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## **THE LAW IN EARLY WENTWORTH**

RUSHEEN CRAIG February 2013.

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## **1. MONEY SPENT BY WENTWORTH ON PUBLIC WORKS 1861 TO 1880.**

**The Return showing all moneys voted and spent in the Wentworth Electorate, from 1861 to 1880 inclusive, in connection with Public Works under the Colonial Architect's Department, as appears in the Government Gazette:**

[Note the Wentworth Electorate includes individual figures for Wentworth, Euston, Menindie, Wilcannia, and Pooncaria.]

### **Figures pertaining specifically to Wentworth only.**

Custom-house

Vote in 1879 - £2,500

Spent - 1869 £96

Total expenditure £96.

Court-house.

Vote in 1877 - £2,750; In 1879 - £430.

Spent - 1861 - £4; 1864 - £1,140; 1868 - £29; 1871 - £3; 1874 - £4; 1875 - £2; **1879 - £1,450; 1880 - £1,757.**

Total expenditure £4,389.

Gaol

Vote in 1877 - £10,000.

Spent - 1877 - £327; 1878 - £10; **1879 - £1,700; 1880 - £6,303.**

Total expenditure £8,340.

Lands Office

Spent - 1869 - £8.

Total expenditure £8.

Lock-up

Spent - 1868 - £2; 1871 - £1; 1872 - £10; 1879 - £42.

Total expenditure £55.

Police Station

Vote in 1876 - £1,785.

Spent - 1863 - £27; 1867 - 35; 1873 - £11; 1874 - £20; **1878 - £1,250; 1879 - £799;** 1880 - £62.

Total expenditure £2,204.

Telegraph Station

Vote in 1868 - £300, and Telegraph Vote.

Spent - **1867 - £2,797; 1868 - £313; 1875 - £360;** 1879 - £5.

Total expenditure £3,475.

**To summarise main spending pertaining to "Justice" to 1880:-**

**1864 Court-house £1,140.**

**1877 Gaol £327.**

**1878 & 1879 Police Station £2,049.**  
**1879 & 1880 Court-house £3,207.**  
**1879 & 1880 Gaol £8,003.**

## **2. CORRESPONDENCE**

### **Concerning Wentworth Court House, Lock-up, Gaol and Police Station.**

Summary of the Correspondence concerning the Wentworth Court House and Lockup; also the Wentworth Police Watch House, and the Police buildings of the Officer's Quarters, Barracks and Stables (State Records, Kingswood, Sydney).

State Records attempted to separate into two folders their Correspondence concerning the Wentworth Court House and the Wentworth Police Station (2/630A, Correspondence Files, Kingswood, Sydney). However the records pertaining to the Wentworth Court House and Lockup, the Watch House, and the Police buildings of the Officer's Quarters, Barracks and Stables, are so intertwined that it is essential that they be discussed together.

Official Correspondence Records give us a very one-sided limited view of the story of these buildings. They consist largely of letters received. Outgoing mail is mostly not shown. Our main clues as to the events taking place come from the information in the letters themselves and the notations placed on them by the Government Officials giving their opinions and directions as to the suggested course of action to be taken as regards the matters under discussion.

When I first viewed the records I found their order to be chaotic. I attempted to place them in chronological order. Difficulties presented themselves with some pages having no date and no obvious connection to any other pages.

The initial and many other records for the Court House were found to be in the Police Station folder. The matter was further complicated because some buildings were meant to be multi-functional but these functions were changed.

Within the Correspondence no location is given for where the Wentworth Court House / Lockup building was erected. Since this building went up after the 1859 Design for the Town of Wentworth it must have been built on land that was designated for that purpose. The only land I can see that was designated for Public Purposes on the Design is that large slab of land Darling St - Helena St - down the lane - Sandwych St back to Darling St. i.e. in the centre of town where the Public Buildings are today.

Early on - in August 1860 - Randell appears to have offered the sale of premises for the (Court House). We do not have Burne's reply but the word 'unsuitable' appears in the summary of the letter.

### **Summary of Correspondence Records.**

1) Tenders called for the erection of Court House and Watch House at Wentworth [August 1861]. Notification via Gazette arrived too late at Wentworth for residents to have time to get tenders in by mail before the closing date.

Wentworth urges haste in building. Their present Court House is a small rented building with thin wooden walls that is like an oven in summer. Prisoners are kept in a small room in the Chief Constable's cottage.

2) £800 available for construction of Court House and Watch House. Contract awarded to Messrs Everett & Stephens for the sum of £682-0-0 [31st August 1861]. They thought they were tendering for a building at Wentworth near Bathurst and had never heard of Wentworth on the Murray River. Would need to be reimbursed £100 to cover extra costs. Told if they couldn't do work then transfer work to a local Wentworth contractor. No one willing to do the work. Relieved of their contract.

3) Tenders called for all the buildings. Estimated costs:  
Court House £800; Police Buildings £1600; Watch House £300; Total £2,700. [Nov/Dec 1862]

4) A. Everett granted the contract - £3115.

5) Only then does the government look to see if they have enough money to pay for the project. They find they have barely enough money to pay for the Court House alone - £800 still available from the original idea of the Court House and Watch House. Everett's quote which did not include the Lockup had been £920 so well above even the £800.

6) New tenders called for just Court House and Lockup in one brick building.

7) Edward White awarded contract (information by inference rather than reading actual contract). Plans and specifications given for Court House and Lockup in one building of locally-made brick with shingle roof.

This is not the same as the originally requested Court House / Watch House Building which had the Court Room backed on the left by the Magistrate's Room and behind that the Keeper's Room; And on the right behind the Court Room were two cells both 8 foot 6 inches by 11 feet.

By inference only, the now required Court House / Lockup Buildings will consist of:

**The Court Room.**

A small **Lobby.**

Two rooms behind the Court Room (positioned here because mentioned regarding plastering). The first would be the **Magistrate's Room** (as mentioned regarding furniture). The second would be the **Clerks Room** (again mentioned in connection with furniture).

**Windows** were **3 foot 6 inches wide** and **6 feet long** (from difficulty with the blinds).

**Three cells** (since it was requested to join the Lobby with one of the cells to provide somewhere for the Keeper to cook and keep warm; leaving two cells. Request denied. Keeper to sleep temporarily in

one of the cells.) Also in 1872 'Tour to the South' article the Court House Lockup has three cells - **two of them 12 ft by 8 ft, the third 7 ft square.**

**No Keeper's Room** (no accommodation provided for the Keeper; he was to sleep in a cell until such time as the Police Buildings were constructed. He was still there in 1872.)

8) Dispute about the necessity of plastering. Requests for progress payments from White.

9) Furniture from Sydney via Adelaide (itemised) costing £52 plus £25 cartage = £77.

10) Blinds too small.

11) September 1864 Court House and Lockup building completed.

What had started as being required as a Court House and Watch House building, was then tendered for as Court House, Police Buildings of Officer's Quarters, Barracks and Stables, and Watch House. It was then trimmed back by financial constraints to **one brick, shingle-roofed building housing the Court House and Lockup.** Contractor **Edward White.**

### **Summary of Correspondence contained within Correspondence File.**

P.M. - Police Magistrate.

J.P. - Justice of the Peace.

Several pages of dates accompanied by a couple of lines of largely illegible 'explanation' of what happened on each date.

### **What can almost be read:**

20 August 1860.

W. R. Randell offers premises at Wentworth for sale.

[My Comment: Hard to understand. We know at that time that Randell had a store at the top of town in the middle of what became designated as a roadway; the other blocks of land at the top end of town he purchased later. He did purchase three blocks of prime land in Section 23A (what was to become the town centre) - but this was in partnership with Scott, and the purchases were made the next day on 21 August.]

22 October 1860.

H. Burne P.M. reply to Randell's offer ... unsuitable ...

[My Comment: In a new town there was no need to purchase land. An area of land could be set aside for Public Purposes. There is no indication throughout the Correspondence that money was paid to purchase land for the building/s to be erected. At the start of the whole process we have £800 for Court House and Watch House. This was stated to be exactly the same money from the same source that was all that was available for the final decision of the erection of the Court House / Lockup Building. Nothing had been taken out to pay for land.

29 September 1860.

£800 [available] for Court House and Lockup, Wentworth.

18 ... 1860.

15 July 1861.

Plan for Court House and Watch House; Estimated cost £800. Tender of Everett & Stephens £682.

20 August 1861.

4 September 1861.

Three tenders and four tenders specifying brick after time.

17 September 1861.

Everett & Stephens didn't know locality of Wentworth.

20 October 1861.

Everett & Stephens [request release] from contract.

14 October 1861.

From H. Burne P.M., Wentworth.

14 April 1862.

From H. Burne P.M., Wentworth.

1 May 1862.

16 June? 1862.

4 ... 1862.

4 November 1862.

17 November 1862.

21 November 1862.

December 1862.

In August 1861 a tender was accepted for a Court and Watch House. Mistaken locality. Fresh tenders ...

7 January 1863.

... Plan for Court House with Lockup ...

10 ... 1863.

... Police Station ...

23 January? 1863.

H. Burne ... Court House and Lockup.

10 March 1863.

... tenders ...

14 March 1863.

23 March 1863.

G R Reynolds ... if not too late.

22 April 1863.

... if tender will be on time ...

23 April 1863.

... (after time) ...

16 May 1863.

H. Jamieson J.P. to ...

14 ... 1863.

24 August 1863.

**Summary of each Item of Correspondence.**

7 November 1860.

From B H Martindale, Principal Under Secretary, Dept of Works.

**Provision will be made for erection of a Court House** at Wentworth on the supplementary estimates of 1861.

---

8 June 1861.

From Henry Burne, P.M., Wentworth.

Referring to letter of 29 September last, concerning erection of Court House and Lockup at Wentworth. Need to proceed as quickly as possible.

**The rented building used at present as a Court House** is very **small** and inconvenient and in the heat of summer it is almost impossible to sit in as the walls being of thin wood the hot sun penetrates and causes it to be **like an oven**.

Lockup needed. **At present prisoners kept in small room in cottage occupied by Chief Constable.**

**Suggests Court House and Lockup under one roof like at Hay** (with regard to ventilation).

Notation: 24 June 1861. Forward to Colonial Architect to see where the matter now stands.

Further Notation: **£800 has been granted for the work** and a plan will shortly be submitted.

---

15 July 1861.

Colonial Architect to Under Secretary in Public Works.  
Call for tenders for Court House Wentworth.

Notation: Tenders will be open on 20 August next.

---

20 August 1861.

[Very difficult to read. Possibly says that there is one tender.]

Notation: 24 August 1861.

[Also difficult to read. Possibly says **recommend acceptance of this tender.**]

---

31 August 1861.

From Colonial Architect.

**Contract for the erection of Court House and Watch House at Wentworth awarded to Messrs Everett & Stephens for the sum of £682-0-0.**

---

17 September 1861.

From Messrs Everett & Stephens, Baptist Street, Surry Hills.

They were the **successful tenderers** for the Court and Watch House but **thought that Wentworth was the town near Bathurst** (the only one they had heard of). To carry out the contract at a town on the Murray 700 miles from Sydney would entail a loss of £100. Under the circumstances do you insist that we proceed with the contract?

Notation: 19 September. Colonial Architect says they should carry out the contract by transfer.

Further notation: Everett & Stephens are unable to get other parties to take the contract off their hands.

[My comment: They were thinking of the Wentworth Gold Fields.]

---

14 October 1861.

From Henry Burne, P.M., Wentworth.

The Court and Watch House to be erected here, modelled on those at Hay, **should be made from bricks not wood**. Impossible to procure suitable wood in this district, surrounding neighbourhood timber being stunted and inferior and thus unsuitable.

