

“AN ORGANISED BANDITTI”

**THE STORY BEHIND
THE
‘JEWBOY’ BUSHRANGER
GANG**

By

**COLIN ROOPE &
PATRICIA GREGSON**

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Map courtesy of the Convict Trail Project

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PREFACE

Bushrangers were an ever-present feature during the first 100 years of European settlement in Australia. The bushrangers of the convict period, while less well known than those of the goldrush era and the 1860s, were every bit as colourful and interesting. Many of the convict bushrangers were the talk of the Colony: Bold Jack Donahoe, Scotchie and Whitton, and Jackey Jackey (William Westwood) to name but a few.

One of the most colourful of the convict bushranger gangs was the so-called “Jewboy” gang. This gang fluctuated between two and seven members and operated in the Hunter Valley, around Lake Macquarie and as far south as Wyong on the Central Coast of New South Wales. They raided medium sized establishments, often inns, sometimes very near the most populous settlements in the region, occasionally bailing up twenty people or more for up to six hours at a time.

The members of the gang were all convicts who escaped from Hyde Park Barracks or assigned service and “took to the bush” between August and December in 1840, the year in which transportation of convicts to New South Wales officially ended. The last convict ship, *Eden I*, arrived in Sydney Harbour on November 18, 1840.

The gang began with the escape of five men from Hyde Park Barracks on August 12, 1840, and, after some split away and others joined, concluded with the execution of six men on March 16, 1841.

The name of this gang commonly used today, derives from its most colourful member, Edward Davis, sometimes known as “Jew Davis” or “Teddy the Jewboy.” Davis was

the son of a London solicitor's clerk who was himself transported to New South Wales as a convict, leaving 14 year old Edward and the rest of his family in straitened circumstances. Edward was transported soon after for trying to steal some money. He did not take well to the life of a prisoner. His convict record was a long list of escapes and punishments, but as a bushranger he developed considerable flair and style.

Less prominent in the stories told of the gang, but perhaps more important, was John Marshall or “Wye Harbour Jack,” a complex character. His tattoos proclaimed “God be merciful on a sinner like me” and “Rejoice evermore, pray without ceasing.” He would castigate other members of the gang for offending female victims, but he himself was a convicted rapist who would bash any constable he met to within an inch of his life. Without Marshall there would have been no gang. He was the boldest member and led them during raids, where he would round up the prisoners, secure the area and threaten all and sundry, while Edward Davis, seen by some as being the leader, stood guard over the prisoners and tried to curb Marshall's excesses.

Marshall's off-sider was James Everett alias “Ruggy.” He was the smallest member of the gang, barely five feet tall, with the aggressive bent for which small men are famous. When the gang was captured, “Ruggy” is said to have placed a “death flag,” a black piece of cloth, on his hat, meaning he would fight to the end. He was the last man taken, and only after he had fired all his bullets. Even in court he was abusing and threatening witnesses.

John Shea, the drunkard of the gang, was called “the wild Irishman.” He had only been in the Colony for a few years when he joined the gang, but had already “taken to the

bush” several times. One of the first raids in which he took part was at a property where he had been an assigned convict, his stated aim to seek revenge against the overseer.

Robert Chitty was the oldest member of the gang. Once a soldier, he had been a flogger, overseer and constable since his arrival in New South Wales, but failed miserably when placed in positions of trust, letting a bushranger escape and, on another occasion, running away to Sydney with a female prisoner he was escorting to Newcastle Gaol. Chitty was reduced to being a farm labourer by the time he joined the gang.

Richard Glanville joined the gang a week before they were captured and ran from the final battle after firing just one shot. This was perhaps not surprising, as he was sent to the Colony for being a deserter from the British Army.

During their 132 days of “freedom” the bushrangers terrorised eight Police Districts and had as many as 100 men in various parties scouring the countryside in search of them. They raided at least 37 properties, stealing horses, weapons, clothing, jewellery, food, grog and money as they went. They beat any constable or settler whom they felt had wronged the convict population, and often threatened to return and kill them at a future time. Many properties were vandalised. Weapons not wanted by the gang were always destroyed. The convict and ex-convict population nonetheless provided information and sanctuary, feeling a mixture of fear and sympathy for their fellow sufferers of the “Transportation” system.

The bushrangers were finally captured after a fierce gun battle with Police Magistrate Edward Denny Day, later called the Australian Wyatt Earp. Day was the first Police Magistrate they encountered prepared to exceed his mandate

and follow them beyond the boundaries of his own district to bring them to justice.

The story of the gang has been told many times. The first historical account appeared in 1854 in an English literary magazine, *Bentley's Miscellany*. This article, entitled “Bush-ranging Facts,” was written by “a gentleman resident in New South Wales at the period,” and correctly stated that the gang began in the spring of 1840. Unfortunately, the author of this article felt it would be “unpleasing” to describe the exploits of the gang and, instead, concentrated on their capture. The author did not use the title the “Jewboy” gang, but made a great deal of the fact that Davis was Jewish.

The story of the “Jewboy Gang,” along with many others, was recorded by George Boxall in his book *Australian Bushrangers*, written in 1890. Boxall developed a lifelong interest in bushrangers when, as a boy on the Victorian goldfields, he saw troopers escorting a captured bushranger to prison. *Australian Bushrangers* is a valuable source of information, and most people quote Boxall's tales as the summary of known facts. However, much of his story of the “Jewboy gang” has proven to be incorrect. The major inaccuracy is Boxall's claim that the gang developed around Edward Davis over a two-year period. In fact, the gang existed for less than four months and Davis was only a member for about six weeks of that time.

Another major source for the gang's history is an article prepared by Dr. George F. J. Bergman for the *Journal of the Australian Jewish Historical Society* in 1956: “Edward Davis: Life and Death of an Australian Bushranger.” This contains invaluable information about Davis and his family, particularly his father and brother, both convicts, but it had little focus on the gang. Dr.

Bergman continued the myth that the gang existed for two years, and reinforced the belief that Davis was the principal member of the gang. The sum of knowledge of the Dais/Davies family was further expanded in a collaborative work by J.S. Levi and Dr Bergman titled *Australian Genesis: Jewish convicts and settlers, 1788-1850*.

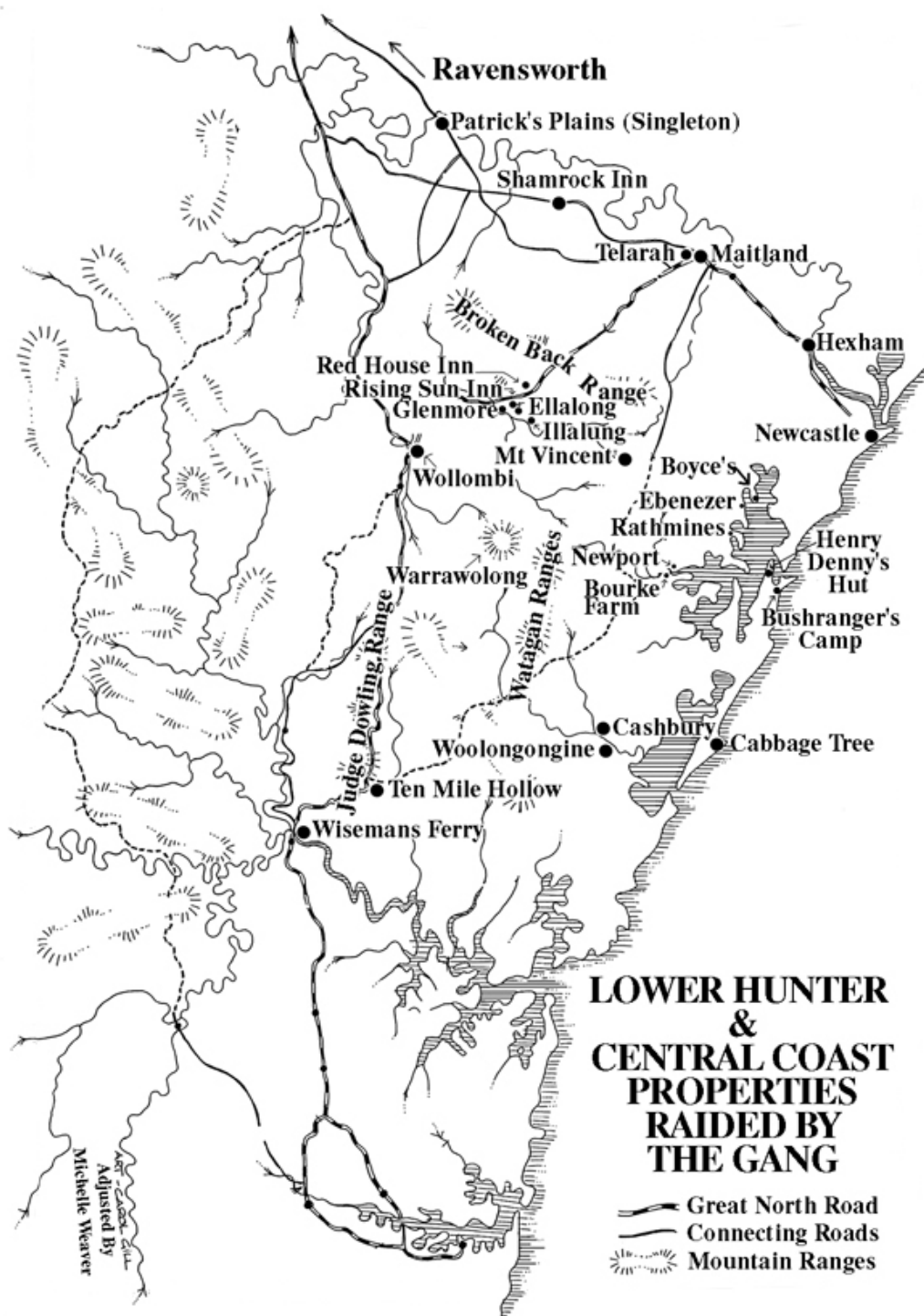
We might also note a series of six stories appeared in *Smith's Weekly* from April to October 1924. These articles were about bushranging in the Williams River Valley (Dungog). They seem to have been largely based on entries in the Dungog Bench Books concerning the gang, as well as tales and legends passed on by settlers of the Dungog district. These articles were styled for the publication in which they appeared, which was devoted to entertainment rather than historical accuracy. Several of the myths surrounding the gang started with these articles.

J. H. M. Abbott, noted Newcastle historian, was very interested in the gang. He wrote a fictitious and exaggerated novel about them (*Castle Vane*), but more importantly included an historical account in his book *The Newcastle Packets and the Hunter Valley*. Information for the chapter, “The Raid on Scone,” was derived from witness depositions recorded in the Scone Bench Books. These Bench Books, sadly, no longer exist, but the original depositions have survived amongst Supreme Court Depositions for 1841.

A more recent and better researched account of the gang was given in the monograph *Edward Davis and the Jewboy Gang* by Stephan Williams. This study finally refuted the long-standing belief that the gang was active for two years, with a detailed account of the gang's six reported weeks of notoriety. The focus, however, remained on Edward Davis. The significance of events leading up to Davis' appearance was not fully grasped.

In researching the subject further it became apparent that the published material about this gang of bushrangers was just the tip of the iceberg. Previously unknown information about the gang has now been found in the incoming and outgoing letters of the Colonial Secretary, the records of the Magistrates’ Benches for the districts of Dungog, Patrick’s Plains (Singleton), Wollombi, Muswellbrook and Brisbane Water (Central Coast), the Supreme Court depositions for the trial of the bushrangers and the trial of a man charged with harbouring them (Henry Denny), as well as many newspaper articles not previously cited.

This book therefore provides a more comprehensive and intriguing account of the formation and activities of the gang that was called many names including Marshall’s gang and the Brisbane Water gang, but has come to be known as the “Jewboy Gang.”



SYDNEY GAOL AND HYDE PARK BARRACKS

Old Sydney Gaol was a plain, warehouse-like block with no special features save tiny high-set windows. It stood on a slight hill overlooking the harbour in Lower George Street Sydney, at the corner of Essex Street. Built in the early 1800s, by 1840 it was in a totally dilapidated state, said to be only held together by large iron girders which had been fastened from wall to wall to shore up the building. It was finally closed and demolished in June 1841.

The main building contained two large rooms, about ten by eight metres, with a fireplace in each room and a three metre wide passage separating them. There were often up to two hundred prisoners in these rooms. The prisoners slept on raised wooden platforms and spent their days in the yards gambling and quarrelling with each other. As with all gaols of the era, it was infested with lice, bedbugs and fleas and there was the ever-present threat of an outbreak of typhus, or gaol fever as it was often called. No effort was made to separate the prisoners, with convicts and non-convicts, witnesses, felons sentenced to Norfolk Island and sinful sailors all sharing the same rooms. There was a separate section for women and debtors, while the prisoners sentenced to death or solitary confinement were held in the six solitary cells at the ends of the building.

It was in this building that four men came together in mid 1840, sent to the Gaol from the Hunter River region for committing various crimes. These men were John Marshall, James Everett, Francis Knight and John Wilson. Knight and Wilson were already experienced bushrangers, though they would only have a small role in the formation of the gang, while Marshall and Everett were destined to be the core

members during their whole time on the run.

Francis Knight and John Wilson were mates of the notorious bushranger John Hobson, alias Opossum Jack. Hobson had been on the run from No. 3 Iron Gang since November 1837. A reward for his capture of twenty-five pounds or a conditional pardon was advertised in the *NSW Government Gazette* on May 12, 1839. A fortnight later, on May 25, 1839, Hobson shot and killed Constable Fox of the Cassilis Police at the station of William Charles Wentworth, on Cream of Tartar Creek near Gammon (Merriwa) in the Upper Hunter Valley.

The reward notice described Hobson as a farm boy from Sheffield, twenty-five years old, four feet eleven and a half inches tall, and went on to say:

It having been further represented, that the said John Hobson, alias “Opossum Jack,” is accompanied by two Runaway Convicts, named, Francis Knight, by the *Lady Kennaway* (2), and John Wilson, by the *Clyde* (1), His Excellency is also pleased to direct, that a Reward of Ten Pounds be paid to any Free Person or Persons who shall apprehend and lodge either of the said Convicts in any of Her Majesty’s Gaols; and, if a Prisoner of the Crown, that he be recommended to Her Majesty for a Conditional Pardon.¹

Francis Knight was a pottery dealer convicted of highway robbery at Lincoln in 1835 and transported to New South Wales for life aboard the *Lady Kennaway*. He was

¹ NSW Government Gazette, 12/6/1839

twenty-five years old, single, from Derbyshire, England. He had brown hair, light hazel eyes and had lost the tops of three toes on his right foot. As a convict he was assigned to William Charles Wentworth and worked at his property in the Upper Hunter Valley.

John Wilson, native of Lancaster, was convicted of stealing a handkerchief, for which crime he was transported to New South Wales for fourteen years. He was then sixteen years old, and arrived on the *Clyde*, the same ship as John Marshall, in 1832. At the time of the theft he was a farmer's boy, four feet nine inches tall, redheaded, with fair skin, freckles and his parents' initials tattooed on his right forearm. As a convict he was assigned, along with Francis Knight, to William Charles Wentworth.

Knight and Wilson bolted to the bush on March 8, 1839 to join Opossum Jack. They were listed as apprehended in the *Government Gazette* of July 17, 1839. Sometime after this they were tried and sent to Sydney Gaol.² The crime they were charged with must have been minor as they were due to be released from Sydney Gaol to Hyde Park Barracks in February 1840. The head gaoler, Henry Keck, wrote to the Attorney General to inform him of the “desperate character of the men and almost certainty of their escaping if sent to Hyde Park Barracks” and held the men in the Gaol.³ Keck tried to have them held over again in May, but the Attorney General ordered him to send the men to Hyde Park Barracks, which he did on the May 18, 1840, with a memo advising that they should be kept in Government service till further notice.⁴

After these men absconded from the Barracks the

² NSW Government Gazette, 12/6/1839

³ Colonial Secretary Letters Received 40/9467 in SRNSW Call No. 4/2516

⁴ Colonial Secretary Letters Received 40/9467 in SRNSW Call No. 4/2516

Governor, Sir George Gipps, reviewed the handling of this case and belatedly agreed with the Gaoler:

The men ought to have been sent to Cockatoo Island. The facility for escape from Hyde Park is as great as from almost any other situation in the Colony. Let the papers be sent to the Criminal Crown Solicitor, that he may know how to proceed in future when similar cases occur. G.G. Sept. 27.⁵

Of greater interest to this story were the two other prisoners. John Marshall and James Everett were admitted to Sydney Gaol from Newcastle, charged with rape.

John Marshall, alias “Wye Harbour Jack,” was a twenty-seven year old single man, a native of Nottingham, England. He was a farmhand and shepherd who was convicted in 1831 of stealing a lamb. Marshall was tall for that time at five feet seven inches, and had brown hair and hazel eyes. His most distinguishing features were his tattoos, which included: REJOICE EVERMORE PRAY WITHOUT CEASING, GOD BE MERCIFUL ON A SINNER LIKE ME, and a woman’s figure. He was transported to New South Wales for life in 1832 aboard the ship *Clyde*. After eight years as an assigned convict, lastly with John Elliott of the Hunter River District, he was listed in the *Government Gazette* as absconding from Elliott on February 18, 1839.⁶

James Everett, alias “Ruggy,” was a twenty-two year old Londoner. At the age of fifteen he was found in a backyard privy in London with a chicken, two rabbits and eight eggs in his possession. For this crime he was sentenced to transportation to New South Wales for seven years.

⁵ Colonial Secretary Letters Received 40/9467 in SRNSW Call No. 4/2516

⁶ NSW Government Gazette, 18/2/1839

Everett was a paper-stainers boy, and only four feet eight inches in height, although he grew just over five feet tall in later years. He had dark brown hair and brown eyes, some tattooed letters, as well as pockmarks from smallpox on his hands and face. He arrived in Sydney aboard the ship *Mangles* in 1833, and was assigned to Mrs. Elizabeth Muir who was the licensee of the Family Hotel (East Maitland) and the widow of George Muir, a builder from Maitland.

Marshall and Everett were admitted to Newcastle Gaol on March 14, 1840 and sent to Sydney Gaol on April 8, 1840 to await trial. Marshall, Everett, Knight and Wilson were sent together from Sydney Gaol to Hyde Park Barracks on May 18, 1840.⁷

In Hyde Park Barracks they met the man who would be the fifth member of their gang, William Brown, who was listed on the indents for the ship *Mary Ridgeway* as having no former convictions, being five feet five inches tall, sallow and freckled complexion, black hair, grey eyes. He had also been a blacksmith with two years experience. Brown was sent to Sydney from Adelaide, South Australia, in April 1840, after his conviction for stealing money from a man named John Noaffe. He was sentenced to death, but this was commuted to transportation for life. When he arrived in Sydney he was sent to Hyde Park Barracks.⁸

Hyde Park Barracks still stand in Macquarie Street, near the northern end of Sydney's Hyde Park. They were built as a dormitory for the convicts who worked on various projects and schemes around Sydney. The Barracks were commissioned by Governor Macquarie, who laid the foundation stone on April 6, 1817, and they were completed

⁷ Colonial Secretary Letters Received 40/9261 with 40/9467 in SRNSW Call No. 4/2516

⁸ Jaunay, Graham (unpublished). Profiles of Convicts Transported from South Australia 1837-1851.

in 1819. The large brick building of three storeys generally housed about six hundred men, though at times its population grew to a thousand men in extremely cramped conditions.

The men were sent out in groups or gangs each day to do their work, returning each night to be mustered and confined within the barracks compound behind a three and a half metre high spiked wall. They were regulated by a large ship's bell that ruled their lives; it rang for morning muster, it rang for meal times, it rang for night muster, it rang for lights out. The work bells on farms performed the same function. Farm bells were to play a significant part in the future activities of the bushrangers.

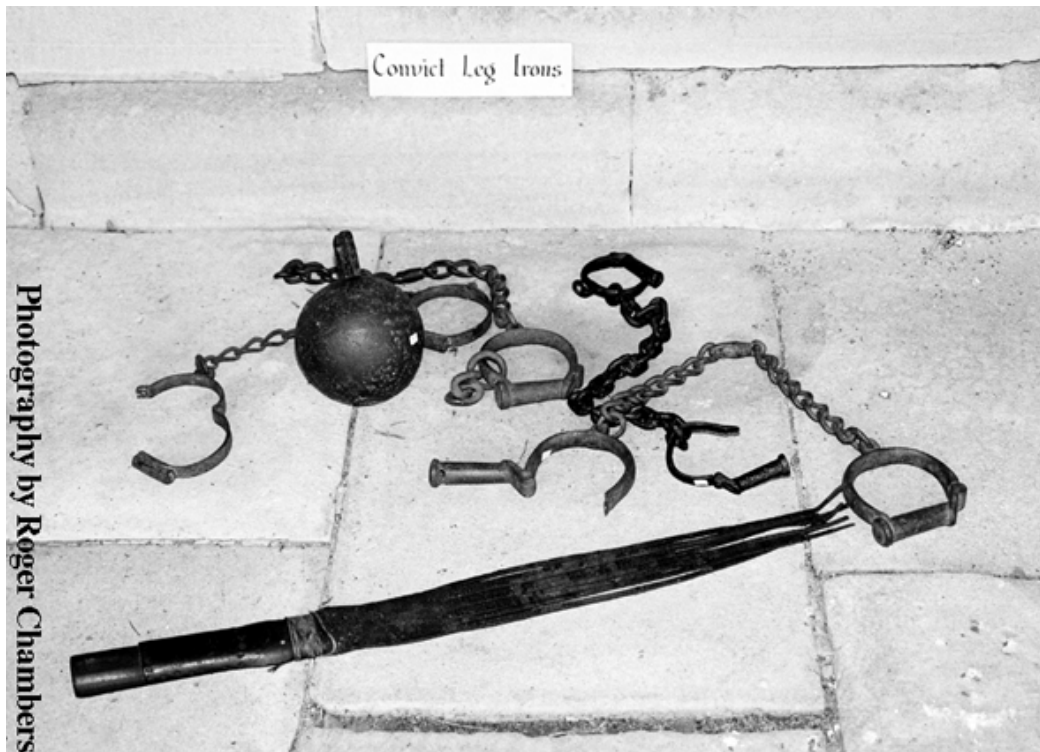
Life in the barracks was monotonous and dreary, perhaps only enlivened by story-telling, a game in the yard, gambling when the guards were not looking and smoking a bit of tobacco, which was not issued to the prisoners but nonetheless permeated the convict system. Everything was regulated: bathing, meals, washing, chores and punishments.

The ground floor of the barracks was devoted to offices of the assignment board, while on the second and third floors were large dormitories or wards, with stout beams to hold the hammocks in which the convicts slept. The walls were whitewashed, which made the wards seem brighter, but this probably wore off quickly with the traffic of so many men housed in the building; and graffiti was common, even then.

With the large wooden gate closed, the prisoners could see nothing at ground level but the confining wall. From the first and second storey windows, however, they had a fair view of Sydney, which could only heighten their desire to abscond.

The superintendent's offices and living quarters were

on the left side of the compound or yard. Every convict was processed here before being assigned their hammock. They were also issued with regulation clothing and linen. A yard surrounded the entire building and the convicts could gather here, when not at their work or other duties. There were washrooms, kitchens, messing rooms, laundry areas and dungeons in the buildings around the perimeter of the yard. The Barracks had their own vegetable garden in Hyde Park. There were also flogging triangles and a treadmill for punishment.



*These Cat O Nine Tails & Leg Irons were provided
courtesy of the Cessnock District Historical Society Inc*

Such offences as being absent overnight, theft, drunkenness, insolence, pilfering, neglect of duty by feigning sickness or resisting a constable all earned punishment. Flogging was usually twenty-five or fifty lashes, depending on the offence. In some years up to a thousand floggings were ordered. The treadmill was a large wheel, turned by convicts or oxen, depending on how many were being punished, used to power a grain-grinding mill.

When each convict ship landed, the new arrivals were kept in one ward to prevent them being corrupted by the “old hands,” and to guard against the spread of contagious diseases. They stayed at the barracks and were engaged in government work until they were assigned to settlers in the Colony.

The Superintendent of Hyde Park Barracks in 1840, when the bushrangers were there, was a man named Timothy Lane. Lane’s administration of the Barracks was described in a letter to the Governor, written in 1842 by an ex-prisoner who signed himself “Humanitas.” The letter related how Lane would meet new prisoners arriving from the country districts, call them vagabonds, scamps, convicts and scoundrels, and taunt them with threats of taking them before the courts to receive punishment. The better the appearance of the prisoner, the worse he was treated.

The Barracks were said to be filthy and vermin-infested, with bedding and clothing not washed for years at a time. “Humanitas” claimed that two thirds of the convicts in the Barracks would volunteer for a chain gang or to be sent to a place of secondary punishment, rather than stay under Lane’s control. In the letter it was stated, “men fly to the

bush to avoid his vengeance.”⁹

The four convicts sent from Sydney Gaol probably stayed together in the Barracks, as well as the work-gang, since they came to the barracks at the same time. They were assigned to work in the Tunnel Gang. The tunnel they were working on could have been Busby’s Bore, a freshwater pipeline from the sands at Botany Bay to the city. It was nearly four kilometres long and was constructed between 1817 and 1837 but was always in need of maintenance.

The tunnel gang was not a chain gang, and would only have been under the supervision of an overseer who would have been chosen from amongst the convicts themselves. Gangs worked from six in the morning for around ten hours, then returned to the Barracks where lights out was at eight thirty in the evening. Escape was relatively easy, but avoiding recapture was more difficult. Distinctive convict attire made escapees easy to spot, and the stealing of other clothes a high priority.

On August 12, 1840, five convicts absconded from the tunnel gang: Marshall, Everett, Knight, Wilson and Brown.¹⁰ They set off northwards toward the Hunter River District, where four of them had previously been assigned as convicts and also spent time “in the bush.” The gang arrived at the Hawkesbury River one week later.

⁹ Bogle, Michael, (1998). *Humanitas*, History Magazine, September

¹⁰ NSW Government Gazette, 19/8/1840

THE GREAT NORTH ROAD

The Great North Road was built by convicts over a ten-year period up to the mid-1830s to link Sydney with the fertile lands of the Hunter Valley. The convicts who worked on the road were under colonial sentence, meaning they were serving a sentence for a crime committed since being transported to New South Wales. Many worked in “ironed gangs,” meaning they wore leg-irons.

The road was designed to be part of Australia’s answer to the “Great Road” system of England, but was described as a grand folly even before it was completed. The introduction of a reliable steam-ship service from Sydney to the Hunter Valley in 1832 made travelling this road an unattractive prospect. By 1840 the Great North Road was little more than two hundred and sixty kilometres of cattle trail and track for bullock drays, with only the poorest travellers, usually on foot, braving the long and tedious march from Sydney to the many small settlements of the Hunter Valley.

The road ran from Baulkham Hills to the Wollombi Plains via Wisemans Ferry on the Hawkesbury River, and wound through the steep gorges, rocky peaks and giant eucalypts of the Judge Dowling Range to the Watagan Range, crossing and recrossing many streams and rivers. Places along the road had been given such names as Hungry Flat, No-Grass Valley and Devil’s Backbone, indicating the harshness of the terrain. At the time the bushrangers travelled the road there were dozens of side-trails and branches that had developed over the years leading to the many settlements of the middle and upper Hunter Valley.

One of the main contributors to the construction of the Great North Road was Lieutenant Percy Simpson, who had since taken up the position of Police Magistrate of Patrick's Plains or Singleton, and was to have a great deal to do with the bushrangers in the near future.¹¹

The five absconders from Hyde Park Barracks were seen on the Great North Road. The correspondent to the *Sydney Herald* from Lower Hawkesbury reported that the “five bushrangers, all armed,” crossed the Hawkesbury River at Wisemans Ferry on August 19, 1840, one week after they had “taken to the bush.”

This correspondent went on to say:

Our police department has been unusually busy of late, in consequence of the five bushrangers who escaped from Sydney being, it was reported, in the neighbourhood of Mangrove Creek.

He also reported that they had taken the “new road” in the direction of Wollombi and noted that this route “affords facility for gaining either Brisbane Water or Maitland, through unfrequented forests.”¹²

The district of Brisbane Water extended from Gosford to the south bank of Dora Creek. The district of Wollombi extended from south of the present town of Wollombi, north to the Broken Back Range just south of the present-day town of Cessnock, and east to the Watagan Range.

The bushrangers proceeded up the Great North Road to the small settlement of Ten-Mile-Hollow, where tracks from Gosford and Lake Macquarie (Simpson's track) joined the Road, ten miles (16 km) north of the Hawkesbury River.

¹¹ Banks, L. (Ed.) (1998). Exploring the Great North Road: Forum Papers

¹² Sydney Herald, 31/8/1840

Here they bailed up the lodging house of a man named Samuel Paley, an emancipated convict, robbing him of £16 and items of food and clothing.¹³

Small lodging-houses or inns were plentiful along the Colony's roads, with varying standards of accommodation. Many of these “inns” were simply settler's cottages located where travellers and teamsters found it convenient to stop. Basic food and shelter were given freely to any traveller who stopped at one of these establishments, regardless of their capacity to pay, with the better-off travellers usually volunteering a small payment. The owners or proprietors would make a little money by selling extras, such as rum, tobacco, tea, a better standard of food than the basic mutton chops and damper, or a bed with linen rather than floor-space for a bed-roll.

After the raid on Ten-Mile-Hollow the bushrangers moved only a short distance up the road and made camp. They quickly set a fire and started to prepare a meal. Hungry after a week on the run, they took no precautions against being captured and did not even post a lookout.

The keeper of the lodging house, Samuel Paley, notified the nearest constable, Richard Gorman of Mangrove Creek. Most constables in the Colony at this time were either serving or emancipated convicts, with the exception of a few old soldiers. Gorman was a convict constable who had been stationed at Mangrove Creek, in the Brisbane Water district, since 1838.

Paley, Gorman and a man named Jones set off to notify David Dunlop, Police Magistrate of Wollombi and Macdonald River, of the bushrangers' crime. The three men headed up the Great North Road and promptly came upon the bushrangers' camp. The bushrangers were too interested

¹³ Sydney Herald 2/9/1840

in their meal to notice the arrival of the three men. Gorman opted for the better part of valour, being discretion. They backed off, skirted the camp and continued on to notify Dunlop. They were close enough to hear one of the bushrangers say, “We will start when the moon rises.”¹⁴ Gorman was later reprimanded for taking no action at this time.¹⁵



Headstone of convict constable, Richard Gorman, who encountered the bushrangers on the Great North Road.

¹⁴ Australian, 3/9/1840

¹⁵ Sydney Herald 25/9/1840

David Dunlop had been appointed Police Magistrate for Wollombi and Macdonald River in 1839. The Police Magistrates of the various districts were paid, unlike many of the major landholders who acted as Magistrates for free. The paid Magistrates were supposedly less biased against the convict classes, but in practice they usually took the settler's side in any dispute.

Dunlop raised a force of men and set off in pursuit of the bushrangers. He took an aboriginal tracker with him. The tracker found traces of all five bushrangers by a fire just off the road near Mt. Manning. The bushrangers, who were still on foot, had set off through gullies and ravines, forcing Dunlop's party to leave their horses behind and continue on foot. Eight miles (12.2 km) off the road in the direction of Warrawolong, the highest peak in the Watagan Range, the tracker lost all trace of the men.¹⁶

Warrawolong is a long extinct volcano, rising two hundred metres above the surrounding ranges and a highly visible landmark for navigation through the bush. The bushrangers, being unfamiliar with the route they were taking, and having been chased from the beaten tracks, may have been heading for the highest summit to get their bearings.

The Lower Hawkesbury correspondent of the *Sydney Herald* wrote several times complaining of Dunlop and the Constabulary's efforts in pursuing the gang. In reply, Dunlop wrote to the editor of the *Australian*, pointing out that Constable Gorman was not, as claimed by the *Herald* correspondent, a Wollombi District constable, but was in fact a Brisbane Water District constable, and therefore not under his command. Dunlop also said that he had been “for

¹⁶ Australian 3/9/1840

several days during the last few weeks out in the chase of robbers and runaways, following them, on foot, into fastnesses of the hills where horses could not travel.”¹⁷

The five bushrangers moved north through the Watagan Range, parallel to the Great North Road, and came out on the Wollombi Plains on Wednesday 2 September, to begin raiding the small settlers there.

On that morning they approached the residence of a farmer named Patrick O’Haning. They were about to enter the house when the settler confronted them with his fowling piece. The gang beat a hasty retreat, firing a shot ineffectually at the house, and threatening that they would settle with O’Haning later. This raid was conducted on foot.¹⁸ O’Haning would have been warned of the gang’s approach – all small settlers kept dogs for hunting, security and companionship in their state of extreme isolation.

From O’Haning’s the gang went to the nearby hut of George Sims. In a letter from Wollombi quoted in the *Sydney Herald* Sims wrote:

I am very sorry to say that the Bushrangers were here yesterday; they have taken away a colt and three mares. There were six Bushrangers, they had six guns and six or eight pistols; they came in when we were at breakfast, they took my gun and pistols, and John’s gun, my saddle and bridle, and clothes, also, the tea, sugar, flour, ropes, blankets and every thing we had.¹⁹

As a result of this robbery, an advertisement in the

¹⁷ Australian, 24/9/1840

¹⁸ Australasian Chronicle, 17/9/1840

¹⁹ Sydney Herald, 3/9/1840

Sydney Herald offered a reward of £10 each for two horses stolen by bushrangers from a paddock in the Wollombi district on September 2. The reward could be collected from Mr. George Sims of Wollombi, or Mr. John Ainsworth of 72 Pitt St. Sydney.²⁰

Following these, and probably other unreported raids in the Wollombi area, the bushrangers were well armed and mounted, and would continue to be so for the rest of their time on the run. Sims reported that the gang was six in number. This was either a miscount by Sims or else the gang picked up an extra member for a short time.

About this time William Brown left the gang and apparently cleared out. He would be recaptured three years later on Kangaroo Island, South Australia, by Inspector Tolmer, who was searching the island for escaped convicts. He came across a man with “a very affected upper class English accent” purporting to be a gentleman farmer from the Mount Barker district of South Australia and giving his name as William McDonald. Tolmer was suspicious of this claim as he was familiar with the Mount Barker district and eventually arrested the man who, upon further interrogation, turned out to be William Brown. Brown was sentenced to be transported to Norfolk Island, but his convict indents were later marked, “to be sent to Cockatoo Island for four years.”²¹ He was sent to Sydney aboard the ship *Terror* on April 1, 1843.

Marshall and his mates meanwhile sought a safe retreat. At that time runaway convicts commonly made camp on the steep hillsides around present-day Brunkerville, adjacent to the northeastern boundary of the Wollombi and

²⁰ *Sydney Herald*, 7/10/1840

²¹ Jaunay (unpublished) Profiles of Convicts Transported from South Australia 1837-1851.

MacDonald River Police District and the southern boundary of the Maitland Police District. The area from present-day Kurri Kurri to Brunkerville was then known as “Sugarloaf,” and the Police Magistrates of several districts knew to their cost that runaways and bushrangers made camp there.²² One newspaper correspondent observed that “bushrangers, like flies, swarm round the Sugarloaf, armed to the teeth, threatening to make us swallow ours.”²³

There were many advantages for the gang in this area. Firstly, they could mix with others who had “taken to the bush,” although few of these runaways were interested in a life of crime, preferring the standard fifty lashes punishment when they had had enough of the bush life. Secondly, no police force could take them by surprise due to the mountainous nature of the terrain, which allowed them to see any pursuit at a long distance. Lastly, Sugarloaf was on or near the boundary of four police districts. Police Magistrates were very reluctant to leave their own district and so, by going a few kilometres in any direction, bolters could easily avoid capture. The other two Police Districts bordering Sugarloaf were Newcastle to the southeast, and Brisbane Water a few kilometres further to the south.

Another advantage to the runaways at Sugarloaf was that they might have been able to gain employment with the timber cutters of the Watagan forest, who would have paid them less than the usual rate, or perhaps just rations.

Marshall and his three companions spent some time camped with the runaways in the Sugarloaf area, and a newspaper report claimed: “the bushrangers on the Wollombi are committing the most frightful depredations.”²⁴

²² Wollombi Letters 23/2/1840 - 3/5/1866 in SRNSW Call No. 4/5698

²³ Australian, 10/11/1840

²⁴ Sydney Herald, 23/10/1840

The Wollombi district eventually became too dangerous for the bushrangers because of the efforts of David Dunlop and his police force, so the gang moved to the Upper Hunter Valley, to the old stamping grounds of Knight and Wilson, where they committed one of their signature “home invasion” style raids on Deridgery station. This property belonged to John Barker, who offered a reward of £5 for the return of two horses stolen during this raid, and also reported that he was robbed of a large amount of clothing and other valuable articles.²⁵

After this raid the gang split up, with Knight and Wilson remaining in the Upper Hunter and Marshall and Everett returning to the Sugarloaf area. On their way to Sugarloaf they were seen stealing horses from Mr. Sparke’s paddock near Maitland, and a reward notice was posted:

FIVE POUNDS REWARD. – To Poundkeepers, Stockkeepers, and Constables.
– Stolen, by armed bushrangers, from Mr. Sparke’s Paddock, near Maitland, on the night of Friday, the 9th October, 1840, a Bay Filly, three years old, broke in to saddle or harness, black legs mane and tail, branded TP near side under the saddle, small white spot on the near hind fetlock, switch tail.

A small light Chestnut Mare, aged, low set, bob from short square tail near the dock, branded C on shoulder, near side, and GT near side under the saddle, a cut on the near knee, last seen in the possession of John Marshall alias Wye Harbor Jack, going in the direction of the Sugarloaf Mountain.

²⁵ Sydney Herald, 15/11/1840, Reward Notice

Whoever will give such information as will lead to the recovery of the said Mares, shall receive the above reward, on application to Thomas Estall, East Maitland.

Any one found detaining the said Mares after this advertisement, will be prosecuted.

A further reward of Two Pounds will be paid to any one apprehending the said John Marshall and James Everett alias Ruggy.²⁶

When Marshall and Everett arrived back in the Sugarloaf area, they were joined by a runaway from Maitland named John Shea.

Shea was a twenty-two year old farm labourer who was transported to New South Wales on the *Calcutta* in 1837. He was a Catholic, born in County Kerry, Ireland in 1818, and convicted of lamb stealing in 1837. He was originally sentenced to transportation for life but this was commuted to seven years. He was single, five feet seven inches tall, ruddy and freckled, with brown hair, grey eyes, and an inoculation scar on his upper right arm. As a convict, he was assigned to Henry Incledon Pilcher at the properties Wallaringa in the Wallarobba area near Dungog and later Telarah near Maitland. During his few years as a convict Shea absconded several times, the last time on October 2, 1840 when he joined with Marshall and Everett.

Before leaving the Sugarloaf area the three men robbed the Mount Vincent property belonging to William Drake. This raid took place on Sunday October 11, and a constable who was at Drake's was very severely bashed. Reverend

²⁶ Australian, 19/11/1840, Reward Notice

Lancelot Threlkeld of Lake Macquarie wrote to the Colonial Secretary: “They nearly murdered a man at Drake’s.”²⁷ The bushrangers stole some valuable horses from Drake, as well as the horse of the constable who was bashed, and swore they would shoot the constable’s horse when they were finished with it.

The ticket-of-leave men of the Wollombi district were again sent out to search for the gang, “with the assurance that they will not be recalled until the men are taken.”²⁸

²⁷ Colonial Secretary Letters Received 40/10738 with 40/10919 in SRNSW Call No. 4/2506.6

²⁸ Sydney Herald 23/10/1840

LAKE MACQUARIE

Towards the seacoast from the Sugarloaf region, and then shared between the Newcastle and Brisbane Water Police Districts, is Lake Macquarie, a shallow, salt-water lake immediately to the south of Newcastle. It has a lengthy shoreline, very irregular in shape, with many bays and inlets.

In 1840 the district surrounding Lake Macquarie was sparsely populated, having few areas with the quality of soil and enough fresh water for agriculture. On the western shore a few small settlers made their livelihood by mixed-farming activities with convict labour. The small settlement of Newport was under construction near the site of present-day Dora Creek.

When the bushrangers arrived from the Sugarloaf area they met with the assigned convicts from the Newport area, who were under very lax control. Many of the properties at Newport were owned by absentee-landlords and overseen by emancipated convicts. Bushrangers and runaways often mingled with serving and emancipated convicts with little fear of being betrayed as it was a point of honour amongst these men to help other convicts when they could. Another factor was that, living in isolation from the forces of law, convicts such as those at Newport were at the mercy of bushrangers, who could be both ruthless and desperate.

The major landholder on the western side of the lake was the Reverend Lancelot Threlkeld, and he and the other settlers in the Lake Macquarie district first learnt of the presence of the bushrangers from a convict, Patrick Brady, who was assigned to Dr Alick Osborne at Newport.²⁹

²⁹ Colonial Secretary Letters Received 41/38 (Dixon Library)

Threlkeld took steps to defend the district by arranging for soldiers to be sent from Newcastle. Other settlers loaded and primed their guns in the expectation they might be raided.

