

John Thomas LAWLER

07/11/2021

John Thomas LAWLER

Late of Port Macquarie

New South Wales Police Force

Regd. # **6019**

Service: From 16th August 1890 to 8th November 1912 =
22 years Service

Rank: Probationary Constable- appointed 16th August 1890

Constable – appointed **16 August 1891**

Constable 1st Class – appointed **? ? ?**

Detective – appointed **unknown**

Senior Constable – appointed **1st January 1895**

Final Rank = Senior Constable

Stations: Moree, Wee Waa, Frederickton, Macksville,

Gladstone, Port Macquarie

Awards: Unknown

Born: 1870

Died on: 8th November 1912

Age: 43

Cause: Appendicitis complicated with peritonitis and blood clot.

Event location: Port Macquarie

Event date: 22nd October 1912 to the 8th November 1912

Funeral date: 9th November 1912

Funeral location: West Port Macquarie Cemetery

(**click here to see Corona19 Virus Pandemic rules – this will be a limited numbers Funeral**)

(Due to current Govt. restrictions on 'Gatherings' due to Corona19 Virus Pandemic, some families may wish to have a Memorial Service / Wake with friends and family at a later date)

Funeral Parlour: ?

Buried at: ?

Memorial / Plaque / Monument located at: ?

Dedication date of Memorial / Plaque / Monument: Nil – at this
time (July 2021)

Senior Constable Lawler is NOT mentioned on the Police Wall of
Remembrance * NOT JOB RELATED

Unknown if Senior Constable Lawler IS mentioned on the Sydney
Police Centre Memorial Wall, Surry Hills

**FURTHER INFORMATION IS NEEDED ABOUT THIS PERSON, THEIR LIFE,
THEIR CAREER AND THEIR DEATH.**

PLEASE SEND PHOTOS AND INFORMATION TO Cal

May they forever Rest In Peace

<https://www.facebook.com/groups/AustralianPolice.com.au/>

<https://www.facebook.com/groups/NSWFallenPolice/>

Australian Police YouTube Channel

John Thomas Lawler was born about 1870 at Burrawang (near

Berrima) NSW.

John Thomas Lawler was sworn in as a Probationary Constable on the 16th August 1890. He was confirmed as a Constable on the 16 August 1891. He was promoted to Senior Constable on the 1st January 1895.

He married Mary Waldron Johnston in 1892 at Moss Vale. At the time he was stationed at Wee Waa. They had five children. One died as an infant. Two boys and two girls survived childhood.

Senior Constable Lawler was first stationed at Moree then Frederickton, Macksville, Gladstone and Port Macquarie (1904).

On the 22nd October 1912 Senior Constable Lawler was returning to Port Macquarie from the Quarter Sessions at Kempsey. He suffered from an attack of appendicitis but managed to make it to Telegraph Point. He was conveyed to the Hastings District Hospital where he had an operation. The appendicitis was complicated by peritonitis. A clot formed on his brain which paralysed one side of his body. Senior Constable Lawler died at the Hastings District Hospital on the 8th November 1912. He was 43 years old.

He was the Secretary of the Parents and Citizens Association, a member of the School of Arts Committee and a prominent adherent to the Presbyterian Church.

Senior Constable Lawler was buried on the 9 November 1912 in the West Port Macquarie Cemetery. His funeral was attended by the Mayor of Port Macquarie, the President of the Hastings Shire, the President of the Agricultural Society and Sub-Inspector Edwards. All flags in town were flying half staff and business places and hotels were closed as the procession moved through town.

In 1913 the gratuity for his widow was increased from 280 to £310.

George SHIELL

07/11/2021

George SHIELL

(late of Sorrell-street, Parramatta)

New South Wales Police Force

Regd. # ?

Rank: Constable 1st Class – appointed
December 1902

Stations: Lawson, Broken Hill,
Parramatta Police

Service: From 2 January 1891 to 7
December 1912 = 22 years Service

Awards: ?

Born: ? ? 1860

**Event location: Pennant Hills Rd,
Parramatta**

Event date: 27 November 1912 about 9pm

**Died on: Saturday 7 December 1912 at
Parramatta Hospital**

having never regained consciousness since
being struck ON Duty

Age: 43

**Cause: Traffic Accident – Pedestrian –
Concussion of the brain**

**Funeral date: Monday 9 December 1912
between 11.30am – 2pm**

**Funeral location: From Parramatta
Hospital, past Parramatta Police Stn**

**Buried at: Presbyterian section, Mays
Hill Cemetery, cnr Great Western Hwy &
Steele St, Parramatta**

Memorial at: ?



CONSTABLE SHIELL'S FUNERAL.

[alert_red]GEORGE is NOT mentioned on the Police Wall of Remembrance * BUT SHOULD BE

FURTHER INFORMATION IS NEEDED ABOUT THIS PERSON, THEIR LIFE, THEIR CAREER AND THEIR DEATH.

PLEASE SEND PHOTOS AND INFORMATION TO Cal

May they forever Rest In Peace

The constable was knocked down by a young man riding a **bicycle** in Pennant Hills Road, Parramatta on 27 November, 1912. He was taken to the Parramatta Hospital where he passed away on 7 December. **He was on duty at the time.** The following brief article appeared in the Barrier Miner newspaper of the 9 December, 1912.

“DEATH OF A CONSTABLE – RESULT OF A BICYCLE COLLISION.

On November 27 Constable G. Sheill [sic], **while on duty** on the Pennant Hills Road, was run into from behind by a cyclist named Francis Mobbs, who was on his way to the chemists for medicine for a sick relative. The constable was thrown heavily on the roadway, his head striking the metal with great force. He was conveyed in an **unconscious condition** to the Parramatta Hospital, where he remained in a very bad way until Saturday morning last, when he succumbed to his injuries. The deceased officer, who was 43 years of age and had been 22 years in the police force, leaves a widow and three children. He was previously stationed at Lawson and Broken Hill.”

The constable was born in 1860 and joined the New South Wales Police Force on 2 January, 1891. He was stationed at Parramatta. He is not listed in the official New South Wales Police Honour Roll.

Death of Constable Shiell.

A Fatal Collision,

Constable George Shiell died in the **Parramatta District Hospital** early on Saturday morning. He had been a patient since the evening of November 27, on which day he was run down by a cyclist, and sustained severe concussion of the brain which proved fatal. The facts as narrated at the time in 'The Argus' were that **Shiell was on duty** on the Pennant Hills Road on the evening of the 27th, when Frank Mobbs, riding into Parramatta with all speed on a cycle, to obtain medication for his sister, ran into the constable with considerable force.

