

James Holditch, 146, Hashemy

Researched by Marcia Watson

Name variation: Holdich, Holdridge

Rica Erickson's notes on FamilySearch: say James was born in May 1807 at Somersham, Huntingdonshire.

Ancestry trees: his parents were John Holditch and Mary Wallman, who married on 4 December 1805 at Somersham, Huntingdonshire. They had about ten children, born in Somersham and Old Hurst. (no parish records have been found)

Baptism	~ 1807
Parents	
Parent's marriage	
Siblings	
Wife	Mary Falkner
Married	22 August 1837, Peterborough, Northamptonshire
Children	Wallman (1838-1845) Sibyl (1839) Yorke (1842)

James moved to Peterborough about 20 miles north of Old Hurst.

In 1847 he married on 22 August 1837 at the parish church, Peterborough.

James Wallman Holdich, full age, bachelor, grocer, residing at Long Causeway, father John Holdich, a farmer.

Mary Falkner, full age, spinster, residing at Crescent, father deceased.

Both James and Mary signed the register.

In 1841, living at Minster Close, Minster precincts, Peterborough were: ¹

James Holdich, 30, journeyman grocer, not born in the county; Mary, 30, born in the county; Wallman, 3; Sibyl, 1.

Tragedy struck the family when son Wallman died and was buried 30 June 1845, aged 8, in Precincts of Peterborough Cathedral. The following year, Mary Holdich, from Minster Precinct, was buried 20 December 1846, aged 37.

At Peterborough, in May 1847:

James Holdich, 39, John Davis, 46, William Green, 46, William Davis, 45, James Whittle, 57, and William Serjeant, 29, were charged with robbing Mr Salmon, grocer and spirit merchant, Long Causeway, Peterborough. It appears Mr Salmon was robbed of a considerable amount, but by what means, he could not discover. He had unbounded confidence in his shopman, James Holdich. A few days back, Mr Salmon received an anonymous letter informing him that certain persons were in the habit of frequenting his shop the morning and getting spirits without paying for it. In consequence of the information, Mr Salmon requested his daughters to watch for two mornings and were satisfied that several persons came and took away a quantity of spirits.

Mr Salmon sent for Wm. Taylor, the constable, who marked the money in the till. A board was taken up over the shop, and a small hole was made through the paper to enable the officer to see what was going on in the shop. Between seven and eight o'clock on this day morning, William Davis came in and had a glass of rum and paid 2d. for it; he gave several bottles to Holdich which he filled, two with gin, one sherry, one brandy, and one rum; all were put in his pocket after some conversation, which consisted in Holdich telling Davis to mind what he was about, for he was sure they were watching him. He then gave him 2d back, and at the same time, gave him 6d of copper from the till. Davis went, and others came succession, brought

¹ HO107/817/5, p5

their bottles, had them filled. The conversation was much the same as with the first, Holdich desiring them to be cautious, as he was sure he was being watched. Taylor then left his peep-hole and went out, saw Davis the street, and apprehended him, and soon after, he captured all the others, on most of whom he found bottles of spirits in their pockets. Holdich acknowledged drawing them the liquor, and they did not deny taking it away.

They were all committed for trial but William Sergeant, who did not appear to have had a bottle with him, but merely to have had a glass, which did not pay for, was remanded till Friday, and, as Mr Salmon did not press the charge against him, was discharged. Some others are very deeply implicated in this wholesale robbery and have absented themselves from the town.²

At the Peterborough Petty Sessions, on 29 May 1847:

Richard Spring, of Peterborough, was taken into custody at Newark, by Wm. Taylor, constable, charged with several others, now custody, with receiving stolen property from James Holdich, a confidential servant of Mr Salmon, of Peterborough.³

Then, on 2 July 1847 at the Peterborough Sessions:

James Holdich, who had been many years in the employ of Mr Salmon, was brought forward on an indictment charging him with having stolen liquors at various times from his employer. He was found guilty, and the Court sentenced him to 21 years transportation.

