**Notable York Related Court Cases**

**List and Index**

PG = Perth Gazette; EDC = Eastern Districts Chronicle

Trials of special interest are in bold

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| **Year** | **Parties** | **Source** | **Summary** |
| 1840 | R v Doodjeep | PG 4 July 1840, pp2,3. | Tried for murder of Sarah Cook |
| 1840 | R v Barrabong | PG 4 July 1840, pp2,3. | Tried for murder of Sarah Cook |
| 1840 | **R Jane Green** | PG 3 October 1840, p.2; Inquirer 7 October 1840, p.39, 14 October 1840, p.43 | Charge of murder of a new born child |
| 1842 | **Heal, Jane v Mellersh, Thomas** | PG 16 April 1842, p.2. | Claim of breach of promise of marriage. |
| 1842 | Monger, JH, v Samson, L & W | PG 13 August 1842, pp 2,3 | Claim for goods sold to Frederick Samson |
| 1843 | Hogan v Knight | PG 28 January 1843, p.2. | Claim for damages for assault and battery and unpaid wages |
| 1844 | Landor, Henry v Molloy, Captain John | Inquirer 20 March 1844, pp 5,6 | Claim for medical services, travel to the Vasse |
| 1849 | R v Petty | PG 7 April, 1849, p.2. | Petty stole German silver and some hurdles from Monger |
| 1849 | R v Woods | PG 7 April 1849, p.2. | Joseph Woods set fire to a dwelling house at Marline owned by the Parker family |
| 1853 | Kenworthy v Edmund Brockman | Inquirer 25 May 1853, p.2. | Kenworthy sued Brockman for illegal possession of and injuring a horse. |
| 1854 | **Bennett v JH Monger** | PG 14 July 1854, p.2; 11 August 1854, p.2. | Various actions by Bennett against Monger including for damages for malicious and vexatious prosecution of a claim of theft and illegal eviction. |
| 1854 | **R v Bishop** | PG 1 September 1854, pp 2,3; Inquirer 6 September 1854, p.2, p3; PG 6 October 1854, pp 2,3; Inquirer 11 October 1854, pp 2-3; PG 13 October 1854, p.2; Inquirer 18 October 1854, p.3; Inquirer 1 November 1854, p.3; Truth 18 November 1928, p.16; 28 October 1933, p.5. | Trial for murder |
| 1855 | **R v Stanley** | Inquirer 7 March 1855, p.2; PG 9 March 1855, p.3; Inquirer 25 April 1855, p.2. | Trial for murder of Catherine Dayly at 19 Mile Inn |
| 1856 | **J H Monger v J Jones** | PG 23 May 1856, p.3. | Monger claimed the value of a horse detained by Jones. Awarded 50 pounds. |
| 1859 | R v John Cooper | PG 26 August 1859, p.2; Inquirer and Commercial News 24 August 1859, p.2.- | Cooper charged with forging a cheque in the name of John Taylor. |
| 1861 | **R v Voss** | PG 15 November 1861, p.3; PG 3 January 1862, p.2; Inquirer and Commercial News 8 January 1862 p.2 | Trial for murder |
| 1862 | R v John McDonald, Andrew Miller, John Thomson & William McMullen | PG 8 August 1862, p.2; Inquirer 13 August 1862, p.2. | Highwaymen convicts charged with stealing with violence and force of arms from teamsters James Cadby, driving a dray owned by Henry Stevens, and Joseph Evans. Miller and McDonald sentenced to death but sentence reprieved. |
| 1863 | **Inquest re Catherine Larner** | Bill Marwick: *Mary Marwick of York, The Life and times of Mary Ann Taylor*, April 2016, p.20. | Catherine Larner died from a knife wound at Monger’s Store |
| 1864 | R v James Knight | PG 8 April 1864, p.2; Inquirer and Commercial News 13 April 1864, p.3; West Australian Times 14 April 1864, p.3. | Stealing sandalwood from John Clark |
| 1864 | **R v Henry Beard and Henry Shufflebottom** | PG 8 April 1864, p.2; Inquirer and Commercial News 13 April 1864, p.3; West Australian Times 14 April 1864, p.3. | Stealing sheep. |
| 1864 | **Parker v Bailey** | West Australian Times, 21 April 1864, p.3. | Claim by Parker of wrongful seizing of property being that of his son in law Henry Walton |
