog, and that quarrels had occurred between them about pigs; on the 14<sup>th</sup> April Clarke was taking home a small pig that had trespassed on his land, when Mrs. Johnson met him with the handle of a fryingpan, with which she made a blow at his head, but he caught it on his arm, and tripping her up, he took the weapon from her; her son (a boy) ran out, and threw a stone at Clarke, which struck him on the side, making him "groan very badly," Mrs. Clarke said; the boy then picked up a second stone, and his mother catching it from him, she threw it at Clarke's head, but he ducked, and avoided it.

Mrs. Johnson created great amusement in court by her cross-examination touching the pig and other matters, and in defence represented that Clarke was a very quarrelsome neighbour, and had first knocked her down; John Johnson said he came to help his mother, on seeing her knocked down. They called a witness, but he had seen nothing of the assault.

The jury returned a verdict of guilty against Margaret Johnson, recommending her to mercy, and of not guilty against John Johnson. John Johnson was discharged, and Margaret Johnson was fined 20s.

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

SYDNEY NEWS. - ASSAULT AND WOUNDING.

**THERESA CARROLL and MARY KENNEDY** were apprehended von Saturday, on a charge of assaulting **THOMAS SMITH**, a carpenter, in Clarence-street, and cutting him in the face and neck with a knife, or other sharp instrument. It appeared that both the women were abandoned characters, and that jealousy on the part of Carroll, with whom Smith was on intimate terms, was the cause of the attack. The prisoners were brought up to-day at the police-office, and discharged.

MAITLAND MERCURY, 6/430, 16/08/1848  
SYDNEY NEWS.

**FEMALE DELINQUENCY.** - A woman of the name of **ELLEN ABBERFIELD**, well known at the Police Office as a most violent and turbulent character, was brought up before the police bench to-day, having been apprehended in the act of assaulting her husband. It appeared that she had only just been liberated from gaol on Saturday last, where she had been serving a month's imprisonment for violent conduct, when she commenced an attack on her husband by pelting him with stones, brickbats, and other missiles, and by biting him in the hand. On being taken into custody she observed that it was *only* her husband she was attacking. The bench, on hearing the evidence, ordered her to find sureties for future good behaviour, or to undergo another month's confinement in gaol. She thanked the bench for the sentence, observing that "she could do that," meaning, it is presumed, undergo the imprisonment.

**SERIOUS CHARGE.** - **CHARLES ALBERSON**, a private of H.M. 11<sup>th</sup> Regiment, was yesterday before the Police Court, under the following circumstances:- A female named **BARNES**, residing in Clarence-street, stated that herself and her husband being awoke shortly after one o'clock that morning by a noise in the adjoining house, they got up to ascertain the cause, and she then went into the street and found it originated from the accused and a second soldier attempting to break into the house alluded to. The accused then took up a stone and flung it at her, when it struck her head, and a severe cut was inflicted. Alberson and his comrade made off; but presently afterwards they returned, when they commenced throwing stones at the door of her house. The charge was denied by the accused, who submitted that as there were a great many soldiers about the town on pass from barracks for the night, Mrs. Barnes must be mistaken in the identity, when she repeated she was positive he was the person who had assailed her; and the testimony of the constable who took him in charge tended to support her identification. As the wound had not been examined by any professional gentleman the case was remanded until to-day, in order that it should be so, and his evidence as to the nature of the injury taken. - *Herald, Aug. 11.* - Yesterday Alberson was committed for trial. Mr. Surgeon **HARPUR** had been applied to, and a certificate was handed in from that gentleman to the effect, that Mrs. Barnes had received a very severe contusion over the parietal bone, lacerating the scalp to some extent. Alberson was allowed bail himself, in £80, and two sureties in £40 each. *Herald, Aug. 12*

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

**ASSAULT.** - Yesterday **CHARLES GALE** appeared before the bench, to answer a charge of assault brought against him by **LEWIS BRODZIAK**. It appeared from Mr. Brodziak's evidence, that on Monday, the 28<sup>th</sup> ultimo, he was in the yard of the Maitland Hotel, when Mr. Gale walked into the yard, and after standing a minute or two he commenced talking to Mr. Brodziak about some legal matter in dispute between them. Mr. Brodziak referred him to his attorney, but Mr. Gale continued the discussion in an angry manner, and presently struck Mr. Brodziak. Mr. B. ran into the

house, and to the front door to look for a constable, but could see none, and Mr. Gale coming up behind him he struck Mr. B. a second blow on the back of the neck. Mr. **ROSSETER** corroborated Mr. Brodziak's evidence as to the latter blow, and deposed that Mr. Gale had told him before he went into the yard that he would punch Brodziak's head. In defence Mr. Gale said he was kicked by Mr. Brodziak before he struck him, and he denied having struck Mr. B. in the house. The bench convicted him of the assault, and fined him 40s., or one month's imprisonment.

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

ASSAULT. - Yesterday a man named **EDWARD MAGENNIS** was brought before the bench, charged with assaulting **PETER HANNAN**. It appeared that Magennis, who is in Hannan's employment, came home drunk on the 12<sup>th</sup> instant, and brought a bottle of rum with him. During dinner he took liberties with and insulted Mrs. Hannan, and on Hannan ordering him to leave the house, he demanded his wages, struck Hannah two or three times, and drove him before him into the bedroom, where Hannan seized a pistol, which checked Magennis till Hannan had summoned his stepson to his assistance, when Hannan made good his retreat from the house, which he was afraid to enter till he had procured the arrest of Magennis on warrant. Magennis denied the assault, and said the charge was trumped up to deprive him of his wages. Magennis was convicted, and fined £1, or one months' imprisonment.

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

ASSAULT CHARGES. - On Friday morning **MARY JOHNSON** appeared before the bench, charged by **MARIA POWERS** with assaulting her. From Mrs. Powers's evidence it appeared that Mrs. Johnson had made an unprovoked assault on her as she passed by, and had afterwards struck her on the arm. The defendant called a witness, **BRIDGET O'KEIFE**, who deposed that the two women were wrangling, and uttering threats against each other. The case was dismissed.

Yesterday **LOUISA PEACOCK** appeared to answer a similar charge, brought against her by Mrs. **POWERS**. Mrs. Powers in this case also deposed to an unprovoked attack being made against her by the defendant, who eventually struck her. She called a witness, **MICHAEL DUFFY**, who described the affair as a scuffle between the two women. Both ladies were ordered to enter into recognisances to keep the peace.

Another case was called on, **MARGARET BURNS v. MARY GLASS**. Mrs. Burns deposed to Mrs. Glass's having crossed the street on Tuesday, the 19<sup>th</sup>, expressly to attack her, and to her having then called her opprobrious names, torn her bonnet, and struck her in the face. **JAMES GLASS**, who appeared for his wife, cross-examined Mrs. Burns, when it appeared that Mrs. Burns had after the quarrel accepted 8s. from Glass, who went to her to try to make it up; but she deposed that she positively refused to make it up. The bench thought her accepting the money did not exactly agree with this, and they dismissed the case.

MAITLAND MERCURY, 6/444, 04/10/1848

ASSAULT. - On Monday another assault case was heard. **PETER M'DONALD v. GEORGE BEVIS**. It appeared that some ill-feeling existed between them, and that on Saturday M'Donald went to Bevis to ask him for a barrow, which he told him Mrs. **ECKFORD** had lent him; Bevis, who was in Mrs. Eckford's employ, refused to let him have it; M'Donald told a boy to go and fetch it, on which Bevis struck M'Donald with his bullock-whip, and threatened to throw him into the river; Mrs. Bevis ran out

and got hold of her husband, on which M'Donald retreated. Bevis was convicted of the assault, and ordered to enter into recognizances to keep the peace.

**CHARGE OF ASSAULT.** - On Monday **PATRICK GORMAN** appeared before the bench, to answer the charge of assaulting **JOHN DOYLE**. From the evidence of Doyle it appeared that the parties reside in Durham-street, and that on Friday last witness was taking down a fence, when Gorman came up, and asked him why he was doing so; witness replied that he was taking down the rails to get a load of wood in; Gorman then got a hammer and struck witness on the head with it, knocking him down; after which Gorman struck him twice more with the hammer. A witness was called, **WILLIAM SIMPSON**, who deposed that he saw Doyle tearing down a fence, when Gorman went up and asked him to desist; Doyle said he would not; Gorman then held out his arm, telling him not to break the fence; Doyle seized Gorman on this, and they both fell, struggling and rolling over each; Mrs. Doyle got a large stick, and struck Gorman with it as often as she could; Gorman did not strike Doyle with a hammer. The case was dismissed, and Doyle and his wife were bound over on recognizances to keep the peace.

**CHARGE OF USING THREATENING LANGUAGE.** - On Monday **HANNAH FORSTER** appeared before the bench, charged with using threatening language to **MARTHA MASTERS**. Mrs. Masters deposed to her being in fear of injury from Mrs. Forster, in consequence of threats uttered by the later on Tuesday evening, the 26<sup>th</sup> ultimo. Two witnesses deposed to having witnessed the quarrel, but neither had heard threats used by Mrs. Forster, while the second deposed to having seen Mrs. Masters throw water over Mrs. Forster. The case was dismissed.

MAITLAND MERCURY, 6/446, 11/10/1848

MAITLAND QUARTER SESSIONS. - ASSAULT.

**GEORGE MARRIOTT** was indicted for assaulting **JAMES WILLIAM du MOULIN**, at Wollombi, on the 16<sup>th</sup> July, 1848.

It appeared that on the evening of that day Dr. du Moulin, Marriott, and several other parties, were at Mr. M'Dougal's inn, at Wollombi, and the conversation got on electioneering politics, and led to dissension; at length Marriott spat at the Doctor three times, and the Doctor's forbearance carrying him no further he struck Marriott, and they fought for some time, Marriott getting the worst of it.

The jury returned a verdict of guilty, but re commended the defendant to mercy. He was sentenced to pay a fine of 20s., which he did, and was discharged.

MAITLAND MERCURY, 6/448, 18/10/1848

**STABBING.** - **JOHN GALLAGHER** was remanded till tomorrow on a charge of stabbing one **PATRICK CONNELL** in the thigh with a knife. Connell being unable to attend was the cause of the remand. It is stated that Gallagher had encased his nether extremities in a pair of trousers belonging to Connell, who, on asking the former for them, was attacked by him with a knife, and received a wound in the thigh, as above stated.

MAITLAND MERCURY, 6/450, 25/10/1848

**DRUNKENNESS.** - Yesterday William Ewing, Eliza Smith, Mary Lacy, and **MARGARET FOWLER**, pleaded guilty to similar charges; Fowler was fined 20s. and the others 10s. each, all being allowed the alternative of 24 hours in the cells.

MAITLAND MERCURY, 6/451, 28/10/1848

**DRUNKENNESS.** - On Wednesday **MARGARET FOWLER** was brought before the bench, and pleaded guilty to the charge of drunkenness; she was fined 40s. or 48 hours in the cells.

**COUNTER CHARGES.** - On Thursday two counter charges of assault and threatening language came before the bench. The first was **ANN PHILLIPS v. FANNY YULE**, the second **FANNY YULE v. ANN PHILLIPS**. It appeared that on the 23<sup>rd</sup> instant Mrs. Phillips had gone to Mrs. Jenner's for eggs, and while there saw Mrs. Yule's children, one of whom she accused of having thrown her (Mrs. Phillips's) things about on the previous Sunday, when the young lady politely replied that she was a liar. Mrs. Phillips, it appeared, laid her hand on the shoulder of the child while speaking to it, but did not strike it, according to Mrs. Jenner's evidence. Mrs. Yule, however, soon appeared on the scene, and accused Mrs. Phillips of having struck her child. On this a war of words began between the ladies, Mrs. Yule shaking a stick at Mrs. Phillips, and promising her a dressing if she touched her children again. As nothing desperate was said or done, however, according to Mrs. Jenner's evidence, the bench dismissed both cases.

MAITLAND MERCURY, 6/452, 01/11/1848

**THREATENING LANGUAGE.** - Yesterday, also, **WALTER ROXBURGH KEMBLE** appeared, to answer a charge of using threatening language to **FRANCES KEMBLE**. Mrs. Kemble deposed to threats uttered against her by Mr. Kemble on the 23<sup>rd</sup> instant, and prayed the protection of the bench. Mr. Kemble was bound over to keep the peace.

**CHARGE OF FIRING A GUN AT A WOMAN.** - Yesterday **MATTHEW SMITH** appeared before the bench, to answer a charge of firing a gun at **MARY GRAHAM**, on the 8<sup>th</sup> October. It appeared that both parties live at Nelson's Plains, but on opposite sides of the Hunter. On that day Smith fired twice at Mrs. Graham's pigeons, and she then crossed the river to see if they were hers. On her return back a gun was fired off as she was in the middle of the river. Mrs. Graham deposed that this third shot was fired at her by the defendant, who was then about a hundred yards from her, and standing on the bank; no shots touched witness, or fell on the river, as far as she saw. **ANN TEAGUE** saw the defendant fire off the gun twice at the pigeons, and heard the third shot, but did not see who fired it, nor at what, although she was then watching Mrs. Graham's progress across the river. Mrs. Graham deposed to threats uttered by Smith as soon as she landed on his bank, and Mrs. Teague deposed to threats previously uttered by him against Mrs. Graham, if she should go over. The bench convicted Smith of using threatening language, and ordered him to pay the costs, and to enter into sureties to keep the peace.

MAITLAND MERCURY, 6/453, 04/11/1848

**CHARGE OF ASSAULT.** - Yesterday **MARGARET RUTTER** appeared before the bench, to answer a charge of assault, brought against her by **MARGARET HENSHAW**. From Miss Henshaw's evidence it appeared that on Sunday last she was talking to a sister of the defendant, when the latter came out and told her sister not to speak to her; witness called Miss Rutter a hussy, and the latter retorted; shortly after witness was passing near Miss Rutter's house, when Miss R. threw a stone at her, which narrowly escaped hitting her mother. The defendant had also repeatedly insulted her in the street, about some evidence she gave at the Quarter Sessions. The case was dismissed, the defendant being cautioned not to give insulting language to the plaintiff.

SYDNEY NEWS. - CONTENTMENT.

**THOMAS GILLIGHAN**, a resident of Chippendale, was this day brought up before the police bench, charged with creating a disturbance and breaking the peace in that locality. The constable who appeared to support the charge stated that he heard cries of murder issuing from a house occupied by prisoner; he broke open the door, and found him beating a female, whose clothes and person were much stained with blood; he took the man into custody, and found in his pocket a large carving fork. The prisoner stated to the bench that he knew nothing of the matter, and the wife, instead of giving any evidence against him, stated that her husband was a very good man when sober; that the constable had interfered when he was not wanted; and that if her husband chose to beat her when he was drunk, she did not know who had a better right. The bench dismissed the case with a reprimand to the prisoner.

MAITLAND MERCURY, 6/454, 08/11/1848

DRUNKENNESS. - On Saturday last Michael M'Carthy and **MARGARET FOWLER** appeared before the bench, charged with drunkenness; ... Fowler was convicted, and it being her sixth offence, and attended with disorderly conduct, she was sentenced to six weeks' imprisonment under the Vagrant Act.

MAITLAND MERCURY, 6/456, 15/11/1848

ANOTHER CHARGE OF ASSAULT. - Yesterday **ROBERT SHEPPARD** appeared before the bench, to answer a charge brought against him by **MARGARET HOLLY**. It appeared from Mrs. Holly's evidence that, on Sunday morning last, she was passing defendant's place when he called her back, saying, "Come here, my game body." After this call was repeated three times, she went back, and asked him what he wanted; after some mutual expressions of contempt relative to former transactions, he struck her on the back with a brickbat, and she was obliged to set down a dish she was carrying from the force of the blow; he struck her and chased her, and had not witness's mother came to her help would have much injured her. Mr. Sheppard, whose impatience had found vent in various theatrical demonstrations during the witness's evidence, now commenced a most amusing and voluble cross-examination, from which it appeared that the quarrel was of some standing, and he endeavoured to make it appear that Mrs. Holly first assaulted him, and sent brickbats flying all over his yard after him, striking himself and his child. The bench put a few queries to Mrs. Holly as to her reason for going into the yard, and then dismissed the case.

MAITLAND MERCURY, 6/460, 29/11/1848

ASSAULT. - Yesterday an assault case, **THOMAS DEAN v. SUSAN FLINN**, was called on before the bench. The defendant did not appear, and evidenced of the service of the summons having been taken, the case was gone into. It appeared from Dean's evidence that he had taken care of Miss Flinn's house, by her desire, during her absence in Sydney. On her return she at once proceeded to get drunk, and went to bed in that state on Saturday evening. About five o'clock on the Sunday morning she came out of her room, and to witness, who was lying on a sofa, and asked him for the money he took from her on the previous evening. Witness told her to go to bed again, and when she was sober he would speak to her. She went back to her room, and witness laid down, covering his head over, but in a minute or two Flinn came out again armed with a chair, with which she struck witness about the head, inflicting several cuts and bruises. She afterwards ungratefully turned out witness, his wife, and

children, and refused even to give them up their own things. The bench convicted Flinn, and fined her 40s. and costs, or two months' imprisonment.

MAITLAND MERCURY, 7/470, 03/01/1849

THREATENING LANGUAGE. - Yesterday **FRANCES COOK** appeared before the bench, charged with using threatening language to **ANN DERRINGTON**. Mrs. Derrington deposed that she lived at Lochinvar, and that in consequence of an old grudge Mrs. Cook was continually abusing her, although for two years she had never spoken to Mrs. C.; on Sunday week Mrs. Cook threatened her so much that she was afraid to cross the road; on Thursday she repeated her threats, saying that she would scald witness and do her a variety of injuries, so that witness was afraid to cross the road, or even to go next door for a pint of milk. The bench ordered Mrs. Cook to enter into her own recognizance to keep the peace.

MAITLAND MERCURY, 7/471, 06/01/1849

MALICIOUS DESTRUCTION OF PROPERTY. - Yesterday **ELIZA MITCHELL** appeared before the bench, charged by **ROBERT SIMPSON** with breaking his windows. Mr. Ward appeared for the defence. It appeared that on the evening of the 29<sup>th</sup> December Mrs. Mitchell and Mrs. Simpson had been quarrelling, and that between ten and eleven Mrs. Mitchell was seen to go to Simpson's door and hammer away at it as of she meant to break it in. Mr. Simpson and his family were in bed, but he got up, ran to the door, and opened it; meantime Mrs. Mitchell had broken in a pane of glass in his window, and then ran away; she again came to the charge, and Mr. Simpson deposed that she broke in two more panes, finishing up by throwing a brick through the window. She was convicted, and fined 20s. or two months' imprisonment; and was also ordered to find sureties to keep the peace.

MAITLAND MERCURY, 7/477, 27/01/1849

ASSAULT. - TAKING FORCIBLE POSSESSION.

On Monday last **WALTER ROXBURGH KEMBLE, THOMAS ALFRED WARLAND, and JOHN DEANE**, appeared before the bench, charged with assaulting **FRANCES KEMBLE**, and taking forcible possession of her house. Mr. Davies appeared for the prosecution, and Mr. Turner attended to watch the proceedings on the part of Mr. Kemble's sureties. It appeared from the evidence that Mr. and Mrs. Kemble had been for some time living apart, and that on Saturday last Mr. Kemble with the two other defendants went to her house, and entering unannounced, Mr. Kemble said he took possession of the house and furniture, and gave Warland and Deane instructions to fasten the doors and keep possession, and to let no one enter the house. Mrs. Kemble expostulated with him, on which he used very insulting and threatening language, calling her a murderess, and became so violent that she dreaded he would strike her, and she reminded him that he was already bound over to keep the peace, and had now broken it. On this he became more quiet, and in a few minutes left the house, repeating his instructions to Warland and Deane. Deane meanwhile had a dispute with a servant of Mrs. Kemble's, named **LEWIS**, and had threatened to break his head with a poker of he came nearer to him. It appeared that Mr. **G.J. CLARKE** rented the house, and held a bill of sale over the furniture, while Mr. **W.A. De BACKER** was residing in the house as a friend of Mrs. Kemble; but at this time neither of them were in the house. Word was sent to Mr. Clarke, and soon after he and Mr. De Backer reached the house, which they found fastened up, and saw Warland and Deane stationed at the front window. Having in

vain asked them to open the door, Mr. Clarke forced his way in through a French window, and was followed by Mr. De Backer. Mr Clarke asked Warland by what authority he was there, and Warland refusing to satisfy him, Mr. Clarke seized him and turned him out by main force. Meanwhile Mr. De Backer was questioning Deane, who told him he was Jack the Devil and a constable, and was authorised by the police magistrate; Mr. De Backer then seized him and turned him out also. Warland again attempted to enter the house, but was prevented. A constable was then sent for, and Warland and Deane given into custody. In answer to a question from Mr. Kemble, Mrs. Kemble said she was not his wife, their marriage having been illegal. The case was remanded to Wednesday after a portion of the evidence had been taken, and the three defendants were then committed for trial for assault, but were afterwards ordered to be admitted to bail.

MAITLAND MERCURY, 7/478, 31/01/1849

MALICIOUS INJURY. - On Monday a negro named **JOHN WARREN** was charged with having maliciously injured property. It appeared by the evidence of **ALFRED KEDWELL**, a boy of ten years old, that on Friday afternoon he was standing at the gate leading to the watch-house, when he said something to Warren; Warren ran towards him, and the boy ran away, dropping his hat, which Warren picked up, and after knocking it about he took out a knife and cut it up into pieces. The boy ran crying to the watch-house, and constable **M'MANNS** soon after apprehended Warren in a small shop opposite. Warren attempted to pull the knife out of his pocket when apprehended, but it was taken from him. Warren was cautioned by the bench, and discharged.

MAITLAND MERCURY, 7/480, 07/02/1849

ASSAULTS. - Yesterday there were two cases brought forward. **JANE SHEPHERD v. JANE PYNE**. Mr. Davies appeared for the prosecution. It appeared from the evidence of the complainant, a girl of fourteen, that on the 29<sup>th</sup> ultimo she was having some warm words with Mrs. **BERRY**, a daughter of Mrs. Pyne, when the latter came up, and hearing complainant say that she ought to be ashamed of herself for talking with the likes of Mrs. Berry, Mrs. Pyne knocked her down. In cross-examination she admitted that Mrs. Pyne had previously ordered her to leave the place, but denied that she called Mrs. Berry names, or applied foul language to her; whether it was a blow with the fist, or a push with the hand, she received, she could not say; she was standing on the verandah, and fell on the road. In defence Mrs. Pyne gave a detail of highly abusive and obscene language, which she said the complainant had applied to her daughter, who was then in her own shop, and said that having in vain ordered the complainant to leave, she pushed her off the verandah with her open hand. The bench dismissed the case, thinking no assault had been made out calling for punishment.

**MARY BRYAN v. JOHN O'HARON**. It appeared from Mrs. Bryan's evidence, that on the 3<sup>rd</sup> instant she met the defendant as she was passing through a lane in Maitland, when, in consequence of some former quarrel, he addressed most abusive language to her, and lifted his foot to kick her, but she got out of the way, and invited him to kick her if he dared. The defendant denied the charge, and gave a detail of their former quarrel, in which he was repeatedly interrupted by Mrs. Bryan, whose voluble tongue highly amused the audience. The case was dismissed.

MAITLAND MERCURY, 7/481, 10/02/1849

A SALUTARY EXAMPLE. - A man of the name of **ROONEY**, whose acts of desperate ruffianism have made him a terror to the locality in which he resides, was sentenced to find sureties of the peace for three years, himself in £300 and two sureties of £150 each, giving twenty-four hours' notice of bail. In default of finding sufficient bail, he is ordered to gaol for six months.

MAITLAND MERCURY, 7/484, 21/02/1849

ASSAULT. - Yesterday **JAMES STILSBY** appeared before the bench, charged with assaulting **MICHAEL M'CARTNEY**. Mr. Davies appeared for the defence. It appeared from the evidence of Dr. M'Cartney and Mrs. **ANN STREET** that on Friday last Mrs. Street and her daughter came from East Maitland to West Maitland in Mr. Stilsby's omnibus, bringing a trunk and two parcels. They were put down at Dr. M'Cartney's, and Mr. Stilsby demanded 2s. as his fare. Mrs. Street said it was an imposition, and she paid the omnibus lad 1s. 3d., and went in. Mr. Stilsby, however, not satisfied with the fare, went himself to the house to demand the remainder of the 2s. Mrs. Street refused to pay it, on which Mr. Stilsby caught up her trunk, and said he would retain it until he was paid. Mrs. Street caught at the trunk to get it from him, on which he snatched it from her, and in doing so struck her in the face. Dr. M'Cartney, hearing the scuffle, came out, and ordered Mr. Stilsby repeatedly to leave his house; Mr. Stilsby refused, and Dr. M'Cartney at length seized hold of him, and turned him out, in doing which Dr. M'C. deposed that he received a blow in the face from Mr. Stilsby. Both witnesses deposed that Mr. Stilsby was drunk. In cross-examination Mrs. Street admitted that she was picked up at Mr. Skinner's, while her trunk, &c., were brought from Mrs. Muir's. In defence Mr Stilsby denied that he was drunk, or struck Dr. M'Cartney, and he called **JOHN ASHPOLE**, the omnibus lad, who related the facts much as they had been previously described, except that he deposed that Dr. M'Cartney struck Mr. Stilsby, and knocked him out into the street, while Mr. Stilsby did not strike Dr. L'C. The bench convicted the defendant of the assault, and fined him 10s. and costs; and warned him that it was his duty, while driving his omnibus, to keep sober and civil, and that if such a case was again proved against him it would put his license in jeopardy.

WATER POLICE OFFICE.

**ALEXANDER TAYLOR**, the chief mate of the *Inchinnan*, was this day brought up at this office, charged with assaulting **MARY STEVENS**, one of the Irish orphan immigrants by that vessel. From the evidence for the prosecution it appeared that Taylor had assaulted Stevens on two occasions, on one of which he struck her several violent blows with a broom-handle, and kicked her in the left side. From the injuries she received a spitting of blood supervened, and she kept her bed in consequence for several days. The case was postponed till to-morrow for the defence. In the examination for the prosecution, seven or eight of the female immigrants appeared, not one of whom could write her name, or, to use their own expression, "was scholar enough" to recollect the name of the month, or even the hour of the day, when the assault took place. The Mayor and Alderman **EGAN**, who presided on the occasion, intimated that it was doubtful whether any evidence could be adduced for the defence would operate in their minds to supersede a commitment.

MAITLAND MERCURY, 7/485, 24/02/1849

ILL-USING AN ORPHAN CHILD. - On Tuesday last a woman named **ANN HARRIGAN** was brought before the bench, charged with ill-using and assaulting an orphan girl, named **MARGARET DALEY**, who was in her charge. It appeared from

the evidence of **CHARLES MILLER CLARKE** that Mrs. Hannigan resided in Devonshire-street, West Maitland, and that the little girl, who appeared to be about seven years old, resided with her, and worked about the house; on several occasions he had noticed her beating the child, and on many others he had heard the child being beat, but he deposed that the child appeared too much frightened to call out or complain of it, although she was often crying. On Monday evening he saw Mrs. Hannigan go to a well, and call the child to her, when she caught hold of her, and declared that she would throw her down the well, for it was no use beating her; she did not do so, however, not beat the child, but taking her back to the house she got a bag and said she would put the girl in it; in another minute Mr. Clarke heard screams from the house, and as the door was open, he went over and entered the house, where he saw Mrs. Hannigan in a back skillion, in the act of forcing the child into a black bag, and the child herself screaming out. He had been followed by Mrs. Clarke and a Mrs. **M'CLOY**, and on Mrs. M'Cloy remonstrating with Mrs. Hannigan, the latter pushed her out, and drove out himself with much abuse. The case was remanded till Wednesday, and again till yesterday, for further evidence, chief constable **WOOD** kindly taking charge of the girl. Mr. Ward then appeared for the defence. Mr. Clarke's evidence as to the transaction at the well was corroborated by Mrs. Clarke and Mrs. M'Cloy, and also as to what passed in the house, although neither of these two witnesses were in time to see the child being pushed into the bag. Mr. **JOHN RICHARDSON** and **MARY ANN SLOAN** corroborated the evidence of the other witnesses as to the frequent beatings inflicted on the child by Mrs. Hannigan; but **ROBERT OAKLEY**, who had lived a short distance from her house for the last six weeks, had neither heard or seen anything of the kind. In defence it was urged that Mrs. Hannigan had taken charge of the little girl when only a year old, at the death of her mother, and had brought her up as if she had been her own child, while her correction had never exceeded that used by her parents; the little girl had been repeatedly corrected by her for eating sugar and otherwise pilfering and it was for eating sugar in her absence that she was correcting her that evening. **CHARLES CHAPMAN** was called as a witness for the defence, and he deposed that he had lived next door to Mrs. Hannigan for the past eleven months, and had never seen any punishment inflicted by her on the child more than a parent would inflict; she was habitually kind to the child, and the little girl appeared fond of her; on Monday evening he saw her at the well with the child, and heard her say it was for stealing sugar, but he heard no screaming afterwards from the child in the house, which he must have done had there been any. Mrs. Hannigan was committed for trial for assaulting and ill-using the child, but was admitted to bail; the bench told her she should not have charge of the child any more.

**COMMITTAL.** - You will see by the *Herald* of yesterday that **ALEXANDER TAYLOR**, the chief officer of the *Inchinnan*, was committed to take his trial for assaulting **MARY STEVENS**, as reported in my last. To-day's *Herald* also contains a report of two other assaults by the same individual, both of which were heard yesterday at the Water Police Office, and dismissed.