The following prisoners were then brought up, charged with having received the same, knowing the property to be stolen: viz. William Davis, William Jarvis, James Whittle, Wm. Green, and Rd. Spring (the latter was formerly the keeper of the house of correction); they were all found guilty and sentenced to hard labour. Davis and Jarvis, eight months' each; Whittle and Green, nine months' each; and Richard Spring, 12 months.⁴

Petition

Received 7 March 1849

To The Queen's Most Excellent Majesty

The Humble petition of James Holdich formerly of Peterborough in the County of Northampton but now a Government prisoner in the Borough Gaol of Northampton, in the County of Northampton.

Humbly Sheweth

That your Petitioner James Holdich now a Prisoner in the Borough Gaol of Northampton, but late of Peterborough in the County of Northampton was convicted of Stealing Spirituous Liquors, at Peterborough Sessions 1 July of the years 1847 held at Peterborough for which offence your petitioner received Sentence of Transportation for 21 years; that your Petitioner is a Widower with 2 children that will now become Orphans in the World.

That your Petitioner was never before any Justice in his life before this time for any Offence what ever; That your Petitioner humbly Supplicates your most gracious Majesty for mercy and prays that your Majesty will be graciously pleased to extend to your Petitioner the merciful Exercise of your Majesty's clemency in mitigating the Sentence passed upon him whereby your petitioner may have an opportunity of again maintaining his two children.

And your petitioner as in duty bound will ever pray,

Cover: 231/2 James Holditch, 39, Peterborough Sess, July 1847, Larceny by servant (2 indictments), 21 years transportation
Gaol report: Dishonest & irregular, Northampton Gaol



² Lincolnshire Chronicle - Friday 21 May 1847, p5

³ Lincolnshire Chronicle - Friday 04 June 1847, p3

⁴ Lincolnshire Chronicle - Friday 09 July 1847, p3

The prisoner states that he was never before charged with any offence, & prays for mitigation in account of his children.

Write a report GG [a report of the trial was requested]

Received 10 March 1847.

Mr Strong presents his respectful Comps to Secretary Sir George Grey & in reply to His inquiry regarding James Holdich has the honor to state that in addition to the two Indictments on which sentences of 14 & 7 years were passed, there were four others - made necessary to catch some of his accomplices - on which nominal sentences were passed.

Holdich had been for years confidentially employed by a wine & spirit merchant at Peterborough to whose wholesale business a retail trade in spirits & in grocery is attached. these were conducted by the family with the aid of H^h & altho' his principal Mr Salmon had for some time been aware of losses collectively to a large amount his suspicion was first directed to H by the receipt of an anonymous letter. A hole was then made in the ceiling of the shop & an ocular demonstration of his practices was obtained.

There were five of his accomplices convicted at the same time & imprisoned for different terms; & no secret was made of the habit which they & other parties had of carrying bottles to Holdich to be filled from the Spirit casks, before the family were down in the morning; & in some instances Groceries or small sums of money from the till were obtained in addition. One of the accomplices when taken had on his person five bottles of spirituous liquors which he had been seen to receive just before from Holdich. This will shew the scale of robbery. The frequency of it will appear from the confession of another accomplice who had absconded & was returning by coach in custody when he made the statement.

Benj^m Taylor (constable) sworn. Spring said: "What do you think I was thinking about? I was trying to recollect which was the first time that I went to Mr Salmon's shop for the liquor: The first time I went was with Williamson* the fishmonger: he asked me to go in & have a glass of rum: I went in with him & he ordered two, one for me & one for himself: when I drank mine Wm told me to be off about my business. I said aren't you going? he said not yet: & I came out. I thought there was something between them, as he did not pay for it: so I went the next morning myself, & I had a glass; I went several mornings & saw different parties taking away the liquor in bottles: & I said to Holdich how do these chaps get all this liquor, I do not know how they find their money to pay for if, I could not: he said O, no matter about that, you could have a little anytime you have a mind to bring a bottle: so I used to take a bottle then & have it filled: but I did not use to go every morning: sometimes four or five times a week".

* Williamson mentioned in the foregoing died of intemperance as did Holdich's wife, the mother of his children.