Shiell, who was a heavy man, fell back wards, his head striking the hard metal road very severely. He did not move after he fell, and Mobbs went to his assistance. The constable was then unconscious, and was removed in a cab to the Parramatta Hospital. He never regained consciousness, and died ten days after the accident happened. The funeral was impressively carried out on Monday morning, Mr. E. L. Maitland, S.M., adjourning the Parramatta Police Court front 11.30 a.m. until 2 p.m., as a mark of respect. The arrangements were entrusted to Mr. Ralph Metcalfe. The solemn procession was formed up in front of the police station, the coffin being brought to the hearse, from the Hospital morgue. Troopers Porter and Wilkinson, mounted, headed the cortege which marched to the mournful strains of the Dead March in Saul and other appropriate music. This thrilling lament was exquisitely and most feelingly played by the fine police band, consisting of some 18 musicians, under the direction of Capt. Bentley and Sergeant Mankey. The drums were draped in black as

a token of sorrow for the comrade departed. The band was followed by a body of police under the command of Inspector Trenchard, amongst whom were Sergeant MacMillan, Sergeant Hynes, Senior-Constables Gillies, Nelson, Robertson, Allison, McDonald, Trevillian, and Freeland, and some IS members of the force. Also present were notice ex Senior Constable May and West, and ex Constable Denman, Buchanan, Sergeant Cawood and others. The pall bearers were Constables Kelly, Sheddon, Bruce and Wilson, and the chief mourners were Mr. and Mrs. Shiell. jun., Miss Venables and Mr. Potts, near relatives of deceased. The procession marched via George and Church streets to the Western-road cemetery, where the mortal remains of the departed officer were reverently laid to rest in the Presbyterian portion of the burial ground. The funeral service was conducted by the Rev. John Paterson, and the police band played very movingly by the grave-side. Beautiful floral tributes were sent in, one wreath under a glass cover bearing a card stating that it was 'a token of esteem and deepest sympathy from his brother comrades of the Parramatta police.' The other bore the word, 'Asleep,' and was addressed " With deepest sympathy, from the employees of Yolhnann's ?, Ltd.'

<http://trove.nla.gov.au/newspaper/rendition/nla.news-article86140032.txt>

INQUEST

<http://trove.nla.gov.au/newspaper/article/86142424>

Cumberland Argus and Fruitgrowers Advocate (Parramatta, NSW : 1888 – 1950), Saturday 22 February 1919, page 6

MARRIAGE.

FISHBURN – SHIELL – January 25, 1919, at St. Paul's, Castle Hill, by the Rev. W. J. Roberts, Frank Walter, only son of Mr. and Mrs. W. Fishburn, Castle Hill, to **Florence Janet, only daughter of the late Constable George Shiell** and Mrs. Shiell, Sorrell-street, Parramatta.

<http://trove.nla.gov.au/newspaper/rendition/nla.news-article86117174.txt>

Evening News (Sydney, NSW : 1869 – 1931), **Thursday 28 November 1912**, page 6

RUN DOWN BY A CYCLIST.

Constable George Shiell, of Parramatta, was run down by a cyclist, at the Pennant Hill road, about 9 o'clock last night. The cyclist was hurrying into Parramatta for medical assistance for his sister, when the accident happened, and he

went to the assistance of Shiell, who was unconscious, and had him conveyed to Parramatta Hospital. The constable was still unconscious this morning, suffering from concussion of the brain.

<http://trove.nla.gov.au/newspaper/rendition/nla.news-article117679279.txt>

Department of the Attorney-General and of Justice,

Sydney, 7th February, 1906.

HIS Excellency the Governor, with the advice of the Executive Council, has been pleased to appoint the undermentioned

Members of the Police Force to exercise, within the Licensing Districts preceding their respective names, the authority

conferred by section 19, subsection 1, of the "Liquor (Amendment) Act, 1905," viz.:-

District. Penrith Station: Lawson

First Class Constable George Shiell

<http://trove.nla.gov.au/newspaper/article/226406236>

Police Department,

Inspector-General's Office,

Sydney, 3rd February, 1906.

INSPECTORS OF SLAUGHTER-HOUSES.

BY virtue of an authority vested in me by an order of His Excellency the Governor-in-Council, I have appointed the undermentioned members of the Police Force as Inspectors of Slaughter-houses and of Cattle intended to to slaughtered :-

Name. George Shiell

Station. Lawson ...

Police District. Penrith

<http://trove.nla.gov.au/newspaper/rendition/nla.news-article226406072.txt>

Department of Public Health, N.S.W.,

Sydney, 29th February, 1904.

IT is hereby notified, for public information, that the

undermentioned Sanitary Inspectors have been appointed by the Local Authorities under the " Public Health Act, 1902," for the Police Districts named :-

Police District. Lawson.

Name of Sanitary Inspector. First Class Constable George
Shiell

<http://trove.nla.gov.au/newspaper/article/226392815>

Barrier Miner (Broken Hill, NSW : 1888 – 1954), **Friday 20
April 1894**, page 4

CIRCUIT COURT.

The Criminal Calendar.

The following is the list of criminal cases to be dealt with by Mr. Justice Foster at the Circuit Court, which

opens on Monday :

James Lees White and George Shiell, manslaughter.

<http://trove.nla.gov.au/newspaper/article/44127253>

Barrier Miner (Broken Hill, NSW : 1888 – 1954), **Thursday 22**

THE SOUTH TRAGEDY.

THE INQUEST.

CONSTABLE WHITE'S EVIDENCE.

THE inquest on the body of **John Jeremiah Considine**, who was killed at **South Broken Hill** on **Sunday morning**, was resumed at the **Town Hall** this afternoon before **Mr. A. N. Barnett**, **district coroner**.

Constables **J. L. White** and **George Shiell** were present in custody. **Alderman John Souter** was foreman of the jury.

Mr. A. J. Hall appeared for the relatives of the deceased.

The first witness was **Constable James Lees White**, who appeared with his head bandaged.

The Coroner said before administering the oath that the witness was not obliged to answer any questions which might bear on any future proceedings.

The witness said : – I was stationed in charge at **South Broken Hill** ; I am relieved from duty ; I have been in charge at **South Broken Hill** from the middle of **October** last ; I was on duty at **South Broken Hill** on the night of **March 17** ; **Constable George Shiell** was also on duty ; I saw the deceased **Considine** on the morning of the 18th at about a quarter past 12 o'clock ; he was in the back yard of **Hegarty's Hotel** ; he came from the back of the hotel with two men named **McLennon** into **South-street** ; he came to the gate of the yard of the hotel ; the three men appeared to be the worse for liquor, the two **McLennons** more so than **Considine** ; as they came to the gate I said, "Good night, **Considine** ; don't you think it is about time you were getting home?" ; one of the **McLennon's** said, "

Oh, yes, come on, Jack " (meaning Considine) " we'll go;" Considine replied, " No, I won't – I'll go home when I think fit ;" he then put his hand up to his (witness') face, and, spreading it out, said, " Now, White, you appear to be watching me ;" he still kept putting his hand up, and said, " Now, White, I warn you if Shiell or Shiner comes to arrest me you had better come well prepared or you'll go down." I replied, "There's nobody talking about arresting you." He replied, "Never mind, I've warned you ; take what meaning you like out of it ;" one of the McLennons got him by the arm then, and said, " come on, Jack, never mind;" he replied, "you go away, Hughie, and mind your own business," and pushing McLennon in the chest, knocked him down ; Constable Shiell then stepped over to the kerb side of the footpath and beckoned with his finger saying, " Look here Jack, I want to speak to you ;" Considine passed me, and went over to Constable Shiell, putting his hands up in a threatening attitude, saying : " You, Shiell, you're only a thing, a sneak, and a crawler. Shiell replied, backing away from him towards the fence of the hotel, and Considine said, with his hands up in a fighting attitude, " I'll drop you." He backed Shiell against the fence up to within about two feet or a yard from Hegarty's Hotel; Shiell drew his baton and struck at him, and I also drew my baton, believing there would be a row ; I believe he struck Shiell; he rushed at Shiell, and I struck him with my baton over the forehead ; he sidled backwards and then started to run along South street and into Patton-lane ; he entered Hegarty's Hotel by a small gate off Patton-lane, and ran through the yard into the passage of the hotel, followed by myself and Constable Shiell ; finding there was no light in the passage of the hotel, we didn't enter ; called the landlord, Mr. Hegarty, who came out and gave me a candle ; at this time I heard a noise as if a door was being opened and shut ; lit the candle and proceeded along the passages of the hotel and searched them, but failed to find anybody ; found that the door of the hotel leading into South-street was closed, but unlocked ; remarked to Hegarty, " He's