Good bricks can be had here. Several tenders were sent in for brick buildings but they would have **arrived too late** because the **Government Gazette notice calling for tenders** didn't arrive here until 11<sup>th</sup> August. This left only nine days for the tenders to reach Sydney by the deadline of 20<sup>th</sup>. It normally takes 12 days for a letter to reach Sydney from here.

It appears that the tender of Everett & Stephens has been accepted but could you arrange for the construction to be of Brick, instead of wood, as being in every way preferable - particularly in a climate like this where a wooden building exposed to the full force of summer is scarcely tolerable.

Notation: November 1861. I have **already recommended that Everett & Stephens be relieved from their contract.** Opportunity afforded to revise the plans to meet views of Police Magistrate.

---

29 October 1861.

From Everett & Stephens.

[They are as yet unaware of the decision to relieve them of their contract.] Nobody in Wentworth will take up our contract for the buildings there. Honest mistake about location of Wentworth. **Ask** that at least the Government **reimburse them for £100** that would be the additional cost.

---

10 Feb 1862.

From Henry Burne, P.M.

**Need** for Court House and Watch House. No security of confinement of **prisoners. Kept in small room in Cottage of Chief Constable.** If half a dozen prisoners at one time they must be bedded together (danger to health and morale).

Urgent need for Court House. We now use a mere shed through which heat of summer penetrates. Almost intolerable.

---

14 April 1862.

Impossible to carry on. Need Court and Watch House.

[Henry Burne and Edward Sharp]

Notation: Colonial Secretary has been asked to submit fresh notice of tenders. Suggest the least possible delay.

---

1 May 1862.

Colonial Secretary, Alex Dawson, submits advertisement for tenders.

Notation: Papers are incomplete.

---

15 May 1862.

Re account of R. Davie - Repair of Chairs, Wentworth 12/-. Forwarded to Colonial Architect for payment.

---

10 June 1862.

From Henry Burne, P.M., Wentworth.

Have received no reply to my request for a **Court Room; present one is a mere wooden shed**. It is unsafe to light a fire without danger of burning it down. **One of the magistrates will not sit on the Bench again until** suitable accommodation is provided.

A Lockup is also necessary. At the moment **prisoners are in a small room in the quarters of Sergeant of Police**.

Notation: Pointing out something like Police Magistrates can't say when Court should sit and they should have nothing to do with opening of Police Buildings.

---

30 July 1862.

From Henry Burne, P.M., Wentworth.

An account £3 for chairs supplied to the Court House Wentworth on 26 September 1861. [Difficult to read; Mention of James T. Smith per Randell and Scott.]

---

30 October 1862.

Public Works to Colonial Architect. Request a reply to letter of 8 August re Court and Watch House.

---

21 November 1862.

From W. Elyard, Colonial Secretary's Office, Sydney.

The Colonial Secretary requests that **you invite the Secretary of Public Works to erect at Wentworth** the following buildings:

- **Quarters** for an officer of the Police
- With **Barracks** for Sergeant and three men.
- **Stabling** for four horses.
- And **Lockup containing two cells**.

Since no wood available locally the buildings should be made of brick.

Notation: **Recommended erection of Police Barracks at Wentworth**.

Notation: 11 November 1862. **Call for tenders**.

Notation: 12 November 1862. Acting Colonial Architect to submit notice inviting tenders.

---

6 January 1863.

Since submitting Plan for Court House and Watch House to be erected, further Plans have been received for Police Buildings including a Lockup.

Knowing objections to Court House and Watch House being in the one building it is **submitted that the Watch House be with the Police Buildings** instead of Court House.

**Estimated cost** of brick buildings:

**Court house** - £800.

**Police Buildings** consisting of Inspector's Quarters, Barracks for Sergeant and men, and stabling for six horses - £1,600.

**Watch House** of three cells, and lobby (used as an office occasionally) - £300.

Notations: **Call for tenders.** Form of advertisement herewith.

---

23 April 1863.

Minute Paper.

Tenders for Court House and Police Station at Wentworth.

[It appears to say that 'as no tenders were received by 21st' but this does not make sense in the context.

So it must say 'as ... tenders were received']

These tenders will be referred to the Colonial Architect.

Further item on same Paper: 29 April 1863.

Estimates

Court House is £800.

Police Station is £1,900.

Tenders were in excess of these amounts so will not be accepted. Suggest fresh offers be invited.

---

29 June 1863.

From Denis ?Lee.

Tender to erect:

**Police Buildings and Court Houses for £3256-17-6** within 12 months.

Two bondsmen as required by Government at sum of £25.

---

28 July 1863.

**Five tenders** have been submitted for the erection of **Court House and Police Buildings** at Wentworth.

A. Everett (Sydney) - **£3115-0-0.**

[Can't read] (Victoria) - £3251-12-6.

C. A. Perry (Adelaide) - £3290-9-0.

**Everett's bid** is the lowest, and although it exceeds estimates, it is recommended that it be **accepted.**

Notation: What amount is required for the Court House and Police Buildings respectively and what money is available?

Notation: Estimate was Court House £800, Police Buildings £1900. Everett's tender was Court House £920, Police Buildings £2195.

Notation: 5 August 1863. In the Vote of 1861 £25,000 was provided for Gaols, Court Houses and Lockups. **Of this £800 was provided for a Court House at Wentworth. I am not aware of any fund available for the Police Station.**

Notation: 6 August 1863. Is the balance of the £25,000 for 1861 sufficient and still available for Court and Watch House?

Notation: 10 August 1863. The £800 for Court and Watch House for 1861 is still **available**, as well as an unappropriated balance sufficient to cover the amount of Everett's tender (**£920**) if accepted.

Notation: 9 September 1863. Recommend that **the Court House and Lockup be constructed as there is sufficient funds** to pay for them. However since Everett's tender does not include the Lockup it would be better to **advertise again for tenders for Court House and Lockup only.**

---

24 August 1863.

To Colonial Architect to apply respecting the erection of Court House and Police Station at Wentworth.

[I can't understand most of it. The words 'some confusion' and several dates are clear; also £800.]

---

11 September 1863.

Submitted and approved that the Colonial Architect should submit fresh notice.

---

7 October 1863.

A new plan of Court House and Lockup has now been prepared and can now be advertised.

---

13 November 1863.

From Henry Burne P.M., Police Court, Wentworth.

As requested **returning plans and specifications for the Police Station at Wentworth** to Colonial Architect.

---

24 November 1863.

Four tenders referred to Colonial Architect.

Notation: Estimated Cost - £1320.  
Amount of tender - £1056.

---

18 December 1863.

Police Court Wentworth.

Point out that in Plans and Specifications for building that **plastering** for Court House **including two rooms behind together with a witness box and dock appear to have been omitted.**

**Contractor Edward White** has said that he **could substitute iron for roofs of buildings in place of shingles** without additional cost to Government in consequence of difficulty of procuring shingles here.

Notation: **Plastering intentionally omitted** to reduce expense and because it was almost impossible to get such work done in remote places. Therefore it was thought as well to **dispense with Witness Box and Dock.**

Contractor **agreed on shingles so they should be provided.** They were preferable to iron.

Further Notation: Plastering in remote areas is objectionable owing to difficulty getting the work well done; it was also liable to damage.

**Objects** to contractor substituting iron for shingles.

---

Undated.

Lockup in course of erection as per plan. Inspector General of Police does not wish any person to live in Lockup. When the contemplated Police Buildings are erected the Lockup will be placed in charge of the Police in the Barracks.

**In the meantime Captain McLeary thinks that the Keeper might occupy one of the cells as a temporary sleeping room.**

Repeat of idea that plastering is an unnecessary expense in remote districts. Also difficult to get done.

---

24 January 1864.

Edward White, contractor for the Court House and Lockup, asks for £80 first installment of his work done to the value of £120. He requests money be paid through the Bench.

Notation: Application should have been made to the Colonial Architect. It is not accompanied by a statement of work performed or Certificate of Police Magistrate. However to prevent further delay a cheque for £80 has been forwarded to the contractor. Mr White should take proper steps when he requires further payment.

---

28 January 1864.

From Henry Burne, P.M.

There is no apartment for the Lockup Keeper in the Lockup that is in the course of erection. Nothing in fact for his accommodation in the discharge of his duties whilst in charge of the prisoners, but the small lobby which is of such small dimensions as to be quite inadequate and unsuited for the purpose.

**Suggests that the lobby and small cell behind should be thrown into one and a fireplace added at the end to enable the Lockup Keeper to cook provisions and also for warmth.**

Contractor is prepared to do alterations without additional charge to the Government.

The two remaining cells will be quite sufficient for custody of prisoners for some time to come.

p.s. The contractor has engaged a bricklayer who will plaster the Court Room and two rooms behind for £55.

[Not certain if a Notation of 16 February fits in here. Many of the words on the left side of the page have been cut off in photocopy. 'Objections apply with greater force to ... in a building of this class ... quite inadvisable.

The contractors offer appears reasonable. The expense should not exceed £40.]

---

17 February 1864.

From John Williams, Crown Solicitors Office, Sydney.

Referring to the instructions of letter of 1<sup>st</sup> December last.

Transmitting the **Bond executed by Edward White and his sureties, G B Fletcher and W Gunn**, for fulfilment of his contract to Erect a Court House and Lock-up at Wentworth. The Plans and Specifications have been signed by all parties and returned to the Colonial Architect.

---

4 March 1864.

To Acting Colonial Architect from Henry Burne P.M., Wentworth.

The cheque from you for £80 has been handed to the contractor for the erection of the Court House and Lockup.

However he has performed work to the value of £150. Work done satisfactorily, though a little delay had taken place because the bricks were not ready. There is everything required now on the ground and the contractor expects that the Court House will be finished in about two months.

Enclose the voucher sent by you, duly signed by White and certified.

14 March 1864.

From Gerald Halligan, Dept Public Works.

1) Inspector General of Police considers it objectionable, where there are Police Buildings, for any person to live in the Lockup and when the Police Station for Wentworth is built the Lockup will be placed in the charge of the Police at the Barracks. In the meantime it is suggested he occupy one of the cells as a sleeping apartment.

2) Re plastering that contractor said could be performed for £55. Plastering omitted designedly and price quoted very high.

---

20 April 1864.

From Henry Burne, P.M., Wentworth.

Plastering of Wentworth Court House intentionally omitted from specifications because of economy and also difficulty of getting such work performed in distant districts.

Take the opportunity while Contractor is still engaged by you of again [?] that the plastering should be done if possible as the **Magistrates** of the District are, I am aware, opposed to the building being handed over by the contractor in **unfinished state**.

Notation: 21 April 1864. Secretary of Works for the Report of Colonial Architect and other officer on the topic.

**Notation:** 24 April 1864. **Let plastering be done** provided it does not exceed £55.

Notation: 25 April 1864. Colonial Architect.

Further Notation: 28 April 1864. As price given by contractor, **£55, is too high**, suggest **contractor submit a tender** for the work to Colonial Architect.

---

25 April 1864.

From Henry Burne, P.M., Wentworth.

**Requisition for Furniture for Court House at Wentworth** there being no furniture whatever by the Bench except 3 or 4 American chairs, much out of repair.

**For Court Room**

6 Arm Chairs

One Cedar Table

Fender and Fire Iron

Blinds for 4 windows (according to Plan)

Cocoa Nut fibre Matting

**For Magistrates Room**

Office Table with pigeonholes

2 Ordinary Chairs

Wash Stand

Fender and Fire Irons  
2 Window Blinds  
Coconut fibre Matting  
Stationery Basket

**Clerks Room**

Table  
2 Chairs  
2 Window Blinds  
Fender and Fire Irons  
Two Hearth Rugs

Suggest careful packing and forwarding from Sydney to Government Store at Adelaide and thence to Wentworth by steamer (as happens with the Blankets for Aborigines).