It will not escape the observation of Secretary Sir George Grey what a fearful temptation this systematic breach of trust held out to parties not otherwise addicted to dishonesty: & in fact one of the parties convicted had borne an irreproachable character for many years. The prisoner was friends in circumstances to maintain & provide for his children; & Mr P(?) believes they have them under their charge.

In conclusion Mr S(?) would beg to apologize for a short delay which, in consequence of his absence from home, has occurred in this reply; & to explain that he acted as substitute for Earl Fitzwilliam - at the Court, which Holdich was tried.

Stanground N. H nr Peterborough 16 March, 1849

Cover: Report on the case of James Holditch. It appears that the prisoner has long been in the habit of systematically & extensively plundering his employer.

Nil at present. HW

Nil GG, Answered 22 March 1849.⁵

⁵ National Archives, UK. HO18/231

James Holditch, 39, was convicted on 1 July 1847 at Peterborough of stealing spirituous liquor (2 charges) and sentenced to 21 years transportation. He was a widower with two children. James was received at Millbank Prison on 5 October 1847 from Peterborough. After 3½ months, on 17 January 1848, he was transferred to Northampton Gaol from Millbank. On 18 April 1849, he was transferred back to Millbank, and ten days later, he was transferred to Portland Prison on 28 April 1849. He boarded the *Hashemy* on 19 July for the voyage to Fremantle. ⁶

On arrival at Fremantle in October 1850, James was described:

146. James Holdich, 43, 5' 5", dark brown hair, grey eyes, long face, dark complexion, no whiskers, no marks, labourer, a widower with two children. ⁷

General Register:

146. James Holditch, 43 (May 1851), widower, shopman, Church of England, private school, can read, write and do accounts well. Said his father, John Holditch, farmer, lived in Somersham, Huntingdonshire.

Attended Divine Service? Attended regularly

Received Sacrament? Never before being in prison

Habits? Sober & attentive to business

Intellect? Sound

State of Mind? Hopeful

Knowledge, Secular? Limited

Knowledge, Religious? Limited

Alleged Cause of Crime? Persuaded to dispose of some goods without properly entering them

Name of Person referred to for Character, &c. Mr Thomas White, Marketplace, Peterborough. [1851: aged 54, unmarried, retired grocer]

James appears on the Casual sick list, Fremantle. ⁸ H = in hospital

Holditch J	1 November 1850	Bad eyes	Lotion
Holditch James	8 April 1851	Scalded arm	Continue
Holditch James	10 April 1851		
Holditch James	12 April 1851	Scald	Continue dressing
Holditch James	13 April 1851	Scald	Dressing
Holditch James	14 April 1851	Scalded	Continue Dress.
Holditch James	16 April 1851		dressing
Holditch James	19 May 1851	Lumbago	Liniment & Feb. mixture
Holditch James H	20 May 1851	Lumbago	Continue medicine
Holditch James H	21 May 1851	Lumbago	Continue
Holditch <i>Thomas</i> H	24 May 1851		Castor oil
Holditch James H	25 May 1851		Discharged (<i>sic</i>)
Holditch James H	26 May 1851	Lumbago	Discharged

He was issued with a Ticket of leave issued 26 November 1851. ⁹

In 1861, the Correspondence Index: ¹⁰ 8 July 1861, from the Comptroller General, calling for a report of conduct on James Holdich. Then on 14 December 1861, from the Comptroller General, free pardon

In 1869, the Will of George Barker, convict No 39 who arrived on the *Scindian*, states:

I give and bequeath to James Wallace Holdich one horse and cart. James was his foreman cater.

Will dated 21 July 1869, and George Barker made his mark. He died on 27 July at Fremantle, aged 42.

⁶ National Archives, UK. HO23/8; HO23/3; HO23/4, HO8/105

⁷ SROWA Acc 128/40-3

⁸ SROWA Acc 1156 CS1

⁹ SROWA Acc 1156 R21B

¹⁰ SOWA Acc 128/33-37

George Barker was illiterate, and James Holditch could read, write and do accounts as he was a journeyman grocer.