got away, we must let him go and take proceedings on Monday “; after speaking to Hegarty for about three minutes at the side door of the hotel, Hegarty either remarked, “ Here he’s coming ” or “ Here’s somebody coming,” could not say which ; Hegarty took the candle, and going inside closed the door ; it was Considine coming, and he appeared to increase his pace as he came towards us, saying, “Now, I’ll smash your brains out;” the McLennons were at this time standing near the entrance gate of the hotel, 20 yards off; when Considine came within 10 paces of me I saw he had something in his hand which he was carrying low down, as if it were a rifle; he struck at Constable Shiell and then swung round at me ; I then saw that what he had was not a rifle, but a bar of iron or an octagon drill, about 4ft. or 4ft 6in. long ; he swung it round in both hands with terrific force at me ; I closed with him to try and avoid the full force of the blow, but the iron struck me over the left ear, and I fell on my back out on to the footpath ; I produce the cap I was wearing at the time showing, it cut through just where I got the blow over the ear ; I was partly dazed for a few seconds; I raised myself on my left elbow, and looking round saw Considine chasing Shiell down along the police station fence in Patton-street ; I got up, staggered across the street, and went into the police station; I had previously tried to arrest Considine for riotous behavior ; I saw Shiell at the police station; we got our revolvers and went out into Patton-street with a view to effecting his arrest ; we saw him standing in South-street, against Krantz’s store, about 30 or 40 yards from us ; we went towards him and he started to move away towards the direction of his house or towards Hebbard-lane ; I called out, “ Considine stand, or I’ll shoot;” he then started to run ; the period between this time and when I got up off the path was about three minutes ; he ran, and I called out again, “ Considine stand or I’ll shoot”; he was 20 yards off ; he increased his pace and replied “Shoot away, I can do you,” or “ I can do for you,” I’m not sure which ; I then fired a shot from about 10 paces behind him into the ground before him to frighten him ; he

still kept running and as he turned into Hebbard-lane I fired another shot at his feet ; it didn't appear to take effect, as he still kept running, and as he turned into his own block, he partly looked back over his shoulder at the time to see if I was pursuing him ; after getting into his own block he turned round and faced me, and came towards me with his hands up in front of him about level with his face ; I ran into, him, striking him with my left shoulder, knocking him down ; he then said, "I give in," and with the assistance of Constable Shiell I put the handcuffs on ; we picked him up between us and conveyed him some yards when his knees gave way, and he suddenly fell down, saying, " I'm done ;" I fired three shots, the third one being fired as he turned out of Hebbard-lane into his own block ; I fired the third shot at his knees as he was running and looking back at me ; after I fired the first shot Shiell also fired, but without apparent effect ; after I fired the second shot Shiell responded, and this also didn't appear to take any effect ; as I fired the third shot Shiell immediately fired also, Shiell being about a yard behind me ; Considine appears to be in the act of turning round and coming towards me ; cannot say in what direction Shiell fired when deceased fell down I ran for cab over in Hebbard-street, as he appeared to be badly wounded ; left Considine with Shiell ; told the cabman to come to Hebbard-lane, and when I came we put the deceased into the cab he was then alive, but breathing heavily ; before removing Considine to the cab Mr. Pound and a man named Reid came and assisted us to put the deceased in the cab ; the cab went down to the police station ; Constable Shiell came out and went in the inside with the deceased; I got on the box with the driver, and told him to drive as fast as he could into town ; we reached Dr. Thomson's surgery in Argent-street at about 12.45 ; I called Dr. Thomson; he came out and examined Considine and said he thought life extinct; he bandaged my head, and we then drove to the hospital and put the body of the deceased in the morgue; the revolver produced is in the same condition as it was when I used it ; it is loaded in three chambers; three cartridge: were exploded.

By the Coroner : When I fired the last shot the deceased had not turned towards me, but was running sideways from me, exposing his right side, and with his face towards me.

By Mr. Hall : I had known Considine for four or five months ; I had heard that the police did not care about interfering with him, especially if he was under the influence of liquor ; I cannot say he was a peaceable citizen, because I saw him picking a quarrel at a banquet two nights before ; I used to be on fairly friendly terms with Considine, and never spoke to him officially before ; I did not see the deceased before on that evening ; I was exceedingly civil to him when I advised him to go home; I spoke to him in friendship, because I knew that in liquor he was apt to get into trouble ; I saw neither Carney nor O'Leary present at the time ; I am certain it was McLennon who caught hold of Considine by the arm and ordered him to go home ; it is untrue that Considine said to me, "You are a white man," and, turning to Shiell, said "You are a crawler," and that thereupon Shiell struck him on the head with a baton; he kept calling Shiells " crawler " and walking towards him, and it was when Shiell had backed to within a yard of the fence that he struck Considine with his baton ; I believe he struck him on the neck or the jaw; I also struck him ; the small wound caused by me over the eye was afterwards mistaken for a bullet wound ; it did not bleed profusely; when Considine came the second time I recognised him at a distance of 20 yards ; he increased his pace when he got close; notwithstanding that the peak and the button on my cap are uninjured, I consider that the clean cut on toe side of the cap was caused by the blow with the bar ; I was leaning away from him when he struck at me, and I got so close in that he could not give full force to the blow ; I cannot say what conversation Shiell and I had when we went into the station ; Shiell was very much excited, like myself ; my revolver was unloaded, and I had to load it; Constable Shiell took Constable Shiner's revolver; I don't know whether he had to load it ; I decline to answer the question as to who first

suggested the use of revolvers on the ground that it may incriminate me; I have had no instructions whatever about the regulation revolvers ; my experience is that a revolver does not carry high with a fine sight ; it was between 30 or 40 yards from where I fired the first shot to where he fell ; while we were coming up from the police-station towards Considine I said to Shiell, " If he attacks us again whatever you do don't shoot him in the body, fire low" ; when I first called on Considine to stop I believe he had the bar still in his possession ; when the last shot was fired he was between 15 and 20 yards away ; I did not see him drop or fling away any weapon; it was in consequence of his second attack that we went to arrest him immediately instead of waiting until Monday ; before I left the ground I gave instructions that the weapon should be searched for ; Constable Shiner afterwards told me that he could not find it; I know Considine was a married man ; his wife told me on the Friday evening that she was not living with him ; while I was on the way to the cabdriver's I met a man named Ohllson ; I don't remember what I said to him ; I refuse to say whether I told him what I had done ; when we came out with revolvers there were some people standing with Considine; I don't know who they were ; I don't think the blow I gave the deceased with the baton would be sufficient to cause the bloodstains on the collar of the shirt produced.

The examination of Constable White concluded at 5.15.

The Coroner at this stage said he was justified in telling the jury that once they were convinced that the deceased met his death by being shot down by one constable or some constables, the only questions they had to consider were :-(1) Was he, or were they, in the execution of their duty, or, even when, trying to arrest were they in the execution of their duty ; and (2) were they justified in shooting him in order to bring him within the reach of justice. Any questions that went beyond that were, in his opinion, irrelevant.

Dr. Seabrook, of the hospital, said that White had a true

contused wound above the left ear ; such a wound could have been caused by a heavy blunt instrument, and would be likely to affect the brain for the time being, together with depression of the nervous and physical systems ; also examined Constable Shiell, who had the ninth rib on the left side fractured.