Notation: Submitted.

Notation: 27 April 1864. Furniture cost estimated at £52, plus £25 for conveyance via Adelaide; total cost £77.

The above will be chargeable to the vote for Furniture, Public Offices.

---

13 May 1864.

From Edward White, Contractor, Wentworth.

Police Magistrate is absent but the two other Magistrates have examined Public Buildings being erected at Wentworth as requested be done before I can receive further advance payments for my work. **Requests £600 be placed in my credit** at Commercial Bank Sydney. Pressed for cash so will have to draw on it immediately. I shall complete the work (in about 3 weeks) before asking for any more money

**Work done on Court House, Wentworth.**

All external work and floors completed.

All materials on site to finish the work.

**Work done on Lockup.**

All external work completed except the fixing of [?] and side lights to lobby.

Near all the material for the completion of the Lockup.

**Notation:** 2 June 1864. **Further advance of £500 to Mr White** - this being the amount to which he is entitled.

---

13 May 1864.

[Would have been included with the above.]

Report from H. Jamieson J.P. and John Crozier J.P.

(Police Magistrate being absent)

Have examined Court House and Lockup and found them approaching completion in workmanlike and substantive manner.

---

25 May 1864.

One tender for **Furniture for Wentworth Court House.**

Notation: 30 May 1864. Recommend acceptance of W [?]'s tender.

Further Notation: There are two tenders for Furniture for Wentworth Court House. Tender from John Hill & Co stated as for 'Tamworth' rather than 'Wentworth' but is the lowest so recommended for acceptance.

Notation: The Minister refuses to consider these tenders until he knows the estimated amount of the work.

Further Notation:

Estimated Cost - £36.

Amount Voted - Vote for Furniture for Public Offices.

Amount of Tender(s) - **£33-16-0.**

---

29 June 1864.

From Edward White, Contractor for Wentworth Court House and Lockup.

Sorry you didn't pay the full requested amount of £600. Have written cheques to amount of £549.

**Request another advance of £100.**

The **Courthouse is now complete** with all the benches, Desk and Mantlepieces and everything else done according to plan. **Plastering has also been done** (before I knew if my tender was accepted). Mr Burne P.M. reports the work is highly satisfactory.

The **Watch House is also near completion.** Should be finished in 3 weeks.

---

3 September 1864.

To J. Barnet Esq.

From Edward White, Contractor for Wentworth Court House and Lockup.

Acknowledge **receipt** of 12 August Memorandum that **£476 (the balance due** in first contract for Courthouse and Watch House) has been placed in my bank. **£45 for plastering** the Court House is **still owing.**

Notation: September 1864. The £45 is included. [Photocopy cut off] Abstract dated.

---

3 October 1864.

From Henry Burne, Late Police Magistrate, Wentworth.

Certify plastering of Court House was completed by Edward White in accordance with request of Colonial Architect dated 30 May.

---

29 October 1864.

Three cases of Court House **furniture have arrived**. Only damage - one fender broken on corner.

Window blinds at least seven inches too narrow. Useless. Request new ones.

All windows are three foot four inches wide and six foot long.

### **3. LOCKUP DECLARED A GAOL 1870.**

The Wentworth Police **Lockup** used to confine prisoners with sentences of 14 days or less was **proclaimed to be a gaol on 6 December 1870**.

*Proclamation by His Excellency the Right Honourable Somerset Richard Earl of Belmore. Member of Her Majesty's Privy Council in Ireland Governor and Commander-in-Chief of Colony of New South Wales and Vice Admiral of same*

*Whereas it is deemed expedient that the buildings hereafter named, now called and named as Watch-houses or Lock-ups, should be declared and notified as Public Gaols, Prisons, and Houses of Correction.*

*Now I, Somerset Richard, Earl of Belmore, the Governor aforesaid, make this Proclamation, declare and notify said buildings to be Public Gaols, Prisons, and Houses of Correction, viz.:-*

*Hay  
Wentworth  
Young  
Forbes and  
Narrabri.*

[NSW Government Gazette, No.295, 6 Dec 1870, p.2711.]

This information is included on the NSW Government Investigator website No.475 Entity - Agency; Wentworth Gaol.

My Comment: This could lead to **confusion between the Wentworth Gaol** (formerly called a Lockup in the centre of town) **and the Wentworth Gaol** that was yet to be constructed on the western outskirts of the town.

In the official records of expenditure in Wentworth 1861 to 1880, **only £2** is said to have been spent on the "Lock-up" to 1870. **However it is a combined Court House and Lock-up/Gaol; the expenditure being shown just as £1,140 for Court House paid in 1864.**

### **4. THE WENTWORTH COURTHOUSE & GAOL 1872.**

After all that work the Correspondent for the Town and Country Journal thought little of Wentworth's Court House. Writing in 1872 as part of his articles entitled 'A Tour to the South' he said:

*The Court House and Gaol are badly constructed. The former is a narrow building, and there is great want of accommodation in it. The gaol is a small coup, having **three cells; two of these are twelve by eight, and a third is seven by seven feet. One is used by the police, of whom Senior Sergeant Carter is in charge. W L Richardson, Esq., is the resident police magistrate and collector of customs. Mr Charles G N Lockhart is commissioner for Crown lands; Mr Andrew McClymont, inspector of sheep and cattle; and Mr G C Gillott is the resident solicitor.***

## **5. NAMES OF PRISONERS AND THEIR CRIMES.**

### **Deposition Register of Committal at Wentworth but trial elsewhere.**

Records can be found at:

[www.records.nsw.gov.au/indexes/searchform.aspx?id=40](http://www.records.nsw.gov.au/indexes/searchform.aspx?id=40)

#### **Name ; Date of Committal; Place of Trial; Alleged Offence.**

Samuel GORDON  
4 Jan 1862 Deniliquin  
Uttering spurious cheque.

Samuel GORDON  
21 Jan 1862 Deniliquin  
Uttering forged note.

George ROWNEY  
21 Jan 1862 Deniliquin  
Forgery.

James CLARENCE  
23 Jan 1863 Deniliquin  
Forgery.

Thomas WARRELL  
Alias Sydney Tom  
3 Feb 1863 Deniliquin  
Stealing money.

William EMMETT  
Alias Gipsy Bill  
6 Apr 1863 Deniliquin  
Forging a receipt for a horse.

Thomas JOHNSTONE  
Alias Thomas WALLACE  
2 Apr 1864 Deniliquin  
Forgery and uttering.

James PATTERSON  
31 Jan 1865 Deniliquin  
Uttering a forgery.

Benjamin DOWLING  
12 Mar 1866 Deniliquin  
Larceny.

John BELL  
7 May 1866 Deniliquin  
Stealing.

Thomas RUSSELL  
7 May 1866 Deniliquin  
Stealing.

James MATTHERSON  
2 Aug 1866 Deniliquin  
Larceny.

William LEES  
2 Nov 1866 Deniliquin  
Cutting and wounding.

Ascar SCHULTZ  
25 Jan 1867 Deniliquin  
Larceny.

John SHUNK  
25 Jan 1867 Deniliquin  
Larceny.

Samuel BAILEY  
6 Feb 1867 Deniliquin  
Larceny.

Samuel BAILEY  
6 Feb 1867 Deniliquin  
Horse stealing.

Edmund John QUIN  
7 May 1867 Deniliquin  
Forgery.

James FURLONG  
1 Feb 1868 Deniliquin  
Stealing from a dwelling house.

John FRANCIS  
26 Mar 1868 Deniliquin  
Larceny.

Edmund BUTCHER  
28 Jan 1869 Deniliquin  
Cattle stealing.

John BUTCHER  
28 Jan 1869 Deniliquin  
Cattle stealing.

Harold DICKERMAN  
15 Feb 1870 Deniliquin  
Stealing in a dwelling.

Samuel Vincent TRUEBRIDGE  
14 May 1870 Deniliquin  
Obtaining money.

### **Depositions of People Committed for Trial at Wentworth**

**Note: No names appear for 1878 - 1883.**

These records can be found at:

[www.records.nsw.gov.au/indexes/searchform.aspx?id=40](http://www.records.nsw.gov.au/indexes/searchform.aspx?id=40)

#### **Name ; Place & Date of Committal ; Alleged Offence.**

Malcolm CAMERON  
Wentworth 1 Dec 1870  
Attempt to commit suicide.

John SMITH  
Wentworth 6 Jan 1871  
Stealing a saddle.

John SMITH  
Wentworth 14 Mar 1871  
Horse stealing.

Malcolm CAMERON  
Wentworth 7 Mar 1871  
Escape from prison.

Stephen H. BURGESS  
Darling River 1 June 1871  
Larceny.

George Valentine HAIMS  
Darling River 1 June 1871  
Larceny.

Samuel Parkinson CUMMINGS  
Alias George MARTIN  
Wentworth 29 Aug 1871  
Forgery and uttering.

James KING  
Wentworth 28 Nov 1871  
Stealing from the person.

John RYAN  
Euston 19 Dec 1871  
Break and enter Court House and destroy books.

James CHEEPLY  
Wentworth 28 Feb 1872  
Horse stealing.

William HEATH  
Menindee 9 May 1872  
Indecently assaulting a girl.

George KING  
Wentworth 22 Aug 1872  
Horse stealing.

Henry TAILOR  
Wentworth 27 Aug 1872  
Sheep stealing.

Barry COTTER  
Menindee 8 Jan 1873  
Keeping a disorderly house.

John STRAW  
Wentworth 24 Mar 1873  
Obtaining goods by false pretences.

John ROBERTS  
Menindee 25 Oct 1873  
Perjury.

John George WESTOVER  
Menindee 15 Nov 1873  
Stealing a cheque.

Thomas MALONEY  
Menindee 13 Jan 1874  
Larceny.

James CAMERON  
Pooncarie 12 Feb 1874  
Sheep stealing.

James PENDER  
Wentworth 26 Feb 1874  
Forgery and uttering.

James COX  
Pooncarie 12 Feb 1874  
Stealing from a person.

Henry GEDDES  
Pooncarie 12 Feb 1874  
Sheep stealing.

Charles Freeman COLBOURN  
Pooncarie 12 Feb 1874  
Sheep stealing.

James CLARENCE  
Wentworth 19 Sep 1874  
Forgery and uttering.

Charles EDMANDS  
Menindee 29 Oct 1874  
Attempt to commit suicide.

Peter McGREGOR  
Menindee 6 Nov 1874  
Cattle stealing.

Robert WILSON  
Menindee 16 Jan 1875  
Larceny.

Henry BOYLE

Menindee 5 Feb 1875  
Obtaining goods under false pretences.

George EMERY  
Menindee 16 Feb 1875  
Larceny

William THOMPSON  
Menindee 7 Jul 1875  
Unlawfully wounding.

Alexander McMAHON  
Menindee 13 Jul 1875  
Sheep stealing.

Michael CAVANAGH  
Wentworth 20 Sep 1875  
Forging and uttering.

James FURLONG  
Wentworth 21 Sept 1875  
Horse stealing.

James TAYLOR  
Wentworth 28 Sep 1875  
Obtaining money.

Michael CAVANAGH  
Wentworth 4 Oct 1875  
Obtaining money.

James Thompson SMITH  
Wentworth 13 Oct 1875  
Sheep stealing.

John FITZPATRICK  
Wentworth 29 Oct 1875  
Breach of Insolvency Act.

James YOUNG  
Wentworth 29 Dec 1875  
Larceny.