1871: "Old Jimmy/Jemmy", James Holdridge, who for many years had acted as clerk to the late Mr George Barker, firewood contractor. Since the death of Mr Barker, the old man has earned a precarious livelihood by doing odd jobs for anyone who would employ him.¹¹

A report in 1909: Old Jimmy was a clerk in the employ of George Barker, Fremantle's biggest contractor of his time, his place of business being Leake-street, nearly opposite the spot upon which the Fremantle rink now stands.

Jimmy was very thrifty and was looked upon as a man fairly well to do, and it was generally believed that he carried his money about with him, sewn up in his clothing. He was a peculiar-looking old fellow and somewhat reserved and eccentric in his manner and habits. He always wore, summer and winter, a very large wide-brimmed straw hat, as well as a heavy pair of spectacles, with a pair of concave and convex glasses.

Jimmy's most intimate friends were William Davis and Mary Coady, and the trio invariably spent the weekend together at Davis's little home near the river. That little house stands today, and it is one of the old landmarks of Fremantle.¹²

At the Supreme Court, Criminal Session, on 5 July 1871:

William Davis and Margaret Cody, charged with the murder of James Holditch, on the 4 March last.

Mary Ann Lavery -- Was driving cattle along the bank of the river on Sunday morning, the 4 March, and observed an object in the water. On closer inspection, she found it was the dead body of a man, partly immersed. She informed some boys, who were playing near the spot, of the fact. This was opposite the prisoners' house, at North Fremantle.

George Gibbs said he was a labourer and that, on the Sunday morning in question, he went to Davis's house. When he entered, the prisoner Mrs Cody was lying on the bed, and he heard her call the male prisoner a "convict and a b-- murderer." Witness and Davis went out and were met by two boys, who informed them that a dead body was lying in the shallow part of the river. On proceeding to the spot, they observed the body, and the prisoner Davis stripped, and they dragged the body onto the beach. There was a wound on the back of the head and wounds on other parts of the body. They covered it with a cloth, and shortly afterwards, the female prisoner came down to them and, on the cloth being removed, said, "My God! it is so like Cody." Davis told her to hold her tongue and go back to the house. Constable Fee then came up, and they placed the body in a cart, and it was conveyed to the dead-house. Witness and Davis returned to the house, and the woman again began to talk incoherently, at which the male prisoner became furious and threatened to smash her head with a plate if she did not hold her tongue. Witness observed that the walls of the house where the prisoners lived had been recently whitewashed, and the floor likewise so recently that the whitewash was sticky, and adhered to the soles of his boots.

In cross-examination witness stated he had often heard the woman Cody apply the epithets "convict and murderer" to Davis when they quarrelled.

W.H. Dickey - Assist. Col. Surgeon. On 5 March examined a body in the dead-house; there was a cut 4 inches long at the back of the head - a contused wound; the left eye was also contused, and at the angle of the jaw was a cut about 2 inches long; on the back of the right hand also a contused wound, and superficial abrasions on the lower portions of the thigh and leg; the toes had been eaten by crabs or fish; the abrasions supposed to have been caused by dragging over a hard surface; all signs of death by drowning were absent; when the body was put in the water the deceased was either in a state of coma or dead;

¹¹ The Herald (Fremantle, WA : 1867 - 1886), 11 March 1871, p3

¹² Sunday Times (Perth, WA : 1902 - 1954), 29 August 1909, p1

believed that death was caused by the blow at the back of the head; it might have been caused by a fall from a distance on to a piece of timber.

Annie Phillips - Knew Mrs Cody for the last 6 or 8 months; knew Holditch. Remembered hearing of a body having been found in the river about 4th March Mrs Cody was in the habit of visiting her house; remembered the inquest being held on Holditch; saw Mrs Cody on that day; in speaking of Holditch's death Mrs Cody said that all that was got from old Jemmy was £2, and that was got without murdering him. When Mrs Cody saw the man taken out of the water, she told me she fainted. Mrs Cody, upon my asking her, said old Jemmy's clothes were in the water; she then asked me to go into the bush with her, as she was frightened on account of old Jemmy being murdered up there; surmised the bush meant Mrs Cody's house.

