

1966

## **Murder at the Hell Hole 1826**

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*Illawarra Historical Society*

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## **Murder at the Hell Hole 1826**

### **Description**

W.G. McDonald, (1966), Murder at the Hell Hole 1826, Illawarra Historical Society, Wollongong, 14p. A true narrative of a horrid and bloody murder done at the Hell Hole Illawarra, A.D. 1826 and of the trial, sentence and the awful execution of the murderer.

### **Publisher**

Illawarra Historical Society, Wollongong, 14p

A TRUE NARRATIVE OF

A HORRID and BLOODY MURDER  
DONE AT THE

**HELL HOLE**

ILLAWARRA A.D. 1826

AND OF THE

**TRIAL, SENTENCE**

AND THE

**AWFUL EXECUTION**

OF THE MURDERER



NOW SET DOWN BY  
W.G. McDONALD

AND PRINTED FOR THE  
ILLAWARRA HISTORICAL SOCIETY  
TO BE SOLD AT THE SIGN OF THE FLAME TREE

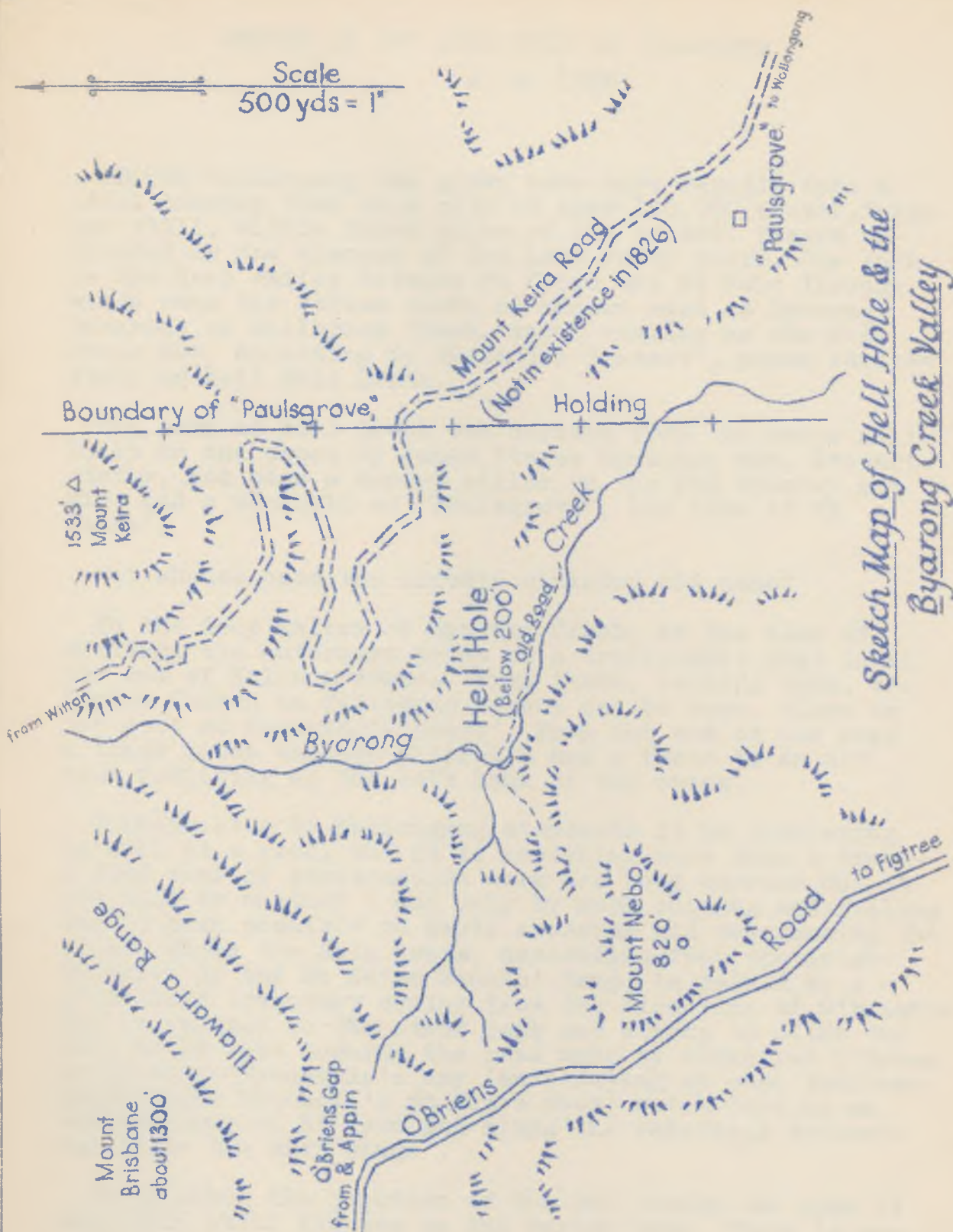
MURDER at the HELL HOLE  
ILLAWARRA  
1826