Charles DITTMER  
Wentworth 4 Jan 1876  
Perjury.

George MORRIS  
Alias John DAWES

Wentworth 14 Feb 1876  
Obtaining money by false pretences.

James DIXON  
Wentworth 21 Feb 1876  
Stealing a Post Office letter.

Francis EDMUNDS  
Wentworth 6 Mar 1876  
Larceny.

William HAMMOT  
Wentworth 4 Mar 1876  
False imprisonment.

Henry PRIOR  
Wentworth 6 Mar 1876  
Stealing from the person.

William ROBERTS  
Wentworth 6 Mar 1876  
Stealing from the person.

James MATHERSON  
Euston 31 Jul 1876  
Feloniously stealing Government stores.

William OSWELD  
Wentworth 21 Aug 1876  
Larceny.

James McCULLOCH  
Menindee 5 Sep 1876  
Forging and uttering.

John DAVENPORT  
Menindee 5 Sep 1876  
Forgery and uttering.

George SUTHERLAND  
Wentworth 23 Sep 1876  
Feloniously wounding.

Henry BULHEIN  
Pooncarie 26 Sep 1876  
Breaking and entering a store.

John McPHERSON  
Wentworth 3 Oct 1876

Stealing from the person.

John FOSTER  
Menindee 23 Nov 1876  
Indecent assault on female child.

Selina Eliza BURFORD  
Wentworth 8 Jan 1877  
Bigamy.

George ASHTON  
Euston 22 Jan 1877  
Stealing from the person.

Francis CAMPBELL  
Wentworth 22 Jan 1877  
Obtaining goods.

Patrick NORRIE  
Euston 22 Jan 1877  
Stealing from the person.

George WILLIAMS  
Euston 22 Jan 1877  
Indecent assault.

Edmund Henry BUTLER  
Wentworth 12 Feb 1877  
Inflicting grievous bodily harm.

Patrick RYAN  
Euston 22 Feb 1877  
Stealing from a person.

William LORD  
Menindee 7 May 1877  
Larceny.

John WEAR  
Wentworth 11 May 1877  
Obtaining goods by false pretences.

Denis CONNELLY  
Menindee 25 May 1877.  
Feliciously wounding.

John WEAR  
Wentworth 28 May 1877  
Obtaining goods by false pretences [again?].

Charles Henry MEDLICOTT  
Menindee 28 May 1877  
Feloniously wounding.

John JOHNSON  
Pooncarie 24 Sep 1877  
Larceny.

John BRYAN  
Wentworth 2 Oct 1877  
Larceny.

John BRYAN  
Wentworth 2 Oct 1877  
Stealing in a dwelling.

George CROFTS  
Wentworth 29 Nov 1877  
Attempt unlawfully and carnal abuse.

Richard COLLINS  
Wentworth 14 Dec 1877  
Horse stealing.

Alexander James STOKES  
Wentworth 10 Dec 1877  
False pretences.

Alexander James STOKES  
Wentworth 15 Dec 1877  
False pretences [again].

### **Nothing for 1878 - 1883**

Ann SULLIVAN  
Wentworth 17 Jan 1884  
Larceny.

William DARCHY  
Pooncarie 27 Mar 1884  
Indecent assault.

John Baillie CAMERON  
Wentworth 2 May 1884  
Larceny.

Robert JACKSON  
Wentworth 19 Jul 1884  
False pretences.

John WIGGINS  
Wentworth 27 Sep 1884  
Attempt discharge of firearm intent griev. bod. harm.

Frederick BARTSCH  
Pooncarie 24 Mar 1885  
Horse stealing.

Frederick BARTSCH  
Wentworth 30 Mar 1885  
Horse stealing.

John SULLIVAN  
Wentworth 21 Aug 1885  
False pretences.  
[Entry is repeated]

Richard ENGLISH  
Wentworth 5 Oct 1885  
Embezzlement.

John HAYES  
Euston 22 Oct 1885  
Larceny.

Robert RUTHERFORD  
Wentworth 24 Oct 1885  
Larceny.

Michael CULLINAN  
Wentworth 27 Jul 1886  
Sheep stealing.

John CULLINAN  
Wentworth 27 Aug 1886  
Sheep stealing.

Samuel RUTTER  
Pooncarie 21 Sep 1886  
Horse stealing.

Alexander WEBSTER  
Wentworth 2 Oct 1886  
Larceny in a vessel.

Ellen STONE  
Wentworth 29 Oct 1886  
Attempt to commit suicide.

Charles WILKINS  
Wentworth 20 Jan 1887  
Stealing from the person.

Thomas WHARTON  
Wentworth 11 Feb 1887  
Stealing in a dwelling.

William QUIRKE  
Euston 15 Feb 1887  
Killing sheep with intent to steal carcass.

William LARKE  
Wentworth 8 Aug 1887  
Assault occasioning actual bodily harm.

John JACKSON  
Wentworth 3 Nov 1887  
Attempt at suicide.

Samson FOX  
Wentworth 19 Dec 1887  
Indecent assault.

William RUSSELL  
Wentworth 21 Dec 1887  
Indecent assault.

Henry WEST  
Wentworth 22 Dec 1887  
Obtaining money by false pretences.

John BELL  
Wentworth 25 Jul 1888  
Attempting to escape.

John Robert BELL  
Wentworth 9 Aug 1888  
Larceny.

Robert RULE  
Pooncarie 16 Oct 1888  
Larceny.

William Bede CHRISTIE

Wentworth 27 Jan 1889  
Libel.

William Bede CHRISTIE  
Wentworth 5 Feb 1889  
Libel.

William BRADLEY  
Wentworth 16 Feb 1889  
Indecent assault.

Frederick William LOADER  
Pooncarie 26 Mar 1889  
Making false entry as clerk.

Mary Ann WADDINGTON  
Wentworth 17 Apr 1889  
Bigamy.

James HAGUE  
Wentworth 22 JUL 1889  
False pretences.

### **Why no depositions for 1878 - 1883?**

If you look at the record of expenditure in Wentworth over that part of this period that is shown above, 1878 to 1880, you will see that in 1878 & 1879 there was construction work on the Police Station. In 1879 & 1880 there was work on both the Court House (which included the Lock-up) and the Gaol.

The big new Gaol was Gazetted in 1881, and it would appear that the Court House was then operational, so I have no explanation for the lack of depositions 1881 to 1883.

## **6. LETTERS COMPLAINING ABOUT GAOL CONDITIONS.**

Sydney Morning Herald 26 Jan 1876.  
To the Hon. The Colonial Secretary,  
per favour of the Herald.

County Lock-Up

Sir. - I beg respectfully to draw your attention to the subject that demands the prompt action of your Government and as my appeal is on behalf of the helpless men who are in your charge, and whose lives are in peril, I trust you will give this matter your immediate concern.

**Wentworth** at the Junction of the Murray and Darling, is **the most distant township from our capital**, and possesses **a lock-up containing three cells, one of which is occupied by the Warder and the other two are used for prisoners.** The latter are **12 feet by 8 feet and 7 feet by 6 feet**

respectively. In these two cells are incarcerated at the present time **seven** prisoners. On the night of December 21st, **nine** men were confined therein, six in the larger and three in the smaller cell. Upon one occasion when the building was full, **three black-fellows**, charged with drunkenness, were **chained outside** for 24 hours. When there is a female prisoner, all the males must be locked in one cell. The larger apartment is ventilated by two openings near the roof, the smaller, by one opening, each 12 in by 18 in. There the men must live and sleep in violation of decency, comfort, and the laws of health. Not only is such treatment a **disgrace to our civilization and Christianity**; the prisoners receive cruel injustice from the administration, which claims to deal out Justice to them.

The lock-up is made to serve **as a gaol for a district as large as Scotland**, extending about 200 miles to the **north and south, east and west**. Prisoners under **short sentences** from the Police Courts at **Menindie (180 miles), and Pooncarie (90 miles) on the north, and Euston (90 miles), on the west (sic)**, are brought here and are kept in custody with our local prisoners, and all **men** committed for trial at the several Courts are detained here until the Sessions. Of the **present prisoners, two were committed for trial in August last, and cannot be pronounced innocent or guilty until next May**. As many who have been committed have been found to be innocent, they have, in addition to the undeserved separation from their families and occupations, been subjected to months of suffering and danger to life and health in the wretched building in a part of your territory where the thermometer frequently registers **110 degrees** in the shade.

**During the last five years we have sent remonstrances** and requisitions to existing Administrations, without avail, and I have adopted this means of calling your attention and that of the public to the cruelty and injustice of the case. Next week I purpose through the same channel, **directing your notice to the defective judicial arrangements which compel prisoners to be forwarded after sentence to Darlinghurst (800 miles)**, thereby inflicting unnecessary hardships upon them, and injury to their wives and families.

With an overflowing exchequer, the first thought of a Government should be to protect the lives and to make proper provision for those who are detained by the force of the law. They are in your in their custody, they can do nothing for themselves and it is the duty of those who have taken them into their custody to see that they are cared for.

I have the honor to be, **Sir**  
Your obedient servant,  
William Cocks  
Incumbent of Wentworth New South Wales,  
Wentworth, NSW, 15 Jan, 1876.

.....  
**C. Travis Cook's Reply, Feb 1876.**

Sydney Morning Herald 20 Feb 1876.

**The Wentworth Black Hole.**  
To the Editor of the Herald,

Sir. - The condition of the Wentworth gaol should, in the interests of humanity and justice, be kept prominently before the public until something is done to remedy the present shameful state of things.

Your readers will probably remember the letter from Rev. William Cocks, published in your issue of 26th January last, describing the gaol. I need only say that it consists of but **two cells, one 12 feet by 8 feet, the other 7 feet by 6 feet**. There are now confined in the gaol **nine prisoners** - six committed for trial at the May sessions, and of the remaining three, one is doing two months, another sixteen days, and the third, who arrived by mail-coach from Menindie (180 miles), is sentenced to three months. There are six confined in the large cell, and three in the smaller.

The thermometer here today in the shade of the Telegraph Office verandah registered 105 degrees.

In addition to the six above-mentioned prisoners committed for trial, three have been sent to Deniliquin, and will be brought back here for the May Sessions.

C. Travis Cook.

.....

### **Hardships Inflicted on Prisoners**

20.3.1876

In continuance of my former letter I beg to bring before you the hardships inflicted upon prisoners in this district through the inhuman and inadequate arrangements of the Government for their detention and transport. **If a person is sentenced to two or more years at the Wentworth Sessions he is forwarded to Darlinghurst 700 miles.** He may already have been brought from Mt. Gipps district 270 miles to the North West. There is now considerable population between Menindee and the South Australian boundary 90 miles West of the Darling. He is charged at Menindee, if not found innocent, is either sentenced or committed for trials at Wentworth. If he is tried he may wait six months for the Sessions. If innocent he has suffered unnecessarily. The cruelty of sending prisoners from Wentworth to Darlinghurst is apparent. A man may not only have a wife and family he is 900 miles from home. **The wife must not only support their family without him but must send 10 or 15 pounds for him to return home.** Should the man be so disposed the Government has given him every facility for deserting his family.

**If a gaol was erected here** offering sufficient accommodation and its arrangements were made having in view the distance from the capital so prisoners were retained in the district crime would be diminished. Here there is ample employment as a rule our prisoners are not of the criminal class.

But when they are discharged from Darlinghurst they cannot find suitable occupation and unless they come back again they are liable to be led into bad habits and the action of the Government makes criminals of them. I bring you an illustration of the inhumanity and hardships inflicted on prisoners in transport to Sydney. The following case which I have from the lips of two of the six men who were sentenced in the Wentworth Sessions of March 1874.