**ASSAULT ON THE HIGH SEAS.** - **ALEXANDER TAYLOR**, chief officer of the immigrant ship *Inchinnan* (Captain Pearce), was brought up on Monday, in the Water Police Office, on the information of one **MARY STEVENS**, one of the Irish orphan immigrant girls by the same vessel. Mr. Nichols appeared for the defence. The case was remanded till Tuesday, when Mr. Johnson appeared for the prosecution, and the case was concluded by the defendant being committed to take his trial at the next Supreme Court, and admitted to bail, himself in the sum of £80, and two sureties of

£40 each. Evidence was given for the prosecution to prove two assaults on two separate days, in the first Taylor striking the girl with a broom handle and kicking her in the side (leading to a spitting of blood for several days), for not keeping quiet when ordered; and in the second his striking her several blows with the fist because she refused to accept her portion of sand as served out by him. [We have only given an outline of the above case, as the conflicting nature of the evidence would render it an act of injustice to enter into details. We may remark that there seems to have been a bad feeling prevailing on board between the Surgeon Superintendent and the defendant, and the girls, who appear to have been selected chiefly from two celebrated Irish Unions, have taken part with either one side or the other – “Ballinasloe” in favour of the captain, “Loughrea” in favour of the mate. The gross ignorance of these females increases the complexity of the case. Out of thirteen or fourteen examined as witnesses, not one could recollect the day of the month, or the name of the month in which the offence was committed. There are three similar charges against Taylor, to come on to-morrow; and informations for violent assaults have also been taken against the Surgeon Superintendent.] *Abridged from the S.M. Herald, Feb. 21*

MAITLAND MERCURY, 7/486, 28/02/1849

ASSAULT CASES. - The second case was **MARGARET M’INTEE v. MARGARET DOWNES**. Mrs. M’Intee deposed that on Saturday, the 10<sup>th</sup> instant, she was, without any provocation, attacked by the defendant on the road, knocked down with a stone, and her bonnet torn to pieces. In defence two witnesses deposed that Mrs. M’Intee was drunk that day, and using great abuse to Mrs. Downes, while one of them deposed that although Mrs. Downes pushed Mrs. M’Intee down, she saw no blow struck. Mrs. M’Intee was calling Mrs. Downes bad names at the time. The case was dismissed.

MAITLAND MERCURY, 7/487, 03/03/1849

THREATENING LANGUAGE. - Yesterday **MARY SHEPHERD** appeared before the bench to answer the charge of using threatening language to **JANE PYNE**. Mrs. Pyne deposed that both Mrs. Shepherd and herself lived at Black Creek, and that on the 29<sup>th</sup> January Mrs. Shepherd abused herself and her daughter in the most unmeasured terms, and threatened to have both their wind-pipes pulled out. Two witnesses were called, who corroborated this statement, so far as abusive language went, but had heard no threat used. Mrs. Shepherd, in defence, alleged that she did not use the language imputed to her, and she called two witnesses, who represented the case as one of mutual abusive language between the two ladies, Mrs. Pyne having commenced it, but neither had heard any threats. The case was dismissed.

MAITLAND MERCURY, 7/488, 07/03/1849

ASSAULTS. - Yesterday two cases of assault were brought before the bench. The first was **ANN HAWKINS v. MARY ANN THOMPSON**. It appeared from Mrs. Hawkins’s evidence that on the 25<sup>th</sup> February she heard from her daughter that a child of the defendant’s had injured her ankle by throwing a stick at her; on this witness went to Mrs. Thompson and complained of it, but Mrs. Thompson refused to listen to her, or to punish the child, and witness turned away, calling Mrs. T. a faggot; Mrs. T. followed her, and struck her several blows with a stick, until she was taken off by a man who was in the house. A witness named **ALFRED WYBONNE** deposed that he saw a woman like Mrs. Hawkins at the defendant’s door, and that when she left it the defendant followed, striking her with something she held in her hand; he

was too far off to see the exact particulars, but he did not see Mrs. Hawkins strike a single blow. In defence Mrs. Thompson denied having struck a blow till Mrs. Hawkins had struck her a blows on the face with her hand, besides abusing her with foul words; she then struck Mrs. Hawkins with her slipper on the hands, but not with a stick. She called a witness, **SARAH CONSTABLE**, who saw the affair from a distance, and thought that Mrs. Thompson used a shoe to strike Mrs. Hawkins with, but witness did not see Mrs. Hawkins strike a blow. The defendant was convicted, and fined 20s. and costs; she then left the office, but having threatened Mrs. Hawkins as she was going out, she was recalled, and ordered to find sureties to keep the peace.

MAITLAND MERCURY, 7/489, 10/03/1849

CENTRAL CRIMINAL COURT. - *Wednesday, 7<sup>th</sup> March*

**ALEXANDER TAYLOR**, late chief officer of the ship *Inchinnan*, was indicted for assaulting **MARY STEVENS**, an immigrant on board that vessel, on the 13<sup>th</sup> December, 1848. It appeared by the evidence for the prosecution that on the morning of that day the prisoner was serving out the provisions, when Mary Stevens, whose berth was some little distance off, missing her wrapper, called out to know who had got it; the prisoner ordered her to be quiet, but as she persisted, he went to her, as she stood on the deck with her petticoat on, and struck her several blows with a broom-handle on the shoulder, hip, and side; she cried, and got on the form to get up into her berth; the prisoner, however, caught hold of her, threw her on the deck, and kicked her in the left side, hurting her a good deal. She suffered for some time, and getting worse, the doctor was called in, and found her very ill spitting blood; this was on the 23<sup>rd</sup> January, and several attacks of a similar nature had followed, arising, in the doctor's opinion, from the injury in the side. The prisoner had told the doctor in December that he had thrashed Mary Stevens about some sand. In defence Mr. Holroyd called to of the immigrant girls, who gave evidence almost directly contrary. The jury returned a verdict of guilty, with a recommendation to mercy. The prisoner was remanded for sentence. *Abridged from the S.M. Herald*

MAITLAND MERCURY, 7/490, 14/03/1849

CENTRAL CRIMINAL COURT. - *Thursday, March 8*

**ALEXANDER TAYLOR**, late chief officer of the *Inchinnan*, was indicted for assaulting **MARY STEVENS**, an immigrant on board that vessel, on the 27<sup>th</sup> December. It appeared that Mary Stevens, as mess woman for her mess, went on that morning to prisoner for sand to clean the decks; she complained that her allowance was not sufficient, and refused to take it, and on persisting in her refusal the prisoner pulled her out of her berth, threw her down, and slapped her several times with his hand, endeavouring to lift her clothes to slap her, but this the other girls prevented. The jury returned a verdict of guilty, with a recommendation to mercy; remanded for sentence.

*Saturday, March 10*

**ALEXANDER TAYLOR**, previously convicted of two assaults on **MARY STEVENS**, was fined £5 for each assault.

DISCIPLINE ON BOARD THE ORPHAN EMIGRANT SHIPS. - The trials that have taken place at the Supreme Court, on Wednesday and yesterday, have afforded some insight into the discipline preserved on board these ships. In one that lately arrived, the *Inchinnan*, there was a surgeon superintendent, having the entire control of the emigrants, a head matron, assistant matrons, and a schoolmaster. In spite of these appointments the mate of the vessel took upon himself to administer

punishment, and even to chastise a girl indecently. He even spoke of the exploit to the doctor jocosely, but received no check for it. But the surgeon himself (Dr. **RAMSAY**), on being put into the witness box, states (with an air of confident assurance) that he devised a new punishment for refractory girls. His system was this: to take the offender and put her in men's trousers, and then expose her in the most conspicuous part of the vessel, to the derision of the crew and others, and to the obscene jests to which on board ship such a spectacle must give rise. Dr. Ramsay also stated that he had suggested another mode of punishment, namely, to have belts made to go round the girls' waists and then to sling them up to the yard-arm. This, however, was not carried out, although the doctor seemed to have still a good opinion of it, for when asked by Mr. Justice Dickinson whether a girl so slung would not be a rather indelicate spectacle, he replied that most of the girls would not feel its indelicacy. His Honor's cool reply that the delicacy of the *men* might be offended by such a sight, conveyed a sever reproof to any one possessing a spark of manly sentiment. Mr. Justice Manning, too, pronounced a severe censure on the conduct of the head matron, who, according to her own evidence, allowed the alleged assaults to pass by without inquiry. The mere form of having these appointments on board emigrant ships is shown to be utterly useless. If such appointments are made, if they are not entrusted to proper persons who will decently and faithfully discharge the duties of them, they are worse than useless. *Herald, March 9*

MAITLAND MERCURY, 7/491, 17/03/1849

CHARGE OF CUTTING AND MAIMING. - **ELIZA WELSH** appeared to prefer a charge against a seaman named **JOHN WILLIAMSON**, who on the previous night, shortly after twelve o'clock, met her in the street, and without any provocation cut her in the arm, head, and breast with a knife, or some sharp instrument. The case is remanded for further identification of the prisoner, whom the prosecutrix positively swore to.

MAITLAND MERCURY, 7/492, 21/03/1849

THREATENING LANGUAGE. - Yesterday **WILLIAM ELLIS** appeared before the bench, charged with using threatening language to **ANN HANNIGAN**, and putting her in bodily fear. It appeared from Mrs. Hannigan's evidence that in consequence of some offensive words that had passed between them on previous occasions, Ellis, on Sunday, the 4<sup>th</sup> instant, seeing Mrs. Hannigan at her door, told her that for a little he would kick her, and for three straws would knock her head off, accompanying these delicate intimations with a volley of foul and abusive language; these threats put her in fear that he would injure her. Two witnesses corroborated generally Mrs. Hannigan's statement. Ellis, in defence, related the provocation Mrs. Hannigan had previously given him. The bench ordered him to find sureties to keep the peace.

CHARGE OF CUTTING AND MAIMING. - In my last communication I sent you an account of a charge preferred by one **ELIZA WELSH** against **JOHN WILLIAMSON**, for wounding her in the street. The prisoner John Williamson was on Saturday last committed for trial; the identity, against which a point had been raised relative to a change of dress, having been disposed of. The prosecutrix swore that he had dark trousers when he attacked her, and the evidence for the defence was that he had on white trousers when he left the vessel on the evening in question; but as five hours had elapsed from the time the prisoner left the vessel and that of the assault, this part of the defence was considered unavailable, and a committal was the result.

MAITLAND MERCURY, 7/493, 24/03/1849. - Yesterday **JAMES SMITH** appeared before the bench, charged with assaulting **JAMES COLLINS**. Collins deposed that on Friday evening last he was in Mr. Muir's inn, when Mr. Smith came in, and he asked Mr. Smith when he was going to pay a little boy of his for keeping sheep, remarking that it was time he did pay him; Mr. Smith immediately called him foul names, knocked him down, and knelt on him. Mr. Smith declined cross-examining, saying every word of this was false. A young girl, named **ELIZABETH SIMMONDS**, was called by Collins, but though she said she saw them fighting, she knew nothing of what led to it. In defence Mr. Smith said that a few days previously he had been asked questions as to Collins's character by a person who was thinking of engaging him, and he stated what he knew of Collins; on Friday evening when he went into the inn Collins was there, and immediately abused him about this, asking him what he got for his information, and wound up with applying the most insulting language to him, (which Mr. Smith repeated to the bench), and putting his fist in his (Mr. S.'s) face; and that on this he knocked Collins down. Mr. Smith called two witnesses, of whom one, **NATHANIEL HAYCOCK**, described the affair as Mr. Smith had done, excepting that, although he saw Collins advance his fists, he did not see them close to Mr. Smith; while the other witness, **ELIZABETH JOHNSON**, described the language as Mr. Smith had done, but could not describe the blows, though she saw them; both witnesses deposed that Mr. Smith did not use the insulting expression Collins swore that he did. The bench dismissed the case, telling Collins that he richly deserved all he got.

MAITLAND MERCURY, 7/497, 07/04/1849

THREATENING LANGUAGE TO A WIFE. - On Wednesday last **GEORGE WILLIAMS** was brought before the bench, charged with using threatening language to his wife, and violently resisting the police. It appeared from Mrs. Williams's evidence that her husband had on Tuesday used very violent threats to her, so much so that she became afraid of her life, and had taken refuge on the house of a neighbour's; he advised her to go to her sister's; she was proceeding thither with him when her husband caught up a large fire-stick and threatened any man's life who would take her away, using some threat about a pistol at the same time; he then tried by force to detain his wife, and being prevented he caught her infant out of her arms; constables **WARD and QUINLAN** then apprehended him, fearing to what lengths his violence might carry him. Williams was remanded to Thursday for the evidence of Quinlan, who then corroborated Ward's statement. Williams denied using any such threats, or threatening his wife at all, although he tried to prevent her leaving his house. The bench required him to enter into sureties to keep the peace.

DRUNKENNESS.

**CATHERINE PAWLEY** was convicted of drunkenness and grossly indecent conduct, and was sentenced to one week's imprisonment.

INTER-PERSONAL VIOLENCE - NSW  
1850-59

MAITLAND MERCURY, 9/678, 01/01/1851

ASSAULT. - Yesterday **BRIDGET HENRY** appeared before the bench, charged by **ELIZABETH RILEY** with assaulting her, on the 21<sup>st</sup> December. Mr. Nicholl appeared for the complainant. It appeared that on that day there was a general war of words between these parties and others living in adjoining tenements, in West Maitland, and Mrs. Henry deposed that Mrs. Riley spat in her face, and when the front door was shut on her, came and pushed it in. Two witnesses were called in defence, but they could only generally deny having seen the actions, not being able to state what they saw what passed in the front. The bench convicted Mrs. Henry, and fined her 10s. and costs, or fourteen days' imprisonment.

MAITLAND MERCURY, 9/682, 15/01/1851

ASSAULT. - Yesterday **CHARLES SAUNDERS PITT** appeared before the bench, charged with assaulting **JOHN CHAPMAN**. Mr. Turner appeared for the prosecution, and Mr. Ward for the defence. Chapman deposed that on Thursday last, as he was passing Mr. Pitt's house, Mrs. **PHILLIPS**, who lives with Mr. Pitt, abused him from the upstairs window, but he passed on, saying nothing in reply; Chapman stopped at Mr. Whittaker's, and Mr. Pitt's apprentice, **W.C. EVANS**, came in there to tell Chapman Mr. Pitt wanted to see him; Chapman went into Mr. Pitt's shop, when Mr. Pitt asked him what he meant by using just before such scurrilous language to Mrs. Phillips; Chapman denied that he had said anything to her, on which Mrs. Phillips, who was standing near, instantly knocked him down on his hands and knees by striking him a blow on the nose with a broom-handle; Mr. Pitt immediately seized Chapman by the back of the head, and held him down while Mrs. Phillips beat and kicked him; Chapman had been partially insensible for a minute or two, and recovered just as Evans was saying to Mrs. Phillips, "Go away now, and leave him alone;" Chapman then rose, and found his head and face covered with blood, from the wound on his nose, and blows or kicks on his mouth, and his head was still sore with the bruises he received; he remonstrated with Mr. Pitt, but he was ordered out of the shop, but he obtained permission from Mr. Pitt to wash his head and face from the blood before he went out. An old man named **JAMES BRIERLY** corroborated Chapman's account as to his being sent for from Whittaker's, and he saw Chapman, about five minutes after, at Mr. Pitt's door, with his face all bloody. **GEORGE IDEN**, a cab-driver, chanced to stop just opposite the door to take in a parcel, and saw Chapman on

his knees on the floor, and Mr. Pitt and a man standing by him, while a woman was leaving the shop; Iden had just previously noticed some noise in the shop and saw a broom handle flying across as he drove up. In defence it was stated by Mr. Ward that the injuries received by Chapman were greatly exaggerated, that he had brought them on himself by his insolent language, and that Mr. Pitt had committed no assault. He called **WILLIAM CHARLES EVANS**, who deposed that when Chapman came in, after witness had gone for him, Mr. Pitt reproached him for using such language in the street; Chapman fell on his knees and called the Almighty to witness that what he had previously told Mr. Pitt was true; Mr. Pitt called him a scoundrel, and ordered him out of the shop twice, and twice pushed him out, but Chapman persisted in returning into the shop, and addressed an opprobrious name to Mrs. Phillips, who was present; Mrs. P. called him a liar; Chapman said "Who do you call a liar?" Mrs. Phillips again called him a liar; Chapman then struck at her twice over Mr. Pitt's shoulder, and Mr. Pitt warded off the first blow, but the second struck her on the eye, giving her a black eye; she immediately struck at Chapman with a broom, hitting him on the nose; Mr. Pitt seized hold of Chapman by the collar, and witness jumped over the counter and took off Mrs. Phillips; Mr. Pitt then let go Chapman, who fell on his knees, but from what cause witness could not tell; witness saw only that one blow struck at Chapman, who was not kicked by either party; Chapman's face was not very bloody. **JOSEPH BATES**, cook at Mr. Pitt's, and who was called in to give Chapman water to wash his face, said he did not observe very much blood on Chapman's face; there was enough to colour the water. The bench convicted the defendant, and fined him £5. Mrs. Phillips had also been summoned by Chapman to answer the charge of assaulting him, but the case did not come on, having been settled.

**CHARGES OF ASSAULT.** - Yesterday **MARY CARR** appeared before the bench, charged with assaulting **ELIZABETH CAMPBELL**. Mrs. Campbell told a long story to the bench of the quarrels between Mrs. Carr and her husband, and between Carr and her own husband, on the 6<sup>th</sup> January, but it appeared that Mrs. Carr did not actually strike Mrs. Campbell. The bench dismissed the case, after obtaining from Mrs. Carr a promise that she would not annoy Mrs. Campbell.

In a second case **WARREN CARR** appeared to answer the charge of assaulting **ROBERT MURDOCH**. Mr. Nicholl appeared for the defence. Murdoch deposed that Carr came up as he was working at a thrashing machine, and although at first restrained by a man working with him, he escaped from him, rushed on witness, and struck him with his fist on the shoulder. Murdoch called as witness the man who held Carr back, but he said he did not see any blow struck, nor did he think one could have been struck without his knowing it. The bench dismissed the case.

MAITLAND MERCURY, 9/684, 22/01/1851

**ASSAULT CASES.** - Yesterday seven charges of assault were brought before the bench. The first was **MARY CAREY v. JOHN DUGGAN**. Mrs. Carey deposed that on the 13<sup>th</sup> instant as she was passing defendant's house, at Morpeth, he addressed opprobrious language to her, and on her replying he ran after her, kicked her on the leg, and struck her on the head. She called her son, **JAMES CAREY**, who deposed that he met Duggan that morning, and he complained that witness's mother had been again annoying him; witness told him he ought to give her in charge, as they could not restrain her at home, her mind not being quite right; Duggan replied that he would not, but he had given her a good kick or two. Duggan denied the charge, and said Mrs. Carey was continually annoying him. He called a witness, **DAVID KELLY**, who deposed that he was with Duggan, and that Mrs. Carey and Duggan

used such foul language to each other that witness ran behind a cart for shame, and saw nothing of what passed further. The bench convicted the defendant, and fined him 10s. and costs.

The second case was **AUGUSTA SUSANNAH M'LEAN v. MILES KELLY**. Mrs. M'Lean deposed that on Sunday morning, at ten or eleven o'clock, she was passing by Kelly's house, carrying her grandson, a little boy, and being tired with the great heat she went inside to rest a bit, by invitation of Kelly's daughter; after conversing a little Kelly ordered her to take the child out of the house, using some opprobrious words; she expressed her astonishment at his language, on which Kelly rose, and struck her on the chest, and pushed her violently out of the house, and continued pushing her off the premises till Mrs. Kelly asked her husband to let her go. In defence Kelly denied that he struck Mrs. M'Lean, and said he asked her to come in herself, but directed her to keep the child out as it had the distemper. He called his daughter, **SARAH KELLY**, who deposed to a similar effect, and stated that on Mrs. M'Lean's persisting in taking the child into the house, her father took her by the shoulder, and put her out of the house; he did not strike her; there were no other children in the house at the time. Kelly was convicted, and fined 5s. and costs, or one week's imprisonment.

The third case **WILLIAM FERGUSON v. EVAN WILLIAM EVANS**. Mr. Turner appeared for the defence. The plaintiff and defendant are brothers-in-law, and plaintiff had been forbidden to go on the farm of his father-in-law, Dr. Evans; on the 15<sup>th</sup> January he was proceeding towards Dr. Evans's house on business, along a path through a paddock, part of the farm, when defendant came from the house, and ordered him back; he said he wanted to see Dr. Evans about cattle, and was passing on, when defendant took him by the shoulder and pushed him off, and plaintiff stated that defendant then struck him. Defendant admitted all the circumstances except the striking, positively denying that he struck a blow. Mr. Turner contended that the defendant was justified in using the force necessary to put the plaintiff off the farm, as he refused to leave. After some discussion as to the exact particulars the bench dismissed the case.

The fourth case was **ELIZABETH SMITH v. GEORGE EDWARD CLIFFORD**. Mr. Turner appeared for the plaintiff. Mr. Clifford is national schoolmaster at Woodville, the estate of Mrs. Smith; in Mrs. Smith's absence Mr. **POWDITCH**, her nephew, gave Mr. Clifford to occupy temporarily a house in Mrs. Smith's garden, and pointed out some land that he could cultivate when the tenants had built a house for him; Mr. Clifford appears to have considered he had a right to cultivate the part of the garden nearest his house, and had put up a pigsty in it, but Mrs. Smith, seeing this there, ordered him to remove it; Mr. Clifford afterwards tethered a dog close to his house, his rope being long enough to allow him to reach an apple-tree. On the 14<sup>th</sup> instant Mrs. Smith deposed that she went into her garden, and saw the dog lying under the apple-tree; Mr. Clifford came out on hearing the dog bark, and Mrs. Smith asked him to remove the dog from the garden; he refused, and said he should like to see any one touch the dog; Mrs. Smith put her hand out as if going to do so, when Mr. Clifford pushed her violently down, and afterwards set the dog at her, and untied the dog, but kept hold of him, still setting him at Mrs. Smith; Mrs. Smith was still suffering from the effects of the fall. A man named **WILLIAM O'MEARA**, in Mrs. Smith's service, corroborated her evidence fully. In defence the defendant denied that he pushed Mrs. Smith down, but said she fell on his putting out his hand to prevent her from removing the dog, and that so far from setting on the dog he held him back; he would have removed the dog had Mrs. Smith asked him to

do so at first. Defendant also said that he had been led to believe by Mr. Powditch that he could occupy and cultivate that part of the garden for the present. At the request of the bench, Mr. Powditch, who was in court, stated what passed between him and Mr. Clifford. The bench convicted the defendant, and fined him £1 and costs, or fourteen days' imprisonment.

The fifth case was **GEORGE EDWARD CLIFFORD v. WILLIAM O'MEARA**. Mr. Turner appeared for the defence. Mr. Clifford deposed that on Friday last O'Meara, who had uttered violent language in regard to the previous affray, came into his school-room, where he was engaged in his duties, and lifted a bludgeon over him in attitude to strike; witness jumped up and seized O'Meara's arm, and stopped the blow, and he then put O'Meara out of the school; O'Meara had also threatened to knock his brains out at the first opportunity, and witness now prayed that he might be restrained. In defence the attempt to strike and the threat were not denied, but not that O'Meara had gone into the school in a threatening manner. O'Meara was convicted, and fined 20s. and costs, or fourteen days' imprisonment.

The sixth case was **PATRICK HICKEY v. JAMES EAGAN and BRIDGET SCOLES**. Mr. Ward appeared for the defence. Hickey deposed that on the 16<sup>th</sup> January, in consequence of some previous quarrels, Eagan and Mrs. Scoles refused to let him draw water from a well, used in common, and Eales pushed him towards the well, threatening to throw him in, and Mrs. Scoles struck him several blows with her fist. He called two witnesses, who corroborated Hickey's evidence as to Mrs. Scoles striking him, but did not see Eagan push him or offer any violence. The bench discharged Eagan, and convicted Mrs. Scoles, fining her 10s. and costs, or fourteen days imprisonment.

The seventh case was **JAMES STILSBY v. SIMON AYMER**. Stilsby deposed that on the 17<sup>th</sup> instant, about half-past five in the afternoon, Aymer attempted to take possession of a paddock in the occupation of witness, and a dispute following, Aymer attempted to take a mare from witness, and struck witness with a heavy bridle, knocking him down, and then gave him several more blows; subsequently Aymer made a second attack on him, but was taken off by a woman; and a third time Aymer was coming down the lane with an axe, but was stopped. He called as witness **WILLIAM STANTON**, who deposed that he saw nothing of the transaction, and **ELLEN MORGAN**, who saw Aymer and Stilsby having a dispute, each having hold of a horse, but she observed no blows pass; a few minutes afterwards she saw Aynmer going into the lane with an axe, but he was cautioned by a neighbour and returned. In defence, Aymer called a witness, **WILLIAM MILES**, to prove that Stilsby struck the first blow, but this witness could only speak as to a dispute in Stilsby's house, about four o'clock, and saw nothing of the affair in the paddock. The bench convicted Aymer, fining him £5, or in default one months' imprisonment.

MAITLAND MERCURY, 9/687, 01/02/1851

**DANGEROUS ASSAULT.** - On Tuesday last Inspector **M'COOK** confined a man named **EDWARD MALONEY** and his wife, for committing a violent assault on a person named **WESTEN WERRY**, a cooper, residing at the Glebe. It appears that on Monday night the whole of the parties were at a Forester's ball, held at Clissold's public-house in the Glebe, and about seven in the morning they commenced quarrelling and fighting, when Maloney's wife stabbed Werry in the head, with a knife, while her husband was holding him down. The parties were yesterday brought up at the police office, but were remanded until Werry should be able to appear to

give evidence – the wound having been pronounced dangerous by Dr. **REID**. *Herald*, 30<sup>th</sup> January

SYDNEY NEWS. - **EDWARD and ALICE MALONEY** were brought up before the police bench to-day on a charge of violent assault of a man named **WESTON WERRY**; the former named prisoner was fined 20s. for a common assault; the female was committed on the charge.

MAITLAND MERCURY, 9/690, 12/02/1851

ASSAULT CASES. - Yesterday seven charges of assault were brought before the bench. The first was **THOMAS MOORE v. HENRY MILLS**. A quarrel had occurred between the parties relative to Mills having ordered Moore's horses out of a yard occupied by Mills and others; Moore deposed that Mills rushed on him and struck him several blows, that he then slipped down, when Mills kicked him in the ribs as he lay on the ground. Moore called as witness his lad, **JOHN HOWE**, but Howe could not see the actual fight for the crowd. In defence Mills stated that Moore challenged him to fight, and struck the first blow at him; Mills denied that he kicked Moore. Mills called his brother and **EDWARD GATES**, who occupy the premises with him, and both deposed that Moore was the aggressor, assuming a fighting attitude, and challenging Mills to turn him out of the yard, and that Moore used much foul language. **THOMAS MILLS**, who parted Moore and his brother, was positive that his brother did not kick Moore. The bench dismissed the case.

The second case was **JAMES MINSLOW v. JOHN FORAN**. It appeared from the evidence of Minslow and **CATHERINE M'LEAN** that Minslow was sitting at his own door on 3<sup>rd</sup> February, when Foran came up, in liquor, and accused Minslow of speaking ill of him; Minslow denied that he had done so, but Foran insisted, and struck Minslow, and after he was pulled away from Minslow by another man Foran ran for a stick, which was taken from him; Minslow took refuge in his house, but Foran burst the door in several times, and used great threats against him. In defence Foran said he was drunk, and believed there had been a quarrel between him and Minslow. Foran was convicted, and fined 20s. and costs, or fourteen days' imprisonment.

The third and fourth cases were **JESSE HALL v. HENRY WOODS**, and **HENRY WOODS v. THOMAS HALL**. Jesse Hall is the son of **THOMAS HALL**, and is apprenticed to Woods; on the 4<sup>th</sup> February a difference occurred between Woods and his apprentice, Jesse Hall, which led to blows on both sides, and to Woods' arm being broken by a brickbat thrown by Jesse Hall. No witness was present at the transaction, and the statements of Jesse Hall and Woods were very different. Hall deposed that Woods lifted a sapling and struck him on the head, and that he then threw a brickbat at Woods, having picked up the brickbat at the same time that he saw Woods picking up the sapling; that Woods then seized him by the hair and jammed his head against the ground several times, and also struck him several blows with his fist. Woods stated in defence that he saw Hall lift up the brick as if to throw, and he then picked up the sapling and knocked the brick out of his hand, but did not strike him; he ordered Hall into the shop, telling him he would hand him over to the police, and turned to go away, when the brick was thrown and struck him on the arm, breaking it; he turned and called Hall names, and seized and struck him; twice more he was obliged to seize Hall on seeing him apparently feeling for the brick, and on Hall's challenging him to come on; he had to seize him with the left hand, his right being useless; at length, on pointing out the mischief done to his arm, Hall's manner changed, and he begged his pardon earnestly. Woods' charge of threatening against

Thomas Hall was, that on the same afternoon he not only gloried in what his son had done, but said it was just what he had told him to do, and that if it was not for Woods' broken arm he would himself knock him down; Woods did not swear positively he feared violence from Thomas Hall. The bench said it was clear that Woods was the aggressor, and resorted to an improper weapon for chastisement, and they convicted him of assault, fining him one shilling and costs; the case of Woods against Thomas Hall was dismissed: Woods had summoned Jesse Hall to answer a charge of assault, but this case was postponed, to allow of additional evidence being procured.