W. G. McDONALD

ILLAWARRA HISTORICAL SOCIETY  
1966

Scale  
500 yds = 1"



## MURDER AT THE HELL HOLE IN ILLAWARRA

A D. 1826

THOUGH Wollongong has grown ever more rapidly from a small country town to a city of over 150,000 people, there are still, within three miles of its centre, places untouched by the changes of the last forty years. One such is the deep valley between Mt Keira and Mt Nebo through which runs the stream shown on modern maps as Byarong, Byrarong or Millbrook Creek, known earlier as the Mill Brook and, according to Alexander Stewart<sup>1</sup>, known earlier still as Hell Hole Creek.

The name of Mill Brook was derived from two water mills built on the creek by James Stares Spearing who, Stewart states, had been a master miller in the Old Country and also had a windmill at "Paulsgrove", his home at Mt Keira<sup>2</sup>.

But whence came the creek's sinister old name?

In the deep valley of Byarong Creek, at the time of writing, the outermost point on a trafficable road is at the end of Koloona Avenue. From there, looking back, the Mormon Church in Yellagong Street can be seen, close to the site of Spearing's house<sup>3</sup>. From the end of the road a track leads through sliprails and a fence to an old road following up the left bank of the creek.

Perhaps even by Wollongong standards it is flattering to call it a road, but it is something more than a track—a good deal of construction work has been carried out at one time or another — and only by much cutting and filling has it been possible to avoid crossing and re-crossing the creek. Where the main creek, descending from the neighbourhood of the Mt Keira Scouts' Camp, is joined by a good sized tributary coming from the direction of O'Brien's Gap it crosses to the other bank and starts to climb the back of Mt Nebo towards the road made by Cornelius O'Brien in Governor Macquarie's day (ante-dating by some thirteen years Major Mitchell's Mt Keira Road) which runs up an eastern spur of Mt Nebo and along the razorback connecting it to the main range<sup>4</sup>.

At or about the junction of the two creeks the name of Hell Hole still figures on the parish maps. There is nothing hellish about it now. At the junction the narrow

valley opens out into a small but rich alluvial flat, cleared and laid down in cultivation and pastures. On one side are the spurs of Nebo, mostly clear: on the other the southern foothills of Keira, precipitous and heavily timbered. There are two fairly large pools, each with one bank low and grassy and the other high and crowned with a small clump of trees. Seen on a fine day, it seems more suggestive of some pastoral paradise than of the infernal regions, but - Hell Hole it is, even on the prosaic records of the Lands Department.

It was already Hell Hole when the Gormley family came to settle there. James Gormley, in later years a member successively of both houses of the New South Wales Parliament, in his old age told how, when they arrived from Ireland in 1840, his father was advised to settle near Wollongong by an old friend, John Hubert Plunkett, the Attorney General, who had just sold an estate in the Illawarra District<sup>5</sup>.