Cross-examined by Mr Parker - Am sure that Mrs C. would say anything while under the influence of drink; Mrs Cody was not drunk but had been drinking.

P.C. Rowe stationed at Fremantle - Knew the prisoners, who lived ½ a mile from the North Fremantle Bridge; Mrs Cody was living with Davis; on the 19th March Mrs Cody was arrested for being drunk, and Davis on the charge of murder; on the 20th went with Corpl. King to the place where the prisoners resided; the first thing found was the handle of a grubbing-hoe (produced); when the stick was found there was a hair on it, and the stick was discolored; the marks have since been cut out; Mrs Cody stated she had used the stick while washing; all except one spot has been obliterated; found the stick in the tool-house; found a coat in a box inside the house occupied by prisoners; the coat had been recently washed and ironed and neatly folded up; some pieces have been cut out since he handed it to Mr Glass; made a further search and saw an ash-heap crusted over by rain; the ash-heap had not been disturbed; in searching the ash-heap found a spectacle glass, two buckles, four large buttons, one stone button, and one skirt button, twenty-two boot sprigs, and some pieces of burnt cloth; afterwards shifted ashes and found a piece of Crimean shirting, pieces of braid and white flannel, a piece of tinder of Russell cord, with braid attached, and a white China button of a peculiar pattern, some pieces of burnt leather, with sprigs in them, some more sprigs, buttons, and some burnt printed calico rags; on the 19 March saw Mrs Cody go into Annie Phillip's house; followed her in; she said she passed the night of the 4 March at Davis's; questioned her in the house; she then asked him outside, when she said, "You want to know who murdered old Jemmy. I can tell you. I heard his voice - what must have been his last words." She heard the voice from Davis's just after she got home; the sound came from Lavery's, said Mrs Lavery and her son murdered old Jemmy. She wanted him to arrest them.

Cross-examined - Mrs Cody was sober at 12 o'clock when I saw her.

Re-examined - Examined the walls of Davis's house and saw several marks on them, and cut out some of the plaster (produced); Mr Glass also took some scales off the wall; the appearance of the marks was as if they had been made by a splash.

Sergt. Regan - Found an adze handle in Davis's house, on the 19 March - some pieces of it were taken out by Dr Ferguson since; in Davis's house also found a shirt, sleeveless; Davis was there, and said he had not worn it for 12 months; took him into custody for the murder of old Jemmy; upon searching the dunghill at the rear of the house, found a fragment of burnt rag; between Davis's house and the river found a portion of the sleeve of a shirt; a piece has since been cut out by Dr. Ferguson and Mr Mayhew; took some scales from the wall, and gave them to Mr Glass.

Cross-examined Mrs Cody - told me that Leveridge only was the murderer; the ash-heap is from 12 to 15 yards from Davis's house; there is a pathway leading from the house to the ash-heap, but this pathway leads also to the closet; there was no other track leading from the heap to any other house.

P.C. Moan - Knows prisoners; saw Mrs Cody at Rose's on 19 March; she was drunk; took her into custody; asked me why I took her into custody and said she knew who murdered old Jemmy; on the way

she met Black Poll and asked her to go and tell Davis she was taken; she also told me it was not Davis but Lavery who had murdered him; that she had been to the session before and would go again.

Corpl. King - Mrs Cody told him old Jimmy had been killed in Lavery's dairy; said she heard his last dying words, which were "twarnt me, twarnt me"; that she knew all about the murder; she thought he had locked her up about old Jemmy. Some time after took some stained plaster from Davis's house; was present when Howe found the things produced by him.

Cross-examined - There is another ash-heap in the back garden; there is but one track to the one in front of the house.

Jane Lavery - Widow; lives 2 miles from Fremantle; about a quarter of a mile from where Davis lived; knew Holditch; saw him last in February; saw him dead on Sunday; Saturday was Mrs Cody's usual washing day, but the Monday following the finding the body saw clothes hanging on Mrs Cody's line.

