

## Notable York Related Court Cases

### List and Index

PG = Perth Gazette; EDC = Eastern Districts Chronicle

Trials of special interest are in bold

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	<b>R Jane Green</b>	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	<b>Heal, Jane v Mellersh, Thomas</b>	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	<b>Bennett v JH Monger</b>	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	<b>R v Bishop</b>	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	Trial for murder

		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.	
1855	<b>R v Stanley</b>	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	<b>J H Monger v J Jones</b>	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	<b>R v Voss</b>	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	<b>Inquest re Catherine Larner</b>	Bill Marwick: <i>Mary Marwick of York, The Life and times of Mary Ann Taylor</i> , 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	<b>R v Henry Beard and Henry Shufflebottom</b>	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	<b>Parker v Bailey</b>	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	<b>Pyke v Craig</b>	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 of 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	R v George Hall	Western Australian Times, 13 April 1877, p.2.	Hall charged with perjury before York magistrates in relation to an attack by James Craig on a police constable.
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	EDC 9 March 1878, p.2.	Williams and Baxter charged with

	Baxter; R v Henry Beard		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	Pitts, James v Brown, William	Eastern Districts Chronicle 14 March 1885, p.3.	Pitts sued Brown for ill-using his horse
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
1886	Craig, Frank v J W Feeney and P J Gibney	West Australian, 10 March 1886, p.3; Daily News, 11 March 1886, p.3; West Australian 11 March 1886, p.3; Daily News 12 March 1886, p.3; Daily News 12 March 1886, p.3; Herald 13 March 1886, p.3; Western Mail 13 March 1886, p.24; Daily News, 15 March 1886, p.4; West Australian, 16 March 1886, p.3; Daily News 16 March 1886, p.3;	Frank Craig sues for specific performance of a contract to sell land at Beverley.



		Inquirer and Commercial News 17 March 1886, p.2; Inquirer and Commercial News 17 March 1886, p.5; Western Mail 20 March 1886, p.21	
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.



Rob Garton Smith 2021