The fifth case was **MARY COBBY v. ELIZA MITCHELL**. Mrs. Cobby deposed that as she was passing Mrs. Mitchell's door, the latter, without any provocation, came out and knocked her down. She called two witnesses, one of whom deposed that she saw the assault, and the other that shortly after Mrs. Cobby left her house she heard screams. In defence Mrs. Mitchell denied the charge, and called a witness who was not present, but saw Mrs. Cobby on the ground, when she said Mrs. Mitchell had pushed her down. Mrs. Mitchell was fined 10s. and costs, or fourteen days' imprisonment.

The sixth case was **CHARLOTTE JONES v. WILLIAM JONES**. The parties were husband and wife, the wife stating that her husband beat her, and praying for protection against his violence, and the husband stating that he and his wife never quarrelled but when she drank. The bench thought there was no sufficient cause shown to bind over Jones, and dismissed the case.

The seventh case was **GEORGE CAMPBELL v. JACOB SCHIEB**. Campbell deposed that on the 2<sup>nd</sup> February Schieb was about to pass over his land at a place where there was no passage, and on Campbell's stopping him, Schieb presented a gun at him twice. In defence, Schieb (through Mr. Nelson, who acted as interpreter), said that he rented the Dalwood vineyard, and Campbell rented ground adjoining, and that he (Schieb) was not on Campbell's ground, but that Campbell threatened to knock his (Schieb's) brains out for saying Campbell's son had taken some grapes; that when he had the gun he was on the vineyard, and Campbell was coming in, when he warned him to keep off, but did not point the gun at him. The bench inquired closely from Campbell as to the right of roads there, and decided to communicate with the proprietor of the estate, cautioning Schieb not to present guns at people, nor trespass on their lands.

**VIOLENT ASSAULT.** - Yesterday a man named **JAMES CARTER** was brought before the bench, charged with violently assaulting ----- **HOGAN** in West Maitland, on Monday evening. The evidence of Dr. **SCOTT** was taken, to the effect that Hogan had received two severe and dangerous cuts on the head. Carter was then remanded for three days.

MAITLAND MERCURY, 9/692, 19/02/1851

**ASSAULT CASES.** - Yesterday three charges of assault were brought before the bench. The first was **HENRY WOOD v. JESSE HALL**. Mr. Nicholl appeared for the defence. This was the same case detailed in the report of the case Hall. V. Wood in the *Mercury* of Wednesday last, Wood now prosecuting Jesse Hall, his apprentice, for assaulting him by throwing a brick at him which broke his arm. Wood now deposed to the circumstances precisely as he stated in defence in the charge against hi, but he said he could not produce any evidence as to the first part of the transaction, until after his arm had been broken. The bench said that the case had only been postponed on the first occasion on the understanding that Wood could produce such evidence; they therefore dismissed the case.

The second case was **JOHN KILFOIL v. HENRY BROWN**. Brown, who lives at Black Creek, did not appear, but service of the summons having been proved, the case was proceeded with. It appeared from Kilfoil's evidence that on the 11<sup>th</sup> instant he was stopping at Mr. Ramsay's inn, New Freugh, when Brown got to words with him, charging him with various things, and threatening to strike him; Kilfoil at last told him he would bring him before the bench when Brown struck him in the face, and they fell, Brown uppermost. A warrant was ordered to issue for Brown.

The third case was **MARIA POWERS v. WILLIAM POWERS**. Mr. Turner appeared for the defence. Mrs. Powers deposed that on Sunday evening her husband came home drunk, and on her reproaching him he struck her twice on the face with his fist, and threatened her life, and afterwards threatened to burn the house if his children were not delivered to him; he had struck her on previous occasions, but she had never brought him before the bench before; they had been separated by mutual consent since the 7<sup>th</sup> January; she admitted that she struck him on the hand with a fork on his forcing his way a second time into the house. The bench cautioned the defendant, requiring him to pay the costs.

MAITLAND MERCURY, 9/693, 22/02/1851

CHARGE OF ASSAULT. - Yesterday **ROSE MAGENNIS, CATHERINE HAGGERTY, and MARY JONES** appeared before the bench, charged by **HANNAH SPALDS** with assaulting her on Tuesday last. Mr. Turner appeared for the defence. Mrs. Spalds deposed that on Tuesday the three defendants chased her to a neighbour's house, and there all three assaulted her, and beat and kicked her. She called two witnesses, and one was called for the defence; but after a lengthy examination, during which it appeared that Mrs. Spalds made very free use of her tongue that day, and had, as one witness stated, struck Mrs. Magennis, the bench dismissed the case.

MAITLAND MERCURY, 9/694, 26/02/1851

MALICIOUS INJURY. - Yesterday two charges of this nature were brought before the bench. **ELIZA MITCHELL** charged **AGNES M'GRATH, CATHERINE WELCH, and ELIZABETH JOHNSTONE**, with smashing her windows on the 21<sup>st</sup> instant, and destroying sundry bottles of pickles, several combs, and other articles, to the value of 12s. Mr. Turner appeared for the defence. Mrs. Mitchell deposed that Mrs. Welch kept herself and her neighbours up on the night of the 20<sup>th</sup> by her violent conduct, and that about half-past five next morning Mrs. Welch and Mrs. M'Grath assaulted her house by throwing brickbats through the windows, which did the damage complained of; Mrs. Johnstone was present, taking part in their awful threats, but threw no bricks. Mrs. Johnstone was discharged by the bench, and the case as regarded the other two defendants was postponed till Friday.

In the second case **CHARLES GALE** charged **MARIA WHITTAKER and THOMAS BAYLISS** with maliciously maiming his horse on the 21<sup>st</sup> instant by throwing a stone at it which cut its leg. Mr. Gale deposed that he was sitting at his window that day, and saw his horse going up the lane by the side of Mr. Whittaker's house, when young Bayliss threw a stone at the horse which struck it in the leg, cutting it; witness was too far off to hear what was said, but he was sure from Mrs. Whittaker's actions that she encouraged the young man to do so, and he had also been told so. The bench immediately discharged Mrs. Whittaker, on which Mr. Gale said he did not care about prosecuting the other defendant, who was then also discharged.

**CHARGE OF ASSAULT.** - Yesterday **HENRY BROWN** appeared before the bench to answer the charge of assaulting **JOHN KILFOIL**. Kilfoil deposed to the charge as reported in the *Mercury* of last Wednesday. Brown stated, and called a witness who deposed, that Kilfoil used foul and provoking language to Brown, spat in his face, and squared up to him, before he was struck, and then they had a fight over it. The case was dismissed.

MAITLAND MERCURY, 9/695, 01/03/1851

**VIOLENT ASSAULT.** - On the afternoon of the 10<sup>th</sup> February a man named **JAMES CARTER**, residing in West Maitland, was seen by his neighbours beating and kicking a woman, and when remonstrated with said she had been insulting his wife; a man named **JAMES HOGAN** was attracted to the spot by hearing screams, and saw Carter kick the woman violently; Hogan said he was no man for doing so, for they all had mothers of their own; Carter muttered some threat, and going into his house he brought out a nullah nullah, and struck Hogan a violent blow with it on the left temple, felling him to the ground insensible; Hogan lay insensible so long that the people around got alarmed, and Dr. **SCOTT** was sent for, who on arrival found Hogan still insensible, and bleeding from two severe cuts above the temple, which laid bare the bone. As the wounds were dangerous, from the likelihood of their giving rise to inflammation of the brain, Dr. Scott immediately gave Carter into custody. Carter was brought before the bench the next day, and Dr. Scott having deposed that Hogan was still in danger, and had then only partially recovered consciousness, Carter was remanded to await the result. Hogan remained fourteen days under the Dr.'s hands, but has happily recovered. On Wednesday the necessary evidence, as above, having been taken, carter was committed for trial at the Quarter Sessions.

**MALICIOUS INJURY.** - Yesterday the case of **ELIZA MITCHELL v. AGNES M'GRATH and CATHERINE WELCH** was resumed. **JOANNA WITTON** corroborated Mrs. Mitchell's evidence, having seen M'Grath and Welch throw bricks at Mrs. Mitchell's windows, and break them; Mrs. Welch had previously called to Mrs. Johnson aloud, inviting her to come and have a game at Eliza Mitchell's, and the women had set witness's dog on Mrs. Mitchell's fowls. In defence Mr. **GEORGE LONSDALE** was called, but he knew nothing of the occurrence. The defendants were convicted, and were each fined £2 and costs, or one month's imprisonment.

**BINDING TO THE PEACE.** - On Thursday **JOHN PORTER** appeared before the bench, charged by his wife with assaulting her; he was ordered to find sureties to keep the peace, himself in £40, and two sureties in £20 each. On the same day **CATHERINE HARDING** was brought up, charged with assaulting her husband; she was also required to enter into sureties to keep the peace, in two sureties of £20 each.

MAITLAND MERCURY, 9/698, 12/03/1851

**MALICIOUS INJURY AND ASSAULT.** - Yesterday two counter charges of malicious injury and assault came before the bench, and occupied a great deal of time. These were **JOHN RICHARDS v. JAMES THOMPSON** for malicious injury, and Thompson v. Richards for assault. The lands of Richards and Thompson adjoin each other, and Thompson maintains that Richards has put up a fence on his land, while Richards contends that he has put the fence up within the surveyor's boundary line as pegged out; on the 28<sup>th</sup> ult. Thompson took the law into his own hands by going and pulling down a panel of the fence; Richards went to the rescue of his fencing, and a struggle ensued between them, Richards striving to put up the rails again, and Thompson to prevent him; this was repeated twice that day, Richards carrying his

point each time; Thompson was struck or injured by the rails during each struggle, and charged in on Richards as an assault. The bench convicted the defendants in each case, fining Thompson 1s. and costs, and Thompson 5s. and costs.

**FAMILY QUARRELS.** - Yesterday three charges of malicious injury, threatening language, and assault, came before the bench, arising out of family disputes. The cases were **ELIZA HORNE v. MARTHA MASTERS, DANIEL HENRY v. MARTHA MASTERS, and MARTHA MASTERS v. DANIEL HENRY.** Mr. Ward appeared for Mrs. Masters in each case. Mrs. Masters is daughter of ---- Henry, and Daniel Henry is her uncle; her father and mother live next door to Mrs. Horne; on the 28<sup>th</sup> ult. Mrs. Masters and Mrs. Henry, her mother, were talking at Mrs. Henry's door about her father, who drinks some, and who they considered was encouraged in his habits by Mrs. Horne; Mrs. Horne heard some of their comments, and a war of words commenced, and Mrs. Horne deposed that Mrs. Masters invaded her house, and threw a basin at her, thereby breaking it and doing damage to the amount of 3d.; Mrs. Masters, however, called evidence in disproof, from which it appeared that she never entered Mrs. Horne's house, and that the only use made of the basin was a threat by Mrs. Horne to break it over Mrs. Masters's head. The bench dismissed the charge of malicious injury. On the same afternoon Mrs. Henry was accompanying her daughter homewards, when they met Daniel Henry, and Mrs. Masters reproached him, she states, with helping his brother to abuse her mother, on which he struck her on the mouth with the back of an axe he was carrying. Daniel Henry, on the contrary, deposed that Mrs. Masters left her mother on purpose to come and abuse him, which she did to an unpleasant extent, and that he could only keep her from coming to close quarters by holding between her and himself a saw and an axe he was carrying. A witness named **WILLIAM M'LAUGHLIN** deposed that he saw the affair, that no blows were struck, while Daniel Henry laughed at the idea of his being in fear of his niece. The bench dismissed both cases.

**MAITLAND MERCURY, 9/700, 19/03/1851**

**VIOLENT ASSAULT.** - On the 17<sup>th</sup> ultimo **TIMOTHY HICKEY** was brought before the bench, charged with a violent assault on **JOHN AHERNE**, Mr. Turner appeared for Hickey. From the depositions taken by Major Crummer from Aherne on his sick bed, and from those taken on the 18<sup>th</sup>, the case having been remanded, it appeared that Aherne was drunk on the Thursday previous, and was lying by the fence of a farm adjoining Hickey's; at this time Hickey had the thrashing machine at work on his farm, and had of course a number of men employed; Aherne spoke to some of these men as they passed by him, and asked one of them, **WILLIAM POWER**, whether he would have a glass of rum; Power said yes; Aherne then told him to go and get it from his master's keg; Power went away, offended, and Hickey appears to have learnt that Aherne was talking to his men, for he came to the spot and asked Aherne what he was saying to Power; Aherne said nothing; Hickey ordered him away, and told him to let his men alone, and he would have nothing to do with him; Aherne said he didn't care a d---n for him or his men either; upon this Hickey picked up a stick lying near, and struck Aherne one blow on the head, which knocked Aherne senseless. Aherne was subsequently brought to Maitland, and placed under the care of Dr. **M'CARTNEY**, his case at first appearing so dangerous that his deposition was taken at once by Major Crummer. The case was remanded from time to time, Aherne recovering from the effects of the blow. Yesterday Mr. Turner for Hickey, and Mr. Ward for Aherne, applied to the bench for permission to withdraw the case, Aherne

being perfectly recovered, and Hickey making him compensation and paying all expenses. After some discussion the bench consented.

**CHARGE OF BEING A PUBLIC NUISANCE.** - Yesterday **JOSEPH CRUMP and SARAH CRUMP** appeared before the bench, charged with being a public nuisance to their neighbours, by quarrelling, fighting, and making a tumult and disturbance. The evidence of **ALFRED OKE EDYE** and **WILLIAM CLEMENS** was taken as to the conduct of the defendants, who reside in High-street, on the 11<sup>th</sup> instant, when further proceedings were stayed by Mr. Ward, for the defendants, announcing that the prosecutors had consented to withdraw the charge, on condition that the conduct complained of was not repeated, and that the defendants should pay a sum to the Maitland Hospital. With the consent of the bench the parties withdrew to make any arrangements they chose, and the case was not again brought on.

MAITLAND MERCURY, 9/702, 26/03/1851

**ASSAULT CASES.** - Yesterday two assault cases came before the bench. The first was **ELIZASBETH WALTON v. ELIZA MITCHELL**. Mrs. Waton, who lives near Mrs. Mitchell, charged her with having, on Monday, thrown brickbats at her and her children, and with coming to abuse her afterwards, threatening her life, and putting her in mortal fear. She called a witness who deposed to the threats used. Mr. Mitchell, on defence, charged Mrs. Walton with injuring her turkeys, and with continually using foul language to her. The bench convicted the defendant, fining her 10s. and costs, or fourteen days' imprisonment, and requiring her to enter into sureties to keep the peace for twelve months.

The second case was **JAMES M'GUINNESS v. WILLIAM CHEATER**. Mr. C. Nicholl appeared for the defence. The case was commenced last Friday, and remanded. It appeared from the evidence that on Wednesday last the defendant was intoxicated, and was seen driving in his gig towards Morpeth in a state that appeared scarcely safe; M'Guinness, the district constable, was told of this, and that he ought to prevent defendant driving further; M'Guinness saw the gig stopping at Mr. Ballard's, and had it taken into the yard for safety, and he then remonstrated with the defendant, who was in the inn, telling him he had better lie down till he was sober; defendant refused, and shortly after, seeing the ostler taking the horse out of his gig, defendant went to the spot, and insisted on the horse being harnessed again, as he was going home; M'Guinness followed, and said defendant should not go home then, or get into the gig, and M'Guinness deposed that the defendant then struck him a heavy blow in the face, nearly knocking him down; but a witness said that M'Guinness pushed defendant away from the horse before the blow was struck. M'Guinness, on receiving the blow, apprehended defendant, handcuffed him, and placed him in the lockup. In defence Mr. Nicholl contended that M'Guinness himself committed the first assault, and commented on the hardship endured by the defendant, who he stated was kept handcuffed all night. The bench said M'Guinness acted perfectly correctly in preventing defendant from endangering himself by resuming his seat in the gig, but he should not have apprehended defendant after once letting him go out of his hands, nor should he have handcuffed him; they dismissed the case.

MAITLAND MERCURY, 9/704, 02/04/1851

**CHARGES OF ASSAULT AND THREATENING BEHAVIOUR.** - On Monday **PETER COOKE** was brought before the bench, and on the application of his wife, **ANGEL MARIA COOKE**, was ordered to enter into sureties, himself in £20, and one surety in £20, to keep the peace for twelve months.

Yesterday **ROSE FAGAN** appeared to answer a charge of using threatening language to **THOMAS CASTLEDYNE**; her husband, **PATRICK FAGAN**, had also been summoned, but did not appear, and she said he had left her and gone to New England. The evidence of Castledyne and **WILLIAM SIMPSON** proved that a quarrel was going on between Fagan and Castledyne on Sunday last, and that in the afternoon Mrs. Fagan took part in it, using desperate threats against Castledyne, who kept in his house almost all the time. Mrs. Fagan denied the charge generally, but admitted that she was drunk on Sunday, and did not know what she said; she accused Castledyne of threatening her. The bench directed a warrant to issue for Fagan, and ordered Mrs. Fagan to enter into her own recognizance to be of good behaviour for a fortnight.

Yesterday also **JOHN PORTER** appeared before the bench, to answer the charge of threatening his wife, **MARY ANN PORTER**. Mr. Turner appeared for the defence. The evidence of Mrs. Porter having been taken, the bench ordered Porter to enter into his own recognizances in £40 to keep the peace for twelve months,

A third charge of threatening, **ISABELLA RUTTER v. JAMES CLARK**, was dismissed, Mrs. Rutter deposing that she was not in fear of Clark while he was sober.

MAITLAND MERCURY, 9/706, 09/04/1851

MAITLAND QUARTER SESSIONS.

TUESDAY, APRIL 8, 1851

WOUNDING WITH INTENT. - **JAMES CARTER** was indicted for wounding **JAMES HOGAN** on the left side of the head, at Maitland, on the 11<sup>th</sup> February, 1851, with intent to do grievous bodily harm.

The witnesses called were **JAMES HOGAN**, **MARY GLEW**, Dr. **JOHN SCOTT**, and **GEORGE HUNTER**. In the afternoon of that day Hogan heard the screams of a woman, and leaving his house he went to the spot, and found Carter kicking a woman; he told Carter he ought to be ashamed of himself; Carter immediately left the woman, went into his house, and came out with a nullah nullah, with which he instantly struck Hogan a blow on the left side of his head, knocking him down senseless; even yet Hogan had not so perfectly recovered but that he felt a swimming in his head when he stooped. Mrs. Glew was present, having been attracted by the screams of the woman; she had ineffectually endeavoured to prevent Carter from kicking and illusing the woman, but when Hogan spoke to Carter about it, she saw Carter fetch the waddy, and with a heavy blow knock Hogan down; Hogan lay bleeding and senseless till Dr. Scott was sent for, and had him removed; Carter rendered no assistance to Hogan after he was knocked down. Dr. Scott found Hogan lying, scarcely sensible, having a very severe cut on the left side of his head, which was bleeding very much; the wound laid bare the bone; witness attended on Hogan for above a week, and at first apprehended danger to his life; the blow appeared as if done by a stick with projections or knobs on it; Carter admitted to witness that he was the man who struck the blows. Constable **HUNTER** apprehended Carter, on a Monday, he believed on the 10<sup>th</sup> February; Carter, who was in liquor, admitted that he had struck the man, but the man had struck him first.

In defence Carter described the provocation given to his wife by the woman, and said that Hogan and another man came up, and that the second man struck him; he got a stick, and that man ran away, when Hogan struck him, and he struck Hogan with the stick. He called **BRIDGET BROADUS**, who said she saw a man strike Carter, and saw a man lift a brick to throw at him, but witness told him to lay the brick down; she

had seen Carter strike the woman, and she saw Carter strike Hogan with a stick on the head.

The jury returned a verdict of guilty. The prisoner was sentenced to seven years' labour on the roads, with a recommendation of mitigation to five years, in consideration of the good character he had borne.

COMMON SCOLD. - **MARY COBBY** was indicted for having conducted herself as a common scold, at Maitland, on the 18<sup>th</sup> March, 1851, and on divers other days.

The witnesses called were **HENRY NANCARROW, WILLIAM PRICE, JOHN SCOTYT, THOMAS DEANS, and CHARLES POOL**. Nancarrow is a married man, having several children, and resides opposite the defendant, in High-street, West Maitland; defendant nearly every day annoyed them by calling them names and using abusive and obscene language, as she stood in the street, to the amusement of the passers by; this conduct occurred at all hours, day and night; defendant had lived opposite witness about two months, and had continued this conduct since the first fortnight. Price is also a married man, having children, and living not far from the defendant; Price corroborated Nancarrow's account of defendant's conduct and language, adding other particulars; her language was very bad and obscene. Dr. Scott also lives near defendant, and had repeatedly suffered annoyance from the noise and abusive language of the defendant in the street. Deans, who lives nearly opposite defendant, gave similar evidence. Constable Pool does not live near defendant, but had repeatedly heard her using abusive and improper language as he passed her place, on duty, and had heard complaints from her neighbours.

In defence Mrs. Cobby stated that she had been greatly wronged by her husband and neighbours; and she called a witness, **WILLIAM PRAIN**, who deposed that one evening he accompanied defendant home at her request, to protect her from the insults of some boys playing about; he did not see the boys insult her in any way.

The jury returned a verdict of guilty. The defendant was sentenced to three months' imprisonment.

ASSAULT. - Yesterday **JOHN MORRISON** appeared before the bench, charged with assaulting **NICHOLAS HENRY BINKIN**. Both Morrison and Binkin are employed in Mr. Pitt's tobacco manufactory, Binkin being a boy; it appeared clear by all the evidence that Morrison, on the morning of the 3<sup>rd</sup> instant, shook Binkin, and threatened what he would do if he again made faces at him, but the evidence was different as to the amount of punishment inflicted by Morrison; Binkin and his brother deposed to an assault with blows, but **WILLIAM HARDING** and **DAVID WHITE**, who witnessed the shaking, saw no blows. The bench convicted the defendant, and fined him 1s. and costs.

MAITLAND MERCURY, 9/708, 16/04/1851

ASSAULT CASES. - Yesterday four cases of assault were brought before the bench. The first was **THOMAS CASTLEDYNE v. PATRICK FAGAN and ROSE FAGAN**. MR. Ward appeared for the defence. This case was commenced on the 1<sup>st</sup> instant (as reported in the *Mercury* of the following day), but was postponed for the appearance of Patrick Fagan. It was now resumed, Fagan being present. No further evidence was adduced, but Castledyne deposed that he was in fear of injury from Fagan. In defence constable **POOL** was called, but he deposed he reached the spot after the row was over. The bench convicted the defendants, and ordered Fagan to enter into a recognizance of £20 for himself and his wife to keep the peace, with two sureties in £10 each.

The second case was **CHARLES POOL v. JAMES BROAD**. Constable Pool deposed that on 31<sup>st</sup> March he had to serve a subpoena on **CHRISTIANA BROAD**, the wife of the defendant; seeing the door open he walked into the room, and laid the subpoena on the table, saying "Here's a subpoena for Mrs. Broad;" defendant and his wife were in the room, and defendant rose and struck witness with his fist on the mouth, saying "Get out of my house, you b----- dog, or any such dogs as you; I want no subpoenas here;" witness immediately went out, telling defendant he had only been performing his duty, but that defendant should hear more of the matter after witness's return from Sydney; defendant said he would have no subpoenas or summonses there, or to allow any person to come into his house. Defendant said he was in liquor at the time, or he would not have done it; he had no recollection of the act, but was told afterwards what he had done. The bench convicted the defendant, and fined him 40s. and costs.

The third case was **ANN ALMOND v. ANN GAWNESS**. Mrs. Almond had interfered on the night of the 7<sup>th</sup> instant to prevent a fight between a man and Mrs. Dick's brother, when Mrs. **DICK** ran out of the house and assaulted her, and Mrs. Gawness also came out of the house, and encouraged Mrs. Dick, and then joined in the assault on Mrs. Almond. In defence this was denied, Mrs. Gawness stating, and calling a witness who deposed, that she only rescued Mrs. Dick, Mrs. Almond having hold of her by the hair of the head. The bench postponed their decision until Mrs. Dick, now too ill to attend, had appeared to answer a charge of assault brought against her by Mrs. Almond.

The fourth case was **THOMAS HALL v. WILLIAM ROWE and RICHARD MNAGENNIS**. Mr. Turner and Mr. Nicholl appeared for the defendants. Hall, it appeared, on the night of Wednesday last, about half-past eleven o'clock, was endeavouring to get his wife homewards, she being intoxicated, and himself a little in liquor; the defendants, two apprentices, saw them coming, and made a very offensive remark to Hall; Hall replied in the same manner, and was immediately assaulted by the two defendants, who knocked him down, and beat him. In the scuffle his knife and some coppers fell from Hall's pocket, and he, on recovering himself, went to Mr. **CLEMENS**, who had been attracted by the noise, and was standing on his verandah, and told Mr. Clemens the lads had knocked him down and robbed him. The next morning Hall found his knife and 2d. in coppers at the spot. The charge against the two lads at first assumed the appearance of highway robbery, when it was commenced on Friday last, but on its being resumed yesterday, and the evidence of Hall and Mr. Clemens read over the bench said they were satisfied there was no robbery committed. In defence **STEPHEN BALCOMB** was called, but saw nothing of the assault. The bench convicted the defendants of assault, and fined them 10s. each and costs, or fourteen days' imprisonment.

MAITLAND MERCURY, 9/710, 23/04/1851

THREATENING LANGUAGE. - Yesterday **WILLIAM TENNANT** appeared before the bench, charged with threatening and putting in fear **PHILLIP HENRY MAGRANE** on the 13<sup>th</sup> April. Mr. Turner appeared for the defence. Mr. Magrane deposed to the language used by the defendant on that morning, and that he was in fear of bodily injury from him unless restrained. The bench ordered Tennant to enter into sureties to keep the peace for three months, himself in £20, and two sureties in £10 each.

In a second case **MARY BRIDEKIRK** appeared to answer a charge of threatening and putting in fear **MARGARET SULLIVAN**, on the 9<sup>th</sup> April. Complainant

deposed to the language used by Mrs. Bridekirk, as she was passing her house. Mrs. Bridekirk denied using the language imputed, and said complainant was habitually abusing her. The bench dismissed the case, cautioning the parties to keep away from each other.

STABBING. - On Thursday last, a man named **THOMAS REGAN**, who was working in the neighbourhood of Pepper's Creek, stabbed a woman named **BOND** in the hand with a pointed knife. The wound was a serious one, nearly going through the thickest part of the hand, and bleeding very freely. He shortly after stabbed a man named **MOUNTAIN MACK**, and also a man belonging to Mr. **LEWIS**, but we understand not seriously. Immediately information came into Bathurst a mounted constable was despatched after Regan, but he had made his escape, and has not as yet been apprehended. Regan is the man who stabbed himself at Mulvey's public-house at the time of the Bathurst races, which case was reported in the *Herald* at the time. It is conjectured that he cannot be altogether in his right mind, as no provocation appeared to have been given. *Herald Bathurst Correspondent*

MAITLAND MERCURY, 9/712, 30/04/1851

ASSAULT. - Yesterday two charges of assault between female neighbours were brought before the bench, **ANN ALWOOD** being the complainant in both, and **CATHERINE DICK** the defendant in one and **ANN GOMESS** in the other. Mr. Turner appeared for the defendant in each case. It appears that two men were fighting in the street, on the night of the 7<sup>th</sup> instant, a brother of Mrs. Dick's, and a person living at Mrs. Alwood's, when the ladies hurried out to make peace, or to help the combatants. Mrs. Alwood and Mrs. Dick got to fighting themselves, and Mrs. Gomess came to help them. Mrs. Alwood charged Mrs. Dick with assaulting her, and tearing her hair on the occasion, and charged Mrs. Gomess with cheering on Mrs. Dick and then joining in the assault on herself (Mrs. A.) On the other hand Mrs. Dick represented that Mrs. Alwood ran at her and got her hand into her (Mrs. Dick's) hair, and Mrs. Gomess said that all she did was to pluck Mrs. Alwood's hand from Mrs. Dick's head. Witnesses were produced on both sides, whose evidence having been taken at length, the bench dismissed both cases.

ASSAULT ON A WOMAN. - Yesterday **JOHN MASTERSON** appeared before the bench, to answer the charge of assaulting **MARGARET KEDDIE**. It appeared from the evidence that on Sunday afternoon last Masterson was at Mrs. Keddie's house, when some words arose, and each applied opprobrious language to the other; ultimately Masterson, who had been cutting tobacco, rose and struck Mrs. Keddie two rapid blows, one with each fist, the first of which knocked her back on the sofa, and the second cut her cheek open, making it bleed greatly, and leaving a large scar; neither Mrs. Keddie nor **CARNEY** observed whether the knife was in Masterson's hand at the time. Masterson, in defence, denied that he had a knife in his hand, and said he struck only immediately after being struck over the shoulders by Mrs. Keddie with the handle of a broom. Mrs. Keddie denied striking Masterson thus, and Carney did not see her do so. Masterson was committed for trial at the next Quarter Sessions, bail to be allowed.

DRUNKENNESS. - On Monday **MARGARET KEDDEIE**, **JOHN BYRNES**, and **ANN SIMPSON** were brought before the bench, and were convicted of drunkenness; the first two were fined each 10s., or 48 hours in the cells, and the last 5s. or 24 hours.