North of Newport were the properties of Edward Hely on the site of present-day Rathmines, and Henry Boyce at the site of present-day Bolton Point. Both of these would be raided by the bushrangers. Between these two properties was the Ebenezer mission-station run by the Reverend Threlkeld.

Lancelot Threlkeld was a Congregational minister. He was granted the land for the mission at the present-day site of Toronto, and was paid a salary of £150 per annum, plus an allowance of £36 to maintain four convicts, by the Government of New South Wales. He had been in the Lake Macquarie area since 1825 and lived in a twelve-room, two-storey wooden house with his second wife, Sarah, and their nine children. This house was on the site where the Toronto Hotel now stands.

By 1840 there were very few Aborigines at the mission, and it was to be closed in December 1841. Threlkeld was supplementing his stipend by grazing stock and, in defiance of the monopoly granted to the Australian Agricultural Company, was developing the coal deposits on the Mission's land. He also had gardens, a herd of dairy-cattle, fruit-trees and several farm buildings and sheds on the property. Threlkeld was known to be unsympathetic to convicts, whom he saw as a corrupting influence amongst the Aborigines, but often went to great lengths to assist Aborigines, especially those who had fallen foul of the law, by acting as an interpreter in court cases.

Henry Boyce was a new arrival from England who settled in the Lake Macquarie area in September 1840. The family's welcome to the area was to be raided by

bushrangers. An article in the *Sydney Herald* reported:

LAKE MACQUARIE.

We received the following communication, but do not vouch for its accuracy: – There are two parties of well mounted Bushrangers plundering the country from Maitland to Lake Macquarie. They have robbed and almost murdered a man at Mr. Drake’s, on the Sugar Loaf; they have plundered Mr. Boyce, on Lake Macquarie, of all his property, and not content with doing this, but actually compelled Miss Boyce to make tea for them– October 22nd, 1840.³⁰

Marshall, Everett and Shea bailed up the leased property of Henry Boyce on October 18.³¹ At Boyce’s there were present Mr. Boyce, his wife and three children, one free servant, two convict men at the house, as well as other convicts who were taken from their huts to the “master’s” house.³² The raid took place on a Sunday morning. Mr. Boyce was with his children after Divine Service when:

three bushrangers entered the room, one of whom presented a gun at Mr. B.s breast, telling him that he had not long to live. The three young children naturally clung around their seemingly doomed parent, and to their doing so, it is more than probable that Mr. B. owed his escape from personal injury.³³

³⁰ Sydney Herald 24/10/1840

³¹ Colonial Secretary Letters Received 41/36 in SRNSW Call No. 4/2522.5

³² Sydney Herald, 10/11/1840

³³ Sydney Gazette, 3/11/1840

The convicts on the property would have been dressed in their Sunday finest, probably lace-up boots, duck trousers, check shirts and straw hats for some, and just clean convict garb for the less fortunate. Convicts in private service were expected to work the same hours as those assigned to the government, 10 hours a day Monday to Friday and 6 hours on Saturday. They were expected to attend a Church service on Sunday when it was practicable to do so.

One of the bushrangers covered Boyce with his gun while the other two rounded up the convicts, who:

suffered two men to make them march from their huts to their masters house, where they remained neutral spectators, under the cover of one man, whose trepidation was so excessive that he seemed more terrified than any one of those placed in his custody.³⁴

The nervous bushranger would have been the new recruit, John Shea.

After the property was secured Marshall and Everett ordered sixteen-year-old Miss Boyce to go through the goods in the house. As the Boyce family had been in their new home for less than a month, many of their possessions were still packed in boxes and trunks. The bushrangers filled three sacks with booty, which included four watches. They had Miss Boyce make tea and serve them. They then “sat down very coolly to the fowls which had been prepared for the family and ate them.”³⁵ Miss Boyce objected to them taking a watch, which she said was a keepsake from a friend.

³⁴ Sydney Gazette, 3/11/1840

³⁵ Sydney Herald, 10/11/1840

They returned the watch, and also told her to take back any other jewellery she was anxious about.³⁶

Marshall and Everett took the sacks of goods away and either hid them for later collection or gave them to an associate for safekeeping. These bulging sacks eventually came into the possession of an ex-convict, and dubious businessman, named Henry Denny.³⁷

They returned to the house and amused themselves by firing at a mark for some time. These men would not have had many opportunities to fire guns in their lives, that being the domain of the rich, and would have needed all the practice they could get. They also fired at a large bell, which they ordered to be taken down and broken with an axe.³⁸ Most properties had a ship's bell, similar to the one at Hyde Park Barracks, which was used to call the convicts to work. The bushrangers took great pleasure in destroying these bells when they came across them during raids. The bushrangers were at Boyce's for six hours and the goods they stole were valued at around £100.³⁹

One account of the robbery on Henry Boyce was written by a notorious character named Michael John Davies, who was soon to take a significant role in the career of the bushrangers. The article appeared in the *Commercial Journal and Advertiser*. He described the robbery in this way:

ARMED BUSHRANGERS IN THE VICINITY OF NEWCASTLE.

The neighbourhood of Newcastle has, for

³⁶ Sydney Gazette, 3/11/1840

³⁷ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

³⁸ Colonial Secretary Letters Received 40/10919 in SRNSW Call No. 4/2506.6

³⁹ Sydney Herald, 10/11/1840

some time past, been under the greatest terror and excitement by the appearance of three mounted bushrangers, armed cap-a-pe,⁴⁰ and wearing the dress of the first gentlemen in the Colony.

On Sunday, the 18th, they visited Mr. Boyce, at Lake Macquarie, where they “bailed up” the whole of his family, and plundered the house of a large quantity of plate, tea, watches, and other valuables; remaining there upwards of six hours, and ordering refreshments at pleasure. The “gentlemen” conducted themselves in the most courteous manner possible – one rebuking another on passing any indecent observations, particularly in the hearing of females.

At last, being about to depart, it was found that their saddle-bags would not nearly contain the property which they intended to carry off; and therefore, with the greatest politeness, requested the loan of a couple of bags for that purpose, which requisition Mr. B. deemed it prudent to comply with. On leaving, however, his daughter informed the “gentlemen” that one of the watches they had taken was her property, which had been given to her as a keepsake, and therefore entreated them to restore it - when one of them, in the most gallant manner, immediately handed it over to her.

⁴⁰ “Cap-a-pied,” meaning head to foot.

The military, and an *apology* for police, are now out in pursuit of them; but, as it is the opinion of Mr. Boyce that none but horses of the fleetest description can possibly come up with them, we have feeble hopes of *their* success – more especially when it is represented that the horses rode by the robbers are of the “first blood.” They had an abundance of arms.⁴¹

Later that day, the bushrangers decided to raid a nearby property and took one of the men from Boyce’s to show them the way to the property of Edward Hely, about two miles (3.2 km) south of the Aboriginal Mission.

Edward Hely was a well-connected settler and brother of the late Frederick Augustus Hely, who had long been the Principal Superintendent of Convicts of the Colony. Hely lived in a house called Donoughmore on a property known as Rathmines.

Hely settled at this balmy location because of ill-health rather than the fertility of the land. The Lake Macquarie area lacked fertile soil, being for the most part sandy and gravelly. However, the locality was said to be well suited for gentlemen who wished to retire to a life of shooting, hunting, fishing and sailing in a healthy salt-water climate. Hely was described as being unwell at the time of the raid on his property. The climate must have suited him. He lived another 20 years, finally succumbing to consumption (tuberculosis) about 1860.

Donoughmore was typical of the medium-sized establishments favoured for raids by the gang. It was manned by six convict labourers under an overseer, who

⁴¹ Commercial Journal, 31/10/1840

most likely would have been an ex-convict. The convicts probably lived in three huts, two men to a hut, within a short distance of the main house. The huts would have been built by the men themselves of split timber planks placed vertically in the ground, with a bark roof and dirt floor.

As the bushrangers rode into the property they would have passed the outbuildings: the prisoners' huts, the dairy, the pig sty, the chicken coop and stables, a paddock of maize or corn protected by a three-rail post-and-rail fence to keep out the cattle. Cattle were allowed to roam free, with one or two of the convicts appointed stockmen to prevent them from straying away. At various times the cattle were mustered in a yard built close to the convict huts. The kitchen and washhouse would have been separate buildings behind the main house, probably connected by a cobbled courtyard. The kitchen garden would contain a variety of vegetables including onions, carrots, peas, potatoes but especially pumpkins, the most popular vegetable in the Colony as they were easy to grow in poor soil and could be stored for months. The orchard would have flourished with mulberry, plum, cherry, pear, apple, peach, orange, lemon and loquat trees. Hely had also planted vines to produce his own wine.

Most settlers built their houses on the highest ground on their property to avoid floods but, as this area was not flood-prone, Hely built his house near the Lake's edge. Most properties of this size had a house made of vertical timber slabs and a roof of bark or shingles, but Hely built a generously proportioned sandstock-brick and plaster homestead with a shingle roof.⁴² There would have been red cedar skirting boards, joinery and mantelpieces, and much of the furniture would have been made from locally cut cedar.

⁴² Goold, NHDHS Journal Vol.1, 1947. p.149

The house overlooked what is now called Kilaben Bay, with a small stream of fresh water (now a covered over stormwater drain) running into the bay a short distance away. There was probably a small open boat drawn up on the lakeshore, used for fishing and light transport around the lake.

Hely had prepared for the bushrangers by loading his guns and placing them around the house, but they still took him completely by surprise. They caught him asleep on a couch, after lunch on a hot Sunday afternoon. One article said that Hely was “in his regimental small clothes,” meaning his underwear.⁴³ Much was made in the press of the ease with which the bushrangers were able to bail up six convicts and nullify Hely’s reputedly ferocious dogs while he slept.⁴⁴

An article was published defending Hely. It stated that Hely only had three men on the farm at the time, and that if he had “but two minutes warning he would have been prepared as his fire arms were all loaded, but unfortunately not being very well, he laid down on a sofa and fell asleep.”⁴⁵

The raid on Hely’s was a hit-and-run affair with little property stolen, but the bushrangers must have taken umbrage at all his guns being loaded and ready, because they broke or stole all of them.

After the bushrangers had gone, Hely mounted his horse and went to look for the troopers, who were in the district searching for the bushrangers. They had left Ebenezer an hour before and taken the Maitland road, but Hely failed to find them.

⁴³ Sydney Gazette 12/12/1840

⁴⁴ Sydney Herald, 14/11/1840

⁴⁵ Sydney Herald, 24/11/1840

Hely must have found the troopers the following day and gone in search of the bushrangers because, when he was robbed by the same bushrangers on the road from Maitland a month later, they told him they were robbing him because he had gone after them with the lobsters (the red-coats or foot-soldiers).⁴⁶ They also told him that they could have shot him three times during the day he had spent searching for them.⁴⁷ Hely later described them as “Marshall’s gang of Bushrangers.”⁴⁸

There was much speculation about the role of the assigned convicts in the raids that the bushrangers were making. A correspondent wrote to the *Sydney Herald*:

In these robberies there must have been actual or indirect connivance between the Bushrangers and the assigned servants; there must have been communication before the robbers came on the ground; there is no other way of accounting for the passiveness of the servants and the at-home-ness of the robbers; in Mr. B’s affair they played with the dogs as if they had known them before, although the same would not allow one of the family to move around at night without making an alarm.

In Mr. H’s affair, three men and their guide found six men quite ready to be bailed up – and it may be remarked too, that the guide could as well have rode to the nearest Police Station as to his master’s house when

⁴⁶ Sydney Herald, 9/12/1840

⁴⁷ Colonial Secretary Letters Received 40/11941 in SRNSW Call No. 4/2499.1

⁴⁸ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

sent back again.⁴⁹

On Tuesday October 20, two days after the raids on Boyce and Hely, the bushrangers ambushed Lancelot Threlkeld's stockman and beat him, to make him reveal the strength and location of the military force. According to Threlkeld, the bushrangers “sent their compliments to me that they intended to pay me a visit, when they had time.” The bushrangers drove off all his cows and bullocks and rode away in the direction of Newcastle.⁵⁰

Threlkeld was dissatisfied with the troopers from Newcastle, whom he described as a “burlesque on government.” He wrote to the Colonial Secretary, Edward Deas Thomson, that the bushrangers would “ride away and laugh at the foot soldiers,” and requested that Mounted Troopers be sent down “this evening by steamer.”⁵¹

The Mounted Police were a force dedicated to the task of counteracting the threat of bushrangers. They were handpicked volunteers from the Regiments in the Colony. In 1839 there were one hundred and sixty six members of the Mounted Police force in New South Wales, with troops scattered over the settled districts. A contingent was stationed at Maitland. Their primary task was to administer the Bushranging Act, enforcing a pass system that gave them authority to detain any person until they could prove they were not an escaped convict. This made them less popular than the bushrangers themselves, as the Mounted Police would often search and detain emancipists and small settlers on the flimsiest pretence. The Mounted Police were

⁴⁹ Sydney Herald, 14/11/1840

⁵⁰ Colonial Secretary Letters Received 40/10738 with 40/10919 in SRNSW Call No. 4/2506.6

⁵¹ Colonial Secretary Letters Received 40/10738 with 40/10919 in SRNSW Call No. 4/2506.6

known colloquially as “goons” (abbreviated from dragoons) or “traps.” Other names given to them by the convicts were “horse grunners” and “slip-railers.”

Threlkeld felt that if a mounted force were sent, they could drive the bushrangers towards the foot soldiers stationed at his property, who would then be able to capture them.⁵²

Deas Thomson forwarded Threlkeld’s letter to Major James Crummer, appointed Police Magistrate at Newcastle in mid-1840. The covering letter from the Colonial Secretary’s Office noted:

I am directed by His Excellency the Governor to transmit to you the accompanying communication from the Reverend Mr. Threlkeld representing that a party of armed Bushrangers are committing depredations in the District of Lake Macquarie and to request that you will take the most strenuous measures in your power to restore order, swearing in the Ticket of Leave holders as constables and making a requisition on the settlers for assistance in men and horses reporting for His Excellency’s information the names of the persons who may either afford assistance or withhold it.⁵³

In reply Crummer wrote, on October 29, that he had already despatched a strong party of soldiers, ticket-of-leave

⁵² Colonial Secretary Letters Received 40/10738 with 40/10919 in SRNSW Call No. 4/2506.6

⁵³ Colonial Secretary Letters Sent 40/266 in SRNSW Call No. 4/3619 on Reel 2983

men and constables, as well as obtaining the assistance of the Mounted Police from Maitland, to make a thorough search of the surrounding area. The incidents at Lake Macquarie had occurred between October 18 and October 20, after which Rev. Threlkeld had reported the incidents to the Colonial Secretary, who had reported to the Governor and then sent his request for action to be taken to Police Magistrate Crummer. This process took around ten days to complete.

An article in the *Sydney Gazette* described the party as “A posse of constables, with six or eight ticket-of-leave men, and a small party of soldiers.” The reporter believed “the gentlemen of the bush, being blessed with many friends resident in the town and district, are made daily acquainted with the motions of the authorities, and are therefore able to elude the searches of their pursuers.”⁵⁴

Major Crummer also reported information that the bushrangers had left the Newcastle Police District and joined others of their kind in the Maitland District. He sent another party to the area around present-day Freemans Waterhole to intercept the gang if they attempted to return to his Police District.⁵⁵

⁵⁴ Sydney Gazette, 12/11/1840

⁵⁵ Colonial Secretary Letters Received 40/10919 in SRNSW Call No. 4/2506.6

MICHAEL JOHN DAVIES & HENRY DENNY

While Marshall, Everett and Shea were in the Lake Macquarie area, they came in contact with two men who play a significant role in this story. Michael John Davies and Henry Denny were both emancipated convicts and businessmen of dubious reputation, both involved with land in the area then called Reid's Mistake, the present-day Swansea, which was the bushrangers' refuge.

In the earlier years of the Colony many ex-convicts were able to establish themselves in legitimate business. Some became wealthy, although they never became “respectable.” All this had changed by 1840, and, at the end of the convict era in New South Wales, the divide between “free” and “bond” had never been greater. It was practically impossible for an emancipated convict to be accepted amongst the free settlers and “pure merinos” of Australian society.

Michael John Davies and Henry Denny were also hampered by being the one Jewish and the other Irish Catholic. Both were frequently denied any indulgences from the authorities. Because of the active discrimination against them, they were forced to the fringes of the business community.

Henry Denny was born in Cork, Ireland in 1796. He arrived in New South Wales as a convict aboard the *Three Bees* in 1814, transported for seven years for an unspecified crime. In the convict indents he was described as a glasscutter, five feet six inches tall, ruddy complexion, brown hair and hazel eyes. He served his time and received his certificate of emancipation.

In 1840 Denny was living on land which was

apparently leased by him from an unknown owner at Reid’s Mistake (Swansea), at the entrance channel to Lake Macquarie. The Magistrates of the Brisbane Water District, in which Denny’s land was situated, cancelled his lease on some adjoining Crown Land, and sent letters to people they thought might own the other land which Denny leased or occupied, offering to find a more respectable tenant.

In 1841 Denny was charged with cattle-stealing and harbouring bushrangers. Evidence, in the form of a deposition by the informer John Davis, was given that the bushrangers had a camp one to one-and-a-half miles (2.4 km) south of Denny’s, and that they had given Denny goods stolen from Edward Hely, Henry Boyce and from drays in the Hunter district.⁵⁶

Denny was tried in October 1841. He was only convicted of cattle stealing, as there was insufficient evidence to convict him of harbouring bushrangers. He was sentenced to transportation to Norfolk Island for 15 years. His association with the bushrangers is clear, but not previously remarked in histories of the gang.

Michael John Davies, commonly called Michael John, was an educated man. His link to the “Jewboy Gang” was always known, but there is much more to be told.

Born in London in 1790, Michael John became a managing clerk in an attorney’s office in Fenchurch Street, London. He married Hannah, née Benjamin. By 1830 they had eight children. Their eldest son, John, was also an attorney’s clerk. The other children were Edward, Charles, David, Ann, Jane, Frances and Sophia. The second son, Edward Davies, or Davis,⁵⁷ would become famed as “Teddy

⁵⁶ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

⁵⁷ Edward was commonly called Davis, while Michael John was most often called Davies.

the Jewboy.”

Michael John lapsed. In July 1830 he was tried at Maidstone for obtaining goods under false pretences and sentenced to seven years transportation. He was transported to New South Wales aboard the ship *Florentia* and arrived at Sydney Cove in December 1830. He was described as an attorney with no previous convictions. He was five feet four inches tall, with a ruddy freckled complexion, balding dark brown-grey hair, hazel eyes and a small scar on his forehead.

Michael John was assigned to Richard Smith in Sydney until he “misbehaved,” and was sent to Port Macquarie, where he was assigned to the Australian Agricultural Company. It was government policy to send “Specials,” meaning convicts with an education, to Port Macquarie at this time, because Governor Darling did not want literate convicts adding to the pro-emancipist arguments in the Sydney newspapers.

Davies’ wife and five youngest children followed him to New South Wales after both his eldest sons, John and Edward, too, were transported as convicts for different crimes, John to Tasmania and Edward to New South Wales. The family arrived in Port Macquarie in 1832.⁵⁸ Michael John was probably then assigned to his wife, the usual practice at the time. They lived in Port Macquarie for some time, until Michael John had served his sentence. They moved to Sydney for a while, but by 1840, when Marshall, Everett and their mates were bushranging, they were living in Newcastle.

In 1840 Michael John was a journalist, and wrote the article quoted in the previous chapter about the raid on the

⁵⁸ Levi, J. S.; Bergman, G. F. J. (1974). *Australian Genesis: Jewish convicts and settlers, 1788-1850*.

property of Henry Boyce at Lake Macquarie. He used terms such as “the gentlemen conducted themselves in the most courteous manner possible,” and related how the bushrangers returned a watch taken from Boyce’s sixteen-year-old daughter “in the most gallant manner.”⁵⁹ Property from this robbery was given by the bushrangers to Henry Denny in exchange for him harbouring them at Reid’s Mistake.⁶⁰ With his flattering words Michael John was almost encouraging a gang who was passing its stolen property on to his associate Henry Denny.

In the 1841 census Michael John Davies is shown as the proprietor of a retail store in Watt Street, Newcastle. Local legend claims the location of his store was the present site of the Great Northern Hotel at the corner of Watt and Scott Streets, diagonally opposite Newcastle Railway Station.⁶¹ This location was close to the harbour and in the centre of the small settlement of Newcastle.

We catch a glimpse of the man and his circumstances through various letters and documents of this time. On December 15, 1840, Michael John wrote to the Governor to complain about the Harbour Master at Newcastle, one George Jackson.⁶² The Governor referred the complaint to Major James Crummer, Police Magistrate of Newcastle, who investigated and reported back that Davies was “a person of the Jewish persuasion” and “of a malicious disposition.”⁶³

Crummer referred the complaint to Jackson who

⁵⁹ Commercial Journal, 31/10/1840

⁶⁰ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

⁶¹ Newcastle Sun, 20/12/1956

⁶² Colonial Secretary Letters Received 40/12928 with 41/259 in SRNSW Call No. 4/2544.4

⁶³ Colonial Secretary Letters Received 41/259 in SRNSW Call No. 4/2544.4

“scarcely thought it necessary to reply to aspersions from so polluted a source.” Jackson nonetheless went on to reply that Davies had been “tampering” with, or corrupting, the assigned convicts in his boat crew, and also many other assigned convicts in Newcastle. He said that Davies was the Newcastle correspondent of the *Commercial Journal* and had used this position to “show me up as he terms it.” Jackson trounced Davies’ character, claiming that Davies was turned out of Port Macquarie for repeated bad conduct, that he was the father of a notorious bushranger (which, at the time of Jackson’s reply, was true) and suspected of being a fence for his gang. He also alleged that Davies’ house was a sly-grog shop and brothel, where Davies profited from the prostitution of his own daughters; and that Davies frequently insulted him in the street saying he was determined to “have his revenge.”⁶⁴

This report also reveals several other interesting facts about Davies. It shows that he was well established in Newcastle, that he was the Newcastle correspondent for the *Commercial Journal*, and that he had boats, or small coastal ships, at Newcastle. Davies was clearly not a respectable citizen, although Jackson’s remarks should be taken with a large grain of salt given the animosity between the two men.

Another enquiry into Michael John’s character was held when he applied to lease Crown land at Reid’s Mistake in October 1840. This land had previously been withdrawn from Henry Denny.⁶⁵ This strongly suggests an association between Davies and Denny. The land was used by the bushrangers when they needed a place to hide out. Magistrates of Brisbane Water enquired of Major Crummer

⁶⁴ Colonial Secretary Letters Received 41/259 in SRNSW Call No. 4/2544.4

⁶⁵ Brisbane Water Bench Books, Copies of Letters Sent 1838-1846 in SRNSW Call No. 5/3167

as to the character of Michael John Davies. Crummer replied that Davies was not a fit person to lease Crown land.

Crummer also wrote to the Colonial Secretary on the subject of Davies’ character. This letter was referred from the Colonial Secretary’s Office to the Principal Superintendent of Convicts with the following cover note:

The Police Magistrate of Newcastle having reported in a letter (of which a copy is enclosed) that the Reverend C.P.H. Wilson of that District has refused to sign an application to enable one Michael John Davies, of the Jewish Faith, at present living at Newcastle, to obtain a female assigned servant alleging his refusal on the grounds of morality and public decency and propriety.

I have the honor therefore by direction of His Excellency the Governor to request that no more female prisoners may be appropriated to the above named person.

I have etc.

E. D. Thomson⁶⁶

Insight into the character and behaviour of Michael John Davies can also be gained from the following article, which appeared in the *Commercial Journal* in December 1840:

ASSAULT. — Michael John Davies, out on bail, appeared on warrant at the Police Office the other day at the instance of Edwin Adam,

⁶⁶ Colonial Secretary Letters Sent 40/9662 in SRNSW Call No. 4/3688

steward of the Victoria steamer, to answer his information and complaint for an aggravated assault committed on board that vessel.

It appeared that the defendant had made use of some disrespectful observations regarding Mr. Korff, who had taken from him a vessel he had entrusted him with, which were repeated by the complainant to Mr. Korff. An ill-feeling arose between the parties and Mr. Michael John Davies had forgotten to take up his promissory note for £15, given in favor of the complainant, which, when he was reminded of on board the Victoria, led to an altercation which terminated – after a pretty free interchange of sentiments between the parties respecting each other, Michael John charging Adam with “felony” and Adam denouncing Michael John as a “convicted scoundrel” – in Michael John placing a well-directed hit on Adam’s right eye – Adam fell, astounded at this unexpected *sauté*, and before he had sufficiently recovered his distorted vision and scattered senses to pursue his assailant, for the purpose (as he candidly avowed) of kicking Michael John, he had managed to get over the vessel’s side and commit himself to the waves in a boat.

Michael John did not deny the assault, but made an heroic appeal to the Bench (throwing himself entirely on its clemency and mercy) whether as men or gentlemen, –

free or bond – their feelings could bear the shock of being attacked in so tender a point: whether they (the Bench) would like to be called “convicted scoundrels,” and that, too, before gentlemen by whom he had reason to believe he was respected and esteemed!

The presiding Magistrate said, that making every allowance for Mr. Davies’ feelings upon that head, it had been sworn that he had previously charged the complainant with felony, and other opprobrious epithets to him, for which there was no shadow of an excuse; therefore he was fined £4, and costs 8s. 6d.

Mr. M.J. Davies, who seemed greatly annoyed by the decision of the Bench, informed their worships that he would now immediately apply for a warrant against the complainant for felony, he having disposed of a vessel belonging to him, and appropriated the proceeds to his own use. The Magistrate told the defendant that he would not sit there and allow plaintiffs to be insulted by defendants by such observations. He had his remedy, and the substance of his complaint would commit parties to gaol for contempt for such gratuitous calumnies. M.J. Davies apologised and disavowed all intention of disrespect to the Bench, paid the fine, and departed in high dudgeon.⁶⁷

⁶⁷ Commercial Journal, 12/12/1840

Another article reporting the same incident appeared in the *Australasian Chronicle*.⁶⁸

Michael John Davies had unsuccessfully applied for a publican's license for the Royal Admiral Inn in George Street, Sydney in 1838 and, for a short time, he kept an unlicensed hotel in George Street. He also unsuccessfully applied for a licence for an inn at Port Macquarie in 1839. He tried again, for a licence in Newcastle in 1842, with the same result. He built a wharf and stores at Port Macquarie, then moved to Melbourne, where the authorities finally granted him a licence for the Shakespeare Hotel in 1847. He shifted to Hobart where he was dogged by financial difficulties.

Michael John eventually moved back to Sydney where he became a publican and started a weekly paper, the *Australian*, in Windsor about 1868 and established his youngest son, George Lewis Asher, who was born in Australia, as the proprietor. About five years before his death Michael John published a pamphlet entitled “*Devotions for Children and Private Jewish Families in English*.” This was the first book of Jewish prayers published in Australia. He died on December 27, 1873 at Windsor, New South Wales. His wife, Hannah, had died after a long and painful illness on April 15, 1866 in Sydney.⁶⁹

⁶⁸ *Australasian Chronicle*, 8/12/1840

⁶⁹ Levi, J. S.; Bergman, G. F. J. (1974). *Australian Genesis: Jewish convicts and settlers, 1788-1850*.

NEAR NEWCASTLE & MAITLAND

Marshall, Everett and Shea evaded the posse sent from Newcastle and the troopers at Lake Macquarie with almost ridiculous ease, but they were soon obliged to decamp from Lake Macquarie as the number of pursuers increased with the addition of the Mounted Police from Maitland. Even though they had no trouble avoiding their pursuers, the gang's next move was an act of extreme bravado.

On Saturday October 24 the bushrangers rode to Newcastle and camped close to the town, in open ground that is now an inner suburb of the city, perhaps around Hamilton. They “remained all night, making the people wait on them, and regaling their horses in the paddock loose.”⁷⁰ Another article said they have “grown daring by the impunity with which they are suffered to roam through the country, they have not been afraid to show themselves mounted and armed in broad daylight within a mile (1.6 km) of Newcastle.”⁷¹

Newcastle was something of a boom-town at the time, with the population increasing from 704 in 1836 to 1,377 in 1841. Even so it was still only a small settlement of 193 dwellings clustered around the foreshore of Newcastle Harbour.

There is no overt explanation for the gang's visit to Newcastle. They committed no robberies, although they stayed a day and night. They may simply have been contemptuous of efforts to capture them, or perhaps they relished the possibility of visiting the town under cover of darkness and, perhaps, slipping into establishments such as

⁷⁰ Sydney Herald, 14/11/1840

⁷¹ Sydney Gazette, 12/11/1840

Michael John Davies’ sly grog shop.

Whatever their reasons, staying close to Newcastle for any period of time was suicidal. They shifted sometime on Sunday.

On Monday October 26, 1840 the three bushrangers were to be found travelling the main road up the Hunter Valley towards the township of Maitland. They robbed a mill within sight of the high road in broad daylight and stole everything they could easily carry off.

Their next stop was near The Big Swamp, around present-day Hexham, where they bailed up a small settler and “compelled his wife to entertain them.” They also bailed up two convicts who happened to pass by while they were there. Next stop for the gang was the property, York, three miles (4.8 km) further along the Big Swamp, where they “exacted entertainment in the same style.”

One of the bushrangers was identified in the newspapers as a runaway from a Mr. E. who lived within two miles (3.2 km) of York.⁷² This identifies John Marshall who had been assigned to Mr. John Elliott of Hexham. It is notable that they did not take this opportunity to rob one of their former “masters,” something they would often do in future and a common practice among bushrangers. Mr. Elliott was either a “good master” and held in high regard by his men, or too well prepared for any attack.

The three bushrangers continued on to the Maitland district where they re-joined the runaways in the Sugarloaf area. At this time the Maitland area lacked a Police Magistrate as the holder of that office, Mr. Patrick Grant, languished in Sydney with ill health.

A report in the *Sydney Herald* stated:

⁷² Sydney Herald, 23/11/1840

The people of Maitland are naturally indignant at the unprotected state in which they are left, and complain loudly of the continued absence of their paid Police Magistrate, Mr. Grant, who is understood to be detained in Sydney, and who would have been dismissed long since, were it not that, being a relative of the Whig ex-secretary of state, Lord Glenelg, he must be provided for.⁷³

George Wood, an ex-convict and now Chief Constable of Maitland, led out a force of constables and ticket-of-leave men to search for the bushrangers. In the dark of night on Friday October 30 one of the ticket-of-leave men mistook Wood for a bushranger and shot him in the thigh.⁷⁴ Wood was confined to his bed for several weeks and took no further part in the pursuit of the bushrangers. This only added to the “unprotected” nature of the Maitland district.⁷⁵

From this time, the police force of Maitland consisted of seven constables with no Chief Constable and no Police Magistrate.⁷⁶ The only Magistrate in the Maitland district was the Lieutenant in charge of the iron-gang working on the roads in the district, and he had no civil authority.

The Mounted Police had a compound in Maitland but were under strength, as a force was still searching the Lake Macquarie area at this time. Major Edward Johnstone, Police Magistrate at Paterson, was temporarily in charge of the Mounted Police in the absence of a Maitland based Police Magistrate.

⁷³ Sydney Herald, 24/11/1840

⁷⁴ Australasian Chronicle, 14/11/1840

⁷⁵ Australian, 19/11/1840

⁷⁶ Colonial Secretary Letters Received 40/11665 in SRNSW Call No. 4/2494

At this time Maitland was the major township in the County of Northumberland, more than twice the size of Newcastle. It was described as having a considerable number of buildings, some substantial and made of brick, scattered over two miles (3.2 km) on either side of an unmade road. The journey from Newcastle was twenty miles (32 km) by road, but most travellers took the more comfortable option of sailing to Morpeth on a ship or steamer and riding the two miles (3.2 km) to Maitland.

The activity of the bushrangers and the lack of any authority in the police force of Maitland emboldened runaways in the district, so much so that on the evening of Monday November 2 up to fourteen men took part in three raids on properties on the Wollombi side of the Maitland district. Two of the raids, those on the properties of Mr. Simpson and Mr. Garrand,⁷⁷ were probably conducted by the runaways living in the Sugarloaf area, but the most daring of the night involved Marshall, Everett and Shea.

At eight o'clock that Monday night, Mr. Henry Incledon Pilcher, a solicitor from the firm Pilcher and Plaistowe of West Maitland, was on the verandah of the house at his property, Telarah, not far from the township of Maitland. He heard a noise in the house, which he took to be an argument between the convict servants. When he went to investigate he found three armed men with Mrs. Pilcher. He was quickly taken prisoner. One of the men used a gun to cover the Pilchers and another man who was residing with them, while the other two bushrangers ransacked the house.

One of the bushrangers was identified as John Shea, previously assigned to Pilcher, and one of the aims of the raid was to seek vengeance on Pilcher's overseer. Guessing the bushrangers' intentions, the overseer had quickly and

⁷⁷ Australian, 14/11/1840

quietly decamped to Maitland to alert the Mounted Troopers and constables stationed there.

The bushrangers remained at Pilcher's for around two hours, downing large quantities of drink and food, apparently not worried at all that they were only half a mile (.8 km) from the Maitland Stockade of the Mounted Police. The bushrangers would have been made aware by one of their many sympathisers in the Maitland area that the Mounted Police were still out searching the Lake Macquarie area.

Pilcher's overseer returned with a party of six soldiers and constables at about ten o'clock. No members of the Mounted Police were in this party. The soldiers and constables formed a leaderless rabble and the bushrangers sighted them as they milled about, trying to decide how to approach the situation. A report in the *Sydney Monitor* said:

had it not been for the blundering of a constable, there is little doubt that the whole of them would have been taken; as it was, they got the alarm and started as the soldiers came up.⁷⁸

The forces of law finally divided to surround the house, giving the bushrangers plenty of time to mount their horses and escape.⁷⁹ The “lobsters” and constables challenged them as they were riding off, and were answered “by the contents of a pistol.” They fired a volley after the gang and, in the morning, found a gun with blood on it.⁸⁰

One of the bushrangers was separated from the gang and rode in the opposite direction until he was obstructed by

⁷⁸ Sydney Monitor, 13/11/1840

⁷⁹ Australian, 14/11/1840

⁸⁰ Sydney Herald, 23/11/1840

a fence. He managed to escape on foot. His horse was found in the morning.⁸¹

James Everett was not with the gang for some time after this raid. It seems likely that he was the man wounded and had to spend time recuperating. He rejoined the gang early in December when they returned to Lake Macquarie. Everett probably remained in that district – presumably in the bushrangers’ hut on Henry Denny’s property.

The haul from this raid was goods valued at one hundred and fifty pounds, twenty pounds in cash and two valuable carriage-horses.⁸²

The *Sydney Monitor* reported that the police from Maitland followed the bushrangers, and claimed a battle took place at Hungerford’s Swamp with heavy firing taking place: “Our informant tells us that one of the police was shot dead and another most severely wounded.”⁸³ As there is no other report of this battle, or any report of a policeman being killed, it is very unlikely that this occurred.

On November 19 the settlers of the Maitland district held a public meeting at the Union Hotel, chaired by Lieutenant Edward C. Close of Morpeth and attended by over seventy men. They adopted four resolutions and signed a memorial (or petition) to be forwarded to the Governor, asking him to take action to remedy the “unprotected” state of the district:

To His Excellency Sir George Gipps.
The memorial of the undersigned inhabitants
of Maitland and its vicinity.

Humbly Sheweth, That at a meeting held in

⁸¹ Australian, 14/11/1840

⁸² Sydney Herald, 23/11/1840

⁸³ Sydney Monitor, 13/11/1840

their town to consider the necessity of addressing the Gov. to appoint a Police Magistrate as there has been none here for some time past, and to provide for a more efficient constabulary force — The accompanying resolutions were unanimously adopted, and to which your memorialists beg to draw your Excellency's attention. In bringing their wants which are embodied in these resolutions under your excellency's notice your Memorialists beg to disclaim all ill-feeling, but continued losses experienced through the depredations of daring Banditti who infest the district, but are seldom discoverable by the Police, although seen three days together within a few miles of the town by one individual — compel your Excellency's Memorialists to draw your attention to these matters. And do therefore pray that your Excellency will take this their Memorial and the accompanying resolutions of the meeting into consideration and cause the speedy appointment of a Police Magistrate and a sufficient increase to the police.

The Governor, Sir George Gipps, noted at the bottom of this memorial: “Acknowledge receipt, and inform Mr. Close; that the resignation of the late Police Magistrate having been received, Mr. Day has been appointed to succeed him.”⁸⁴

⁸⁴ Colonial Secretary Letters Received 40/11665 in SRNSW Call No. 4/2494

UPPER HUNTER VALLEY

Marshall's gang now changed direction, both geographically and historically. James Everett, wounded, lay low at Lake Macquarie. Marshall and Shea could have stayed in familiar territory. Instead they rode north from Newcastle for their appointment with destiny; an appointment planned as to time, place and person. How was that plan made? We do not know. We can only summarise the basic facts.

We know that the bushrangers had links with Henry Denny, and that Denny had links with Michael John Davies. Of itself it is interesting that Michael John extolled Marshall's gang in his newspaper report. It becomes more interesting when Michael John tried to preserve the land where the bushrangers had their hut, after Denny lost it. The next link is more personal and direct. The accession of Michael John's son, Edward Davis, to the gang was obviously planned, as the following events make clear.

Marshall and Shea shifted their operations to the sparsely inhabited districts of the Upper Hunter Valley and began robbing travellers on the road to the New England region and the Liverpool Plains. On Monday November 9 they held up an assigned convict of Mr. Benjamin Singleton and stole the horse he was riding. From the style of reportage this was most likely a valuable racehorse. The bushrangers said that they regretted taking the horse from the assigned convict – presumably because the man would be punished for losing it – but it was necessary as they were to be joined by another man when they had a horse for him.⁸⁵ They said that they would return the horse when they

⁸⁵ The Colonist, 24/11/1840

could get hold of another, which they expected to do when John Eales arrived.⁸⁶

Marshall and Shea had learnt that Mr. John Eales, a wealthy settler, was travelling down from New England and would soon come within reach. Eales, however, got word that the bushrangers were waiting for him and returned to Page's River (Murrurundi), with his party. Eales said that he made this diversion to collect arms, although an article in the *Australian* noted: “some will have it that he and his party bolted, although armed, and were glad to retrace their steps on seeing the bushrangers even at a distance.”⁸⁷

Mr. Edward White, who was an overseer for Mr. Eales, was stopped by the bushrangers around this time. He was robbed and his horse was stolen. Several other lone travellers were also robbed around this time.⁸⁸

Next day, November 10, the new recruit they had been expecting joined Marshall and Shea. This was Edward Davis, alias George Wilkinson or “Teddy the Jewboy,” Moccy to Marshall and his mates; son of Michael John Davies.⁸⁹

Edward was born in Gravesend, England in 1816. In 1833, after his father's transportation, he was tried and convicted, using the name George Wilkinson, for the offence of trying to steal a wooden till and five shillings from a shop. He was described as a stable boy, four feet eleven inches tall at the time of his crime (he grew to around five feet four inches), Jewish, could read and write, with a dark and very freckled complexion, dark brown to black hair, hazel eyes and a large nose. He also had the tattoos MJDBN, EDHDM, love and an anchor on his lower left

⁸⁶ *Australian*, 21/11/1840

⁸⁷ *Australian*, 21/11/1840

⁸⁸ *The Colonist*, 24/11/1840

⁸⁹ *NSW Government Gazette*, 25/11/1840

arm, and five blue dots between the thumb and forefinger on his left hand. He was transported to New South Wales aboard the ship *Camden* in 1833.

During his time as an assigned convict, Davis absconded on numerous occasions. He absconded for the first time from Hyde Park Barracks on December 23, 1833 and was given a twelve-month extension of his sentence for this offence. In December 1835 he absconded from a settler at Penrith and was sentenced to a further twelve months. On January 10, 1837, he absconded from Edward Sparke at Hexham near Newcastle. For this escape he was sent to an iron-gang, and he is listed in the 1837 convict muster under his alias, George Wilkinson, as assigned to Government at the Vale of Clwydd in the Blue Mountains. He was returned to Sparke's service, and absconded again on August 21, 1838.⁹⁰

Recaptured, he was sent back to Sparke's service, who transferred him to Phillip Wright of Aberdeen in the Upper Hunter district. Wright was a publican, storekeeper and settler as well as being a partner or associate of Edward Sparke. He was often described as the local overseer for Sparke's interests. Davis absconded for the last time on November 10, 1840 from a party moving some of Sparke's sheep from New England to Wright's property at Aberdeen. He left the party in the vicinity of Murrurundi and joined up with Marshall and Shea.⁹¹

As this new phase opened in the gang's story another ended. A few days before Davis joined Marshall and Shea, five other bushrangers, a trio and a pair, were captured in the Upper Hunter Valley. The Police Magistrate for the district of Scone, John Anderson Robertson, reported their capture

⁹⁰ Levi & Bergman

⁹¹ The Colonist, 24/11/1840

to the Colonial Secretary:

I have the honor to report for the information of His Excellency the Governor, that five notorious Bushrangers have been captured, with a large quantity of fire-arms, ammunition and with eight or ten horses stolen by them. Four of these men have been tried here and transmitted, under a safe escort, direct to Newcastle on their way to Sydney for trial. One of them was the head of the gang (James Gibbons) that has given me so much trouble for the last six months, and who was connected in the robbery of Her Majesties mail at Murrurundi in March last. Another of them (John Wilson) is supposed to have been the comrade of the notorious “Opossum Jack,” and that he was the man that shot the constable Fox in the district of Cassilis about a year ago.⁹²

The trio were James Gibbons (who Robertson stated was the leader of the gang), George Wilson and George Greenhill. The other two were our old friends Francis Knight and John Wilson,⁹³ identified in one newspaper article as the robbers of Mr. Sims at Wollombi.⁹⁴

Gibbons, George Wilson and Greenhill were captured on November 5, by a border policeman and a stockman named William Roach, whose name will soon recur in this story. In a separate incident, Knight and Wilson were taken by Mr. Doyle about eight miles (12.2 km) from W.C.

