

## **Edward McGrath, 259, *Mermaid***

Marcia Watson

Surname variations: McGragh, McGarth

At the Police Court in Newcastle on 11 September 1844, Edward McGragh, John Stevenson and Michael Flaherty, well-known characters, were brought up charged with stealing nine silver spoons and two silk handkerchiefs, the property of John Blackwell, Esq. On the previous day, on the articles being missed, information was given to the police, who, upon inquiry, heard that the prisoner Flaherty was lurking about the place during the forenoon, and was also observed concealing something under his coat. He, together with McGragh and Stevenson were apprehended, and when brought to the station house and searched, two handkerchiefs belonging to Mr Blackwell were found in their possession. They were fully committed for trial.<sup>1</sup>

At the trial, the newspaper reported a slightly different version of the crime: Edward McGragh was charged with having, on 6 September 1844, stolen one silk handkerchief, the property of Mr J Blackwell, Ellison place. Mr Heath appeared for the prosecution and Mr Granger for the defence. A servant of the prosecutor named Ann Alderson stated that on the day in question, she went out, having been sent on an errand. When she went out, she saw two silk handkerchiefs lying on a tray containing clothes that had recently been washed. She also saw a tray in the back kitchen, on which were 9 silver spoons. When she went out, she shut the door so that no person might enter. She likewise saw two young men standing at the top of the back street. The prisoner and another were afterwards apprehended by P.C. Henderson, and on each of their necks was found a silk handkerchief, which were identified as being the property of Mr Blackwell. They were identified by Miss Mary Blackwell as being the property of her father, from a mark on one of them, and having hemmed them. Mr Granger, having addressed the jury, a verdict of guilty was returned. 4 months imprisonment, with hard labour.

John Stevenson, an accomplice of the above prisoner, was charged with being a participator in the offence. The circumstances were precisely the same as the former case. He was likewise found guilty. A former conviction appearing against him, he was sentenced to be transported for 7 years.<sup>2</sup>

The Criminal register notes: Edward McGragh, 20, cannot R&W, convicted of larceny at Newcastle Town Sessions on 13 October 1844 and sentenced to 4 months.<sup>3</sup>

Then, at the Newcastle Police Court, 31 August 1846:  
Edward McGrath, a puddler, was fined 2s 6d and costs for an assault.<sup>4</sup>

Edward was in trouble again in 1849. Mr Serjeant Murphy this morning sat in the Grand Jury Room where the following cases were dispersed.

Edward McGrath (23) and Wm Pearson (33) were charged with having, at the township of Ebchester, burglariously broken into the dwelling house of Jonathan William Jewett, and stolen therein 3, a gold ring and other articles, his money and his goods.

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<sup>1</sup> Newcastle Journal - Saturday 14 September 1844, p2

<sup>2</sup> Newcastle Courant - Friday 18 October 1844, p3

<sup>3</sup> HO 27; Piece: 73; Page: 362. John Stevenson, 16, received 7 years transportation, and was sent to Port Philip, Victoria, in 1847

<sup>4</sup> Newcastle Guardian and Tyne Mercury - Saturday 05 September 1846, p5

Mr James appeared for the prosecution, and McGrath was defended by Mr Greenwell. The prosecutor, in this case, resides in Lane End, near Ebchester, and on the night in question, about nine o'clock, his family, which consisted of his wife, a son between 13 or 14 years of age, together with five other children and a servant girl, went to bed. In the middle of the night, the prosecutor was roused by hearing some person lift the latch of the door of an adjacent room. The prosecutor slept in a room downstairs, and the servant girl and some of the children upstairs. Immediately upon hearing the noise, the prosecutor started up in bed, roused his wife, and almost immediately afterwards, four men were seen by them coming out of an adjoining room and along the passage towards them. Upon seeing the prosecutor and his wife, one of the men ran up to their bedside, presenting a pistol at the prosecutor's head and threatening that if he did not lay still, he would shoot him on the spot. After this, the other men came into the room. There was a candle standing upon the table, and one of the men who had a lantern took the candle, lighted it at the lantern, and together with one of his companions, coolly proceeded upstairs; Whilst this was going on, the man still continued standing over the prosecutor with the pistol at his head, and although his face was blackened, from the length of time which he continued standing over him, and light being in the room, he had an opportunity of narrowly observing his features, and swore to him as being the prisoner, Pearson. The party who had gone upstairs were more actively engaged during the whole of this time in rifling the drawers and boxes in the room. The servant girl, who was sleeping in the room, together with one of the prosecutor's sons, watched the proceedings very narrowly, and they could swear that the prisoner McGrath, together with two other men who were not in custody, were the parties who rifled the boxes upstairs. The prisoners, together with two other men, were seen coming along the road leading from the house of the prosecutor at an early hour on the morning the burglary was committed; one of whom had his face slightly blackened. The prosecutor was called who spoke to the facts given above and further stated that the prisoner McGrath, whilst Pearson was standing over him, broke open the drawers in his bedroom, and got a purse containing two sovereigns. He afterwards took three sovereigns and 15s in silver from his pockets. McGrath then said to Pearson - "Ask the gentleman if he has more money in the house, for I know he has". Witness answered - "No, it is not due yet," meaning that he had some to receive. McGrath, and his companions, then went out the front door, leaving Pearson with the prosecutor. Pearson waited a minute or two, then snuffed out the candle which had been burning and followed them out. Information was immediately given to the police respecting the robbery, but the prisoners were not apprehended until the middle of January. Pearson conducted his own case in a most business-like manner - questioning the witnesses - the policeman in particular - with great tact and judgement but did not elicit anything important in his favour. Mr Greenwell in his address to the jury on behalf of McGrath, chiefly rested his defence on the non-identity of his client. Pearson then addressed the jury at great length on his own behalf in a very able manner and with true forensic eloquence, his defence resting, as in the other case, almost entirely on identity and making a good case out for himself as any counsel might have been expected to have done. Guilty against both prisoners. To be transported for 20 years.<sup>5</sup>