MAITLAND MERCURY, 9/718, 21/05/1851

**CHARGE OF ASSAULT.** - Yesterday one charge of assault was brought before the bench, **CATHERINE JOYCE v. JOHN CHAPMAN**. Mrs. Joyce deposed that on the 12<sup>th</sup> instant Chapman was requested by Mrs. **GLEW** to put her off the premises, Chapman lodging at Mrs. Glew's, and that Chapman in doing so used great violence, kicking her twice, one time on the back, doing her considerable injury. In defence this violence was denied, and Mrs. Glew deposed that Chapman had put Mrs. Joyce off her (Mrs. Glew's) premises, but used no violence, neither kicking or striking her. The case was dismissed.

MAITLAND MERCURY, 9/722, 04/06/1851

**CHARGE OF THREATENING.** - On Friday last **THOMAS INGALL** appeared before the bench, charged with using threatening language to **ANN QUINN**. Mrs. Quinn deposed that as they were disputing about a goat she had threatened to impound, the defendant said he would kick her, and she still feared that he would do her some bodily injury. The bench dismissed the case.

**BRISBANE CIRCUIT COURT.** - This court opened on Monday, the 12<sup>th</sup> May, before Mr. Justice Dickinson.

**PHILIP MORGAN** was indicted for wounding, with intent, his wife, **MARY MORGAN**, at Ipswich. Morgan and his wife had been married nine months, and lived unhappily; she was residing with her brother-in-law when a quarrel took place between her and her husband, and he knocked her down, and inflicted two wounds of some depth on her throat with a knife. In defence Morgan said his wife and her relatives commenced a general attack on him, and the wounds were accidentally inflicted by him in self defence. Guilty; three years imprisonment, with hard labour.

MAITLAND MERCURY, 9/726, 18/06/1851

**ASSAULT.** - Yesterday **EDWARD JENNINGS** was brought before the bench, charged with assaulting **BRIDGET HENRY**. Mr. C. Nicholl appeared for the defence. Mrs. Henry, a man named **MICHAEL M'DONALD**, Mrs. Crump, and Jennings had gone home together from an inn about midnight some three weeks since, being then good friends, and Jennings quite drunk; shortly after they got home words arose between Mrs. Henry and Jennings, on which Jennings flung two ginger-beer bottles at her, the first of which missed her, but broke some crockery but the second struck her on the lip, cutting it, and making her insensible; she afterwards had to go to a medical man about it. It further appeared that Jennings had agreed to pay the doctor and for the broken crockery, but had only paid for the crockery. After going into the case at considerable length the bench blamed M'Donald for inviting a drunken man home, and convicted the defendant, fining him 1s. and costs.

MAITLAND MERCURY, 9/729, 28/06/1851

**ASSAULT.** - Yesterday **WILLIAM CROSS** appeared before the bench, charged with assaulting **ELIZABETH STEVENS**. Mrs. Stevens complained that on Tuesday evening last, as she was coming out of the Cross Keys Inn, with some ale, Mrs. Cross abused her for speaking to her (Mrs. Cross's) daughter; Cross, who was standing by, immediately turned on Mrs. Stevens, and abused her on the same account, at the same time striking her a blow on the mouth. Cross denied the charge, and said that on Mrs. Stevens returning an obscene answer to a civil query from his wife, he pushed her away, saying, "go home with you." The bench convicted Cross, fining him 5s. and costs.

CONJUGAL QUARRELS. - On Wednesday **JOHN WATSON**, charged with assaulting and threatening the life of his wife, **HARRIET WATSON**, appeared before the bench, and being convicted, was ordered to enter into sureties of the peace for twelve months, himself in £40, and two sureties in £20 each.

MAITLAND MERRCURY, 9/732, 09/07/1851

MAITLAND QUARTER SESSIONS.

WOUNDING WITH INTENT. - **JOHN MASTERSON** was indicted for wounding **MARGARET KEDDIE** on the face, with intent to do her bodily harm, at Morpeth, on the 27<sup>th</sup> April, 1851.

Mr. Purefoy appeared for the Defence; attorney, Mr. Turner.

The witnesses called were Margaret Keddie, and **CHARLES CARNEY**. Mrs. Keddie was sitting at home on the 27<sup>th</sup> April, when prisoner, with whom she was on friendly terms, came to her door, and some words arose, and she pushed him from the door with a millet broom; he abused her and went away; in half an hour he returned, came in, and sat down, and commenced abusing her; she took him by the shoulders and ordered him out; he turned and struck her on the left temple with his left fist, and then gave her a second blow under the eye with his right hand, in which he had an open knife, having been cutting tobacco; this blow cut her face open from the eye downwards, making it bleed a great deal, and cutting to the bone; prisoner left the house immediately afterwards. In cross-examination Mrs. Keddie said prisoner was a little under the influence of liquor. Carney was present at the assault, and described it, corroborating Mrs. Keddie statement, but he did not know whether prisoner had still the open knife in his hand when he struck the blow which cut open her cheek.

Mr. Purefoy addressed the jury for the defence, contending that on the evidence there was no proof of the felonious intent charged, and that even of the assault there was no reliable proof. Supposing even they believed the evidence, and thought the knife in Masterson's hand inflicted the cut, did not all the circumstances go to prove that he gave two sudden blows in a moment of anger, without any intention to inflict injury?

The Crown Prosecutor replied.

The jury returned a verdict of common assault. The prisoner was sentenced to pay a fine of £10, or in default to be imprisoned for six months.

MAITLAND MERCURY, 9/733, 12/07/1851

ASSAULT. - Yesterday **MARY ANN SAUNDERS** appeared before the bench, charged by **CATHERINE FITZPATRICK** with assaulting her. The parties were neighbours, and had neighbourly quarrels, and Mrs. Fitzpatrick deposed that Mrs. Saunders struck her on Saturday morning, at so early an hour that no one was about. Mrs. Saunders denied the blow, and produced another neighbour, Mrs. **FORD**, who however only deposed to hearing the war of words, but did not see what passed; she heard no words indicative of blows being struck. The bench convicted the defendant, fining her 1s. and costs.

MAITLAND MERCURY, 9/735, 19/07/1851

MALICIOUS INJURY. - Yesterday **BRIDGET WATSON** appeared before the bench, charged with maliciously breaking a pane of glass in the house of **RODERICK GORDON**. Mrs. Gordon deposed to the fact that Mrs. Watson broke the pane of glass, by pushing her hand through it, and that she dared her to come out. Mr. Gordon proved the damage to be 2s., and another witness corroborated Mrs.

Gordon's account of Mrs. Watson's previous violence. In defence a witness named **EDWARD MOUNT** deposed that he saw the glass broken, and believed it to be accidental, Mrs. Watson and Mrs. Gordon having been quarrelling and abusing each other. The bench convicted the defendant, fining her 10s. and costs.

MAITLAND MERCURY, 9/736, 23/07/1851

ASSAULTS AND THREATS. - Yesterday **MARY COBBY** appeared before the bench, to answer charges of assaulting and threatening **ELLEN DEAN and LYDIA PRICE**. Mrs. Dean and Mrs. Price are the wives of two witnesses in a case lately heard against Mrs. Cobby, and the latter, on Saturday last, having got intoxicated, invaded their houses one after the other, and assaulted and abused them. Mr. **WOOD** stated that Mrs. Cob by on that evening was so outrageous that she kept the whole street in an uproar. Mrs. Cobby begged hard for mercy, and on her promising never to repeat her abuse of either of the witnesses, they withdrew their charges, and the cases were dismissed.

MAITLAND MERCURY, 9/739, 02/08/1851

ASSAULT. - Yesterday **RICHARD STARK** appeared before the bench, charged with assaulting a lad named **JOHN MADDEN**. It appeared from the evidence that Mr. Stark, on Saturday last, saw Madden, a lad of nine years old, busily chopping away at a post of land-mark put between his house and a neighbour's, in Devonshire-street; as several of the posts had been previously destroyed, Mr. Stark ran up to the boy; the lad and his father, **JAMES MADDEN**, both deposed that Mr. Stark caught hold of the boy, slapped his face, and kicked him, and on the boy's running away ran after him with the axe which the boy had dropped. Mr. Stark admitted running towards the boy, but said that so far from striking or kicking him, the boy ran away crying before he could reach him. In cross-examination the boy admitted that Mr. Stark asked his name, and where he lived but that he did not tell him. The bench said the assault was positively sworn to, and they must therefore convict the defendant, fining him [?]5s. and costs.

MAITLAND MERCURY, 9/741, 09/08/1851

CHARGE OF USING THREATENING LANGUAGE. - Yesterday **ANN ROBINSON** appeared before the bench, charged by **ROSINA EDMUNDS** with threatening her and putting her in fear. Mr. Ward appeared for the defence. Mrs. Edmunds deposed to the threats used by Mrs. Robinson to her on Saturday last, and prayed that she might be bound over to keep the peace. Mr. Ward cross-examined her, and elicited that she threw some dirty water over Mrs. Robinson on the previous day because she was abusing her. He contended that no case was made out for the interference of the bench, it being simply a neighbourly quarrel. The bench dismissed the case.

MAITLAND MERCURY, 9/742, 13/08/1851

CHARGE OF ASSAULTING A CHILD. - On Friday last **MARY COLLINS** appeared before the bench, charged with assaulting a little girl named **JANE JUDGE**. The assault complained of rested on the testimony **ELIZABETH JUDGE**, her mother; all the parties then residing at Black Creek. Mrs. Judge deposed that on the 15<sup>th</sup> April last she heard her daughter screaming, and saw Mrs. Collins dragging the girl across the paddock into her own house, and on hastening thereto Mrs. Judge said she found Mrs. Collins holding the girl, while ---- **CONSIDINE**, a schoolmaster, was

in the act of chaining her to a piece of furniture, and threatening her life if she did not cease screaming; the little girl held out her hands to her mother, on seeing her, but Considine struck back Mrs. Judge, and gave her a second blow which knocked her down senseless on the floor. Mrs. Collins stated that no chain was used or such threats made, but she admitted threatening the little girl with punishment because she had taken some eggs from her fowl-yard, and she also stated that Mrs. Judge was not struck, but approached her with a large stone raised as if to strike, and suddenly fell back insensible. Two little girls, who were in the house at the time, described the transaction much as Mrs. Collins did; they saw nothing of the chain, nor of Mrs. Judge's being struck. **JAMES JUDGE**, husband of Mrs. Judge, was drawn to the spot after his wife had fallen or been knocked down, and went for constable **DAVIS**, believing her to dead; he did not see his little girl but he heard Collins say in the house "Let the child go," and in a moment after his daughter ran out of the house, in a greatly excited state, and had been ailing ever since, and for the last three weeks under Dr. Scott's care for an affection of the spine. The case was postponed till yesterday, when it was resumed, Mr. Turner appearing for the defence. Two additional witnesses were examined, constable Davis and Dr. **M'CARTNEY**. Davis found Mrs. Judge in an insensible state at Collins's door, but no mark of violence on her, and it was full half an hour before she fairly recovered sufficiently for him to take her home; in a few days after she was confined; no charge was made at the time about the little girl, who came over and stood by her mother's side for some time before she was removed home, and witness saw the girl for six weeks after running about as usual; during great part of this time Judge was in a state of drunkenness, neglecting his family, and no charge about the girl was ever made. Dr. M'Cartney attended Mrs. Judge in her confinement, and was first called on by her husband bringing him a report that he feared she was fatally injured from blows inflicted by Mrs. Collins; no mark of violence was perceptible on Mrs. Judge, however, and nothing unusual attended her confinement; during all witness's visits no charge respecting the child was made by Judge or his wife, nor was the child shown to him. The bench said proof of assault on the child failed, and dismissed the case.

MAITLAND MERCURY, 9/747, 30/08/1851

**CHARGE OF MALICIOUS INJURY.** - Yesterday **OWEN COURTENAY** appeared before the bench, charged with maliciously breaking several articles of household furniture, the property of ---- **COTT**. Cott it appeared was absent from home when the articles were broken, and he called a witness, who however had only heard a noise in Cott's house as he passed, and did not see who made it. Cott stated that his principal object was to secure his life from danger from Courtenay and his wife. The bench dismissed the case, cautioning Courtenay not to go to Cott's house.

**RIOTOUS CONDUCT.** - On Sunday evening, some seamen, about five or six in number, and who seemed to be more or less under the influence of liquor, commenced hallooing, and hurraing in George-street, which had the effect of calling together a large concourse of people of all ranks and ages, led by curiosity to discover the cause of the uproar. A sailor belonging to H.M.S. *Pandora* had been lodged in the watch-house in Cumberland-street, in the course of yesterday evening, for drunkenness, **and for being arrayed in women's apparel**, and half-a-dozen of his comrades now assembled to rescue him from confinement. Continues ...

MAITLAND MERCURY, 9/748, 03/09/1851

ASSAULT. - On the 26<sup>th</sup> ultimo, a man named **HENRY TATTERSALL** was brought before the bench, charged with assaulting **THOMAS BROWN**. The case was remanded two or three times for further evidence, and was disposed of yesterday. Brown and Tattersall are small settlers. Living on the Clifden estate, and have always been good friends until this occurrence. On Saturday evening, the 23<sup>rd</sup> ultimo, Tattersall, who was quite drunk, went to Brown's to complain that Brown's dog had worried his pig; Tattersall took with him a bar of iron, apparently the long handle of a frying-pan, and told a neighbour he took it to protect himself from Brown's dog; when he got to Brown's, Brown denied that his dog worried the pig, and a dispute arose, on which Tattersall turned Brown out of doors and shut the door to; Tattersall, however, forced his way in again through the window, and Mrs. Brown trying to prevent him, he made a blow at her with the bar, but missed her and fell over a stool; Tattersall got up again and stuck at Brown, and was about to strike again when Brown closed with him and they fell together; Brown's son (a lad) and a young man named **RICHARD GROVES**, who had been keeping charge outside of the door, then rushed in, and seizing Tattersall, they took the iron bar from him, and once more turned him out of the house. Tattersall, in defence, expressed sorrow for his conduct, and said he was so drunk he did not know what he was doing, and that he got bruised himself in the scuffle, his ear bleeding from a blow he received. The bench convicted Tattersall, and fined him 10s., or in default seven days' imprisonment.

MAITLAND MERCURY, 9/752, 17/09/1851

SERIOUS ASSAULT ON AN ABORIGINAL. - Yesterday **EDWARD WYLIE** was brought before the bench, charged with assaulting an aboriginal named **WILLIAM JOHNSON**. It appeared from the evidence of Mr. **G.B. MULLINS** that on Tuesday afternoon, the 9<sup>th</sup>, he was on the race-course, and saw the aboriginal rush suddenly from a tent, and a man run after him, who caught him by the neck, threw him down, and then kicked him; the aboriginal rose again, but was knocked down twice more by the first man and two or three others who had joined him from the tent, and eventually the aboriginal was left senseless upon the ground; witness saw the prisoner Wylie knock the aboriginal down twice, and believed that he was the man who first threw down and kicked him, but was not positive as to this. The aboriginal was subsequently taken to the hospital, and remained insensible until after he had been bled; he was seriously injured about the head, apparently from a kick, and at first his life appeared in danger, but he recovered, and on Sunday last was discharged from hospital. Mr. Nicholls, who appeared for the defence, asked some questions in cross-examination. Wylie being a ticket-of-leave holder, per *Haverling*, the bench determined to deal with him under the Prisoners Act, to which they referred. Wylie said he had no statement to make on defence, and he was convicted, and sentenced to be worked twelve months on the roads in irons.

MAITLAND MERCURY, 9/754, 24/09/1851

ASSAULT. - Yesterday **JOHN EDMUNDS** appeared before the bench, charged with assaulting **MARGARET CAVENAGH**. Mr. Ward appeared for the defence. The two parties live opposite each other, in West Maitland, and their children do not agree. On Thursday morning last Mrs. Cavenagh went over to Mr. Edmunds's, and set to abusing him for threatening to wring her boy's ears, and she continued to do so until Edmunds struck her, which he did, she deposed, four times, knocking her down once. A witness called by Mrs. Cavenagh saw the affair, and said that she saw Mr. Edmunds knock Mrs. C. down at the second blow, Mrs. C. having returned his first

blow. In defence, Mr. Edmunds denied having struck Mrs. Cavenagh, and said she struck him, and would have dragged his wife out of his house if he had not used force. He called Mr. **JEREMIAH LEDSAM**, who witnessed the affair from a short distance, and described Mrs. Cavenagh's language as most disgusting and provoking, and apparently intended to provoke a breach of the peace; at length Edmunds knocked her down, and witness then went up and separated them. The bench convicted the defendant, but in consideration of the gross provocation fined him one shilling and costs.

MAITLAND MERCURY, 9/758, 08/10/1851

ASSAULT. - On Monday, **MARTIN**, an **aboriginal** of the Maitland tribe, was brought before the bench, charged with assault. It appeared that on Sunday night, between ten and eleven o'clock, night-watchman **STEPHEN BALCOMB** was sent for by Mrs. **BRADY**, and found Martin there in a most excited state, having threatened to strike Mrs. Brady in her own house; Mrs. Brady was still in fear of Martin's violence, and Balcomb tried to get him away, but could not, and Balcomb then apprehended him; Martin, however, who is a powerful man, resisted, and assaulted Balcomb with violence, and it was not until Balcomb got assistance that he was enabled to overpower Martin and get him to the lockup. Martin was convicted, and fined £5, or in default one month's imprisonment.

MAITLAND MERCURY, 9/760, 15/10/1851

THREATENING A WIFE. - Yesterday **JAMES GRAHAM**, on the application of his wife, **ANN GRAHAM**, was ordered by the bench to enter into sureties to keep the peace, himself in £20 and two sureties in £10 each, Mrs. Graham deposing that he first abandoned her, and then returning threatened her life if she would not live with him again.

ASSAULT CASES. - Something like a street row took place last Saturday evening, in High-street, West Maitland, arising from a disturbance between two ladies, Mrs. **CRUMP** and Mrs. **BROADHURST**, in which two more, Mrs. **STEVENS** and Mrs. **FULLER**, got more or less engaged while endeavouring to part or to help the two first, and Mr. Stevens also got in to the dispute in defence of his wife. Yesterday three assault cases arising out of the affair came before the bench, Sarah Crump v. Bridget Broadhurst, Catherine Fuller v. Frederick Stevens and Elizabeth Stevens, and Elizabeth Stevens v. Bridget Broadhurst. In the first case Mrs. Broadhurst was convicted, and fined 5s. and costs, or one week's imprisonment; the last two cases were postponed.

MAITLAND MERCURY, 9/762, 22/10/1851

ASSAULT CHARGES. - Yesterday the assault charges arising out of the street fight between **BRIDGET BROADHURST** and **SARAH CRUMP**, on the evening of the 4<sup>th</sup> instant, were again brought before the bench, the cases being Elizabeth Stevens v. Bridget Broadhurst, and Catherine Fuller v. Frederick Stevens and Elizabeth Stevens. The bench having taken evidence, bound Mrs. Broadhurst and Mr. and Mrs. Stevens over to keep the peace for twelve months.

MAITLAND MERCURY, 9/767, 08/11/1851

ASSAULT. - Yesterday **JOHN WATSON** appeared before the bench, charged with assaulting **JAMES WEEKES**. Weekes was at work at Mr. Stace's, of Dunmore, on the 3<sup>rd</sup> instant, when Watson, who had been there some short time, used threatening

language to him; after some words Watson rushed at him, but Mr. Stace interposed to keep him off, and a blow struck by Watson fell on Mr. Stace; it had been reported that Watson was not in his right senses, and Weekes feared further violence from him. Mr. Stace corroborated this. In defence Watson denied it, and said he was insulted and assaulted by Mr. Stace, but did not assault any one himself. He called a witness, **JOHN WARRINGTON**, who heard some words pass, but saw no blows struck by either side; both Weekes and Mr. Stace called Watson a rascal. The bench dismissed the case.

MAITLAND MERCURY, 9/768, 12/11/1851

CHARGE OF THREATENING. - Yesterday, **MARIA ADAMS** appeared before the bench, charged by **ISABELLA KINGABY** with threatening her life, Mrs. Kingaby swearing that she only required protection from her. The bench, having heard the evidence of Mrs. Kingaby and her daughter, held that the threats deposed to were not of the serious nature charged, and dismissed the case.

MAITLAND MERCURY, 9/769, 15/11/1851

ASSAULT. - Yesterday **ELIZA HORNE** appeared before the bench, charged with assaulting **MARY HENRY**. It appeared from the evidence of Mrs. Henry and three other witnesses that on Wednesday Mrs. Henry was talking to Mrs. **TOWNSEND**, when Mrs. Horne, who had an old grudge against her, ran at her and struck her a blow in the face, making it bleed; subsequently Mrs. Horne made two other assaults on her the same afternoon, in one of which she took up a bottle from Mrs. Henry's stall and flung it at her, when it hit Mrs. Townsend in the face. In defence Mr. C. Nicholl called a witness to prove that Mrs. Henry commenced the assault, but the witness, it appeared, was not near enough to see the blows, although he said he saw both women rush at each other. The bench convicted the defendant, and fined her 40s. and costs, or one month's imprisonment.

MAITLAND MERCURY, 9/770, 19/11/1851

CHARGE OF THREATENING. - Yesterday **JOSEPH TOWNLEY and AGNES TOWNLEY** appeared before the bench, charged with threatening **WILLIAM HORNE and ELIZA HORNE**. Horne deposed to the threats and circumstances, and called two witnesses to corroborate him. Townley represented that the charge was only one of spite, because they in a recent case did not give such evidence as Horne wished; all the threats used were only to punish Horne if he and his wife would not let his (Townley's) wife pass their house quietly. The bench held that the evidence did not support the charge, and dismissed the case.

ASSAULT. - Yesterday **GEORGE SCULTHROP** appeared before the bench, charged with assaulting **JOHN BELCHER**. Belcher deposed that in consequence of a dispute between him and Sculthorp about raising witness's rent, Sculthorp ran to him and knocked him down, knocking out two of his teeth. In defence Sculthorp called a witness, **JANE KERRIGAN**, who saw the affair, and said that after some dispute between the men, Sculthorp threw off his hat, Belcher threw off his, and the two advanced to meet each other, in a fighting attitude; Sculthorp knocked Belcher down, on which Belcher went away, satisfied. The bench dismissed the case.

CHARGE OF BEING A COMMON NUISANCE.

Yesterday **JOHN BELCHER** appeared before the bench, charged by **GEORGE SCULTHROP** and **FRANCIS CUNNINGHAM** with being a common nuisance to them and their families, on the 9<sup>th</sup> instant, and at divers other times, by cursing and

swearing, and by suffering loose and disorderly characters, both men and woman, to resort to his house, Sculthorp, living next door to Belcher; Cunnigham, living opposite him; and constable **M'MANUS**, who resides at the lockup, close by – all deposed to the frequent resort to the house of men and woman of bad character, and to the continual fighting, cursing, and swearing of these parties; but neither of them had heard Belcher use any such language, or take part in the conduct, he being an industrious man; nor had either of the witnesses any direct proof to offer that the house was used as a common brothel. The bench dismissed the case, cautioning Belcher against allowing such conduct, and commenting on such proceedings being allowed to go on unchecked in the immediate neighbourhood of the lockup.

#### ILL TREATMENT OF A GIRL.

A case somewhat similar to that for which Mr. and Mrs. Sloane were tried in London has recently come to light in Brisbane, and the police-office proceedings are reported in the Moreton Bay papers of the 1<sup>st</sup> instant. A girl named **ISABELLA M'EVOY** was some time since hired for five years as a servant by Mrs. **JANE ELLIS**, of Brisbane, M'Evoy's aunt having told her that she must send her to the orphan school; Mrs. Ellis promised the girl that she would treat her as her own child, but no wages were mentioned in the written paper signed by the girl M'Evoy. After her arrival in Brisbane the girl appears, by her own statements and the evidence of others, to have been well fed and clothed, and to have had a comfortable bed to sleep in, but to have been from time to time barbarously beaten by Mrs. Ellis, for various acts of alleged misconduct, one of which was that she made messes about the house. These beatings almost always took place in the absence of ----- Ellis, husband of Mrs. Ellis, because on one or two occasions when he discovered his wife so acting he compelled her to release the girl, and beat his wife for so ill-treating her. The girl M'Evoy is now about thirteen years of age. The last beating the girl received was on Friday, the 17<sup>th</sup> Oct., on the head, with a stick, and was thus interrupted by Ellis, and the girl then ran away, and hid herself near a neighbour's house for two days and nights, and then came out and desired the chief constable to be sent for, to whom she gave herself up, after which proceedings were instituted against Mrs. Ellis. The girl stated that she usually allowed herself quietly to be tied up to be beat, because she was afraid to refuse, Mrs. Ellis threatening to kill her if she did; although, on the other hand, Mrs. Ellis used to reproach her for her dirty habits, and say that people would never believe she was her child if she continued them; and used to say also that the girl should have their money when they died. The specific beating charged against Mrs. Ellis was committed on Wednesday, the 15<sup>th</sup> Oct., and was thus described by the girl: "On Wednesday in the same week she had tied me up to the rafters of the skillion. She tied my arms across with a clothes line, and beat me for about a quarter of an hour. She tied my clothes round my middle. I was bare. She beat me with a leather strap, sewed in three parts; she had borrowed it the day before. After beating me for about ten minutes she stood by the table for two or three minutes, saying she was going to spell herself, and would give me some more when she had done. She then beat me again. I put the rope through the rafters myself, to be tied up by. I did it by Mrs. Ellis's direction, and was afraid to refuse." The girl described several other beatings she had received of a similar character. Some of the neighbours deposed that they had heard cries from the house or the sound of beating, and one of them, **THOMAS WILLIAM HARGRAVE**, deposed as follows: "About Christmas last I was passing along the road, about two hundred yards or more from Mrs. Ellis's house, and heard the child's cries. I went up to the house, opened the back door, and walked in. I saw complainant with her wrists tied across, and drawn up over her head to the bed post.

Her clothes were stripped bare off, drawn to her waist, and Mrs. Ellis was beating her with the other end of the clothes line that she was tied with. She held it in her hand, doubled seven or eight times. The girl's back was much marked. I made her desist from beating the child, and she promised to untie her. She said the devil was in the girl, and she would knock it out. I told her that if she did so again I would bring her up to court. I have known the girl to be brutally used, and would long ago have interfered only that, until yesterday, I always believed that she was the prisoner's daughter." The girl gave also the following evidence, which is stated to have made a great sensation in the crowded court room: "Mrs. Ellis compelled me to eat filth every day for a week. I felt very ill after it." The evidence of the female neighbours, and of the medical men who examined the body of the girl after her escape, was to the effect that her back, from her shoulders to her knees, was very much bruised and cut with whip-marks, and that there were marks of old sores on her knees, head, and other parts; the girl appeared in good health. When the case was concluded the defendant, Mrs. Ellis, acknowledged having beaten the girl more severely than she ought, for which she expressed sorrow, but she had been provoked by her filthy habits. The defendant was committed for trial at the Circuit Court, bail being allowed. So great was the manifestation of public feeling against Mrs. Ellis, on her leaving the police-office, that the bench had to grant her police protection on the way home.

MAITLAND MERCURY, 9/771, 22/11/1851

VIOLENT ASSAULT. - **ELLEN FARROLL**, who has been several times remanded in consequence of the inability of the prosecutrix to attend, was placed at the bar, yesterday, charged with having on the 5<sup>th</sup> instant, violently assaulted **MARY DUNBAR**, on the Parramatta-road, by striking her several blows with a hoe on her head and face. The prosecutrix was accommodated with a chair, being in a very exhausted state. The case was clearly proved against the prisoner, who is evidently insane, and she was committed for trial at the next quarter sessions. *Empire*, Nov. 18

MAITLAND MERCURY, 9/772, 26/11/1851

ASSAULT. - Yesterday **MARY FLINN** appeared before the court, charged with assaulting **SAMUEL and SARAH BAILEY**. It appears that a little girl, a daughter of Mrs. Flinn's, has for many years lived with, and been brought up by, Mr. and Mrs. Bailey, and Mrs. Flinn has for some time wanted her to return home; but being of violent character and drunken habits the little girl is afraid to go to her, nor will Mr. Bailey force her to do so. On Wednesday last Mrs. Flinn went to Mr. Baileys's, in liquor, and abused Mr. and Mrs. Bailey grossly, and flung a large stone at Mrs. Bailey, and subsequently a piece of iron. The woman, it appeared, also runs after and threatens Mrs. Bailey's children in the street. The bench convicted her, and sentenced her to pay £2 and costs, or to be imprisoned for two months.

SYDNEY NEWS.

**CATHERINE COSTELLO** was committed for trial for a violent assault on an old woman named **ROSANNA ALLMAN**, about a week since, by striking her on the head with a poker. The prosecutrix was unable to give her evidence till today.

A DANGEROUS MAN.