⁹² Colonial Secretary Letters Received 40/11392 in SRNSW Call No. 4/2508.2

⁹³ Sydney Monitor, 13/11/1840

⁹⁴ Australasian Chronicle, 17/11/1840

Wentworth’s station (near Merriwa), where they had previously been assigned as convicts.⁹⁵

The five bushrangers were taken to Newcastle Gaol on November 11, 1840 and then to Sydney for trial on November 14. Knight and Wilson were convicted of being at large with firearms and sent to Norfolk Island for fourteen years.

On Thursday November 12 Marshall, Shea and Davis bailed up a dray belonging to the Australian Agricultural Company on its way to the New England region. During the robbery they staved in a keg of rum and made all their prisoners drunk, except for one man who was ill.⁹⁶ They also pointed a gun at a stockman who worked for John Wiseman and asked if his name was Roach. The stockman was so frightened by this incident that he handed in his horse and walked “down-country” as soon as he could.⁹⁷

The fact that Marshall, Davis and Shea were keen to get hold of Roach, who had been involved in the capture of Gibbons and his mates, suggests there was an association of some sort between these men.

On Friday November 13 the bushrangers robbed Warrah station, near present-day Quirindi, which was operated by the Australian Agricultural Company. A report in the *Sydney Herald* stated:

I passed up the country the same time as Singleton’s horse was stolen, and Mr. Edward White was robbed; but luckily missed the Bushrangers of whom I heard a great deal. It appears, however, that they came to the station Warrah, where the

⁹⁵ Australian, 26/11/1840

⁹⁶ The Colonist 24/11/1840.

⁹⁷ Australian 21/11/1840

Company's cattle were mustering but seeing so many men about the place they considered it advisable not to molest them. We left on the morning of 13th November very early, and within a quarter of an hour after we had left they came to the station, three armed men, and besides robbing the Company's drays, which I perceive has appeared in some of the public journals, they entered the house and plundered it of every thing valuable, breaking the firearms to pieces, and taking away one of the Company's horses, saddle and bridle; they enquired for the other horse, which fortunately was away.

The nearest Mounted Police station to Liverpool Plains is distant about forty miles, and you may fancy to yourself the probability of capturing these fellows who always had fresh horses, and are miles away before the Police can be aware of the movements; but there must be great neglect somewhere, for the Bushrangers were in that neighbourhood for a fortnight at least.⁹⁸

The Australian Agricultural Company promptly offered a reward:

THIRTY POUNDS REWARD. —

Whereas, three armed bushrangers came to the Australian Agricultural Company's station at Warrah, Liverpool Plains, on the

⁹⁸ Sydney Herald, 4/12/1840

13th November, and after robbing from the dwelling, took away a horse, saddle, and bridle. A reward of five pounds will be paid for the recovery of the horse, and a further reward of twenty-five pounds for such information as will lead to the conviction of the thieves.

The horse is a dark bay or brown color, about sixteen hands high, six years old, small star on forehead, and white spot on belly, hair rubbed off the wither, and short switch tail, branded C with O inside off side, and 204 on near side under the saddle.

PHILLIP P. KING,

Commissioner for the Australian Agricultural Company.⁹⁹

New England, or Liverpool Plains, was outside the settled districts, which meant that it was not under the jurisdiction of a Police Magistrate. The areas beyond the borders of the settled districts were policed by the Border Police. These men were convicts assigned to act as police under the leadership of Commissioners.

The Police Magistrate for Muswellbrook, Edward Denny Day, travelled down from New England at this time and was given an escort of border policemen, “which is certainly a great accommodation in these bushranging times. Query. Would any other settler or squatter who assists in paying the Border Police be so accommodated?”¹⁰⁰

⁹⁹ Sydney Herald, 5/12/1840

¹⁰⁰ Australian, 21/11/1840

SUGARLOAF

Six days after the robbery of Warrah station Marshall, Davis and Shea made their way back down the Hunter Valley and, on November 19, 1840, had an encounter with Edward Hely, the settler from Lake Macquarie they had raided on October 18. They came across Hely on the road leading from Maitland to Lake Macquarie, about half way to the southern border of the Maitland Police District. This whole area, from present-day Kurri Kurri to Brunkerville, was then known as Sugarloaf.¹⁰¹

Hely later described them as “Marshall’s gang of bushrangers” and gave evidence that they had stolen his horse and a “mackintosh cloak with a plaid lining.” This cloak ended up in the possession of Henry Denny at Lake Macquarie, proving that their link with Denny continued after Edward Davis joined the gang.¹⁰²

The bushrangers gave Hely a message for Reverend Threlkeld of the Ebenezer mission, that they intended to pay him a visit, even if he kept the soldiers at his property for a year; adding, “provided they are not shot in the interim, which they fully expect will be their end.”¹⁰³

Hely was given a horse belonging to a man named Bolton in exchange for his own, but it had been ridden so much that he found it useless. He unsaddled the horse, left it beside the road, and walked home.

Reverend Threlkeld wrote to Edward Deas Thomson, the Colonial Secretary, the next day, November 20, 1840.

¹⁰¹ Sydney Herald 8/12/1840

¹⁰² Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

¹⁰³ Sydney Herald, 9/12/1840

He complained that the bushrangers were being secretly aided and abetted and that a large reward would be of no benefit to the settlers after their “throats are cut or brains blowed out.” He noted that the military had been at his place for a month and, since Mr. Hely’s encounter with the bushrangers, he had “detained them in consequence of tracking the bushrangers down a valley.”¹⁰⁴

There is no way of knowing which direction the bushrangers were heading, but Reverend Threlkeld was certain they had been, and would be again, in the Lake Macquarie area. This is why he kept the foot soldiers at his Mission.

How did Hely’s coat, stolen by the bushrangers, end up with Henry Denny? The gang might have passed it to an associate, who in turn passed it on to Denny, or made contact with Denny themselves. This leads to speculation about the relationships and lines of communication that may have existed between the bushrangers and those at Sugarloaf and Reid’s Mistake. An article in *The Australian* stated that:

They are, in fact, becoming an organised banditti. They have regular places of rendezvous – confederates stationed at different outposts – receptacles for their plunder – and shelter for themselves – visiting the towns in open day, and setting all resistance at defiance. It is, therefore, seriously imperative to adopt such measures as may effectually intercept their further outrages, before they become more formidable.¹⁰⁵

¹⁰⁴ Colonial Secretary Letters Received 40/11941

¹⁰⁵ Australian, 19/12/1840

By the next day the three bushrangers had made their way further up the Hunter Valley, and were to be found in the Patrick’s Plains or Singleton Police District.

On November 20 they took a man named Richard South, a lone traveller, prisoner and held him at gunpoint. South got hold of one of the bushranger’s muskets and made his escape. He later identified the men who had held him prisoner as Marshall, Davis and Shea.¹⁰⁶ Richard South was the landlord of the Traveller’s Home Inn at the site of present-day Murrurundi. He managed the inn for Mr. J.H. Atkinson. This robbery was reported to the Police Magistrate of Singleton, Lieutenant Percy Simpson.¹⁰⁷

¹⁰⁶ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

¹⁰⁷ Colonial Secretary Letters Received 40/12093 in SRNSW Call No. 4/2504.5

RAVENSWORTH

Settlers, merchants and others ran bullock-drays up and down the road from the Lower Hunter shipping points to their various enterprises in the Upper Hunter and Liverpool Plains. The bullock-dray was the only feasible way to move bulk goods for long distances. The drays moved at a slow walking pace, so a typical journey would take days or even weeks to complete. Roads at this time were usually beaten tracks following the trail of the first rider along the route. Through frequent use they became well-defined roads. These roads were rarely maintained in any way, with sidetracks developing into a new road when trees fell or a landslide made the track impassable.

It was the custom for drays to travel in company, so as to afford help to each other should they encounter difficulties. Each dray was pulled by eight to twelve bullocks yoked in pairs and had at least two accompanying men, a bullock driver and his mate. Bullock drivers would make a camp at the end of a days travel and well frequented spots for these camps were common along the main “highways.” They would have been no greater than thirty kilometres apart and were in spots where water and grazing was available. Many inns were established near to these sites as the traffic increased.

Edward Davis, in his years of service with Edward Sparke and Phillip Wright, would have often travelled with the drays, either as a drayman’s mate or simply to journey between their various properties, and because of this he was familiar with the ways of the draymen.

On Sunday November 22, opposite Dr. Bowman’s Ravensworth estate, about half way between Singleton and

Muswellbrook, Marshall, Davis and Shea held up nine drays, five in one spot and four some distance further on and a short time later.¹⁰⁸ Their actions during these raids showed they were very familiar with the set-up of the drays. Percy Simpson, Police Magistrate for the district of Singleton or Patrick’s Plains, later reported:

...it is true there were arms with the drays – but these were locked up in a box on one of the drays – consisting of two muskets and two pistols – of which circumstance the bushrangers seemed to be aware by the fact of their having demanded the key of the box as they said where the arms were concealed.¹⁰⁹

These robberies were reported in the *Sydney Herald*:

PATRICK’S PLAINS.

On Sunday last, the 22nd instant, nine drays belonging to different parties were stopped near Dr. Bowman’s estate, by three armed men, and a great deal of property was destroyed. Altogether there were twenty men with the drays, and some of them well armed, and it is evident therefore, that there must have been some collusion between them and the bushrangers.¹¹⁰

The Colonial Secretary, on behalf of the Governor,

¹⁰⁸ Commercial Journal 2/12/1840

¹⁰⁹ Colonial Secretary Letters Received 40/12210 with 40/12739 in SRNSW Call No. 4/2506.9

¹¹⁰ Sydney Herald, 30/11/1840

requested Percy Simpson to conduct an enquiry into the circumstances of this robbery:

It having been stated to the Governor that on Sunday the 22nd instant, on the High Road near Ravensworth between Patrick’s Plains and Muswell Brook nine drays in charge of nearly twenty men, many of them well armed – were robbed by three Bushrangers.

I am directed by His Excellency to request, that you will enquire into such. Minutely report the circumstances attendant on this robbery such as to ascertain the names and conditions of all the persons who suffered themselves to be robbed.¹¹¹

Simpson wrote to one of the owners of the drays, Thomas Dangar:

I beg to request for the Governors information that you will be pleased to inform me the names and ships of the persons who accompanied your dray on the occasion of the late robbery – together with the condition in life and whether armed or not .I would also feel obliged if you could acquaint me with the names of the owners of the other drays which have been robbed.

[Signed] Percy Simpson. Pol. Mag.

P.S. Due attention will be paid to your letter of 28th Nov..¹¹²

¹¹¹ Colonial Secretary Letters Sent 40/1049 in SRNSW Call No. 4/3846

¹¹² Singleton Bench Books – Letters 1837-41 in SRNSW Call No. 4/5659

Simpson was unable to find any information on the other drays involved in the robbery and wrote to the Police Magistrate at Muswellbrook asking him to make further enquiries:

The Governor having directed me to ascertain for his information the names and condition of the persons (reported to him to be nearly twenty in number and many of them being armed) who had permitted themselves to be robbed on the 22nd Nov. at Ravensworth by these bushrangers and the teams have proceeded to Muswell Brook.

I do myself the honor to request you will have the kindness to furnish me with this information which you will probably be able to obtain from the owners of the drays – some of whom I have discovered as noted.

I have the honor etc.

Percy Simpson.

Mr. Thomas Dangars dray - driven by John Kennedy free.

John Buffs dray - driven by himself.

William Goodwins dray - driven by himself.

all with loads for Thomas Dangar.¹¹³

Simpson also took depositions from men at Bowman's estate regarding this robbery. William Lineham stated that he was:

a farm constable on Dr. Bowman's estate.

¹¹³ Singleton Bench Books – Letters 1837-41 in SRNSW Call No. 4/5659

Yesterday morning there were four drays encamped on the road outside the fence near Ravensworth on their way up the country.

One of the draymen, whose name I don't know, informed me that three armed Bushrangers had robbed the drays of spirits and other articles that morning. Another of the men with the drays told me that the Bushrangers had made him give up two muskets and two pistols, and a watch and some powder and shot, out of a box which he had in his possession on one of the drays.¹¹⁴

Thomas Dangar also wrote to the Colonial Secretary about this robbery. He said that one of the bushrangers was an assigned man of Mr. P. Wright of Aberdeen who had absconded about ten days before, i.e. Edward Davis. Dangar also reported that the men had a horse stolen from Mr. Benjamin Singleton, and that as well as stealing a large amount of valuable property, they tore up silk handkerchiefs, ribbons and other fabrics to adorn their horses.¹¹⁵

Dangar offered a reward for the apprehension of the bushrangers:

DAYLIGHT ROBBERY. —

Fifty Pounds Reward. —

Whereas, on Sunday, the 22nd instant, on the road from Darlington to Scone, nearly opposite to Dr. Bowman's Fence, two drays

¹¹⁴ Colonial Secretary Letters Received 40/12093 in SRNSW Call No. 4/2504.5

¹¹⁵ Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494

hired by me, and one of my own, were attacked, about mid-day, by three armed bushrangers and property destroyed and carried off to a very considerable amount. I hereby offer a Reward of Twenty Pounds for the apprehension and conviction of the ruffians who committed the robbery; also, an additional Reward of Thirty Pounds for the detection of the receivers of said plunder to conviction.

THOMAS DANGAR.

St Aubins, November 23, 1840¹¹⁶

The Governor expressed his displeasure with Simpson's handling of this situation, directing the Colonial Secretary to write to Simpson as follows:

Colonial Secretary's Office
Sydney 12th December 1840

Sir

I am directed by the Governor to acknowledge the receipt of your letter of the 2nd instant reporting on the recent robberies which have been committed by armed Bushrangers on the Upper Hunter, and in so doing to observe that His Excellency cannot perceive in your proceedings, any indication of that promptitude of action or decision in acting which he considers essential for the preservation of order in any District-

I am instructed to state that His

¹¹⁶ Advertisement, *The Australian*, 17/12/1840

Excellency anxiously waits to hear further from you.

I have etc

E Deas Thomson

To / Police Magistrate Singleton.¹¹⁷

Simpson wrote a long-winded account of his actions and recommended actions he thought the Government might take to curtail the activities of aiders and abettors of the bushrangers. The Governor noted at the bottom of this letter:

Inform Mr. Simpson that I did not cause him to be written to enquire what the Govt. ought to do, but to let him know that he appears to me to have done very little himself.

The Bushrangers ... passed unmolested through his (Mr. Simpson's) District; and the men who suffered their Masters property to be plundered at Ravensworth, were allowed to proceed on their journey almost unnoticed by Mr. Simpson.

G.G. Dec. 31.¹¹⁸

This criticism may have been unfair as Simpson had his Chief Constable and a party of men out from November 23 till well into December¹¹⁹ scouring the district for bushrangers.¹²⁰

After this robbery, the bushrangers were reported to be dressed in a distinctive style. Thomas Dangar noted that they

¹¹⁷ Colonial Secretary Letters Sent 40/1097 in SRNSW Call No. 4/3846

¹¹⁸ Colonial Secretary Letters Received 40/12739 in SRNSW Call No. 4/2506.9

¹¹⁹ Colonial Secretary Letters Received 40/12209 in SRNSW Call No. 4/2508.3

¹²⁰ Colonial Secretary Letters Received 40/12093 in SRNSW Call No. 4/2504.5

“tore up silk handkerchiefs, ribbons etc. etc. with which they ornamented their horses.”¹²¹ They also stole clothing and manilla hats during this robbery. As convicts the bushrangers had been confined to prison garb, so it is no surprise that they took every opportunity to dress in “flash” clothing and finery, but their remarkable fascination with jewellery is unique in the annals of bushranging.

Marshall’s gang displayed their interest in clothing from their first raid where they stole the coat of a workman, but they did not take on a distinctive appearance until Edward Davis joined them. Most of their robberies then involved stealing items for personal adornment. During a typical raid they would first seek money or small portable goods of value, then arms, and next they would adorn themselves with expensive clothing, rings, watches and brooches. A correspondent for the *Sydney Herald* later gave the best description of the gang:

Their attire was rather gaudy, as they wore broad rimmed Manilla hats, turned up in front with abundance of braid pink ribbons, satin neck cloth, splendid brooches, all of them had rings and watches. One of them (a Jew I believe) wore five rings. The bridles of the horses were also decorated with a profusion of pink ribbons.¹²²

Other references to the gang’s appearance noted that they all carried guns, pistols and knives. They were also said to be wearing fine black alpaca coats, which, although it was the middle of summer, were necessary as it rained steadily for much of December. They wore high quality leather boots

¹²¹ Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494

¹²² *Sydney Herald*, 10/12/1840

with spurs and buckskin trousers.¹²³ Many reports of the gang mentioned the pink ribbons attached to their hats. The reports all seemed to regard it as sinister that they should be wearing these ribbons. The reason for this is that men on their way to the gallows traditionally wore pink ribbons, so by wearing the ribbons the gang members were announcing that they expected to die if they were caught, and now had nothing to lose.

¹²³ Beckett, R. & R., 1980, p154

DUNGOG

About half way between the townships of Paterson and Dungog lies the area known as Wallarobba Hill. This area provided the hilly retreats favoured by bushrangers, and a small group, headed by a man known as “The Blacksmith,” had been camped there for up to two years:

It is well known that amongst the hills that divide the Paterson and Williams Rivers, a party of Bushrangers have had their resting place these two years past, and from this they made their descents on the Hunter, where they perpetrated their robberies, and it is only lately that emboldened by impunity they have turned their lawless hands on the settlers of the district of their domicile. The party consists of four, has sometimes reduced to only two, but is always headed by the same man, the well known “Blacksmith,” a runaway some years ago from Mr. Cory of the Paterson, and who is acquainted with all the passes and ranges of that country. It is well ascertained that their den is amongst the ranges immediately adjacent to Wallarobba Hill, between Mr. Barnett’s sheep station and Mr. Pilcher’s farm – eight or nine miles from Paterson Bench, and the same distance from the Dungog Bench, and on the verge of the public road from the one township to the other.¹²⁴

¹²⁴ Sydney Herald 1/2/1841

Marshall, Davis and Shea found their way to this area sometime between November 22 and 29, 1840.¹²⁵

Between nine and ten on Sunday night, November 29, Dr. Ellar McKellar McKinlay of the Hermitage near Dungog, left the property Wallaringa at the foot of Wallarobba Hill, operated by Mr. James J. Coar. The doctor, with a man as guide, was on his way to the neighbouring property belonging to Matthew Chapman, The Grange. They were bailed up by a bushranger and ordered back to Wallaringa. “To the astonishment of the captured party,” they found the house at Wallaringa in possession of bushrangers, handsomely dressed, and “armed to the teeth.” This raid was conducted by Marshall, Davis and Shea, with no sign of the “Blacksmith” gang being involved.

The bushrangers “demanded the Doctor’s watch and money, but by the intercession of one of Mr. Coar’s men (who was lately a patient) who ‘begged him off,’ everything was returned to him again.” The convict who begged for the doctor’s safety was Thomas Buckingham. As a result of his intercession, Dr. McKinlay “says he was treated in the most gentlemanly manner by them, and that he never spent a happier night in his life.” The bushrangers:

insisted on his making himself quite at home, and not to be alarmed, as they did not intend injuring him, and pressed him to eat some eggs, beer, damper and butter. They then cleared a sofa for him to lie on, and covered him up with their greatcoats, the pockets of which were stuffed with ball cartridge and buck shot.

¹²⁵ Sydney Herald 12/12/1840

The Doctor's guide had his arms tied behind him, and was thrust under the pianoforte, *sans ceremonie*, the chief telling him that if he either broke the paddle [pedal] or fell asleep, he would blow his brains out.¹²⁶



Dr Ellar McKellar McKinlay who was balied up in the Dungog district. Picture courtesy of the Dungog Historical Society.

¹²⁶ Sydney Herald, 10/12/1840

The bushrangers’ attire was described as “rather gaudy.” They were wearing the Manilla hats, pink ribbons, red satin neck-cloths, brooches, rings and watches they were to become associated with from this time on.¹²⁷ The bushrangers were reported as being at Wallaringa from about six in the evening.

At around seven o’clock next morning,¹²⁸ after spending the night at Mr. Coar’s, the bushrangers took their prisoners to the neighbouring property, The Grange. There they bailed up Matthew Chapman and his men and searched his house. All they took from Chapman were two horses, with saddles and bridles, some food and some buckshot for their guns.

Thomas Cook, the Police Magistrate for Dungog, believed that the convicts living at Coar’s property were involved with the bushrangers.¹²⁹ Cook also believed that Coar was aware of the bushrangers meeting near his house for “some weeks,” and he believed that Coar’s assigned convicts all knew the movements of the bushrangers.¹³⁰

If the assigned convicts and Coar were aware of any bushrangers in the neighbourhood, it was the “Blacksmith” gang, as Marshall, Davis and Shea had been in the area for a week at most. Matthew Chapman, Coar’s neighbour, thought that the convicts on Wallaringa were likely to stray because of the conditions they lived under, due to the “poorness” of the farm.¹³¹

Mr. Coar was a recent arrival in the district. Until a

¹²⁷ Sydney Herald, 10/12/1840

¹²⁸ Colonial Secretary Letters Received 40/13033 in SRNSW Call No. 4/2505.7

¹²⁹ Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539

¹³⁰ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

¹³¹ Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539

year previously, Wallaringa had been the home of Henry Incledon Pilcher, and the bushranger John Shea had been an assigned convict on the property. Pilcher settled at Wallaringa in late 1830, but early in 1840 moved to the property Telarah, near Maitland, taking his assigned convict, John Shea, with him.

As a result of Thomas Cook's enquiries into the activities of the bushrangers in the Dungog district, Thomas Buckingham, a convict assigned to Mr. Coar, was charged with being an associate of the bushrangers and a receiver of stolen goods. He was found to be in possession of three knives, which had been given to him by the bushrangers.¹³²

Buckingham was the man who saved Dr. McKinlay from harm by interceding when they were bailed up at Wallaringa. McKinlay returned the favour by deposing to Magistrate Thomas Cook that he had no doubt Buckingham was in league with the bushrangers.¹³³

In a letter to the Colonial Secretary, Cook said of Buckingham:

The scoundrel says he does not care as it was only 15 years to Norfolk Island; and I do fear unless the law is changed and made death to be found with fire arms in the bush we shall never have long peace in the country.¹³⁴

The gang was now joined by a fourth man named Robert Chitty,¹³⁵ one of Mr. Chapman's assigned convicts.¹³⁶ Chitty was born in Windsor, England in 1804.

¹³² Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539

¹³³ Colonial Secretary Letters Received 40/13033 in SRNSW Call No. 4/2505.7

¹³⁴ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

¹³⁵ NSW Government Gazette 9/12/1840 p. 1341

¹³⁶ Sydney Herald 10/12/1840

He was tried for desertion from the British Army in Dublin, Ireland in 1823 and transported to New South Wales for fourteen years aboard the ship *Sophia* that same year. He was described as a soldier and pit sawyer, five feet four and a half inches tall, with a ruddy and freckled complexion, light brown hair, hazel eyes, and tattoos of red marks, GSRC and an anchor on his right arm, and several red marks on his left arm.

Chitty had a chequered career as a convict. In 1835 he was a convict constable in the Brisbane Water district, stationed at the property Cabbage Tree, the site of present-day Norah Head. Then he was appointed scourger (flogger) at East Gosford, but in the latter half of 1835 was accused of negligence when overpowered by a bushranger named Macdonald, whom he was taking as a prisoner to the house of the local Police Magistrate, Jonathon Warner. Towards the end of 1835 Chitty was transferred to the district of Dungog and took up the position of scourger again. He absconded from his position on December 29, 1835 with the female prisoner, Elizabeth Walsh, whom he was escorting to Newcastle Gaol. By 1840 he had been reduced to being an assigned convict working for Matthew Chapman as a farm labourer. If he had not misbehaved his original sentence would have expired in 1837.

Leaving Chapman's property at about eight in the morning, Marshall, Davis, Shea and Chitty rode to the property Brookfield, belonging to a Mr. James Walker, where they stole £37 and enjoyed refreshments. Brookfield was a farming property but also encompassed the Union Inn. The inn was located at "the Half Moon Flat" on the Williams River, six or seven miles (9.2 to 10.8 km) south of Dungog.

The Union Inn was a stopping place for bullock drivers

hauling cedar and farm produce from Dungog and beyond to the wharves at Clarence Town on the Williams River.

At the Union Inn, they found Walker with his wife and family; the Reverend Mr. Comrey of Dungog; three immigrants named Henry Whenham, John Cunningham and John Carroll; two ticket-of-leave holders named Alfred Cooper and John Lenon; Walker's three assigned servants, Robert Scott, Joseph Lea and John Eeles as well as another assigned convict named John Ford. The bushrangers bailed them all up in the parlour of the inn.

Alfred Cooper, John Lenon and John Ford all volunteered to join a party to follow the bushrangers when they left, but Mr. Walker had no weapons and felt it was not wise to risk the lives of these men.¹³⁷

After the bushrangers left the Union Inn, they encountered a settler by the name of Timothy Nowlan, together with another man named Waring, riding along the road. These two men were on their way to Nowlan's property, Wallarobba.

The bushrangers' encounter with Nowlan was widely commented on, and accounts in the *Herald* and the *Monitor* state that they flogged Nowlan. The *Herald*, for example, reported “They next directed their course to the station of Timothy Nowlan, Esq., on whom they had a great ‘down,’ for they fixed a saddle on his back, flogged him, took five pounds, a horse, and a gold watch from him.”¹³⁸

The *Australian* made editorial comment on the way that correspondents were portraying the bushrangers:

They speak of the outrages of these ruffians
in such glowing terms as to make it rather a
matter to be admired and emulated as an

¹³⁷ Colonial Secretary Letters Received 40/12813 in SRNSW Call No. 4/2505.7

¹³⁸ Sydney Herald, 10/12/1840; the Sydney Monitor report in issue of 4/12/1840

heroic exploit – describe their dress, manners, and mode of attack, in all the high sounding flash phraseology of the annals of Jack Shepherd or Dick Turpin. We advise, for obvious reasons, that a little more judgement, or rather common sense, should be exercised by correspondents. A little more attention to accuracy is not less desirable.

Among other misrepresentations we select one: – An old, highly respectable, and respected inhabitant, Mr. T Nowlan, of the Hunter, is described as having been robbed of a gold watch, five pounds in money, and having received the most violent ill-treatment; whereas, in point of fact, Mr. Nowlan was not robbed of a gold watch, nor of money beyond a few shillings, and did not receive personal injury of any kind! We trust therefore correspondents will not disregard our suggestion in future.¹³⁹

By the time that this editorial appeared there was some sympathy for the bushrangers in many newspaper reports. In one report the bushrangers were quoted as saying that they “merely wished to put down tyranny,” and that “flogging had driven them into the bush.”¹⁴⁰ Timothy Nowlan may have wanted it known that he was not flogged by the bushrangers because of the perception by some of the population that those who were maltreated by this gang often had it coming to them.

Nowlan had more than thirty convicts assigned to him

¹³⁹ Australian, 19/12/1840

¹⁴⁰ Australian, 22/12/1840

in the 1837 convict muster. He was described as an elderly, ruddy, stout man and a “hard” master. He was an Irish sheep breeder and was involved in a Government sponsored plan to improve the Australian flock. Nowlan and a young man named Hammersly, who was described by Cook as “too good natured for such a situation,” only visited the Wallarobba property occasionally.

Nowlan’s property had two overseers, Spicer and Tierney, who were described by Thomas Cook, the Dungog Police Magistrate, as “of dubious character.” Tierney was said to be “no better than he should be.” Hammersly was also said to drink, smoke and generally fraternise with the assigned convicts, boasting that he was at the station when it was robbed, and the bushrangers had offered him a present of some jewellery.¹⁴¹

The bushrangers’ next stop, around nine o’clock in the morning, was the property of a small settler named James Lalham, who was a blacksmith. The gang wanted him to shoe their horses, but he refused. Lalham later said that four of his family were dangerously ill at the time.

The gang then returned to Mr. Walker’s Union Inn for more refreshments, where they met the Dungog postman, William Walker. They robbed him of his watch and £3 but returned the watch. The postman later said that he was not treated badly by the gang because he knew Robert Chitty, who had formerly been the flogger at Dungog.¹⁴²

There were another two assigned servants at the inn by now, making a total of eight convicts and ticket-of-leave men. James Walker later stated that many of the convicts present were willing to help look for the bushrangers, but

¹⁴¹ Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539

¹⁴² Colonial Secretary Letters Received 40/12116 in SRNSW Call No. 4/2506.8

when the Governor reviewed this incident he ordered that all of the convicts and ticket-of-leave men be sent to Pinchgut Island for allowing themselves to be robbed.¹⁴³

During the early afternoon of this busy Monday, the gang showed up at the Paterson River where they robbed Thomas Jones of £30. Jones was landlord of the Settlers Arms Inn, on the site of the present school at Paterson. The gang then crossed the Paterson River and took the road towards Maitland.¹⁴⁴

Word was carried to Dungog that, while at Walker’s inn, the bushrangers had threatened to rob the Dungog store and inn that night. Police Magistrate Thomas Cook organised a group of ticket-of-leave holders to guard the town. He was only able to arm them with batons and sticks from the bush. The group stood guard all night.¹⁴⁵

By the time Dungog was secure, the bushrangers had ridden about twenty miles (32 km) from the district. The next day one of the horses stolen at Dungog was recovered at Black Creek (Cessnock area).

Cook also sent an express rider to Major Edward Johnstone, the Police Magistrate for Paterson, and temporarily in charge of the Mounted Police at Maitland, requesting that a party of Mounted Troopers be sent without delay.¹⁴⁶ No party was dispatched – the Mounted Police were already out searching another district.¹⁴⁷

An article in the *Australasian Chronicle* said of Cook:

Now, sir, if Mr. Cook had mounted his horse,
and armed himself and five constables, which

¹⁴³ Colonial Secretary Letters Received 40/12813 in SRNSW Call No. 4/2505.7

¹⁴⁴ Sydney Herald, 10/12/1840

¹⁴⁵ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

¹⁴⁶ Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539

¹⁴⁷ Colonial Secretary Letters Received 40/12502 in SRNSW Call No. 4/2505.7

was his duty to do so, he would have come up with them at Walker's the second time, for Walker's is not more than six miles from the Court House. But instead of this he sent off all his constables two or three miles to collect ticket of leave men to guard him in the court house, while others he sent to protect his house and family, to the amount of four Catholic and one Protestant. And this is the police magistrate who but a little time ago posted up a notice that none but Protestants need apply for the situation of constables, and now sends four Catholic ticket of leave men to protect his wife and family for three or four days and nights, while he himself remained shut up in the court house, and did not attempt to move until he heard that the bushrangers were robbing at Black Creek, fifty miles away. He THEN went to Chapman's and Walker's, but did not pursue any further.¹⁴⁸

On the morning after Marshall, Davis, Shea and Chitty departed the Dungog district, another party of bushrangers, described by Thomas Cook as “of similar description” to the gang who had robbed the settlers south of Dungog, raided the richest property in the district, Underbank, sixteen miles (25.2 km) north of Dungog.¹⁴⁹ Underbank was owned by Mr. John Lord, who was not present on the property at the time. This raid was carried out by the “Blacksmith” and his gang, who now had to leave the Dungog district because of

¹⁴⁸ Australasian Chronicle, 26/12/1840

¹⁴⁹ Colonial Secretary Letters Received 40/12502 in SRNSW Call No. 4/2505.7

the frenzy stirred up by Marshall’s gang. They therefore took all they could carry when they left.¹⁵⁰

The “Blacksmith” and his men arrived at sunrise and left at about half past four in the afternoon, after making themselves comfortable, dining, then stealing property and money valued at more than £200.¹⁵¹ There were ten free men, five ticket-of-leave men, twelve assigned convicts, two overseers and Mrs. Lord present at Underbank at the time of the raid. This was a bigger and bolder raid than any carried out by the famed “Jewboy” gang. The “Blacksmith” and his men appear to have escaped scot-free.

The settlers of the district formed a party to follow the Underbank raiders. Mr. Craig, overseer at Underbank, sent a messenger to Captain Thomas Cook asking for men and arms to be sent up from Dungog. They waited all day for these men to arrive but none appeared. As Vincent Dowling, one of the settlers, wrote in a letter to his father:

it was too late to pursue them that evening as we still expected arms, or men from Mr. Cook, the messenger returned from Dungog that evening ... (and) said that twenty armed special and ticket of leave constables were marching up and down the front of the courthouse at Dungog.¹⁵²

The next morning a party comprising Vincent Dowling, Mr. Hector, Mr. Craig, one man of Hector’s, two Aborigines and five assigned convicts from Underbank, making eleven men, all armed, set off to track the bushrangers. They soon came upon their trail leading to the Wallarobba Hill area. They searched all that day in the

¹⁵⁰ Sydney Herald, 1/2/1841

¹⁵¹ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

¹⁵² Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

pouring rain, but to no avail. Aboriginal trackers were renowned for their skill in tracking men, even days after they had passed, but many bushmen also knew tricks to avoid detection, such as riding up creeks and along trails where many travellers would soon obliterate their tracks. Dowling was of the opinion that they would have caught the gang if they had set out on the day of the raid.

Vincent Dowling's letter to his father, Sir James Dowling, the Chief Justice of New South Wales, was passed to the Governor. In this letter Dowling complained of the inaction of Thomas Cook. The Governor requested an explanation from Cook as to why he provided no assistance to those at Underbank:

I am directed by the Governor to acquaint you that information has reached Him of very extensive depredations having been committed during the early part of this month by armed Bushrangers in the District of the Upper Williams River, and that at the residence of Mr. Lord, no less than forty persons suffered themselves to be “bailed up,” whilst the premises were robbed by only four men.

It has further been reported to His Excellency that Mr. Vincent Dowling, Mr. Hector and Mr. Craig went in pursuit of the villains who had committed the robbery at Mr. Lord's, but that they received no assistance from you, although you had at that time twenty armed constables or Ticket of Leave holders at your disposal —

His Excellency instructs me to refer you

to the circular which was listed on the 2nd May last and to inform you that He will be under the necessity of directing the remedies therein proposed to be resorted to in all their rigours, unless He receives from you a full and satisfactory explanation of the apparent supineness of the Police during these occurrences. If there were any Ticket of Leave holders amongst the persons who suffered themselves to be “bailed up” at Mr. Lords therein to be cancelled and all amongst them who were assigned servants are to be withdrawn as soon as the harvest is over, and their places supplied by men who have been lent for the harvest, and will then be disposable – The men so withdrawn will be sent to a second class gang and never assigned again, and none of them under any circumstances will be allowed Tickets of Leave for four years. I have therefore to request that you will, with as little delay as possible, transmit to me a list of these men showing which of them are Ticket of Leave holders and those in assigned service, with the names of the assignees of the latter. I am directed by the Governor to request further that you will proclaim that all Tickets of Leave will be cancelled in the District if a Bushranger remains in it at large after the 1st of January next, and that all other indulgences will be entirely suspended.¹⁵³

¹⁵³ Colonial Secretary Letters Sent 40/1079 in SRNSW Call No. 4/3846

In reply to this, Cook stated that he had spent the afternoon of November 30 and all that night organising the defence of the township of Dungog against an attack expected from the gang that had robbed Walker's (Marshall's gang). He received word of the raid at Underbank on the evening of December 1 after he had gone to bed early due to having been up all the previous night. He did not think it was advisable at that time to send his poorly-equipped force of special constables, on foot, the sixteen miles (25.2 km) to Underbank as they would be unfit to pursue the gang when they arrived. He later received word that the gentlemen from Underbank had chased the gang who robbed the property (“Blacksmith” gang) to the Wallarobba Hill area.¹⁵⁴ Cook dispatched a force of twelve special constables, some ordinary constables and five Aboriginal trackers, with some settlers who had volunteered,¹⁵⁵ to search the hills to the west of Wallarobba for the next five days, but with no success.¹⁵⁶

Thomas Cook was required to give a list of the men present at Underbank, as well as the Union Inn, for the information of the Governor. The Governor directed that all the ticket-of-leave men present have their tickets withdrawn and they, and all the convicts present, be sent to Pinchgut Island.¹⁵⁷ Cook also posted a notice in the Dungog district, on the instruction of the Governor, that all tickets-of-leave in the district would be cancelled and all other indulgences would be suspended, if bushrangers were in the district after January 1, 1841.¹⁵⁸

¹⁵⁴ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

¹⁵⁵ Colonial Secretary Letters Received 40/12502 in SRNSW Call No. 4/2505.7

¹⁵⁶ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

¹⁵⁷ Colonial Secretary Letters Sent 41/14 in SRNSW Call No. 4/3846

¹⁵⁸ Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7

SHAMROCK INN (BRANXTON)

While the “Blacksmith” gang were bailing up Underbank, sixteen miles (25.2 km) above Dungog, Marshall, Davis, Shea and Chitty were on the road between Maitland and Singleton, not far from the present-day town of Branxton. At eight in the morning they came across two settlers named Larnach and Barker travelling towards Maitland. John Larnach was riding a horse and Mr. Barker was in a gig. Two of the bushrangers approached each man, and ordered them to stand. Larnach was struck by one of the gang with the butt of a gun, and he returned the compliment with his whip.¹⁵⁹ Larnach then spurred his horse and rode off at a furious pace in the direction of Maitland with two of the bushrangers following in hot pursuit. The bushrangers kept up with him for two miles (3.2 km) of hard galloping.

One made several attempts to shoot Larnach, but rain the previous night had wet his gunpowder and he could not get his carbine to fire. The bushranger used his gun as a club and tried to knock Larnach off his horse. The blow missed his head but caught him in the ribs. He then dropped his carbine and fired a pistol, but missed. During this time, the second bushranger was trying to take aim with his carbine, but could not get a clear shot. Larnach turned off the road amongst some trees, obliging the bushrangers, who were still following closely, to concentrate more on keeping in the saddle than firing their guns. The bushrangers gave up the chase when they came within sight of Mrs. Harper’s station.

Meanwhile, the other two bushrangers stayed with Mr. Barker, who was not robbed and said he was treated very

¹⁵⁹ Australian, 5/12/1840

civilly. Larnach was reported to be very bruised and was confined to bed after this incident.¹⁶⁰



*Pre 1840 guns, typical of those carried by the bushrangers
and the parties pursuing them, courtesy of Cessnock District
Historical Society Inc.*

¹⁶⁰ Sydney Herald, 4/12/1840

Later that day Percy Simpson, the Police Magistrate at Singleton, received an express message from Mrs. Larnach, of Rosemount: she had it on good authority that her husband had been shot and the bushrangers were coming to burn her house to the ground. Simpson reported this threat to the Colonial Secretary, adding that he gave it little credence. He also reported that he had organised a force of ticket-of-leave men to go to Rosemount because his regular force was out searching for the bushrangers, and had been out for over a week, since the robbery of the drays at Ravensworth on November 22, 1840.¹⁶¹

Percy Simpson wrote a second letter to the Colonial Secretary at midnight on December 1 to say that his report earlier in the day had proved false in so far as John Larnach had not been shot and had since arrived in Maitland. He also reported that he now had three efficient parties out in search of the bushrangers, and that he had told the ticket-of-leave men in these parties they would be recommended for a conditional pardon should they capture the bushrangers.¹⁶² Simpson later reported that he and his sons had also patrolled the road that they thought the gang might take during the night.¹⁶³

John Larnach was a settler at Rosemount, in the Patrick's Plains (Singleton) district. He had been the overseer for, and was the son-in-law of, James Mudie of Castle Forbes. “Major” Mudie became notorious for his ill-treatment of the fifty-or-so convicts assigned to him. He had the view that convicts should be given the unsparing use of the cat-o'-nine-tails (i.e. be flogged), and he believed,

¹⁶¹ Colonial Secretary Letters Received 40/12209 in SRNSW Call No. 4/2508.3

¹⁶² Colonial Secretary Letters Received 40/12208 in SRNSW Call No. 4/2508.3

¹⁶³ Colonial Secretary Letters Received 40/12739 in SRNSW Call No. 4/2506.9

“Nothing could wash away their guilt or obliterate its brand.”¹⁶⁴

Mudie and Larnach inspired rebellion amongst the convicts in their service. In 1833 five men attempted to shoot Larnach. The five men armed themselves and looted the house at Castle Forbes. They threatened Mrs. Larnach that they would cut off her husband’s head and mount it on the chimneystack.¹⁶⁵ They then went to the riverbank where they knew Larnach was superintending the sheep washing. Larnach was in the river and one of the men, named Hitchcock, called on him to come out or he would “blow his b----y brains out.” Larnach swam across the river while the men took three shots at him and thought they had hit him, but Larnach was not wounded. He went to his neighbour’s house and made no attempt to rescue his family during the night.¹⁶⁶

The five convicts then “took to the bush.” They were soon tracked down, put on trial in Sydney and sentenced to hang. When the Judge called on the men to say why sentence of death should not be pronounced upon them, Hitchcock stood and said he had no grounds to offer, but implored the Government to institute an inquiry into their past treatment including frequent floggings, bad and insufficient food and refusal of tickets-of-leave. Hitchcock then started to name settlers who were over-fond of the lash, but the judge stopped him. Hitchcock requested permission for the men to show their backs, to show how much they had been flogged, but permission was denied.