Constable Shiell said he was on duty at South Broken Hill on Sunday morning, and saw Considine at the rear of the South Broken Hill Hotel. The evidence was mainly corroborative of that given by Constable White ; Shiell added that White called to Considine, "Stand, or I will shoot " ; the latter replied. " Shoot away I will do for you " ; Considine commenced to run, and White fired ; witness immediately fired over the man's head, thinking he would surrender ; White and witness again fired ; after the second lot of shots, before any more were fired, Considine was on his own block : he turned round to the left and looked at them sidewise, when White delivers his last shot ; when he turned his full front towards them Considine raised both hands as if he was going to rush or throw something at them ; witness fired at his legs about the knees, with the intention of crippling him, in order to effect the arrest ; this was immediately after White's last shot.

The inquest was at 6.30 adjourned until 10 a m. to-morrow.

<http://trove.nla.gov.au/newspaper/rendition/nla.news-article44127456.txt>

Barrier Miner (Broken Hill, NSW : 1888 – 1954), **Tuesday 24 April 1894**, page 4

The South Tragedy.

Evidence For the Crown

Continued.

In the charge against **James Lees White** and **George Shiell** of **feloniously killing John Jeremiah Considine** at

South Broken Hill on **March 18**, the following further evidence was taken this afternoon :

James Carney, laborer, employed on the Proprietary mine, went to Hegarty's at 11p.m.; he there met Considine, who was an old acquaintance of his ; he had two drinks with the deceased ; Considine was neither drunk nor sober; witness did not know him to be a quarrelsome man in drink ; he went out of the hotel and through the back yard with Considine, the two McLennons and O'Leary ; .Considine was leading ; Constables White and Shiell were standing near the gate on the footpath ; White said to Considine, "It is time you were home Considine ;" deceased replied "I will please myself;" witness then went down the yard ; on returning. he saw O'Leary, Considine, and the two constables ; he heard deceased say to White, " You are a white man, White, I believe ;" Shiell then hit Considine with his baton on the head; Considine reeled and staggered back against the fence ; both constables then drew their batons and followed him up; he got away from them and ran along South lane ; witness remained at the gate with O'Leary, and saw Considine running through the backyard into the hotel; the two policemen followed shortly afterwards ; he next saw the constables standing outside the side door of the hotel with Hegarty ; he walked towards them ; when about six or seven yards away from them he saw a man coming down South-street, near James' shop ; he heard Shiell say, " Here he comes ; we will have him this time ;" :witness identified the man as Considine as he approached the constables ; he had no weapon in his hand ; the constables walked two or three paces

towards Considine, and witness saw the latter hit White on the head with his right hand ; deceased did not first hit Shiell ; he was in the habit of wearing a ring on his right hand ; White fell down on the footpath near the tree-guard ; Shiell went towards the police-station, and White followed him;. witness, O'Leary and Considine crossed Patton-street and walked along the footpath past Krantz' ; they stood near Hebbard-lane for a short time ; a man named Donohue had followed them up and joined them ; Donohue remarked, "There come the two constables; I can see their revolvers shining " ; the policemen were just coming out of the station ; witness told Considine to go home ; blood was streaming down Considine's face; he left and walked towards Hebbard-lane on the opposite side of the street ; he was walking slowly and one of the constables said "Stand, Considine, or we will shoot " ; Considine began to walk pretty smart, and the constables again called out , to him to stand ; he replied "Shoot away" ; the police were then about 12 or 15 paces behind him, and they fired, two shots in quick succession ; when they all entered the lane two more shots were fired; witness believed the deceased and the police were then running ; after Considine had turned on to his allotment the constables, who were also on the block, fired the last two shots ; White ran into Considine and knocked him down ; the constables handcuffed the deceased and walked him a few yards ; Considine then exclaimed, "I'm done," and fell ; witness had known deceased get into trouble with other people, but always through their fault. By Mr. Moriarty : Witness was an intimate friend of Considine's; he did not know that two evenings before the tragedy Considine had driven his wife out of the house, nor that on the Friday previous he turned her out at 4 a m. ; in his evidence before the coroner; witness did not mention that Donohue was present when the police came up with their revolvers; he did not offer to assist White when he was knocked down, neither did Shiell, who merely walked over to the police station ; he could not say who broke Shiell's ribs ; he could not say where White got the blow from Considine ;

White was the first man deceased attacked; Considine came from James,' the butcher's, right across, the street to Hegarty's; he met White first and knocked him down ; Shiell would not have to cross Considine to get to the police station ; when deceased struck White he was quiet, and made no remark then or afterwards about it ; when Considine told the police to "Shoot away" he did not add, "I can do for you;" when Considine fell witness was 25 yards away; he would not swear that deceased did not face the police when on his own property. By Mr. Edgar : He would swear that Considine did not face the police in a threatening attitude ; he might have turned slightly.

James O'Leary, smelter hand, was at Hegarty's Hotel on the evening in question at 10.30 ; he had two whiskies there ; he saw Considine, the two McLennans, and James Carney there ; the McLennans were the worse of drink; Considine seemed right enough ; they all left the hotel together by the back entrance, Considine being a little bit ahead ; at the gate they met the accused ; when Considine got to the gate White said, "You ought to be at home, Considine' he replied, " I will go when I like," and added that they "had been watching him this good bit ;"? deceased also said, " If you come to take me come prepared or you will go down ;" turning to Shiell, he exclaimed, " You are a crawler," and to White he said, " You are a white man ;" the McLennans said nothing to Considine, and witness did not ask Considine do anything to either of them ;. after Considine had addressed the constables in the manner stated Shiell struck him with his baton ; the blow staggered him, but he recovered, and both constables rushed in ; they tried to hold Considine, but he got away and ran around the corner into the lane; afterwards he saw the police conversing with Hegarty at the side door ; he saw Considine coming across from James' butchers shop, passing a cab en route ; he hit White, but witness did not see him hit Shiell ; White fell, and Shiell went over to the police station ; White got up and followed Shiell ; Witness and Carney joined Considine, and they moved off towards Krantz's ;

deceased at this time had nothing in his hand ; when they got below Krantz's Michael Donohue joined them ; Considine had a cut over his eye, from which blood was flowing ; witness saw the constables coming from the direction of the police station ; Considine crossed the street towards his own place, and the police called out, " Stop, Considine, or we will shoot";, they, then fired two shots, and when deceased got into the lane they fired two more ; two more shots were fired when Considine got on his, own block ; when the last shots were fired Considine was about eight yards from the police; he fell, but witness was not sure that a policeman did not run into him first. By Mr. Moriarty : Considine had no iron bar with him ; he may have had a ring on his finger.

Christopher Conlon, cab-driver, was next examined.

Case proceeding.

[The continuation of the evidence will appear in the Third Edition.]

<http://trove.nla.gov.au/newspaper/article/44128502?searchTerm=%22george%20shiell%22&searchLimits=sortBy=dateAsc>

Barrier Miner (Broken Hill, NSW : 1888 – 1954), **Thursday 26 April 1894**, page 3

His Honor's Summing-up. The Functions of Police Constables.

The Legal Use of Firearms.

James Lees White and **George Shiell**, police constables, were charged, on remand from the previous day, that they did, on March 18, at South Town, feloniously slay John Jeremiah Considine.

The jury, which earlier in the morning had been driven to the scene of the tragedy under the charge of the Deputy-Sheriff (Mr. G. A. Mills), was brought into court at 10 o'clock.

His Honor said the jury would understand that the question they were now trying was one of manslaughter ; the Crown did not bring the prisoners up on the murder charge.