These two men were fencers and being some distance from the station stole two or three sheep for rations. I have known the men for five years. They are again employed in the district and have returned broken down in constitution and I have no doubt their statements is strictly within the limits of unvarnished truth. The six prisoners under sentence were forwarded by mail on the 21<sup>st</sup> March reached Euston the same night started next morning for Balranald. Here they were locked up in a cell about 7

feet long for 14 days. The weather was hot, nearly all had dysentery, they could not lie down for want of room. A tub was kept in the cell for convenience which was emptied twice a day. The man who fulfilled this duty was the only one allowed out and their food was brought there under these wretched conditions. At the end of a fortnight they left at 5.30 pm. It was a wet night. A lunatic Chinaman was added to their number and the seven prisoners were conveyed in two vehicles – reached Moolpa at 12 midnight. The change horses had been turned out. The prisoners were kept in the uncovered vehicles all night. It was a bitterly cold night. One prisoner was ill with delirious.

**The Wentworth Gaol** should in the interests of humanity and Justice be kept prominently before the public until something is done to remedy the present shameful state of things. Your readers will probably remember the letter in your issue of January 26<sup>th</sup> describing the gaol. I need only say that **it consists of two cells – 12ft by 8 ft, the other 6ft by 7ft 6in. There are now confined in this gaol nine prisoners.** Six committed for the May sessions and of the remaining three, one is doing two months, another 16 days and a third who arrived by coach this evening from Menindee, 100 miles away – sentenced to three months. There are six confined in the large cell and three in the smaller. The thermometer here today, in the shade of the telegraph office registers 105 degrees.

**In addition to the six above mentioned persons committed for trial, three have been sent to Deniliquin** and will be brought back here for the May Sessions.

C. Travis Cocks.

MY COMMENTS on the letters: The cells might have small windows (two windows 12 in. by 18 in. in larger cells, and one window of same size in small cell) but the building had windows 3 ft 6 in by 6 ft (from complaints about the size of the blinds contained in the Gaol Correspondence). Building consisted of a Lobby, Court Room, 2 rooms behind Court Room, Magistrates' Room, Clerk's Room, and 3 cells, one of which was used by the Keeper.

## **7. IMPROVEMENTS TO PRISONER ACCOMMODATION 1877.**

The NSW Government Investigator website No.475 Entity - Agency; Wentworth Gaol, provides the information:

Some necessary **improvements to prisoner accommodation** [at Wentworth] were effected during 1877 after which the Gaol was **reported to house three separated and nine associated prisoners.** [Prisoners report for 1877, A.R. 1878/79, V2, p.1030]

My comment: Note that the word 'Gaol' is used in accordance with the 1870 proclamation that the Wentworth Lockup be declared a Gaol. We must be fully aware that **we are still talking about what began as the Court House / Lockup building.**

This building now has **three cells for single occupancy** as well as other (number unknown) **larger cells for shared occupancy by nine prisoners.**

When I look at statements like:

*Wentworth Gaol as it now stands was constructed because the local townspeople and clergy were concerned that the original two-celled lock-up was inadequate. It was also thought that Wentworth's*

*location on two rivers made it an obvious choice as an administrative centre and so a larger institution was needed.*

[[www.visitmildura.com.au/old-wentworth-gaol.html](http://www.visitmildura.com.au/old-wentworth-gaol.html)]

I can understand what is behind the wording. 'Two-cells' because originally the Lockup Keeper was occupying the third cell. However the writer is missing out on the **intermedial step - the 12 person "gaol" in what had been called the Lockup.**

These improvements in prisoner accommodation were probably listed as the 1877 expenditure of £327 for Wentworth "Gaol."

## **8. WENTWORTH COURT-HOUSE, LOCK-UP AND POLICE STATION.**

Our Wentworth correspondent, under date of 26 July 1879 writes:-

... The new Courthouse and Gaol are progressing. The former is even now presenting a considerable height from the base, and when completed will no doubt be a magnificent structure.

South Australian Register, 30 July 1879

Maud Crang, the noted Wentworth Historian, writing about the Court House and Lockup built Circa 1880 at 74 Darling Street, Section 25, states:

*In 1880 the new Court House was opened in Darling Street. A Police Constable's Residence incorporating a lock-up was built between the new Court House and the earlier smaller Court House. The Old Court House was then used as the Municipal Offices and later as a Fire Station. On the other side of the Old Court House was the residence for the Sergeant-of-Police, with the Police Station attached, facing Helena Street. Behind these buildings and facing onto Darling Lane, with a wide entrance from Helena Street, was a yard for police horses.*

[Maud Crang, *Maud's Book of Houses, 19<sup>th</sup> Century Houses of Wentworth, 2003*]

The time-frame for the construction of the Court House and Lockup/Gaol fits within the gap in the Deposition Register with no names appearing 1878 - 1883 (see above) and with the expenditure on Public Works.

It would seem that the single Court House-Lockup (Gaol) building was replaced by **two buildings**  
- **One building a Court House,**  
- **The other building a Lockup/Gaol with the long promised attached residence for the Keeper.**  
No longer would he have to sleep in one of the cells!!

So far we have found no plans for these two new buildings.

Maud goes on to say:

*Mrs Tess Wescombe, who now resides in Darling Street, spent much of her girlhood in the residence while her father, Sergeant Kirk, was stationed at Wentworth. Mrs Wescombe is able to describe how the buildings of residence and station were attached. In her father's day there was a door from his home giving access to the station.*

*The new Court House and the Police Constable's Residence are the only surviving buildings of the original complex. The horse yard, marked by surviving pepper trees, is now a car-park.*

Maud has based her description of the layout of the buildings on the childhood recollections of Mrs Tess Wescombe. These recollections would still be a considerable time after the 1879-81 period. I hope I am interpreting Maud's description correctly when I say:

Starting at the Helena Street intersection and going southward along Darling Street

- Police Station and attached Sergeant's residence fronting onto Helena Street. Behind these buildings and facing onto Darling Lane, with a wide entrance from Helena Street, was a yard for police horses.
- Small old Court House (later used as Municipal Offices and then as a Fire Station).
- New Lockup (that officially should now be called a gaol) and Residence.
- 1880 New Court House.

## **9. WENTWORTH'S NEW GAOL.**

Oct 1878 Tenders for erection Wentworth Gaol.  
Tenders invited for Public Works [include]

Erection of Gaol, Wentworth.  
Date to which tenders can be received:  
11 o'clock on Tuesday, 29th instant.  
Sydney Morning Herald. 9 Oct 1878. p.9.

### **Whitcomb Bros contract to build new Gaol Feb 1879.**

When tendering for the contract to build the additions to the Wentworth Teacher's residence on 28 Feb 1879 Whitcomb Bros. state that they had the contract for the erection of the gaol and that they are just about to commence work on it.

**28 Feb 1879**

*D. Mitchell, Hon Sec Local Board of Education, when speaking of proposed additions to the Teacher's residence in Wentworth:*

*Forwarding the tender Plan of the additions to the Teacher's residence.*

*The tender of Messrs **Whitcomb Bros.** is £331-10-0.*

***They have the contract for the erection of the Jail in Wentworth which work they are just about to commence.***

### **Wentworth New Gaol Gazetted Jan 1881.**

**Jan 1881** Gaol at Wentworth Gazetted to be a public gaol, prison, and house of correction.  
PUBLIC GAOL.

Notification in yesterday's Government Gazette:-

The Gaol at Wentworth declared to be a public gaol, prison, and house of correction.

Sydney Morning Herald 15 Jan 1881.

Although I have yet to find a report of the opening of the Gaol there can be no doubt that the impressive large Gaol on the outskirts of Wentworth must have been being built. The Queanbeyan Age (NSW) of 17 March 1880 reported:

*The Wentworth jail is presenting quite an imposing appearance, and is a conspicuous building to anyone entering or leaving the town.*

### **Journalist, The Vagabond, visits the Gaol in 1885.**

ACROSS THE BORDER. By "The Vagabond" Jan 1885.

... Four churches for a scattered municipality of 1,000 inhabitants, in a district containing about 2,200, fairly supply spiritual wants. Two banks receive and lend money, and a public school, custom-house, court-house, lock-up, gaol, and police barracks, are other agencies of civilisation.

... there is no hospital in Wentworth, and the cemetery is in a disgraceful state. The living and the dead, health and decency, are neglected; but Vive le sport! They have a nice new gaol here, with every accommodation for criminals; but there is none for the sick and suffering. A hospital is the greatest want in the district.

The Argus (Melbourne), Saturday 10 January 1885.

Across a few acres of hard-baked level ground, eligible town lots, where vagrant goats are trying to obtain sustenance from old boots and bottles, a red brick building glares in the hot sun. This is **the gaol**, a thing Wentworth is proud of showing visitors. A bridge over the river in place of the present ferry is badly needed. It is a disgrace that there is no hospital here, but still the people possess a gaol!

My very good friend, Mr. Dewhurst, banker and J.P., is my guide thither. Admission is not difficult, the warders welcoming a visitor as a relief to the monotony of their existence. Just inside the gates the first thing that strikes a stranger is how easy it would be to escape. But I am not going to say in what manner, for fear of some day it may be successfully attempted, when I should be an accessory before the fact. This is a very fine building. **It cost £9,000 to erect, and £1,000 a year** is spent in keeping it up. There is **accommodation for 25 prisoners**, but there are **only four here at present**. Three warders attend on these four prisoners, whose only labour is to chop wood. The question as to how to make criminals keep themselves is not likely to be solved here.

The cells and corridors are all painfully white. In the yard an attempt has been made to cultivate some flower beds, and a few geraniums have a dismal and dusty existence. There is a plentiful supply of water from an underground tank, and one sees what irrigation will do even in this sandy soil by the grass which springs up where the tricklings from the pump have kept the ground moist.

Wentworth cried out for a gaol and now cannot fill it! This community is, in fact, a moral and orderly one, and **a gaol was the last thing needed**. There is little drunkenness, little "knocking down" now-a-days. The shearers are mostly young farmers and selectors, who just change their cheques in town, perhaps buy tall hats to show their dignity, ride about the streets for a day to show their horsemanship, shout a few drinks to show their liberality, jump on the said hats to show their independence, and then

go off to their homes in Victoria and South Australia, **carrying with them the larger part of their earnings.**

Some lament the old days when, after shearing time there was the usual bush saturnalia. One old hand I met on the river said, "You never saw such a lot of starved devils up Wentworth way as they are now. When I was up there I saw more drunken men in a month than I have ever done anywhere since in my life. You talk about Melbourne being a place for the working man after that. Why, in Wentworth for weeks we used to do nothing but drink and curse. Those were the good old days. Labour was not then crying out for employment. It was the capitalist had to knuckle down to the working man."

I do not lament the days when the rum bottle was going all night long. **The pubs, by Act of Parliament, all close at 11 o'clock now**, although that does not prevent sober men from obtaining as much as they want for an hour or two afterwards. Increased sobriety has naturally brought with it more respect for the law. In the old days this gaol might have been needed, but not now, and still less I hope in the future.

The four men now held here are not convicted of any grave offences, but there is a doubt, I am told, as to the guilt of one of them. He feels his position keenly, and as we enter the mess-room where the men are having their evening meal, he rises and walks to the book-shelf that he may not be seen. Under any case this man is being punished a hundredfold more than the old Murray whaler and sundowner. If he should be innocent, as is suggested to me, what a hell upon earth his life must be!

I am surprised to find amongst the books here one of my own works, containing an account of my Pentridge experiences. I hope both prisoners and warders profit from it. There is altogether a good collection of books, including works on natural history and other "improving" subjects. All in all a prisoner here has not a bad time of it.