The men were hanged, three in Sydney and two at Castle Forbes, as an example for Mudie’s other convicts. In

¹⁶⁴ Abbott, Newcastle Packets

¹⁶⁵ Clark, A History of Australia Part II, p.205

¹⁶⁶ JRAHS, Vol 55, Pt1, p.88

spite of this, another six men bolted from Castle Forbes the following year.¹⁶⁷

Mudie later went to England to give evidence before a Parliamentary Select Committee on Transportation but his evidence was so spiteful and prejudiced that most was expunged from the records. While he was in England, he wrote a book called *The Felonry of New South Wales*, which libelled many people in the Colony.

When he returned to New South Wales, he “was sent to Coventry” by most of the population, and a young man whose father, Judge Kinchela, had been insulted in the book, gave him a severe beating when they met in George Street, Sydney. Mudie took Kinchela to court and was awarded £50 damages. Many settlers attended court to support Kinchela, and the £50 to pay the damages was raised by a hat being passed around the courtroom.

The trial of Mudie v Kinchela took place in November 1840 and was widely reported in the press, so it was very fresh in the minds of all on December 1 when the bushrangers encountered John Larnach on the road near Maitland.

The four bushrangers continued on towards Singleton and came to the Shamrock Inn on Anvil Creek, belonging to Henry Joseph Cohen. The inn was a weatherboard building, on a large town-sized allotment of land, on what is now the New England Highway in the township of Branxton. It was close to a paddock for horses and bullocks and the good water supply of Anvil Creek, making it an ideal place for travellers and bullock teams to rest on their way up and down the Hunter Valley.

A large group of men were gathered at the inn. They would have been dressed in all manner of clothing including

¹⁶⁷ Sydney Herald, 14/4/1834.

the blue jacket and duck trousers (strong cotton cloth) of the English labourer, blue cotton smocks, fustian jackets (dark-dyed thick-twilled cotton), with greatcoats to protect against the rain of the day. Some wore neck-kerchiefs or scarves and some none. On their heads they wore straw hats, cabbage tree hats, beaver-caps or caps made from untanned kangaroo skin. Most would have been smoking a dudeen or short pipe (Irish clay pipe), with some of the stems reduced to only a few centimetres in length.

The men bailed up were: Cohen and his servants, as well as his landlord, Samuel Marshall; six bullock drivers with their mates; a butcher from Maitland named George Glew and a young man named Palfrey, whom they had brought up from an adjoining farm.¹⁶⁸ By the end of the raid on the Shamrock, the bushrangers had twenty-six men bailed up. Twenty of these were convicts or ex-convicts.

Two of the bullock drivers had their tickets-of-leave cancelled after the raid and correspondents to the papers regretted that nothing could be done to the other four, as they had pardons.¹⁶⁹ The two bullock drivers and their two mates, who were assigned convicts, who performed the duties of night-watchmen over the bullocks and kept the camp, were investigated by the new Police Magistrate for Maitland, Edward Denny Day. Day took depositions from Mr. Bartan, who was a bullock driver and free man, George Glew, the butcher from Maitland and Henry Cohen, the owner of the Shamrock Inn. After the investigation Day stated he was “perfectly satisfied that a connection existed between them and the bushrangers.”¹⁷⁰

The four men investigated were William Cleary, a

¹⁶⁸ Sydney Monitor, 4/12/1840

¹⁶⁹ Sydney Herald 23/12/1840

¹⁷⁰ Colonial Secretary Letters Received 40/12498 with 41/1994 in SRNSW Call No. 4/2544.4

ticket-of-leave man in charge of Edward Sparke’s dray; William Seymour who was a convict assigned to Edward Sparke; George Green, a ticket-of-leave man in charge of Phillip Wright’s dray; and James Kent who was assigned to Mr. Wright.

In his deposition, Mr. Bartan told how the bushrangers bailed up the bullock drivers and took them into the Shamrock Inn, where some rum was handed around. He said that he did not see any of the accused men shaking hands with the bushrangers but they may have done so.

Henry Joseph Cohen, the Jewish owner of the Shamrock Inn, stated in his deposition that he had remonstrated with the bullock drivers on the night before the robbery and James Kent had said, “you won’t be so jolly in the morning.” He went on to recount that the four bushrangers rode up to his inn at a gallop and called the ostler to take their horses in. Three of the bushrangers bailed up all the men in the yard, including the bullock drivers, while John Marshall went into the house and took him (Cohen) into the yard.¹⁷¹

In the yard, Cohen observed that Edward Davis was talking with some of the men about mutual acquaintances, and they were laughing and winking at one another. The men said to the bushrangers that it was raining hard, and they could do with some “lush.”

Cohen was then taken into the house by Marshall and Davis, who robbed him of £30 in money and goods worth £50.

John Marshall asked Cohen if he had a place to bail up their prisoners. Cohen suggested the stables, but one of the gang decided to put all the men in the hallway of the inn and

¹⁷¹ Colonial Secretary Letters Received 40/12498 with 41/1994 in SRNSW Call No. 4/2544.4

place sentries at each end. Henry Cohen asked Edward Davis if there would be bloodshed. Davis said, “Don’t be frightened, no one who is here will be hurt unless they resist.”

In the hallway, one of the men said to Davis; “Now you have brought us in what are you going to give us to drink?” and Davis said, “What will you have boys?” The answer was “rum.” A quart of rum was brought out and Davis said they could have the house’s finest if that was not to their liking. The men said rum would be fine.

Meanwhile John Marshall went to a house four hundred yards away and returned with George Glew. Glew was described as the butcher from Maitland and had a slaughter yard at the junction of Wallis Creek and the Hunter River.

The mail coach then arrived and the bushrangers dragged out and bashed a constable named Robert Gosling, who was a passenger on the coach. Cohen said they would have killed Gosling had Davis not stopped them. Cohen asked Davis how long they intended to stay. Davis said they were waiting for James Mudie and John Larnach, and meant to kill them.

Before Davis went he asked one of the bullock drivers to give his love to someone. The bullock driver had previously told him his sweetheart had gone to Maitland. Before leaving, John Marshall and Edward Davis called Cohen over and returned a gold chain. They said they would return to the inn again, and were planning to remain in the area for four or five days.

George Glew stated in his deposition that he was bailed up by the bushrangers in the Shamrock Inn, where the bushranger Edward Davis ordered some liquor, which was distributed by James Kent. He also said that he saw Kent

talking to Davis about a servant woman Davis kept company with, and the two men were quite friendly. He said that three of the bullock drivers shook hands with the bushrangers and several of the persons bailed up spoke in undertones to the bushrangers.

The information obtained by Day during the inquiry was sent to the Governor, who directed that Cleary and Green have their tickets-of-leave cancelled, and that the four men who were investigated, including the two assigned convicts, be sent to Cockatoo Island. He also told Day that all those who allowed themselves to be robbed deserved censure.¹⁷²

As Edward Denny Day was yet to take up his appointment as Police Magistrate at Maitland when the Shamrock Inn was robbed, the first information of the robbery was given to Percy Simpson, Police Magistrate at Singleton. Day took up his appointment within a week of the robbery.

Simpson took a deposition from Robert Gosling, the farm constable and lock-up keeper from Belford, on the day after the robbery. A farm constable was a serving convict authorized to act as a constable on the large properties of settlers to keep their convicts in order – in effect, a private security officer.

Gosling stated that the bushrangers had struck him with his own staff after they had taken him from the mail coach. He noted that there were four bushrangers and two of them had pink ribbons on their hats. He did not notice the dress of the others.¹⁷³ Gosling also said they stole his handcuffs and would have shot him except for the coachman

¹⁷² Colonial Secretary Letters Received 40/12498 with 41/1994 in SRNSW Call No. 4/2544.4

¹⁷³ Colonial Secretary Letters Received 40/12210 with 40/12739 in SRNSW Call No. 4/2506.9

intervening.¹⁷⁴ It was said in the newspapers that Gosling suffered a broken arm.¹⁷⁵

Another deposition was given by the mail carriage driver, Walter Ferrett, and forwarded to the Postmaster General. In this deposition, Ferrett describes the four bushrangers cutting open the mailbags and robbing the passengers.¹⁷⁶

The *Sydney Monitor* reported:

They took £75 pounds cash, but returned orders to the amount of £40; his watch was also returned. Glue says it was laughable to see the fright Henry was in. They had just done rummaging when the mail came up – so they popped out and made all the passengers go into the house; they opened the mail bags but, on persuasion of the coachman, did not open a single letter. They however cleaned out the coachman’s friends but let him free, one knowing him.¹⁷⁷

After they left the Shamrock Inn, the four bushrangers took the road back towards Maitland and were reported to be within four miles (6.4 km) of the town when a party of constables from Maitland went out after them. The constables were reported to be “not sufficiently well mounted to do much good.”¹⁷⁸

The correspondent for the *Australian* was also worried about a possible attack on the town of Maitland itself:

¹⁷⁴ Colonial Secretary Letters Received 40/12208 in SRNSW Call No. 4/2508.3

¹⁷⁵ Sydney Herald 23/12/1840

¹⁷⁶ Colonial Secretary Letters Received 40/12159 with 40/12739 in SRNSW Call No. 4/2506.9

¹⁷⁷ Sydney Monitor, 4/12/1840

¹⁷⁸ Australian, 5/12/1840

The ticket of leave men are ordered out to assist the constabulary, and every precaution has been taken to protect the town; for, considering the audacity with which these villains have lately carried on their proceedings in this quarter, who would venture to say they will not – as they have actually threatened – embrace the earliest opportunity of attacking the banks!

Things are in a pretty state here. The only magistrate now in Maitland is Lieutenant Scheberas, who is doing all he possibly can, but he has enough to do to attend to the roads and iron-gang; and there are only seven constables to protect the whole district! What is to be the end of all this? No one can now travel in safety. If you take a ride for pleasure, you may chance to be robbed and murdered; and, if you stay in your house, similar consequences are likely to be the result. Surely this state of things cannot last. Unless these scourges of human nature are hunted out like beasts of prey – which they so closely represent – the Colony will always remain in its present disturbed state.¹⁷⁹

After this robbery, Edward Denny Day wrote to the Governor suggesting that a reward of “a free pardon and passage home” be given for information leading to the capture of the bushrangers. He said that the bushrangers were Marshall, Davis, Shay (sic) and Everett.¹⁸⁰

The offer of a reward was published in the

¹⁷⁹ Australian, 5/12/1840

¹⁸⁰ Colonial Secretary Letters Received 40/12499 in SRNSW Call No. 4/2506.2

Government Gazette:

Colonial Secretary's Office,
Sydney, 16th December 1840.

**FREE PARDON AND PASSAGE TO
ENGLAND.**

WHEREAS it has been represented to the Government that the Bushrangers named and described below, who have lately committed outrages in the Hunter's River Districts, are still at large, His Excellency the GOVERNOR, with a view to encourage their more speedy apprehension, directs it to be notified that a Free Pardon and Passage to England, will be granted to any Prisoner of the Crown who shall give such private information, to any Police Magistrate, as may cause the capture of the said Bushrangers.
By His Excellency's Command,
E. DEAS THOMSON.

**NAMES AND DESCRIPTIONS OF
CONVICTS ILLEGALLY AT LARGE
WITH FIRE ARMS.**

James Everett, alias Ruggy, Mangles, 1833, 23, London, paper stainer's boy, sallow and pock pitted comp., dark brown hair, brown eyes, JOEO inside lower left arm, JO inside lower right arm, back of hand pock pitted.

John Marshall, Clyde, 1827, 27,

Nottingham, labourer, 5 feet 7 inches, sallow comp., brown hair, hazel eyes, scar on shin, letters rejoice evermore pray without ceasing, HDLD, God be merciful to a sinner, woman and other letters on right arm, from Hyde Park Barracks.

John Shea, Calcutta, 29, County Kerry, labourer, 5 feet 7 inches, ruddy and freckled comp., brown hair, grey eyes, eyebrows meeting, scar back of right foot, absconded from H.I. Pilcher, Esq., Williams River.

Edward Davis, alias Wilkinson, Camden, 1833, 25, Gravesend, stable boy, 5 feet 4 inches, dark and freckled comp., dark brown nearly black hair, hazel eyes, nose large, scar over left eyebrow, MJDBN inside lower left arm, EDHDM, love and anchor on lower left arm, five blue dots betwixt thumb and finger left hand.¹⁸¹

It seems unlikely that James Everett was the fourth man. It is much more likely that it was Robert Chitty. Everett was not with the men in the previous days and Chitty had joined with them the day before. Everett was probably named because he was a known associate of Marshall, especially in the Maitland district, while Chitty was not yet known as a member of the gang. The next report of the gang, at Lake Macquarie, refers to five members including both Everett and Chitty.

After the raid on the Shamrock Inn a correspondent to the *Sydney Gazette* summoned all the sarcasm at his

¹⁸¹ Government Gazette, 23/12/1840, p1386

command and wrote:

.... we rejoice to say we are warranted in informing our readers that the wheat crop of this year will be far above the average. The maize looks well, and promises a very heavy crop. The cattle are in excellent condition in every direction, and Bushrangers say, that never since they entered upon their highly honourable calling, have they ranged the colony with more impunity, or with greater advantage to themselves. Persons going up the country may carry silver watches, as the Bushrangers have informed the public through their friends on the different establishments, that in future they will confine themselves to gold watches and chains, exclusively, as far as watches are concerned.¹⁸²

¹⁸² Sydney Gazette, 12/12/1840

REID’S MISTAKE

After their daring raid on the Shamrock Inn the gang was hunted by parties made up of settlers, mounted troopers, foot-soldiers, constables and ticket-of-leave men from the several police districts in the Hunter Valley. It was time to seek refuge in a quiet backwater until the pressure was off.

The gang disappeared from the public view, and, after some time with no reported incidents, an article in the *Australasian Chronicle* noted:

The roads this last fortnight are quite free from disturbances. There have been no robberies committed since the robbery of the mail, at Mr. H.J. Cohen’s; but, unfortunately, none of the bushrangers have yet been apprehended. The police are, I believe, in active pursuit of them.¹⁸³

After almost two weeks the gang re-appeared. Their old foe, Reverend Lancelot Threlkeld, received information that they were close by. They had returned to the Lake Macquarie area, presumably staying in their old hut south of Henry Denny’s hut at Reid’s Mistake (Swansea), and were rejoined by Everett who had now recovered from the assumed gunshot wound he received in November.

The gang were seen at Bourke Farm at Newport, near the present-day Dora Creek.¹⁸⁴ This farm was owned by Alfred Holden, the Police Magistrate for the district of

¹⁸³ *Australasian Chronicle*, 17/12/1840

¹⁸⁴ Colonial Secretary Letters Received 40/12814 with 40/12682 in SRNSW Call No. 4/2499.1

Brisbane Water (Gosford to Dora Creek), and son-in-law of Dr. Alick Osborne, who was the principal citizen of the Newport settlement.¹⁸⁵

Threlkeld sent a rider – one of his Aboriginal stockmen, Little Breeches – to Newcastle to report the bushrangers’ whereabouts to Major James Crummer, the Newcastle Police Magistrate. He also requested that “Horse-Police” be sent. Crummer received this message on December 10, 1840 and organised a force led by Mr. Schofield to go immediately to the Lake Macquarie area.¹⁸⁶ He also sent a request by the next steam-ship going up the Hunter River to Maitland for a troop of Mounted Police to be dispatched.

A force of Mounted Police under Sergeant John Lee arrived at Lake Macquarie from Maitland on the afternoon of Saturday December 12. They stayed the night at Mr. Henry Boyce’s at the site of present-day Bolton Point and arrived at Threlkeld’s Ebenezer Mission the next day.¹⁸⁷ Sergeant Lee’s force spent all of Sunday December 13, at Reverend Threlkeld’s Ebenezer Mission, where they enlisted the help of the informer Patrick Brady¹⁸⁸ and the Aboriginal tracker Little Breeches to guide them around the lake.¹⁸⁹

Mr. Schofield’s party had also arrived in the area by Monday December 14 and they spent that night at Mr. Moore’s property, Recovery, at Point Wolstoncroft on the southern edge of Lake Macquarie.¹⁹⁰

¹⁸⁵ Historical Records of the Central Coast of NSW: Bench Books and Court Cases, 1826-74, p80

¹⁸⁶ This man may have been Lieutenant Edward Schofield or Scovel of the Mounted Police.

¹⁸⁷ Colonial Secretary Letters Received 40/12814 with 40/12682 in SRNSW Call No. 4/2499.1

¹⁸⁸ Colonial Secretary Letters Received 41/38 (Dixon Library)

¹⁸⁹ Colonial Secretary Letters Received 41/37 (Dixon Library)

¹⁹⁰ Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494

The bushrangers had the benefit of a well-organised “bush telegraph” to alert them to the movements of the police pursuit. No doubt they had received word from one of their many friends amongst the convict classes that Schofield’s force was camped only a short distance from the bushranger’s hut on Henry Denny’s land.

On Tuesday December 15, the two parties of police set off around the lake in search of the bushrangers. Neither party found the gang’s camp but managed to capture three or four of their horses, which were saddled and ready to ride.

The location of their camp was revealed some months later when informers led the Chief Constable of Brisbane Water, Dennis Dwyer, to the remains of the bushrangers’ huts. He gave evidence that the camp’s remains had been shown to him by John Davis and James Freeman.

Dwyer described the huts in this way:

John Davis on that occasion pointed out to me the place where he had given information of Denny’s having harboured bushrangers. He showed me the remnants of the huts one was of four sapling stakes and the other of small sapling stakes laid against two large trees. They were about a mile or a mile and a half from Denny’s hut on the side of the plains amongst the Forrest and from the position persons occupying them could see any one crossing the plains, without being seen themselves.¹⁹¹

Denny’s hut was on the south side of Swansea Channel, known as Reid’s Mistake at that time, on a

¹⁹¹ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

property that at one time belonged to a man named J.H. Boughton, which had been operated as a saltworks. The property was six hundred acres and Denny had also leased crown land in that area, but the Brisbane Water Magistrates, who felt that Denny was an unfit person to lease crown land, took this from him. Long-time locals in that area feel that the description of the bushranger's camp is consistent with the area now known as Caves Beach.

Reid's Mistake, or Swansea Channel, was the boundary of the Police districts of Newcastle and Brisbane Water. The pursuit parties from Newcastle were technically out of their area, but as Brisbane Water was such a sparsely populated area, with less than 1000 people between the Hawkesbury River and the Lake Macquarie entrance, and most of them living around Gosford, they would have considered this area to be wilderness.

The two police parties approached from the south. The bushrangers, forewarned as they must have been, had little trouble in avoiding them, but how they managed to cover their tracks from the Aboriginal tracker, Little Breeches, whom Threlkeld described as “able to track an ant over a rock,”¹⁹² was not clear till an article appeared some weeks later:

WYONG.

To the Editor of the Sydney Monitor and Commercial Advertiser.

Sir, — Considering it a duty due to the public, I beg leave to request that you will permit me through the medium of your paper, to enquire how it was that the party of mounted police, headed by Sergeant Lee,

¹⁹² Colonial Secretary Letters Received 41/37 (Dixon Library)

who were in pursuit of the notorious bushrangers “Marshall,” “Ruggy,” “Shay,” “Davis,” and “Chitty,” on or about the 14th December last, allowed them to escape their notice, when they were so close that they captured three of their horses. This occurred at Reid’s Mistake Heads. The police party had a native guide – and they must have known that the bushrangers were not far away when the horses, saddled and loaded, were found grazing. The bushrangers said, that the police were so close upon them, that they only evaded them by swimming across the Lake Macquarie. Had the police quietly laid in ambush, they would in all probability have detected the marauders mounting their horses – all throughout, I must confess, that there appears to have been very little military skill, or common forethought shown by this police party.¹⁹³

After swimming their remaining horses over a part of the lake the bushrangers headed off at great speed to the south, and were convinced for the next two days that the Mounted Police were in hot pursuit. To swim the lake the men would have removed their clothes, wrapping them and their guns in a waterproof bundle before taking to the water with their horses.

They need not have worried about pursuit, because the Mounted Police had completely lost all track of them and headed north. The next morning the Mounted Police arrived in Newcastle and it was reported that:

¹⁹³ Sydney Monitor, 22/1/1841

We regret to hear that the bushrangers in the neighbourhood of the Hunter continue their depredations to a very alarming extent. Information has just reached us that a Sergeant, with a small party of mounted police, brought into Newcastle, on Wednesday morning last, four horses, which they secured the previous evening; but the riders of which had, most unfortunately, effected their escape. It is much to be regretted that these ruffians were not captured, for they have now so long been in the exercise of their lawless pursuits, that their having escaped with impunity emboldens them to the commission of further depredations.¹⁹⁴

After this episode, the magistrates of Brisbane Water, led by Henry Donnison and Gother Kerr Mann, began an investigation into the affairs of some of the people who might have helped the bushrangers. Their principal target was Henry Denny. Earlier in 1840 the Magistrates of the Brisbane Water district had tried to remove Denny from their district. They had cancelled the lease held by Denny on crown land in the Reid's Mistake area. They had also sent letters to the people they thought might own the other land Denny was occupying, offering to find a more respectable tenant.

Michael John Davies, the father of the bushranger Edward Davis, applied to take up the lease on the land withdrawn from Denny in October 1840. His application was denied on the advice of Major Crummer, the Newcastle

¹⁹⁴ Australian, 19/12/1840

Police Magistrate, who said Michael John Davies was not a fit person to lease crown land.

The Magistrates of the Brisbane Water district gathered evidence against Denny for his part in harbouring the gang and also for cattle stealing. A man named John Davis, who described himself as “a servant of all work” who had worked for Denny for a number of years, gave a deposition in which he described property given to Denny by the bushrangers from several robberies in the Lake Macquarie area. The stolen property dated back to their first appearance in the area in October 1840, and also included a cloak taken from Edward Hely on November 19 1840. This evidence points to the bushrangers having visited Denny on each of their visits to the Lake Macquarie area.¹⁹⁵

Edward Hely gave a deposition in which he identified the cloak described by John Davis as one stolen from him on November 19 by “Marshall’s” gang of bushrangers.¹⁹⁶

Denny was brought to trial in October 1841. He was charged with cattle stealing because of the lack of admissible evidence regarding the harbouring of bushrangers, the only real evidence being the statement of John Davis, who was himself implicated in the crime.

Evidence was given against Denny by James Warner, the son of Jonathon Warner, ex-Police Magistrate at Brisbane Water. James Warner was serving a sentence for horse stealing and received an early release after giving this evidence.¹⁹⁷ Denny was convicted of cattle stealing and sentenced to fifteen years on Norfolk Island.¹⁹⁸

¹⁹⁵ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

¹⁹⁶ Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524

¹⁹⁷ Colonial Secretary Letters Sent 40/12728 in SRNSW Call No. 4/3545

¹⁹⁸ Sydney Herald, 23/10/1841

An article from an English publication called “Bentley’s Miscellany,” written by a settler who had been in New South Wales, described the lifestyle the gang was leading at this time, and their association with cattle thieves like Denny:

By good luck or good management they contrived for many weeks to elude the vigilance of the mounted police, who were continually on the look-out for them. When danger threatened, the band confined themselves to the deep bush ravines, where dense forests and beetling rocks afforded them shelter and concealment. Here, by all accounts, they led a jolly, rake-helly life, furnished with excellent beef-rations by a well known class of marauders, called “Gully-rakers” who, convicts like themselves, though many of them were in private service, drove a brisk trade – a degree less riskful if hardly more honourable than bush-ranging – by appropriating, branding with their own marks, and trafficking in cattle which strayed from their proper stations to the moist green pastures of the mountain ravines, and bred there.

Nor were they often in want of a cask of rum or a keg of tobacco procured on the cheapest terms, and consumed without stint; for, when the supply ran short, a deputation to the neighbouring highway, where drays and provisions were constantly passing and repassing, or to some rural storekeeper’s

vaults, punctually supplied the deficiency. In a word, with such appliances and the help of cards and dice, these “minions of the moon” passed their time in the full enjoyment of what, in all probability, would prove a short life as well as a merry one.

At length, having, in spite of thriftless habits, got together a sum of money amounting to some hundreds of pounds, besides other valuable and portable property, they openly boasted of their intention, after another good haul or two, of escaping from the country with their booty. They swore, moreover, that no force in the colony should take them alive.

The attention of the government having been so constantly drawn to the depredations and outrages of these brigands, in January, 1841, a strong party of mounted police, under the command of a subaltern, were sent from Sydney to the Brisbane Water District with orders to capture or destroy them.¹⁹⁹

After being routed from their camp at Caves Beach, the bushrangers took less than four hours to ride to Cabbage Tree, the present-day Norah Head, fearing all the way that the Mounted Police were close on their heels.²⁰⁰

Cabbage Tree was owned by a man named Robert Henderson, a large landholder who also operated a small fleet of boats up and down the coast. Cabbage Tree was a

¹⁹⁹ Bentley’s Miscellany, 1854 - Volume XXXV p. 238-248

²⁰⁰ Newcastle Morning Herald, 20/7/1891

dairy, and provided items for trade such as meat and cheese, as well as being near a natural harbour for the small ships used to transport cedar cut in the district. The property was later bought by Edward Hargraves, of gold discovery fame, and renamed Noraville. The house that Hargraves built still stands, overlooking the ocean.

Cabbage Tree was operated for Henderson by a married couple, both emancipated convicts previously assigned to Henderson. They were James and Mary Ann Freeman (nee Smith). James Freeman was born in London in 1795 and transported to New South Wales for life aboard the ship *Lord Eldon* in 1817. He was described as being a ropemaker, five feet eleven inches tall, as having a fair and ruddy complexion, with brown hair and hazel eyes. Shortly after arriving in New South Wales, Freeman was sent for secondary punishment to Newcastle for striking an overseer. While at Newcastle he was flogged for attempting to escape from the Limeburners station. Mary Ann Freeman arrived in New South Wales aboard the ship *Kains* in 1831. She was born in Stockport, England in 1811 and was transported for seven years for the crime of stealing clothes. Mary Ann was described as being a kitchen maid and needlewoman, four feet ten inches tall, with a ruddy and freckled complexion, brown hair and blue grey eyes.

In 1835, a constable had been appointed to the locality of Cabbage Tree for a period of six months. That constable was Robert Chitty, who now returned as a bushranger. During his time as a constable, he most likely had a close association with the Freemans, who were the only other permanent residents in the area at that time.

This account of the arrival of the bushrangers at Cabbage Tree was given in Mary Ann Freeman's obituary:

During the old peoples residence at Cabbage Tree they had several visits from bushrangers. On one occasion the Marshall gang, including the notorious “Jew Boy”, paid them a visit. Mr. Freeman was from home when they arrived. Marshall was leader of this gang, and finding only Mrs. Freeman at home, the following conversation occurred:—

“Have you any corn for my horses?”

Mrs. Freeman; “No, sir.”

Marshall; “This is the first time I have known Cabbage Tree to be without corn.”

Mrs. Freeman; “We have a good paddock, sir.”

Marshall; “That will do. Do you know who I am?”

Mrs. Freeman; “No, sir.”

Marshall; “Well I am Marshall, the bushranger. Do not be alarmed; we only want tea and shelter for the night. But, beware of betraying us.”

It was customary for one of the gang to keep watch whilst the others slept, and this night it happened to be the “Jew Boy’s” watch, who, when he thought all hands were asleep, made insulting overtures to Mrs. Freeman (who was sitting up, waiting her

husbands return). These she strenuously resisted. Marshall, who happened to be awake in the next room, heard all, rushed out, covered the Jew Boy with his Revolver, and would have shot him dead, only for the timely intervention of Mr. Freeman, who arrived on the scene in the nick of time for the Jew Boy. Marshall was depicted by the old lady as a gentlemanly fellow, never allowing any of his gang to molest females or use violence unnecessarily.²⁰¹

Henry Donnison, the Magistrate, wrote to the Colonial Secretary also describing the behaviour of the gang during their time at Cabbage Tree, he stated:

They are wary; when at Cabbage Tree they made 2 candles which were burnt in the hut during the night, each man had his station at a tree outside, with a double barrellled gun, so that had an attacking party gone directly to the hut they would have been picked off.

He also said:

Robert Chitty, formerly scourger of this district, is one of the party, and knows this part of the country well.

The Freemans' hut would have been well built from slabs of fine straight grained timber, obtained locally, and had several rooms, all on the ground floor, as well as a two metre wide verandah all around. The windows would have

²⁰¹ Newcastle Morning Herald, 20/7/1891

been square holes in the sides with shutters but no glass. A well-constructed stone chimney would have been at one end of the hut. There would also have been several outbuildings.

The bushrangers left Cabbage Tree early in the morning on December 16, 1840 and proceeded in the direction of the more wealthy and well-supplied stations in the Wyong area.²⁰² They were still of the belief that the Mounted Police were in hot pursuit and were no doubt keen to find fresh horses, as they had lost their pack or spare horses the day before, and had done some hard riding since that time.

²⁰² Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494

WYONG

Along the north bank of the Wyong River were two properties owned by the well-known Colonial educators, William Cape and his son William Timothy Cape. Their properties were Treeland and Wyong Place. The Cashbury (Casiobury) homestead was located on Wyong Place, on the site of the present-day Alison Homestead. On the south bank of the river was the Woolongongine property, belonging to the estate of the late Frederick Augustus Hely.

The properties of Treeland and Wyong Place had been operated for a number of years by the Capes, but in 1840 they were living in Sydney and the properties had been leased to Mr. Carl Frederick Solling who, along with his wife, Susanne Wilhelmine, were from Copenhagen, Denmark. The property Woolongongine was leased to Mr. John Kerr Wilson, who is listed in the 1841 census as having a timber house with seven males in residence at Wyong.

The five bushrangers approached the properties from the north and bailed up Cashbury, where they found Mrs. Solling and the household servants. Mr. Solling and the other men were out on the neighbouring property, Woolongongine, helping with a cattle muster. Davis and Everett stayed at Cashbury, while Marshall, Shea and Chitty rode out to secure the men who were mustering at the cattle yards, just over the Wyong River on Woolongongine. There, at nine in the morning of Wednesday 16 December, they found John Kerr Wilson, Carl Solling and seven assigned convicts, one of whom was William Northwood.²⁰³

The bushrangers marched all these men to the hut on

²⁰³ Sydney Herald, 22/12/1840

Woolongongine where Wilson and his men had been living and plundered it of everything valuable, including saddles, spurs and other personal items. They also took John Kerr Wilson's horse.²⁰⁴

Marshall, Shea and Chitty then marched their prisoners over the Wyong River, which divided the two properties, and up the hill to Cashbury homestead to join their companions.

Cashbury would have been a typical settler's residence of about twelve metres by eight metres with perhaps six rooms all at ground level, and the kitchen in a separate outbuilding to prevent the possible spread of any fire. The house would have had a two-metre wide verandah on three sides and a high-pitched roof, with a rudimentary granary under its shingles. The walls were constructed of vertical split timber boards with caulking between, and the floorboards were planks fifteen centimetres wide, two centimetres thick.

Altogether there were now twenty people, sixteen men and four women, being held by the five bushrangers. Carl Solling was compelled to open his desks and boxes, and the bushrangers helped themselves to all the money he had in the house, also his watch, some clothes and four guns. They took two horses, with saddles and bridles, from the paddock. A convict dairyman assigned to Gother Kerr Mann rode up at this time. The bushrangers bailed him up and relieved him of Captain Mann's horse.

Inside the house, where the prisoners were being guarded by some of the bushrangers, William Northwood wrote a note, which he handed to John Kerr Wilson saying, "Mr. Wilson just look at my muster of the cattle will you?" On the note he had written, "is it not possible for us to do

²⁰⁴ Sydney Herald 22/12/1840

something?” The bushrangers did not notice this at the time, but learnt of it later in the day, after leaving the property.²⁰⁵

Newspaper reports of the robbery, one of which was written by John Kerr Wilson, said that the bushrangers offered no violence or bad language and in fact “behaved tolerably civil.” One report quoted the bushrangers as saying they “merely wished to put down tyranny” and that “flogging had driven them to the bush.”²⁰⁶

Before the bushrangers left the house they offered all their prisoners some of Mr. Solling’s choice wine, served up in Mrs. Solling’s best tea cups, and said they were compelled to take the horses because their own were “knocked up,” but that they would leave them at another station and say where they were from.²⁰⁷

The bushrangers said that the Mounted Police were in hot pursuit of them, and they had been riding hard since their near-capture the day before. With fresh mounts they could stay ahead of the pursuit – but they need not have worried. The Mounted Police returned to Newcastle that morning with the horses captured from the gang.²⁰⁸

The gang stayed at Cashbury for four hours, during which time they ate, drank and restocked their provisions. They would also have groomed their horses and redistributed the loads so that they were all riding the freshest of their horses. Packs were placed on the four horses they now had for that purpose.

After leaving Cashbury, the gang headed north and soon came across a small settler with all his worldly goods on a dray, which he was taking to his new land holding in

²⁰⁵ Brisbane Water Bench Books, Copies of Letters Sent 1838-1846 in SRNSW Call No. 5/3167

²⁰⁶ The Australian, 22/12/1840

²⁰⁷ The Australian, 22/12/1840

²⁰⁸ Australian, 19/12/1840

the district.²⁰⁹ The dray would have been loaded with all the necessities for settlement including tools for clearing, farming and construction of a dwelling, as well as all the food and household items, clothing, dry goods and bedding needed for some considerable time. The bushrangers broke open his kegs of rum and helped themselves.

At this time the magistrates of Brisbane Water believed that the bushrangers had the help of many of the convict stockmen who lived in huts around the area and that they were getting reports of what was happening at Cashbury.²¹⁰ Through this, the bushrangers received a report of the note that William Northwood had passed while they were there, and they decided to return and confront him. The gang returned to Cashbury an hour after leaving and angrily asked after Northwood. When they were told that he had already left they said that they “would have him some other time.”²¹¹

Captain Gother Kerr Mann, a magistrate of the Brisbane Water Bench, received reports of these raids and organised a party to protect the Wyong area. He wrote to Henry Donnison, also a local magistrate, that he anticipated finding the gang in the Wyong area, as there were spirits on the dray they robbed, and the bushrangers may have become drunk.²¹² Mann and his party set out for the Wyong area at around midnight, but the gang seems to have left that area at around three in the afternoon.

After the raid Carl Solling placed this advertisement in the *Sydney Herald*:

²⁰⁹ Australasian Chronicle, 22/12/1840

²¹⁰ Colonial Secretary Letters Received 41/616 in SRNSW Call No. 4/2542.4

²¹¹ Brisbane Water Bench Books, Copies of Letters Sent 1838-1846 in SRNSW Call No. 5/3167

²¹² Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494

Whereas, two horses of the following description were taken from my house, at Wyon, Brisbane Water, on the 16th of December, by a party of bushrangers, this is to give notice, that the one who will bring the said horses to Wyon, shall receive a reward of Ten Pounds, or two pounds will be paid for each horse, for such information as may lead to the recovery of the horses. A grey horse about sixteen hands high, four years old, brand on the near shoulder WWD, and IMP on the off shoulder. A bay mare about fourteen or fourteen and a half hands high, rising four years old. Supposed to be in foal, branded DW on off shoulder.

C F Solling, Wyong, Brisbane Water.

December 19, 1840.

After leaving the Wyong area, the gang probably rode north along sawyers' roads till they joined with Simpson's track around present-day Dooralong, which was a well-known and often-used track between Ten-Mile-Hollow on the Great North Road and Lake Macquarie. They would have left this track before reaching the temporarily disused police outpost at Cooranbong.

One newspaper report said they coerced a local man named Carroll to act as a guide. This may have been Moses Carroll, the former convict constable from Cooranbong.²¹³

²¹³ Sydney Herald, 19/12/1840

NEWPORT

The next stop for the bushrangers was the newly settled village of Newport near the present-day Dora Creek. Newport arose through several land grants on the banks of Dora Creek, including “Kourumbung” and “E-ra-ring,” which had been given to Percy Simpson in the 1820s and 30s. Simpson had sold this land and become Police Magistrate at Singleton. These grants were split into several properties, and operators of these included Alfred Holden, Dr. Alick Osborne, Mrs. Georgina Hely and Mr. P.F. Campbell.

As well as the larger properties, there were town lots of half-acre size, taken up by small settlers, usually ex-convicts. The first town lots were sold in July 1840, and there were four families, fifteen people altogether, resident in Newport at the time of the 1841 census. These were the families of Joseph Sherlock, Henry Worley, Edward James and John Minton.²¹⁴

The town lots were subdivided from the property of Alfred Holden, Bourke Farm,²¹⁵ which were probably located on the north side of Lake Eraring, a small inlet off Lake Macquarie, and stretching down to the shore of Lake Macquarie itself. Bourke Farm was Holden’s name for his property, which was part or all of the old E-ra-ring grant, and included most of the present-day township of Dora Creek. In the 1841 census Holden was described as the lessee of this property.

The settlement of Newport was developed and sold by a Sydney land agent, Mr. Smart, and widely publicised in

²¹⁴ Chamberlain, p.35

²¹⁵ Australian, 16/7/1840

the Sydney newspapers. It was claimed to be on fertile alluvial land, half way between Gosford and Maitland on a soon-to-be-built road. This road was surveyed by Mr. Dalgety in 1839, but it was never completed. Newport was also being promoted as a possible shipping point for wool from Wollombi and Jerry's Plains. The small settlement flourished for a few years, probably as a result of the employment gained in cutting out the stands of red cedar along the creek, but failed and completely disappeared during the depression of the mid-1840s.

The bushrangers arrived at Newport in the late afternoon after a hard ride from Wyong. They crossed Dora Creek and made for the property of Dr. Alick Osborne at the site of present-day Eraring. After robbing Dr. Osborne of all they wanted, using “most provoking expressions,”²¹⁶ they proceeded to the Newport village on Alfred Holden's Bourke Farm and then to some convict huts and a punt-house near the creek, at the point where the rail bridge now crosses the creek.

During the robbery they broke open casks of rum and asked if anyone would volunteer to join them. An ex-soldier named Richard Glanville accepted their invitation, boosting the gang's number to six. They supplied him with clothes, arms and a stolen horse.²¹⁷

Richard Glanville, transported to New South Wales for fourteen years in 1838 aboard the ship *Lord Lyndoch*, was born in Cornwall in 1811 and was court martialled at Edinburgh Castle in 1837 for desertion from the army. He was described as a soldier and labourer, a Protestant, a single man, who could read and write and was five feet nine

²¹⁶ Colonial Secretary Letters Received 40/12814 with 40/12682 in SRNSW Call No. 4/2499.1

²¹⁷ Colonial Secretary Letters Received 40/12814 with 40/12682 in SRNSW Call No. 4/2499.1

and a half inches tall, with a sallow complexion, dark brown hair and hazel eyes. He also had scars on his left and right legs, possibly from wearing leg irons.

He was assigned to Mrs. Georgina Hely, the widow of the former Principal Superintendent of Convicts, Frederick Augustus Hely. Georgina was also the sister-in-law of Edward Hely, who had been robbed by the bushrangers on two occasions, and mother-in-law of the Brisbane Water Magistrate, Gother Kerr Mann.

The bushrangers stayed at Newport for several hours eating, drinking and generally having a good time. Before the bushrangers left Newport, they went to the hut of Patrick Brady who had been giving information for some weeks about their activities. Luckily for him, Brady was then out with the Maitland Mounted Police. The bushrangers wrecked Brady's hut and vowed to murder him.²¹⁸

Brady was assigned to Dr. Osborne at Newport. According to Threlkeld, Brady was “jeered at by bond and free” for going after the bushrangers.²¹⁹ Brady was granted a conditional pardon in 1841²²⁰ on the recommendation of Reverend Threlkeld and Alfred Holden, for his efforts in pursuing the bushrangers.²²¹

Alfred Holden was out riding on the property at the time the bushrangers arrived at Newport. One of his assigned convicts, Patrick Hennessy, slipped away unseen by the bushrangers and met Holden downstream from the convict huts and punt-house. Hennessey arrived in New South Wales as a convict aboard the ship *Calcutta*, on the same voyage as the bushranger John Shea. Because of his

²¹⁸ Colonial Secretary Letters Received 41/38 (Dixon Library)

²¹⁹ Colonial Secretary Letters Received 41/38 (Dixon Library)

²²⁰ Colonial Secretary Letters Sent 41/43 in SRNSW Call No. 4/3620

²²¹ Brisbane Water Bench Books, Copies of Letters Sent 1838-1846 in SRNSW Call No. 5/3167

assistance in these events, Holden would later recommend him for a pardon.