The question was whether on the whole of the evidence, subject to the law, the prisoners, or either of them, were guilty of the offence. Manslaughter was the unlawful slaying of a human being. The case was one of enormous importance both to the prisoners and the community, and also the police force of the colony. He was glad to find from the evidence of **Sub-inspector Johnston** that it had not been found necessary to cause the police here to habitually carry firearms. The unfortunate necessity becomes only justifiably resorted to in cases where there were men so degraded and villainously murderous as to be prepared to take the life of the police simply because they were police, and treated them in such a manner as to endanger life. The police were bound to protect our liberties at the risk of their lives, but were also given the power to protect their lives just the same as private individuals. They must be treated in the matter of self defence just as private individuals. The police had a perfect right to take the life of a person if necessary to do so in defence of their lives; but only in case of necessity. Here it was important to consider what "necessity" was. It was not merely a necessity appearing to the mind of an excitable man, but such a

necessity as would appear to persons in the calm contemplation of the matter. A man was not excused because he had taken fright and thought he was going to have his life taken. Whether life was taken by a policeman or an ordinary civilian, the law invariably held a careful and jealous investigation as to how it was taken and whether the circumstances were such as to justify the taking of life in self-defence. Under the strict interpretation of the law; "justification" was not a proper term. All the law did was to "excuse" a man who took the life of a fellow creature in self defence.- In this case he had no doubt that the jury would have full regard to the point he had drawn their attention to, i.e., that the only ground on which a man could be excused in taking life was that it was done from an absolute or clearly apparent necessity.

And that necessity must be this : It was not sufficient that the accused himself should think it was necessary, but he must think so reasonably and justifiably. The jury had a difficult task to determine whether the circumstances were such as to make it reasonably necessary for a man to take life in his own defence.

The law was not otherwise in regard to killing in the execution of duty by an officer of justice. Bearing that in mind, they would have to deal with this difficult case like others of a similar character. With regard to the matter of self defence, he did not think the question was really raised on the part of the prisoners.. He did not think it was set up that the killing was done by them in necessary self-defence of themselves. It appeared that the prisoners had from the first stated that .they did it in order to effect the arrest of a felon endeavoring to escape from them. As to the evidence of the witness Pound, he had to draw attention to the fact that what White stated to Pound was not evidence against anyone but White himself ; it was not evidence against Shiell. Nothing one prisoner said in the absence of the other was evidence against that other. It was necessary that the jury should also

consider, although the excuse was set up of having taken life in endeavoring to apprehend a felon, whether in fact the object was to retaliate for injuries already received by the constables. If it was retaliation, the law made no excuse whatever. The law made this much allowance, that if a man was severely injured, and whilst still in hot blood seized a weapon and took the life of the person who attacked him, it would not hold him guilty of murder, but of manslaughter of a high character – of a very aggravated kind indeed. It was, therefore, a matter of the most serious importance to consider whether they were satisfied that Pound had given the proper statement of what took place, or whether White was doing so. Pound stated, if they recollected, that the prisoner said to him after the shooting took place, that he had shot Considine; and when Pound asked why he had done so, White replied, "If he had done to you what he did to me, you would have done the same." Did the jury believe that Considine was shot because of the injuries which he caused to White? If they did so, he would be guilty of manslaughter of an aggravated kind. If he had taken firearms when cool and took life he would be guilty of murder, but if he did it in a time of excitement he would be guilty of aggravated manslaughter indeed. The law would admit self-defence, but not retaliation of any kind. Retaliation involved punishment, and the law; insisted that punishment should be left to the proper courts of justice and should not be placed in the hands of private individuals or persons other than courts of justice. A good deal depended on what the jury thought of the evidence given by Pound as compared with that given by White. White alleged that he said, "If you had been placed in the same position as I was you might have done the same," which bore no indication that he acted under feeling from injuries received. They must be very careful in regard to the recollection of witnesses, as witnesses very often differed as to the exact words used. The words were of very great importance in this case, and the jury must be convinced beyond reasonable doubt that they were used. In approaching the consideration of this case he had no doubt

that they would do so with a judicial mind, setting naught down in malice and extenuating nothing except by the evidence; that they would neither show favor to the prisoners because they were constables, nor entertain feeling of any kind against them. The well-being and liberty of members of the community required that constables and police officers in general should be supported in the proper discharge of their duty, and the well-being of the community also required that they should be restrained from the excesses of that duty. He had told them that manslaughter amounted, not to the killing by malice prepense, but to killing without lawful excuse. Every killing was presumed to be murder unless from the circumstances it was reduced either to manslaughter or excused as homicide. The fact that a man was killed raised the prima facie presumption that he had been murdered. The jury would have to be satisfied beyond reasonable doubt that the Crown case was proven ; they would be required to have that certainty which would influence them in their personal affairs. Here he would draw their attention to the rules which had been put in evidence in this case : the rules given to the constables as regulating the performance of their duty. If these rules were contrary to law they would not justify a constable in acting under them ; but they were, when taken as a whole, a fair condensation of the general law with regard to the use of arms by the police. They were not like an act of Parliament, in which each clause might be taken by itself .and have the force of law. When taken as a whole and considered as the advice given to constables as to what the law was, they might be taken to be fairly correct ; but they were not to be taken clause by clause. One part of the rules must be taken with the other. He considered that very great caution should be given to officers with regard to acting under the regulations : they must have regard to the whole of them as a whole. One part might seem to justify the police in using firearms, and yet another part might restrain them ; and they must act under the part which would restrain them. In **rule 90** it was very properly laid down:- " If a constable endeavors to

apprehend a person who has committed a felony, whom he is by a proper warrant authorised to apprehend for a felony, and such person flies knowing the intention to arrest for such felony and with a view to prevent such arrest; he may be lawfully killed provided he cannot be otherwise apprehended." The duty of a constable was to apprehend but not also, as it would be made to appear, to apprehend the person the instant he saw him. He was not justified in shooting a man down because he was running away unless it appeared to him that the person would fully and wholly escape unless he did so. " At what particular period of a struggle or pursuit the impossibility of overtaking the person son flying becomes manifest must depend upon the circumstances of each case." That was perfectly correct, and should be most carefully borne in mind. It had a most important bearing on this case, and was perfectly correct law. " If the constable is better mounted than the person he is endeavoring to arrest, or the place where the parties are is such that assistance is likely to be obtained before the escape can be fully accomplished, or if in any other way there is reasonable ground for supposing that the arrest can be accomplished in that particular pursuit, the officer ought not in any of these cases to take life." It was not to be supposed that a constable could shoot a felon who refused to stop when called upon. He would draw attention to the words immediately following those quoted: " He is not, however, bound to let a felon or person whom he is authorised by warrant to arrest for felony escape from him because he may have reason to think that he can find him easily at some other time.". That did not mean that if the man tried to get out of his sight he was entitled to shoot him ; it meant that he was not authorised to let him escape altogether rather than shoot him. If there were reasonable grounds for supposing that the arrest could be accomplished in any other way the officer should not take life. That would be the most difficult part of the jury's duty. Rule 90 said : " It is his duty to arrest the person whom he is so authorised or commanded to arrest as soon as he sees him, and if he cannot overtake him he may kill