Some time since a then constable of the Maitland police, named **JOHN RAFTERY**, was committed for trial at the Quarter Sessions on the charge of assaulting Mrs. **DICK** in her own house, turning her out, and threatening her and others with a pistol. Raftery was a quiet man when sober, but was dismissed for this outrageous violence, committed while he was drunk. Since then Raftery has been drinking occasionally,

and generally shows the same uncontrollable spirit of violence when drunk. On Monday last he was brought before the bench, having been apprehended drunk, on Saturday, for violent conduct. It appeared that a man named **JOHN DENNING** had taken out a summons against Raftery for assault, and that on Saturday Raftery went to Denning's house, and abused him for doing so, and because Denning kept closely within doors, Raftery took a piece of paling from a fence near, and tried to burst the door in, damaging the lock, at the same time threatening he would kill Denning, and then be off. The same evening Raftery alarmed his landlady, Mrs. **RAE**, by trying to force in an empty house next hers in search of his wife, having an axe with him; he had on previous occasions threatened Mrs. Mae when drunk, but did not do so now. Raftery, on the charge of threatening brought against him by Mrs. Rae, was discharged with a caution; and was remanded, in custody, on the charge of assaulting Denning on the Saturday. Yesterday Raftery was brought up on the first charge of assault brought by Denning. It appeared by the evidence of Denning and a witness named **JOHN M'GOWAN** that on Tuesday, the 18<sup>th</sup>, Denning was in M'Gowan's shoemaker's shop, when Raftery came in with two bottles of ale, and insisted on both of them drinking with him; M'Gowan did so, but Denning refused repeatedly, on the ground that he was a teetotaler; Raftery got angry at Denning's refusing to drink, and twisting a handkerchief round one of the bottles, he declared he'd smash it on Denning's face if he would not drink, and swung it round; Denning caught the blow on his arm, and at the moment the bottle slipped out of the handkerchief, and fell to the ground, breaking; Denning said he'd get a quart of ale in place of it, and hastened out, but Raftery shouted and went after him, when Denning ran for it, and got away. Raftery, in defence, insisted that all he did was in friendship, and that he had no intention of striking Denning; but in answer to his question both Denning and M'Gowan said the blow was intended to strike. The bench convicted Raftery of assault, and fined him £5, or in default of immediate payment two months' imprisonment; and then to enter into sureties to keep the peace for six months, himself in £40 and two sureties in £20 each.

MAITLAND MERCURY, 9/776, 10/12/1851

ASSAULT CASES. - Yesterday three charges of assault were heard before the bench. The first [crease in paper, part line missing] **DEALTRY** [?] **STEEL**. This case had been commenced on Tuesday, the 2<sup>nd</sup>, but was postponed to allow the defendant to call evidence. The defendant, who said in answer to the bench that he was a member of the Church of England, keeps a school at Woodville, and Lock's children some time since attended it, but as **LOCK** stated he took them away because the drunken habits of the defendant prevented his doing justice to the children. Lock deposed that on Sunday, the 30<sup>th</sup> ult., the defendant came to his house, drunk, and wanted him to promise to send his children back again; Lock refused to do so, on the ground above stated, and they continued arguing for some time till the defendant got abusive and threatening; Lock, who was laying unwell on a sofa, got up to pout the defendant out, when defendant went out, Lock following close behind him for a bout a rod from the door, when defendant turned on him, and knocked him down by a blow from his fist, and when Lock rose knocked him down again; Lock got up again and returned into his house, and got a large stick (the handle of a pitch-fork), with which he went out to defendant, who was standing still, and knocked him down with it, with a blow on the side of the head; they struggled for the weapon, and defendant got it from Lock, and after defying Lock to strike him again went away. No person saw the quarrel inside the house but Lock's young children, but a person named **WILLIAM**

**FERGUSON** was riding past, and saw Steel come away from Lock's place, and saw that Steel was all bloody about the head; Steel told witness that he and Lock had been fighting, and he had given Lock a d----- good trouncing; Steel was not drunk, but had the smell of liquor on him. In defence, Steel denied that he was drunk, and stated that he went to Lock's house on receiving a message that he wanted to see him, and did not strike Lock until he had been struck himself, when Lock knocked him down nearly senseless with the fork handle, and beat him cruelly. He called several witnesses, two of whom saw the struggle outside for the stick, but neither saw any blows struck by either side; and two others, who spoke only as to the message, and as to Steel's appearance afterwards; of these four witnesses only one observed any smell of liquor about him, and all were positive he was not drunk; all noticed that Steel was very bloody about the head. The bench dismissed the case of assault, and expressed their disapproval of the conduct of both parties on a Sabbath Day; while they said they considered Steel a person not deserving of holding any situation for the instruction of youth.

The other two cases were **WILLIAM DUCKWORTH** and **MARY DUCKWORTH v. AGNES GOODYEAR**. The parties are neighbouring farmers, living on the Bolwarra Estate, and Mr. and Mrs. Duckworth deposed that they stood in great dread of Mrs. Goodyear, from her violent character, and the threats made at different times. On the 4<sup>th</sup> instant she went to their house to complain of their pigs trespassing, and got so abusive and used such foul language that Duckworth, who was unwell, got up and put her out, after vainly requesting her to go; she turned on him at the door, seized his hair, and got two good handfuls before a man who was present could release Duckworth; and in the next moment she seized Mrs. Duckworth in the same way, and got hold of her finger, and bit it, not letting go until Mrs. D. half choked her. The substance of this was corroborated by a neighbour, Mrs. **KENNY**, who was in the house. Mrs. Goodyear denied these statements, denouncing them all as false, stating that the Duckworths both assaulted and beat her, of which she still bore the marks; in her cross-examination she repeatedly accused the witnesses of telling lies. The bench convicted her of both assaults, fining her £1 on each, and ordered her to enter into sureties to keep the peace for twelve months, herself in £20, and two sureties in £10 each.

MAITLAND MERCURY, 9.777, 13/12/1851

CHARGE OF THREATENING. - Yesterday **WILLIAM POWERS** was brought before the bench, charged with threatening the life of his wife, **MARIA POWERS**. Mrs. Powers deposed that he had threatened to serve her as **M'NAMARA** served his wife, but Powers, who admitted having made some such threat, said that he told his wife if she sold all his property for drink while he was away at harvest work he would take her life, but this he said without any such intention. It also appeared that he had never struck his wife, and that she had during his absence sold the house furniture. The bench dismissed the case, recommending Mrs. Powers, whose children were well dressed, and in good health, to go home with her husband.

MAITLAND MERCURY, 9/778, 17/12/1851

ASSAULT CASE. - Yesterday a charge of assault was heard before the bench, **TERENCE MAGUIRE v. FRANCIS ROGAN**. Maguire charged Rogan with knocking him down with his fist, on Sunday, the 7<sup>th</sup> inst., in consequence of some words about breaking the pledge, and afterwards knocking him down again with a rail; Maguire, when cross-examined by Mr. Turner, denied that he struck Rogan first,

or that he struck him with a door-bar. Mr. **JAMES KERRIGAN**, at whose house the quarrel occurred, deposed that Maguire struck Rogan first, that they got into a fight, and that he separated them, but that afterwards Maguire came running up to strike Rogan with a door-bar, when Rogan put up a rail to defend himself, and laid it on Maguire's shoulder, but did not strike him with it. The case was dismissed.

MAITLAND MERCURY, 9/782, 31/12/1851

ASSAULT CASES. - Yesterday several charges of assault were heard before the bench. The first was **JAMES COMPTON v. ELLEN BRENNAN**, and the second was **ELLEN BRENNAN v. SAUL HARRIS**. Mr. Ward appeared for Mrs. Brennan, and Mr. Turner against her. The parties are close neighbours, living in rooms in the old house formerly the Albion Inn, West Maitland, and an unfriendly feeling has long existed among them. On the 22<sup>nd</sup> December Mrs. Brennan and Mrs. Harris had some words about Mrs. B.'s children, and Compton ran out to protect Mrs. Harris, as he said; he stated that Mrs. Brennan then turned on him and threw two brickbats at him, one of which struck him on the arm; she then seized him and knocked him down twice, when he was rescued by Harris coming to his assistance with another man, **THOMAS WILLIS**. He called Willis as a witness. Mrs. Brenna's defence was that Compton assaulted her, and she called **ALEXANDER MAHER** to prove this, but Maher did not see what passed till he found Mrs. Brennan having hold of Compton by the shirt, Compton's hand being then raised. The bench convicted Mrs. Brennan, fining her 10s. and costs, or fourteen days' imprisonment.

The second case was the n proceeded with, Mrs. Brennan charging Harris with using violent threats and bad language to her, putting her in bodily fear. The bench, having heard her evidence, came to the conclusion that the complaint [crease in paper, line missing] violence, and they dismissed the case, informing Mrs. Brennan that if she could prove that Harris had used the obscene language she alleged, he could be punished under the Vagrant Act.

The third case was **PATRICK HOW v. ROSE M'GUINNESS and RICHARD M'GUINNESS**. Mr. Turner, Mr. Ward, and Mr. C. Nicholl were retained for the defence. The evidence on both sides was very lengthy, but we must compress it into a few words. How's son worked recently for Mr. **SHEPHERD**, shoemaker, of Polka Castle, West Maitland, and had returned for a day or two to work for himself or Mr. S.; Howe wished his son to return home to go to harvest work, and he went to Shepherd's house on the 10<sup>th</sup> to get him back; the lad was unwilling to return, but his father insisted; Mr. S. interfered to prevent the boy being forced; high words followed, and Mr. Shepherd, finding How would not quite his premises, told him he must put his forces on, and directed his apprentice, Richard M'Guinness, and a carpenter, **DENNIS CLANCY**, to put How out; this they immediately did, and a battle royal took place outside between How and Richard M'Guinness, who was assisted by his mother and Mr. Shepherd's dog, How getting considerably the worst of it among them. Evidence was produced on both sides to prove which commenced the actual fight. The bench convicted both the defendants, and fined them each 10s. and costs, or fourteen days' imprisonment.

The fourth case was **LOUISA M'KINNON** against **DONALD M'KINNON**, but Mrs. M'Kinnon declining to press the charge against her husband, the case was dismissed, M'Kinnon being cautioned.

USING INDECENT LANGUAGE IN THE STREET. - Yesterday **BRIDGET HENRY, THOMAS HENRY, and MICHAEL M'DONALD**, appeared before the bench, charged with using obscene language in the street. Dr. **EDYE** deposed that on

Friday morning last Henry was dragging his wife about the street, when M'Donald interfered; Henry then turned on him and invited him to come on, using words which Dr. Edye repeated; neither of the other defendants used foul language. Mr. Turner, who appeared for Mrs. Henry and M'Donald, applied for their discharge, as nothing was proved against them. The bench assented and discharged them. Henry appealed to the mercy of the bench, on account of the strong provocation he had received from his wife's conduct, and the bench discharged him also, after a caution that the new Vagrant Act would be put in force against all who used such language.

**CHARGES OF USING THREATENING LANGUAGE.** - Two cases of this character also came before the bench yesterday. The first was **JOHN SCOTTOWE PARKER v. CHARLES FITSIMMONS**. Mr. Parker deposed that he was in fear of personal injury from Mr. Fitsimmons, that gentleman having on Friday last, in the Northumberland Hotel, in consequence of words previously occurring, told him he was a liar and a vagabond, and that whenever he met him he would insult him, at the same time shaking his fist at him; no threat to personal violence was made by Mr. Fitsimmons, and witness, who had just been holding an inquest, told him he should apply to the law for protection. Mr. Turner contended for the defence that there was no case for magisterial interference, no threat to inflict personal injury having been made, while Mr. Fitsimmons lived 300 miles from Maitland, and was therefore not likely to see Mr. Parker often. The bench held that no case for their interference was made out, and dismissed it.

The second case was **MARIA POWERS v. CATHERINE FULLER**. Mrs. Powers deposed that Mrs. Fuller came to her door on the evening of the 23<sup>rd</sup>, and invited her to come out, telling her if she did she (Mrs. F.) would put her into the creek; she feared personal violence from Mrs. Fuller unless restrained. In answer to the bench Mrs. Powers (the strongest woman of the two) said she did not think Mrs. Fuller could put her in the creek if she knew it. The bench dismissed the case.

**SYDNEY NEWS.**

A man giving his name as **GEORGE SOMERVILLE** has been out on bail for a week on a charge of violently assaulting **AMELIA BAIRD**, on Sunday week, about two o'clock in the morning, since which time the complainant has been in the infirmary. This day Somerville was fined £5 for the assault, or in default to be imprisoned for 2 months. He is, however, detained in custody on suspicion of being **HENRY STANTON**, who some time since made his escape from Melbourne gaol.

**MAITLAND MERCURY, 10/820, 12/05/1852**

**A LUNATIC.** - On Thursday morning police sergeant **DITCHAM** was called upon to remove a man named **GRAHAM** from Saint Philip's Church, into which he had forced his way, and refused to retire. Ditcham found him in the pulpit, turning over the leaves of the books; as he took no notice of the sergeant's call to come down, the latter then went up to bring him; Graham then, without further ado, kicked Ditcham down the stairs, desiring that he would keep his place. "I'm the parson, and you're the clerk," said the unfortunate man, and proceeded to deliver a text. Ultimately Ditcham effected Graham's removal. He was yesterday brought before the bench, and was sentenced to Darlinghurst Gaol, for the sake of medical treatment, for a period of fourteen days. *Herald, May 8*

**MAITLAND MERCURY, 10/821, 15/05/1852**

**ASSAULT.** - **M'VITIE v. KETTLE.** - This case was called on yesterday pursuant to remand. The information set out that on the night of the 1<sup>st</sup> instant, at the Victoria

Hotel, **JOHN EEKE KETTLE**, landholder, did assault, beat, strike, and wound **HENRY WALLACE M'VITIE**, doctor of medicine, for which offence it prayed that the defendant might be committed to prison or held to bail to answer an indictment – expressly stating that the bench were not asked to deal in their summary jurisdiction in the premises. The case came on on Friday, when Mr. **JOHNSON** having addressed the bench on the case he was about to bring before them, called Dr. M'Vitie, who deposed that on the evening of the 1<sup>st</sup> instant he went to the Victoria Hotel, accompanied by Lord **FREDERICK MONTAGUE**, to see a friend, and in a room through which they passed to the billiard room he saw the defendant and Mr. **BURGESS** sitting; almost immediately afterwards he was followed into the billiard-room by defendant, who, after putting a question, and without affording time to reply, struck him a severe blow in the mouth with his fist, at the same time using insulting language, and threatening to murder him (the witness); defendant took up a cane and made several blows at his head, which however he received on his arm; the blow on the mouth forced a tooth completely through his lip; he was at length taken away by some stranger to him (witness). Lord F. Montague was called, who corroborated the complainant's statement. Mr. **J.R. HOLDEN** proved that some days prior to the assault complained of, the defendant in the course of conversation with him (Mr. H.) said he would take the first opportunity of giving complainant a thrashing; this conversation was in reference to a legal proceeding against Dr. M'Vitie in which defendant's daughter is concerned. Mr. **TORNING** saw a scuffle between the parties, but not the commencement. The case was then adjourned. Yesterday Mr. **NICHOLS** addressed the bench (Mr. **DOWLING** and Mr. **GRANT**,) on behalf of the defendant, addressing himself principally to combat a position taken by Mr. Johnson, who conducted the prosecution that under the special form of the information in this case, their worships were not at liberty to deal summarily in the matter, but that they must either commit the defendant to take his trial or discharge him altogether. The defendant was committed for trial at the Quarter Sessions. Bail was allowed, defendant in £40, and two sureties in £20 each. *Herald, May 11*

MAITLAND MERCURY, 120/822, 19/05/1852

CONJUGAL QUARRELS. - Yesterday **JOHN TINLING** appeared before the bench, charged with assaulting and putting in fear his wife, **SARAH TINLING**. Mrs. Tinling deposed that her husband had frequently illused her, and on Wednesday last knocked her down and kicked her in the mouth, and afterwards turned her out of the house, it being then late in the evening. Tinling was ordered to enter into sureties to keep the peace for twelve months, himself in £40, and two sureties in £20 each.

MAITLAND MERCURY, 10/823, 22/05/1852

ASSAULT. - Yesterday **HENRY CURLEWIS** was brought before the bench, charged with assaulting **JOHN LEE**. It appeared from Lee's evidence that on Tuesday he and Curlewis were at Mr. Portus's, Morpeth, and were about to start together in a boat for Raymond Terrace, when some words arose, and Curlewis threatened Lee with a good thrashing if he stepped out of the boat; shortly after Lee got on to the wharf from the boat, and Curlewis assaulted him, pushing him into the water; Lee got out again; when Curlewis struck him, and Lee returned the blow, and subsequently Curlewis produced a knife, with which he pursued Lee, who ran away; Lee afterwards gave Curlewis into custody. Mr. **RONALD PORTUS** saw part of the transaction, and his evidence corroborated Lee's. Curlewis was convicted, and fined £2, and £1 costs, or one months' imprisonment.

**LUNACY.** - Yesterday **MARY CAREY** was brought before the bench, charged with assaulting her husband, **JOHN CAREY**, with a knife. It appeared from the evidence that on the 13<sup>th</sup> instant Carey was awakened by feeling his head touched, and on looking, found his wife standing by him with a knife in her hand; as she has for a length of time been out of her mind, and constantly accusing him of ill-treating her, while latterly she has become more violent in her manner, he was greatly alarmed, and feared she would do him or some person fatal injury from the state of her mind. Mrs. Carey made a violent and incoherent accusation against her husband, in reply to this statement. Dr. **SCOTT** and Dr. **WILTON** certified that Mrs. Carey was a dangerous lunatic. The bench committed her to gaol as a dangerous lunatic.

**MAITLAND MERCURY, 10/824, 26/05/1852**

**THREATENING.** - Yesterday **CHARLES USHERWOOD WARDELL** was brought before the bench, charged with threatening **SOPHIA M'GRANE**. Wardell, it appears, is already bound over to keep the peace, yet on Sunday last he threatened to poison and to stab Mrs. M'Grane, his neighbour, walking up and down the common yard with a knife in his hand, and frightening Mrs. M'Grane so much that she was compelled to keep within doors for some hours. Wardell was ordered to enter into recognizances to be of good behaviour, himself in £20 and two sureties in £10 each, and to be imprisoned until that was done.

**CONJUGAL QUARRELS.** - Yesterday **WILLIAM CONSTABLE** appeared before the bench, charged with assaulting and threatening his wife, **SARAH CONSTABLE**. Mrs. Constable having deposed to the treatment she received from her husband, he was ordered to enter into sureties to keep the peace, himself in £40, and two sureties in £20 each.

**MURDEROUS ASSAULT.** - A woman named **MARY ANN BROWN, alias KILMURRY**, who has been frequently dealt with at the police court, was charged with having committed an assault of a serious nature upon a female named **JANE SMITH**, residing in Sussex-street. Inspector **SINGLETON** deposed, that he went to the residence of the injured woman, and found the room covered with blood. She had been stabbed with a knife over the eye, in the ear, neck, and elsewhere, and she told the Inspector that the prisoner had broken into her room and stabbed her in bed. The prisoner denied all knowledge of the affair, but Inspector Singleton deposed that her dress was in several places spotted with blood. The injured woman is in the infirmary and unable to attend at the police court at present. It is not supposed that the wounds will terminate fatally. The prisoner was remanded until Monday next. *Empire, May 21.*

**STABBING.** - At the Police-office, on Thursday, an unfortunate creature named **LINFIELD**, was committed to take his trial for stabbing one **DAVID LEWIS**, employed as cook to Mr. **F. COHEN**. The prisoner is well known in town as a sort of quack doctor, earning a shilling wherever he could pick up a person willing to put himself under his practice, especially in the profession of chiropodist or corn doctor, but has for several years been looked upon as insane or cranky, although generally considered more comical than destructive. Lewis, it seems, had thrown some flour in the doctor's face, while the latter was standing at the bar of the Glasgow Arms public-house, in George-street, and this so exasperated the former that he threatened to stab him. In the course of a few minutes he went up to Lewis, who had gone outside, and struck him a blow in the abdomen, which Lewis perceived from the trickling of blood was a stab from a knife. On giving the alarm, Mr. F. Cohen instantly pursued the prisoner, and having secured him, conveyed him to the Police-office. Dr. **RUTTER**,

on examining Lewis, found Linfield had inflicted a wound of about four inches in length, which, though it divided the whole skin, had not penetrated the muscles. A knife was taken from the prisoner by Mr. Cohen immediately on his apprehending him – Lewis having had a most narrow escape with his life. Linfield was committed for trial. *People's Advocate, May 22*

MAITLAND MERCURY, 10/825, 29/05/1852

MURDEROUS ASSAULT. - On the evening of the last day of the Gunning races, several persons, armed with bludgeons, fell upon Mr. **HENRY PATERSON**, one of the stewards, and his brother, and belaboured them most unmercifully. The assaulted were struck several times about the head, and narrowly escaped with their lives. *Goulburn Herald, May 22*

MAITLAND MERCURY, 10/826, 02/06/1852

SYDNEY NEWS. - Several cases of stabbing have occurred lately. **JAMES LAWSON** was this day remanded on a charge of stabbing one **GEORGE BRYANT**, with a knife, during a squabble. The prosecutor, although not dangerously wounded, was unable to attend today.

STABBING. - **JOHN JONES**, a cabinetmaker by trade, was on Thursday night apprehended by constable **LONG**, for having stabbed with a chisel one **JOHN DALE**, in the left breast and arm. The sufferer was not able to be in attendance yesterday to prosecute, and prisoner was remanded to gaol until Tuesday next. Dale, we understand, is a decent hard-working man in the Corporation service, with a wife and family; Jones is addicted to intemperance, and was very much under the influence of liquor at the time of this offence. *Herald, May 29*

MAITLAND MERCURY, 10/826, 05/06/1852

ASSAULT CHARGES. - Yesterday four assault cases came before the bench. The first was **MARGARET REID v. WILLIAM MARNANE**. Mrs. Reid deposed that she went to Marnane's house to get her husband away, for that he and her husband were ruining her; on which Marnane ran out, pushed her down, and dragged her by the hair through the mud, by which she lost her cap and umbrella. In defence a witness named **SIMON SMITH** deposed that all Marnane did was to push her on one side as she was abusing him; she fell afterwards from drunkenness. The case was dismissed.

The second case was **MARY HENRY v. ELIZABETH HORNE**. Mr. **TURNER** appeared for the complainant, and Mr. **NICHOLL** for the defendant. Mrs. Henry deposed that on the evening of the 19<sup>th</sup> May Mrs. Horn came to her shop window; and in another instant a brick came through the window, and passed close to her (Mrs. Henry's) head, breaking the partition wall beyond; the brick produced was the same; Mrs. Horn was already bound over to keep the peace; about a quarter of an hour previously witness had told Mrs. Horn not to take her window curtain away. **DANIEL HENRY**, son of Mrs. Henry, deposed that he was outside, some short distance off, and saw Mrs. Horn go cautiously from her own door to his mother's shop, and after looking in a while throw something through the window, witness's mother being inside the shop at the time; there was only one house between their house and Mrs. Horn's; witness hastened to the spot, but Mrs. Horn got inside her house before he could reach her; witness was positive it was Mrs. Horn. In defence Mr. Nicholl said he believed he could prove that the charge was not true, but was made from ill-feeling between the parties. **JAMES DAVIDSON**, a neighbour, was at

home that evening, and heard no disturbance; had often heard the parties abusing each other; heard no window break. **FRANCIS HAMILTON**, who lives between the parties, was in Horn's that evening perhaps half an hour; Mrs. Horn appeared quite quiet; heard no disturbance at Henry's that night, or any windows smashed; there are three panes smashed at Mrs. Henry's, two broken by Henry himself; witness must have known it had a window been broken that night by Mrs. Horn; witness was also down the town that evening for some time. Cross-examined:- Witness could not be positive that it was the evening of the 19<sup>th</sup> he had been speaking of; had heard no scolding between the parties since he went to live there, from the 13<sup>th</sup> April. **ELLEN HAMILTON**, wife of Francis Hamilton, had never heard any words made or disturbance raised between the parties; witness was constantly at home. **GEORGE DEVINE**, who lives nearly opposite the parties, heard no disturbance on any evening about a fortnight ago; was always at home at work. The defendant was convicted, and fined £3 and costs, or in default two months' imprisonment.

The two next cases were cross-charges, one being **BRIDGET HENRY v. FREDERICK STEVENS and ELIZABETH STEVENS**, and the other Elizabeth Stevens v. Bridget Henry. The evidence given on both sides, by witnesses who are neighbours, was almost directly contradictory. Mrs. Henry and her witnesses deposing that Mrs. Stevens on the 28<sup>th</sup> May first knocked down Mrs. Henry with a stick, and then held her down till Stevens came up, when he struck Mrs. Henry several blows in the face with his fist, and kicked her brutally in the side; while Mrs. Stevens and her witnesses deposed that Mrs. Henry got into a quarrel with Mrs. Stevens, dragged Mrs. Stevens out of her own house by her hair, and caught her finger in her mouth, and knelt on her, keeping her down in spite of the exertions of two neighbours till Stevens came up, when he knocked Mrs. Henry off his wife, but inflicted no further violence on her. Dr. **SCOTT**, who had attended Mrs. Henry, found a cut head, and a heavy bruise on her forehead. The bench, after patiently investigating the matter, were unable to decide which ought to be convicted of assault, but bound all three over to keep the peace for twelve months, themselves in £40 each, and two sureties in £20 each.

**STABBING.** - **JOHN JONES**, remanded from a former day on the charge of having stabbed one **JAMES DALE**, who was unable to attend and give evidence, was yesterday brought before the Police Magistrate, who, after hearing the depositions, committed the prisoner to take his trial at the Quarter Sessions. James Dale, residing in a lane off Pitt-street, deposed that after ten o'clock on last Thursday evening he was sitting by the fireside in his own house, with a grand-child on his knee, when he heard the prisoner, who lived within a few yards of him, coming up the lane and making a noise, as if under the influence of liquor; in order that he should not be tempted into prosecutor's house, he caused the door to be shut; prisoner passed witness's house, but presently the door was burst open, and prisoner rushed in, exclaiming, "You ----- - rascal, you strung up my cat;" witness denied having had anything to do with the cat, and as quietly as possible put him out of the house; in a minute or two afterwards he returned with a carpenter's tool of some kind in his hand, stabbed him therewith on the chin, and on the left breast, and slightly cut his right arm; Dr. **HOUSTON** had attended him from that day to this, and he is still unable to attend to work. Dr. Houston described the wounds he found on the prosecutor; he was at one time of opinion that Dale was in danger, but the wounds were favourably healing up, and he did not now consider his life in any danger from this cause. Prisoner was admitted to bail for his appearance, himself in £100, with two sureties in £50 each.

**MARY ANN BROWN** was committed by Alderman **EGAN** to take her trial at the next criminal session of the Supreme Court, for having, on the 19<sup>th</sup> ultimo, stabbed with a knife one **JANE DEACON, alias SMITH**. The prosecutor deposed that about one o'clock in the day, on the 19<sup>th</sup> May, she was lying in bed in her own house, when the prisoner burst open the street door, took up a knife lying on the table, with which she inflicted several wounds on the head, face, and neck; she threw at her head an iron-pot, which knocked her senseless; she next found herself in the Infirmary, where she had remained under Dr. **M'EWAN'S** care until the present day. Dr. M'Ewan gave evidence of the nature and extent of the wounds; prosecutrix is getting better, but is not out of danger. *Herald, June 2*

**MURDEROUS ASSAULT**. - Two men, one whose name is **JOHN BARBER**, having brought a team in from the country, called at Mr. Simons', Chequers Inn, on the night of Tuesday last, for the purpose of getting some refreshment. A man named **THOMAS HYAMS** was there at the time, and he and one of the men commenced tossing. Barber left the house and went up the town. Shortly after ten o'clock, Barber returned, and a scuffle ensued between him and Hyams, in front of Mr. Simons' premises. Barber was underneath Hyams, and the former, taking a knife from his pocket, cut Hyams under the jaw. On the following day, from information received, two constables were sent after Barber and his companion, and they were brought back and lodged in the watch-house. Barber has been brought up, and committed to take his trial at the Circuit Court. *Goulburn Herald, May 29*

**SHOOTING WITH INTENT**. - **WILLIAM ROBINSON** boatswain's mate on board H.M.S. *Acheron*, steamer, was brought up in custody of constable **SCARLET**, who took him into custody on Saturday, by virtue of a warrant, charged with shooting at, and wounding **JOHN STRONG**, a marine on board the *Acheron*, on the 21<sup>st</sup> of last December. Strong deposed that on the night of the occurrence, he was on duty on the starboard side of the poop, when he heard the close and sudden report of a musket. He was wounded in one of his legs, and fell to the deck. He was at once conveyed to the military hospital, where he has since been. The wound is healed, but witness believed he should be always rather lame. It was about nine o'clock at night when he was shot. At about five o'clock the same day, he saw the prisoner with a musket in his hand, and told him to put it back among the stand of arms, from whence he had taken it. Prisoner did so. He was on good terms with the prisoner. A great number of witnesses were called, consisting of officers, seamen, and marines, belonging to the *Acheron*. From their united testimony it appeared that the prisoner had been found fault with by some of his officers. One officer had stopped his grog for drunkenness, and had censured him as useless in the vessel. The prisoner had muttered indistinct threats of vengeance. It was also stated that he had been kept in irons ever since the 21<sup>st</sup> of December, the night of the occurrence, as he was kept in expectation of the arrival of Sir Everard Home, for a court martial to be held upon him. Robinson was fully committed for trial at the Central Criminal Court, which commences on Monday next. The prisoner, prior to his removal from the dock, protested his innocence. *Empire, June 1*

MAITLAND MERCURY, 10/828, 09/06/1852

**ASSAULT CASES**. - Yesterday several charges of assault came before the bench, arising out of the ill-feeling between parties residing near each other, near the Long Bridge. The first was **MARY HENRY v. ELIZABETH HORN**, and the second Elizabeth Horn v. Mary Henry and **DANIEL HENRY**. Mr. **TURNER** appeared for Mrs. Henry, and Mr. **NICHOLL** for Mrs. Horn. Mrs. Horn was fined £3 on Friday last

by the bench for assaulting Mrs. Henry by throwing a brick at her through her shop window; that same evening the quarrel was re-commenced, Mrs. Henry and her witnesses deposing that Mrs. Horn threw a bottle at her after tearing away her window curtains, threatening to rip her up, and also to burn her house down, and at a later hour threw some pieces of brick and stone in at the back window, one of which struck Mrs. Henry and another her son; on Daniel Henry pursuing her he saw Mrs. Horn running into her house, and Horn closing the door on her. Mrs. Horn denied the truth of these statements, and deposed in her own case that she was assaulted by Mrs. Henry as she was passing the house, Mrs. Henry striking her on the face with her fist; Daniel Henry, her son, threw a stone at her which struck her on the back of the shoulder, and knocked her down insensible; this last occurred at Mr. Kerrigan's tap. The bench required Mrs. Horn to point out where she stone struck her, and she placed her hand at the back of her head, saying her shoulder was hurt in the fall. A great deal of evidence was called, to support this statement, but the bench, having closely examined the witnesses, dismissed the case, without calling on Mr. Turner for the defence. The bench took some time to consider the case against Mrs. Horn, and then convicted her of assault, and fined her 20s., or in default of immediate payment to be imprisoned for fourteen days.