| 1864 | R v William Graham | Inquirer and Commercial News 9 March 1864, p.2; The West Australian Times, 10 March 1864, p.2, 17 March 1864, p.2, 17 March 1864, p.2, 12 May 1864, p.2, 19 May 1864, p.2; Perth Gazette and Independent Journal of Politics and News 20 May 1864, p.2; Inquirer and Commercial News 25 May 1864, p.2 and p.3; West Australian Times, 4 August 1864, p.2. | Quartermain returned home and Graham, who had been with Quartermain’s wife, started shooting him |
| 1867 | **Pyke v Craig** | Herald, 9 March 1867, p.2. | Craig assaulted Pyke saying he was entering his parlour dirty. |
| 1867 | Caroline Woods and others v John Henry Monger Jnr, W W Hoops and Wm Dunham | Inquirer and Commercial News, 12 June 1867, p.2. | The defendants refused to take out probate of a will. |
| 1869 | R v John Clarke | PG 8 January 1869, p.3. | Clarke was charged with stealing a pig, the property of Edmund Cahill. Witness discovers defendant with Fitt’s wife. |
| 1869 | R v Charles Povah and Joseph Ralph | PG 8 January 1869, p.3. | Povah and Ralph were charged with stealing tools belonging to York Wheelwright John S Johnston. |
| 1869 | R v James Fitt Snr | PG 8 January 1869, p.3. | Fitt was charged with stealing a filly, the property of Samuel Evans Burges. |
| 1869 | R v Curly Wig | PG 9 July 1869, p.3. | Charged with killing “Johnny” under tribal customs. |
| 1872 | R Alexander Samuel; R v Elijah White and John Adolph | PG 5 January 1872, p.2; Herald 6 January 1872, p.3; 10 January 1872, p.3. | Samuel charged with forging a cheque in the name of Thomas Mead and presenting it at the York Hotel and at Charles Edward’s store; White and Adolph charged with forging a cheque in the name ot T Mead and presenting it to the Castle Hotel. |
| 1874 | R v Goswell | PG 2 January 1874, p.3; Herald, 3 January 1874, p.3. | Goswell charged with murdering Mary Anne Lloyd at Beverley. |
| 1876 | John Henry Monger Jnr v Walkinshaw Cowan and others | Herald, 15 January 1876, p.3. | Monger argued that a grant of a spirit merchant’s licence in Perth applied to York. This argument failed. |
| 1876 | Edward Cahill v Joseph Pyke | Western Australian Times, 4 August 1876, p.2. | Appeal on question as to whether a licence was required to cart firewood and stone. |
| 1877 | Joseph Monger v Rev Traylen | EDC 10 November 1877, p.2. | Monger claimed Traylen used offensive language. |
| 1877 | R v Robert Anderson | EDC 1 December 1877, p.2. | Pyke charged Anderson with breaking into the pound to take back five of his horses. Case dismissed, Pyke to pay costs. |
| 1877 | Mary Craig v Charles Chance | EDC 15 December 1877, p.3. | Claim for damages for taking a horse. |
| 1877 | R v E R Parker | EDC 29 December 1877, p.2. | Charged by JM Craig (Scab Inspector) with driving sheep over properties of Edward Parker, Henry Eyre and John Donovan without giving notice, and allowing the flocks of sheep to mix. |
| 1877 | Dorret v Robinson | EDC 15 December 1877 ; EDC 5 January 1878, p.2. | Aboriginal claims assault against his master. |
| 1878 | Herbert Monger v George Inkpen; R v Thomas Andrews | EDC 19 January 1878, p.3..2. | Monger gave permission for goats to be in his yard and then claimed that they were eating his haystack.  Thomas Andrews was charged with stealing saddles belonging to Fr Patrick Gibney. |
| 1878 | R v William Thomson | EDC 26 January 1878, p.3. | Theft of property from world famous ventriloquist “Ernest Voltaire”, a guest at the Castle Hotel. |
| 1878 | Edward Molloy v John Rushforth; R v David Greig; R v Dabbar | EDC 2 February 1878, p.2. | Unsuccessful claim for wages due; Greig charged with staling a gun from a native policeman. Dabbar charged with assault of an aboriginal woman. |
| 1878 | R v Noel Edgar and Louis Dunham | EDC 16 February 1878, p.2. | Edgar and Dunham charged with riding furiously n the streets of York. |
| 1878 | R v David Evans; R James Broun | EDC 23 February 1878, p.2. | David Evans’ wife Mary claimed he had threatened to take her life.  James Broun was alleged to have not reported scab to Scab Inspector Morton Craig. |