him." Taken by itself this paragraph was not true. It was not the duty of a constable to apprehend a person as soon as he saw him, or shoot him. It was certainly his duty not to allow the man to have an opportunity of getting away altogether, even if compelled to take life. A man charged with an offence was bound to give himself up to the officers of justice when called upon, whether guilty of the offence or not. He drew attention particularly to this clause because, although in certain cases, it should be understood by the police that it did not justify them in shooting a man as soon as they saw him if he did not surrender, although in certain cases that shooting might be justifiable. If a constable caught sight of a bushranger in the bush, and called upon him to surrender, and did not have sufficient means of preventing his escape, the officer would be justified in shooting him and killing if necessary. The man would in that case bring it on himself by not surrendering when called upon. Common sense showed us this : a man must not set the law at defiance ; he must submit when called on and allow the case to be investigated. The rule further stated :-" Constables ought in all cases to be extremely cautious in resorting to extreme steps, but when necessity occurs they must perform their duty, and the law will protect them. Should the officer be resisted and his own life placed in jeopardy he may then kill, not for the purpose of preventing an escape, but in self defence." There was only one other part of the rules to which he would refer. In the 89th section it was stated that there must be an apparent necessity to which the constable is reduced in arresting or detaining a felon before using firearms. " Apparent " sometimes meant " seeming ;" but the 95th section of the rules would show that was not what was meant here. The section in question stated that " the importance or necessity of this proceeding must be clearly apparent." Apparent had there its proper meaning : not " seeming " but " clear." The law which applied on this ground required a policeman to do his duty even if it was necessary to take life, and it held him harmless in such cases. He would now proceed to the matter of

the case before him. Was Considine killed ? How was he killed ? and by whom ? Was he killed by the two prisoners or either of them, both of them acting for a joint purpose at the time ? The prisoners had set up the defence that they were acting together and killed to prevent escape. The Crown did: not seem to dispute that a felony had been committed by Considine. The question was, Were the prisoners endeavoring to apprehend Considine after he had committed a felony in order to bring him to justice ? Or did they endeavor to shoot him because he struck them and injured them, and they were smarting under the injuries ? If the latter they were not justified in law. As he said before, the contradictory evidence on the point affected the prisoner White alone, That depended on whether they believed the exact evidence of Pound, or whether they thought the statement by White, that that was not the exactly correct expression, was to be, preferred. They must be satisfied that Pound's recollection was correct before the evidence could act in any way against White. Even if they were satisfied that the words used by Pound were the words used by the prisoner White then the evidence did not seem to be sufficient to warrant the conclusion that the killing was done while smarting from injuries, and not for the purposes of apprehension. A prisoner might give as faithful evidence as a man who was not a prisoner. Two stories had been set up in this case. In the first place it was alleged that there was a scuffle in the early part of the case, which scuffle was not directly material in arriving at a conclusion. At the same time the facts might throw light on the subsequent scuffle, which was material. It was not contended that the first scuffle constituted a felony. A felony was committed when actual bodily harm was inflicted ; and if bodily harm was inflicted by Considine in the first scuffle he was a felon, and the police were justified in apprehending him when he came back. When Considine came back on the second occasion he committed a felony and justified the constables in apprehending him and even in taking his life if necessary in order to prevent escape. If Considine had nothing in his hand when he struck

the prisoners, as stated by witnesses, how came the mark which were on the coat and cap, and how were Shiell's rib broken and White's head injured ? He had no doubt they would believe the evidence of the doctors, and it was for them to say whether the prisoners' evidence, which was consistent with the doctors, or that of Crown witnesses, which conflicted, was the more reliable. Unfortunately for the prisoners, it was not this question alone which had to be tried. It was not a question whether Considine had an iron bar in his hand or not ; that might be a question if the accused were charged with murder. That question did not arise here, where the accused were only indicted for manslaughter. Supposing every word told by the prisoners was true, had they reasonable grounds for believing that it was impossible to prevent the escape of Considine without shooting him ? The offence was a very serious one even in its mildest form. This case was a precedent ; a good law in this would be good law in others. It would never do to lay down the rule that members of the community might be shot down by the police merely because they thought they could escape. On the other hand they must not discourage officers in the discharge of their duty in preventing the escape of felons. .It was for the jury to decide whether the prisoners had acted honestly and under a proper view of the circumstances. His Honor then reviewed the evidence at length. The evidence of John McLennan, the first witness, detailing the preliminary scuffle with the police, was merely introductory. The witness Wake, who was aroused by the noise of the scuffle, was to the effect that Considine and his companions were under the influence of drink. The witness stated that Considine pushed one of his companions who asked him to go home, but would not swear that he had knocked him down. He, however, said he saw a man lying on the ground 9ft. from the window, and from the rest of the evidence it seemed that this man must have been McLennan's brother. With regard to Hegarty's evidence, there was an important matter testified to by him and other Crown witnesses which the jury would have to consider seriously. This evidence was that the constables,

when they saw Considine had escaped after the first scuffle, said, "He's gone now; well summons him." That might lead the jury to suppose that the constables knew that Considine would not attempt to escape, but on the other hand, they must consider that Considine had not then committed the more serious offence of assault on the police. The remark might lead the jury to the implication that the police knew that Considine would not attempt to escape; and that might very seriously affect their consideration of the question whether the police believed that Considine would endeavor to escape after committing the more serious assault. The witness Carney had given very strong evidence, and it was for the jury to consider whether they would credit the whole of it. The general account given by him was similar to that given by the constables, but it differed materially in important details. Carney said he did not see Considine hold up his hands to Shiell in a threatening attitude, as deposed to by the accused ; and he said that Shiell struck the first blow with his baton. If the constables' story were true, and Considine came at Shiell in a threatening manner, the latter would be quite justified in striking him first.. Then Carney's evidence differed from the constables' in that it stated that Shiell ran away after the assault. It was for the jury to say whether the constables' story was not more consistent with the doctor's evidence that Shiell's rib was broken. A man with a broken rib would not be able to move quickly. If the jury believed that Carney had not told the truth on this point, and did not credit his evidence where opposed to that of the police, it might materially affect their verdict. Carney also differed from the police as to the distance the accused were from Considine when they fired at him ; but a mistake might easily be made as to distances. Carney also denied hearing Considine say, when the police called on him to stop, " I'll do you," or " I'll do for you." If they believed, the evidence of the constables on this point, it might be held to justify the police in shooting Considine, especially if they found that the accused believed Considine to be a powerful man,

dangerous in drink, and that there was a probability of his escape. The evidence as to the firing of the shots, was immaterial. The question for the jury was, Did the constables fire at Considine with a common intent ; and if so, was that intent justifiable or not ? It was for the jury to say whether they believed Carney or Shiell as to Considine approaching the latter in a threatening attitude and as to the latter running away ; and if they believed the doctors' evidence as to Shiell's injury, the evidence of the constable on the latter point was the more reliable. The evidence of O'Leary and other companions of Considine was much the same as Carney's and he need not go into it fully. The doctors' evidence showed clearly that a felony had been committed by Considine, and believing that, the jury would probably consider the evidence of the constables on that point as matter of truth. If they found that a felony had been committed, the other most important point remained, Was it necessary to shoot Considine in order to effect his arrest ? Then they must consider the other important point whether the constables went with their revolvers for the purpose of apprehending Considine and bringing him to justice or, in the passion of the moment, to retaliate on him for the injuries he had inflicted on them. With regard to that there was the most important evidence of the witness Pound, but it only told, against White.

Mr. Edgar : There is Ohlsson's evidence also.

His Honor said he would read the evidence, Ohlsson said that White remarked to him just after the affair, " I have just shot Considine – the brute." That was no doubt relied on by the Crown to show that White had acted in the heat of passion. But it was only human nature that a man – and a constable was, after all, only a man -should be angry under the circumstances. He could hardly have been otherwise after receiving such a blow as the evidence showed he had received. White had not denied using the remark.