From the unused watchtower of the gaol we have a bird's-eye-view of Wentworth and the surrounding country. The churches and state school are the only prominent buildings. ...  
The Argus (Melbourne), 17 Jan 1885.

### **Land set aside as Gaol Site, Dec 1889.**

All that I can say is that this is a very weird statement. The Gaol has been Gazetted in January of 1881, and has been reported as fully operational in 1885, and yet in December of 1889 we find this statement in the Gazette:

Department of Lands  
Sydney 14 December 1889.

### **Reserve from Sale For Gaol Site.**

*His Excellency the Governor, with the advice of the Executive Council, directs it to be notified, in pursuance of the provisions of the 101<sup>st</sup> section of the Crown Lands Act of 1884, the land specified in the Schedule appended hereto shall be reserved from sale for Gaol Site, and is hereby accordingly.*  
James N Brunker.

*Western Division.*

*Land District of Wentworth.*

*Within the populated area of Wentworth, proclaimed 20 March 1885.*

*No 10,414, Co of Wentworth, parish of Wentworth, containing an area of 2 acres. The Crown Lands within the plan catalogued W.12-1,685.*

*[Ms.89-14,584]*

[NSW Government Gazette, 1889, p.9120]

The 1900 map of the Wentworth Town area clearly shows **this land to be the 2 acre block of land on Beverley Street now occupied by the Wentworth Gaol**. On that block on the map is the notation: ***Notd 14<sup>th</sup> Dec 1889.***

### **Gaol Listed on the National Estate.**

Wentworth Gaol, Beverley St, Wentworth, was listed **on the Register of the National Estate** as an Historic building on 21 March 1978; ID 693; File No.1/05/361/0001.

The Commission is in the process of developing and upgrading official statements for places listed prior to 1991. The data was provided mainly by the nominator and has not yet been revised by the Commission.

The information that was provided was that the Wentworth Gaol was designed by the Colonial Architect, James Barnett and built 1879-81. It is a single storey small country brick gaol with bluestone trim. Form is generally a series of pavilions having hipped slate roofs arranged around a high brick wall.

The Gaol was restored during the term of Edward Herbert Farmer as Government Architect [1958-72].

The Wentworth Shire Council provided a NEGP Report 1995-96 "Wentworth heritage adviser (year 1)".

[Report Produced: Tue Jan 30 20:55:52 2007]

Local Environment Plan 07 May 1993; Register of National Estate 21 Oct 1980.

The Wentworth Shire Heritage Study was prepared by Hassell Planning Consultants Pty Ltd in association with Colin Pardoe in August of 1989. To see the full report of the Study go to: [www.wentworth.nsw.gov.au/heritage/study/](http://www.wentworth.nsw.gov.au/heritage/study/)

Here it is also stated that the Gaol was built in 1879.

### ***Heritage Endorsements:***

*Classified by National Trust (NSW), Registered as an item of the National Estate*

However it was registered on the National Estate in 1978 and registrations prior to 1991 were based on the data provided by the nominator.

## **10. SUMMARY OF PRISONERS 1899 TO 1928.**

### **Wentworth Gaol Entrance and Description Book 1899 - 1928.**

Container 5/1510 State Records, Kingswood.  
Rusheen Craig March 2009.

Note that these records are available only for the last 30 years of the Wentworth Gaol's history, 1899 to 1928, not the entire period.

**The Wentworth Gaol Entrance and Description Book gives prisoner's date of entry to the gaol, crime, sentence, place of birth, ship and date of entry into Australia, religion, occupation, age, physical description, 'disposal date'.**

Many of the people listed in this book were not criminals. Instead they were individuals thought to be insane who were placed in the gaol for a short period for medical observation and in some cases for treatment. They were then escorted by police to an asylum.

**Full details of these Prisoners have been given separately.**

1899.

Males received: 14; Females received: 1;  
Males discharged: 16; Females discharged: 1;  
Males in gaol on last day of appeal: Nil;  
Females in gaol on last day of appeal: Nil.

1900

Males received: 22; Females received: -;  
Males discharged: 21; Females discharged: -;  
Males in gaol on last day of appeal: 1;  
Females in gaol on last day of appeal: Nil.

1901

Males received: 39; Females received: 2;  
Males discharged: 24; Females discharged: 2;  
Males in gaol on last day of appeal: 6;  
Females in gaol on last day of appeal: Nil.

1902

Males received: 21; Females received: -;  
Males discharged: 25; Females discharged: -;  
Males in gaol on last day of appeal: 2;  
Females in gaol on last day of appeal: Nil.

1903

Males received: 10; Females received: 1;

Males discharged: 11; Females discharged: 1;  
Males in gaol on last day of appeal: 1;  
Females in gaol on last day of appeal: Nil.

1904

Males received: 11; Females received: -;  
Males discharged: 9; Females discharged: -;  
Males in gaol on last day of appeal: 3;  
Females in gaol on last day of appeal: Nil.

1905

Males received: 19; Females received: 1;  
Males discharged: 21; Females discharged: 1;  
Males in gaol on last day of appeal: 1;  
Females in gaol on last day of appeal: Nil.

1906

Males received: 10; Females received: -;  
Males discharged: 11; Females discharged: -;  
Males in gaol on last day of appeal: Nil;  
Females in gaol on last day of appeal: Nil.

1907

Males received: 20; Females received: -;  
Males discharged: 18; Females discharged: -;  
Males in gaol on last day of appeal: 2;  
Females in gaol on last day of appeal: Nil.

1908

Males received: 33; Females received: 2;  
Males discharged: 24; Females discharged: 2;  
Males in gaol on last day of appeal: 1;  
Females in gaol on last day of appeal: Nil.

1909

Males received: 26; Females received: 2;  
Males discharged: 22; Females discharged: 1;  
Males in gaol on last day of appeal: 5;  
Females in gaol on last day of appeal: 1.

1910

Males received: 13; Females received: -;  
Males discharged: 15; Females discharged: 1;  
Males in gaol on last day of appeal: 3;  
Females in gaol on last day of appeal: Nil.

1911

Males received: 18; Females received: -;  
Males discharged: Blank; Females discharged: Blank;

Males in gaol on last day of appeal: Blank;  
Females in gaol on last day of appeal: Blank.

*The names and full details of the Prisoners:-*

## **11. ADDITIONAL ITEMS CONCERNING WENTWORTH GAOL.**

*A photograph of the Old Wentworth Gaol*

can be seen at:

[The Old Wentworth Gaol, N.S.W., built in 1881. \[picture\]](http://digital.slv.vic.gov.au/dtl_publish/compleximages/23/283597.html)

digital.slv.vic.gov.au/dtl\_publish/compleximages/23/283597.html

postcard : printed, b&w ; 8.8 x 13.8 cm. approx. This work is out of copyright. Postcards. General sequence postcards. N.S.W. except Sydney A-Y.

*A murderous attack on gaoler Sherrington, Sep 1896.*

NSW. Sydney, Sep 10.

A murderous attack was perpetrated today in the Wentworth Gaol by two prisoners named Butler and Williams, who were serving sentences for larceny, upon a gaoler named Sherrington. The latter, during the dinner hour, was passing along the corridor, when he was suddenly set upon by the men with broken sticks, and they felled him to the ground in an unconscious condition, but they made off on the approach of a prisoner named Brown, who ran to Sherrington's assistance. Butler and Williams were subsequently placed in irons pending an inquiry, Brisbane Courier, 11 Sep 1896.

*Death of Warby who had supervised the building of the Gaol.*

**Mr. S. C. Warby**, a pioneer of the Eight Hours Movement, and later a builder, died at the home of his son at [ ] Brighton, on Friday. Mr. Warby was born in Middlesex, England in August 1829, so that he was in his [ ]3rd year. He arrived in Portland in 1856 and went to St Kilda a year later. Among some of the **works that he superintended** were the Big Hill tunnel, **the Wentworth Gaol**, and the retaining wall at Windsor. Mr. Warby, who has twice married, has left 4 sons and 4 daughters. The Argus (Melbourne), Tues. 27 Dec 1921.

*Local Historian, Mrs. N. Grace's, 1933 article, "The Closed Gaol."*

The Wentworth [Hotel, Sydney] Magazine, Feb. 1929 p.55.

This magazine was produced regularly to promote the Wentworth Hotel, Sydney. As well as promoting the hotel itself the magazine also includes information on current events and shows in

Sydney. This item strays from the normal topics to include information on Wentworth, the town of the same name as the Sydney hotel.

Unfortunately my photocopy of this item has the edge of the text chopped off. I did do a hand written copy but at the moment I cannot find it. However I hope that this will give you some idea of the article.

### **The Closed Gaol.**

By N. Grace, 1929.

The accompanying picture shows the rather fine, main entrance to the great gaol at Wentworth, NSW, which will no longer open to receive those ...ts for whom prisons are built. The Prisons Department having definitely closed the place after ...y years of service, its walled enclosure will not see men in the queer garments that were supplied by Government contractors at the time of its ...g, nor will a woman or two, in grey-striped ...y or reddy-brown homespun - "broad-arrowed" ... topped by a tricky, lilac sunbonnet, take the ... the sanded space by the thick walls.

Could men and women but see the astounding as-... ent of "suits" and "frocks" (perhaps now on the ...o other gaols) which they ... hurriedly "go their ways ... no more." Of clothing ... the writer examined, the ...nding feature was antiquity ...oe. The shelves of the store-... carried goods, made at least ... years back, yet unworn. They ... be put in a museum.

...ts were made of four widths striped wincey pleated into ... bands 18 and 20 inches. ...es to match were tight fitting, and buttoned down the front; ... could be worn inside or outside ..e skirt. An apron of blue, ... and linen, also pleated into the ... to which white tapes were ... for tying , went with this ...ne together with a blue check ... of the same thick linen as a ...nience - not as a finish. On ...ons, a narrow strip of Mull-... about 4 inches wide and 20 ... long, with three hand-sewn ... across each end, were per-... to be worn as a necktie - if ...dy could be trusted not to ...le herself or some other.

...elf of strong linen "stays" of the real, old, hour-... pattern was there to give some help in the ...le to fit into the 18-20 inch "bodies." Under ... such as have not been seen in shops these three-...tions, were there - to be laughed at, linen for-...ng its basis! Cold? Rough? Oo!

...kings, black, white and "railway" striped, and ...as yellow banded as lizards bulged in their ... bags. Hats, white linen, tweed, felt and battered ...rns," had a stand to themselves beside a sack ...as stuffed with infants' yellow cambric bonnets! ...tly, infant criminals were expected to come in early and were accordingly provided fro! Boots of "early Victorian" makes and shapes lay in assorted heaps, the "new" ones being hard with age. Strangely enough, flannel shirts, handmade and beautifully herringboned, though knocking about the store for years, had successfully eluded the moth.

There was one pile of men's white calico trousers, no different in cut from those today, which now, indeed, could be worn at tennis - only an unfeeling Department won't provide tennis. Soft, three-cornered, spotted kerchiefs, such as are worn today, were folded with large, red-spotted handkerchiefs, like those we sometimes turn into cushion covers. The bed rugs of black and red worsted, fringed and bordered, appear to be just the heavy table covers of a past day.

A prison bed was a low, wooden stool, of the width and length of a wire stretcher. On it was laid a coir mat of exactly the same size, then blankets and the aforesaid rug. The sore was out of pillows, though. And an article called a "muff" was not by any means a decorative fur; into it would be put the hands of

the unruly, the wrist straps fastened and quiet assured. A whipping post, never used, stood ashamedly in a corner, while a couple of "cats," also unsoiled, rested nearby.

The gaol yard used to be lit up by several big, square, oil-lanterns such as once were seen above the doors of "inns."