"My father", says Gormley, "took Plunkett's advice and within ten days after we had landed in Sydney we got ashore from the Sophia Jane at the town of Wollongong, within three miles of which place my father had purchased land without having seen it" (and apparently without the benefit of Plunkett's local knowledge).

"Land and stock were selling at boom prices and my father purchased at the most unfavourable time. The land he had bought we found when we got to Wollongong was situated in a place called Hell Hole and could not be reached from any side with a wheeled vehicle. The whole of the land was so thickly covered with scrub and large trees that it would cost from £5 to £10 an acre to clear it and make it fit to cultivate. The land was valueless for immediate use for there was not a blade of grass on the whole place. The quality of the land was excellent when the timber was destroyed, but it would take years of hard work to remove the timber. How was the family to subsist during that time?"<sup>6</sup>

So the Gormleys decided Hell Hole was well named and, no doubt cursing all high pressure land salesmen, moved on to Bellambi and later to the Murrumbidgee.

Alexander Harris knew of Hell Hole when he was on the coast in the early eighteen-thirties. In the religious tract "Religio Christi", written many years later he says, "This district has now been thickly settled for many years,

and has become the garden of the old Australian Settlements. But many places still retain the names given to them by these wild pioneers. There is still the Hell Hole on the map, wherein the dank depths of a ravine full of huge moss-covered boulders, sombre and gloomy on the sunniest days but utterly rayless by night, a dreadful and treacherous murder was perpetrated by one convict on another poor invalid creature on his way to hospital, for the sake of a solitary sovereign".

Now, perhaps, the origin of the name is in sight, and Harris, though sometimes imaginative, was this time substantially accurate, although to point the moral and adorn the tale, he exaggerated the paltriness of the motive. As for his description, possibly the place was like that before clearing. A little farther up the valley is still deep sunless rain forest which, for all its beauty, must have appalled the first settlers. When Harris was on the south coast the story of the murder must have been fresh in local memory.

In the year 1826 a convict named Thomas Austin had been assigned to Spearing. Though he was known to the other convicts as "Old Tom" he was in fact only 31 years of age. He was a farm labourer, a native of Norwich, transported for life for stealing harness (his third conviction). His description was unremarkable - height 5 feet 7½ inches, complexion ruddy, hair brown, eyes hazel, education none - except for one thing: he was lame in the right foot ("having a bumble-foot", according to the 'Australian'). He had arrived in Sydney on the transport "Sesostris" on March 21 of that year and had first been assigned to Major West at Prospect, but must have remained there a very short time.

He was not happy in the service at Paulsgrove. Before long he sought a private interview with Spearing and complained "that he felt himself very uncomfortable from the situation of being placed with so many men, the whole of which were Irish; that he felt some apprehensions." Spearing, evidently a human and forbearing master, heard him out, then, as he related afterwards, told him that "I labour under the same circumstances, but that I repeatedly wrote and applied on the subject, that no doubt ere long it would be remedied". However Austin was not satisfied and it was alleged later that he offered Jack Hart, Spearing's overseer, ten sovereigns to return him to the government. The overseer refused the bribe, but somehow it leaked out to the other convicts that it had been offered - which meant that Austin was for an assigned servant, a wealthy man and well worth robbing.



Soon after his conversation with Austin, Spearing had occasion to go to Sydney. While he was away Austin fell ill and Hart gave him a pass to go to hospital at Liverpool. Though he was both ill and lame, he was evidently expected to walk the whole way, but a blackfellow<sup>9</sup> was detailed to show him a short cut, which would save him the long walk round by Figtree, to "the high road" (O'Brien's Road) and to allow him to get away unmolested, Hart mustered the other convicts (except two who were working away from the rest) and kept them under his eye.