Mr. Moriarty : He says he has no recollection of using it.

His Honor said White might have used the remark, not knowing that Considine was dead at the time.

Having gone through the whole of the evidence – as will be reported in length in the Second Edition – the jury retired precisely at 12 noon.

<http://trove.nla.gov.au/newspaper/rendition/nla.news-article44120576.txt>

*At this time (8 December 2016) I am unable to find a result for this Court case.

Other articles – The Maitland Daily Mercury, dated Tue 13 Feb 1906 – mention Constable James Lees White as being Stationed at Scone.

The Tamworth Daily Observer, dated Wed 9 Dec 1914 have Senior constable James Lees White, of Weston, as the victim of an attempt murder at Sawyer's Gully.

The Sydney Morning Herald, dated Thu 25 Jan 1923, whereby Sergeant James Lees White, served with NSWPF for 33 year 3.5 months, received his Imperial Service Medal at Government House on Wednesday 24 January 1923. He was also responsible for the arrest of a man who had shot dead his brother, and re-arrested him subsequently when, after being liberated from gaol, he ran amok and fired on the sergeant.

The Sydney Morning Herald – Monday 21 April 1952. WHITE, James Lees (ex-Sergeant of Police) – April 20, 1952, at his residence, 164 Belmore Rd, Randwick, and late of Kurri Kurri and Weston, dearly loved husband of Clara and loving father of Jack (Fairfield) and Frank (Kurri Kurri), aged 90 years.

Beloved father-in-law of Iris (Mrs Jack White) and Agnes (Mrs Frank White), and dear grandfather of Jim and Gloria, Max and Zara, Colette and Frank, and great grandfather of Jeffrey.

WHITE – The Relatives and Friends of the late James Lees White (ex-Sergeant of Police), are kindly invited to attend his Funeral; to leave our Chapel, 151 Alison Rd, Randwick, this Monday, after Service commencing at 10.45am for Eastern Suburbs Crematorium. By request, no flowers. Wood Coffill Ltd, Funeral Directors, FX1296

Policing Family – unknown stories of the past

07/11/2021

A woman named Elizabeth **ALBERTS** has been arrested for the alleged manslaughter of Mrs. Moore, aged 33, wife of Constable Moore, of Grenfell.

Deceased went to Sydney, and is alleged to have died in a hospital under suspicious circumstance.

The Richmond River Herald & Northern Districts Advertiser (NSW)

Tuesday **12 November 1912**

page 2 of 4

<http://trove.nla.gov.au/ndp/del/article/126480108?searchTerm=%22Constable%20moore%22%20AND%20kempsey&searchLimits=>

[divider]

William Meredith BLUNT

07/11/2021

William Meredith BLUNT

Late of ?

New South Wales Police Force

Regd. # ' Q ' 4872 (Pre NSW Police
Force current numbering system)

Rank: Constable- appointed 18 February
1885

1st Class on 1 January 1885

Stations: ?, 'possibly" Carcoar, Cobar &
Redfern Districts

Service: From ? ? pre 1885? to ? ? ?
= ? years Service

Awards: No find on It's An Honour

Born: ? ? 1862 in England

Died on: ? ? 1912

Age: 49 – 50

Cause: ?

Event location: ?

Event date: ?

Funeral date: ? ? 1912

Funeral location: ?

Buried at: ?

Memorial located at: ?



[alert_yellow]WILLIAM is NOT mentioned on the Police Wall of Remembrance[/alert_yellow] *NEED MORE INFO

Grave location: TBA

FURTHER INFORMATION IS NEEDED ABOUT THIS PERSON, THEIR LIFE, THEIR CAREER AND THEIR DEATH.

PLEASE SEND PHOTOS AND INFORMATION TO Cal

May they forever Rest In Peace

State Archives records: Reel 3043. Item 8/3253

NSW BDM = **MARRIAGE** = 4327/1887 = **WILLIAM M. BLUNT** to **LUCY J. GETTY**

in the District of Carcoar, NSW.

William was 25 at time of marriage.

NSW BDM = **Birth** = 9925/1891 = **Winifred E. (Edith) BLUNT (later married. Surname of COSTELLO)**

Father = William M.

Mother = Lucy J.

District of Cobar.

NSW BDM = **Death** = 18440/1912 **William M. BLUNT**

Father = Alexander

Mother = Eliza

Died in Redfern District

NSW BDM = **Death** = 13738/1921 – **William H. BLUNT**

Father = **William M.**

Mother = **Lucy J. (*born: 15 Jan. 1869 at 125 William St, Sydney, NSW*)**

Died in Narrandera District.

Photos and other records available at:

https://search.ancestry.com.au/cgi-bin/sse.dll?gl=allgs&gss=sfs28_ms_r_f-2_s&new=1&rank=1&gsfn=william%20meredith&gsfn_x=0&gsln=Blunt&gsln_x=0&cp=0&catbucket=rstp&MSAV=1&uidh=000

Nicholas Percival ABBOTT

07/11/2021

Nicholas Percival ABBOTT

– former member of:

New South Wales Police

Registered # 'Q' 7208

For the purposes of this website 'Q' represents those Police joining between 1 March 1862 (commencement of NSWPF) – 23 February 1915 (Commencement of NSWPF current numbering system)

Born: 30 January 1875 in Paddington, NSW

**Killed on Wednesday 28 May 1912 –
explosion**

38 old

Grave location: Wollongong Cemetery,

Grave: **Section:** Church of England 2 **Row:** B **Site:** 44

Quarry Disaster near Kiama.

Minnamurra, a peaceful little hamlet, a couple of miles from Kiama, was shocked with a sudden and terrible tragedy early on Tuesday morning. By a premature explosion at Trevethan's quarry, five men were killed outright, and seven others wounded.

When the serious extent of the accident became fully known, business was practically suspended, and flags were flown at half mast, while all the quarries suspended working operations.

Those killed were:

N. P. Abbott, ex-policeman, 39, married, residing at Wollongong, wife and six children :

F. Cooke, 40, Married, residing at Mount Drummond, Wollongong, wife and eight children ;

J. Lewis, 40, widower ;

J. McDonald, 35, single, residing, at Berry ;

J. Nurse, 30, single,

new arrival. S. Thurle,

J. Steffen, and J. Heald were admitted to the hospital, suffering from severe injuries.

Robertson Advocate (NSW) Friday 31 May 1912 page 2 of 4

[http://trove.nla.gov.au/ndp/del/article/113787011?searchTerm=k
iama%20policeman&searchLimits=#pstart11634656](http://trove.nla.gov.au/ndp/del/article/113787011?searchTerm=k%20policeman&searchLimits=#pstart11634656)



In loving Memory of my dear husband N.P.
ABBOTT Killed at Eureka – 28 May 1912 Aged
38 Peace Perfect Peace

Sydney Morning Herald (NSW : 1842 – 1954),

Wednesday 28 May 1913, page 12

IN MEMORIAM. ABBOTT. – In loving memory of my dear husband
and our dear father,

Nicholas Percival Abbott, accidentally killed May 28, 1912,
near Kiama, aged 38.

He bade no one a last good-bye, He waved his hand to none.

His spirit flew before we knew

That from us he had gone. Inserted by his loving wife and
family.

<https://trove.nla.gov.au/newspaper/article/28125837>

Eureka Quarry Tragedy

In April 2006, amongst the rugged landscape of an old quarry site, now the home of Kiama Leisure Centre and various sporting fields, an exciting theatrical event was staged. The production called 'Quarry', was written and directed by Gordon Streek, performed by members of Shellharbour's Roo Theatre and featured a cast of singers, actors, dancers and a 16 piece orchestra.