| 1878 | R v John Lockwood | EDC 2 March 1878, p.2. | George Martain farmer engaged Lockwood to dig a well for 6 shillings a day. |
| 1878 | R v Henry Williams & Anthony Baxter; R v Henry Beard | EDC 9 March 1878, p.2. | Williams and Baxter charged with unlawfully hawking tinware.  Beard charged with using obscene and indecent language. |
| 1878 | James Harrington v William Knott | EDC 23 March 1878, p.2. | Complaint of failing to pay wages due. |
| 1878 | R v Robert Keelor | EDC 30 March 1878, p.2. | Charged with allowing his horses to remain tied up without food or water. |
| 1878 | R v John Martin; R v W H Turner | EDC 13 April 1878, p.2. | Martin charged with stealing a dog; Turner charged with riding furiously up and down Avon Tce. |
| 1878 | R v Mary Craig; R v John Fields | EDC 20 April 1878, p.2. | Mary Craig charged with selling liquor after hours and to a non;-lodger; Fields charged with ill-treating a horse. |
| 1878 | R v Tommy Nonjup | EDC 27 April 1878, p.3. | Nonjup charged by John Seabrook of neglecting his duties, but ccase dismissed as Seabrook had struck Nonjup. |
| 1878 | R v John Davidson; R V Thomas Davis | EDC 18 May 1878, p.3. | Davidson charged with ill-treating a horse; Davis charged with supplying alcohol to a native. |
| 1878 | R v Beard; R v Turvey | EDC 1 June 1878, p.2. | Beard charged with cruelly treating a horse; Turvey charged with rescuing a horse on the way to the pound. |
| 1878 | R v William Burton; R v Edwin Knott | EDC 8 June 1878, p.2. | Burton charged with violently assaulting his wife Elizabeth Burton; Edwin Knott charged with being drunk and incapable, evidence of his drunkenness included that he was not wearing his hat. |
| 1878 | R Donald Keay, James Kennedy and Henry Gibbs | EDC 15 June 1878, p.2. | Charged with stealing fowls. |
|  | R v William McInnes and George Sheen | EDC 6 July 1878, p.2. | Charged with stealing 3 logs of sandalwood from JH Monger. Evidence given by William Marwick. |
| 1878 | Agnes Cowan v Henry Horton | EDC 13 July 1878, p.2; | Before W Cowan, and GM Meares – Agnes Cowan sued Horton for allowing Henry Kirkham to board a carriage drunk following which he used abusive language. |
| 1878 | Warren JV v Stevens H | EDC 13 July 1878, p2; EDC 14 September 1878, p.2. | Claim for rent for Town Lot 3 |
| 1878 | R v Henry Beard | EDC 20 July 1878, p.2. | Henry Beard charged with the use of profane and abusive language after his horse was impounded for being in the street. |
| 1878 | R v William Taylor | EDC 27 July 1878, p.2. | Charged with stealing from the wagon of William Smith |
| 1878 | R v Mary Shannon; R v unknown | EDC 10 August 1878, p.2. | Mary Shannon charged with being drunk in a public street, the defendant had to be wheeled into court in a wheel-barrow; claim for support under the Bastardy Act, all the witness could say was “on Fair Day” and “thro the winder,, Sir” |
| 1878 | R v Mary Batty | EDC 24 August 1878, p.2. | Mary Batty charged with insulting, profane and abusive language. |
| 1878 | R v Jacob Smith | EDC 31 August 1878, p.3. | Charged with stealing cloth from Fr Gibney. |
| 1878 | R v Curtis | EDC 29 September 1878, p.2. | Failing to brand sheep S for scab because he could not cross the river. |
| 1878 | R v Lockwood | EDC 29 September 1878, p.2. | Joseph Pyke claimed a horse that had been rented and not returned had been stolen. |
| 1878 | R v Robert Anderson | EDC 29 September 1878, p.2. | Pyke charged Anderson with breaking into the pound to take back three of his horses. |
| 1878 | R v John Seabrook | Inquirer 16 November 1881, p.3; EDC 18 November 1881. P.2; Victorian Express 30 November 1881, p.3. | Seabrook charged with violently assaulting Wooby Jack. |