So on the morning of October 8, 1826 Austin "set out, dressed in a blue jacket, white duck trowsers, a glazed hat and a pair of shoes one of which had a triangular piece grafted on the instep for the purpose of adapting it to the shape of his deformed foot". Although he had given Austin the benefit of the doubt, Hart was not entirely convinced of the genuineness of his illness. Suspecting that the convict might have been leadswinging to get off the farm, Hart wrote to Spearing in Sydney asking him to call at the Liverpool Hospital on his way back, to see how Austin was progressing. Spearing did so, but no one at the hospital had seen or heard of Austin, and no enquiries could trace him. He was posted as a runaway, and for several months his disappearance "continued to be a subject of general discussion and wavering conjecture".

Then on May 13, 1827, Spearing sent a convict to Lieutenant Fitzgerald, the resident magistrate at Illawarra, to be returned to government service. This was commonplace, but the reasons detailed in a letter next day were anything but commonplace.

About a month earlier, Hart had told Spearing that he "much feared" that Austin had been murdered, "which was in some measure confirmed by a most horrid smell at a particular spot at the foot of the mountain". He had taken a party up towards the mountains to cut cedar and, when rather more than a mile along the track which Austin had taken, "some of the party smelt a most disagreeable stench, which some said proceeded from a kangaroo that had been killed somewhere about and had putrefied, but which it was the more general opinion amongst the men was the smell of a human body in a state of decomposition". But a search had been in vain. When Spearing heard Hart's report "it rushed to my mind immediately that I had smelt the same and on mentioning it to my wife, she had felt the same feeling. I waited on you the next morning and informed you of my suspicions ..That immediately I could collect the black natives in sufficient numbers I would search for the body".

But the blacks had been "out of the settlement". When at last they could be called in, they "had not searched above ten minutes about the place whence the effluvia proceeded" before discovering human remains - little more than a skeleton, but "upon one of the arms was part of the sleeve of the blue jacket, a piece of what appeared to have been a duck trowsers was found on the thigh bone, and all the party at one declared it to be the body of Old Tom". He had been "evidently murdered, the skull being fractured in two places, apparently given by an axe or some heavy weapon".

This news brought Fitzgerald up hotfoot from Red Point.<sup>10</sup> Next day he supervised a further search, when the identification was clinched by the discovery of a pair of shoes, recognised by the piece of leather "grafted" on one to fit Austin's deformed foot.

Spearing was already convinced that he could name the murderer - the convict John Hutton whom he had returned to government service. Hutton and another man, Stephenson (or Stevenson),<sup>11</sup> were the two who had not been mustered when Austin set out. Immediately after Austin's departure Hutton, previously "so poor as often to be without a shirt", was in possession of money - "two Sovereign were seen with him at one time" - bought clothes, was drunk himself and "frequently treating the other men". This suspicious access of prosperity had not gone unnoticed, but had been attributed to another cause.

Hart, said Spearing, had taken Hutton before Captain Bishop, Fitzgerald's predecessor as Resident Magistrate, on a charge of drunkenness "and requested at that time that he should be interrogated how he came by the money, remarking...that he suspected that he had robbed me of many little things that were missing.(strange to say)!!! from some cause Captain Bishop neither punished him for the one or interrogated him on the other, from that time he became unbearably indolent, insolent and insubordinate evidently from a desire to get off the farm, his having brought before you more than once on those points there is little more to say Except his having threatened my life since his return, with the general horror, that is felt against him in my family, particularly my wife, should you not see sufficient cause to commit him, I must return him to the government...The suspicions attached to Stevenson is his being in possession of money after that time, his great connection with Hutton, his restless manner, and the general impression on the farm, from a thousand little things better understood than explained".

Fitzgerald was less confident. "I am sorry to find", he reported, "that there will be great difficulty in finding sufficient proof against the person suspected...I have returned him agreeable to Mr~~r~~ Spearing's request to the service of Government, with a notification at the same time to the Principal Superintendent of Convicts that the man is suspected of murder". Stephenson also was sent to Sydney and both were repeatedly examined by the police.