In 1990, when the production was first staged, as many as 3000 people turned out to see the story of a family named Murphy and their experiences during the Eureka Quarry disaster.

The recent 100th anniversary of the deadly explosion which occurred at **Eureka Quarry, Minnamurra on 28th May, 1912** killing five men and seriously injuring three others. Several other workers escaped with slight injuries.

Killed in the initial explosion were Mr James Nurse, Mr **Nicholas Percival Abbott**, Mr Frederick Cooke, Mr. James Lewis, and Mr James McDonald. Mr John Staffen died a week later from injuries sustained in the explosion.

Following is an excerpt from the 'Barrier Miner' published in Broken Hill between 1888 -1954. This article was published on Friday, 31st May 1912.

"...it appears that the accident was caused through a top hole charge on the upper level exploding prematurely during the process of ramming. Eight men were employed on this level, and it is remarkable that all escaped uninjured, with the exception of Ganger Eyles, who, through the force of the explosion, was hurled across the cutting, sustaining a few abrasions and bruises. The men killed and seriously injured were working at the face of the cutting on the bottom level, and were shockingly mangled through the heavy fall of metal from above, which followed the explosion. Abbott was drilling on the bottom level, and Thomas Wilson and Staffens were striking with him when the explosion occurred. Abbott was killed instantly, being fearfully mutilated. Staffens had a foot shattered, and was badly cut about the face and body. Wilson, the other member of this group, escaped without a scratch, being sheltered behind a pillar of metal. A tip dray and horse were backed into the face of the cutting. Nurse, Lewis, Cooke, and McDonald being engaged in filling it. These men were killed almost instantly, as was the horse...D. Campbell, who was in charge of the horse and cart, was another

to have a narrow escape from death. He was sitting on the cart when the explosion happened, and the concussion from the shot hurled him through space for about 20ft. He escaped with a few cuts and bruises.

The bodies of the killed were brought to Kiama by a pick-up train, which arrived at about 11 o'clock, and they were taken to the Kiama Hospital morgue. The injured men, with the exception of Eyles, Campbell, and Robinson, who were treated at the scene of the accident, were also taken to Kiama by the same train and conveyed to the hospital.

On receiving news of the accident all the quarries in the district suspended working operations, and flags are flying at half-mast. Many harrowing scenes were witnessed at the railway station when relatives and friends of the killed arrived."

Gordon Streek, writer of 'Quarry' is quoted as saying that "Kiama quarries were some of the first industrialised sites in Australia, as a result of this tragic accident. After the accident they became the first organised, but not unionised, workforce because of the way people were treated after the disaster."

In a tragic epilogue to the quarry disaster, Ganger Eyles was run over by a train at Minnamurra station about two weeks after the accident. Eyles was one of the men who were ramming the charge at the Eureka quarry when the fatal explosion occurred. Whether his death was an accident or suicide was never known.

Eureka Quarry Tragedy Kiama Library

Huon Times (Franklin, Tas. : 1910 – 1933),

Wednesday 6 April 1910, page 4

Inter-State Items.

(From our Exchanges.)

NEW SOUTH WALES, CONSTABLE AND OFFICER.

INTENDED MURDER ALLEGED.

Nicholas Percival Abbott, a **police constable**, was brought before the **Wollongong police court** on Thursday last, and charged with having **attempted to discharge a firearm with intent to murder Sergeant Noble**.

The evidence showed that Abbott, while on night duty, became intoxicated. Noble asked him to go to the police station and see **Inspector Pourtney**.

Abbott drew the revolver, but **Noble** was too quick. He seized **Abbott's** wrist and threw him on the ground. When **Abbott** fell the revolver dropped from his hand, and whilst struggling he tried to draw another revolver out of his pocket.

He repeatedly tried to attack **Noble** in the police office, and expressed sorrow he could not have finished him.

Abbott was committed for trial.

<https://trove.nla.gov.au/newspaper/article/137266348#>

Sydney Morning Herald (NSW : 1842 – 1954),

Saturday 4 June 1910, page 11

WOLLONGONG SENSATION.

CHARGE AGAINST A CONSTABLE.

ABBOTT ON TRIAL.

Nicholas Percival Abbott, ex-constable of police, pleaded not guilty at the Central Criminal Court yesterday, before Mr. Justice Cohen and jury, to a charge of **attempting to discharge a loaded arm with intent to murder Sergeant Charles Noble**, at **Wollongong**, on March 29.

There was also a second count against **Abbott** of **attempting to discharge a loaded arm with intent to do grievous bodily harm to Noble**. To this accused, who was defended by Mr. E. R. Abigail, also pleaded not guilty.

The Crown case was that **Sergeant Noble** was completing his rounds on the date mentioned, and saw accused in Crown-street, Wollongong.

He told **Abbott** that the Inspector had been asking for him, and advised him to go to the police station. Abbott replied, "I'll give you station; I'll blow your -brains out." He thereupon pulled a revolver out of his pocket, but the-sergeant forestalled him, and threw him on the foot-path, the revolver falling at their feet.

They struggled, and accused used bad language, and threatened the Sergeant's life.

Abbott endeavoured to draw a second revolver, but the sergeant again prevented him.

A man named **Sloan** came on the scene, and between them they

placed the “snips” on the accused’s wrists, and removed him to the police station.

On the way he repeated the threats, and struggled to obtain the revolver from his hip pocket, but **Sloan** took it away.

At the police station accused, when asked why he had two revolvers, said that he put one in his pocket especially to shoot “the dog.”

William Joseph Sloan said that on March 29 accused was under the influence of liquor. Witness advised him to go home, as he might find himself in trouble, and accused put his fist in witness’s face, and said, “I’ll fix him”.

Subsequently the sergeant and the accused met, and a scuffle ensued.

Witness went to the assistance of the sergeant, who had accused down, and found a weapon at the feet of the two men.

The scuffle continued, and accused used bad language.

Witness told the sergeant to leave the other man alone, and the sergeant replied, “What is a man to do when he has firearms?”

Witness then advised accused to go to the police station, and on the way there he struggled to get free, and **witness** took **another revolver from** the pouch on **accused’s** hip.

At the lock-up accused said he wished he had shot the sergeant.

To Mr. Abigail: When witness came on the scene the sergeant had accused down, punching him in the face. Witness told the sergeant that it was cowardly, and that if he hit accused again he (witness) would hit the sergeant.

Constable Porter said that when accused was charged at the

police station he replied, "It's a pity the thing never went off."

To Mr. Abigail: Accused complained that someone had "walloped" him, and that whoever it was he deserved to be shot. Accused had five young children, and had been **burnt out 12 months previously**.

Accused said that he had been in the force **some 12 years**.

He had been on friendly terms with the sergeant up till the night of the trouble.

He did not remember going on duty that night, but remembered having two revolvers in his possession, one of which – a private weapon – he intended to lend to someone.

While walking along the footpath he received a blow from the sergeant, and was knocked down. He remembered nothing more till he found himself in the lock-up.

Witness denied having said to the Inspector that he told his wife he intended to shoot the sergeant.

Other witnesses called for the defence said that accused did not draw a revolver before he was struck by the sergeant.

A verdict of **not guilty** was returned, and accused was discharged.

<https://trove.nla.gov.au/newspaper/article/15156286/1304289#>

First published on 1 May 2014.

Updated with further information on 17 March 2026.