| 1878 | R v Alfred Wright | EDC 23 November 1878, p.2. | Chipper sold alcohol to J Thomas Parker, which was strapped to the saddle of Yambich (an aboriginal) by Alfred Wright, then carried by Yambich on his horse towards Parker’s place. Yambich was stopped by the police for carrying alcohol. Wright was charged. Case dismissed. |
| 1879 | R v William Dickson | EDC 4 January 1879, p.2. | Dickson charged with supplying spirituous liquors to Yambitch and Billy Kickett and Wingar. |
| 1879 | R Stephen Hogan | EDC 1 March 1879, p.2. | Argument over whether four thirds of a loaf make a loaf becomes violent. |
| 1879 | R v Jane Thacker | EDC 1 March 1879, p.2. | Charged with hurling missiles at and threatening to shoot her son. |
| 1879 | R v Hammond, Frederick | EDC 29 March 1879, p.2. | Damaging a piano |
| 1879 | Craig v Hope; Hope v Craig | EDC 30 August 1879, p.3; EDC 27 September 1879, p.3; EDC 25 October 1879, p.2. | Cross claims for defamation |
| 1879 | R v Dora Wilson | EDC 13 September 1879, p.3; also see Herald, 20 September 1879, p.2. | Dora Wilson was charged with allowing a drunken man to remain on her premises. |
| 1879 | R v Anthony Malone | EDC 18 October 1879, p.3. | Policeman using unjustifiable violence. |
| 1881 | R v Pyke | EDC 25 February 1881, p.2. | Joseph Pyke charged with using prisoners to empty dry earth “closets.” |
| 1881 | R v Andrew Dyson | EDC 13 May 1881, p.3. | Husband charged with assaulting his wife. |
| 1881 | R v Yambich; R V JM Craig | EDC 20 May 1881, p.3. | Yambich committed for murder by spearing; Morton Craig charged by an employee of ill-treating him. |
| 1881 | R v Nulgerbucking | EDC 17 June 1881, p.3. | Aboriginal shooting. |
| 1881 | R v Thomas McGlinn and Charles Farmer | EDC 24 June 1881, p.3. | Charged with assault on an aboriginal. |
| 1882 | R v John O’Dea | EDC 8 September 1882, p.3. | O’Dea charged with stealing sandalwood from Frederick Gillman, and threatening to stab him. |
| 1882 | R v James King | EDC 1 December 1882, p.3. | King hit a Chinaman with a stick and was fined 5 pounds. |
| 1883 | R v John Walker | EDC 27 April 1883, p.3. | Walker charged with poisoning a dog belonging to Mr Toomey. |
| 1883 | R v Dora Wilson | EDC 7 September 1883, p.3. | Dora Wilson summoned to respond as to why she was not affording the necessary accommodation under her liquor licence. |
| 1883 | Matthew Skinner Smith v Robert Sheehy | Daily News 17 November 1883, p.3. | Smith executor of HM Lefroy’s estate seeking damages from Woodlands tenant |
| 1884 | R v Thomas Robson | EDC 18 January 1884, p.3. | Robson charged with assaulting Joseph Connor, his brother in law. Case dismissed. |
| 1884 | R v R H Eyre | EDC 29 February 1884, p.3. | Eyre charged with stealing a black mare. |
| 1884 | R v Carbury | Daily News 13 September 1884, p.3; EDC 15 September 1884, p.2; Inquirer and Commercial News 17 September 1884 p.5; Daily News 18 September 1884, p.3; West Australian 18 September 1884, p.3; Daily News 19 September 1884, p.3; Daily News 20 September 1884, p.3; West Australian 20 September 1884, p.3; EDC 22 September 1884, p.2; Inquirer and Commercial News 24 September 1884, p.6; Victorian Express Geraldton 24 September 1884, p.3; Daily News 27 September 1884, p.3; EDC 29 September 1884, p.2; Victorian Express 1 October 1884, p.3; Daily News 2 October 1884, p.2; Daily News 3 October 1884, p.3; Herald 4 October 1884, p.3; Daily News 4 October 1884, p.3; Inquirer and Commercial News 8 October 1884, p.3; Albany Mail and King George Sound Advertiser 21 October 1884, p.3; Daily News 23 October 1884, p.3; Inquirer and Commercial News 29 October 1884 p.3; West Australian 11 December 1884, p.3; Daily News 29 October 1885, p.3 Inquirer and Commercial News 4 November 1885 p.3; | Murder of Constable Hackett |
| 1885 | R Stephen Hogan | EDC 19 December 1885, p.3. | Hogan charged with riding without saddle and bridle in Beverley. |