On May 30 an inquest on the body took place before the coroner, William Elyard, and a jury. The coroner pressed for a verdict against Hutton, but the jury "differed in opinion, and returned a verdict, <sup>12</sup>Wilful murder against some person or persons unknown".

Three days later a notice was issued under the hand of the Colonial Secretary, offering a reward of £20 "to any person (not being a Principal in the Murder) who shall give such Information as will lead to the Discovery of the Perpetrators". <sup>13</sup>

For the moment the reward went unclaimed, but the toils seemed to be closing around Hutton when Fitzgerald secured the deposition of the blackfellow who had been Austin's guide. "Charly Hooker a native constable states...I only went to the Bottom of the Mountain (or rather the beginning of the ascent This is what he means) when a white Man, who he saw lately in custody with me, followed him, and Austin out of the Garden, where he was working and told him, you go back Charly, I will show this man in the Road...I saw a Broad Axe with the white man who followed us out of the Garden, he carried it on his shoulder... he says, he would know the man if he saw him that followed him and Austin. I now remember his name is Hutton".

When Fitzgerald's pronouns had been disentangled there seemed to be a convincing, though circumstantial case against Hutton, and if Hutton were guilty, Stephenson must have been at least an accessory after the fact. As Charly Hooker "showed a reluctance of going to Sydney", Fitzgerald bound him over to give evidence at the trial - almost literally - by incarcerating him in the police barracks. But before long a crestfallen Resident Magistrate was reporting that his key witness had gone ~~w~~ <sup>91</sup>about - "I am sorry to say he made his escape in the night time... He applied to the sentry to go out with him for a Particular purpose - the sentry accompanied him and after - he made a spring from him and made his escape. Neither the sentry or guard could retake him...as soon as this Native

is procured I will loose no time in sending him up". Then by way of a diversionary attack to distract attention from his own department's shortcomings Fitzgerald added, "From all the circumstances you will be able to see the great neglect that has taken place, not finding the Body before".

At this point there is an exasperating gap in the available records, but what happened may fairly be inferred from what followed: On August 17, after Hutton and Stephenson had twice been examined in camera by the Sydney bench of magistrates, Hutton alone was placed on trial for the murder of Austin.

After evidence had been given of Austin's disappearance and the finding of the body, "the skull of deceased was produced in Court and stated on examination by a medical gentleman to have been fractured in several places with a heavy blunt instrument similar to the back of an axe, which must have caused instant death". In addition to the other evidence incriminating Hutton, it was stated that he had told a fellow-servant "That he would have Old Tom's money or know the reason why", at the same time remarking that if ever he robbed a man he would kill him also as "a dead cock would never crow". Asked about his sudden wealth, he had said once that he had got the sovereigns from Old Tom, and another time, "That's not a fair question". It was disclosed that he had told the police that the murder had been committed by Stephenson, who had shared the money with him and had threatened his life if he talked. But from the evidence given at the trial "it appeared that however Stevenson might have been cognisant of the transaction afterwards, he could not possibly have been present when the murder was committed".

The jury convicted Hutton and the Judge sentenced him to death. Though Stephenson was clearly regarded as an accessory, no proceedings against him are recorded; the natural inference seems to be that the Crown, deprived of Charly Hooker, had resorted to a not uncommon practice of harassed prosecutors in the days before scientific detection - allowing one accused to turn King's evidence to convict the other; that Stephenson was the fellow-servant who gave such damaging evidence of Hutton's threats and statements. The notice offering the reward had left the way open to an accessory to "peach"; and if Stephenson put the noose around Hutton's neck, small blame to him after the way Hutton had tried to put it around his.<sup>16</sup>

Death sentences were then carried out in short order Hutton had been sentenced on a Friday; on the following Monday morning he "suffered the awful sentence of the law".