W. Lavery - Was at Fremantle on the Saturday in question and returned home at about 10 minutes past ten; mother let me in; Holditch was not in our dairy that night; saw him alive three weeks previously.

Cross-examined - Passed by Davis's on returning; saw no light at 10.

J. W. Howe - On the 4 March last saw both prisoners at about 8; saw her in Harwoods; left them about 10, and they went homewards; gave adze handle produced to Davis (the prisoner); it had formerly been used for the purpose of hanging carcasses of sheep, but this was many months before it was given to the prisoner.

James Mackie - Lives with his father who keeps a shop in North Fremantle Road; remembered Davis coming to his father's shop about 10 o'clock on Saturday night, the 3 March; Davis asked for a corkscrew, and with it opened a bottle of spirits, a portion of which he imbibed; knew it was spirits by the bouquet; heard on Sunday morning that Holditch was dead.

J. McGregor - Lives at North Fremantle; Saturday previous to Holditch's death Davis got a loaf of bread from him, also a corkscrew and drew a cork out of the bottle; he drank some of the contents.

Cross-examined - Did not see Mrs Cody with him.

P. Church - Lives North Fremantle Road; knew Holditch well; he passed his door on 4 March, about half-past 8, going towards the bridge; he had on a white "billycock"; heard on Sunday, he was dead.

Cross-examined - The witness, in endeavoring to describe the locality of his residence, said he "lived next door to the tinman and the tinman lived next door to him"; after Holditch passed his house, did not see him or his companion return.

Elizabeth Downs - Saw Holditch on Friday; said he was going to get some money; he went away; had not seen him since; [described Holditch's dress; thought the samples produced were the same material he wore when she last saw him; identified a buckle.]

Upon being cross-examined by Mr Parker, she said she could not positively swear to anything. The Court then rose.

On Thursday, 6 July, the trial resumed

Alice Smith - Lives in Fremantle; knew Holditch; saw him last on 2 March; described his dress which corroborated the evidence of E. Downs; had sewn one bone and one brass button on the trousers he wore on 2 March; [the several articles found by p.c. Rowe in the ash-heap near Davis's were shown to witness who said upon carefully examining them that they were of the same pattern as constituted a part of old Jimmy's dress.]

Cross-examined - Holditch nearly always wore crimean shirts of the one pattern.

Elizabeth Game identified a peculiar button which she said she had seen on Holditch's waistcoat.

James Bell - Had exchanged spectacles with Holditch; there were two peculiar scratches on the right eye glass of the spectacles he gave Holditch; [upon examining the glass produced recognised similar scratches]; had frequently examined the spectacles, with a magnifying glass.

T. Carter - Optician - described Holditch's dress and recognized the patterns shown as similar; Holditch always wore spectacles; had mended spectacles for him; the right eye glass was scratched; the scratches on the glass produced were similar, but could not swear positively that it was the glass he had fixed in the right eye of Holditch's spectacles.

John Capewell - Knew both prisoner and the deceased, and also the late G. Barker, in whose employ Davis and Holditch had been engaged together; the prisoner Davis was discharged from Barker's employ, and witness had heard him impute the cause of his discharge to old Jimmy Holditch; had also heard him call the deceased a "pig" and a "swine"; Holditch was intimate with Cody, and was in the habit of visiting her in Davis' absence; was present when the body was hauled on to the beach; saw Mrs Cody there, and heard her exclaim that when she first saw him she thought it was her husband Cody, upon which the male prisoner ordered her to return to the house; Cody and the deceased bore some resemblance to each other.

Cross-examined - Had not seen Davis and Holditch together since they left the employ of Mr Barker.

Re-examined - Saw Davis in Fremantle about half-past 8, on Saturday night previous to the morning on which the body was discovered.