| 1886 | R v Kett, Fleming, Stanfield, Barnes and Kelly | EDC 23 January 1886, p.3 | Disorderly conduct (rape) of Mary Anne Clarke |
| 1887 | Pyke v Thielemann and Horton | EDC 22 January 1887, p.2. | Chaff cutter taken by owner despite Pyke’s “distrainer”, held distrainer invalid. |
| 1887 | Craig, James (inquest\_ | Inquirer and Commercial News 7 December 1887; West Australian 8 December 1887; Western Mail 10 December 1887, p.32 | James Craig thumped Anthony Devine at Settlers Arms Beverley, who died. Inquest. |
| 1888 | Craig v Monger | EDC 19 My 1888, p.4; Daily News 16 June 1888, p.3; Inquirer and Commercial News 20 June 1888, p.5; Inquirer and Commercial News 29 June 1888, p.3; EDC 23 June 1888, p.7; | Defamation |
| 1890 | R v Patrick Gibbons | EDC 6 September 1890, p.6. | Gibbons charged with setting fire to the Ostler’s room, a separate building of the York Hotel. |
| 1891 | R v Li Ki Hong | West Australian 4 March 1891, p.3; Daily News 3 March 1891, p.3; Australian Advertiser 4 March 1891, p.3; Daily News 5 March 1891, p.3; WA Record 5 March 1891, p.7; West Australian 5 March 1891, p.3; Daily News 5 March 1891, p.3; West Australian 6 March 1891, p.4; Inquirer and Commercial News 6 March 1891, p.3; Australian Advertiser 6 March 1891, p.3; Eastern Districts Chronicle 7 March 1891, p.6; Western Mail 7 March 1891, p.22 & 24; Daily News 3 April 1891, p.3; West Australian 4 April 1891, p.4; Australian Advertiser 6 April 1891, p.3; Western Mail 11 April 1891, p.7; Inquirer and Commercial News 15 April 1891, p.5; Daily News 16 April 1891, p.3; West Australian 17 April 1891, p.4; Inquirer and Commercial News 17 April 1891, p.3; Western Mail 18 April 1891, p.22; Victorian Express 18 April 1891, p.5; Daily News 21 April 1891, p.3. | Charged with decapitation of other Chinese at Daliak. |
| 1891 | Sarah Ann Hogan v Stephen Hogan | Daily News, 15 May 1891, p.3. | Charge of neglect of wife. |
| 1891 | Rebecca Taylor, May Taylor, Joseph Taylor, Norman Taylor and Alfred John Hayward Traylor by Joseph Pyke v Alfred Lowe and George Glyde | West Australian 9 September 1891, p.2; 12 September 1891, p.4; Western Mail 12 September 1891, p.14; West Australian, 13 October 1891, p.3. | John Taylor’s widow sued to enforce a codicil to his will. |
| 1892 | York Municipality v T Tomkinson | EDC 13 February 1892, p.5. | Dispute over amount due for erection of the fire-bell. |
| 1894 | R v McCabe | A Clack: Glorious Apostle | MCabe blew up the catholic presbytery |
| 1921 | Boyle v Mia Mia Pastoral Co | 1922 WAR (WA Supreme Court cases) p.59 | Enforcement of security for debt |
| 1922 | Ryan v Mia Mia Pastoral Co; MacLachlan v Ryan | EDC 9 December 1921, p.2; MacLachlan v Ryan WAR April 1922, p.94; Daily News 21 April 1922, p.8; EDC 28 April 1922, p.5; Connolly v Ryan [1922] HCA 25; (1922) 30 CLR 498 (High Court cases); Mirror 3 June 1922 p.1; Ballarat Star 5 June 1922, p.2; EDC 9 June 1922, p.4; West Australian, 8 July 1922, p.8; EDC 14 July 1822, p.3; Avon Gazette and York Times 14 July 1922, p.2; 1922 WAR p.10; West Australian 4 October 1922, p.8; Daily News 4 October 1922, p.10; West Australian 5 October 1922, p.6; Express and Telegraph 5 October 1922, p.4; Register 5 October 1922, p.11; Daily News 9 October 1922, p.1; West Australian 10 October 1922, p.6; Daily News 12 October 9122, p.5; EDC 13 October 1922, p.2; West Australian 13 October 1922, p.8; West Australian 14 October 1922, p.8; Daily News 19 October 1922, p.2; West Australian 20 October 1922, p.8; Advertiser 21 October 1922, p.12; Register 21 October 1922, p.5; Age 24 October 1922, p.10; Avon Gazette and York Times 27 October 1922, p.2; EDC 27 October 1922, p.4; | Damages and other issues relating to mortgagee sale of Palace Hotel |
| 1957 | R v Mehemet Ali | Court of Criminal Appeal of WA (1957) 59 WALR 28 | Murder in Glebe St |
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Rob Garton Smith 2021