Although "assiduously attended" by the chaplain, "his demeanour after trial was not marked by any evidence of unusual contrition or repentance", possibly because "he expected a respite, it is said, to the last moment of his existence and protested his innocence of murder to the last". "Although he had an unusual length of rope," the "Monitor" reported with dismal relish, "his body was greatly convulsed". Finally, "the executioner having performed his gloomy functions, and the culprit ceased to struggle with death, the gaol yard and heights in the rear became gradually thinned of the soldiery and mass of people which the sight had drawn together, and the body having swung suspended the usual time, was lowered and placed in a shell, for interment".

So John Hutton went to his place, still denying his guilt. But his denial carried no conviction. No one claimed to have encountered Austin's ghost appearing, like his contemporary Fisher's, to bring his murderer to justice; and if Hell Hole's many drawbacks had included a resident ghost the Irish Gormleys would not have failed to mention it. Contemporary public opinion evidently assumed that justice had been done, and there seems no reason to doubt it. Poor Austin's only epitaph is the laconic entry in the convict register, "Murdered on the way from Illawarra to Sydney", and his ghost walks only on the parish map.

## NOTES BY THE AUTHOR

THIS account of Hell Hole and its criminous past is based on a short paper read to the Illawarra Historical Society on May 6, 1965. My attention was first drawn to the story by my sister, Miss Margaret McDonald, B.A., to whom I am also indebted for the tracing of the manuscript material relating to the case, preserved in the New South Wales State Archives.

The account of Austin's disappearance and the discovery of the body is based on Spearing's letter to Lieut. Fitzgerald dated May 14, 1827; Fitzgerald's covering letter to Dr William Elyard, the Coroner, (both in the New South Wales State Archives in the Mitchell Library) and the report in the "Sydney Gazette" of May 30, 1827. The inquest is reported in the "Australian" of June 8. The fullest account of the trial of Hutton appeared in the "Sydney Gazette" of August 20; his execution was briefly reported in the "Sydney Gazette" of August 22 and at greater length and with more grisly detail in the "Australian" and the "Monitor" of August 20.

Where the accounts differ I have, except in one instance (see note 9, infra) followed Spearing, whose knowledge was generally first hand.

Acknowledgment is made to the Archives Office of New South Wales for permission to quote from unpublished documents in the State Archives and to the Mitchell Library Trustees for permission to quote from documents in that collection. Thanks are extended to the Public Library of New South Wales for making available the files of the early newspapers from which information has been secured.

The spelling and punctuation of quotations are as in the originals. "For God's sake, reader, take them not for mine!"

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1. Alexander Stewart lived in Wollongong district from 1828 to 1895. His "Reminiscences" appeared serially in the "Illawarra Mercury" in 1894 and were reprinted in the same paper in 1934.

2. James Stares Spearing was one of Illawarra's most important early settlers. Arriving in New South Wales in 1825, he received from Governor Brisbane promises of two grants, each of 1000 acres, and lost no time in settling on the property, "Paulsgrove" or "Paul's Grove" (afterwards known as Mt Keira Estate). The grants (portions 7 and 8, Parish of Wollongong) were not issued until 1841, to Robert and Charles Campbell. A further 1920 acres in the Bellambi district were promised to his future wife, Miss Harriet Overington, and this grant also was ultimately issued to the Campbells.

The 1828 census showed that by that time Spearing already had 400 acres cleared and 250 acres cultivated. The "Australian Almanac" of 1832 said: "The principal agriculturalist of the district is Mr Spearing of Mount Keira. He has a beautiful garden of 15 acres and

upwards, well stocked with fruit trees and vegetables; he has also two excellent water mills". According to Alexander Stewart, Spearing himself made these mills and the windmill near his home, "having carpenters and other tradesmen working for him".