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<sup>5</sup> Newcastle Guardian and Tyne Mercury - Saturday 03 March 1849, p5

Durham prison: Received 26 January 1849 at 9 p.m.

685. Edward McGrath, 23, 5'4½", proportional make, fresh complexion, brown hair, hazel eyes, large nose, small mouth, cannot R&W, vaccinated, from Newcastle, a puddler, charged with a felony, brought from Shotley Bridge, for trial at Assizes.<sup>6</sup>

Wakefield Prison:

857. Edward McGrath, 23, single, cannot R&W, puddler, burglary and previous conviction, 20 years, received from Durham Prison on 11 June 1849, admits being in Newcastle 4 months for felony - a previous conviction was proved at his trial, discharged to Portland Prison on 2 May 1850.<sup>7</sup>

Portland Prison

1375. Edward McGrath, 23, single, puddler, convicted of burglary and previous conviction on 27 February 1849 at Durham Assizes, sentenced to 20 years, received from Wakefield Prison on 3 May 1850, discharged 28 December 1850 per *Mermaid* to Western Australia.<sup>8</sup>

On arrival in Fremantle, Western Australia, Edward was described as:

259. Edward McGrath, 27, 5'5½", light brown hair, grey eyes, long visage, fresh complexion, no marks, a puddler and single.<sup>9</sup>

According to Rica Erickson's notes, Edward McGrath was born on 12 January 1824, was Catholic and could read. He worked for Arthur DeBank in Perth from 9 June 1853; and John Stokes from 13 January 1855 to December 1857. His brother John lived at Morpeth, Northumberland.<sup>10</sup>

He received a Ticket of Leave on 3 June 1853 and a Conditional Pardon on 3 October 1859.

In 1872, Edward McGrath and Thomas Ashbee, who also arrived on the *Mermaid*, had their contract accepted to erect a stable at Bridgetown Police Station for £59 10s. <sup>11</sup>

Edward was awarded several contracts for work from the Blackwood Road Board:

1874: Blackwood Road - by cash to Edward McGrath for throwing up and forming 3 chains of road 21ft wide, gravelling 6 chains 15ft wide and 6 inches thick, raising one small bridge 1 foot higher, making two culverts and removing fallen trees £9 6 0  
Blackwood Road - By cash to Edward McGrath for throwing up and forming 10 chains of road 21ft wide between Jerry's Well and the old road at 5s 3d per chain £2 12 6 <sup>12</sup>

1876: Edward McGrath was paid for work on Wilgarup road, viz. :-removing rocks and throwing up and forming road, making culverts, &c. £18 15s <sup>13</sup>

1877: McGrath, cutting away and throwing up 7½ chains on Wilgarrup Road, 20s per chain £7 10s

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<sup>6</sup> PCOM 2/383

<sup>7</sup> Registers Of Prisoners In The County Prisons Of Wakefield, HO23/14

<sup>8</sup> HO8/104, 105

<sup>9</sup> SROWA, Acc 128/140-43

<sup>10</sup> <https://www.familysearch.org/ark:/61903/3:1:3Q9M-CSN3-715Q?i=717&cat=571477>

<sup>11</sup> The Herald (Fremantle, WA: 1867 - 1886), 8 Jun 1872, p2

<sup>12</sup> The Herald (Fremantle, WA : 1867 - 1886), 10 Jan 1874, p2

<sup>13</sup> The Herald (Fremantle, WA : 1867 - 1886), 29 Jul 1876, p3

McGrath for taking out rocks and cutting away 2½ chains of road at 30s per chain; also building one culvert, 25s £11 5 0

McGrath, for throwing up, forming, and gravelling 10 chains of road south side Padbury's Hill at 25s per chain £11 0 0<sup>14</sup>

Edward stayed in the Bridgetown area and possibly worked for his friend Thomas Ashbee.

The generosity and community spirit of Thomas Ashbee and his wife are illustrated by: After an illness of two months' duration Mr Ed. McGrath died at the residence of Mr Thos. Ashbee on 9 July 1897 and was buried on the following day in the Roman Catholic Cemetery. The prayers for the dead were read by Mr D'Arcy O'Toole as there was no priest. A large cortege followed the remains, and many handsome wreaths were laid on the bier. Mr McGrath was greatly respected, having resided in the town for over thirty years. Too much praise cannot be given to Mr and Mrs Ashbee for the manner in which they attended to Mr McGrath throughout his illness.<sup>15</sup>

Death: McGrath, Edward, 74, 1897/32

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<sup>14</sup> The Inquirer and Commercial News (Perth, WA : 1855 - 1901), 11 Apr 1877, p2

<sup>15</sup> The W.A. Record (Perth, WA : 1888 - 1922), 17 Jul 1897, p9