From what he had heard, Hennessy believed that the bushrangers meant to harm Holden. He left Holden by the side of the creek and brought a small boat down to take him to the south side. After taking Holden over Dora Creek, Hennessy returned to the punt, within sight of the bushrangers who were raiding the convicts’ huts, and took two horses across the creek, one for Holden and one for himself.²²²



Dora Creek

Section of Dora Creek where a punt was used to ferry people and goods; the convict huts were in sight of the punt.

Holden and Hennessy rode hard to Gosford where

²²² Brisbane Water Bench Books, Copies of Letters Sent 1838-1846 in SRNSW Call No. 5/3167

Holden wrote at once to the Colonial Secretary requesting assistance:

... from threats which they have been heard to make respecting particular individuals, acts of gross violence may be anticipated in this neighbourhood unless some assistance of a Mounted Police force be immediately rendered. I trust I need say no more to induce His Excellency immediately to send down by Saturday's steamer a strong party of Mounted Police. They are partly the same men who have been lately infesting the neighbourhood of Newcastle and Maitland.

I send this letter by a special messenger and begging your prompt attention to it.²²³

The Governor, Sir George Gipps, noted on this letter that a party of Mounted Troopers would be dispatched and that Holden should take “the most active measures himself to restore tranquillity in his district.”²²⁴ The Colonial Secretary also received a request for assistance from Henry Donnison.²²⁵

In response to these requests, the Governor dispatched a force of Mounted Police to the Brisbane Water District, consisting of Lieutenant Chambre, Sergeant Feeny and six troopers. They arrived in Gosford by steamer on the night of December 19,²²⁶ and proceeded to follow the bushrangers’

²²³ Colonial Secretary Letters Received 40/12675 with 40/12676 in SRNSW Call No. 4/2500.1

²²⁴ Colonial Secretary Letters Received 40/12675 with 40/12676 in SRNSW Call No. 4/2500.1

²²⁵ Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494

²²⁶ Colonial Secretary Letters Sent 40/1120 in SRNSW Call No. 4/3846

trail towards Newport and the Hunter Valley.²²⁷

Holden himself gathered a force of constables and ticket-of-leave holders and returned to the Newport area, arriving there on the morning of December 18. They met with the contingent of Maitland Mounted Police, who had returned to the area after their misdirected ride to Newcastle. Holden's force followed the trail of the gang to the Broken Back Range (Watagan Range), at the edge of the Brisbane Water Police District, where they turned back. The Mounted Police, with Little Breeches and Patrick Brady, continued on to Maitland where the weary state of their horses prompted them to pause.²²⁸

Little Breeches or Kut-ti-run, a 25 year-old Aboriginal from the Ebenezer Mission, had now been out with the Mounted Police for five days straight, and had been searching for the bushrangers, on and off, for two months.²²⁹

The Mounted Police did not have the luxury of changing horses at every station as did the bushrangers, so their mounts could only be ridden for 80 kilometres a day, and only for a few days at a time. In contrast, the bushrangers, who were prepared to push a horse to the point of exhaustion or near death, could ride up to 160 kilometres in a day and, if need be, do it again the next day with fresh horses.

²²⁷ Colonial Secretary Letters Received 40/12676 in SRNSW Call No. 4/2500.1

²²⁸ Colonial Secretary Letters Received 41/38 (Dixon Library)

²²⁹ Colonial Secretary Letters Received 40/12814 with 40/12682 in SRNSW Call No. 4/2499.1

WOLLOMBI

The bushrangers left the Lake Macquarie area during the late afternoon or early evening of December 16. How they spent the next day is unknown – perhaps they were recovering from the influence of liquor – but by December 18 they had crossed the Watagan Range to near the present-day village of Millfield, in the Wollombi District. This journey would only have taken a few hours, but they had a large quantity of stolen goods, which they more than likely distributed among the gully-rakers and sympathisers in the timber industry and on the properties in the district.

At sunrise on December 18 the bushrangers raided the property of Mr. E.C. Close, Illalung, where they entered the stockmen’s hut and found the stockmen and two constables from Wollombi asleep in their beds. The bushrangers broke the guns of the constables and then made them carry corn two or three miles (4.8 km), to where they had their horses tethered at the top of a mountain. The bushrangers then had their breakfast, which was reported to be new-made bread, obtained locally.²³⁰ They also seem to have had knowledge of where to find the constables, as they captured them while they were in their beds.²³¹ These facts reinforce the conclusion that there was collusion between the bushrangers and the local convict classes. Lieutenant Edward C. Close was not at this property when the gang raided it. He lived at “Closebourne” in Morpeth, the house later renamed Bishops court and now part of St. John’s Theological College.

The bushrangers secured the constables with their own

²³⁰ Wollombi Letters, Letter dated 22/12/1840 from D Dunlop to P.M. Maitland

²³¹ Australian, 26/12/1840

handcuffs. They then took the constables and the overseer from Close's and descended on the property of Thomas Crawford, called Brown Muir, near the present-day village of Millfield. On the way to Brown Muir the bushrangers bailed up a man on horseback and handcuffed him to Close's overseer.

Thomas Crawford was in Maitland at the time of the raid. At Brown Muir the constables were given bottles of spirits, which were passed out the window of Crawford's house. The newspaper correspondents, one of whom was Thomas Crawford himself, abhorred the behaviour of the constables, describing them as "vile constables" and "pseudo protectors of the peace." When they were handed the bottles of spirits they were said to have "knocked the necks from the bottles, and drunk the contents till they became in a state of beastly intoxication." The constables were also said to be "hail-fellow-well-met" with the bushrangers, and their behaviour was described as "disgraceful in the extreme, worse if possible than that of the bushrangers."²³²

When Crawford returned home he found "every place of security about the house was broke open; and almost every piece of furniture more or less injured."²³³ The bushrangers remained at Brown Muir for three hours and fed their horses, ate dinner, compelled all the men and women present to drink large quantities of wine and spirits and, when they left, stole a horse, two coats, trousers, shirts, two twenty-shilling notes and several articles of jewellery. They also took a man to guide them to the next station.²³⁴

The next stop for the band was the property of

²³² Sydney Herald, 26/12/1840

²³³ Sydney Herald, 26/12/1840

²³⁴ Australian, 26/12/1840

Ellalong, near the present-day village of Ellalong, which belonged to Robert Crawford. Here they stole a horse, leaving another in its place.²³⁵ At Ellalong the gang had the bell taken down and destroyed. This was “very willingly done” by one of the assigned men. They then ransacked the house and made a present of tobacco to the assigned convicts, before continuing on to the next property.²³⁶

The next property raided was Glenmore, which belonged to John Martin Davis. The gang arrived at the property at about three in the afternoon.²³⁷ David Dunlop, the Police Magistrate who had pursued the gang as far back as August 1840, arrived at Glenmore just half-an-hour before the gang, and he and the Davis family were about to sit down to dinner. As it was near Christmas the house would have been decorated with Christmas bush and other native flowers, the dinner would have been festive and well prepared.

The bushrangers were not seen till they were approaching the house, when Mrs. Sarah Davis remarked, “There is a drunken constable.”

Mr. Dunlop started from the table, and seeing a man armed, snatched his pistols, and rushing towards the door, ordered the man to stand back, or he would shoot him, the man fell back about a foot, presented his pistol at Mr. Dunlop, when instantly five others started forward with arms, pointed at him, imprecating that “if he fired he was a dead man.” They demanded his pistols, which he

²³⁵ Australian, 26/12/1840

²³⁶ Sydney Herald, 26/12/1840

²³⁷ Australasian Chronicle 24/12/1840

refused to surrender, when, finding no aid whatever either from the outside or within the house, and Mr. and Mrs. Davis imploring him not to sacrifice them as well as himself, Mr. Dunlop flung his pistols across the passage into a bedroom.²³⁸

Mrs. Sarah Davis was said to be a delicate lady and in an advanced state of pregnancy, and another young lady, her friend, was “in violent hysterics.” Mr. Dunlop appealed to the bushrangers on the lady’s account, but they severely replied, “Let them keep quiet and they need be in no terror; we came for money and horses, and both we’ll have.”²³⁹

Edward Davis confronted Dunlop and said to him, “You presented a pistol at me, and I ought to shoot you.” Dunlop replied, “You will not.”²⁴⁰

The bushrangers sat down and ate the dinner. Davis cracked jokes with “as much ease and familiarity as consisted with convict dignity – observing to Mr. Dunlop (at the same time applying a quizzing glass to his eye) it was the first time they had the pleasure of meeting him at dinner; but they intended honouring him again on Christmas Day.”²⁴¹

Some of the food they stole was distributed amongst the assigned convicts. The bushrangers searched the house and stole some rings and trinkets, but were not able to find any money or firearms. They then took three horses and left three others. They said that two of the horses they were leaving were from Brisbane Water, and that when they changed the new horses they would tell where they were

²³⁸ Australian, 26/12/1840

²³⁹ Australian, 26/12/1840

²⁴⁰ Australian, 26/12/1840

²⁴¹ Sydney Gazette, 29/12/1840

from.²⁴² This fulfilled the promise they had made to Mr. Solling of Wyong, to tell where his horses were from when they disposed of them.

At the request of Mr. Davis, they returned three mourning rings and a riding-whip that belonged to the young lady. The bushrangers ordered the men not to follow when they left, but Dunlop followed them to the gate to see which way they were going. Shea and another gang member returned and, “swearing horribly,” said that if anyone left the house for an hour-and-a-half they would return and burn the house down.²⁴³

After the coast was clear, David Dunlop attempted to raise men and arms, but the only one who would join him was Mr. Eales, who had previously had a near-encounter with the gang. Dunlop and Eales rode to Maitland to fetch Mounted Police. They arrived at Maitland at around three in the morning, with jaded horses.²⁴⁴

John Eales, forty-one years old at this time, was the wealthy settler who was being stalked by Marshall and Shea, on the road near Murrurundi, early in November. Eales, one of the richest men in the colony, built his sumptuous mansion, Duckenfield, a few years after these events. Eales was very tall and strongly built, and there are many tales of his feats of strength.

The next incident is the one for which the gang is most remembered in folk-lore. There are several versions, including three different accounts in the contemporary newspapers. The bushrangers made their way to the Rising Sun Inn, run by Thomas Pendergast on his property, Ashgrove, near the present village of Millfield. Some later

²⁴² Wollombi Letters 23/2/1840 - 3/5/1866 in SRNSW Call No. 4/5698

²⁴³ Australian, 26/12/1840

²⁴⁴ Australian, 26/12/1840

versions propose the Governor Gipps Inn, in the village of Wollombi, but this is unlikely. Thomas Pendergast was a “native,” which at that time meant he was born in New South Wales.²⁴⁵

At the Rising Sun the gang found an emancipist named John McDougall and, according to the *Australian*, they inflicted on him about a dozen lashes with a bullock-whip, because he had been over-fond of the lash when he was an overseer on an iron-gang. According to the *Sydney Herald* and *Sydney Gazette*, which reprinted the article from the *Herald*:

... here they met with Mr. John McDougall, who keeps the Inn at the township, and for some alleged offence stripped him and tied him up, two of them inflicting a most unmerciful lashing; had it not been for the interference of Mr. Pendergrass it is probable they would have taken Mr. McDougall’s life.²⁴⁶

Another version, from a later edition of the *Herald*, reported that the bushrangers:

... arrived at a full gallop at the Rising Sun Inn kept by Mr. Thomas Prendergast; where they recognised a Mr. J. McDougall, whose activity in the capture of such ruffians has secured for him a dangerous notoriety, and on this occasion nearly cost him his life, for on perceiving him they set up a hideous yell, and exclaimed “we have got you at last,” and

²⁴⁵ Parkes et al.

²⁴⁶ Sydney Herald, 26/12/1840

immediately one of them plunged a dagger at his breast which he luckily avoided; they then stripped and flogged him until they glutted their Revenge, and then told their victim that on their next visit they would burn his house, and call on the Bridges (men who have become marked by them for taking the bushrangers last year) to serve them in the same manner.²⁴⁷

An article in the Sydney Herald written a few days after the incident reported: “they also nearly killed Mr. McDougall, the late constable of that Police station, and he now lies with little hope of recovery.”²⁴⁸

Other versions of the legend have been related. They include: the incident took place at Wollombi, where McDougall was tied to the flogging triangle while the gang got the official “cat” from the Court House; McDougall was tried by the gang, and sentenced to one hundred lashes; he was flogged till he fainted.

This version was reported in the book *Mines, Wines and People*:

They bind him to the ten-by-ten verandah post of an inn on the Wollombi and proclaim, “For every convict lad you ever flogged on the iron gang we’ll now flog you!” – “Jewboy” Davis brings out a cat-o’-nine-tails and hands it to one of his men. “Give McDougall 333 chops,” he says. “Jewboy” says to another, “Now give McDougall 333 chops”. When that’s over, McDougall’s shirt

²⁴⁷ Sydney Herald, 29/12/1840

²⁴⁸ Sydney Herald, 23/12/1840

is gone; nothing’s left but raw flesh.

Then “Jewboy” says, “Now it’s my turn to give McDougall 333 chops.” When that’s over, “Jewboy” says to McDougall, “Well, I might as well finish you off now.”

With that he gets a bayonet; but first he gets the publican to bring a glass of brandy and makes McDougall drink. “Now I’ll finish you off,” he says.

Just then the publican’s wife comes out and says, “For God’s sake, don’t finish him.”

“Jewboy,” seeing the publican’s wife is pregnant, says, “Well, madam, on account of the condition you’re in, I won’t finish him now; but I’ll give him some of this.”

With that, he starts pouring salt over McDougall’s back. The publican says, “Oh, God! If you’re going to do that you might as well finish him.”

“Oh, no,” says “Jewboy.” “Out of respect for your wife, I won’t do that.”

From that day on McDougall was a cripple. He lived in Church Lane, Millfield, and took all day long to get up to the store and back with a bite to eat.²⁴⁹

John McDougall was an emancipated convict. He had been an overseer for Iron Gang Number 7 on the Great

²⁴⁹ Parkes et al, p.38.

North Road from 1828 until 1831. McDougall had also been a constable in the district of Wollombi. He was allegedly a cruel and merciless overseer in his time. Some of the atrocities attributed to him are: flogging a man to amuse his wife and baby, his wife screaming “Give him another and make the baby laugh;” the yoking of his gang to a plough and flogging them down the track; the tying of three men to a log and felling a tree on them, and finding one still alive, bashing his brains out with a handspike; and putting a man in a wooden box and nailing down the lid.²⁵⁰

Despite all the legends surrounding John McDougall, he actually led a long and productive life after his encounter with the gang. His reputation as a brutal overseer was also much an exaggeration. He was a farmer, publican, postmaster and settler. He donated land for the building of a church, and was often said to be a respected member of the community.

The gang’s last robbery on this day, “concluding a day of plunder unequalled in the annals of bushranging,” was at the Red House Inn, on the Maitland road, where they robbed Mr. White of a double-barrelled gun, a saddle and a few shillings.²⁵¹ It was just on dark when they left the inn. After this robbery, they were so intoxicated that they could hardly stay on their horses. The Red House Inn was between the present towns of Millfield and Cessnock. This made a total of six robberies on one day, by far their biggest day ever.

As a result of these robberies, David Dunlop set aside an extra judicial day for an investigation into the conduct of constables, ticket-of-leave men and convicts in the district. The bushrangers were reported to have made comments about Mr. John Martin Davis, which led Dunlop to the

²⁵⁰ Parkes et al, p.38.

²⁵¹ Sydney Herald, 29/12/1840

conclusion that an understanding existed between the bushrangers and the convicts of the district.²⁵²



Eliza Dunlop, Wife of Police Magistrate David Dunlop, who is famous in her own right for her work with local Aborigines (see Australian Dictionary of Biography). Courtesy of Cessnock District Historical Society Inc.

²⁵² Australian, 26/12/1840

MUSWELLBROOK, SCONE & MURRURUNDI

Around midday on Sunday December 20, Davis, Marshall, Shea, Everett, Chitty, Glanville and an unidentified seventh man arrived at the property of Sir Francis Forbes, Skellator, about three miles (4.8 km) from Muswellbrook. At a spot called Saul's Creek they bailed up three men in a hut, William Jones who was a fencer, another fencer and a shepherd, all ticket-of-leave men.

The hut would have been made of sheets of bark, varying in size from one metre to two metres wide and about two metres high, the roof made of the same material, dirt-floored, with a chimney at one end for the fire and a bench-like bed at the other end on which all the men slept together. Such huts were constructed of materials still green, which twisted and bowed as it dried to create a ramshackle appearance.

The bushrangers went to the hut and asked the men if they had any provisions. William Jones gave them some beef and made tea for them, while the bushrangers hobbled their horses, the hobbles usually being carried over the horse's neck, and left them to feed on the nearby grass. The gang had been riding hard for several days and took this opportunity to rest themselves and their horses. They spent the afternoon at the camp taking turns sleeping, guarding the men and smoking their short pipes, while making their plans for the coming days. They left at sundown, riding in the direction of Aberdeen. Jones later said that he recognised one of the men.²⁵³ This was most likely Edward Davis who had been, until six weeks before, an assigned convict on a

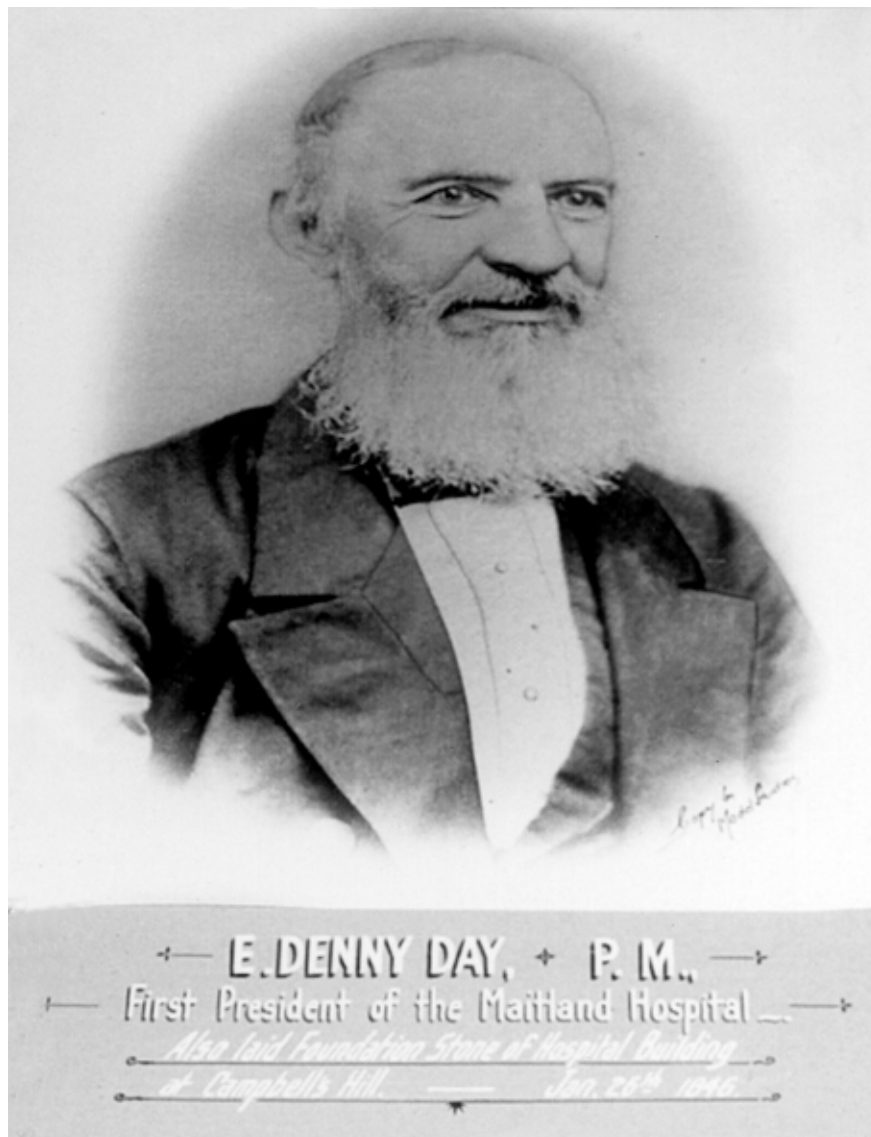
²⁵³ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

property not far away.

After the bushrangers left his hut, Jones went to the township of Muswellbrook to report the presence of the gang. Francis Allman Jnr., the local Police Magistrate, was unavailable; he had gone out earlier that day with a party searching for bushrangers.²⁵⁴ Mr. Edward Denny Day, who had been the Police Magistrate for Muswellbrook, but had lately been transferred to Maitland, was in the town on personal business, and willingly took up the challenge of following the gang.²⁵⁵

Edward Denny Day was an Irishman who arrived in Sydney in 1834, after leaving the army in India for medical reasons. In Sydney, Day held positions in the Colonial Secretary's Office and as a clerk for the Executive Council, before beginning his career as a Police Magistrate in 1836. He quickly developed a reputation as an able and effective Police Magistrate, particularly through tracking down the perpetrators of what is called the Myall Creek Massacre in 1838. When there was a need for an efficient Magistrate to oppose the bushrangers in the Maitland district, Day was transferred from Muswellbrook.

Day received information of the bushrangers' whereabouts from William Jones at about nine o'clock in the evening and, with the help of Chief Constable William Shinkwin, set about rallying the local settlers and ticket-of-leave men to form a pursuit party. The population of Muswellbrook at this time was about two hundred and fifteen persons in forty-one houses, so it took some time to raise a force. Day's party left Muswellbrook around seven o'clock²⁵⁶ on the morning of Monday December 21.²⁵⁷



Picture of Edward Denny Day in later life, leader of the party which captured the bushrangers. Photograph provided by Greg Powell.

The men who accompanied Day from Muswellbrook were; Edward White, an overseer for Mr. Eales who had

²⁵⁴ Colonial Secretary Letters Received 40/13031 with 41/9794 in SRNSW Call No. 4/2526.1

²⁵⁵ Sydney Herald, 31/12/1840

²⁵⁶ Colonist 29/12/1840

²⁵⁷ Sydney Herald, 31/12/1840

been bailed up in October 1840 by Marshall, Davis and Shea; Richard Dangar, who provided percussion guns from his store in Muswellbrook; William Shinkwin, the Chief Constable of Muswellbrook; John Nowlan, a ticket-of-leave constable; Peter Dawe, Martin Kelly, William Evans and William Walker, all ticket-of-leave men; Martin Donohue, an assigned convict; and an aboriginal lad who acted as tracker for the party.²⁵⁸

The bushrangers rode past Aberdeen, and, about four in the morning, robbed William Dangar's Turanville station, near Scone.²⁵⁹ At Turanville they broke firearms,²⁶⁰ stole a fine grey mare and destroyed a great deal of property and furniture, as well as stealing several light articles such as watches and rugs.²⁶¹

The gang then rode to the village of Scone, arriving there at about seven in the morning. The bushrangers were dressed in their usual fashion, Manilla hats with red or pink ribbons, red scarves, leather leggings, brooches and rings.²⁶² They were well armed, all of them carrying guns and pistols. They intended to rob two establishments, which were within shouting distance of each other at the edge of the village.

Davis, Everett and Glanville went to the St Aubins Inn built by Thomas Dangar but leased by Mr. Chivers, while Marshall, Shea and Chitty went to the house, and attached store, of Thomas Dangar. The mysterious seventh man acted as “cockatoo” (lookout) on a nearby hill.

Dangar's house and store was about forty metres from the inn. A man working in the yard of the inn, as well as

²⁵⁸ Colonial Secretary Letters Received 40/13031 with 41/9794 in SRNSW Call No. 4/2526.1

²⁵⁹ Sydney Gazette 31/12/1840

²⁶⁰ Sydney Herald 29/12/1840

²⁶¹ Sydney Herald 26/12/1840

²⁶² Sydney Herald 29/12/1840

Mrs. Chivers who was at her bedroom window, were close enough to witness some of the events at the store.

Chitty approached the rear of Dangar's house, while Marshall and Shea approached the store from the front. Chitty called "Cook, cook, come out here."²⁶³ The cook came out of the house and held Chitty's horse. Chitty struck the cook with his gun to make him do as he was told.²⁶⁴

At the store John Graham, a free immigrant about 23 years old, employed by Dangar as the storekeeper, saw the bushrangers arriving. As Marshall and Shea rode up to the store, Graham fired off a shot at Marshall. Graham then ran from the store towards the town to inform the constables of the robbery in progress. (As the store was closer to the town than the inn, this meant that, as Graham ran, he became harder to see from the inn).

Shea leapt on his horse and chased John Graham down the street. Graham was still carrying a pistol. He had run about a hundred metres when Shea fired twice, one shot hitting him in the back.

A saddler by the name of James Juchau, who was working in the rear of the store with another man named Mills, sneaked from the building when he saw Chitty approach, guessing he was a bushranger by his wild appearance. Juchau was trying to make his way unobserved to the main part of the village when he heard two shots and saw Graham fall. He went to Graham, who said "Saddler I am shot through, I am a dead man." Juchau turned around and saw Shea on horseback, with a gun pointed at him. Shea said, "Come back here or I shall blow your brains out." Shea also wanted Graham to go back to the store with him but Graham said he was "shot right through" and was unable to

²⁶³ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

²⁶⁴ Sydney Herald, 25/2/1841

do so. Juchau then saw blood coming from Graham’s mouth.²⁶⁵

Meanwhile, as Shea galloped after Graham, Marshall continued through the store and into the house where he bailed up Dangar and his wife in their bedroom. He asked Dangar if the man who had fired at him was Dangar’s son as he intended to “have his life.” He then demanded the keys to the cashbox, in which he found only “bloody orders,”²⁶⁶ which he said were no use to him. Marshall took some gold-plated jewellery and some bracelets from the store, but left valuable property in the bedroom, and did not stay for more than two minutes. Dangar said that Marshall appeared to be alarmed.

Shea returned to the store with Juchau and found Chitty guarding the front door. Marshall came out with some bracelets, which he threw on the ground. Chitty trod on them. Shea told them that John Graham was dead, and there was no time for delay. The three then rode to the St Aubins Inn.²⁶⁷

At the St Aubins Inn, Mrs. Chivers, the wife of the publican, was looking out of her bedroom window that morning and saw three men, Marshall, Shea and Chitty, all dressed like gentlemen, ride up to the home of Thomas Dangar, which was less than forty metres from her window.²⁶⁸ As they approached Dangar’s she noticed their firearms and the pink ribbons on their hats, and from this she concluded they were bushrangers. Within a few minutes she was distracted from this scene by Richard Glanville appearing at her bedroom door and saying, “Well, mistress

²⁶⁵ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

²⁶⁶ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

²⁶⁷ Sydney Herald, 25/2/1841

²⁶⁸ Sydney Herald, 25/2/1841

what have you got here for us?”²⁶⁹ She asked him what he wanted. He said he wanted money and he knew she had plenty. Glanville had a gun and several pistols in his belt.

Mrs. Chivers was extremely frightened by this and sat down heavily on a blanket-box. At the urging of Glanville she got to her feet, and gave him a cashbox with around £60 in it. There were also money orders in the cashbox, but he said they were no use to him. Glanville searched the room and found two pairs of handcuffs, then asked for watches, looked for firearms and called for Ruggy (Everett) to join him. Everett entered Mrs. Chivers’ bedroom and asked her about the cashbox. She told him that the tall man (Glanville was five feet nine) had taken all he wanted from it.

Everett had by now bailed up the cook, William Day, and another man in the stockyard at the rear of the inn.



Photography by Roger Chambers

The St Aubins Inn. Mrs Chivers’ bedroom and the bar room both face on to the Verandah at the left.

²⁶⁹ Sydney Herald, 25/2/1841

William Day had been out in the stockyard and saw John Graham being shot at a distance of about one hundred metres; but his attention was then drawn to Everett, who “had a pistol in each hand and clapped them to my head.”²⁷⁰

Everett took his prisoners inside, and also rounded up Joseph Chivers, who was a barman for his brother, and William Taylor, a New England border policeman who was staying at the inn. He took all these to the bar-room where Davis stood guard over them while Everett went to help Glanville search the inn. At the start of the raid, Davis had gone straight to the bar-room.

Finding a violin, Everett called to Davis, “Moccy, can you play the fiddle?” He was answered, “No, but I want a bugle.”²⁷¹ Moccy was a nickname derived from mocha, or coffee coloured, and Edward Davis had dark skin and hair.

Mrs. Chivers followed Everett into the bar-room, where she found Davis guarding the four men. She told Davis that she was “much afraid.” Davis told her she “need not be afraid,” and tried to distract her by showing her some pistols he had taken from “a magistrate” – those taken from David Dunlop at Glenmore.

Marshall, who had removed his coat but was still wearing his broad-leaved hat with ribbons, entered the bar-room and asked his mates if they were nearly done. Davis said they were. Marshall asked about the border policeman, William Taylor, and Davis told him that the policeman was an assigned convict and to leave him alone. Marshall replied that it was a good job for Taylor.

Marshall and Davis then discussed the man who was shot. Davis said something like, “Is he alright,” and Marshall replied, “He is settled.” Some of the people who

²⁷⁰ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

²⁷¹ Sydney Herald, 25/2/1841

were in the bar-room at the time, thought that Marshall meant that Graham was alive, while others took him to mean that he had died.²⁷²

Davis was reported in one newspaper as saying at this time, “I would give a thousand pounds, that this had not happened, but as well a hundred now as one.”²⁷³

The raids were over in about half an hour.²⁷⁴ The gang rode off in one party, taking time to reload their guns before they went. This was necessary because it was raining and the gunpowder would not ignite if wet. Juchau, the saddler from Dangar’s store, then went to see how John Graham was. He found him still alive, but he died within ten minutes.

One newspaper article said that Ruggy was wearing a “death flag,” a black cloth tied to his hat, meaning that no quarter would be given. They are also reported to have sent word to police to bring a “dead cart” with them.²⁷⁵

Edward Denny Day and his posse, after proceeding from Muswellbrook, had picked up the trail of the gang and followed it for about five miles (8 km) where they were “informed the bushrangers had crossed the Hunter at Aberdeen the previous night.”²⁷⁶ Day’s party continued on towards the Upper Hunter and arrived at Scone some time after the bushrangers had left. There they found Mr. John Anderson Robertson, the Police Magistrate for Scone, already taking depositions on the death of John Graham and the robberies.

Day found several settlers and magistrates at Scone, as a court session was scheduled that day, but no effort was

²⁷² Sydney Herald, 25/2/1841

²⁷³ Sydney Herald 26/12/1840

²⁷⁴ Colonial Secretary Letters Received 40/12898 with 41/9794 in SRNSW Call No. 4/2526.1

²⁷⁵ Sydney Gazette 31/12/1840

²⁷⁶ Sydney Herald, 31/12/1840

being made to raise a force to pursue the bushrangers. In fact, Day was unable even to obtain fresh horses from the assembled settlers. Despite the lack of official interest, four men from Scone joined the posse, two ticket-of-leave men, Charles Evans and John Fihily; William Taylor, the border policeman bailed up at the St Aubins Inn; and Mr. Edward Warland, a settler from Invermain.²⁷⁷

The press was extremely critical of John Anderson Robertson after this incident, accusing him of “supineness.”²⁷⁸ From this time Edward Day had no respect for Robertson, and would never again preside in a court with him. An earlier article in the *Sydney Herald* had described Robertson as “a whiggling protégé of Lord John Russell’s,” and said that he would take the evidence of convicts against their masters.²⁷⁹ Lord Russell was a minister in the Whig Government in England, and was committed to ending the Transportation System.

Robertson wrote to the Colonial Secretary to report the attack of the bushrangers and the death of Mr. Graham. In this letter he said that he was organising a force of ticket-of-leave men and hoped to have them deployed in separate parts of the district by the next morning.²⁸⁰ Although well aware of Day’s posse, he did not mention it in his letter.

About nine o’clock in the morning the gang called at the house of John Pattison, who lived four miles (6.4 km) from Scone. They stole a horse and a pistol, and appeared very agitated.²⁸¹

They next called at the house of James Norrie about

²⁷⁷ Sydney Herald, 31/12/1840

²⁷⁸ Sydney Herald 31/12/1840

²⁷⁹ Sydney Herald 14/12/1840

²⁸⁰ Colonial Secretary Letters Received 40/12898 with 41/9794 in SRNSW Call No. 4/2526.1

²⁸¹ Sydney Herald, 25/2/1841

eleven miles (17.6 km) from Scone, and had a meal, which they made his wife cook. Norrie said they frightened him very much. Davis told him that he would shoot him in a moment, and they had shot one person already. Norrie had met Davis some weeks before when he stopped for refreshments in company with Mr. Sparke's overseer (Phillip Wright).

They were at Norrie's "some time in the forenoon," and the gang paid for the food they were given.²⁸² This was probably the usual fare available for travellers at that time: ham and eggs or mutton chops fried in dripping and served with damper without butter, black tea and perhaps a few potatoes or pumpkin.

At noon the gang arrived at Page's River, or Murrurundi, where there were two establishments, the Traveller's Home Inn, owned by Mr. J.H. Atkinson but operated by Richard South, and a store owned by Mr. J.B. Rundle. South had been robbed by Marshall, Shea and Davis three weeks previously. He had been held prisoner by the bushrangers at their last meeting and had escaped by taking a musket from one of the gang.²⁸³ Marshall now threatened to "deal" with Richard South before they left the Travellers Home.²⁸⁴

At Murrurundi the gang bailed up around thirty people, dividing them into three groups, some inside the inn, others on the verandah of the inn, and the rest at Mr. Rundle's store. Four of the gang went to the inn and three to the store.²⁸⁵ The bushrangers made themselves "as comfortable as circumstances would permit," and appeared to be in no

²⁸² Muswell Brook Bench Books – Letters 1838-43 in SRNSW Call No. 4/5601

²⁸³ Colonial Secretary Letters Received 40/12093 in SRNSW Call No. 4/2504.5

²⁸⁴ Australasian Chronicle 25/2/1841

²⁸⁵ Sydney Herald 29/12/1840

hurry.²⁸⁶

While they were at Murrurundi, at least two shots were fired at a man on horseback between the inn and the store. The man was an employee of Mr. Single.²⁸⁷ Richard South later said that the man showed him his pocket through which a shot had gone without injuring him.²⁸⁸

Day's party arrived at Murrurundi three hours after the bushrangers left. They were confident they were closing in on the gang and stopped for only a short while, to reload their guns because of the persistent rain. When they left Murrurundi they had an extra man: Dr. John Gill joined Day's party at this time.²⁸⁹

²⁸⁶ Sydney Herald, 31/12/1840

²⁸⁷ Sydney Herald 29/12/1840

²⁸⁸ Sydney Herald, 25/2/1841

²⁸⁹ Sydney Herald, 31/12/1840

CAPTURE

The gang rode from Murrurundi in the direction of the Liverpool Ranges, climbing to the top of the pass overlooking the township and then on to Doughboy Hollow (Ardglen), about 30 miles (48 km) from Scone. This was a regular camping ground for drovers and teamsters taking goods and stock between the Liverpool Plains and the Hunter Valley.²⁹⁰

The camp at Doughboy Hollow was about half a mile (.8 km) off the road. The bushrangers' horses were “very much jaded” by this time and could travel no further.²⁹¹ There were some bullock drays near the camp, but the bushrangers later said the bullock drivers “beat them off,” and the bushrangers settled a short distance away, using just the provisions they carried.²⁹² It is probable that the bushrangers made up the story of being “beaten off” by the bullock drivers to protect them from recriminations by the authorities, who would have taken a dim view of the bullock drivers allowing the bushrangers to camp near them. As said earlier in the story, members of the convict classes were unlikely to actively oppose the bushrangers because of sympathies held for fellow sufferers of the transportation system and fear of retribution by the bushrangers.

Day's party came upon the gang about six o'clock in the evening. The gang were in shirtsleeves and their horses were tethered.²⁹³ Some of the bushrangers saw Day's party leave the road but did not think they could be in pursuit of

²⁹⁰ Wood, W.A., *Dawn in the Valley*

²⁹¹ *Sydney Herald*, 25/2/1841

²⁹² *Sydney Herald*, 25/2/1841

²⁹³ *Sydney Herald*, 25/2/1841

them, so they took little notice.²⁹⁴ Davis was at the campfire casting musket-balls. One report said that the gang was alerted by some of Day's party letting out a cheer. The bushrangers scrambled across the gully to the cover of some trees, and opened fire on Day's men as they galloped in amongst them, now shooting and shouting.

Robert Chitty was the first captured. He fired one shot and had no time to reload before he was taken.

Day had a shot at Davis as he retreated. Davis fired a shot in return, missing his target. Davis then placed his gun in the fork of a tree and took careful aim at Day, who was no more than twenty yards away, but still missed. Day said he heard the bullet go by him. Day fired again and wounded Davis in the shoulder. The fact that Davis took deliberate aim at Day would prove literally to be a fatal error on his part.²⁹⁵

Marshall and Davis were captured after they had fired two and four shots respectively.

Shea and Everett climbed a hill overlooking the battle and fired ten shots altogether. Shea fired one shot from a double-barrelled gun and one from a pistol at Edward White, who eventually captured him.²⁹⁶

Glanville fired one shot before he and the seventh man fled the scene. Glanville was captured next day, about ten miles (16 km) further on towards the Liverpool Plains, by a party led by Constable Nowlan. The seventh man was never identified.

The first five men were captured in less than five minutes, although they only gave up when they had run out of loaded guns. Davis was wounded in the shoulder and

²⁹⁴ Australasian Chronicle 25/2/1841

²⁹⁵ Australian 13/3/1841

²⁹⁶ Sydney Herald 29/12/1840

Shea was wounded in the calf. Marshall was also slightly wounded.²⁹⁷ No member of Day's group was injured.²⁹⁸

No one was able to say who had fired the first shot, although Constable Nowlan thought that it might have been the bushrangers.²⁹⁹

After the capture, one of the gang said it was the first time they had not set a lookout. They had not anticipated being followed that day, but thought the entire Colony would be up in arms against them soon. They were only resting for a short time and planned to ride on after dark.³⁰⁰

The five prisoners were placed in chains and everyone remained camped at Doughboy Hollow for the night. The whole group, both pursuers and pursued, stayed awake all night. During the night, Shea said he was the one who had shot John Graham and there was no use denying it. Marshall said he would shoot any man that fired at him, and that John Graham was a foolish young man who could expect nothing better for firing among so many armed men. Davis said he had always opposed the shedding of blood “for he knew if they did so they would not reign a week; as he said this he looked at the others and said, you see we have not reigned a day.”³⁰¹ Davis and Marshall told stories of their bushranging exploits all night. Davis had them all laughing with a story of how he failed to break the bell that had called him to work. This event would have occurred as they passed through Aberdeen the previous night.³⁰²

The next day the gang was taken through Scone but, as Day would not sit on the bench with John Anderson

²⁹⁷ Sydney Herald, 25/2/1841

²⁹⁸ Sydney Herald, 31/12/1840

²⁹⁹ Sydney Herald, 25/2/1841

³⁰⁰ Australasian Chronicle 25/2/1841

³⁰¹ Australasian Chronicle 25/2/1841

³⁰² Sydney Herald, 25/2/1841

Robertson, the gang was taken to Muswellbrook for indictment. On their way to Scone, Day’s party met with a party sent out by Robertson to assist in escorting the prisoners back.³⁰³

Robertson was the first to report the capture of the bushrangers to the Colonial Secretary. In his letter, dated December 23, he stated that he received word of the capture as he was arming and dispatching his first division of mounted men early on December 22. He then sent his men to help Mr. Day.³⁰⁴

A notice in the *New South Wales Government Gazette* listed the property recovered from the bushrangers when they were captured:

Police Office,
Muswellbrook, 24th December, 1840.

The undermentioned property taken in the possession of Bushrangers, on Monday, the 21st December, are in charge of the Chief Constable, and can be seen on application at this Office; —

One percussion double-barrel fowling piece, steel mounted, no maker’s name.

One ditto ditto ditto, Southall maker, A.D. on silver plate.

One ditto ditto ditto, Wood, Worcester.

One ditto ditto ditto, brass mounted, H. Sturm a Suhl, on barrels.

One percussion rifle, brass mounted, maker’s name De’ comyn Kiobenhavn.

One ditto ditto, brass mounted.