Many are the suggestions for turning the fine building to account, a high school, a hostel, a home for pensioners and an asylum being a few of the notions.

### Cases heard by Wentworth District Court, May 1871.

The first district court held at Wentworth was **opened on the 15th May**, Judge Francis presided. An address of welcome to which a suitable reply was accorded was presented to his honor, and his honor and the Crown Prosecutor (Mr. Foster) **hoped not only to see a newspaper established in the district**, but that **steps would be taken to extend the jurisdiction of the court to the adjacent district of Victoria.**

Australian Town and Country Journal, 3 June 1871.

The first Quarter Sessions were held at Wentworth on May 15.

His Honour Judge Francis presided, Mr. D. Forbes was Crown Prosecutor, and Mr. George C. Gillott, solicitor, attended.

JOHN SMITH was charged with horse stealing. George C. Carter, senior-sergeant, said he informed prisoner on March 7 that he would be brought up for stealing a horse from Robert McFarlane, of Mallee Cliffs. Prisoner was then in gaol. charged with stealing a saddle, and made no reply. Robert McFarlane deposed that a cream-coloured horse was missed about June 27. It was branded RF near shoulder, had a silvery mane and tail, and was running with a mob near the home station. A saddle was stolen about the same time. The horse outside is the one. Never saw prisoner before he was in police custody.

William Ramsay, horse-keeper for Mr. Crick, mail contractor, and residing at Old Tarcoola, 65 miles up the Darling from Wentworth, said about June, 1870, prisoner remained at camp one night, left next morning, and went down the river in the direction of Wentworth. Prisoner had no horse. He returned about a fortnight after, riding a cream-coloured one branded RF. Remained a night and went up the river. The horse outside is the same. Tried to swap another for the one ridden by the prisoner, which made me take ore notice. Next saw prisoner about Christmas at the Pooncaira Races. Asked what he had done with the cream-coloured horse. Replied that he had swopped him at Tarawena Lake. Told him there was £20 reward for the horse. Prisoner said, "I spotted the horse in McFarlane's paddock, and shook the saddle out of the saddle-room." My camp is about 100 miles from Mr. McFarlane's residence.

By prisoner - Never gave information to the police. Played cards with you at Pooncaira Races. Lost a small sum.

John Williams, settler at Gol Gol, 25 miles from Mr. McFarlane's station, and five from Wentworth, said - Prisoner, about the end of June, came to my place and asked for rations, which he got. He remained one night, and went on in the direction of Mallee Cliffs, walking.

Miles Bailey, senior constable, Menindie, said - I left on July 1 to escort a prisoner to Pooncaira. At Morrara, about 140 miles from Mr. McFarlane's, about July 4, saw Smith, who had a cream-coloured horse. Believe that outside is the same. On returning a few days after again saw prisoner with the horse at Tolarno, further up the river.

The judge summed up, and the jury having retired for a short time returned a verdict of guilty.

The same offender pleaded guilty to a charge of prison-breach at Wentworth on February 25.

The Crown Prosecutor said that as the prisoner had pleaded guilty on the last charge, he would not proceed against him for saddle-stealing, but hand up the depositions for His Honor's information. The prisoner was then remanded for sentence.

.....

MALCOLM CAMERON was charged with attempting to commit suicide at Tarcoola by taking strychnine in November. Henry Brooks, manager of Tarcoola station, said the prisoner was a shepherd there. In consequence of information, went to prisoner's place, and found him very ill. He said he had taken poison. Saw a bottle (produced), which he supposed had strychnine in it. Administered remedies, liquid fat and other things, and prisoner recovered.

Matthew Sharp corroborated, adding the prisoner said a fit came over him when he took the strychnine.

Cross-examined - The prisoner wanted to leave for some time, but had to stop for a week, as another man could not be procured. Saw prisoner often before his taking the poison. Noticed a change for a few days in his manner. He had to walk through water, as every one had to do then, the river being flooded.

Emil Geyer, chemist, Wentworth, said the bottle contained strychnine.

R. F. Newman stated he arrested prisoner at Pooncaira shortly after he was supposed to have taken poison.

Mr. Gillott called no evidence, but urged that from the evidence of Sharpe, prisoner was then suffering mentally, and not responsible for his actions.

The Jury, after about an hour's retirement, returned a verdict of not guilty.

The same prisoner pleaded guilty to prison-breach. Remanded for sentence.

### **Second Day.**

- ROSS was charged with forgery. Constable Bailey, stationed at Menindie, said he arrested prisoner there, and charged him with forging and uttering a cheque or order produced for £15. It purported to be

signed by Samuel Bolitho. Prisoner said he got the cheque from Mr. Bolitho in payment of wages.

Richard Greer, publican, Menindie, proved that the prisoner tendered him the cheque for his account. Witness did not like the look of the cheque, and showed it to other people, on whose advice he handed it back to the prisoner.

Samuel Bolitho, J.P., settler, at Polio, said prisoner was living there for some time as a labourer and assistant in the store. Never signed cheque produced. Had no account in the Bank at Wentworth, on which it was drawn. Always paid the men by order on printed forms. The cheque produced was on plain paper, and the hand-writing was like the prisoner's. It was not the hand-writing of the storekeeper. The signature slightly resembled his own. The prisoner received an order for £8 on printed form for his wages.

The prisoner addressed the Jury, alleging that he got the cheque from a servant at Polio in payment of a gambling debt.

The Jury returned in half an hour with a verdict of guilty.

**The next morning** the prisoners were **sentenced as follows:-**

JOHN SMITH, horsestealing, and prison-breach, three years and three months in Darlinghurst Gaol, with hard labour.

MALCOLM CAMERON, prison-breach at Wentworth. His Honor said that as the prisoner had been confined nearly six months awaiting trial, he would only give him three days' imprisonment in Wentworth Gaol.

- ROSS, two years' imprisonment in Goulburn Gaol, with hard labour.

This concluded the criminal business, His Honor congratulated the people on the lightness of the calendar.

#### **Civil:**

FELGATE v. FOX - £13 12s. Verdict for amount by consent.

GUNN v. FOX - £44 4s. Same result.

KENORAN and ANOTHER v. MORGAN was withdrawn by plaintiffs. Mr. Forbes, for defendant, sought for £5 18s. costs, and the Judge allowed £4 7s.

GREEN v. BROWN - Mr. Gillott obtained a verdict for plaintiff for £13 13s.

McLOUGHNAN v. McGREGOR - Jury case. Mr. Forbes claimed damages for defendant's taking out of Menindie Pound as his own a mare and filly the property of plaintiff, who proved his title through Miller, who purchased the animals in May, 1869, out of the pound. It, however, appeared from the books produced that Hatton, the then poundkeeper, wrongly described the beasts, and the original owner contended that the sale was illegal, and no title passed to Miller. Mr. Forbes, for plaintiff, argued the contrary, and His Honor having so agreed directed the Jury. They after a short retirement returned a verdict for plaintiff as follows:- The mare outside to be given up, and the filly, not there, to

be also surrendered to plaintiff in good condition within one month, or a verdict of £10 to be entered. Defendant to pay costs, which were taxed at £50 14s. 4d.

South Australian Register (Adelaide) 26 May 1871.

Jan 1881 Gaol at Wentworth Gazetted to be a public gaol, prison, and house of correction.

PUBLIC GAOL.

Notification in yesterday's Government Gazette:-

The Gaol at Wentworth declared to be a public gaol, prison, and house of correction.

Sydney Morning Herald 15 Jan 1881.

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Sep 1883 Appointment of Chaplains to the gaol at Wentworth.

APPOINTMENTS in yesterday's Government Gazette (include):

Rev. Michael Campion to be Roman Catholic chaplain to the gaol at Wentworth;

Rev. Joseph Lintott Taylor to be Church of England chaplain to the gaol at Wentworth.

Sydney Morning Herald 12 Sep 1883.

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May 1885 Wentworth Quarter Sessions.

At the quarter sessions today SAMUEL FOX, who was in custody on a charge of indecent assault, was discharged on his own recognisance of £100 to appear at the next sessions.

HENRY WEST, late Alderman of Wentworth, and a large contractor, was found guilty of obtaining £200 under false pretenses from Harry Wheelwright, and was sentenced to 18 months' imprisonment in Wentworth gaol.

WILLIAM RUSSELL, an old man, charged with an assault on a boy of 7 years old, pleaded guilty to a common assault, and was sentenced to two years in Hay gaol.

Sydney Morning Herald 22 May 1888.

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Aug 1887 Appointment to the gaol at Wentworth.

APPOINTMENTS in yesterday's Government Gazette (include):

Mr. Arthur Nelson Barnett, P.M., to be visiting justice to the gaol at Wentworth, vice Mr. Love, transferred.

Mr. Arthur Nelson Barnett, P.M., to be commissioner of insolvent estates for the district of Wentworth.

Sydney Morning Herald 20 Aug 1887.

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May 1888 Ex-Alderman - money under false pretenses.  
Wentworth.

At the sessions yesterday before Judge Backhouse, HENRY WEST, carpenter and contractor, ex-alderman of the Wentworth Municipality, was sentenced to 18 month's imprisonment in Wentworth Gaol, for obtaining money under false pretences.  
Argus (Melbourne), 23 May 1888.

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Jul 1888 Appointment to the gaol at Wentworth.  
APPOINTMENTS in yesterday's Government Gazette (include):  
Rev. Patrick Richard Davern to be Roman Catholic chaplain to the gaol at Wentworth,  
vice the Rev. M. Long.  
To take effect from 1 Oct 1887 [even though this is an 1888 announcement]  
Sydney Morning Herald 21 July 1888.

Rev. Isaac John Sparling to be Church of England chaplain to the gaol at Wentworth,  
vice Rev. Jacob Varso, resigned.  
Sydney Morning Herald 8 Sep 1886.

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Mar 1889 Stewart, Wentworth gaol warder retires.

Mr. Edward Stewart, warder, has retired from the civil service.  
Sydney Morning Herald 9 Mar 1889.

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Jul 1889 Appointment to the gaol at Wentworth.  
Rev. Tom Ward to be Church of England chaplain to the gaol at Wentworth,  
vice I.J. Sparling, resigned.  
Sydney Morning Herald 27 Jul 1889.

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Mar 1891 White and Harris guilty of breaking into a dwelling in Tibooburra; White - Hay gaol,  
Harris Wentworth gaol.

John WHITE and William Harris were charged with breaking into a dwelling in Tibooburra, with intent to commit a felony. The jury found them guilty. White was sentenced to nine months' hard labour in Hay gaol, and Harris to nine months' hard labour in Wentworth gaol.

Sydney Morning Herald 26 Mar 1891.

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Feb 1895 Bonner accused of setting fire to the Rodney during shearers' strike.

CENTRAL CRIMINAL COURT.

Before his honor Mr. Justice Simpson and a jury.

Mr. Wade for the Crown.

THE SHEARING RIOTS.

Thomas Bonner, aged 23, was arraigned on an indictment charging him with having maliciously set fire to the steamer Rodney at Moorara on 26th of August. Mr. R. D. Meagher (Messrs. Crick and Meagher) defended the accused, who pleaded not guilty.

Mr. Wade: ... circumstances and surroundings of the outrage. It took place in connection with the shearing trouble last year, and at a time when there was a very strong feeling between different sections of the labouring classes. On the date in question there were a large number of unionist shearers encamped near Moorara, and they knew that the Rodney was coming up the river with free labourers on board. When the Rodney moored in the stream a party of men boarded her from the camp, handled the free labourers roughly, and then set fire to the steamer, burning her to the water's edge.