James Macintyre - Saw Davis on the day after the discovery of the body; he was then accompanied by Cody; said what a sad thing about old Jimmy; he replied "serve the old b-- right"; Cody said "Oh my God when I looked at him he looked so much like Cody that I nearly fainted"; Davis told Cody then to "come along, I don't want to stop here all day"; they left, quarrelling, and Davis said, "what do you want to talk to him for"; subsequently saw Cody in the shop, and while cutting beef she saw some congealed blood and said "oh my God", and went out; Davis walked to the far end of the shop; Cody stopped outside; went out to her; asked her if she was ill, when she said "the sight of that blood so reminded me of the murder of old Jimmy that I nearly fainted".

H.W. Devenish - Clerk to Magistrate; Mr Slade held an inquest on the body of Holditch; Davis gave evidence; the evidence was reduced to writing, and signed by the Magistrate [evidence read.]

Dr Mayhew - Assist. Colonial Surgeon; received from the police an axe handle; some pieces were cut off, which I returned to Sergt. Regan; also got a piece of check shirting, and cut a piece out; I put the piece in distilled water; put the shavings into the white of egg to test them; also handed over the distilled water in which the axe handle had been immersed, to Mr Glass; put no foreign matter in the jars; Mrs Molloy was the only person that had access to the room in which the articles were deposited.

Mary Molloy - Matron Colonial Hospital. No one had access to the room but Dr. Mayhew and myself.

John T. Glass - Analytical chemist &c. had tested the plaster with glycerine; after; allowing the solution to remain 3 days, placed it under the microscope, and found unmistakable evidence of blood; it was the blood of a mammal, not the blood of a fish or reptile; it is impossible to tell what class of mammalia the blood belonged to; were the blood not dry, could tell; took four samples from a coat; found not the slightest trace of blood; could clearly distinguish blood in the other sample of plaster, and in one instance found a clot; believed it was human; tested the sleeve of the shirt and found traces of blood; the piece of axe handle found rich in blood corpuscles (*sic*); all the samples except two contained blood; the samples altered in size but not in character.

Cross-examined - No chemical difference in blood of man or animal.

This was the case for the Crown; there were four witnesses Cavanagh, Butler, Margaret Morrell, Mrs Jones, whom the Attorney-General did not think it necessary to call, but if Mr Parker wished to examine them he could.

Mr Parker desired that they should be examined and placed in the witness box.

E. Cavanagh by Mr Parker - Was fishing at Rocky Bay, on 4 March, near Davis's home but on the opposite side of the river; heard a sound about 9 o'clock; heard another sound about half an hour after; it appeared as if a man got a stroke or had fallen down; a sound came from the direction of Davis's; noticed a fire; it

appeared as if it blazed and then went down; it was five minutes to eleven when he got home; crossed the bridge in returning; saw no light in or near Davis's.

Cross-examined - Did not look to see if there was any light; might have been fishing an hour and a half after he heard the shout.

P. Butler - Was fishing with Cavanah on the night of Holditch's death at the Black Rock; left off fishing about a quarter past ten; saw a light about a ¼-past nine in the direction of Davis's; the light blazed up at intervals; heard a noise from the other side of the water at about ¼-past nine; [corroborated Cavanah's evidence.]

Cross-examined - Heard nothing but talking the other side of the river; the fire was a flare- up light.

Margaret Morrell - The day Mrs Cody was locked up, saw her; she was the worse for liquor; on her being taken into custody she called out to someone passing, "Polly you tell Cody I am taken into custody and tell him to come and pay my fine."

W. Jones - Shoemaker - conversed with Davis previous to the death of Holditch; Davis while Barker's horses were passing, said, "Holditch was a rogue, not for me but for his master."

Sergt. Dale - Lately visited Cody while she was in jail and asked her if she was offered a free pardon would she state the truth; she replied, "I know nothing at all about it"; I was requested by a higher authority to offer her this pardon.

Mr Parker for the defence, and the Hon. Attorney General for the prosecution, made very able speeches, which, we regret, want of space compels us to omit. His Honor occupied a considerable time in summing up, the Court being crowded almost to suffocation throughout both days, but especially when the judge was wading through the evidence. The Jury retired and, after being absent for half an hour, returned and delivered a verdict of GUILTY.