³⁰³ Sydney Herald, 31/12/1840

³⁰⁴ SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841

One single barrel fowling piece, percussion
Lock, Moore maker.
One ditto ditto ditto, Levick maker.
One ditto ditto ditto, Bradney maker.
One percussion rifle, Wood, Worcester.
One pair percussion pistols, Nock maker.
One pair pocket pistols, flint locks, Smith,
London.
One pair percussion pocket pistols, Smith,
London.
One pair ditto ditto, no name.
One pair ditto ditto, H. Smith, London.
One pair ditto ditto, C. & F. Sham, London.
One pair pistols, spring bayonets, Ryan and
Watson.
One double-barrel percussion pocket pistol,
Birch, London.
One ditto ditto, flint ditto ditto, Turner and
Co.
One Silver mounted pistol, Baker Maker.
One percussion pistol.
One flint-lock pistol.
Four powder flasks.
Five bullet moulds.
Two pair handcuffs.
Six saddles, one by Toole, London; one by
Early, Maitland.
Five saddle bags.
One pair holsters, patent leather top.
Seven spurs.
One drab top coat, large cape.
One silver watch, gold chain, four seals and

two keys.

One silver double cased watch, J. Hurtly, maker.

One silver watch, No. 4222, C. Slater, London.

One silver watch, Larpint and Furgusson, Kiobenhavn on dials.

One silver watch, No. 5625, A. Harris, High-st., Paisley.

One silver guard chain.

One gold or guilt chain.

One gold seal, with cornelian stone and keys, one ring, one key, “a hand holding a key.”

Two pair gold earrings in red case.

One gold seal, with a crest and key on steel chain.

One seal and two keys on ring.

One silver eye glass frame.

One silver medallion.

One mourning ring, George Mompisson, Ob. 23 Oct. 1763 AE 64.

One plain gold ring marked “C.F. S____d, 12th December, 1835.”

One gold ring, “J.M.D. to J.W.”

One gold ring, broken, “Flora” on back.

Five gold rings, one set with a small red cornelian stone.

One gold brooch set with amythysts, hair in centre.

One large silver brooch, white chrystal.

One hair guard chain.

One microscope, three sliding glasses.

Nineteen purses.

Five knives.

Twelve old coins.

One travelling compass on steel guard chain.

Eight silk handkerchiefs.

One pocket comb.

One small looking glass brass mounted.

One case razors, Holmes & Co.

Four Certificates of Freedom.

John Clowvane, Larkins, 1829.

John Cowen, Marquis Hastings, 1828.

Hugh Makin, Bussorah Merchant, 1831.

Michael Duigan, Fergusson, 1829.

CARDEN J. WILLIAMS,

Clerk of Petty Sessions.³⁰⁵

³⁰⁵ NSW Government Gazette, 19/1/1841

SYDNEY

On Friday December 25, 1840, Christmas day, news of the raid on Scone and the murder of John Graham reached the Governor in Sydney, in the form of a letter from John Anderson Robertson, Police Magistrate of Scone.³⁰⁶ The Governor, Sir George Gipps, and the Colonial Secretary, Edward Deas Thomson, met and started making plans to end the career of the gang. Letters were drafted to the Police Magistrates of the four police districts of the Upper Hunter Valley (Scone, Murrurundi, Cassilis and Muswellbrook), informing them that the Governor was sending a force consisting of a subaltern and six rank and file infantrymen to each district, in total, twenty-eight men. The Police Magistrates of each district were to be ordered to make arrangements to feed and house the infantry while they were in their respective districts. Some of these letters were sent, while some are still in the Colonial Secretary's official papers at the Archives Office in Sydney.³⁰⁷

Also on that Christmas day, the Governor reviewed other measures taken against the bushrangers, and directed that twenty-four ticket-of-leave men and assigned convicts who had been bailed up in the Dungog district be sent to Pinchgut Island for “allowing themselves to be robbed.” Some of these convicts had been said by the settlers who were present to have volunteered to pursue the bushrangers, but the Governor evidently was not feeling much Christmas spirit, as he gave the same punishment to all.

The Colonial Secretary also wrote to the Governor

³⁰⁶ Colonial Secretary Letters Received 40/12898 with 41/9794 in SRNSW Call No. 4/2526.1

³⁰⁷ Colonial Secretary Letters Sent 40/1144 in SRNSW Call No. 4/3846

suggesting that a reward be offered for the capture of the bushrangers. The Governor replied that the reward should be an absolute pardon with a passage to England for any convict who apprehended the gang and “as high a pecuniary reward as is ever offered in like cases” for a free settler.³⁰⁸ The Governor also said that the notice should appear in the next available paper. This notice appeared the following Monday:

Colonial Secretary’s Office,
Sydney, 26 December, 1840.

FIFTY POUNDS REWARD,
or,
**AN ABSOLUTE PARDON AND PASSAGE
TO ENGLAND.**

Whereas it has been represented to the GOVERNOR that on the 21st instant, an attack was made upon the Township of Scone, by a party of armed Bushrangers, who brutally murdered Mr. John Graham, Clerk to Mr. Dangar; His Excellency the GOVERNOR, with a view to a speedy apprehension of the guilty parties, directs it to be notified, that a Reward of Fifty Pounds will be given to any individual if free; or application will be made to Her Majesty for Her approbation and allowance of an Absolute Pardon with a Passage to England, to any Convict who may give such information (or private information to any

³⁰⁸ Letter in Commissariat file 1841, from E.D. Thomson to Sir George Gipps dated 25/12/1840.

Police Magistrate) as may lead to the
Apprehension and Conviction of any of the
parties concerned in the Murder in question.
By His Excellency's Command,
E. DEAS THOMSON³⁰⁹

News of the capture of the bushrangers arrived late on Christmas day, or early on Boxing day, making these measures redundant.

After they faced a hearing and were indicted at Muswellbrook, the bushrangers were escorted to Morpeth by Edward Denny Day and his party, where they were handed over to the Mounted Police.^{310/311} As the bushrangers were taken past the Long Bridge convict stockade at West Maitland, the convicts let out a hearty cheer for the captured men.³¹² The force of Mounted Police who had been sent to the Brisbane Water district from Sydney to pursue the gang received them from Day and escorted them back to Sydney.

The gang arrived in the capital, escorted by Lieutenant Chambre and his force, aboard the steamer from Maitland (or Morpeth) on Monday December 28, 1840. The bushrangers were taken to the old gaol in George Street, Sydney:

The ruffians arrived in Sydney about midnight on Monday, and the manner in which they did so was terrible. They came along George Street strongly guarded and heavily ironed; instead of looking dejected or penitent, they were all laughing, singing and

³⁰⁹ Sydney Monitor 28/12/1840

³¹⁰ Australasian Chronicle 29/12/1840

³¹¹ Sydney Monitor 29/12/1840

³¹² Newcastle Morning Herald 22/8/1936

cracking jokes, as merrily as if they were enjoying themselves in a public house. We never in our lives saw such a fearful example of human depravity. We hope that no time will be lost in bringing them to trial, and as there is no doubt but they will be found guilty, we hope their execution will not be delayed. It is almost a crime to suffer such ruffians to exist. We would not however, run the risk of taking them to the scene of their crimes, but have them executed in Sydney.³¹³

George Street was the main thoroughfare of Sydney but was poorly lighted, with only a few lamps in its entire four kilometre length from the King's Wharf to the foot of Brickfield Hill. Sydney Gaol was only a short distance up from the Wharf but the party passed several public houses as they made their rowdy entrance into Sydney. The shouting and singing of the gang, joined with the calls of bystanders as they passed up George Street, would have been a cacophony of tones and dialects from every part of the British Isles, with the Cockney of Davis and Everett mixed with the Irish brogue of Shea and the broad Nottingham accent of Marshall.

After the bushrangers were safely housed in Sydney Gaol, the attention of the press focused on the role of the two Police Magistrates who had respectively distinguished and disgraced themselves on the last day of the gang's freedom. The conduct of Edward Denny Day was widely praised, while the conduct of John Anderson Robertson was as widely condemned. Articles praising Day reported that the citizens of the Hunter District were taking up a

³¹³ Sydney Gazette 31/12/1840

collection to buy a commemorative gift,³¹⁴ while letters from many Hunter Valley settlers highly critical of Robertson were published in many of the newspapers, most appearing in the *Sydney Herald*.³¹⁵ The other side of the argument was taken up by the Editor of the *Sydney Gazette*, Mr. George Robertson, who claimed not to be related to John Anderson Robertson, but took it upon himself to mount a spirited defence of the Magistrate's actions in several editorials.³¹⁶

³¹⁴ Sydney Herald 6/1/1841

³¹⁵ Sydney Herald 21/1/1841, 6/2/1841

³¹⁶ Sydney Gazette 14/1/1841, 19/1/1841, 26/1/1841, 2/2/1841

TRIAL

The trial of the six bushrangers took place on February 24, 1841, at the Supreme Court in Sydney.

The following article, pointing to Edward Davis as having provided information in an attempt to have his sentence reduced, appeared in the *Sydney Herald* on February 23, 1841:

The Hunter's River Bushrangers. --- These desperadoes will be tried to-morrow. It is expected that this trial will be one of considerable interest, as Davis the leader of the gang is said to have given information as to the parties who harboured him and the rest of his gang. Several persons have already been apprehended on the information thus given. The greatest scoundrel of a gang generally manages to slip his neck out of the halter.³¹⁷

From this point on, Davis was set apart from the other members of the gang. His cause was taken up by a part of Sydney society, probably due to the influence of his father, Michael John Davies. He was to receive legal representation and respectable clothing to help him present his case in court, and appeals were made on his behalf to the Executive Council.

The trial took place before His Honour, Sir James Dowling, the Chief Justice, and was prosecuted by the

³¹⁷ Sydney Herald, 23/2/1841

Attorney General, assisted by Roger (later Sir Roger) Therry.³¹⁸

The courtroom was overflowing with spectators during the whole of the proceedings. Hundreds of people attended during the daylong trial. Many of the people attending were assigned convicts or ticket-of-leave holders. The jury was selected from the list, and it was the turn of people with surnames beginning with B.

The jury members were; Messrs Ball, Brown, John Barnes, William Barker, James Bridge, Robert Best, J.N. Brown, Charles Blakefield, John Beeson, J. Byrnes, Thomas Bray, and S.A. Bryant, Esqrs.³¹⁹ Edward Davis was represented by the attorney Mr. Purefoy, while the others were unrepresented. Davis was well dressed in a suit. The others were all dressed in the usual prison garb.

The charges were read. John Shea was indicted for the wilful murder of John Graham. Marshall, Davis, Chitty, Everett and Glanville were indicted for being present, aiding, abetting and assisting in the commission of the murder.

The Attorney General stated the case for the prosecution. He noted that the prisoners had come to the Colony:

... to be punished for their crimes, and had had extended to them the indulgence of being assigned to individuals, who, by the Government regulations were bound to treat them with a leniency and kindness unknown to the law except in modern times, a leniency and kindness which they had no right to expect. Upon this however the prisoners

³¹⁸ Australasian Chronicle, 25/2/1841

³¹⁹ Sydney Monitor, 26/2/1841

appeared to have set no value, but showed themselves to be incorrigibly bad, for they had combined together to keep the whole country from the sea coast to Liverpool Plains, in a state of terror and confusion, and excite a degree of fear in the breasts of all Her Majesty’s subjects residing in that part of the country.

It would be necessary to trace a part of the prisoners’ career. He found them at Brisbane Water where they were joined by Glanville who was in Mrs. Hely’s service, and what took place there shows that persons of this description could not go through the country unless they were harboured by the assigned servants in the different districts, and others who are regardless of the peace of the country or hope to make a profit by the plundering carried on. Glanville was in a comfortable place; more so than a man in his position had a right to expect, but he took, what in this country has always been considered the first step to the gallows (and in this case he had no doubt Glanville would find it a truism.) he took to the bush, and joined the other desperate men. After scouring the country with an audacity that had never been equalled, decorating themselves with ribbons, and when one horse was tired, taking another, they, at length, arrived at Scone.³²⁰

³²⁰ Sydney Herald, 25/2/1841

The Attorney General went on to recount the incident at Scone, and to state that all the parties in this case were equally guilty of the murder of Mr. Graham, as they had all gone out with a common purpose.

The first witness to give evidence was Edward Denny Day. He described the pursuit and capture of the gang, adding that, after the capture, Davis and Marshall had voluntarily told him about the gang's experiences while on the run, and that John Shea had confessed to him that he had shot Mr. Graham.

Whilst Day was giving evidence, Davis' attorney, Mr. Purefoy, twice objected, once to the fact that Davis having fired at Mr. Day during the capture was not evidence of the charge in the indictment, and once that as the prisoners had not been cautioned when they gave their stories to Mr. Day on the night of the capture, this evidence was inadmissible. He was over-ruled on both occasions.

Day was then cross-examined by Mr. Purefoy, and replied that Davis, and possibly Everett, had said that they were opposed to the shedding of blood.

Shea cross-examined Day about whether he had seemed to be under the influence of alcohol, and received this response: “Witness thought Shea and all the rest were quite sober that night, they did not, in fact, appear to have been drinking.”³²¹ As the gang had spent several days drinking heavily before their capture, Day's assertion that they were sober at the time of the capture seems improbable.

Day was then re-examined by the prosecutor, Mr. Therry, and stated that Davis had taken deliberate aim at him and had fired twice. He also said that the bushrangers' horses were very jaded at the time of the capture and that the

³²¹ Australasian Chronicle, 25/2/1841

bushrangers had all said they would rather hang than be sent to Norfolk Island.

The next witness was James Juchau, who gave an eyewitness account of the shooting of Graham. He was not able (or willing) to identify the prisoners.

Mrs Elizabeth Chivers gave an account of the robbery on her husband's inn. She was able to identify Davis, Marshall, Everett and Glanville as being present during the raid.

William Day was a cook for John Chivers at the St Aubins Inn. He gave an account of the shooting of Graham, which he had witnessed from the yard of the inn. He was able to identify Everett.

Joseph Chivers, who was a barman at the inn, gave an account of the robbery of the St Aubins Inn. He was able to identify Davis, Marshall, Everett and Glanville.

Thomas Dangar gave an account of the robbery on his store. He was able to identify Marshall. Thomas Dangar Jnr. gave his account and was able to identify Marshall and Chitty.

Mrs Sarah Dangar gave an account of the robbery of her husband's store. She was able to identify Marshall.

William Jones, the informer who notified Edward Denny Day of the presence of the gang in the Muswellbrook area, gave an account of his encounter with the gang. When he had finished giving evidence and was leaving the witness box, Everett said, “I hope that you will be the next that is shot and every bloody dog like you.”³²²

John Pattison gave an account of his encounter with the gang after they had left Scone.

James Norrie gave an account of the gang's visit to his property after they had left Scone. Under cross-examination

³²² Sydney Herald, 25/2/1841

he stated that he had met Davis on a previous occasion.

Richard South gave an account of the robbery on his inn at Page's River. He also stated that he had been robbed three weeks earlier by Marshall, Davis and Shea. South also mentioned that shots had been fired during the raid on Page's River.

Dr. Isaac Haig gave evidence relating to his examination of the body of John Graham.

Constable John Nowlan gave evidence relating to the capture of the gang. He corroborated Edward Denny Day's evidence and also reported on the capture of Glanville

Mr. Purefoy gave his closing statement:

Mr. Purefoy in an able address on behalf of the prisoner Davis, contended that there was no evidence of such a constructive presence as would warrant the jury finding his client guilty of being present aiding and abetting; he also submitted that the discrepancies between the charges set forth in the information, and those contained in the evidence were fatal. He also insisted on the distance between the houses, as a proof that no such constructive presence had been made out, as was necessary to warrant the jury in finding them guilty of being present and aiding and abetting in both the felonies, and called on the jury to give the benefit of any doubts they might have respecting the guilt of the prisoner to his client. The prisoner Davis

stated that he had subpoenaed a witness named Walker; he was called, but did not appear.³²³

William Walker had been given a pardon for his part in the capture.

The Attorney General summed up the evidence implicating Davis:

The Attorney General said he would restrict his observations in reply to the case of Davis, who was defended by Mr. Purefoy. He had to caution the jury against being led away by any spirit of compassion in his behalf. It was proved that at the time of the murder, he was aiding and abetting, so far as to be acting as a sentry on the parties bailed up in Mr. Chivers' bar when the murder was committed, and but for whom aid might have been extended to the inmates of Mr. Dangar's house. He also reminded the jury that it was a principle of British justice that if parties went out to commit a robbery or any other felony, and there was another perpetrated by one or other of those who went out to commit the first, that unless the others could prove that they had no hand in the perpetration of the second the whole were in the eye of the law legally guilty as accomplices.³²⁴

Chief Justice Dowling reminded the jury that the

³²³ Sydney Herald, 25/2/1841

³²⁴ Sydney Herald, 25/2/1841

prisoners were being tried for the murder of John Graham, and not for being bushrangers. He went over the evidence for the jury. He went on to say he trusted that the ticket-of-leave men who helped in the capture of the gang would be rewarded. The Attorney General said they all had been given free pardons.

The jury retired at 6.15 p.m. and returned with their verdict at 7.30 p.m. They delivered a verdict of guilty against all of the men.

During the time that the jury was out the prisoners were placed in the cage, an iron-barred enclosure three metres square, because Everett, Shea and Davis had been engaged in intense chatting and laughing with friends and acquaintances during the whole of the trial. When the prisoners were placed in the cage, all of them turned on Davis and blamed him for their ruin, as well as claiming that he had caused great harm to people who had aided them, presumably by betraying their identity to the police.³²⁵ The other bushrangers and the convict classes would have frowned upon the act of informing on people who had assisted them. Davis was no doubt now a pariah amongst the gang members.

Some of the gang members noticed the Superintendent of Hyde Park Barracks, Timothy Lane, in the Court and vented their anger on him, wishing he might break his neck. Most of the bushrangers, especially Marshall and Everett, would have felt that Lane's brutality had, in part, caused them to take to the bush.

After the jury returned its verdict, Justice Dowling placed the black cap upon his head and gave a lengthy oration in which he exhorted the men to use their remaining time on earth to make peace with their God. He then passed

³²⁵ Sydney Herald, 25/2/1841

sentence of death on them all. When the verdict was passed, Davis was seen to change colour to a deathly pale and shed tears. He had expected a reduced sentence or acquittal.

The prisoners were taken back to the gaol in pairs, handcuffed between three constables. Some hundreds of people marched along with them to the gaol.

Following the trial a letter printed in the *Sydney Gazette* stated:

CAPITAL PUNISHMENT

“The worst possible use you can make of a man is to hang him.”

Edmund Burke.

Mr. Editor – It is probable that your view of the following case may differ from mine; but as an honest journalist, you are bound to give free scope to public opinion, and I doubt not you will find room for the few remarks I have to make thereon.

I was present this evening in the crowded court house when the awful sentence of death was passed upon the six convicted bushrangers, whose depredations on the Hunter have been so alarming and notorious. The Chief Justice, Sir James Dowling, whose general character and conduct is beyond all praise, and is approved of by the whole colony, will not be offended at the petition of humanity, which cries out against the commission of six more murders as a useless retribution for one.

There are, besides, redeeming

circumstances in the career of these men; they carefully, in all their desperate proceedings, abstained from personal violence; their object was plunder, and this was obtained by intimidation rather than by cruelty. The wholesale execution of these men will be a disgrace to our society; it would certainly not take place in London.

I hope I have said enough to enlist your powerful pen, not in favor of these men, (for perhaps, as regards themselves the matter is not of so much importance,) but in favor of the community, whose character must be deeply stained by a legal perpetration of homicide, so useless and uncalled for.

Yours &c,

M.D. Sydney, Feb 19th

(We copy the above letter from the Australasian Chronicle, at the special request of several highly respectable gentlemen, who seem to view the infliction of capital punishment on the six bushrangers at present under sentence of death in H.M. gaol, as extremely severe. We defer passing any opinion on the subject, further than to remark, that we believe the general sense of the people is averse to the final sentence of the law being carried into effect on these unfortunate men. We leave the matter entirely in the hands of His Excellency the Governor and the Executive, who, we doubt

not, will give it their most earnest consideration.)³²⁶

This letter was almost certainly written by Michael John Davies, Edward's father. The letter was signed M.D., and was written in a style very similar to his known articles from the *Commercial Journal*, for which publication he was the Newcastle correspondent. This letter shows that Michael John was in the courtroom during the trial of his son and was able to rally support for his cause amongst some of the ostensible respected citizens of the Colony.

The execution was approved by the Executive Council, as noted in the Minutes of the Executive Council, Vol. 5, minute No 6:

His Excellency the Governor laid upon the Council the Report of His Honour the Chief Justice on the case of six prisoners capitally convicted before him at the Criminal Sessions of the Supreme Court in which sentence of death has been passed and His Honour being introduced explained the circumstances attending those cases. The Council after an attentive and mature consideration of the cases of the several prisoners and a petition from one of them Edward Davis which was laid upon the table by His Excellency advised as follows. John Shea, convicted of the wilful murder of John Graham, and John Marshall, Edward Everett, Edward Davis, Robert Chitty and Richard Glanville convicted of being present, aiding

³²⁶ Sydney Gazette, 11/3/1841

and abetting the murder all sentenced to suffer death, that the sentence of the Law is allowed to take its course.³²⁷

A report in the *Australian* said of Davis’ petition:

The friends of this unhappy criminal relied mainly on the point adduced in evidence that he was averse to the shedding of blood, but the Council in having their attention addressed to the point, immediately referred to the evidence of Mr. Day, who swore that Davis placed a musket in the fork of a tree, and took deliberate aim at him twice to take his life.³²⁸

³²⁷ AJHS Journal and Proceedings 1956 - Vol. IV, Part V, p. 205-240 (by Dr. G F J Bergman)

³²⁸ *Australian*, 13/3/1841

EXECUTION

In the week before the execution of the bushrangers an article appeared in *The Australian* reporting the efforts of some to bring about a stay of execution:

Execution. --- The Hunter's River bushrangers, six men in number, who are under sentence of execution, were warned on Thursday evening last, by the Sheriff, not to entertain the smallest hope that the order for their execution on Tuesday morning next would neither be deferred nor rescinded. The Executive Council, which sat on Saturday last relative to the case, on receiving the Judge's report, were unanimously of opinion that the extreme sentence of the law ought to be carried into effect upon each individual culprit. Towards Davis public sympathy seems to be a good deal excited. The culprits have been attended for several days past by the ministers of their respective persuasions. Their execution will take place in the Sydney gaol, at the usual hour, on Tuesday morning next.³²⁹

The Colonial Secretary, following the usual procedure, wrote to the Sheriff's Office, instructing that the prisoners be executed, as follows:

³²⁹ *Australian*, 13/3/1841

Colonial Sec Office
Sydney, 6 March 1841
Sir,

I am directed by His Excellency the Governor to inform you, that in the case of John Shea convicted at the late Criminal session of the Supreme Court of Wilful Murder and of John Marshall, Edward Everett, Edward Davis, Robert Chitty and Richard Glanville, convicted of being present aiding and abetting the said murder, the sentence of the law is to take effect in the usual manner at Sydney on Tuesday the sixteenth day of March instant, and to request that you will appraise the unhappy men accordingly.

E DEAS THOMSON.

To/ The Sheriff.³³⁰

On Tuesday morning, March 16, 1841, preparations began in the Gaol for the hanging about to take place. Large numbers of people gathered around the Gaol doors, seeking admittance. Among them were three reporters for various newspapers who were unable to make their way through the mob. It was finally necessary for the reporters to be escorted through the throng by guards using “old rusty cutlasses.”³³¹

At nine in the morning the six bushrangers were taken to the scaffold. It had been set up in the rear of the Old Sydney Gaol, near Harrington Street. There were over a thousand people crowded around the area, many having

³³⁰ Colonial Secretary Letters Sent 41/47 in SRNSW Call No. 4/3901

³³¹ Australian 18/3/1841

arrived as early as six in the morning, filling the streets, climbing the roofs of buildings and also taking up positions on a nearby hill.³³² Because of the huge crowd, a strong military guard, led by Captain Innes, was required. An escort was formed, led by the Captain, to march the prisoners to their fate. They were led into the prison yard where a large crowd had been assembled to witness the affair. Others were able to see from their vantage points overlooking the gaol yard. All the other prisoners had been locked in the cells. The bells of St Phillips Church were ringing minute tolls as they were led up to the scaffold at ten minutes past nine.

Chitty, Marshall, Everett and Glanville were attended by Reverend William Cowper and Reverend John Elder. Shea was attended by Father Murphy, the Catholic Priest, and Davis was attended by Mr. Isaacs of the Jewish congregation. They all spent about ten minutes at their devotions with their spiritual attendants.³³³ The deputy sheriff, Cornelius Prout, read the death warrant as the prisoners awaited their fate. Their coffins were lined up at the base of the scaffold.³³⁴ The order in which the men were to mount the scaffold was predetermined by custom. Protestants were the first to mount and took up positions to the right hand side of the platform, Catholics were to the left of the Protestants and others, such as the Jewish Davis, were to the extreme left, and so were the last to mount.

One report said Everett hurriedly ascended the scaffold and was in an agitated state.³³⁵ A later report said he kicked his shoes off into the crowd and said he would make a liar of

³³² Sydney Gazette 18/3/1841

³³³ Australasian Chronicle, 18/3/1841

³³⁴ Newcastle Morning Herald and Miner's Advocate, 8/7/1898

³³⁵ Sydney Herald 17/3/1841

his mother, who said he would die with his shoes on.³³⁶ The *Temperance Advocate* reported, “they appeared to feel deeply penitent, with the exception of one, whose conduct was not at all in accordance with the awful solemnity of his situation.”³³⁷

Marshall, Chitty and Glanville sang the Morning Hymn when they mounted the scaffold. This was their own idea, not suggested or expected by the clergymen.³³⁸ Shea was next, followed by Davis, who was the last to mount the scaffold, dressed in a black suit and apparently very unsettled. He looked around the assembled crowd as if he was looking for a friend or acquaintance, but he could not find any, as the Jewish community was careful to avoid the awful scene. None of the men spoke to the crowd before Alexander Green, the public executioner, drew the white caps over their faces. Davis thanked Mr. Isaacs, and Marshall and Glanville could be heard saying prayers as the bolt was withdrawn.³³⁹

In the *Australian* the following article appeared next day:

We were extremely disgusted at the following very disgraceful circumstance; On Tuesday, near about the middle of the day, an open cart was dispatched from the gaol to the burial ground, containing the six naked coffins of the hanged bushrangers, nailed up, and huddled one across another, with the names of each of the unhappy tenants

³³⁶ AJHS Journal and Proceedings 1956 - Vol. IV, Part V, p. 205-240 (by Dr. G F J Bergman)

³³⁷ *Temperance Advocate* 18/3/1841

³³⁸ *Sydney Herald*, 17/3/1841

³³⁹ *Australasian Chronicle*, 18/3/1841

chalked on the outside. They were thus dragged through George Street, when their bodies were hardly cold, with no more ceremony or decency than if so many bales of goods were being delivered at a warehouse. Such an occurrence argues a horrid callousness of mind, a total want of any sense of commonest decency, which is really disgusting to contemplate. We do earnestly hope that such a thing will never again be permitted on future occasions.³⁴⁰

³⁴⁰ Australian, 18/3/1841

COMMENTARY AND AFTERTHOUGHTS

The execution of the six bushrangers was the last mass hanging at the old Sydney Gaol, where crowds could clamber onto The Rocks and nearby roof-tops for a good view. The decrepit gaol was closed a few months later. Hangings at the new gaol at Darlinghurst were to be far less public affairs.

Alexander Green, the executioner, never a popular figure, came to be reviled by most of the convict and working population of Sydney after this execution, mainly due to the popularity of this gang. Green was persecuted so much, in fact, that he soon had to abandon his hut and take refuge in the grounds of the new Darlinghurst Gaol. Green was a physically powerful and extremely ugly man who was Public Executioner for New South Wales during the terms of five Governors. Green's name was often used by mothers to frighten their children. One gory sidelight to public executions was the custom of selling the ropes used to hang notorious offenders. Green would have sold the ropes used to execute the gang for sixpence an inch.

Many continued to suffer as a result of the gang's activities. During the reign of the gang, the Police Magistrates of the various districts visited by the bushrangers had sent numerous reports to the Colonial Secretary about the conduct of assigned convicts. The Governor reviewed these reports and directed rewards or punishments for the men named. Many settlers, constables, Magistrates and Aboriginal trackers were also variously rewarded or admonished for their roles and actions during the pursuit of the bushrangers.

The convicts who were punished included twenty-four men from the Dungog district, some of whom had volunteered to pursue the gang. They were all sent to Cockatoo or Pinchgut Islands for the passive role they took during the robberies on the Union Inn and the property Underbank. Cockatoo and Pinchgut Islands were, at that time, being prepared for military use, with the Naval slipway under construction on Cockatoo Island and Fort Denison on Pinchgut. Similar punishment was also meted out to the four bullock men present during the raid on the Shamrock Inn and a number of the bullock men present during the raid on the drays near the property Ravensworth. Two others were punished, one a convict, Thomas Buckingham, the other an ex-convict, Henry Denny. Both were sent to Norfolk Island for actively assisting the bushrangers and receiving stolen goods.

The one constable punished was Richard Gorman from Mangrove Creek in the Brisbane Water police district, who was ‘censured’ for allowing the gang to escape when he encountered them on the Great North Road near Mount Manning.

Of the Police Magistrates involved, Thomas Cook, Percy Simpson and John Anderson Robertson were the three whose actions were found most wanting by the Governor, Sir George Gipps. To each he sent a letter of reprimand, requesting explanations for their lack of efforts and/or success in pursuing the gang. These Magistrates all provided explanations which must have been deemed acceptable, as none were dismissed from their positions at that time.

Several convicts were rewarded for their efforts. Patrick Hennessy of Newport was given a suit of clothes, some money and eventually a pardon for assisting Alfred Holden to escape from the gang. Patrick Brady, also of

Newport, received a pardon for giving information and actively pursuing the gang around Lake Macquarie. William Northwood, of Wyong, was given a pardon for trying to resist the bushrangers. William Jones, from near Muswellbrook, was given a pardon for giving information which led to the capture of the gang. All of the ticket-of-leave men and an assigned convict who were with Edward Denny Day's party, which captured the gang at Doughboy Hollow, were also given free or conditional pardons.

Little Breeches, the Aboriginal tracker from Lake Macquarie, was recommended for a reward of a 'plate' for his consistent efforts in pursuing the gang. This 'honour' was recommended by Reverend Lancelot Threlkeld, who proposed to present the 'plate' in front of all the Aboriginals of Newcastle. Little Breeches left the Ebenezer Mission before receiving the award when it became apparent that he was also to be drafted into the Mounted Police.

Others to be recognised were the four settlers in the party that captured the gang. They received praise from the Governor for their efforts. Chief Constable William Shinkwin of Muswellbrook, after many representations from Edward Denny Day, eventually received a reward of fifty pounds.

The greatest reward, but quite unofficially, was given to Edward Denny Day, the Police Magistrate responsible for the capture of the gang. The citizens of Maitland and the Upper Hunter Valley raised money by public subscription to buy him a full set of silver plate, each piece engraved in recognition of their gratitude. Day carried the reputation gained from this exploit to the grave. His obituary, written some 36 years later, mainly focused on the story of his part in the gang's capture.³⁴¹

³⁴¹ Town and Country Journal, 27/5/1876



Silverware presented to Edward Denny Day in appreciation by citizens of Scone for capturing the bushrangers. Photo by Greg Powell.

In the years after the execution of the six bushrangers the story of the gang became concentrated in the figure of Edward Davis. Public memory was no doubt constantly refreshed by the career of his father, Michael John, and his brother, John, both well known for their colourful business dealings in colonial Australia. Between 1840 and 1890 Marshall was forgotten, with legends and stories developing around the concept of the ‘Jewboy’ gang. There is some evidence to show that Davis was slowly taking over the leadership role in their last days on the run. The *Sydney Monitor*, for example, referred in their report of 29 December 1840 to the leader of the gang as ‘Jew Davis,’ while *The Sydney Herald* of December 31 clearly states that Marshall was still the leader of the gang. Whoever was the

real leader, or indeed, whether there was a single leader, after they were all settled in their graves, the public perception moved towards regarding Davis as the leader.

Over the years many exaggerated and spurious stories developed around the gang. The most common of the misconceptions regarding them was that they were active in the Hunter Valley for two years. As previously shown in this book, the gang existed for 132 days in total. Many of the stories written about the gang rely on an article in the *Sydney Gazette* of April 3, 1839, which reported that a gang had robbed seven bullock drays and the house of a Mr Nicholas in the Wollombi district in February 1839. These robberies were attributed to the ‘Jewboy gang’ by George Boxall, the first and most often quoted writer on the gang, and most writers since, but there is no evidence of any connection with Davis or the other known members of the gang.

Another “fact” reported by Boxall, which also does not correlate with the evidence from the original documents, is that a seventh man, named by Boxall as James Bryant, was hanged with the gang. Day captured only six members of the gang, and James Bryant was not one of them. There were numerous newspaper reports of the trial and execution, and all these reports failed to mention Bryant. In fact, only six men were involved, and all were mentioned by name at various times. Bryant is not mentioned in the Supreme Court records.

An oft-repeated tale, also originating in Boxall, is the robbery of Captain Horsley’s property near Hexham, which Boxall dates to December 21, 1840. Marshall, Davis and their mates were then in the Muswellbrook area. It is probable that the robbery of Captain Horsley actually occurred eleven months later. A good account of an identical robbery of Horsley can be found in the *Hunter River Gazette*

of March 5, 1842. This article reports the trial of the three men involved in the robbery, reported to have taken place on November 21, 1841. None of these men were associated with Marshall or Davis who had, indeed, been dead for eight months.

Another colourful legend relates to a supposed encounter with a female settler of the Dungog district named Isabella Mary (Kitty) Kelly. The story told of Kitty Kelly's encounter with the ‘Jewboy’ gang is that she had taken a load of hides and tallow to Maitland and, on the way back, she and two convicts were stopped by the gang near Wallarobba in the Dungog district. The bushrangers tied her to the wheel of her dray and stole her pistol and sixty pounds, but left her convicts alone. After the bushrangers had gone, she ordered the convicts to set her free, took out a pistol that was hidden in her saddlebag and set off in pursuit. She caught up with the gang after a five-mile (8 km) chase and shot John Marshall in the shoulder. Marshall tumbled from his horse and Kelly viciously kicked him till he agreed to take her to their camp, where she had no trouble convincing an admiring Davis to return her money. After this she was supposed to have visited the gang regularly, becoming the mistress of Davis and other members of the gang. The gang was said to have left the Dungog district to escape from Miss Kelly’s too zealous attentions. The tale of Kitty Kelly first appeared in print as an article in the magazine style *Smith’s Weekly* August 9, 1924. The article was written in the style of the publication, which was devoted to entertainment rather than accuracy. The tale has appeared in many publications since, growing with the telling. It should be remembered that the gang spent approximately one week in the Dungog district where this incident is supposed to have occurred.

Other stories have flourished about incidents that cannot be verified but may have taken place. The most widespread of these tales relate to the flogging of John McDougall at Wollombi and to the gang joining various families for Christmas dinner. Other tales arise from places where the gang is said to have hidden out, locations such as the ‘Jewboy Cave’ near Brunkerville and Pilcher’s Mountain near Dungog. Another often-told tale relates to a clearing in the bush near Martinsville where the gang is said to have held cockfights and played ‘marbles.’ Many of these stories may have a basis in fact, some have similarities to actual incidents otherwise reported in contemporary newspapers, but most have been romanticised to the point of almost complete fiction.

This book is based on contemporary newspaper reports and official Government documents. Some of these reports were contradictory and vague, and it was often not possible to determine the movements of the gang for short periods of time. This leaves the possibility of other robberies and exploits having taken place during the few short months the gang was operating.

The historical importance of this gang seems to have been underestimated over the years. At the same time Marshall, Davis and the others were operating in the Hunter Valley, a bushranger named ‘Jackey Jackey’ or William Westwood was raiding small settlers in the Central West of New South Wales. The Hunter Valley gang were mentioned in over one hundred reports in the various newspapers of the Colony at that time, while ‘Jackey Jackey’ was only mentioned half as often. Marshall and Co. were a large gang and were involved in dozens of raids, while ‘Jackey Jackey’ mostly operated alone and committed only a handful of robberies. After he was captured ‘Jackey Jackey’ went on to

lead a prisoner revolt on Norfolk Island and record his bushranging exploits. This assured his place in bushranging folklore, while the more notorious and successful Marshall and his gang have nearly slipped from history's pages.

The story of Marshall, Davis and the other members of the gang has to be viewed with regard to the times they lived in, the last days of the Transportation and Assignment Systems in New South Wales. At the time these events took place it is evident that the rich and influential citizens of the Colony viewed these men with fear and alarm, while the poor, usually fellow-sufferers of the transportation system, provided them with information and assistance, affording them respect and often a kind of hero worship.

The question as to whether they were simply criminals, or were in fact, as they were quoted as saying on one occasion, 'fighting against tyranny,' is difficult to answer. Many convicts, the vast majority in fact, managed to survive and even prosper under the Transportation system, but there is also a considerable amount of evidence to show that the system allowed tyranny and injustice to flourish, especially in the Hunter River district. Yet the various settlers to whom the gang members were assigned do not seem to have been of the worst kind, and some, Elizabeth Muir and Georgina Hely in particular, seem to have been 'good' masters.

Marshall and Everett 'took to the bush' from Hyde Park Barracks where they were no doubt suffering under a harsh regime, but, by the time they found themselves in that situation they had already strayed from the straight and narrow since being assigned as convicts.

Of the six men who were hanged, five had 'taken to the bush' on at least one, and often several, occasions before this gang was formed. The conclusion can be drawn that these men were 'rebels' by nature and were unable to accept

the constraints of the assignment system.

These men were executed as criminals but many thought of them as fighters against the injustices of the Transportation and Assignment systems, which had proven to be so open to abuse that the Government in England had ceased sending prisoners to New South Wales. As to whether these men were simply criminals or fighters against injustice, each reader must make their own decision.

NOTES ON PEOPLE ASSOCIATED WITH THE STORY

Allman, Francis Junior - Francis Allman jnr. arrived in New South Wales in 1828 from County Cork, Ireland, at the age of 17 years. He became a settler under the guidance of his uncle, Captain Francis Allman, a prominent settler and magistrate. Allman became Police Magistrate for the district of Muswellbrook, when Edward Denny Day was transferred to Maitland early in December 1840. Allman led parties searching for the bushrangers, and was away from Muswellbrook with a party of constables on the December 20, 1840, when Day, who was at Muswellbrook settling his affairs, was drafted into organising a party to pursue the bushrangers. Allman was also one of the Magistrates on the bench for the committal hearing of the bushrangers at Muswellbrook, after Day's party had captured them. (For further information see Ford: *Williams River*).

Atkinson, J.H. - The owner of the Traveller's Home Inn at Murrurundi. The inn was managed by a man named Richard South, who had two encounters with the bushrangers. The Travellers Home Inn was the last establishment raided by the gang before they were captured. Atkinson also had a possible encounter with the gang. Bushrangers fired at him on November 30, 1840, while he was travelling on the main road through the Singleton district. This attack was reported to Percy Simpson, the Singleton Police Magistrate.

Barker, John - A settler at the property Deridgery. Four bushrangers robbed him on October 1, 1840 of a large amount of clothing and other articles. Barker was also the travelling companion of John Larnach when the bushrangers chased him on December 1, 1840.

Bartan, - A free man who was at the Shamrock Inn, Anvil Creek when it was raided by the bushrangers on December 1, 1840. He was a bullock driver, and gave evidence at an enquiry held by the newly appointed Police Magistrate for Maitland, Edward Denny Day, into the conduct of four bullock drivers who were accused of associating with the bushrangers during the robbery of the Shamrock Inn.

Bolton, - The bushrangers had a horse belonging to Mr. Bolton, who was most likely Reverend Robert Bolton, Church of England Minister from Singleton. They left it with Edward Hely when they stole his horse on November 19, 1840.

Bowman, Dr. James - Dr. Bowman first came to New South Wales as the ship's surgeon on the convict transport *Lord Eldon* in 1819; a passenger on this ship was John Macarthur, of Rum Rebellion fame, returning to New South Wales after his exile in England. Bowman returned to New South Wales two years later, took up the position of the Colony's principal surgeon, and married John Macarthur's daughter. By 1840 Bowman had retired to his Hunter Valley property of Ravensworth. The robbery of nine drays by the bushrangers Marshall, Shea and Davis took place opposite Dr. Bowman's estate on November 22, 1840. Dr. Bowman was not at the property at the time of the robbery. (For further information see the *Australian Dictionary of Biography*)

Boyce, Henry - Henry Boyce was a new arrival who had emigrated from England to New South Wales because of ill health. He arrived in the Lake Macquarie area in September 1840 and robbed by the bushrangers on October 18, 1840. Some years later he is recorded as running the Newport Hotel. His property was on the present site of Bolton Point.