During 1833 and 1834 one of his overseers kept the anonymous diary known as the "Paulsgrove Diary", recording daily life on the property. Spearing had twenty assigned convicts including a blacksmith, a shoemaker and a tailor, who worked on the farm when not engaged in their trades. The crops grown included wheat, maize, barley, oats, rye, rape, turnips, onions, potatoes, peas and tobacco. The orchard contained peach, apricot, nectarine, plum and pear trees and grape vines. On the uncultivated parts of the properties Spearing ran over 1100 sheep, as well as cattle and horses, and he also had a large pig run.

Towards the end of the eighteen-thirties, according to Cousins, he "became tired and disgusted and decided to leave Illawarra". Benjamin Lindsay ("Land Settlement in Illawarra") surmises that he had "entered into an undertaking beyond his means". Whatever his reason, he left the district, and Illawarra lost probably its most versatile and enterprising pioneer.

3. The site of Spearing's house is shown on the 1842 plan of the subdivision of the Mount Keera(sic) Estate.
4. For O'Brien's Road see K. & M. Marshall, "Early Roads to Illawarra" and N.S.King, "Cornelius O'Brien, Pioneer of Bulli" (both published by the Illawarra Historical Society).
5. This was the Keelogue or Gundarin Estate - Portion 5, Parish of Wollongong (which includes the actual Hell Hole area) and the small Portion 34 adjoining on the north. Although the former portion bears a lower number than Spearing's lands, it was in 1826 still wilderness.
6. "Exploration and Settlement in Australia" by Hon. James Gormly, M.L.C. (1921) pp15-16.
7. "The Secrets of Alexander Harris" (Angus and Robertson, 1961), page 153.

8. Austin must have looked older than his years - Spearing refers to him as "a middle-aged man about forty". But age is relative - Austin may simply have been older than his fellow-convicts.

Middle East Diggers will recall the H.Q.Guard Battalion, whose members, having all attained the venerable age of thirty-five years and upwards, were known semi-officially as "The Old and Bold", and to their irreverent juniors as "The Ruthless and Toothless" and by another less probable title.

Austin's description is taken from "The Muster-Roll of male convicts ...on board the transport ship Sesostriis". The Oxford English Dictionary defines "bumble foot" as a "club foot".

9. Spearing says "two black boys", but in this instance he is speaking only from hearsay, as he was in Sydney at the time. Charly Hooker's description, quoted later, clearly implies that there was only one - Charly himself. This is confirmed by Fitzgerald's covering letter; and Charly's escape and disappearance would surely have created less alarm and despondency had another witness to the same facts been available.

10. The first military post in Illawarra was at Red Point (Port Kembla). In 1829 it was decided to transfer the post to Wollongong, where barracks were erected (near Brighton Beach) in the following year.

11. This man's name is variously spelt in the correspondence and newspaper reports. For the sake of uniformity I have, except in quotations, used the spelling Stephenson throughout. His Christian name is nowhere mentioned.

12. The "Australian" 8/6/1827.

13. The "Monitor" 12/6/1827.

14. Copy of the deposition of Charly Hooker, forwarded by Lieut. Fitzgerald to Henry Moore under cover of letter dated July 2, 1827, in the State Archives at the Mitchell Library, Sydney.

Charly Hooker, or a person or persons of the same or similar name, has appeared in various guises in previous writings on early Illawarra. Mr A. Armstrong, in his article in the "South Coast Times" of January 31, 1957, states that the site of Dapto was owned by Charley Hooka, an aboriginal chief who "was very popular among the chiefs of the Illawarra tribes and owned a large area of land in the district and also a large portion of Lake Illawarra".

Fitzgerald's native constable was evidently of humbler rank - Fitzgerald in his letter says, "I have applied to the chiefs who have promised me they will bring him again to me", a promise which they evidently failed to fulfil.