Upon being asked if they had anything to say why sentence of death should not be passed upon them, Davis said - "As there is a Great God in Heaven those hands I show you now, and this heart is entirely innocent of any part in or intention to commit the charge I am found guilty of." Cody also stated that both Davis and herself were innocent.

His Honor concurred in the verdict of the Jury, and told the prisoners they need expect no mercy as they showed no mercy to the murdered man. The prisoner Cody became very loquacious, and His Honor addressing her, said, "I am afraid you do not recognise the serious situation in which you are placed. Send for a Minister, and make the best use of his services for the salvation of your soul the short time you have to live will permit you." Mrs Cody replied - "Mind your own business; I can take care of myself."

His Honor - "Remove the prisoners." The prisoners were removed - the female all the while vituperating in an uncomplimentary strain. The prisoner Davis assumed a most stolid demeanour during the sitting and retained it until the finale.¹³

Margaret Cody/Coady and William Davis were executed at Perth Gaol on 15 July 1871.

Margaret Cody, wife of John Cody and later defacto of William Davis, aged 36, one child born in 1861.

William Davies, 1570, arrived on the *Dudbrook* in 1853, executed, aged 50.

¹³ Perth Gazette and West Australian Times (WA : 1864 - 1874), 7 July 1871, page 3

Mary Falkner, wife of James Holdich, convict 146

Baptism	31 July 1808, Peterborough, Northamptonshire
Parents	Thomas Falkner and Jane
Parent's marriage	
Siblings	James (1809), Frances (1812)
Husband	James Wallman Holdich (~1807-1871)
Marriage	22 August 1837, Peterborough, Northamptonshire
Children	Wallman Holdich (1838-1845) Sibyl or Sybil Holdich (1839-1915) Yorke Holdich (1842-1927)

Mary Falkner was pregnant when she married James Wallman Holdich at the parish church in Peterborough on 22 August 1837. James was a grocer living in Long Causeway, a street close to the church; Mary lived less than a km away in Crescent. Both signed the register.

On the 1841 census, the family lived at Minster Close, Minster precincts, Peterborough.

James Holdich, 30, a journeyman grocer, not born in county.

Mary, 30, born in county

Wallman, 3 and Sibyl, 1

In 1842, Mary gave birth to Yorke. Sadly, three years later, her first son Wallman died, aged eight, and is buried in Peterborough Cathedral's Precincts.

Mary Holdich passed away the following year and was buried 20 December 1846, aged 37.

In 1847, James Holdich and five others were charged with robbing Mr Salmon, grocer and spirit merchant, of Long Causeway, Peterborough. James had been giving free spirits, on a regular basis, to the other five accused. He was found guilty and sentenced to be transported for 21 years. The other received various sentences of 12 months or less.

James petitioned for a reduction in his sentence because he was a widower with two young children. Further enquiries were made on behalf of the Home Secretary. A witness claimed Mary Holdich had died of intemperance. The conclusion was, "It appears that the prisoner has long been in the habit of systematically and extensively plundering his employer", and no reduction in sentence was granted.

Children

On the 1851 census, living at the workhouse in the parish of St John Baptist, Peterborough:

Sybil Holdich, 10, pauper, a scholar, born in Peterboro.

York Holdich, 8, pauper, a scholar, born in Peterboro.

Sibyl was a house servant to a farmer and his family in the parish of Helpstone in 1861. The farmer employed 11 farmworkers, a governess and a dairymaid. She married Reuben Boulter, a railway worker, in 1865 and moved to Leicestershire. The couple had four daughters. Sibyl died in 1915.

Yorke was an apprentice confectioner, at Peterborough, in 1861. He married Mary Haines in 1864. By 1868, the family had moved to Manchester, where Yorke was a confectioner. The family moved back to Peterborough by 1881, and Yorke was an assistant confectioner. On later census forms, he is a confectioner (lozenge cutter). Yorke and Mary had seven children; three had died by 1911. At some stage, Yorke and Mary moved back to Manchester to be near their married daughters. He died in 1927.