Brady, Patrick - An assigned convict transported to New

South Wales aboard the ship *Ann and Amelia* in 1825. He was born in Dublin in 1798, and was transported for life for the crime of burglary. Brady was described as: ploughs and shears, five feet eight inches tall, fresh swarthy complexion, brown hair and grey eyes. Brady was assigned to Doctor Alick Osborne at Newport (Dora Creek), Lake Macquarie. He provided information on the movements of the bushrangers around Lake Macquarie to the Reverend Lancelot Threlkeld, and assisted the various police forces in their searches for the bushrangers in the Lake Macquarie area. The bushrangers raided Brady's hut looking for him and wrecked the hut when they found he was not present. On another occasion the assigned convicts at Newport gave Brady directions designed to make him encounter the bushrangers, when he had asked them for the location of the Mounted Police. Brady was granted a conditional pardon in 1841 for his efforts in pursuing the bushrangers, on the recommendation of Threlkeld and the Brisbane Water Police Magistrate, Alfred Holden.

Brown, William - William Brown was a bushranger and one of the original members of the gang. (See Chapter 'Sydney Gaol and Hyde Park Barracks' for details).

Buckingham, Thomas - An assigned convict at Wallaringa, the property operated by Mr. James Coar. Buckingham was transported to New South Wales for seven years aboard the ship *James Pattison* in 1837. At the time he was nineteen years old, could read and write, Protestant, single, from Cornwall, a shoemaker, had no previous convictions, was five feet five inches tall, had dark sallow complexion, brown hair and dark hazel eyes. He was convicted of stealing a watch. In the 1837 convict muster he is listed as assigned to H.I. Pilcher, Maitland, who was also the “master” of John Shea, the bushranger, and the owner, but not operator, of the

property Wallaringa.

Buff, John - The owner and driver of a bullock dray, which was carrying a load for Thomas Dangar when robbed by the bushrangers, along with eight other drays, on November 22, 1840 opposite the property of Ravensworth, on the main road through the Singleton district.

Burd, William – see Little Breeches.

Burnett, William - A settler who owned the property Gostwyck in the Wallarobba area near Dungog. Thomas Cook, the Police Magistrate at Dungog, believed that persons illegally at large sheltered at this property. Cook also said that all who were living at the property were convicts, and he believed that the property was not in the Dungog district, but on the Paterson side of the district boundary.

Cape, William & William Timothy - William Cape was born in Ireby, England in 1773. He was raised by two elderly aunts and was very poor during his early years. He worked for several years in London until economic circumstance led to him immigrating to Australia. In New South Wales he was most famous as an educator in private schools in Sydney. He was given a land grant of 1000 acres for himself and two grants of 500 acres for his sons. The Capes had some legal disputes over the properties for several years, but they were still the owners in 1840. The properties belonging to the Capes were raided by the bushrangers on December 16, 1840, but as the properties had been leased, the Capes were not present. (See *The Brisbane Water Story* for more information.)

Carroll, - Possibly Moses Carroll. It was reported in the press that a man named Carroll had been taken as a guide by the bushrangers in the Brisbane Water District, and at one point it was feared he had been murdered. Moses Carroll

was a convict constable who served in the district of Brisbane Water (Gosford to Lake Macquarie) from 1834 until 1840. He had recently resigned as a constable at the time the bushrangers were in that district. The bushranger Robert Chitty had also been a convict constable in the district of Brisbane Water in 1835, and there is no doubt that the two men knew each other. Unfortunately there is no further mention of Carroll in the press, so this episode remains a mystery. (For further information see Chamberlain's *Cooranbong*; and Clouten's *Reid's Mistake*).

Chambre, Lieutenant T. - Leader of a party of Mounted Police sent from Sydney to Brisbane Water to pursue the bushrangers. This party followed the gang as far as Maitland in the Hunter district and, after the gang were captured, escorted the prisoners back to Sydney.

Chapman, Matthew – Settled near the present-day town of Dungog in 1830, taking up his grant of 1280 acres west of the Williams River. He was robbed by the bushrangers on November 30, 1840. Robert Chitty, the bushranger, was an assigned convict of Chapman, and joined the gang during this raid. (see Ford's *Williams River*).

Chitty, Robert – A bushranger who joined the gang on November 30, 1840. (See Clouten's *Reid's Mistake*).

Chivers, Elizabeth - The wife of John Chivers, landlord of the St Aubins Inn. She was present at the robbery of the inn, and gave evidence at the trial of the bushrangers.

Chivers, John – The landlord of the St Aubins Inn just outside Scone. He was not present at the inn, but was nearby, possibly visiting the Scone township, when the bushrangers robbed it on December 21, 1840.

Chivers, Joseph – The barman at the St Aubins Inn, and brother of John Chivers. He was present at the inn when it was robbed by the bushrangers and gave evidence at their

trial.

Cleary, William - Cleary had been transported to New South Wales for life aboard the ship *Norfolk* in 1832, and had since earned a ticket-of-leave. Born in Waterford, Ireland he was a rope-maker by trade. In 1831 he was convicted of the crime of Highway Robbery. He was described as five feet six inches tall and having a ruddy complexion, brown hair and dark grey eyes. Cleary encountered the bushrangers when they robbed the Shamrock Inn on December 1, 1840. He was investigated by Edward Denny Day and sent to Cockatoo Island for being over familiar with the bushrangers. Cleary worked for the same people the bushranger Edward Davis was assigned to as a convict.

Close, Lieutenant Edward C. - Close arrived in New South Wales with a detachment of the 48th Regiment on the ship *Matilda* in 1817. By 1840 he had resigned from the army and become a major settler in the Hunter district. Close chaired a meeting of citizens of the Maitland district that petitioned the Governor for the appointment of a new Police Magistrate for Maitland due to the actions of the bushrangers. A property belonging to Close was the first property raided on December 19, 1840, in the Wollombi district. Close was not at the property at the time. His Morpeth home, Closebourne, still stands. (For further information see the *Australian Dictionary of Biography*)

Coar, James J. - A settler at the property Wallaringa, the first property raided by the bushrangers in the Dungog district. It was near Wallarobba Hill. This property was either leased, or recently bought, from Henry Incledon Pilcher, who had operated the property up until a few months before the raid on Wallaringa took place. John Shea, the bushranger, and Thomas Buckingham, a convict charged

with associating with the bushrangers, had both previously been assigned to Pilcher at this property.

Cohen, Henry Joseph - The Jewish owner of the Shamrock Inn near Anvil Creek. Some writers have found the fact that Cohen was Jewish was of significance, as he did not seem to have been favourably treated by the bushranger Edward Davis, who was also Jewish. The bushrangers robbed the Shamrock Inn on December 1, 1840, and Cohen gave evidence at an inquiry held by the newly appointed Police Magistrate for the district of Maitland, Edward Denny Day, into the conduct of two assigned convicts and two ticket-of-leave men who were at the inn at the time of the raid.

Comrey, Reverend - A Minister from Dungog. He had a horse stolen by the bushrangers at the Union Inn, Brookfield on November 30, 1840.

Cook, Captain Thomas - A settler at the property Auchentorlie. He had been in the British army and had seen active service in India. He was appointed Police Magistrate for the district of Dungog in 1834. Cook organised the defence of the township of Dungog and was criticised for his actions during and immediately after the raids on his district. (See Ford: *Williams River*).

Cooper, Alfred - A ticket-of-leave man who was at the Union Inn at Brookfield when it was raided twice by the bushrangers on November 30, 1840. The landlord of the Union Inn, J.D. Walker, said that Cooper and others volunteered to go after the bushrangers, but Walker had no arms for them. Despite this, the Governor directed that his ticket-of-leave be cancelled and he be sent to Pinchgut Island for allowing himself to be robbed.

Craig, - Overseer for Mr. Lord at the station Underbank, sixteen miles (25.2 km) above Dungog, and a member of the party that tracked a group of bushrangers, after they had

robbed Underbank, to the Wallarobba area. This robbery occurred the day after the other robberies to the south of Dungog, and at a time when Davis, Marshall, Shea and Chitty were reported to be robbing the Shamrock Inn at the site of present-day Branxton. The raid on Underbank appears to have been a “copycat” robbery not committed by Marshall and gang.

Crawford, Robert - Robert Crawford was born in Greenock, Scotland and arrived in New South Wales aboard the ship *R. George* in 1821 as a free settler. He held the position of Chief Clerk in the administration of Governor Brisbane and, after losing this position under Governor Darling, became a settler at the property Ellalong in the Wollombi district, near the present-day village of Ellalong. The bushrangers robbed Crawford’s property on December 19, 1840. (See Parkes, Comerford & Lake: *Mines, Wines & People*).

Crawford, Thomas - The younger brother of Robert Crawford. He was born in Greenock, Scotland and arrived in New South Wales aboard the ship *Triton* in 1825 as a free settler. Thomas Crawford settled at the property Brown Muir in the Wollombi district, near the present-day village of Millfield. The bushrangers raided Brown Muir on December 19, 1840. He was not present at the time of the robbery, but returned shortly afterwards and wrote a detailed account of the raid, and several other raids in the district, for the *Sydney Herald*. (See Parkes, Comerford & Lake: *Mines, Wines & People*).

Crummer, Major James - Crummer was born in Athlone, Ireland in 1792. He joined the 28th Regiment as an ensign in 1805. During his army career he fought in Copenhagen, Portugal, Spain and France. He also took part in the battle of Waterloo and wrote a first hand account of the battle.

Crummer twice received gunshot wounds to his left leg, which resulted in permanent lameness. He applied for a pension due to his wounds in 1832 but was denied because of the lapse in time since he had sustained the wounds. He arrived in Sydney in 1835 with the 28th Regiment and was appointed Commander of the Iron Gang at Newcastle. Major Crummer decided to remain in Newcastle as a settler and sold his commission. He ceased military service in January 1840 and was appointed Police Magistrate for Newcastle in mid 1840. (For further information see the *Australian Dictionary of Biography*)

Cowper, Reverend William - The Church of England Minister who attended the bushrangers Marshall, Everett, Chitty and Glanville when they were hanged. (For further information see the *Australian Dictionary of Biography*).

Dangar, Richard – A storekeeper at Muswellbrook who provided arms for, and was a member of, Edward Denny Day’s party, which captured the bushrangers. (For further information see the *Australian Dictionary of Biography*).

Dangar, Sarah – The wife of Thomas Dangar. Sarah gave evidence at the trial of the bushrangers and was present during the raid on her husband’s store near the township of Scone.

Dangar, Thomas – A storekeeper at Scone, and the owner of the St Aubins Inn, which was leased and managed by John Chivers. He was also the owner of one dray, and hirer of another two, of the nine drays robbed at Ravensworth on November 22, 1840. Thomas Dangar was also the employer of John Graham, the man shot by the bushranger, John Shea, during the raid on Dangar’s store and inn on December 21, 1840. (For further information see the *Australian Dictionary of Biography*)

Dangar, Thomas Gordon Gibbons – Thomas was born in

1829, the son of a man named Gibbons, who died before Thomas was born. His widowed mother married Thomas Dangar, but she also died, in 1832. Thomas Dangar and his new wife raised Young Thomas as a son. In later life he became a successful pastoralist and politician. Thomas Dangar Jnr. gave evidence at the trial of the bushrangers. (For further information see the *Australian Dictionary of Biography*)

Dangar, William - A settler at the property Turanville or Juranville near Scone. He was raided by the bushrangers in the early morning of December 21, 1840. William Dangar was also the ‘master’ of the bushranger Gibbons. (For further information see the *Australian Dictionary of Biography*).

Davies, John - The brother of the bushranger Edward Davis. John was a convict who was transported to Tasmania aboard the ship *Argyle* in 1831, for seven years. He had been tried and convicted of buying candles and pickles under false pretences and using a false name. John worked as a solicitor’s clerk before committing this crime. At about the same time as his trial, his father, Michael John Davies, who had also been convicted of a crime and sentenced to transportation, had arrived in New South Wales.

John Davies arrived in Hobart in August 1831, and was described in a report by the convict ship’s surgeon as “*a bad character, audacious and impudent.*” He was also said to have worked as a barber for the other convicts on the ship.

After he arrived in Hobart he was assigned to a solicitor, but blotted his copybook by having an affair with the wife of a ticket-of-leave man. John Davies’ page in the convict dossiers was removed at a later date, so his full record is unavailable.

He was transferred to Port Macquarie to be with his family, his mother and some of his siblings having emigrated to join his father, and completed his sentence in 1837.

In 1840 he was Chief Constable at Penrith for four months but resigned in March 1841, at the time when his younger brother, Edward Davis was being tried as a bushranger. His resignation from this position was announced in the *Government Gazette* on March 16, 1841, the same day that Edward Davis was executed.

John then moved to Melbourne where he unsuccessfully applied for the position of Chief Constable of Portland, and for a job with the Water Police. As he was unable to find a position as a constable, he became a reporter for the *Port Phillip Patriot* and the *Port Phillip Gazette*. He also became an actor or comedian on the Melbourne stage. John Davies spent five turbulent years in Melbourne, where he was charged and convicted of criminal libel.

He then moved north and took up the position of Chief Constable of Wellington, in western New South Wales. He held several positions at Wellington, before he transferred to the position of Chief Constable of Bathurst in 1848.

He moved back to Melbourne and worked as a pastry cook, publican, government clerk, Chief Constable, actor, newspaper proprietor, theatre proprietor and finally, after moving to Hobart, he was a member of the Tasmanian Parliament and founding editor of the *Hobart Mercury*. During his life he was notorious for physical attacks on enemies and was involved in many legal disputes. (For further information see Levi & Bergman: *Australian Genesis*; and the *Australian Dictionary of Biography*).

Davies, Hannah or Anna - The mother of the bushranger Edward Davis. Hannah immigrated to New South Wales with five of her children, in 1832, to be with her husband,

Michael John, and eldest son, John, who were transported as convicts. At the time Hannah was in transit to New South Wales her second eldest son, Edward, was in Newgate Gaol, charged with stealing five shillings and a wooden till. She died in Sydney, after a long and painful illness on April 15, 1866. Hannah Davies' death was reported in the *Hobart Mercury* of May 25, 1866.

Davies, Michael John - The father of the bushranger Edward Davis. (For further information see Levi & Bergman: *Australian Genesis*; and the *Australian Dictionary of Biography*).

Davis, Edward - alias George Wilkinson, also known as “Teddy the Jewboy;” the bushranger who joined the gang on November 10, 1840 and thereafter gave his name to Marshall's gang.

Davis, John - A man who worked for Henry Denny at Reid's Mistake (Swansea), and gave evidence against Denny when he was charged with harbouring the bushrangers.

Davis, John Martin - A settler at the property Glenmore (Glen Myre or Glen Mire) in the Wollombi district, near the present-day village of Millfield. The bushrangers raided Glenmore on December 19, 1840. Davis was having a pre-Christmas dinner with David Dunlop, the Wollombi Police Magistrate, and other guests and family members, at the time of the raid. (See Parkes, Comerford & Lake: *Mines, Wines & People*).

Dawe (Daw), Peter - A member of the party that captured the bushrangers. He was rewarded with an absolute pardon by the Governor. He was a ticket-of-leave convict, and had been transported to New South Wales aboard the ship *Sarah* in 1829. Dawe was born in Sussex in 1804, and was transported for fourteen years for the crime of horse stealing. He was described as being five feet five inches tall, having a

dark ruddy complexion, dark brown hair and hazel eyes.

Day, Edward Denny - Edward Denny Day was born in County Kerry, Ireland in 1801, the son of a Church of England clergyman. He served in the British army from 1820 till 1834, and attained the rank of Lieutenant. Day arrived in Sydney in 1834, after leaving the army in India for medical reasons. In Sydney, Day held positions in the Colonial Secretary's Office and as a clerk for the Executive Council, before beginning his career as a Police Magistrate in 1836. In this year he married Margaret Raymond, the daughter of the Postmaster-General, and they were to have eleven children. He quickly developed a reputation as an able and effective Police Magistrate, most notably because of his diligent investigation of the Myall Creek murders in 1838. When there was a need for an efficient Magistrate to oppose the bushrangers in the Maitland district, Day was transferred from Muswellbrook, although when capturing the bushrangers he was outside his district and acting purely in a personal capacity. When he retired from the magistracy he moved to Maitland, where he laid the foundation stones for the new gaol at East Maitland (1844) and the Maitland Hospital (1846). He became the first president of the hospital board. In 1853 he moved to Port Macquarie as a stipendiary magistrate, until he moved back to Maitland five years later in response to many petitions for his return. He died on May 5, 1876. (For further information see the *Australian Dictionary of Biography*).

Day, William – He was the cook at the St Aubins Inn, Scone. He was present at the raid on the inn, and gave evidence at the trial of the bushrangers.

Denny, Henry - In 1841 Denny was charged with cattle stealing and harbouring the bushrangers.

Donnison, Henry - A settler in the Brisbane Water District

(Central Coast) who was born in Durham, England and arrived in New South Wales aboard the ship *Ellen* in 1828. Listed in the 1841 census there were fifty-one males and twenty-two females living at the Donnison estate, named Erina. The bushrangers threatened to rob the property of Donnison when they were raiding others in the Brisbane Water district. Donnison was a Magistrate, and wrote to the Colonial Secretary to report the activities of the bushrangers. As a magistrate he also organised the prosecution of Henry Denny of Reid's Mistake (Swansea) for cattle stealing and harbouring the bushrangers.

Donohue, Martin - A member of the party that captured the bushrangers, and was granted a conditional pardon for his part in the capture. He was an assigned convict who was transported to New South Wales aboard the ship *Portland* in 1833. Donohue was born in 1810 in County Galway, Ireland. He was transported for life for the crime of stealing sheep, and was described as being five feet eight and a half inches tall, having a ruddy and much freckled complexion, brown hair and grey eyes.

Dowling, Sir James - Dowling was the presiding Judge at the trial of the bushrangers. Sir James Dowling was born in London in 1787, and arrived in New South Wales, with his family, aboard the ship *Hooghly* in 1828. He was appointed as a Judge on his first day in the Colony, and became Chief Justice of New South Wales in 1840. Another connection Dowling had with the gang was that his son, Vincent Dowling, wrote to him from the Dungog district about the activities of the bushrangers and the conduct of the local Police Magistrate. Sir James passed this letter on to the Governor. (For further information see the *Australian Dictionary of Biography*).

Dowling, Vincent Francis Woodcock - The son of Chief

Justice Dowling, and a settler at the property Tilliga, near Dungog. He was a member of a party searching for the bushrangers around the Dungog district. Dowling wrote a letter to his father in which he was very critical of the Dungog Police Magistrate, Thomas Cook. Sir James Dowling passed this letter to the Governor, who questioned Cook over the concerns raised in the letter.

Drake, William – A settler on the property Mount Vincent, near present-day Brunkerville in what was then called the Sugarloaf area. His property was raided, and the bushrangers stole some valuable horses, in October 1840.

Dunlop, David - David Dunlop was born in County Antrim, Ireland in 1794. He arrived in New South Wales aboard the ship *Superb* in 1838, with his wife and four children. In 1839 he was appointed Police Magistrate and Protector of Aborigines for Wollombi and Macdonald River, and, in this capacity, he pursued the bushrangers during the early part of their career. Dunlop again encountered the gang when they raided in the Wollombi district towards the end of their career. He was taken prisoner by them at the property of John Martin Davis and, after they left the property, rode to Maitland in an attempt to organise a force of Mounted Police to follow the gang. (For further information see the *Australian Dictionary of Biography*)

Dwyer, Dennis - Born in Tipperary, Ireland in 1811, Dwyer arrived in New South Wales as a Private in the Royal Lancaster Regiment, and rose to the rank of Lance-Sergeant before leaving the army. In 1841 he held the position of Chief Constable of the Brisbane Water District, and was sent to examine the camp of the bushrangers, which was shown to him by the informer John Davis, near Reid's Mistake (Swansea).

Eales, John - Eales was born in Ashburton, Devonshire, on

March 28, 1799. He arrived in New South Wales as a free settler in 1823 and was granted 2,100 acres of land in the Hunter River District with a one-mile (1.6 kms) frontage to the river. Eales was known to be very tall and strongly built, and there were many stories told of his feats of strength. As well as having several properties in the Hunter District, Eales squatted on extensive tracts of land in the Liverpool Plains and beyond, totalling over two hundred thousand acres. He worked hard and prospered to the point that, at the time of his death in 1871, he was reputed to be the richest man in Australia. It is clear that he was already very wealthy when the bushrangers were stalking him. He built the mansion Duckenfield a few years later. (See Mitchell's *Hunter's River*; and *Australian Dictionary of Biography*).

Elliott, John - The “master” of John Marshall, the bushranger. John Elliott was a settler and also a part-time engineer who was involved in building steam mills. His building activities may have led to the meeting of his assigned convict, John Marshall, with James Everett, the assigned convict of Mrs. Muir, who had taken over the building business of her husband when he died.

Evans, Charles, Alias Robert Glascott - Evans was a ticket-of-leave convict who was transported to New South Wales for life aboard the ship *Prince Regent* in 1827. Evans was born in 1807 in Warwick, England. He was transported for the crime of burglary and was described as being a blacksmith, six feet one inch tall, having a ruddy complexion, sandy brown hair and hazel eyes. As a convict he was often punished, and was sent to Moreton Bay in 1829 for being “*an incorrigible runaway from an iron gang and a notorious bad character.*” He received a ticket-of-leave for the Maitland district in 1838 and was one of the ticket-of-leave men who accompanied Edward Denny Day when he

captured the bushrangers. The Governor granted him an absolute pardon for his part in the capture.

Evans, William - A ticket-of-leave convict who was transported to New South Wales aboard the ship *Norfolk* (2). Evans was born in 1806 in Essex, England, and was transported to New South Wales for life for the crime of horse stealing. He was a ploughman and was described as being five feet six and a half inches tall, having a ruddy and freckled complexion, brown hair and dark grey eyes. He was a member of the party organised by Edward Denny Day to pursue the bushrangers. The Governor granted him an absolute pardon for his part in the capture of the gang.

Everett, James alias James Rugby alias Ruggy - James Everett was one of the original members of the gang.

Ferrett, Walter - The driver of the mail coach between Darlington and Maitland. He was bailed up at the Shamrock Inn at Anvil Creek on December 1, 1840.

Fihily, John - A ticket-of-leave convict who was transported to New South Wales aboard the ship *Norfolk* in 1832. Fihily was born in 1811 in Tipperary, Ireland and was a groom and outdoor servant. He was transported to New South Wales for life for the crime of cow stealing and was described as five feet two and a half inches tall, ruddy and freckled complexion, brown hair and grey eyes. He was a member of the party that captured the bushrangers and was granted an absolute pardon by the Governor for his part in the capture.

Forbes, Sir Francis - The former Chief Justice of New South Wales, and the owner of a property near Muswellbrook, Skellator, where the bushrangers camped on the afternoon of December 20, 1840. A ticket-of-leave man named William Jones was working for Forbes as a fencer, and was camped on his property when the bushrangers

bailed him up and spent several hours at his camp. After the gang had left his camp Jones reported this incident to Edward Denny Day, which led to Day forming the party that captured the gang. Forbes himself had no direct involvement. (For further information see the *Australian Dictionary of Biography*).

Freeman, James - An emancipated convict who was transported for life, to New South Wales aboard the ship *Lord Eldon* in 1817. Freeman was born in London in 1795. He was described as being a ropemaker, five feet eleven inches tall, fair and ruddy complexion, brown hair and hazel eyes. Shortly after arriving in New South Wales Freeman was sent for secondary punishment to Newcastle for striking an overseer. While at Newcastle he was flogged for attempting to escape from the Limeburners station. In 1840, Freeman was managing a property named Cabbage Tree, for a man named Robert Henderson, at the site of present-day Norah Head. The bushrangers stayed overnight at Cabbage Tree on December 15, 1840, after nearly being captured by two parties of mounted pursuers, including a troop of Mounted Police, earlier that day. In the 1850s Cabbage Tree was purchased by Edward Hargraves of gold discovery fame, and renamed Noraville. The house Hargraves built still stands.

Freeman, Mary Ann - Mary Ann Freeman was a convict who arrived in New South Wales aboard the ship *Kains* in 1831. She was born in Stockport, England in 1811, and was transported for seven years for the crime of stealing clothes. Mary Ann was described as being a kitchen maid and needlewoman, four feet ten inches tall, ruddy and freckled complexion, brown hair and blue-grey eyes. Mary Ann was married to James Freeman, and was at the property Cabbage Tree, on the site of present-day Norah Head, when the

bushrangers stayed overnight on the December 15, 1840. A very good account of this encounter was given in her obituary.

Garrett, Mr. – A settler on the Wollombi side of the Maitland District. He was robbed on the same night as Henry Pilcher in early November 1840. He was also robbed of a cheese on December 19, 1840.

Gibbons, James - Gibbons was described by John Anderson Robertson, the Police Magistrate at Scone, as a notorious bushranger and the leader of a gang, when he was captured in early November 1840. At around the same time, Francis Knight and John Wilson, as well as two ticket-of-leave men named George Wilson and George Greenhill were also captured. Gibbons was charged with the robbery of the Murrurundi mail and other offences and sent to Newcastle Gaol with a man named William Roach and some of the Border Police as escort, as he had previously escaped from a Military escort near Muswellbrook. James Gibbons was born in Rochdale, England in 1812 and was transported to New South Wales for fourteen years aboard the ship *Mermaid* in 1830. He had been tried and convicted of housebreaking at Salford, England on July 20, 1829, and was described as a weaver, five feet four inches tall, with pockpitted skin, brown hair and hazel eyes. In the 1837 convict muster he was listed as assigned to William Dangar at Hunter River.

Gill, Dr. John - A member of the party which captured the bushrangers. Gill joined the party when they passed through Page's River (Murrurundi).

Glanville, Richard - An assigned convict and bushranger who joined the gang on December 16, 1840.

Glew or Glue, George - Glew was one of the men who were bailed up at the Shamrock Inn on December 1, 1840.

He was described in newspaper articles as the butcher from Maitland. Glew had a slaughter yard at the junction of Wallis Creek and the Hunter River.

Goodwin, William - Owner and driver of a dray robbed by the bushrangers Marshall, Shea and Davis on November 22, 1840 near the property Ravensworth. The dray was carrying a load for Thomas Dangar, and eight other drays were robbed on that day.

Gorman, Richard - Richard Gorman was the convict constable stationed at Mangrove Creek, in the Brisbane Water Police District from 1838, and was made Chief Constable of Brisbane Water some years later. He had a thirty-year career as a constable. Almost all constables in the Colony at that time were either serving convicts or emancipated convicts, with the exception of a few old soldiers.

Gosling or Gorsling, Robert - A convict who arrived in New South Wales aboard the ship *Planter* in 1832. Gosling was born in Essex in 1805 and was transported for seven years for stealing a brass boiler. He was described as a farmer's labourer, five feet six inches tall, brown complexion, brown hair and blue eyes. Gosling was a farm constable who was on the Darlington mail coach when it was robbed by the bushrangers at the Shamrock Inn on December 1, 1840. Gosling was taken from the coach and beaten with his own staff. He suffered a broken arm.

Graham, John - A young emigrant and clerk employed by Thomas Dangar in his store at Scone. He was shot and killed by John Shea on the December 21, 1840, during the raid on Dangar's store. A memorial to John Graham can be seen on the site of Dangar's store.

Grant, Patrick - The Police Magistrate of Maitland who was in Sydney suffering ill health when the raids by the

bushrangers in the Maitland district occurred. The citizens of the Maitland district held a public meeting, chaired by E.C. Close, and attended by over sixty people, to discuss the “unprotected” state of the district. As a result of the meeting, Patrick Grant was replaced as Police Magistrate of Maitland by Edward Denny Day, in early December 1840, without returning to the district.

Green, Alexander – The Public Executioner of New South Wales. Green carried out the hanging of the six bushrangers at old Sydney Goal. He was a native of Holland with flaxen hair and blue eyes, and a circus tumbler by profession. He was described as being physically powerful and exceedingly ugly. Green had facial scars from having had smallpox and a large scar, the legacy of a violent attack, down the side of his face.

Green, George - A ticket-of-leave convict who arrived in New South Wales aboard the ship *Albion* in 1828. He was born at Maidstone in 1812 and transported for life for burglary. Green was described as a brickfield boy, five feet one inch tall, with dark brown hair and brown eyes. George Green was employed by a settler, Phillip Wright, to drive a bullock dray to the upper Hunter. He was at the Shamrock Inn, Anvil Creek when the bushrangers bailed it up. Green and another bullock driver, William Cleary, had their tickets-of-leave cancelled, and, along with the serving convicts William Seymour and James Kent, were sent to Cockatoo Island for associating with the bushrangers. All these men shook hands and laughed, winked and joked with the bushranger Edward Davis. Davis had also been an assigned convict to both Sparke and Wright at various times.

Greenhill, George - A ticket-of-leave man who was arrested with George Wilson, another ticket-of-leave man, and the bushranger Gibbons, and charged with harbouring

Gibbons and receiving stolen goods. George Greenhill was born in Yorkshire in 1815. He was tried and convicted of stealing money at Yorkshire Quarter Sessions on March 26, 1835, and was transported to New South Wales for fourteen years on the ship *John Barry* in 1836. He is described in the ship's indents as a cutler, five feet one inch tall, with sallow and pockpitted skin, brown hair, grey eyes, a scar on his right cheek, and a blue mark resembling a gun inside his lower right arm. Greenhill, Wilson, Gibbons, and the bushrangers Francis Knight and John Wilson, were all admitted to Newcastle Goal on November 11, 1840, and transferred to Sydney for trial on November 14, 1840.

Haig, Dr. Isaac - The surgeon who examined the body of John Graham at Scone, and gave evidence about his findings at the trial of the bushrangers.

Hammersly, Mr. - A young man who worked for Timothy Nowlan, and regularly visited Nowlan's station, Wallarobba. Thomas Cook, the Police Magistrate at Dungog, said that Nowlan thought well of Hammersly, but that Matthew Chapman, another settler, thought him too good-natured for his situation.

Haydon, Mr. - A settler from near Warland's Ranges in the upper Hunter Valley whose property was reported to have been robbed by the gang in early November 1840.

Hector, Mr. - A settler near Dungog. He was a member of a party that tracked the bushrangers who robbed the property Underbank, sixteen miles (25.2 km) above Dungog, to the Wallarobba area south of Dungog. This robbery was a "copycat" robbery, perpetrated by the "Blacksmith" gang, and took place the day after the "Jewboy Gang" left the Dungog district.

Hely, Edward - Edward Hely was born at Tyrone, County Ulster, Ireland and was the brother of Frederick Augustus

Hely, who was the Principal Superintendent of Convicts until his death in 1836. Edward Hely was a settler at Lake Macquarie on the property Rathmines in his homestead, Donoughmore. The bushrangers robbed him at his property in October 1840, and again on the road between Maitland and Lake Macquarie in November 1840. He later gave a deposition describing the bushrangers as “Marshall’s gang.” Edward Hely was described as being unwell at the time of the raid on his property. He died around 1860 of “consumption,” or tuberculosis.

Hely, Georgina – The sister-in-law of the settler Edward Hely and widow of the former Principal Superintendent of Convicts, Frederick Augustus Hely. She was also the mother of the explorer Hovendon Hely. Georgina Hely was the “master” of Richard Glanville, who joined the bushrangers when they raided her property at Newport, Lake Macquarie on the site of present-day Dora Creek. (For further information see the *Australian Dictionary of Biography*).

Hennessey, Patrick - A convict who arrived in New South Wales in 1837 aboard the ship *Calcutta*, the same ship as the bushranger John Shea. Hennessey was born in Dublin in 1819 and was transported for seven years for stealing sheet (metal). He was described as an errand boy, five feet four inches tall, with a ruddy and freckled complexion, brown hair and grey eyes. Hennessey was assigned to Alfred Holden at Newport, Lake Macquarie on the site of present-day Dora Creek. He helped Holden to escape from the bushrangers and for this Holden successfully petitioned the Governor for him to receive a pardon.

Holden, Alfred - The Police Magistrate for the district of Brisbane Water (Gosford to Dora Creek). He was born in Worcestershire, England and was the brother of George Kenyon Holden, who had been the private secretary to

Governor Bourke. Alfred Holden was a settler at a property called Bourke Farm in the Newport (Dora Creek) area. He was also the son-in-law of Dr Alick Osborne, who was the principal citizen of the Newport settlement.

Isaacs, Mr. – A member of the Jewish congregation who attended Edward Davis when he was hanged.

Johnstone, Major Edward – The Police Magistrate at Paterson and commanding officer of the Mounted Police at Maitland in the absence of a regular Magistrate. Johnstone sent parties of Mounted Police to Lake Macquarie, Dungog, Paterson and the Upper Hunter but they were always arriving in a district a few days after the bushrangers had left. (see Ford: *Williams River*).

Jones, Thomas - The landlord at the Settlers Arms Inn in the Paterson district raided by the bushrangers on November 30, 1840.

Jones, William - A ticket-of-leave convict who arrived in New South Wales aboard the ship *Mary Anne* in 1835. Jones was born in Lincoln in 1802 and was transported for seven years for the crime of stealing money. He was described as a fishmonger, five feet seven inches tall, with a ruddy complexion, brown hair, grey eyes and two front teeth missing. He also had a large scar from under his right eye to his ear. Jones gave evidence at the trial of the bushrangers and was granted an absolute pardon by the Governor for giving information that led to their capture.

Juchau, Jewshaw or Dewshan, James - A saddler employed by Thomas Dangar at Scone, who gave a deposition about the death of John Graham and evidence at the bushrangers' trial.

Keck, Henry - The Chief Gaoler at Sydney Gaol. Keck had the bushrangers Knight and Wilson held in Sydney Gaol past the end of their sentences, before transferring them to

Hyde Park Barracks.

Kelly, Martin - A ticket-of-leave convict who was transported to New South Wales aboard the ship *Governor Ready* in 1829. Kelly was born in Queens County, Ireland in 1803 and was transported for life for the crime of manslaughter. He was described as a ploughman, five feet eleven inches tall, ruddy complexion, brown hair and grey eyes. He was a member of the party organised by Edward Day to pursue the bushrangers and was granted an absolute pardon by the Governor for his part in the capture of the gang.

Kennedy, John - The driver of Thomas Dangar's bullock dray that was robbed by the bushrangers on November 22, 1840, near the property of Ravensworth on the main road through the Singleton district. He was a free man.

Kent, James - An assigned convict who arrived in New South Wales aboard the ship *Bussorah Merchant* in 1828. Kent was born in Kent, England in 1809, and was transported for life for burglary in a dwelling house. He was described as a farmer's boy, five feet five inches tall, ruddy slightly pockpitted complexion, dark brown hair and dark grey eyes. Kent was assigned to Phillip Wright and was accompanying a dray belonging to Wright at the Shamrock Inn, Anvil Creek when the bushrangers bailed it up. Kent was said to have laughed, joked and winked at the bushrangers, as well as shaking their hands when they departed. The bushranger Edward Davis had also been an assigned convict to Phillip Wright. The Governor directed that Kent be sent to Cockatoo Island for his conduct during the raid.

King, James - A settler at the property Irrawang near Raymond Terrace. King believed that the bushrangers were on their way to rob his property after talking to William

Walker, the postman who was held up at the Union Inn, south of Dungog. King wrote to the Colonial Secretary to request Mounted Police be sent to assist in his district. King was not robbed, and the Mounted Police were not sent. (For further information see the *Australian Dictionary of Biography*).

Knight, Francis - A member of the bushranger gang who absconded, along with Marshall, Everett, Wilson and Brown, on August 12, 1840. He was previously an associate of John Hobson alias Opossum Jack. The border police in the Scone district recaptured Knight and Wilson in early November 1840.

Lalham, James - A small settler and blacksmith in the Wallarobba Hill area near Dungog. The bushrangers robbed him on November 30, 1840. The bushrangers wanted him to shoe their horses, but he stated in a deposition to the Police Magistrate that he had refused to do so.

Lane, Timothy - Superintendent of Hyde Park Barracks. The bushrangers noticed him in the courtroom at their trial and abused him. Several members of the gang, including Davis, Marshall and Everett, had been inmates of Hyde Park Barracks at various times.

Larnach, John - A settler at the property Rosemount in the Patrick's Plains (Singleton) district. He was born in 1805 in Auchingill, Scotland and arrived in New South Wales as a free settler aboard the ship *Andromeda* in 1823. John Larnach was the son-in-law of James Mudie, and both he and Mudie were reputed to be ruthless exploiters of the convicts assigned to them. When the bushrangers fell in with Larnach and a man named Barker on the road near the Shamrock Inn on the December 1, 1840, they tried to shoot him and chased him for a few miles (3.2 km), while hitting him with their rifle butts and trying to get their guns to fire.

They left Barker unharmed. Later that morning, while the bushrangers were raiding the Shamrock Inn, they were reported as saying that they were waiting for Larnach and Mudie to come down the road.

Lee, Sergeant John - Lee arrived in New South Wales in about 1825, and was in the Mounted Police for around 25 years. He was leader of the troop of Mounted Police from Maitland that searched around Lake Macquarie for the bushrangers.

Lenon, John - A ticket-of-leave man who was at the Union Inn of J.D. Walker when it was robbed by the bushrangers on November 30, 1840. The Governor directed that his ticket-of-leave be cancelled and he be sent to Pinchgut Island for allowing himself to be robbed.

Lineham, William - A convict who arrived in New South Wales aboard the ship *Lord Lyndoch* in 1833. He was born in County Carlow, Ireland, in 1810 and was transported for life for picking pockets. Lineham was described as a groom, butcher and soldier, five feet ten inches tall, brown complexion, light brown hair and hazel grey eyes. He was assigned to Dr. Bowman at Ravensworth, and, when nine drays were robbed near Ravensworth on November 22, 1840, he wanted to pursue the bushrangers but was prevented from doing so by Bowman's overseer, Macpherson.

Little Breeches or Kut-ti-run - An Aboriginal who was born about 1815 in the Lake Macquarie area. He was from the Ebenezer Mission, which was run by Reverend Lancelot Threlkeld on the site of present-day Toronto, Lake Macquarie. Reverend Threlkeld changed his name from Little Breeches to William Burd, which was also the name of a good friend of Threlkeld in England. Little Breeches was the tracker who guided the various police forces around

Lake Macquarie, and also went with the Mounted Police when they followed the gang to the Hunter River District. Threlkeld requested that the Governor provide an engraved plate for Little Breeches, which he hoped to present to him in front of all the Aborigines in Newcastle, for his efforts in tracking the bushrangers. The Governor ordered that Little Breeches be conscripted into the police. Upon being told this he absconded from the service of Threlkeld, and entered service with a Mr. Henry Eckford on a property a few miles (3.2 km) south of Ebenezer. (see Gunson: *Threlkeld*).

Lord, John - Settler at the property Underbank, sixteen miles (25.2 km) above Dungog. Underbank was raided on December 1, 1840. Lord was in Sydney at the time.

Macpherson, – The overseer for Dr. Bowman at the property Ravensworth. He refused to form a party to pursue the bushrangers when he was informed of the robbery of nine drays opposite Ravensworth on November 22, 1840.

Mann, Gother Kerr - Mann was born in Kent, England in 1808, and was an officer in the army who saw much active service in India. He was invalided from the army and arrived in New South Wales in the 1830s. Mann married Mary Johanna Hely, the daughter of Frederick and Georgina Hely, and was an executor of Frederick Hely's will. Mann had a strong interest in the Wyong area when the bushrangers raided. As executor of Frederick Hely's will, he would have leased Woolongongine to John Kerr Wilson. As a magistrate, he organised a party to protect the Wyong area after the raid on December 16, 1840.

Marshall, John, alias Wye Harbour Jack - John Marshall was often called the leader of the gang and was one of the original members of the gang who bolted from Hyde Park Barracks on August 12, 1840.

Marshall, Samuel - The landlord at the Shamrock Inn. He

was bailed up by the bushrangers when they robbed the inn.

McDougall, John - John McDougall was an emancipated convict who was born in Glasgow, Scotland in 1801. He was transported on the ship *Agamemnon* in 1820, and was described as a weaver, five feet five inches tall, fair pale complexion, brown hair and blue eyes. He was an overseer for Iron Gang Number 7 on the Great North Road from 1828 till 1831 and was later a constable in the district of Wollombi. McDougall is often said to have been a cruel and merciless overseer. He was bashed or flogged by the bushrangers, depending on which report you believe. Newspaper reports of the time indicate that the bushrangers disliked McDougall because of his reputation for capturing bushrangers, but legend has it that they flogged him for being a cruel overseer. (See Parkes, Comerford & Lake: *Mines, Wines & People*).

McKinlay, Doctor Ellar McKellar - A doctor who lived at a homestead called the Hermitage in the township of Dungog. The gang bailed McKinlay up as he passed by the property Wallaringa on the evening of November 29, 1840. Dr. McKinlay was treated well by the bushrangers, and was quoted as saying “he had not spent a more comfortable night in his life.”

Moore, John - A settler in Brisbane Water district. The party, led by Mr. Schofield, which nearly captured the bushrangers at Reid’s Mistake, stayed at Moore’s station the night before. His property was called Recovery, and was near present-day Point Wolstoncroft.

Morrison, Mr. – A settler from the Namoi River district who had a horse stolen by the bushrangers on the road near the Union Inn, south of Dungog.