Charley Hooka's Lake Illawarra estates presumably included Hooka Island. There is also a Hooka Creek, which flows into the lake between Mullet Creek and Berkeley. On its northern bank, according to the article by "Old Pioneer" which appeared in the "Illawarra Mercury" on November 30, 1923, is the grave of "Good King Hooka", the wise and benevolent monarch of the Illawarra blacks. He was allegedly the hero of a battle at Albion Park, where he commanded a northern army marching south to rescue the whites from the southern blacks; the northern forces gaining a hard-won but complete victory against odds only to be plunged into mourning by "the loss of a good and fearless leader". The account of this conflict seems unconvincing and yet oddly familiar - a curious blurred wrong-way-round negative of Chancellorville, where another Hooker commanded a northern army marching south, but there the northerners declared object was (inter alia) to "rescue" the blacks from the southern whites; and it was the southern forces who gained a brilliant victory against great odds, and whose triumph was turned into mourning by the loss of a good and fearless leader, Stonewall Jackson.



Native constable, popular landed proprietor, "his sable majesty", or black Stonewall? Mutatis Mutandis, Jeb Stuart spoke for the historian as well as for Fitzgerald and the Crown Law authorities: "(Charly) Hooker, won't you come out of the Wilderness"?

15. Letter of Lieut. Fitzgerald to Henry Moore, 2/7/1827 (In the State Archives, Mitchell Library).

16. Stephenson, it appears, <sup>was</sup> only an accessory: Sometimes even a principal was allowed to turn King's evidence. Probably the most notorious instance of a conviction obtained in this way was that of William Burke, who in 1828 was convicted, on the evidence of his partner Hare, of a series of murders undertaken to keep the medical schools of Edinburgh supplied with specimens for dissection. In that case it was a very nice point which of the two was the more guilty. Public opinion strongly demanded that Hare should share Burke's most comprehensive punishment (William Roughead says that after being hanged Burke was "publicly anatomised, his carcase flayed, his hide tanned, and his skeleton by order of the court preserved in the Anatomical Museum of Edinburgh University", and that small parcels of his tanned skin were sold as souvenirs). Hare was smuggled out of Scotland by the authorities to save him from a lynching and thereafter was lost to sight. Roughead quotes a tradition that, "having been identified by some fellow workmen,, and consequently cast into a lime pit, whereby he lost his sight, Hare survived for many years as a blind beggar in the streets of London"; but it is also said, on what authority I do not know, that he ended his days in the Liverpool (New South Wales) State Hospital.

Stephenson's subsequent fate is as obscure as Hare's. One is tempted to identify him with Joseph Stephenson, who in 1829 was sentenced to death for highway robbery, having in company with one James Boons, "on the road near Longbottom" (Concord), stolen "ten cheese, a gun, a bag and a jacket"; but this is the barest conjecture.

#### ADDENDUM

Since writing the above note on James Spearing, I have come across the memorials or registration copies in the Registrar-General's Department of a number of deeds to which Spearing was a party. The Paulsgrove and Bellambi properties (excepting a few small parcels already sold or contracted to be sold) and two smaller parcels in Illawarra were conveyed to John Thomas Leahy (Colonel Leahy) by three indentures of Lease and Release (Nos 49, 50 and 51 Book J), dated December 4 and 5, 1835. Spearing also owned property in Sydney and was evidently still in New South Wales late in the following year; but deeds of 1846 and 1849 refer to him as "of Molena Cottage in the Parish of Carisbrooke in the Isle of Wight, Esquire".

So, contrary to Lindsay's surmises, Spearing's operations in Australia must have been highly successful financially. He appears to have been an early prototype of that character of Victorian fiction, the man who had made a fortune in the colonies (usually Australia), come back to England and set up as a gentleman (though Spearing was a more respectable specimen than Magwitch or Old Trevor). One is glad to think so - he sounds like a man who deserved to succeed.

W.G.M.

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THE AUTHOR extends his thanks for the designing and printing of the cover to Messrs A. and F. Midgley, members of the Sutherland Historical Society and for drawing the map to Mr J. L. Wood of Woonona.