The next case was **ELLEN HAMILTON v. DANIEL HENRY**. Mrs. Hamilton deposed that on Friday evening last, on remonstrating with young Henry for challenging her husband, an elderly man, to fight, he struck her in the face, knocking out one of her teeth. ----- Horn, who was sitting with Hamilton at the time, described it as a backhanded blow with the open hand, struck by Henry on her interfering to prevent Henry and her husband, who were quarrelling, going to fight. In defence this statement was denied, and it was stated by Mr. Turner that his witnesses would prove that Hamilton and his wife, who were drunk, assaulted Henry. Two witnesses, **WILLIAM HALL and THOMAS CHARLTON**, having deposed to this effect, and that Henry did not strike Mrs. Hamilton, the bench dismissed the case. - The next case was **ELIZABETH HORN v. ARABELLA HALL**, but Mrs. Horn declined to prosecute it.

**INDECENT LANGUAGE.** - Yesterday **ELLEN HAMILTON** appeared before the bench, charged with using obscene language to **DANIEL HENRY**, on Friday evening, in High-street, West Maitland. Henry and a witness having described Mrs. Hamilton's actions and words, the bench convicted her, and fined her 20s. and costs, or 14 days imprisonment. The case of **ELLEN HAMILTON v. DANIEL HENRY (the elder)**, remanded from Friday last, was then called on. The witness for the prosecution, for whom the case had been postponed, was not in attendance. For the defence two witnesses were called. The bench dismissed the case.

MAITLAND MERCURY, 10/829, 10/06/1852

**CHARGE OF ASSAULT.** - Yesterday **MARGARET CHISHOLM** appeared before the bench, charged by **MARY HYDE** with assaulting her. Mrs. Hyde deposed that on Sunday last she was passing Mrs. Chisholm's place, when the latter commenced abusing Mrs. Hyde; Mrs. Hyde remonstrated with Mrs. Chisholm on this conduct, when Mrs. C. stepped up, put her fist in her face, and threatened her. She called a witness, **ALFRED BAKER**, who heard the scolding, but saw no blows. In defence Mrs. Chisholm called a witness, **STEPHEN WRIGHT**, who represented that Mrs. Hyde began the affair, and that it was simply a scolding match without blows or threats, excepting that Mrs. Hyde shied a stick at him on his venturing too near. The bench dismissed the case.

## CENTRAL CRIMINAL COURT.

Monday, JUNE 7, 1852.

SHOOTING WITH INTENT TO MURDER. - **WILLIAM ROBINSON** was indicted for shooting at **JOHN STRONG** with a musket, in Port Jackson, on the 21<sup>st</sup> December, 1851, with intent to murder him.

The facts of this case were recently published, on the occasion of the prisoner's committal. Prisoner was a seaman on board H.M.S. *Acheron*, and Strong a corporal of marines on board; Strong was shot on a dark evening in the leg, while he was speaking to Mr. **NOEL**, master's mate, with whom Mr. **LEVELL**, the second lieutenant, was standing at the time; the evidence to indicate the prisoner as being the man who fired the shot was circumstantial, and it was proved that he had previously uttered threats against Mr. Levell for having reported him for drunkenness, and had repeated those threats the same day.

His Honor pointed out, that as the evidence showed no previous intention of shooting Strong, and as the real intention was in this class of offence a material ingredient, the prisoner could only be found guilty of common assault, as being the cause of the injury sustained by Strong, unless the jury should think that there was a real intention to murder the latter.

The jury found a verdict of common assault, but the Solicitor-General did not feel himself justified in the present case to rest content with such a verdict. He therefore entered a *nolle prosequi*, and Robinson was again arraigned under an indictment charging him with having fired the musket with intent to murder Napoleon Levell.

Upon this information prisoner was again tried, and the same evidence as before having been given, he was found guilty of the felony. He was then sentenced to be worked on the roads or other public works of the colony for the period of ten years.

STABBING. - **HENRY LINFIELD** was indicted for tabbing **DAVID LEWIS**, on the 9<sup>th</sup> May, at Sydney, with intent to do him some grievous bodily harm.

The case was recently reported. Lewis and another person were in the habit of playing practical jokes on Linfield, who is regarded as half-witted, throwing water over him, &c., and on this day Lewis threw some flour in his face, and Linfield threatened to stab him, and subsequently, in a scuffle, did so, inflicting with a knife a wound in Lewis's stomach.

Prisoner's defence was, that he had inflicted the wound accidentally, having been grievously irritated and ill-used by Lewis, and having, while under excitement, cast his arms about, without meaning to injure any one.

The jury found a verdict of not guilty, coupled with an expression of opinion to the effect that the prisoner had been irritated by the prosecutor, and that the wound had been inflicted accidentally while the prisoner was labouring under this irritation.

Saturday May 22.

ASSAULT. - **SANG**, a Chinaman, was indicted for assaulting **ROBERT FLEMING**, at Hawkwood, on the 22<sup>nd</sup> December, 1851.

Mr. Fleming is superintendent of the Hawkwood station, and Sang was a shepherd there; he had been twenty months on the station, and the sum of £10 wages was due to him, when one day he came to complain to Mr. Fleming of the bad rice supplied to him, bringing 5 lbs. of it, which he wanted Mr. Fleming to buy; after some altercation Mr. F. put him out of the store, but the Chinaman burst the door open again, and came in in a very angry state, throwing the rice on the floor, and making a blow at Mr. Fleming, as the latter stated, with what appeared to be a knife, but which proved to be a sheep-shear blade; Mr. Fleming avoided the blow, and Sang was knocked down,

secured, and marched off next morning to prison. The other witnesses called generally corroborated this statement, but none saw a blow made or offered by Sang.

Not guilty; discharged. His Honor remarked that the £10 due to Sang ought at once to be paid.

MAITLAND MERCURY, 10/830, 12/06/1852

ASSAULT CASES. - Yesterday several charges of assault were brought before the bench. The two first were **SARAH BAILEY v. SAMUEL CLIFT**, and **SARAH BAILEY v. THOMAS WISE**. These charges arose out of the fact that a number of young men assemble opposite Mr. Bailey's house on the 10<sup>th</sup> instant, to keep up the ancient but disagreeable practice of ushering in a wedding by unmusical noises, beating tin kettles, smacking stock whips, &c.; Mrs. Bailey not approving this, went out and tried to disperse them, and words proving ineffectual, she tried a whip, but was obliged to give it up, and as she retreated, she stated that she was struck by some bones on the back, thrown by the young men, and by a stock whip lash curling round her; she charged young Clift with the latter offence, and young Wise with throwing the bones. In defence young Clift proved by two witnesses that he had some trouble to keep off Mrs. Bailey's whip, and did not strike a blow himself. The case against him was therefore dismissed. Wise was less fortunate, and was convicted, and fined 20s. and 4s. 6d. costs, or in default one month's imprisonment.

The third case was **JOHN ROBERTS v. JAMES ALLEN**. About the 28<sup>th</sup> May, late in the evening, Allen struck Roberts in the face with a brick, knocking him down in sensible, and leaving him so much injured that he was for a week or ten days unable to come in to give evidence, he residing at the Rutherford boiling down establishment, where Allen and he were employed. Mrs. Roberts however came in and made affidavit to the facts, when Allen was apprehended on a warrant, but was subsequently remanded from time to time on his own recognizance, till the magistrates were led to believe that the matter had been compromised, and that Roberts did not intend to press the charge. As the injury had been severe, they refused to allow this, acting on a written opinion of the Attorney General in a previous case, and insisted on Roberts appearing to give evidence. Yesterday, therefore, Roberts attended, but entreated that the case might be withdrawn, as he had long since forgiven the injury inflicted, while both were drunk, by a man with whom he had always been friendly. The case was gone into, however, and although Roberts would or could not say who injured him, or how it was done, Mrs. Roberts described a fight between her husband and Allen, Allen's being turned out of the house, and his returning some minutes afterwards and knocking, when Roberts opened the door against her wishes, and was instantly knocked down by Allen by a heavy blow in the face with a brick, the blow leaving him insensible, and blood issuing from the wounds, and from his mouth, eyes, and ears; Roberts was under medical care three days, and was not yet as strong as before. Allen was convicted, and fined 20s., and 20s. costs, or fourteen days' imprisonment.

MAITLAND MERCURY, 10/829, 10/06/1852

NEWING, THE MURDERER. - It will be remembered that when **NEWING**, the Chinaman, now lying in Bathurst gaol, awaiting his trial for the murder of his countryman **ING**, was first confined, he refused to take any food for a long period, and nearly starved himself to death. Subsequently he relaxed from his sulky mood, and ate freely, becoming in the course of a few weeks as sleek as a mole. A few days ago a sudden change came over him, and he relapsed into the sulks. When his

morning's meal was offered to him, he dashed it to the floor of his cell, and with the fury of a wild beast, broke the vessel containing it. Having no other object upon which he could expend his fury, he commenced breaking up a bucket, and could only be restrained by being placed in irons. When spoken to he barely lifts up his head towards the person addressing him, and shakes it in a style nearly approaching the ferocious. As the time of his trial is now fast approaching, it is a question for serious consideration, whether any steps have been taken towards obtaining an interpreter, and if an interpreter is not procurable, how the miserable being is to be disposed of. *Bathurst Free Press, June 5*

THE GOLD FIELDS. - TURON. - I omitted in my last communication to you, to notice a melancholy fact, showing the uncertainty of human life, which came under my observation, in a short space of twenty four hours, whilst I was staying at the Golden Gully, namely three cases of sudden death, and all within a short distance of each other. One man dropped dead, while working in the hole. Another had recently arrived in charge of a bullock-team. And the third was standing before the bar of a public house. The former, I believe, leaving a wife and young family.

FATAL ACCIDENT. - An unfortunate accident occurred on board the brigantine *Waterlily* yesterday morning. It appears that the vessel was being smoked; the fires having been lighted at six o'clock the previous evening, and all the hatches and skylights put on and secured, and a watch kept. About six o'clock in the morning, the watchman observing one of the skylights open, looked down, and perceived one of the seamen, in a sitting position in the cabin, apparently asleep; on going down he found the man to be dead. Dr. **M'KELLAR** was immediately sent for, who pronounced life to be extinct. An inquest will be held on the body to-day. *Herald, June 7*

MAITLAND MERCURY, 10/830, 12/06/1852

CENTRAL CRIMINAL COURT

WEDNESDAY, JUNE 9. - (Before Mt. Justice Dickinson)

STABBING. - **MARY ANN BROWN** was indicted for stabbing **JANE DIXON**, on the 19<sup>th</sup> May, with intent to do her bodily harm.

Dixon deposed that she was lying down in bed about midday, when Brown pushed the door open, said the house was hers, and immediately took up a knife, and stabbed her in the eye and about the head and neck, inflicting many slight wounds; she then went away.

The defence was a plea of drunkenness, and a statement that somebody also stabbed the woman, whose state prevented her clearly recollecting it; and it was proved that on a former occasion Dixon had been stabbed by the man with whom she was cohabiting.

Not guilty; discharged.

MAITLAND MERCURY, 10/831, 19/06/1852

ASSAULT. - Yesterday **SARAH BAILEY** appeared before the bench, charged with assaulting **WILLIAM PARSONS**. Parsons was one of the young men gathered together outside Mrs. Bailey's house, on the evening of the 10<sup>th</sup> instant, making insulting noises, and he now charged Mrs. Bailey with striking him with a whip on her running out to disperse them. The bench having heard the evidence to support the case, convicted the defendant, and fined her one penny, without costs, the bench condemning the conduct of Parsons and his companions in the strongest manner, as most disgraceful.

MAITLAND MERCURY, 10/832, 23/06/1852

**DISTURBING THE PEACE.** - Yesterday two lads, **THOMAS TAAFE** and **THOMAS NICHOLS**, were brought before the bench, having been apprehended on Monday, in High-street, for fighting. Constable **POOL**'s evidence to that effect having been taken, they were cautioned and discharged

MAITLAND MERCURY, 10/834, 30/06/1852

**ASSAULT.** - On Friday a man named **JOHN MULHOLLAND** was brought before the bench, charged with assaulting Mrs. **REILLY**. Mrs. Reilly did not appear to prosecute, but it appeared from the evidence of **FRANCIS M'GUIGAN** and **JAMES DIXON** that on Thursday evening Mrs. Reilly was proceeding to Morpeth, M'Guigan being with her, when Mulholland, who was drunk, came up, and seized hold of Mrs. Reilly, saying she was the woman who robbed him; Mrs. Reilly said if he would come to a house she would satisfy him that she was not the woman, but he refused to listen to her, and pulled her about very rudely; M'Guigan hastened to a house for assistance, and Mrs. Reilly escaped from Mulholland through a fence, calling for help, when Dixon hearing her cries, ran out; Mrs. Reilly told him how Mulholland had ill-used her, which Mulholland did not deny, abusing her and calling her a vagabond; the police were informed of the affair, and Mulholland was apprehended. The case was remanded for Mrs. Reilly's evidence. Yesterday it was again brought on, when Mrs. Reilly appeared, and said she did not wish to press the case, believing that Mulholland's conduct was only caused by drunkenness. The bench, after some discussion, discharged Mulholland, cautioning him as to his conduct.

Yesterday three cross charges of assault, arising out of one transaction, came before the bench, the parties being **SARAH SCANLAN v. MARIA SIMS, SARAH SCANLAN v. ELIZABETH LLOYD, and MARIA SIMS v. SARAH SCANLAN**. Mr. **WARD** appeared for Mrs. Scanlan, and Mr. **NICHOLL** for her opponents. It appeared that on Thursday morning last a quarrel occurred between Mrs. Sims and Mrs. Scanlan as to who had the best right to a log of wood, which, having been brought down by the fresh in the river, Mrs. Scanlan and her two step children had got; Mrs. Sims's mother, Mrs. Lloyd, ran down to the spot, close to the edge of the river, and took part in the dispute, and eventually the parties got to blows, Mrs. Scanlan and her step-son deposing that Mrs. Lloyd pushed Mrs. Scanlan into the river with the log, and that afterwards Mrs. Lloyd and Mrs. Sims struck Mrs. Scanlan repeatedly, and threw her down. Mrs. Lloyd on the other hand said that Mrs. Sims went to get the log from the river itself, and that Mrs. Scanlan interfered, and that Mrs. Scanlan struck her and her daughter, and tried to throw her into the river. Mrs. Sims deposed to this effect, denying that they struck Mrs. Scanlan. The bench ordered all three parties, by their husbands, to enter into recognisances in £10 each to keep the peace for twelve months.

MAITLAND MERCURY, 10/835, 03/07/1852

**VIOLENT ASSAULT.** - A man named **CLOUGH** was yesterday brought before the Mayor, charged with having committed a violent assault. The prosecution was about to proceed, when Dr. **RUTTER** entered the court, and intimated to his worship that the defendant had received such injuries as that it would be exceedingly dangerous to detain him in court at present while the case should be heard. The Mayor then adjourned the case for a week, and directed the defendant to be instantly conveyed to the Infirmary. *Herald, June 29*

MAITLAND MERCURY, 10/836, 07/07/1852

**ABUSIVE LANGUAGE AND ASSAULT.** - Yesterday **JOHN MASON** appeared before the bench, charged, under the 6<sup>th</sup> section of the Vagrant Act, with using abusive and insulting language to **CHARLES WHITAKER**, on Sunday, the 4<sup>th</sup> inst., in Newcastle-street, East Maitland. Mr. Whitaker deposed to the facts, and the language used. It appeared that Mason was also charged with assaulting Mr. Whitaker, and the bench heard both cases before deciding either. Mr. Whitaker said Mason's wife took refuge in his house for protection, from her husband, late on Saturday evening; he wished her to go over to Mr. **WOOD** the chief constable's house, but she preferred remaining at his house; she and Mrs. Whitaker tried in vain to get Mrs. Mason's children; the next afternoon Masson came to demand his children, who had just been brought there by their mother, and Mr. Whitaker said he was quite welcome to take them, if he would leave his house, that he did not want either Mason or his wife there; Mason became very abusive, and at length struck him. Mr. **WARD** cross-examined Mr. Whitaker, and addressed the bench, in palliation of the case. The bench convicted Mason of assault, and fined him 20s. and costs. Mr. Whitaker did not prosecute the other case.

MAITLAND MERCURY, 10/837, 10/07/1852

**SYDNEY NEWS.** - **MARIA DAVIS** was committed to take her trial for having on Monday last violently assaulted one **SAMUEL BISHOP**, inflicting upon his head sundry wounds with a saw and a knife. Davis alleged that she was alone, except two or three children, in her own house, at Canterbury, when Bishop burst in, set his dog at her, and threatened to take her life; under these circumstances she attacked him, preferring rather to kill even than to be killed.

MAITLAND MERCURY, 10/838, 14/07/1852

MAITLAND QUARTER SESSIONS.

This Court opens on Monday, the 26<sup>th</sup> July instant, ... The following are already set down for trial:-

**JAMES BROWN**, two charges of stealing; Maitland bench (this man died in gaol, as previously reported).

**THOMAS MARSHALL**, assault with intent, Murrumbidgee bench.

MAITLAND MERCURY, 10/839, 17/07/1852

**VIOLENT ASSAULT.** - **JAMES HANN**, and **JAMES ROSS**, were brought before the magistrates by Inspector **HIGGINS**, for committing a violent assault upon a man named **GRADY**, in Durand's Alley. The Inspector produced a piece of iron about two feet in length, with which Grady had been wounded in the head. The Inspector stated that Grady had informed him, the wound had been inflicted by Hann, who was remanded till Friday, on account of Grady's inability to attend at present. Ross was discharged from custody. *Empire, July 14*

**STABBING.** - On Sunday evening, about dusk, a young man named **COLIN MUNROE**, was standing on the road leading from Blue's Point, North Shore, when a man named **JAMES RUSSELL** came up, and after some angry words passed between them, Russell drew a clasp knife and stabbed Munroe in five or six places about the body. Russell then ran away, and had not been yet apprehended. Dr. **HARRISON** dressed Munroe's wounds, but cannot say decidedly whether they are mortal. Russell is about thirty-two years of age, 5 feet 10 inches in height, brown hair, sandy whiskers, and long visaged. *Empire, July 13*

MAITLAND MERCURY, 10/840, 21/07/1852

ASSAULT. - Yesterday **JOHN BALLARD** appeared before the bench, charged with assaulting his wife, **ELLEN BALLARD**. Mrs. Ballard having deposed to the particulars of a violent assault on her by her husband on Wednesday last, when he threatened her life, the bench ordered him to enter into sureties to keep the peace for twelve months, himself in £40 and two sureties in £20 each.

SYDNEY NEWS.

COMMITTAL. - **CATHERINE SCOTT** was this morning committed to take her trial for assaulting on the 11<sup>th</sup> instant, with an axe, one **PETER MALONY**, inflicting on his head a very severe wound, the danger of which has not yet passed away. The prisoner alleged that the prosecutor had made overtures of an indecent nature, and in order to prevent his accomplishing his purposes she was compelled to defend herself in the manner he had described. She did not deny the fact of the assault; but he denied the truthfulness of her allegations as to the cause.

MAITLAND MERCURY, 10/841, 24/07/1852

ASSAULT. - Yesterday **PATRICK CLEARY** appeared before the bench, charged by **PATRICK FITZGERALD** with assaulting him. Fitzgerald deposed that on Monday last he was drinking in Mr. Cleary's inn till he got struck by Mr. Cleary in the face, but did not know the cause till, he asked Mr. Cleary, when the latter said he struck him because he (Fitzpatrick)(sic) called him a scoundrel; he could not say whether he did or not, nor could he say (when cross-examined), whether he was disorderly that evening, or was ordered out in consequence by Mr. Cleary. Mr. **TURNER**, who appeared for the defence, said this was the fact, and he could prove this, and that Mr. Cleary did not strike him. A witness, named **THOMAS BYRNES**, deposed that Fitzgerald was very disorderly, insulting people, and that he threw down his (Byrnes's) wife; Mr. Cleary insisted on Fitzgerald's leaving the house, and Fitzgerald refused; Mr. Cleary put him out, and Fitzgerald fell as he was being put out, but was not struck by Mr. Cleary. The bench dismissed the case.

CUTTING AND MAIMING. - **JAMES RUSSELL** was yesterday brought up pursuant to remand on the charge of stabbing one **COLIN MUNRO**. Munro deposed that he resided on the North Shore; that on last Sunday week he had words with the prisoner and struck him twice; he went into his house, and in about three quarters of an hour afterwards went out and proceeded towards the wharf; he passed the prisoner on the road but neither then took any notice of the other; when on the wharf the prisoner came to him with a knife, stabbed him in the thigh, threatened to rip him from ear to ear, and inflicted several other stabs; after receiving the second, which was in the stomach, he felt giddy, and faint, and could not say what took place; he had been attended by Dr. **HARRISON**. Dr. Harrison, residing at Miller's Point, deposed that on the evening of Sunday, the 11<sup>th</sup> instant, he was sent for to see Munro at the North Shore; he found him very faint, from the loss of blood, but the bleeding had ceased. On examining him he found six punctured wounds, one on the fleshy part of the arm, and one on the thigh, one on the hip, two immediately over the region of the heart, and one on the left side of the abdomen, of which latter he was for several days exceedingly apprehensive of a fatal result; it was the only dangerous wound; he considered, however, that Munro was now out of danger. Committed to take his trial at the Central Criminal Court. Bail refused. *Herald, July 20*

VIOLENT ASSAULT BY A MAN ON HIS WIFE. - **CHARLES SMITH**, otherwise **Gipsy Smith**, well known in pugilistic circles, was yesterday brought before the police magistrate by Police Sergeant **BRIGDEN**, who deposed that in

consequence of information received, he on the previous evening proceeded to a lodging house kept by one **COLLINS**, in Erskine-street, where he found a woman named Smith (the prisoner's wife), bleeding profusely from several wounds on the head and face, which wounds she, in the presence of prisoner, said were inflicted by her husband with a broom handle, breaking the weapon in his assault; prisoner did not deny the charge, and witness took him into custody; he had this morning received from a doctor a certificate (handed up) to the effect that Mrs. Smith was severely injured, was in a very precarious state, and would not at the best be able to attend and give evidence for eight or ten days. The prisoner was remanded until Monday. Smith has recently returned, we are informed, from the diggings, where fortune smiled upon him. He had in his possession when apprehended £349, and is said to have besides a considerable sum to his credit in one of the banks. *Herald, July 16*

MAITLAND MERRCURY, 10/842, 28/07/1852

MAITLAND QUARTER SESSIONS

ASSAULT, WITH INTENT. - **THOMAS MARSHALL** was indicted for assaulting **THOMAS HAYDON**, at Murrurundi, on the 24<sup>th</sup> April, 1852, with intent to wound him, and thereby to do him bodily harm.

The witnesses called were Thomas Haydon, **JOHN M'GIVNEY**, and **MILES EGAN**.

Mr. Haydon, a magistrate of the territory, saw prisoner in Murrurundi, on the 24<sup>th</sup> April, riding furiously, and shouting out; and later the same day he saw himself exposing his person in the open street, just in front of Phoenix-street; having sent for a constable Mr. Haydon insisted on prisoner's remaining till he came, but prisoner, who had got on his horse, dismounted, struck at Mr. H. several times with his fist, and then took his knife from his pocket, opened it, and stabbed at Mr. Haydon several times, Mr. H. then having hold of him by the collar; Mr. Haydon succeeded in keeping him at arm's length and thus escaped the stabs, but after a considerable struggle prisoner got away from him, and rode away, and when Mr. Haydon followed him and stopped his progress, in Haydonton, more than a mile off, prisoner again dismounted and rushed at him, with the open knife, and finally got away from that evening. Chief constable M'Givney and constable Egan followed prisoner next morning with a warrant, and having overtaken him 14 or 15 miles from Murrurundi, apprehended him after a violent struggle, in which prisoner opened and tried to use a knife, swearing that they should not take him alive; the knife was a common pocket knife, with a strong blade, sharp pointed.

In defence prisoner denied that he exposed his person, and asserted that Mr. Haydon came up and stopped him without cause, striking him on the head with a whip.

The jury returned a verdict of guilty. The prisoner [who had it appeared been guilty of similar violent conduct since he had been in gaol] was sentenced to two years' hard labour on the roads or public works.

MAITLAND MERCURY, 10/843, 31/07/1852

VIOLENT ASSAULT. - **CHARLES, alias Gipsy SMITH**, charged with having, on last Sunday week, committed a violent assault on his wife, was yesterday discharged from custody, his wife declining to prosecute. *Herald, July 27*

MAITLAND MERCURY, 10/844, 04/08/1852

FEARFUL EFFECTS OF A VIOLENT NATURE. - The unfortunate woman, **MARY JOHNSTONE**, who had been several times tried in our courts for violent

assaults, and once for manslaughter, and who had now been only a few weeks released from gaol since serving her last sentence, was on Monday brought before the bench on a charge of cruelly assaulting her own son, a little boy of eight or nine years old. Dr. **SCOTT**, being sworn, deposed that he had that morning been called upon to examine a boy, the child of Mary Johnstone; there were large contusions on the whole back part of the body and the extremities, two wounds on the head, the right foot and the left knee extensively burned, and also the skin on the posteriors; there were also several scratches on various parts of the body, and also several small burned patches on various parts of the body; the child was likely to recover; it could not move its limbs owing to the burns, and it would be several days before it could attend court; he was told by the child that his mother had beaten his head against the floor, and also beaten him with an iron bar and a keg; that his mother then threw him into the fire, and when he crawled out threw him in again, and that she also took him to the lagoon and threw him in. He (Dr. Scott) saw blood on the keg. The woman was remanded by the bench for eight days.

THE GOLD FIELDS. - THE TURON.

SOFALA, JULY 26. - On Thursday night two brothers of the name of **TIKE**, one of whom is a butcher well known here, quarrelled, when the younger stabbed his brother in the right groin, inflicting a very severe wound. He was immediately taken into custody. The wounded man is doing well.

MAITLAND MERCURY, 10/845, 07/08/1852

CENTRAL CRIMINAL COURT.

MONDAY, AUGUST 2, 1852. ((Before Mr. Justice Dickinson)

STABBING. - **JAMES RUSSELL** was indicted for stabbing **COLIN MUNROE**, at the North Shore, Sydney, on the 11<sup>th</sup> July, with intent.

The evidence was contradictory. For the prosecution it was deposed that as Russell was passing Munroe's house, Russell used insulting language, on which Munroe went to him, knocked him down, and kicked him; that Russell then went away, but afterwards came back with a knife, and stabbed Munroe in several places. For the defence it was asserted that Munroe was in the habit of attacking and beating Russell, an inoffensive man, and was doing so on the day in question, at which time Russell had an open knife in his hand with which he was cutting tobacco, and that in Russell's defending himself Munroe was accidentally cut with the knife; the evidence to support this statement was not exactly alike, but the witnesses all deposed to Munroe's habitual ill treatment of Russell.

The jury retired, and had no agreed on their verdict when the court adjourned for the night; they were therefore locked up.

MAITLAND MERCURY, 10/846, 11/08/1852

CONJUGAL QUARRELS. - Yesterday **JAMES REID** appeared before the bench, charged with threatening his wife, **MARGARET REID**, and striking at her with a knife. Mrs. Reid having deposed to what occurred, her husband denied the charge. The bench held that the evidence did not support the information, and dismissed the case.

ERRATUM. - In the *Mercury* of Saturday last we reported that **FREDERICK MILLHAUSSER**, a German, was on the previous Wednesday convicted by the bench of threatening Mr. **ANDREW LANG**, and ordered to find sureties to keep the peace. We were in error as to the nature of the offence, Mr. Lang having brought up Millhausser for the protection of his (Millhausser's) family, as he was clearly out of

his mind, and threatening them with violence. Millhausser had not threatened Mr. Lang himself. Millhausser was sent to gaol in default of finding the sureties.

CENTRAL CRIMINAL COURT.

FRIDAY, AUGUST 6. – (Before Mr. Justice Dickinson)

**EDMUND MAHER** was indicted for wounding **JOSEPH WARD**, at Parramatta, on the 26<sup>th</sup> July, with intent.

He was also indicted for an aggravated assault on **EDMUND FRANKLIN**, on the same day.