The accused had been recognised as one of those taking part in the outrage, although he had not been seen to actually set fire to the ship. But in law he was equally guilty. Bonner was arrested on 11th November, and was tried at the Quarter Sessions at Wentworth, but the jury was unable to agree, and he was put back for trial.

Whilst he was in gaol at Wentworth, the accused made a statement to Constable Sherringham, in which he admitted that he had been guilty of perjury at the trial, and that he had been present at the burning of the Rodney, and that in fact he was guilty of the crime he now stood charged with.

Constable Sherringham was severely cross-examined by Mr. Meagher, to show that the confession obtained from the accused was the result partly of pressure and partly of imagination; and the accused went into the box and denied that he had ever made any such statement. ... Found not guilty of setting the fire, but guilty of aiding and abetting. Jury told they must either find him guilty or not guilty. If he was guilty of abetting then he was guilty of the crime of which he was charged. Jury - guilty, adding a strong recommendation for mercy. ... on account of his youth and his excitable temperament.

His Honor: Crime of which he was convicted ... was a most serious one ... liable to be sentenced to penal servitude for life. Sentenced the prisoner to seven years penal servitude.

The prisoner: I thank your Honor for your leniency, but you have sentenced an innocent man.

As the prisoner left the dock he shook his fist violently at Constable Sherringham.

Sydney Morning Herald 26 Feb 1895.

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Feb 1903 Appointment to the gaol at Wentworth.

Mr. J. O. Edwards, J.P., to be deputy licensing magistrate of the Licensing Court for the licensing district of Wentworth, during the absence of Mr. C. F. Butler, P.M.,

Sydney Morning Herald 10 Feb 1903.

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Oct 1907 Escape of a prisoner from Wentworth gaol.

**ESCAPE OF A PRISONER.**

Mildura.

John L. Clifford, a prisoner under committal for trial on a charge of burning haystacks at a farm at Cal Lal, New South Wales, escaped from gaol at Wentworth yesterday, and swam the river. He lost his clothes, and appeared at Cowra station, on this side, and, after being provided with clothes, he immediately made off. The police on both sides of the river are now searching for him.

The Mercury (Hobart) Tasmania 5 Oct 1907.

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Dec 1933 *Wentworth Gaol, A Link with the Past.*

[Note **corrections** made at the time to this article - written below.]

A Link with the Past.

By L. Peacock.

Nestling in an angle formed by the meeting of Australia's longest rivers, is the charming old town of Wentworth. The submergence by Lock No. 10 in the Murray hides the tongue of sand formed by the confluence of the streams, which a tribe of some four hundred blacks chose as their battle-ground for an attack upon Stuart as he passed along the river in 1830. Twenty-three years later Captain Cadell, in his steam-boat *Lady Augusta*, hove to and tied up to a gum tree hard by the historic scene. The boiler of his vessel was still hot when Captain Randell's *Mary Ann*, a quaint little steamer, built by the skipper himself, coughed her way round the bend, and came to rest near the same spot.

So the town may be said to have sprung from the ashes of camp fires, where two venturesome pioneers, competing for the honour of taking the first steamer along the waterways, rested for the night.

Among the early buildings, around some of which gathers a wealth of romance, not unmixed with tragedy, is **the old gaol**. It stands about a quarter of a mile to the south-west of the town, on a strip of grey wind-swept clay pan, where almost any aeroplane might land with safety. Many a weary "sundowner" emerging with empty tucker bags and swinging billy from the shimmering mirage on the salt bush plain, has slipped his shoulder straps and rested in the shade of the grim walls, before deciding whether his next stage would be up the Darling or the Murray. Too often, alas, the chance meeting with old mates and new at the friendly bar, qualified him for a seven or ten days' residence within the walls, delaying his take-off in either direction.

Viewed from the eastern side, the bare structure has a background of river gums, kept strong and green by the moisture of a horse-shoe billabong, in striking contrast with the adjoining sun-baked clay and yellow sand, the latter whipped into billowy ridges by the hissing winds of countless summers.

According to a proclamation in the Government Gazette the building was erected in 1870, being

constructed of bricks molded and burnt near at hand. A gaping chasm, now serving the purpose of a handy rubbish-tip and playground for hoards of goats, shows whence the clay was dug.

The wilting hand of time has not erased the stamp of fine workmanship in the structure of the prison. Heavy slabs of granite for door steps, window sills, and paving, were drawn evidently from some considerable distance, possibly from Mannum or Murray Bridge in South Australia.

In size the institution is quite out of proportion to past, present, or future requirements for local involuntary "boarders." When the uninitiated seeks reasons for the erection of a building of such dimensions, he is informed that the discovery of silver at Mt. Gipps Station, and the opening of the rich field of Broken Hill, called for accommodation for law-breakers. Wentworth being then the nearest town of any size, was selected as the gaol site. Could its ancient walls become articulate, they might unfold many a record of horse-stealing, sly-grogging, and other reckless deeds against society. Within the enclosure are fourteen cells, with housing for forty-two prisoners. On the high wall are the familiar watch-tower and supervision balcony, from which the warder's hourly call "All's well," broke the night stillness across the plain through the far-off years.

Among the tales which old timers like to relate is one concerning a notorious aboriginal "King Billy," who was incarcerated there for many months awaiting the law's tardy inquiry into charges of having murdered several of his wives down by Lake Victoria. Until his trial ended in acquittal, the lanky native often presented a pathetic figure as he moved about the exercise yard with old-fashioned "hobbles" around his slim ankles.

The gaol has long since been closed, except the official residence, which is occupied by one of the local constables, and will probably stand for many years, a gaunt monument of sterner times.

Sergeant Sherringham, who was officer-in-charge for a quarter of a century, now lives in honoured retirement on the irrigation settlement of Curlwaa. Local people of this generation are more interested in the locking of their rivers to provide happy homes for free citizens, than in the maintenance of a pile of bricks and mortar to keep within bounds the lawless ones. It seems reasonable, however, to suggest that portions of the building might be made to serve some useful purpose, either as building material or otherwise. Unsuccessful application was recently made for the use of one of the main halls by the local troop of Boy Scouts, and the "White Elephant," closed for lack of "guests," seems destined to remain for reasons best known to authorities.

Sydney Morning Herald 1 Dec 1933.

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Dec 1933 **Mistakes in article [above] about Wentworth Gaol.**

[M. R. Chatto's letter of correction.]  
Letter to the Editor.

Sir, - In Friday's "Herald" you published an interesting article on the old gaol at Wentworth, but your contributor has, I think made two mistakes.

Firstly, **the gaol mentioned is not the one referred to in the Government Gazette as being erected in 1870;** the fact that it was built after the discovery of silver on the Barrier shows that. The gaol

mentioned in the Gazette is a much older brick building, which stands in Darling-street, near the court-house, and contains, I think, four cells.

Secondly, **the fine red bricks used were made and burnt by "Joe" Fritsch, at the brick kilns below the cemetery**, where all the bricks used in the Public Buildings were made. **The excavation to which your contributor refers was made to obtain earth to form an embankment**, locally known as the Back Dam, along Adams-street, as a protection against the great flood of 1870. As **this levee extended** from the Roman Catholic church almost to the Racecourse Hotel, a distance of well **over a mile**, it needed a great amount of earth. **This levee was, in after years, ploughed down to form Adams-street, and was re-erected in 1891** by a paternal Government, which spent over £1,000, under the supervision of the late Mr. W. J. Hanna, in erecting levees around the town to guard against a threatened flood.

Incidentally, **in making this excavation, a large deposit of coarse red sand was uncovered**, which was **used to top-dress the excellent footpaths of the town**.

Wentworth certainly possesses very fine public buildings, so noticeable that your special representative, who visited the town with the late Sir Joseph P. Abbott, wrote that they were finer than those of Armidale, *"and Armidale could put Wentworth in its lap and spank it."* But those were the days of abundant loan money and energetic "road and bridge" members, who could persuade the Government **to build a wharf, which was never used by the river steamers until the wharfage dues were abolished, and a fine infants' school of brick, which was unoccupied for years**. It seems a pity that the history of these old towns cannot be recorded before all the "old hands" pass away. **Wentworth possessed a relic of which it was very proud, a small brass cannon mounted on a ship's carriage**, which was dragged out and fired on great occasions.

Mr. C. Brunson Fletcher, some time ago, in an article published in the "Herald," said that when Cadell first steamed up the Murray, he was greeted, a few miles above Wentworth, by a salute fired from a small brass cannon. This was probably the same piece of ordnance. As there had been no previous navigation of the Murray, save by rowing boats, it would be interesting to know how the cannon got there. It must have been brought overland by some early settler, perhaps with the idea of overawing the warlike aborigines.

I am, etc.

M. R. CHATTO. Carlton, Dec. 4.

Sydney Morning Herald 5 Dec 1933.  
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Dec 1933 Wentworth Gaol. Wentworth's cannon mentioned by Chatto. Plus a Wentworth history written (N. Grace) but no publisher.

Reply from N. Grace.

Sir - Mr. Chatto's comments ("S.M.H." 4/12/33) on the "Wentworth Gaol" article are timely and informative. In the future, however, some confusion may arise through the supposition, repeated, that

the small cannon alluded to by him was the one brought down by Captain Sturt. There are TWO CANNON, Sturt's piece, without carriage, is now in Adelaide. I saw it there four years ago. The other cannon, on carriage, a subsequent importation, is still in Wentworth. This is the piece mentioned by Mr. Chatto as having been brought out on great local occasions.

Mr. Chatto's further remarks, "It seems a pity that the history of these old towns cannot be recorded before all the old hands pass away." Well, I spent 12 years and a lot of money in gathering material for such a record, not only of Wentworth, but of the great mid-Murray and Darling districts from their beginning. And, having compiled and checked this work without bias or contentious matter (adding many early portraits and maps), I find Sydney publishers unwilling to publish this "fine piece of work" - to quote - except at my own expense, on the plea that "pioneer history does not sell." My effort, therefore, has proved merely a waste of yers and material.

I am, etc.,  
N. GRACE.           Wentworth, Dec. 12.

Sydney Morning Herald 18 Dec 1933.

## **12. WENTWORTH GAOL TODAY.**

[I have not attempted to record the different uses made of the Gaol building after its closure in 1928.]

### **Information on the Male Cells provided at Wentworth Gaol in 2009.**

Today the Wentworth Gaol is a Tourist Attraction.

The male cellblock has ten cells, eight smaller examples and two, larger drunk cells.

The block was designed for high security. The floors, ceiling and sides of the cells are of concrete and cement, and the cell doors are of tough boilerplate. The dividing walls are 450 millimeters (18 inches) thick and the outer walls 560 millimeters, or more than 22 inches.

The roof is of curved corrugated iron and sufficiently high to discourage a breakout while the high-level windows with iron bars and the solid steel doors ensured escape was unlikely. In fact, there is no record of anyone ever escaping from Wentworth Gaol\*.

The gaol served a vast region, populated by a disproportionate number of men compared with women, and many of them with traditional hard-drinking vocations. The shearers, bullock teamsters, riverboat crews, stockmen and drovers often overdid it during a night on the town at one or more of Wentworth's numerous watering holes.

Records show the larger cells held up to 18 men apiece while they slept it off. The story goes that the drunks' cells were positioned at the end of the cellblock to limit the exposure of the guards to the stench of the alcohol while they checked the other prisoners. Prisoners were always housed one, three or more to a cell. Never two. The reasoning being that it would be easier to sort out who was lying in the event of any shenanigans.

It was a hard way to spend some time, with the Victorian attitude to prisoners being somewhat harsher than today's and the cells being hot and stuffy in the summer and freezing cold in the winter.

\*My Comment: There was an escape from the gaol. See the report of the 1907 escape of the prisoner Clifford reported above.