Mudie, James – A settler at the property Castle Forbes in the Singleton district and the father-in-law of John Larnach.

James Mudie had once been a 2nd Lieutenant in the Royal Marines, but he resigned from this distinguished corps under a cloud. Afterwards he went into partnership with some booksellers producing commemorative medals of the Napoleonic Wars. This venture left several people near bankruptcy and earned him the nickname “Major Medallion,” and later, “The Major.” He never attained this rank in the military but he used it smugly. Mudie was assisted to immigrate to New South Wales by Sir Charles Forbes and, after he was given a land grant at Patrick’s Plains, he named it Castle Forbes in his honour. When the bushrangers were at the Shamrock Inn they said they were waiting for Mudie and Larnach to come down the road and meant to murder them. In the weeks preceding this, Mudie had received much negative press due to a legal action he was involved in which concerned a book he had written that slandered many of the people of New South Wales. (For further information see Abbott’s *Newcastle Packets*; and the *Australian Dictionary of Biography*).

Muir, Elizabeth - Mrs. Elizabeth Muir was the licensee of the Family Hotel, East Maitland in 1839, and the widow of George Muir, a builder from Maitland. James Everett, the bushranger, was an assigned convict who worked for her prior to being charged with rape and being sent to Sydney Gaol. She had several assigned convicts. (See Mitchell’s *Hunter’s River*).

Murphy, Francis - The Catholic Vicar General. He attended John Shea when he was hanged.

Norrie, James – A settler from near Scone who gave evidence at the trial of the bushrangers. Norrie claimed that he had met Edward Davis before this robbery.

Northwood, William - A ticket-of-leave convict who arrived in New South Wales aboard the ship *Isabella* in

1831. Northwood was born in Bedford in 1805 and was transported for life for stealing flour. He was described as five feet four inches tall, with a fair ruddy complexion, brown hair, grey eyes and was also noted to be “stout made.” Northwood was at the homestead Cashbury, at the site of present-day Wyong, when the bushrangers robbed it. He asked the settler who was present, John Kerr Wilson, if they could do something about the robbery and received a conditional pardon in reward.

Nowlan, John alias John Nolan or William Heely Knowles - A ticket-of-leave convict who arrived in New South Wales aboard the ship *Andromeda* in 1830. Nowlan was born in Bristol in 1800, and was transported for life for manslaughter. He committed his crime in Limerick, Ireland. Nowlan was described as a cutler and surgical instrument maker, five feet six inches tall, with a ruddy complexion, brown hair and hazel eyes. He was a constable at Muswellbrook, and a member of the party organised by Edward Day that captured the bushrangers. Nowlan led the party that picked up Richard Glanville the morning after the capture of the rest of the gang. The Governor granted Nowlan an absolute pardon for his part in the capture. Nowlan gave evidence at the trial of the bushrangers, and also a deposition in which he stated that Glanville had mistakenly told him that it was John Marshall who shot John Graham.

Nowlan, Timothy - Nowlan was a sheep breeder and wool manufacturer from Ireland who had extensive land holdings in Tasmania and the Hunter Valley. Nowlan was described in 1839 as an “elderly, ruddy, stout man with a fixed staring look.” He was robbed by the bushrangers on the road near his property Wallarobba, in the Dungog district, and some reports stated that the bushrangers had placed a saddle on his

back and whipped him with a riding crop. These reports were later refuted in the press. (see Gunson: *Threlkeld*).

Osborne, Doctor Alick – The principal citizen of the Newport settlement, robbed by the bushrangers on December 16, 1840. Father-in-law of Brisbane Water Police Magistrate, Alfred Holden.

Paley, Samuel - The keeper of a small lodging house at Ten-Mile-Hollow on the Great North Road, which was robbed by the five escapees from the tunnel gang on August 18, 1840, starting the career of Marshall's gang. Paley was a forty-five year old emancipated convict, originally from Sheffield, England, who had been transported aboard the ship *Minerva* in 1821 for the crime of uttering forged notes. He was described as five feet three inches tall, with dark skin, hair and eyes, and a large nose. He was given his Certificate of Freedom on May 2, 1835.

Palfrey, - A young man held up at the Shamrock Inn. He was brought from an adjoining farm by the bushranger John Marshall.

Pattison, John – A settler near Scone who was raided by the bushrangers after the raid on Scone, and gave a deposition describing the raid on his property.

Pendergast, Thomas - Thomas was a “native,” which at that time meant that he was born in New South Wales. He was the son of John Pendergast, who arrived in the Colony as a convict aboard the ship *Minerva* in 1800. Thomas Pendergast was the landlord at the Rising Sun Inn in the Wollombi district, which was raided by the bushrangers on December 19, 1840. The Rising Sun Inn still exists, although no longer an inn, and can be found in the present-day village of Millfield.

Pilcher, Henry Incledon – A solicitor from the firm Pilcher and Plaistowe of West Maitland. Pilcher arrived in New

South Wales aboard the ship *Elizabeth* in 1830 along with his wife and daughter. Pilcher settled on the property Wallaringa, south of Dungog, in late 1830, but by 1840 he had moved to the property Telarah, near Maitland. John Shea, the bushranger, was an assigned convict of Pilcher. The bushrangers robbed Pilcher on November 1, 1840, at the property Telarah. John Shea was named as one of the bushrangers who took part in this robbery, and was said to have been looking for ‘revenge’ on the overseer at the property. The bushrangers also raided the property Wallaringa, which was then being operated by a gentleman named James Coar, on November 29, 1840. (See Ford: *Williams River*).

Purefoy, Mr. – The lawyer who represented Edward Davis at his trial.

Richards, John - A settler from Page’s River who gave a deposition at Muswellbrook to identify the bushrangers as the men who had raided Mr. Rundle’s store at Page’s River (Murrurundi).

Roach, William - A ticket-of-leave stockman who worked for John Wiseman at Loader’s Station, Liverpool Plains. Roach captured the bushranger James Gibbons and two ticket-of-leave men who harboured him. Marshall’s gang was looking for him the next day.

Robertson, John Anderson - The Police Magistrate for Scone and Murrurundi from 1840 until January 1, 1844. He reported the capture of Gibbons, Knight, Wilson and others to the Colonial Secretary. He was described as a “whigging associate of Lord Russell’s” in the press, and was said to take evidence of convicts against their masters in court cases. Edward Day refused to sit on the bench with him, and took the bushrangers to Muswellbrook to be indicted, to avoid doing so.

Rundle, J.B. - The owner of a store at Page's River (Murrurundi). The raid on Rundle's store and the Traveller's Home Inn at Page's River was the last raid by the gang. Rundle was not present during the raid.

Scheberas, Lieutenant - In charge of the roads and iron-gang at Maitland. He was the only Magistrate in Maitland for a time, due to the ill health of Patrick Grant.

Schofield, - Said by Henry Donnison to be the leader of the party which captured three horses in the Reid's Mistake area. This man may have been Lieutenant Edward Schofield or Scovell of the Mounted Police.

Seymour, William - An assigned convict who arrived in New South Wales aboard the ship *Portsea* in 1837. Seymour was born in Essex in 1811 and was transported for life for housebreaking. He was described as a carter, five feet four inches tall, with a dark sallow complexion, light brown hair and bluish eyes. Seymour was an assigned convict to Edward Sparke and was accompanying a dray belonging to Sparke, which was at the Shamrock Inn, Anvil Creek, when the bushrangers bailed it up. Seymour, and three other men, was found in an enquiry held by Edward Day, to have laughed, joked and shaken hands with the bushrangers. The bushranger Edward Davis had also been assigned to Edward Sparke. The Governor directed that Seymour be sent to Cockatoo Island for his conduct during the raid.

Shea, John - John Shea was a bushranger who joined the gang on October 2, 1840.

Shine, John - A ticket-of-leave holder who accompanied the drays that were robbed near the property Ravensworth on November 22, 1840.

Shinkwin, William - The Chief Constable of Muswellbrook. He was a member of the party that captured the bushrangers.

Simpson, Lieutenant Percy - Percy Simpson was born in 1789 in Canada. He joined the British Navy as a midshipman in 1804 and rose to the rank of Lieutenant in 1808. Simpson served in the British army from 1810-1817 during the Napoleonic wars and became a Lieutenant in the 1st Corsican Rangers. He later served as Governor and Judge Advocate on the small Ionian island of Paxos. The Simpsons, including Percy, his wife Hester and two children, migrated to Australia in 1822. They had eight children by 1840 and eventually had ten. Percy held several government posts including overseeing the construction of the Great North Road. He was appointed Police Magistrate for Patrick's Plains (Singleton) in 1839 and lost this position due to rationalising of magistrate positions in 1843, when he returned to England for a short while before living out the remainder of his life in Sydney. (See Banks: *Exploring the Great North Road: Forum Papers*).

Sims, George - Sims was a small settler in the Wollombi district who was raided on September 2, 1840, by the five bushrangers who had escaped from Hyde Park Barracks. The bushrangers were on foot and poorly armed when they arrived at Sims', but well-mounted and armed when they left.

Singleton, Benjamin - Singleton was the principal citizen of the town of Singleton. The bushrangers, Marshall and Shea, stole a horse from a convict assigned to Singleton, at Aberdeen, on November 8, 1840. They said they were stealing it for a new recruit, who turned out to be Edward Davis, and told the man that they were sorry for causing him to be punished for losing the horse. (For further information see the *Australian Dictionary of Biography*).

Solling, Carl Frederick - Solling and his wife, Susanne Wilhelmine, were born in Copenhagen, Denmark. They

arrived in New South Wales as free settlers in 1830 aboard the ship *Florentia*, the ship on which Michael John Davies was transported as a convict. Solling leased or managed the property Wyong Place and lived in the homestead Cashbury or Casiobury, belonging to William Cape near the site of present-day Wyong. The bushrangers raided this property on December 16, 1840.

South, Richard - The landlord of the Traveller's Home Inn (Murrurundi). South claimed to have been captured by three bushrangers on the road to Page's River late in November 1840, and that he got hold of one of their guns and made his escape. This was reported to the Singleton Police Magistrate, Percy Simpson. He was also robbed at the Traveller's Home Inn on December 21, 1840, and was threatened by John Marshall. This was the last reported robbery by the gang. South gave a deposition, after the capture of the gang, in which he stated that he recognised the three men who had held him up in November as Marshall, Shea and Davis. He also gave evidence at the trial of the bushrangers.

Sparke, Edward - Edward Davis, the bushranger, was an assigned convict to Edward Sparke until around 1838, when he was transferred to Phillip Wright of Aberdeen. Phillip Wright appears to have had some sort of business dealings with Sparke, and the two were often linked by people reporting incidents involving the bushrangers. Edward Davis was said to have absconded from a party of men in the service of Phillip Wright who were herding sheep that belonged to Sparke, from the Namoi River to the property of Wright at Aberdeen. When four men were charged with being too familiar with Edward Davis during the robbery of the Shamrock Inn, two of the men were working for Sparke, and two for Wright. In 1840, Sparke was 60 years old and

had been resident in Australia for 16 years. He was originally from South Brent, near Plymouth in Devon and came to Australia as a free settler aboard the ship *Aquilla* in 1824 with his wife, five of his six sons and all their goods and chattels, as well as house servants and farm labourers. Sparke and his family had several properties, totalling over thirty thousand acres, in the Hunter region. His residence was at the property Woodlands, near the site of present-day Hexham. (See Mitchell: *Hunter's River*).

Spicer, - An overseer at the property of Timothy Nowlan called Wallarobba, in the Dungog district. Spicer was a free man, but was described by Thomas Cook, the Police Magistrate, as a “suspicious character.” After the bushrangers had left the Dungog district he absconded from the service of Nowlan and was said to have taken refuge with a William O’Neil, whom Cook described as “another bad character.” Cook also said that Spicer had harboured and employed a runaway from Port Macquarie when he was at Wallarobba.

Taylor, William - An assigned convict and a member of the Border Police who arrived in New South Wales aboard the ship *Woodbridge* in 1840. Taylor was born in Devonshire in 1809, and was transported for 21 years for desertion from the army. He was tried by court martial in Upper Canada. Taylor was described as a soldier and labourer, five feet six inches tall, with a ruddy complexion, brown hair and grey to blue eyes. Taylor was at the St Aubins Inn, Scone, when it was raided by the bushrangers, and joined the party that was pursuing them when it arrived at Scone. Taylor was given a Conditional Pardon by the Governor for his part in the capture.

Therry, Roger - Roger Therry was appointed Acting Attorney General in March 1841. He prosecuted the case

against the bushrangers. (For further information see the *Australian Dictionary of Biography*).

Threlkeld, Reverend Lancelot Edward - Reverend Lancelot Threlkeld was a Congregational minister who ran the Aboriginal mission, Ebenezer, at the present-day site of Toronto, Lake Macquarie. Threlkeld organised troopers from Newcastle to search around Lake Macquarie for the bushrangers. He also provided a blacktracker named “Little Breeches” who helped the mounted police from Maitland and Sydney search from Lake Macquarie to Maitland. The bushrangers beat Threlkeld’s stockman to make him reveal the location of the police force. They also threatened to “pay him a visit, even if he kept the military for a year.” (For further information see the *Australian Dictionary of Biography*).

Tierney, - An overseer for Timothy Nowlan at the property Wallarobba, in the Dungog district. Thomas Cook, the Police Magistrate, described him as “no better than he should be.”

Verge, John - A settler in the Wallarobba Hill area. Although he was a neighbour of many of the properties robbed by the bushrangers, they did not disturb him.

Walker, James - A settler at the property Brookfield and landlord of the Union Inn, built on his property at Half Moon Flat on the Williams River, six miles (9.2 km) south of Dungog. The Union Inn was robbed twice by the bushrangers on November 30, 1840.

Walker, William - The postman between Dungog and Raymond Terrace. Walker was bailed up by the bushrangers at the Union Inn, belonging to James Walker, at Brookfield, six miles (9.2 km) south of Dungog. The bushrangers stole £3 from him and cut open his mailbag.

Walker, William - A ticket-of-leave convict who arrived in

New South Wales aboard the ship *Mermaid* in 1830. He was born in Yorkshire in 1809, and was transported for life for horse stealing. Walker was described as a ploughman, five feet six inches tall, with a ruddy complexion, red hair and bright brown eyes. Walker was a member of the party that captured the bushrangers. The Governor granted him a Conditional Pardon for his part in the capture of the gang.

Waring, Mr. - A newly arrived emigrant who was robbed along with Timothy Nowlan on the road near the Union Inn.

Warland, Edward. - A settler from Invermein who was a member of the party that captured the bushrangers.

Wentworth, William Charles – A famous Australian and “master” of the bushrangers Knight and Wilson. (For further information see the *Australian Dictionary of Biography*).

White, Edward – The overseer for John Eales who was robbed of a horse by Marshall and Shea in early November 1840. He was also a member of the party organised by Edward Denny Day that captured the gang.

White, Mr. - Mr. White was the landlord at the Red House Inn, which was on the road between the districts of Wollombi and Maitland (located between the present-day towns of Millfield and Cessnock). This inn was robbed on December 19, 1840, and this was the last of six robberies committed on that day. The bushrangers were described as being so intoxicated during this raid that one of them could hardly stay in the saddle.

Wilson, George - A ticket-of-leave man who was arrested with James Gibbons, the bushranger, and George Greenhill, another ticket-of-leave man. Along with Greenhill he was charged with harbouring James Gibbons, and receiving stolen goods. Wilson was born in London in 1815. He was tried and convicted of stealing plate at the Central Criminal Court on August 17, 1835, and transported to New South

Wales for life aboard the ship *Moffat* in 1836. On the ships indents he is described as a tradesmen's clerk who could read and write, a Protestant, single, five feet five inches tall, fair and slightly pockpitted skin, brown hair, grey eyes and a small mole on the centre of his forehead. Wilson, Greenhill and Gibbons along with the bushrangers Knight and John Wilson were taken to Newcastle Gaol on November 11, 1840, and then to Sydney for trial on November 14, 1840. Wilson later managed to escape from the Maitland stockade and returned to the Upper Hunter where he operated as a bushranger, along with Gypsy Clarke, for several years. He eventually murdered a constable and was hanged at Maitland in 1843.

Wilson, John Kerr - John Kerr Wilson was either renting or managing a property at Wyong named Woolongongine when the bushrangers raided it on December 16, 1840. In the 1841 census he is listed as having a timber house with seven males in residence.

Wilson, John – One of the original members of the gang who escaped from Hyde Park Barracks on August 12, 1840.

Wood, George - Chief Constable of Maitland. He was shot in the leg by one of his own men while he was pursuing the bushrangers before the raid on Pilcher at Maitland. Wood spent several weeks in bed after this incident. He took no further part in the story of the bushrangers.

Wright, Phillip - Master of Edward Davis when he bolted to join Marshall's gang. Davis worked as a shepherd for Wright at Aberdeen. Wright was a publican, storekeeper and settler as well as being a partner or associate of Edward Sparke and was often described as Sparke's overseer.

REFERENCES

- New South Wales Government Gazette.* 1839 - June 12; 1840 - August 19, October 14, November 25, December 9, 23, 30; 1841 - January 19
- Sydney Herald.* 1840 - August 31 - September 2, 9, 25 - October 7, 23, 24 - November 10, 14, 15, 19, 23, 24, 30 - December 4, 5, 8, 9, 10, 12, 14, 15, 17, 19, 22, 23, 24, 26, 29, 30, 31; 1841 - January 2, 5, 6, 12, 23 - February 1, 23, 25, 27 - March 17 - October 24
- Newcastle Morning Herald.* 1891 - July 20; 1898 - July 8; 1936 - August 22
- Newcastle Sun.* 1956 - December 12
- The Colonist.* 1840 - November 24 - December 15, 29, 30
- Commercial Journal and Advertiser.* 1840 - October 31 - December 2, 12, 16, 23
- Sydney Gazette.* 1840 - November 3, 12 - December 5, 12, 29, 31; 1841 - January 14, 19, 26 - February 2, 9, 25 - March 11, 18
- Sydney Mail.* 1893 - December 23
- The Temperance Advocate.* 1841 - March 18
- Sydney Monitor.* 1840 - November 13 - December 4, 28, 29; 1841 - January 1, 22 - February 26 - March 17
- Australian.* 1840 - July 16 - September 3, 24 - November 10, 14, 19, 21, 26 - December 5, 17, 19, 22, 26, 29; 1841 - March 13, 18
- Australasian Chronicle.* 1840 - September 17 - November 14, 17 - December 8, 17, 22, 24, 26, 29; 1841 - February 25 - March 18
- Hunter River Gazette.* 1842 - March 5
- The Sun.* 1908 - August 30
- Scone Advocate.* 1920 - August 3, 20
- Smith's Weekly.* 1924 - April 26 - May 24 - June 14 - August 9 - September 13 - October 25
- Bentley's Miscellany.* 1854 - Volume XXXV p. 238-248
- Australian Jewish Historical Society Journal and Proceedings.* 1956 - Vol. IV, Part V, p. 205-240 (by Dr. G F J Bergman)
- Town and Country Journal.* 1876 - May 27
- Journal of the Royal Australian Historical Society.* 1969 - Volume 55 Part 1

Newcastle and Hunter District Historical Society Journal. 1947 - Vol.1, p.149 (by Goold, W.J.)

Australian Dictionary of Biography.(1996). Melbourne University Press, Melbourne.

Abbott, John Henry Macartney (1943). **The Newcastle Packets and the Hunter Valley.** Currawong, Sydney.

Backhouse, James, (1843). **A Narrative of a visit to the Australian Colonies.**

Bain, Mace; Humphreys, Roger; Hayes, Gillian Blanford; [editors: Entwisle, Audrey; Ashford, Heather] (1998). **The Inn, the Dentists and the School: histories of St Aubins Arms, the dentists of Scone, Scone Grammar School.** Scone and Upper Hunter Historical Society, Scone.

Banks, L. (Ed.) (1998). **Exploring the Great North Road: Forum Papers**

Beckett, Ray and Richard, (1980). **Hangman: The Life and Times of Alexander Green Public Executioner to the Colony of New South Wales.** Nelson, Sydney.

Bogle, Michael, (1998). ***Humanitas***, History Magazine, September

Boxall, George (1908). **History of Australian Bushrangers.** T. Fisher Unwin, London.

Brodsky, Isadore. **Heart of the Rocks of Old Sydney.**

Butlin, N. G.; Cromwell, C. W.; Suthern K. L.(eds.) (1987). **General return of convicts in New South Wales.** Australian Biographical and Genealogical Record in association with Society of Australian Genealogists, Sydney.

Campbell, J.F., (1968). **‘Squatting’ on Crown Lands in New South Wales**. The Royal Australian Historical Society, Sydney.

Chamberlain, Michael (1997). **Cooranbong, First Town in Lake Macquarie, 1826-1996: a history including Martinsville and Dora Creek**. M. Chamberlain, Lake Macquarie City.

Clarke, C.M.H. (1968). **A History of Australia Part II**.

Clouten, Keith (1967). **Reid’s Mistake: the story of Lake Macquarie from its discovery until 1890**. Lake Macquarie Shire Council, Speers Point.

Dangar, Elizabeth Mary (1966). **The Dangars from St. Neot, Cornwall; genealogical table with history and biographies**. John Dangar Christian Reid, Sydney.

Foggo, Catherine (1990). **Inns and Hotels 1825-1900**. Harfield Publications, Sydney.

Ford, R. L. (1995). **William’s River: the land and its people**. R.L. Ford, Clarencetown.

Gosford District Local History Study Group (1990). **Historical Records of the Central Coast of New South Wales: Bench Books and Court Cases, 1826-74**. Gosford District Local History Study Group, Narara.

Guilford, Elizabeth (1987). **Hunter Valley Directory: 1841**

Hanna, Cliff (1993). **Bandits on the Great North Road: the bushranger as social force**. Nimrod Publications, Newcastle.

Harris, Alexander (1847, 1995 reprint). **Settlers and Convicts: Or Recollections of Sixteen Years Labour in the Australian Backwoods**. C. Cox, Lond; reprinted, Melbourne University Press.

Jaunay, Graham (1995). **South Australian Convicts Sentenced to Transportation 1837-1851.**

Jaunay, Graham (unpublished). **Profiles of Convicts Transported from South Australia 1837-1851.**

Kerr, James Semple (1988). **Out of Sight, Out of Mind: Australia's Places of Confinement 1788-1988.** Ervin Gallery, Sydney.

Levi, J S (Unpublished). **Biographical Dictioary of Jews in Colonial Australia.**

Levi, J. S.; Bergman, G. F. J. (1974). **Australian Genesis: Jewish convicts and settlers, 1788-1850.** Rigby, Adelaide.

MacAlister, Charles, (1907). **Old Pioneering Days in the Sunny South.** Private publication, Goulburn; reprinted, Library of Australian History, Sydney.

Maclehose, James, (1839; reprint 1977). **Picture of Sydney; and Strangers' Guide in New South Wales.** The author, Sydney; reprinted John Ferguson, Sydney.

Meredith, Mrs. Charles (1844, reprint 1973). **Notes and Sketches of New South Wales: During a residence in that Colony from 1839 to 1844.**

Mitchell, Cecily Joan (1973). **Hunter's River: a history of early families and the homes they built in the Lower Hunter Valley between 1830 and 1860.** Administrator of the Estate of Cecily Joan Mitchell, Newcastle West.

Muswellbrook Historical Society (1969). **A History of Muswellbrook to 1969.**

New South Wales Colonial Secretary's Office (1960). **General Census of New South Wales, November, 1828.** Sydney.

Parkes, William Stanley; Comerford, Jim; Lake, Max (1979). **Mines, Wines and People: a history of Greater Cessnock**. Council of the City of Greater Cessnock, Cessnock.

Stinson, Edward (1979-1988). **A Pictorial History of the Wyong Shire (Vol 1-6)**. Wyong Shire Council, Wyong.

Swancott, Charles (1953-1955). **The Brisbane Water Story**. C. Swancott, Woy Woy.

Telfer, William, Jr., (1980). **The Wallabadah Manuscript**. New South Wales University Press, Sydney.

Threlkeld, L. E. (edited by Neil Gunson) (1974). **Australian Reminiscences and Papers of L. E. Threlkeld, Missionary to the Aborigines, 1824-1859**. Australian Institute of Aboriginal Studies, Canberra.

Williams, Stephan (1989). **Edward Davis and the Jewboy Gang**. Popinjay Publications, Canberra.

Wood, W.A. (1972). **Dawn in the Valley**. Wentworth Books, Sydney.

State Records, Archives Office of New South Wales - Indents for the Convict Ships *Albion* 1828 *Andromeda* 1830, *Ann and Amelia* 1825, *Bussorah Merchant* 1828, *Calcutta* 1837, *Camden* 1833, *Clyde* 1832, *Florentia* 1830, *Governor Ready* (2) 1829, *Isabella* 1831, *James Pattison* 1837, *John Barry* 1836, *Kains* 1831, *Lady Kennaway* 1835, *Lord Eldon* 1817, *Lord Lyndoch* 1838, *Mangles* 1833, *Mary Anne* 1835, *Mary Ridgeway* 1840, *Mermaid* 1830, *Moffat* 1836, *Norfolk* 1832, *Planter* 1832, *Portland* 1833, *Portsea* 1838, *Prince Regent* 1827, *Sarah* 1829, *Sophia* 1829, *Woodbridge* 1840.

State Records of New South Wales – Original Documents

1. Wollombi Letters 23/2/1840 - 3/5/1866 in SRNSW Call No. 4/5698 - Letter dated 22/12/1840 from David Dunlop to Acting Police Magistrate, Maitland.
2. Wollombi Letters 23/2/1840 - 3/5/1866 in SRNSW Call No. 4/5698 - Letter Dated 5/1/1841 from David Dunlop to Mr Cape, Sydney.
3. Wollombi Letters 23/2/1840 - 3/5/1866 in SRNSW Call No. 4/5698 - Letter dated 5/1/1841 from David Dunlop to Police Magistrate, Brisbane Water.
4. Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524 on Reel No. 664 - Deposition dated 20/6/1841 given by John Davis to Gother Mann.
5. Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524 on Reel No. 664 - Deposition dated 7/7/1841 given by Dennis Dwyer to Gother Mann.
6. Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524 on Reel No. 664 - Memo dated 27/9/1841 from Henry Donnison.
7. Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524 on Reel No. 664 - Deposition dated 16/7/1841 given by Edward Hely to Gother Mann.
8. Brisbane Water Bench Books, Depositions 1835-1842 in SRNSW Call No. 4/5524 on Reel No. 664 - Deposition dated 18/10/1841 given by Dennis Dwyer to Alfred Holden.
9. Brisbane Water Bench Books, Copies of Letters Sent 1838-1846 in SRNSW Call No. 5/3167 on Reel No. 2663 - Letter dated 12/2/1841 from Alfred Holden to Principal Superintendent of Convicts.
10. Muswell Brook Bench Books – Letters 1838-43 in SRNSW Call No. 4/5601 on Reel No. 671 - Depositions dated 24/12/1840 given by John Pattison, William Jones, Edward D. Day and John Nolan to Francis Allman Jnr.
11. Muswell Brook Bench Books – Letters 1838-43 in SRNSW Call No. 4/5601 on Reel No. 671 - Depositions dated 18/1/1841 given by James Norrie, Richard South and John Richards to Francis Allman Jnr.
12. Singleton Bench Books – Letters 1837-41 in SRNSW Call No. 4/5659 on Reel No. 2738 - Letter dated 30/11/1840 from Percy Simpson to Police Magistrate, Muswell Brook.
13. Colonial Secretary Letters Received 40/12093 in SRNSW Call No. 4/2504.5 - Letter dated 30/11/1840 and attached depositions from Percy Simpson to Colonial Secretary.
14. Singleton Bench Books – Letters 1837-41 in SRNSW Call No. 4/5659 on Reel No. 2738 - Letter dated 1/12/1840 from Percy Simpson to Thomas Dangar.
15. Colonial Secretary Letters Received 40/12210 with 40/12739 in SRNSW Call No. 4/2506.9 – Letter dated 2/12/1840 from Percy Simpson to Colonial Secretary.
16. Singleton Bench Books – Letters 1837-41 in SRNSW Call No. 4/5659 on Reel No. 2738 - Letter dated 2/12/1840 from Percy Simpson to Police Magistrate, Muswell Brook.

17. Colonial Secretary Letters Received 40/12739 in SRNSW Call No. 4/2506.9 – Letter dated 18/12/1840 from Percy Simpson to Colonial Secretary.
18. Colonial Secretary Letters Received 40/12159 with 40/12739 in SRNSW Call No. 4/2506.9 – Letter dated 3/12/1840 from Percy Simpson to Colonial Secretary.
19. Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539 on Reel No. 2679 – Letter dated 30/11/1840 from Thomas Cook to Police Magistrate, Maitland.
20. Colonial Secretary Letters Received 40/12502 in SRNSW Call No. 4/2505.7 – Letter dated 9/12/1840 from Thomas Cook to Colonial Secretary.
21. Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7 – Letter dated 14/12/1840 from Thomas Cook to Colonial Secretary.
22. Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539 on Reel No. 2679 – Letter dated 19/12/1840 from Thomas Cook to Colonial Secretary.
23. Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539 on Reel No. 2679 – Letter dated 19/12/1840 from Thomas Cook to Attorney General.
24. Colonial Secretary Letters Received 40/13033 in SRNSW Call No. 4/2505.7 – Memorial from citizens of Dungog to Governor.
25. Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539 on Reel No. 2679 – Letter dated 4/1/1841 from Thomas Cook to Colonial Secretary.
26. Colonial Secretary Letters Received 40/12813 in SRNSW Call No. 4/2505.7 – Letter dated 27/12/1840 from Thomas Cook to Colonial Secretary.
27. Dungog Bench Books, Copies of Letters sent 1839/42, in SRNSW Call No. 4/5539 on Reel No. 2679 – Letter dated 15/1/1841 from Thomas Cook to Principal Superintendent of Convicts.
28. Colonial Secretary Letters Received 40/10738 with 40/10919 in SRNSW Call No. 4/2506.6 – Letter dated 22/10/1840 from L Threlkeld to Colonial Secretary.
29. Colonial Secretary Letters Received (no CSLR No.) enclosed with 40/10738 and 40/10919 in SRNSW Call No. 4/2506.6 – Letter dated 29/10/1840 from L Threlkeld to Colonial Secretary.
30. Colonial Secretary Letters Received 40/11941 in SRNSW Call No. 4/2499.1 – Letter dated 20/11/1840 from L Threlkeld to Colonial Secretary.
31. Colonial Secretary Letters Received 41/36 in SRNSW Call No. 4/2522.5 – Letter dated 29/11/1840 from L Threlkeld to Colonial Secretary.
32. Colonial Secretary Letters Received 40/12814 with 40/12682 in SRNSW Call No. 4/2499.1 – Letter dated 19/12/1840 from L Threlkeld to Colonial Secretary.
33. Colonial Secretary Letters Received 41/38 (Dixon Library) – Letter dated 29/12/1840 from L Threlkeld to Colonial Secretary.
34. Colonial Secretary Letters Received 41/37 (Dixon Library) – Letter dated 29/12/1840 from L Threlkeld to Colonial Secretary.

35. Colonial Secretary Letters Received 40/9467 in SRNSW Call No. 4/2516 – Letter dated 24/9/1840 from Sheriff’s Office to Colonial Secretary.
36. Colonial Secretary Letters Received 40/9261 with 40/9467 in SRNSW Call No. 4/2516 – Letter dated 17/9/1840 from Principal Superintendent of Convicts Office to Colonial Secretary.
37. Colonial Secretary Letters Received 40/12590 in SRNSW Call No. 4/2505.7 – Letter dated 6/12/1840 from Vincent Dowling to Sir James Dowling.
38. Colonial Secretary Letters Received 40/12098 with 40/12344 in SRNSW Call No. 4/2500.1 – Letter dated 30/11/1840 from James King to Colonial Secretary.
39. Colonial Secretary Letters Received 40/11392 in SRNSW Call No. 4/2508.2 – Letter dated 9/11/1840 from J.A. Robertson to Colonial Secretary.
40. Colonial Secretary Letters Received 40/12675 with 40/12676 in SRNSW Call No. 4/2500.1 – Letter dated 17/12/1840 from A. Holden to Colonial Secretary.
41. Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494 – Letter dated 17/12/1840 from H. Donnison to Colonial Secretary.
42. Colonial Secretary Letters Received 41/616 in SRNSW Call No. 4/2542.4 – Letter dated 15/1/1841 from H. Donnison to Colonial Secretary.
43. Colonial Secretary Letters Received 40/12676 in SRNSW Call No. 4/2500.1 – Letter dated 18/12/1840 from T. Chambre to Colonial Secretary.
44. Colonial Secretary Letters Received 40/12498 with 41/1994 in SRNSW Call No. 4/2544.4 – Letter dated 8/12/1840 from E.D. Day to Colonial Secretary.
45. Colonial Secretary Letters Received 40/12499 in SRNSW Call No. 4/2506.2 – Letter dated 8/12/1840 from E.D. Day to Colonial Secretary.
46. Colonial Secretary Letters Received 40/11665 in SRNSW Call No. 4/2494 on Reel 2219 – Letter dated 20/11/1840 from E.C. Close to Colonial Secretary.
47. Colonial Secretary Letters Received 40/12209 in SRNSW Call No. 4/2508.3 – Letter dated 1/12/1840 from Percy Simpson to Colonial Secretary.
48. Colonial Secretary Letters Received 40/10919 in SRNSW Call No. 4/2506.6 – Letter dated 29/10/1840 from James Crummer to Colonial Secretary.
49. Colonial Secretary Letters Received 40/12116 in SRNSW Call No. 4/2506.8 – Letter dated 30/11/1840 from Postmaster Raymond Terrace to Colonial Secretary.
50. Colonial Secretary Letters Received 40/13067 in SRNSW Call No. 4/2506.8 – Letter dated 29/12/1840 from Edward Johnstone to Colonial Secretary.
51. Colonial Secretary Letters Received 40/12674 in SRNSW Call No. 4/2494 – Letter dated 23/11/1840 from Thomas Dangar to Colonial Secretary.
52. Colonial Secretary Letters Received 40/12898 with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 21/12/1840 from J.A. Robertson to Colonial Secretary.
53. Colonial Secretary Letters Received enclosed with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 25/12/1840 from E. Deas Thomson to Sir George Gipps.

54. Colonial Secretary Letters Received enclosed with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 25/12/1840 from Colonial Secretary to Police Magistrate Scone.
55. Colonial Secretary Letters Received enclosed with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 25/12/1840 from E. Deas Thomson to Police Magistrates Hunter District.
56. Colonial Secretary Letters Received 41/105 in SRNSW Call No. 4/2543.8 – Letter dated 28/12/1840 from F. Allman Jnr. to Colonial Secretary.
57. Colonial Secretary Letters Received in SRNSW Call No. 4/2526.1 – Letter dated 25/12/1840 from Colonial Secretary to Police Magistrate Scone.
58. Colonial Secretary Letters Received 40/12932 with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 23/12/1840 from J.A. Robertson to Colonial Secretary.
59. Colonial Secretary Letters Received 41/1070 in SRNSW Call No. 4/2544.5 – Letter dated 22/1/1841 from J.A. Robertson to Colonial Secretary.
60. Colonial Secretary Letters Received 40/13031 with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 26/12/1840 from E.D. Day to Colonial Secretary.
61. Colonial Secretary Letters Received 41/256 with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 7/1/1841 from Principal Superintendent of Convicts to Colonial Secretary.
62. Colonial Secretary Letters Received 40/12928 with 41/259 in SRNSW Call No. 4/2544.4 – Letter dated 15/12/1840 from Michael John Davies to Colonial Secretary.
63. Colonial Secretary Letters Received 41/259 in SRNSW Call No. 4/2544.4 – Letter dated 6/1/1841 from James Crummer to Colonial Secretary.
64. Colonial Secretary Letters Received 41/6842 with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 23/7/1841 from E.D. Day to Colonial Secretary.
65. Colonial Secretary Letters Received 41/8271 with 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 9/9/1841 from E.D. Day to Colonial Secretary.
66. Colonial Secretary Letters Received 41/9794 in SRNSW Call No. 4/2526.1 – Letter dated 6/11/1841 from Commissariat of Accounts to Colonial Secretary.
67. Colonial Secretary Letters Received 40/12208 in SRNSW Call No. 4/2508.3 – Letter dated 1/12/1840 from Percy Simpson to Colonial Secretary.
68. Colonial Secretary Letters Sent 40/935 in SRNSW Call No. 4/3845 on Reel 2813 – Letter dated 26/10/1840 from Colonial Secretary's Office to Police Magistrate Newcastle.
69. Colonial Secretary Letters Sent 40/158 in SRNSW Call No. 4/3901 on Reel 1064 – Letter dated 22/9/1840 from Colonial Secretary's Office to Sheriff.
70. Colonial Secretary Letters Sent 41/47 in SRNSW Call No. 4/3901 on Reel 1064 – Letter dated 6/3/1841 from Colonial Secretary's Office to Sheriff.
71. Colonial Secretary Letters Sent 40/1049 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 28/11/1840 from Colonial Secretary's Office to Police Magistrate Patrick's Plains.

72. Colonial Secretary Letters Sent 40/1072 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 5/12/1840 from Colonial Secretary’s Office to Police Magistrate Patrick’s Plains.
73. Colonial Secretary Letters Sent 40/1079 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 9/12/1840 from Colonial Secretary’s Office to Police Magistrate Dungog.
74. Colonial Secretary Letters Sent 40/1097 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 12/12/1840 from Colonial Secretary’s Office to Police Magistrate Singleton.
75. Colonial Secretary Letters Sent 40/1119 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 18/12/1840 from Colonial Secretary’s Office to Police Magistrate Brisbane Water.
76. Colonial Secretary Letters Sent 40/1120 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 18/12/1840 from Colonial Secretary’s Office to Lieutenant Chambre.
77. Colonial Secretary Letters Sent 40/1133 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 19/12/1840 from Colonial Secretary’s Office to Police Magistrate Maitland.
78. Colonial Secretary Letters Sent 40/1144 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 25/12/1840 from Colonial Secretary’s Office to Police Magistrate Scone.
79. Colonial Secretary Letters Sent 40/1145 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 25/12/1840 from Colonial Secretary’s Office to Police Magistrate Scone.
80. Colonial Secretary Letters Sent 40/1157 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 30/12/1840 from Colonial Secretary’s Office to Henry Donnison.
81. Colonial Secretary Letters Sent 41/1 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 2/1/1841 from Colonial Secretary’s Office to E.D. Day.
82. Colonial Secretary Letters Sent 40/1175 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 31/12/1840 from Colonial Secretary’s Office to Police Magistrate Dungog.
83. Colonial Secretary Letters Sent 41/14 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 6/1/1841 from Colonial Secretary’s Office to Police Magistrate Dungog.
84. Colonial Secretary Letters Sent 41/15 in SRNSW Call No. 4/3846 on Reel 2813 – Letter dated 6/1/1841 from Colonial Secretary’s Office to Police Magistrate Patrick’s Plains.
85. Colonial Secretary Letters Sent 40/11930 in SRNSW Call No. 4/3545 on Reel 2294 – Letter dated 10/12/1840 from Colonial Secretary’s Office to Thomas Dangar.
86. Colonial Secretary Letters Sent 40/12728 in SRNSW Call No. 4/3545 on Reel 2294 – Letter dated 23/12/1840 from Colonial Secretary’s Office to J. Warner.

87. Colonial Secretary Letters Sent 40/12344 in SRNSW Call No. 4/3545 on Reel 2294 – Letter from Colonial Secretary’s Office to James King.
88. Colonial Secretary Letters Sent 41/616 in SRNSW Call No. 4/3545 on Reel 2294 – Letter dated 16/1/1841 from Colonial Secretary’s Office to Henry Donnison.
89. Colonial Secretary Letters Sent 41/259 in SRNSW Call No. 4/3545 on Reel 2294 – Letter dated 23/1/1841 from Colonial Secretary’s Office to M.J. Davies.
90. Colonial Secretary Letters Sent 40/9662 in SRNSW Call No. 4/3688 on Reel 1052 – Letter dated 12/10/1840 from Colonial Secretary’s Office to Principal Superintendent of Convicts.
91. Colonial Secretary Letters Sent 40/266 in SRNSW Call No. 4/3619 on Reel 2983 – Letter dated 26/10/1840 from Colonial Secretary’s Office to L. Threlkeld.
92. Colonial Secretary Letters Sent 41/35 in SRNSW Call No. 4/3620 on Reel 2983 – Letter dated 9/2/1841 from Colonial Secretary’s Office to L. Threlkeld.
93. Colonial Secretary Letters Sent 41/43 in SRNSW Call No. 4/3620 on Reel 2983 – Letter dated 16/2/1841 from Colonial Secretary’s Office to L. Threlkeld.
94. Colonial Secretary Letters Sent 41/70 in SRNSW Call No. 4/3620 on Reel 2983 – Letter dated 3/3/1841 from Colonial Secretary’s Office to L. Threlkeld.
95. SRNSW Call No. 9/6323 Supreme Court Depositions Muswellbrook 1841 – Marshall and Others v Regina

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