Prisoner, a powerful man, met the two men together, and they were answering some casual question of his, when he attacked Franklin first, and then Ward, with a brick, beating them both heavily about the head with it, and inflicting on both serious injuries.

Guilty on both charges.

A former conviction of a similar nature was proved against him. Remanded for sentence.

MAITLAND MERCURY, 10/847, 14/08/1852

THREATENING. - On Wednesday **JOHN GIGGINS** appeared before the bench, charged with threatening his wife, **JANE GIGGINS**. Mrs. Giggins having deposed to the threats uttered against her by her husband, from whom she had been living apart for some time, he was ordered by the bench to enter into sureties to keep the peace, himself in £40, and two others in £20 each.

GOULBURN CIRCUIT COURT

This court opened on Monday, the 9<sup>th</sup> instant, before his Honor the Chief Justice – **JOHN BARBER** was found guilty of wounding **THOMAS HYAM**, at Goulburn, on the 25<sup>th</sup> of May, with intent to do grievous bodily harm, and was sentenced to twelve months' imprisonment in Goulburn gaol.

MAITLAND MERCURY, 10/848, 18/08/1852

GOULBURN CIRCUIT COURT. - TUESDAY, AUGUST 10, 1852

ATTEMPT TO SHOOT. - **JOSEPH WOODCROFT** was indicted for attempting to shoot at **OWEN JAMES GORMAN** with a loaded pistol, at Cooma, on the 28<sup>th</sup> March.

Guilty of assault. Twelve months' imprisonment, and to enter into sureties to keep the peace.

MAITLAND MERCURY, 10/849, 21/08/1852

GOULBURN CIRCUIT COURT. - WEDNESDAY, AUGUST 11.

**JOHN MURPHY** was indicted for stabbing **GEORGE WALTER**, at Jacqua, on the 27<sup>th</sup> June, with intent. Guilty; five years on the roads.

MAITLAND MERCURY, 10/850, 25/08/1852

ASSAULT CASES. - On Friday several cases of assault were brought before the bench. The first was **JOSEPH ECKFORD v. ARCHIBALD CASEY**. It appeared from the evidence that the parties had some words in East Maitland on the 1<sup>st</sup> instant, and that after Mr. Eckford had left for home in a gig, Casey followed him on horseback, and for some time kept up with him, addressing insulting language to him, which Mr. Eckford retorted; at length on Casey's challenging him to fight Mr. Eckford got out to fight, but after some words got back again into the gig; some further insulting language passed, and Mr. Eckford applied some to Casey's wife;

Casey then rode up, and struck Mr. Eckford three times over the head with a whip. The bench convicted Casey, and fined him 1s. and costs.

The second case was **WILLIAM WINDETT v. ROBERT CANVIN**. Windett charged Mr. Canvin with kicking him, without provocation, as he was trying to remove his (Windett's) drunken wife from Mr. Canvin's inn on the 16<sup>th</sup> instant. Mr. Canvin on the contrary said all he did was to catch hold of Windett to restrain him, believing he was about to kick his wife. This was proved by a witness, **JOHN HENDERSON**, who deposed that Windett was carrying his wife out without any interference, but when he got to the door he laid her down, and appeared to be going to kick her, when Mr. Canvin, who had come round the counter, caught him by the arm. The bench dismissed the case.

The next case was **WILLIAM BURGESS v. CHARLES PRENTICE**. Mr. Burgess deposed that on the 13<sup>th</sup> instant he was having some words with Mr. **THOMAS PRENTICE**, the father of the defendant, when defendant came up and interfered, putting his fist in witness's face, and threatening to knock his teeth down his throat; defendant struck witness on the arm. Constable **KENNEDY** deposed that he saw defendant push against or strike Mr. Burgess, after witness had interfered to separate the parties. The bench convicted the defendant, fining him 5s. and costs, or seven days' imprisonment.

The last case was **WILLIAM WINDETT v. WILLIAM CHAMBERS**, the charge arising out of the same transaction as the case Windett v. Canvin. The bench, having heard the evidence, dismissed the case.

Another case, which had been commenced the previous day, **THOMAS HUNTER v. WILLIAM M'VIE MITCHELL**, was dismissed, in consequence of the non-attendance of witnesses.

**INDECENT LANGUAGE.** - On Friday two charges of using indecent language in public places were brought before the bench, both arising out of the assaults reported above. In the first **JOSEPH ECKFORD** was convicted of using indecent language during his quarrel with **ARCHIBALD CASEY**, and was fined 40s. and costs, which was paid at once. In the second **THOMAS PRENTICE** was convicted on using indecent language during his quarrel with **WILLIAM BURGESS**, and was fined 10s. and costs, or seven days' imprisonment.

#### **BATHURST ASSIZES.**

These Assizes commenced on Friday, the 20<sup>th</sup> instant, before Mr. Justice Therry. **MAURICE CONNOLLY** was indicted for killing **WORTHY CARLISLE**, by stabbing him with a knife, on 7<sup>th</sup> June, at Ophir. The blow was inflicted in the course of a row at a public-house. Guilty; with a recommendation to mercy. Sentence deferred.

**MAITLAND MERCURY, 10/852, 01/09/1852**

**A DANGEROUS CHINAMAN.** - On Saturday **LIN SAM**, a Chinaman in the employ of Mr. **C.M. DOYLE**, of Midlorn, was brought before the bench, charged with assaulting him, and with stealing. From the evidence given on that day and Monday by Mr. Doyle, and by two servants who were present, **WILLIAM PURCELL**, a half-caste, and **SEBASTIAN KARL**, a German, it appeared that Lin Sam, who was employed by Mr. Doyle as general servant, had shown great violence of temper on one or two occasions when refused payment of his wages before his regular days, the last of these occasions being on Thursday evening last; Lin was told then by Mr. Doyle that he was very busy, and that he would pay him next morning, and let him go to the races. Next morning Mr. Doyle gave Lin one or two small tasks

to do, and at eleven o'clock went to pay him, when he found that Lin had not done what he had told him; on being remonstrated with, Lin became very insolent, saying he had been there long enough, and at last he threw down his hoe, and said he would do no more work; Mr. Doyle said that he would see that he did, and would make him; Lin then became still more violent, and ran off into the room he occupied, and Mr. Doyle heard him tearing and breaking up his (Lin's) things; Mr. Doyle went in and remonstrated with him on his violence, when Lin ordered him out, and on Mr. Doyle taking hold of his wrist to restrain him from breaking any more, Lin struggled to get away and then struck Mr. Doyle on the face with his fist; after some further struggling Mr. Doyle got him out, but Lin ran back to get his box out, still gesticulating and shouting in a violent manner; by this time Purcell had come up, and Mr. Doyle sent him for the German to help him put Lin's box into the store, Mr. Doyle intending to send for the police, and being desirous to prevent Lin from destroying more things, and suspecting also that Lin had stolen articles concealed in the box. The German and Purcell came up, but Lin got hold of a baker's peel, and ran at them so viciously, ordering them to leave his box, that they retreated; Mr. Doyle sat down on the box, but Lin came up to him, and struck or pushed him off on the ground; Mr. Doyle then knocked him down, and kept guard over him while Karl and Purcell got the box partly into the store, but Lin got at them, and frightened them away again; Mr. Doyle again interfered, when Lin ran and got a butcher's knife, and came back at him; Mr. Doyle quickly retreated into the house to arm himself, but was closely followed by Lin as far as a wicket-gate, where he made a stab at Mr. Doyle's shoulder, the blade of the knife going within an inch or two of him. Mr. Doyle armed himself with a blunderbuss in the house, and came out, on which Lin, who had laid down the knife, tore open his clothes, inviting him to shoot him, and coming up close tried to seize hold of the weapon from Mr. Doyle. The police were now sent for, and on their arrival Lin was secured, after a struggle, and his box was opened, and in it was found a blanket, and two bottles of wine, belonging to Mr. Doyle, a neck tie, and some smaller articles, and a gold ring, belonging to one of Mr. Doyle's sons, and which had been missed by him. Lin had nothing to say in defence, and was committed by the bench for trial on two charges, one of larceny, and one of assault with intent to do bodily harm.

#### ASSAULT CASES.

Yesterday several assault cases came before the bench. The first was **CHARLES KENT v. GEORGE GEDDES**. Some of Geddes's goods were recently sold under an execution from the Small Debts Court; Kent attended the sale, and bought a boiler, then set in brickwork; on the 24<sup>th</sup> August he went to the place with an axe to loosen the brickwork, intending to remove the boiler; Geddes interfered and told him to desist, but Kent began to use the axe in loosening the bricks, on which Geddes seized it from him and threw it into the creek, at the same time pushing and threatening Kent. The bench, after some discussion, held that the boiler being a fixture Geddes might have doubts as to the legality of its sale, and they dismissed the case.

The second case was **GEORGE M'FARLANE** against **JOHN EDWARDS** for allowing his children to assault him, and the third **SOPHIA EDWARDS** against **ROBERT PIGON** for assaulting her children. Mr. Edwards and Mr. Pigon occupy adjoining houses, and on the 24<sup>th</sup> August the children of each establishment were amusing themselves with throwing stones at each other, or at least so it was stated; Mr. M'Farlane, who was in Mr. Pigon's yard, was struck by some stones thrown by Mr. Edwards's children, while Mr. Pigon, to end the disturbance, threw some missiles at one of these children, and, as Mrs. Edwards deposed, threatened to throw one at her on her coming out to remonstrate with him. Mr. Edwards was not at home at the time.

The bench dismissed the first case, and convicted the defendant in the second, fining him 1s. and costs.

In the fourth case, **JOSEPH GEARY** was convicted of assaulting his wife, **KEZIA GEARY**, in the course of some dispute as to who should have charge of the children; he was fined 5s. and costs.

BATHURST CIRCUIT COURT. - MONDAY, AUGUST 23

STABBING WITH INTENT. - **JAMES TOM** was indicted for stabbing **SAMUEL DIXON**, at the Heifer Station, Orange, on the 11<sup>th</sup> February, with intent to do bodily harm.

While Dixon was leading away to the pound some horses belonging to Tom, a quarrel ensued, and a fight, in which it was admitted Tom had recourse to a knife after some time, and stabbed Dixon. Dixon and his son deposed that while the elder Dixon was only scuffling with Tom, a young man, the latter struck him a sharp blow on the side, after saying, "You wretch, I'll settle you;" and that Dixon shortly after found that he was wounded. On the other hand Tom's brother, Mr. **WESLEY TOM**, deposed that Dixon and his son both assaulted James Tom, knocking him down thrice, and kicking him, and that Tom's face was wounded; while James Tom told him that he was compelled to resort to the knife to save himself from being murdered. A very high character was given to James Tom by many witnesses.

The jury were unable to agree, after retiring for several hours, and were discharged. The prisoner was then discharged.

MAITLAND MERCURY, 10/853. 04/09/1852

DISORDERLY CONDUCT. - Yesterday **GEORGE BREWER** appeared before the bench, for disorderly conduct in a street in East Maitland. It appeared that Brewer, who was intoxicated, and two other men were fighting with sticks and brickbats, and Brewer, seeing he was getting the worst of it, ran home for a knife. When he returned with one, a bystander endeavoured to pacify him, but Brewer got more enraged, and chased the person for his life, at the same time giving expression to an oath. Constable **STOUT** apprehended Brewer. The bench sentenced Brewer to pay a fine of 40s. or in default of payment 14 days in the cells.

SYDNEY NEWS. - **CATHERINE LAUGHLIN** was committed to take her trial for a violent assault on one **ANN CARRON** [?] on the 16<sup>th</sup> ultimo, since which time prosecutrix has been under treatment in the Infirmary. She had received a wound over the right temple, inflicted by the prisoner with a heavy cleaver. The only surprise is that she escaped instant death.

MAITLAND MERCURY, 10/854, 08/09/1852

FIGHTING IN THE STREETS. - Yesterday two men, **ROBERT CONWAY** and **WALTER WATERS**, appeared before the bench, charged with fighting and assault. It appeared from the evidence of Mr. **WHITTAKER** that on the 2<sup>nd</sup> September he saw the two defendants fighting; there had been a disturbance there, in which the defendants and another man named **BREWER** were concerned. The defendants were ordered to enter into recognizances in £20 each to keep the peace.

CRUEL ASSAULT ON A CHILD. - We mentioned some weeks since that **MARY JOHNSTONE** had been apprehended on a charge of cruelly assaulting and burning her son, **WILLIAM JAMES JOHNSTONE**, about eight years of age, on Sunday, the 1<sup>st</sup> of August. The poor child has since been in the hospital, and having now recovered, the evidence was taken by the bench on Thursday and Saturday of the neighbours who heard the screams of the poor boy and the loud voice of his mother,

with the sound of blows, but who, being afraid to enter the hut, came into Maitland (from Lochend) to inform the police, when chief constable **WOOD** immediately went out. On Saturday the woman was committed for trial for the assault, at the ensuing quarter sessions.

**VIOLENT CONDUCT.** - Yesterday **RICHARD WINNETT and ELLEN WINNETT** were brought before the bench, charged with being illegally on the premises of **CHARLES RANDALL**, lodging-house keeper. It appeared from Mr. Randall's evidence that the defendants had lodged in his house some days, but being drunkards, and using much bad language when in that state, he noticed them to leave on Saturday night, and then insisted on their going, but at their employer's intercession allowed them to stop till Monday morning; on Sunday evening they recommenced their violent conduct, and broke two panes of glass and a looking-glass, and he had to call in the police; on Monday evening, during his absence, they returned to the house, and took possession of his wife's bedroom, from whence he could not dislodge them till he sent for the police, and constable **POOL** came and took them away in custody, as they would not leave otherwise. On the promise of the defendants not to repeat such conduct, they were discharged.

MAITLAND MERCURY, 10/858, 22/09/1852

**CHARGE OF THREATENING.** - Yesterday **LUKE MILWARD and ELIZABETH MILWARD** appeared before the bench, charged with threatening and putting in bodily fear **ANGEL MARIA COOKE**. Mr. Ward appeared for the defence. Mrs. Cooke having described the language and acts of annoyance she said the defendants had used, the bench said that she had not made out any case for their interference, and dismissed it.

MAITLAND MERCURY, 10/859, 25/09/1852

**MAITLAND QUARTER SESSIONS.** - This court opens on Monday, the 4<sup>th</sup> October. The following are the cases yet known to be for trial, ...

**LIN SAM**, a Chinaman, two charges, assault with intent, and stealing; Maitland bench;

**MARY JOHNSTONE**, wounding with intent; Maitland bench.

**ASSAULTING A WIFE.** - Yesterday **PATRICK PURCELL** was brought before the bench, charged with assaulting his wife, **JOHANNAH PURCELL**. It appeared from the evidence of Mrs. Purcell and Mr. **RISBY**, that Mrs. Purcell was in the service of Mr. Risby, and that on Thursday afternoon Purcell, who she had left on account of his ill-treatment of her, went to the house and had some conversation with her, claiming her to return to live with him; Mrs. Purcell was in great dread of him, and replied that it was useless her returning to him, as he would only ill use her, and had no place to put her in if she returned. He became very violent immediately, swore he'd serve her as **MACNAMARA** served his wife, and would be hung for it, and he ran at her; she immediately ran away, and Mr. Risby, whose attention was fortunately directed to them, ran up and caught hold of Purcell before he could catch his wife, and with the assistance of another person succeeded in holding him till he was given into custody. Purcell said in defence that he knew nothing of the circumstance, and he denied having ill-used his wife. He was ordered by the bench to enter into sureties to keep the peace for twelve months, himself in £80, and two sureties in £40 each.

**SYDNEY NEWS.** - **COMMITTALS.**

**PETER HORAN**, a mere lad, was committed for trial, charged with having violently assaulted one **GEORGE FULHAM**, by striking him on the head with a gun.

ANOTHER CALIFORNIAN. - **QUENTIN WILSON**, per *Speed*, from California, was yesterday committed by the Police Magistrate to take his trial at the Supreme Criminal Court for an assault by him committed upon Acting Inspector **MOSS**. Mr. Moss deposed that between five and six on Sunday afternoon, in consequence of information from a resident in Clarence-street that a drunken man was carrying a pistol, one barrel of which he had fired off, and further disorderly conduct being apprehended, he (Moss) went to the spot indicated, and found the prisoner very drunk, behaving in a very disorderly manner, and a great number of persons collected about him; as he was proceeding towards the prisoner he heard something said by some one in the crowd about a policeman coming; the prisoner drew from inside his vest a revolver, and presented it at Moss, at the same time threatening that if he came near him he would shoot him. Moss receded a little, determined to watch for an opportunity for disarming the gentleman, whereupon Wilson returned the revolver to his bosom, saying, "You have your eye on me, and I'll keep mine on you; if you come near me, I'll shoot you." A person in the crowd, named **SLATER**, as soon as the pistol was out of Wilson's hand, tripped him up, whereupon Moss seized him, took possession of the revolver, and made the Californian a prisoner. Two barrels of the revolver were loaded with ball. Inspector Moss gave a very gratifying statement as to the conduct of the assembled multitude on this occasion, but for whose assistance Wilson could not have been captured, in which case it is more than probable that something more serious may have resulted from such rash use of the revolver. Wilson was admitted to bail for his appearance – himself in £200, with two sureties in £100 each. Herald, Sept 21

MAITLAND MERCURY, 10/860, 29/09/1852

ASSAULT. - Yesterday **CHARLES WOODHOUSE** appeared before the bench, charged with assaulting **MARGARET BAYLEY**, at Glenalvon, on the 24<sup>th</sup> instant. Mr. **NICHOLL** appeared for the defence. The case arose out of a dispute as to the right of the neighbouring tenants to pass over the ground of Woodhouse, on the Glenalvon estate; for nine years Mrs. Bayley deposed that she had passed over his land, on her way to her father's, but on Thursday last Woodhouse stopped her; she, however, persisted in going on, and he caught her by the arm and threw her down. **JAMES NOONAN**, in Mr. Bayley's employ, saw Mrs. Bayley stopped by Mr. Woodhouse as she was walking along, and saw him push her down; he was not near enough to hear what passed. In defence, Woodhouse denied touching Mrs. Bayley, but admitted that he stopped her, as there was no road across the ground, and he had put up a notice to that effect. He called as witness **JOSEPH SPENCER**, who was working with him at the time, and who described what passed, stating that Woodhouse ordered her to go off the land as there was no road, but that Woodhouse did not touch her so far as he saw, only standing in front of her with arms extended, when she made a rush to pass him, and slipped and fell; she then called out murder, and said he'd struck her, and that would do. The bench convicted the defendant, and fined him 10s. and costs, or fourteen days' imprisonment.

MAITLAND MERCURY, 10/862, 06/10/1852

MAITLAND QUARTER SESSIONS. - ASSAULT WITH INTENT. - **LIN SAM** was indicted for assaulting **CYRUS MATHEW DOYLE**, at Maitland, on the 27<sup>th</sup> August, 8152, with intent to stab and wound him, and thereby to do him bodily harm.

The witnesses called were Cyrus Mathew Doyle, **WILLIAM PURCELL**, and **SEBASTIAN CARL**. The latter witness is a German, not speaking the English language, and the Rev. Mr. **EIPPER** was sworn in as interpreter.

The particulars of the case were fully reported in the *Mercury* at the time of the prisoner's committal. Lin Sam was a Chinaman, in the employ of Mr. Doyle as general servant, and on that day Mr. Doyle had occasion to reprimand him, and after some discussion Lin got very excited, and swore he would do no more work for Mr. Doyle; he then went to tear up his things in a very excited mood, and Mr. Doyle seeking to restrain his passion, he became more and more excited, and at length, in the course of Mr. Doyle's trying, with the assistance of the witnesses Purcell and Carl, to secure Lin's box in the store, till it was searched by the police, Lin struck him more than once, and at last ran for the butcher's knife, produced, when Dr. Doyle made for his house, intending to arm himself; Lin ran after him with the knife, and nearly reached Mr. Doyle as he passed through a wicket gate in a fence, stabbing at his shoulder with the knife, which went within about an inch of the shoulder; while Mr. Doyle was getting a blunderbuss from the house Lin laid down the knife, and on Mr. Doyle's coming out Lin ran up to him, baring his breast, inviting him to shoot him, and kept closing up, trying to take away the gun, but Mr. Doyle kept him off. The police were then sent for, and Lin was secured. When the box was then searched a blanket and two bottles of wine were found in it, the blanket having Mr. Doyle's brand on it, and the wine being colonial wine, precisely similar to Mr. Doyle's own wine; other articles were also found in the box belonging to Mr. Doyle's family.

The jury returned a verdict of guilty.

Lin Sam was then charged with stealing the property enumerated by Mr. Doyle as being found in the box – but he was not tried on this charge.

In answer to the court Mr. Doyle read a list of the various articles found in Lin's box, the property of Mr. Doyle and his family.

Lin was sentenced to be worked on the roads for two years.

**WOUNDING WITH INTENT.** - **MARY JOHNSTONE** was indicted for wounding **WILLIAM JAMES JOHNSTONE** on both sides of the head, the right foot, and the left heel, at Maitland, on the 1<sup>st</sup> August, 1852, with intent to do him bodily harm.

The witnesses called were Dr. **JOHN SCOTT**, **GEORGE BRIDGE MULLINS**, **JOHN WILLIAMS**, **JOHN NEWMAN**, **PIERCE BUTLER**, and **GEORGE WOODS**.

Dr. Scott was called on on that night to see a child in the hut the prisoner lived in; he was from home, but went in the morning; the child now brought into court was the same; he found it suffering from severe injuries; on the left side of the head was a severe wound, inflicted by a blunt instrument; on the other side of the head were other slight wounds; its back was black with bruises from the neck to the buttocks, the injuries appearing particularly heavy about the region of the kidneys; on the buttocks, there feet, and elsewhere, were severe burns; these injuries were all of recent infliction; more than a dozen blows at least must have been inflicted; the child appeared seven or eight years old; the child mentioned the name of a person as inflicting the injuries. The wound on the top of the head might have been inflicted by a fall, but the serious one must have been inflicted by a blow; a blow with the buckle of his belt could hardly have done it; he required medical treatment. The boy was sent to hospital. - Mr. Mullins, resident medical officer at the hospital, gave a similar description of the injuries on the body of the child; he never saw a boy so beaten before; the child was named William James Johnstone; he had now been three weeks out of danger; did not think he was competent to be examined on oath. - Williams,

living not far from prisoner's residence, heard late that evening the prisoner talking in a loud and excited tone, and going nearer he heard her calling out "Come out, come out, you b----- wretch, or I'll have your life," the latter expression only once, but the others repeatedly; the little boy's voice answered "Mother, don't;" witness went away for the constable with others, and after some time they returned and entered the hut, and they found the little boy much swelled about the head and body, and very much burnt; the other children were also screaming out at the time. - Newman, also a neighbour, gave similar evidence; he was near enough to hear violent blows struck on a table, as prisoner was calling out "Come out;" the child was crying, and calling out "Don't, mother;" when they eventually entered the house the child was in such a state that he could hardly stand. - Butler, another neighbour, gave similar evidence. - Mr. Wood, chief constable of Maitland, went to the prisoner's house when fetched by the previous witnesses, about ten o'clock that night, and he described the condition they found the poor child in; he took the prisoner in charge; she had been drinking; the clothes produced were those the child wore that evening, and they were covered with blood. Cross-examined: Prisoner told witness the boy had been up in the pigeon roost, and had fallen down and hurt himself; she did not say the child had been playing with the fire, and burnt himself. - Dr. Scott recalled: He found in the ashes the iron bar or poker produced, and seeing blood on it he sent it into the police-office; the wound in the head might have been caused by it.

In defence the prisoner put in a written statement, to the effect that she was chastising her child in a proper manner for using bad language, after her having been away from home, and was not aware, until told by one of the other children, that he already had a severe cut in his head caused by falling from the pigeon-house; she denied having hurt him, and said that the charges against her were all from spite.

The jury retired for ten minutes, and returned with a verdict of assault, without the intent. The prisoner was sentenced to eighteen months' imprisonment in Parramatta gaol, with hard labour.

MAITLAND MERCURY, 10/863, 09/10/1852

ILL-TREATING A WIFE. - On Wednesday last **THOMAS MOORE** appeared before the bench, charged with ill-treating and beating his wife. Mr. **CHAMBERS** deposed that he saw Moore cruelly beat his wife that morning; on the previous evening Moore had beaten her and turned her out of doors, and she was so afraid of him, that, although by persuasion he afterwards promised not to repeat it, she dreaded to return, and obtained lodgings for the night; on her return in the morning he was seen to beat her again. The bench ordered him to enter into a recognizance in £20 to keep the peace for twelve months.

CENTRAL CRIMINAL COURT. - This court opened on the 4<sup>th</sup> October.

Monday, Oct. 4 - Before Mr. Justice Dickinson.

**ROBERT BROWN** was indicted for stabbing **JOHN HENDERSON**, on the 26<sup>th</sup> August. In a struggle, arising out of a quarrel about wages, Brown with a knife stabbed Henderson in the eye. In defence he alleged he used the knife in self-defence. Guilty of a common assault; eight months' imprisonment.

**QUINTON WILSON** was indicted for assaulting **WILLIAM MOSS**, at Sydney, on the 19<sup>th</sup> September. Not guilty; discharged.

Tuesday, October 5 - Before the Chief Justice.

**WILLIAM CLYBURN** was indicted for stabbing **JOHN WOOLLEY**, at Windsor, on the 11<sup>th</sup> September. This was also a case of the use of a knife during a scuffle.

Guilty; twelve months' imprisonment, including four periods of solitary confinement of fourteen days each.

**WILLIAM STEWART** was indicted for casting a certain corrosive liquid at **MARY M'LAUGHLIN**, at Sydney, on the 3<sup>rd</sup> September, and thus burning her. The girl, a woman of the town, was burned, and her dress destroyed, by oil of vitriol thrown by some person on her in Pitt-street, at the door of a public-house; prisoner was seen to move his hand at the time, but there was a crowd round, and a companion of the prisoner's swore positively that the prisoner did not throw the liquid. Not guilty; discharged.

MAITLAND MERCURY, 10/865, 16/10/1852

U NPROVOKED RUFFIANISM. - On WEednesday **HENRY CURRAN** was brought before the bench, charged with an unprovoked assault on **QUINTEN SWIFT**, a little boy of five years old, at Morpeth. It appeared that **BRIDGET KEOGH** noticed Curran creeping along the outside of a fence, within which a number of children were playing; he either called one of them over to him, or else the little boy Quinten Swift came within his reach, for while the child was stooping down picking up something, Curran put his hand through, seized him by the hair of the head, and tried to drag him through the fence; finding he could not do that he clutched the boy's hair with the other hand, and lifted him bodily over the fence by the hair, and then threw him violently to the ground; of course the poor little fellow screamed loudly, but neither Keogh nor Mrs. Swift, who heard him scream and saw him lifted over and thrown down, could reach the spot in time. A second assault was then committed by Curran. Keogh went for a constable, and met Mr. Swift on the way, and told him what had occurred; Mr. Swift ran up to secure Curran, and following him into Mr. Keefe's yard, where Curran had armed himself with the pill of a bullock's horn, he approached him; Curran called out, "Stand off, you b-----, here's at you," and struck a violent blow at his head, but Mr. swift putting up his arm received the blow on it; Mr. Swift then looked about for a stick, but Mr. **TAYLOR**, Mr. **PEED**, and others now ran up, and Curran was secured, after resisting violently and striking at Mr. Taylor and Mr. Peed; as soon as a constable came Curran was given into custody. Curran, who was brought up separately on the two assaults, said he was drunk at the time, and was very sorry for what he had done. He was fined 40s. and costs for each assault, or in default two months' imprisonment for each, making four months altogether.

THREATENING. - Yesterday **WILLIAM BAILEY** appeared before the bench, charged with using threats to and putting in fear **MARY ANN WOODHOUSE**. The parties have had differences on account of Woodhouse having stopped all passage over his rented land, and Mrs. Woodhouse deposed that when her husband was away Bailey came and insulted and threatened her, and did so on the 13<sup>th</sup> instant, when he came on her husband's land, and up to her door, in spite of a written notice being posted up to that effect, and on Mrs. Woodhouse ordering him off, he used violent threats against her, from which she was still in fear of bodily injury from him. Bailey denied the charge. The bench ordered Bailey to enter into sureties to keep the peace for twelve months, himself in £20, and two sureties in £10 each.

ASSAULT. - On Tuesday **SAMUEL CLOW** appeared before the bench, charged with committing an aggravated assault on **ROSE FAGAN**. It appeared from the evidence that on the 11<sup>th</sup> August Rose Fagan, who was in liquor, called at the house of Mrs. **NICHOLAS**, Campbell's Hill, where a glass of liquor was given to her; in some way Mrs. Fagan was offended, or words arose, and she became very abusive, using

much foul language; Mrs. Nicholas called Clow, her servant, to put Mrs. Fagan out; which he did, and the result was that Mrs. Fagan's leg was broken. The accounts differed as to how this occurred. Mrs. Fagan described it as a brutal and unprovoked assault. She said she went out herself, and had already got outside, when Clow came up, ran at her, and knocked her down with a blow in the face; he then kicked her, the kick breaking her leg; he ordered her to get up and go, but she told him that she could not, as he had already broken her leg; he then gave her another kick, dragged her to the side of the road, and left her lying there. Clow, on the other hand, denied altogether kicking or striking her, and said he merely put her out, when she fell down, and he took her over to the road, to get her off the premises; and he called Mrs. Nicholas and **ELIZABETH MORRIS** to prove this, but they only knew that Clow did go to execute the order to turn Mrs. Fagan out, neither seeing what passed outside. Mrs. Fagan lay by the roadside some considerable time, but a gentleman passing told Mr. **MULLINS**, of the hospital, of it, and that she said her leg was broken, and begged him to go and see her; Mr. Mullins went accordingly, and found the bones of the leg broken, but no mark of a blow near the fracture; she told him the same account as above of how it was caused, and he had her removed to the hospital, where she remained many weeks. Clow was committed by the bench for trial at the Quarter Sessions.

MAITLAND MERCURY, 10/866, 20/10/1852

ASSAULT. - Yesterday **ELLEN CAMPBELL** appeared before the bench, charged with assaulting **MARY SPENCER**. Mrs. Spencer said they had got into a dispute about rent, and that Mrs. Campbell knocked her down, tore her ear-rings out of her ears, and knelt on her. Mrs. Campbell denied the knocking down, but was in some doubt whether or not she pulled Mrs. Spencer's hair. She called **WILLIAM MITCHELL**, who was aroused by a noise, and looking out, saw Mrs. Spencer at Mrs. Campbell's door, inviting her to come out and fight again. The bench thought this proved there had been a previous fight, and convicted the defendant, fining her 5s.

MAITLAND MERCURY, 10/867, 23/10/1852

LUNACY. - Yesterday a man of singularly hairy and wild appearance was brought before the bench, and gave his name as **OTHELLO WILLIAM OVERY**. It appeared from the evidence that Overy had been working about Maitland for some weeks past, and lodging at Mrs. Sampson's lodging house; he was rather eccentric in manner, but quiet, when he first went there, but had within the last four weeks become very violent at times, threatening different persons, concealing a carving knife and a heavy iron crook between his bed and the stretcher, and swearing he'd stick or knock the brains out of any b-----Irishman who came in; twice he assaulted different lodgers, and his conduct had driven many away from the house; constable **POOL** had twice or three times been called in to quiet him, but was unable to succeed on Thursday evening, and as Overy still continued threatening to kill some person or other, he did not care who, Pool took him into custody at Mrs. Sampson's request. The bench ordered Overy to enter into sureties to keep the peace, for twelve months, himself in £20, and two sureties in £10 each, or to be imprisoned till that was done.

ASSAULT. - Yesterday **DENIS CORCORAN** appeared before the bench, charged with assaulting **BRIDGERT WATSON**. Mrs. Watson deposed that she was living with defendant; on Tuesday last he beat and kicked her very severely, and beat her children also; he again beat and kicked her for getting the summons for him; he had threatened to kill her, and she was in great dread of him. The defendant pleaded

provocation, but admitted having beat her. The defendant was ordered to enter into sureties to keep the peace for twelve months, himself in £40, and two sureties in £20 each.

**THREATENING.** - Yesterday **CHARLES WOODHOUSE** appeared before the bench, charged with threatening **ANN MARIA WOODWARD**. The parties are neighbours on the Glenalvon estate, and Mrs. Woodward described threats made against her by Woodward on Friday last; she was in dread of injury unless he was restrained. A witness, **RICHARD CANVIN**, heard Woodhouse on Sunday last say he would have it in for her before long; this was in Woodhouse's house. The bench, without calling on Woodhouse for his defence, dismissed the case, holding that there were no grounds made out for their interference.

**THE KNIFE.** - Scarcely a week transpires but we are called upon to report some atrocity or other in the perpetration of which that instrument of butchery, the knife, is called into requisition. On Sunday night last two men – a shepherd and a hut-keeper on the employ of **R.I. BARTON**, Esq., of Boree Nyrang, who had been drinking at one of those places of infamy, a sly-grog shop – returned to their hut in the evening, when a quarrel arose, the hut-keeper, who goes by the soubriquet of **TUMBLER**, seizing a knife, with which he inflicted several wounds on the shepherd. The case appearing a dangerous one, Dr. **TREDWEN**, of Molong, was called in, who pronounced the man in a very dangerous state. Tumbler gave himself up to Mr. Barton, and was forwarded to Molong, where the matter is undergoing an investigation. A shirt was found upon the premises, which was perforated in three places with a knife. *Bathurst Free Press, Oct. 16*

MAITLAND MERCURY, 10/868, 27/10/1852

**ASSAULT CASES.** - Yesterday **JAMES DALTON** appeared before the bench, charged with assaulting **WILLIAM NEWMAN**. Mr. **C. NICHOLL** for the defence. It appears from the evidence that on Sunday James Dalton and his father went up to Mr. Newman's inn, but Mr. Newman refused to admit them; after a short time the door was opened to admit an old man, when the Daltons rushed in. and demanded to see **Bill the Painter**; Mr. Newman said he was not there, but they insisted that he was, and after some altercation both assaulted Mr. Newman (who is an elderly and not a strong man), striking him on the head, face, and side, and on Mrs. Newman running to her husband's assistance she was also struck with a broomstick by young Dalton, and knocked down. A man named **HENRY BROWN** was called as a witness, but he got in after the assault, and saw Mr. Newman picking his wife up from the floor. In defence the assault was positively denied. The bench convicted the defendant, and fined him 40s. and costs, or in default one months' imprisonment.

**MICHAEL DALTON**, the father, had also been summoned to answer charges of assaulting Newman and Brown, but he had been drinking, and was noisy, and was ordered by the bench to be removed in custody.

**MARGARET M'LEAN** appeared, charged by **MARIA ADAMS** with assaulting her on Sunday. It appeared that a dispute arose about some eggs sold by Mrs. Adams to Mrs. M'Lean, and Mrs. Adams refusing to take them back again, Mrs. M'Lean made repeated attempts to get into her house by the door or the window, insisting on Mrs. Adams's taking the eggs back, and finally flung a small egg at her, and then went away; Mrs. Adams feared some injury from her unless restrained. Mrs. M'Lean denied the throwing. The bench convicted the defendant, fining her 5s. and costs.

**SUSAN BOYD** appeared, charged with assaulting **MARY ANN JONES**. Mr. **WARD** appeared for the defence. It appeared that a dispute arose about the conduct

of Mrs. Jones's children in scraping molasses or sugar from an empty cask belonging to Mrs. Boyd, and Mrs. Jones remarked, in answer to offensive language from Mrs. Boyd, that Mrs. Boyd was drunk; Mrs. Jones then walked away a few yards, but Mrs. Boyd, fired by the insult, ran after her and tore off her bonnet, and struck her a blow in the face, while a large dog belonging to Mrs. Boyd ran to attack a child Mrs. Jones had been carrying, but let drop; but Mrs. **FITZGERALD**, Mrs. Jones's sister, rescued the child. In defence Mrs. Boyd said a considerable quantity of sugar and molasses was taken from the cask, and that Mrs. Jones used very coarse and insulting language to her on speaking quietly to her about it; Mrs. Jones afterwards repeating one of the most offensive expressions to Boyd himself; she did not deny striking Mrs. Jones on being so insulted. The bench convicted the defendant, fining her 10s. and costs.

MAITLAND MERCURY, 10/869, 30/10/1852

ASSAULT CASE. - Yesterday **MICHAEL DALTON** appeared before the bench, charged with assaulting **WILLIAM NEWMAN**. This was the case postponed from Tuesday, when **JAMES DALTON**, son of the present defendant, was convicted of assaulting Mr. Newman, and fined 40s. and costs. Mr. and Mrs. Newman having now given their evidence against the present defendant, nearly as before, Mr. Nicholl called James Dalton as a witness for the defence, who represented the facts as being very different from what Mr. and Mrs. Newman stated. According to him, the affray commenced by Mr. Newman, without provocation, trying to turn him out, and several persons assaulting him and tearing his clothes; when he called for aid, and his father, Michael Dalton, came running up and rescued him. Another witness, **WILLIAM SHERIDAN**, was then called, but his evidence contradicted James Dalton's and corroborated the previous evidence. The bench convicted the defendant, and fined him 40s. and costs, or one month's imprisonment.

MAITLAND MERCURY, 10/871, 06/11/1852

ASSAULTS. - Yesterday **MICHAEL DALTON** appeared before the bench, charged with assaulting **CHARLES GALE** on the 2<sup>nd</sup> instant, at East Maitland. Dalton was at Mr. Gale's inn on that day, when Mr. Gale asked him to pay a promissory note for £1 held by him, which he produced and laid down; after some words Mr. Gale took up the promissory note, to prevent Dalton from doing so, when Dalton accused him of robbing him of £1, and, both Dalton and his wife struck Mr. Gale, knocking him down on the sofa. A witness, **JOHN JOHNSON**, corroborated this evidence, describing Dalton as severely assaulting Mr. Gale, who was suffering from illness. In defence Dalton denied assaulting Mr. Gale, and said Mr. Gale snatched a £1 from him. The bench convicted the defendant, fining him 40s. and costs.

MAITLAND MERCURY, 10/872, 10/11/1852

ASSAULT CASES. - Yesterday **WILLIAM MILES** appeared before the bench, charged with assaulting a girl named **ISABELLA PARK**. Mr. C. Nicholl appeared for the defence. The girl deposed that on Sunday night she was running through some weeds, when the defendant ran after her, and beat her with the stalk of one of the weeds, which he pulled up for the purpose, making marks on her shoulders; the ground was Mr. Weller's, and not in the occupation of the defendant, whose ground she had not been on; she had gone in after Mrs. Warner's cows; another girl was with her, who was also beaten. In defence the beating was admitted, and it was stated that Miles found the little girls had been on his premises, and had taken a number of eggs

from under a sitting hen, which they threw down upon his coming up to them, and on the spur of the moment he pulled up a weed and struck them both. A witness named **MARY JONES** corroborated this statement. The bench dismissed the case.

In another case **JOHN MARTIN** and **HENRY ROBINSON** appeared, charged with assaulting **ADAM STOUT** on board the *Rose* steamer, on the 4<sup>th</sup> instant, on the passage up from Sydney to Morpeth. Stout, who is a constable in the Maitland Police, had been to Sydney with prisoners, and was then returning; a row occurred on board, which Stout helped to quiet, by desire of the steward; the two defendants, who had been in the row, afterwards came to Stout, as he lay in his berth, and after much abusive language they both struck him violently, on the head and ribs, and took his pistol from him; they took the pistol to Captain **PAYNE**, who came forward with it, and told Stout he thought he was only there on sufferance, and that he had no right in the fore-cabin, and that it would be the last time he should have a pistol there. In cross-examination Stout denied that he cocked the pistol. A witness, **ROSE FAGAN**, corroborated this evidence, describing it as an attack on Stout by several persons, trying to drag him out of his berth, of whom she thought Robinson was one; she heard the pistol snap, but saw no fire, and the pistol was afterwards forcibly taken from Stout, and taken to Captain Payne, who came and said the constable had no business down there. Another witness, **JOHN HEFFERNAN**, who was lying in the same berth as Stout, said the pistol snapped while Stout and the defendants had hold of it, struggling for its possession; witness cleared out immediately, thinking he was shot, and went on deck, and afterwards witnessed at a distance a second attempt by the defendants to wrest the pistol from Stout, and eventually they got the pistol from him; witnesses did not see any blows struck by the defendants; constable Stout was neither drunk nor sober, but he was fit for duty. Another party who was present, **JOHN M'GRATH**, was then called as a witness, being in court; he described Stout and Robinson as both being tipsy, and as quarrelling on deck, about some prisoners taken of their ship's company; and that afterwards the two defendants went to Stout's berth, and insisted on his giving up the pistol which he had; witness heard the pistol snap, and eventually they did get the pistol from him, and afterwards no further row took place; he saw Robinson making two or three blows at Stout, while trying to drag him out of his berth, after Martin had got the pistol from Stout; witness did not notice any apparent intention on Stout's part to use his pistol. In defence the defendants called **CHARLES LOADER**, who said he saw nothing of the affair himself, but heard the pistol snap, he being on the deck at the time; the constable appeared sober just before they left the wharf, and the pistol row occurred as they were passing out at the Heads. In defence Martin said that Stout had threatened him and quarrelled with Robinson, and that having seen Stout cock and examine his pistol, and knowing Stout had been drinking, he (Martin) saw and told Captain Payne, who advised him to get hold of the pistol if he could, and he eventually took an opportunity of doing this when Stout and Robinson were again disputing, and the pistol snapped at the moment, Stout snapping it as he believed. Robinson said he and Stout had several disputes, and that Stout assaulted him, but that he (Robinson) did not strike Stout. The bench convicted both defendants, fining each 40s. and costs, or in default of immediate payment one month's imprisonment.

MAITLAND MERCURY, 10/874, 17/11/1852

ASSAULTS. - Yesterday three charges of assault were disposed of by the bench. One case, **ELLEN WINNETT v. RICHARD WINNETT**, had been commenced on Friday last, when Mrs. Winnett described a series of severe assaults committed by

Winnett on her, on the evening of the 10<sup>th</sup>, with his fist, a broomstick, a table-leg, and by humping on her arm, so that when the neighbours burst the door in, and secured him, she was bleeding from the head, and nearly insensible. Winnett was drunk at the time, it appeared, but he denied using the violence described. The case was remanded for an important witness, and was called on yesterday, but Mrs. Winnett did not appear to press the charge, and it was stated that both were in liquor and quarrelling at the time. The bench therefore discharged Winnett, with a caution that he might thank his wife for a case not being proceeded with that must have subjected him to severe punishment.

Another case was constable **HENRY M'CABE v. SAMUEL BASSETT**. It appeared that on Saturday M'Cabe saw Bassett in the street with a dray and horse team, and observing that Bassett was drunk and that his horses appeared likely to run away, he spoke to him and advised him to go quietly with him, while another constable took charge of the horses; Bassett, instead of being grateful for his kindness, resented the freedom, and on M'Cabe's laying his hand on the bridle of the leading horse, he struck him; Bassett was then secured, but while he was being handcuffed he kicked M'Cabe in the stomach. He was convicted and fined 10s. and costs.

The third case was **JULIA AGAN v. JOHN AGAN** [**@ EAGAN**], and this was one of the many cases, as described by Mrs. Agan, where the husband, when in liquor, ill-treated his wife, Agan assaulting her so severely on Sunday last that she left the house for protection. He was convicted, and ordered to find sureties to keep the peace for twelve months, himself in £40, and two sureties in £20 each.

MAITLAND MERCURY, 10/875, 20/11/1852

ASSAULT. - A man named **JOHN FISHER** has been in custody for some days, having been apprehended in consequence of assaulting a woman, **MARY COTT**, and cutting her head. She did not appear to prosecute him, however, and the case was remanded from day to day till further evidence could be got, the bench being unwilling to release him without punishment, in consequence of the violent conduct of Fisher, as sworn to. Yesterday the case was decided, Mr. **CHARLES WILSON** deposing that the assault took place in his public house; Fisher, who was drunk, commenced by taking indecent liberties with Mary Cott, when she slapped him in the face; Fisher then seized a form, knocked her down with it, kicked her, and otherwise brutally assaulted her; Mr. Wilson and his wife interfered, and Fisher assaulted them also; and the police were sent for; even when apprehended by Chief Constable **WOOD**, so violent was Fisher's resistance that it took all the strength of Mr. Wood and a constable to secure him. Fisher was convicted, and fined 40s., or in default of immediate payment one month's imprisonment.

MAITLAND MERCURY, 10/876, 24/11/1852

ASSAULT. - Yesterday **MARIA SKELTON** appeared before the bench, charged with assaulting **JOHN SLEATH**. Mr. **C. NICHOLL** appeared for the prosecution. It appeared that Sleath is son-in-law to Mrs. Skelton, and from some family differences she on the 15<sup>th</sup> instant threw an axe, a flat iron, and two stones at him, one of the stones striking him on the leg, and cutting him; Sleath said his mother-in-law was annoyed because he was trying to get his wife away from her house, where she was drinking. A witness, **BENJAMIN COOPER**, saw some of the articles thrown, on his coming up, attracted by the noise. In defence Mrs. Skelton said Sleath was assaulting his wife, and when she interfered to protect her, he assaulted her, so that

she was the aggrieved party, not Sleath. The bench convicted the defendant, fining her 120s. and costs.

MAITLAND MERCURY, 10/878, 01/12/1852

ASSAULT. - Yesterday two cases of assault came before the bench. The first was **JULIA EAGAN v. JOHN EAGAN**. It appeared from Mrs. Eagan's evidence that on Thursday last, because she refused to let her husband sell the last table they had in the house, he ran at her and kicked her twice violently in the body, threatening to kill her before he had done with her. Eagan was bound over to keep the peace, about a fortnight since, for similar ill-usage of his wife. He was convicted and fined £5, or in default of immediate payment one month's imprisonment, and his recognizances to be brought before the Quarter Sessions to be estreated.

The second case was **MARY PENNY v. DUNCAN M'GREGOR**. It appeared from Mrs. Penny's evidence that M'Gregor had been lodging in her house, and had received notice to quit, and that some words arising about his payment when leaving, he struck her in the eye with his fist, and again assaulted her afterwards in the street. A witness, named **JAMES WRIGHT**, was called as an evidence as to the latter assault, but he said he saw no blows struck, although he heard some harsh words. **JOHN PENNY**, Mrs. Penny's husband, deposed that he saw no blow struck in the house. In defence M'Gregor said that he did not strike Mrs. Penny, although he pushed her away. The bench convicted him, and fined him 20s. and costs, or in default of immediate payment fourteen days imprisonment.

The third case was **TAN SOUI**, a Chinaman, v, **JOHN ARCHY** and **JOHN SHARPLES**. The evidence of **JAMES KINGABY** having been taken, the case was postponed till Friday for further evidence.

MAITLAND MERCURY, 10/879, 04/12/1852

ASSAULT. - Yesterday **THOMAS SMITH** appeared before the bench, charged with assaulting **WILLIAM COX**, at West Maitland, on the 30<sup>th</sup> November. Cox deposed that he went into Mr. Smith's house to get out his wife, and found Mrs. Smith striking her; he caught hold of his wife's dress to pull her away, when Smith immediately struck him in the face without any provocation whatever. In cross-examination by Mr. **WARD**, who appeared for Smith, Cox denied that he used any bad language, or heard his wife do so; both were sober. His wife, **HARRIET COX**, deposed to the same effect. Both Cox and his wife denied that they were ordered out of the house. In defence, Mr. Ward said Mrs. Cox was refused liquor at the bar of the house, and immediately became very abusive, using much foul language, and after an interval her husband came in, and also used much foul language; at length Mr. Smith was obliged to turn him out, and Cox resisting he might have got struck by accident. **GEORGE HEILEY**, barman at the inn, deposed to this statement, describing at some length all that passed, an interval of half an hour having elapsed from the commencement of the noise till the complainants were forced out of the private room, where Mr. and Mrs. Smith were sitting. The bench dismissed the case.

**JOHN ARCHER** and **JOHN SHARPLES** also appeared, on remand, charged with assaulting **TAN SUI**, a Chinaman. Tan Sui is in the employment of Mr. **LEWIS**, of East Maitland, and like all his countrymen has a great fancy when out for calling on his fellow Chinamen about the town; in this way he called on the 23<sup>rd</sup> November at Mr. Gale's public-house, to see a Chinese servant there, but found he had gone that morning; three men, Archer, Sharples, and another, were eating in the kitchen at the time, and Archer playfully caught at a loaf Tan was carrying, and it fell to the ground;

Tan Sui flew into a rage at what he thought was an insult, and Archer squared up, and gave him a light back handed tap on the face with his open hand; Tan was now doubly enraged, and casting his parcels to the floor, he rushed out for the police, but returned again, when he found the three men had left. But in going homeward Tan met with them in the street, got into a quarrel with them, Sharples being now his opponent apparently, and when the witness got to the spot, Tan and Sharples, about equally matched in size, were rolling over and over in a mud-hole, tearing away at each other like two dogs. No mischief was done to either eventually, except the tearing of their clothes. Archer represented it all as a joke on his part. The bench convicted Archer of assault, fining him 20s. and costs, or fourteen days' imprisonment, and discharged Sharples.

**MURDEROUS ASSAULT BY THREE ABORIGINALS.** - On Monday night, the 22<sup>nd</sup> November, a violent assault was committed on the person of **J.K. PANTON**, Esq., of Richmond, by three native blacks, at Howe's Valley, on the Bulga road. Mr. Panton and **THOMAS PARNELL**, Esq., were on their way from Richmond to the Namoi, with two stockmen (aboriginals), having their pack horses with them; they encamped for the night, at the usual camping ground at Howe's Valley, and turned in for the night. At about 12 o'clock, hearing a great noise, Mr. Panton got up, and perceiving a blackfellows' camp above them, and three black-fellows coming toward him; Mr. Panton having put a blanket round him, went to meet them, and after going about 134 yards, met them, when he said, "holloo my lads, what's the matter?" he immediately received a terrific blow across the mouth with a waddy, which felled him to the ground; he was then struck another blow across the loins, when Mr. Parnell came up to the rescue, and succeeded in getting the wretches off him, two of them bring known to Mr. Parnell. Mr Panton had part of his jaw broken, and his mouth dreadfully lacerated. He is now in Singleton, under the care of Dr. **GLENNIE**, in a very precarious state. The names of the three blacks are, **JOEY, MORRIS, and WICKATY WEE**. We hope that the Government will cause these wretches to be apprehended, as it was a miracle that Mr. Panton escaped with his life. Singleton, Dec. 2<sup>nd</sup>. 1852

MAITLAND MERCURY, 10/880, 08/12/1852

BRISBANE CIRCUIT COURT – TUESDAY, NOVEMBER 16, 1852

(Before Mr. Justice Dickinson)

**BUMBARROWA**, an aboriginal native, was indicted for cutting and wounding **JAMES TREDENNICK**, at Brisbane, on the 8<sup>th</sup> October, with intent to do some bodily harm. Prisoner was drunk and disorderly on the verandah of a public house, and when Tredennick, who is a constable in the Brisbane police, approached, he ran away, pursued by the constable, who overtook and grappled with him. Prisoner had a knife, made of the sharpened point of a shear blade, in his hand, and with this he cut the constable across the arm in two places, using the knife saw wise, and inflicting one deep wound, and another of a slighter character. Guilty; five years on the roads.

MAITLAND MERCURY, 10/881, 11/12/1852

**ASSAULT.** - Yesterday **LOUISA PERCOX** appeared before the bench, charged with assaulting **WILLIAM SIMPSON**, on the 7<sup>th</sup> instant. Simpson, barman at the Rose and Crown Inn, West Maitland, deposed that on Tuesday last he refused to supply Mrs. Percox with liquor, as she was drunk, when she forced her way into the house, and on his putting her out gently, she struck him on the head, stuck herself up in a corner to resist, and abused him for a length of time in very obscene and

disgusting language; she then went into the street, and used similar language; and about an hour afterwards she again came to the house, and assaulted him with a couple of parasols. A witness corroborated this evidence. In defence, Mrs. Percox said Simpson used insulting language to her and struck her, and she called a witness, **JOSEPH FOGG**, to prove this. The defendant was convicted of assault, and fined 10s. and costs, or seven days' imprisonment. - Mrs. Percox was then charged, under the Vagrant Act, with using indecent language on the occasion. She was convicted and fined 10s. and costs, or seven days imprisonment. - The cases were then reversed, Mrs. Percox charging Simpson with assaulting her, by throwing her out of the house. Evidence on both sides having been taken, the bench dismissed the case.

HUNTER RIVER DISTRICT NEWS. - SINGLETON.

VIOLENT ASSAULT. - On Tuesday the Court, consisting of **R.A. RODD, JOHN BROWNE, and JOHN GAGGIN**, Esqrs., were occupied for some time hearing a charge of assault preferred against **HUGH KING**, innkeeper, of Black Creek, and **PATRICK MORAN**, on the person of **MARY BASSETT**, the wife of **SAMUEL BASSETT**, carrier, of Singleton. It appeared that on the 2<sup>nd</sup> instant, between three and four in the afternoon, King and Moran, who had both been drinking, called at the plaintiff's house (Moran on horseback, and King on foot), and having missed a shirt on their way, accused Mrs. Bassett of having it. This charge Mrs. Bassett denying, King directed Moran to compel her to give it up, making use of the expression, "Wring it out of her b----- neck, and make her give it up." Moran then dismounted and forced his way into the house. Mrs. Bassett, in self-defence, seized a spade, which Moran wrenched out of her hand, striking her several blows with it, and assaulted her in a violent manner, King being by all this time. Moran then demolished two windows, and threw some of Mrs. Bassett's clothes on the fire. An infant was sleeping in the cradle, beside which two brickbats were found, which had been thrown through the window by Moran. The screams of Mrs. Bassett having attracted the attention of some children, they informed the chief constable, who was quickly on the spot, with two assistants. They then proceeded after the defendants, and found Moran planted under a fallen tree; him they took into custody; and King was afterwards taken by a warrant. The shirt was found on the road by the constables. Dr. **GLENNIE** was sent for, and found the woman in a very precarious state. The next day her depositions were taken in her own house by John Browne, Esq., J.P. On Tuesday she appeared at court in a very weak state, and the above facts were elicited. The bench dealt with the case summarily, and convicted the defendants in the highest penalty; they were fined £5 each. Mr. Turner appeared for the defence.

CENTRAL CRIMINAL COURT. - **CHARLES M'ELROY** was indicted for cruelly and immoderately beating **JAMES SHEEN**, a boy of six years old. The child was the son of prisoner's wife by a former husband, and his correction of him and another child was described as very cruel. Guilty; two months' imprisonment.

MAITLAND MERCURY, 10/882, 15/12/1852

INSULTING AND INDECENT LANGUAGE. - On Monday **RICHARD WINNETT** was brought before the bench, charged with using indecent and disgusting language on Sunday. The evidence of **JOHN DELOGHERTY** and constable **HENRY M'CABE** having been taken, he was convicted, and fined 10s. or 14 days' imprisonment.

**ELIZABETH NEWMAN** and **ELLEN WINNETT** then appeared, charged with using indecent language at the same time. They were convicted, and each fined 10s. or 14 days' imprisonment.

AN UNPLEASANT GUEST. - An unfortunate man whose intellect was evidently deranged, and who answered to the name **SKELTON HEAD**, was brought before the bench in the early part of the week under the following circumstances. **HENRY COOK**, of Diamond Swamp, deposed, that Head came to his house about eight o'clock of the evening of the 5<sup>th</sup> inst., and asked for supper; his request was complied with, but when supper was served he refused to eat it, and said he would eat no more. After drinking a little tea he asked to go to bed, but before retiring exhibited considerable excitement and incoherence of manner. About 1 o'clock Cook was alarmed by a loud noise from the bed-room in which Head slept, and on proceeding to the spot, found him beating himself about the head with a looking glass. Almost immediately afterwards he leaped through the window, smashing the frame and several panes of glass, and started off to the police barracks, which are about a quarter of a mile distant, when he was secured by the police. At the time he left he was quite naked, and in the pocket of the trowsers which he left behind was found £4 12s. 6d. Trooper **FAWCETT** deposed that he was aroused by an awful screaming and a simultaneous smash amongst the window-glass at the barracks, which was occasioned by Head leaping through the window. When questioned he answered that he had been at Hanging Rock, where he nearly killed a man while fighting with him, whom he believed to be dead by this time; and, again, that he was quite sure the devil had him. The unfortunate lunatic was bound over to keep the peace for one month, and in the absence of sureties, committed to gaol. *Bathurst Free Press, Dec. 11*

SYDNEY NEWS.

Two persons are in custody for stabbing, but there is nothing of consequence in either charge.

MAITLAND MERCURY, 10/884, 22/12/1852

SYDNEY NEWS. - **ANDREW KEYS**, and **ANN**, his wife, was today committed for trial at the Quarter Sessions, for assaulting **JOHN** and **MARIA BLAKE** (also husband and wife); in the scuffle Mrs. Blake lost a portion of her dress, in which was money to the amount of about 27s. 6d., with stealing which Ann Keys was charged and committed for trial.

MAITLAND MERCURY, 10/885, 25/12/1852

VIOLENT ASSAULT. - About 12 o'clock on Saturday night, when a publican named **GOUGH**, residing at Brickfield Hill, was endeavouring to close his house, an onslaught was made upon him by a number of his customers, the result of which is that his life is in extreme peril; so far as we have heard, there was no provocation on his part. He was assaulted by several individuals, one of whom wielded a candlestick with wonderful dexterity and effect, the rest using tumblers, jugs, &c., as missiles. The unfortunate publican was most cruelly beaten, his head being covered with bruises and contusions, his left eye closed, and his lower jaw broken; he is attended by Drs. **DUIGAN**, **CARTWRIGHT**, and **CATLETT**. Two men were apprehended on Sunday, and a third yesterday, as parties concerned in the assault. Some evidence was taken yesterday in the case by the Police Magistrate, but publication would at present be premature, and might militate against the ends of justice. The case stands remanded for a week, but there is no probability, we fear, that Gough will be in a condition, should he recover at all, to give evidence in much less than a month. *Herald, Dec. 21*

MAITLAND MERCURY, 10/886, 29/12/1852

STABBING. - Yesterday an old man, named **GEORGE TAYLOR**, many years a journeyman butcher in Maitland, was committed by the bench for trial at the ensuing Quarter Sessions, on a charge of stabbing **ELLEN HAMLEY** with a knife. Mrs. Hamley was fortunately not injured, the bones of her stays having stopped the point of the knife, the blow having been struck at her stomach, and her outer clothing being cut through.

REWARD NOTICE. Re assault on **JAMES KER PANTON** by three aboriginals, **MORRIS, JOEY, & WICKETY WEE**; £20 reward or free pardon for information or apprehension.