

# Finding Thomas Brookhouse

## Locating the nineteenth-century Western District rural working class through public records

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### Abstract

**Squatter Hugh Murray had employed George Ball to build a dry stone wall fence at Ti Tree station on the shores of Lake Corangamite. With just stepson John Baylis for company, Ball went about his task with diligence. Stopping his construction at the sound of his young companion's cry of 'Rabbit!', George Ball followed the boy as they gave chase to their quarry, tracking the rabbit to the far side of a mound of volcanic rock. For a time, George Ball lost sight of his stepson before finding him at the far end of the stony rise. There John Baylis had unearthed something entirely unexpected from the stones: the boy held a human skull aloft. Late in August 1869, after 15 years, the fate of missing shepherd Thomas Brookhouse had been revealed.**

Australian nineteenth-century rural working class lives are often obscured from historical view. They are among the historically inarticulate: those who did not leave well preserved records behind.[1] The most authoritative reference to rural Victoria in this era is *Men of yesterday: a social history of the Western District of Victoria 1834–1890* by Margaret Kiddle.[2] Later historians criticised Kiddle for her perceived focus on the social elite. While the squatters of western Victoria are viewed as successful in their endeavours, history's 'losers', according to historians such as Martin Sullivan, are 'ignored, pitied or shunned, but never explained'.[3] The lives of the rural working class that Kiddle was accused of neglecting may be told through the exploration of public records. The dramatic developments surrounding the disappearance of a Western District shepherd reveal a greater story: they record details of one of the 'ignored' people. Within these records, the life of Thomas Brookhouse dwells.

Histories published in the decades since *Men of yesterday* have set about exploring the lives of the nineteenth-

century Australian rural workers in greater detail. An entire chapter from Michael Cannon's *Life in the country* was dedicated to the topic, yet failed to draw upon the richness of primary materials, including public records. [4] Two significant titles exploring the history of the colony, *The Victorians: settling* by Tony Dingle and *A history of the Port Phillip District: Victoria before separation* by AGL Shaw, gave scant attention to shepherds.[5] It was Sullivan who called upon the use of archives to illustrate the lives of this 'ignored' class to great effect.[6]

Those who had known Thomas Brookhouse could not recall where he had come from. Some thought he may have been English.[7] The physical description of 'Old Tom', as some knew the shepherd, varied—did he stand five feet three inches (159.8 cm) or almost five feet eight inches (172.7 cm) tall? The number of years that Brookhouse had worked for Hugh Murray were also uncertain. Samuel Duck, another man in the employment of Murray, thought he had known Brookhouse to work at Ti Tree for five years.[8] John Sharp from Calvert's station, the northern neighbour to Ti Tree, estimated it to be at least seven or eight.[9]

What they all remembered for certain was that one day Brookhouse was gone. Without explanation, he had left. Some thought he had simply gone away. Others believed him to be missing. Whatever the case, on a summer's day late in February 1854, Brookhouse had seemingly merged with the vastness of the Western District's volcanic lakes and plains.

The ancient landscape to the west of the Port Phillip District intrigued the first European arrivals. With numerous volcanic sites and crater lakes, it resembled the Scottish highlands from where their fathers hailed. The fertile land in those far reaches had soon become known as the Western District. Lured by the promise of great tracts of grazing land, new arrivals came in the hope of making vast riches from sheep flocks. Word of

the ‘Colac country’ had first reached Hugh Murray courtesy of members of a search party sent to locate ill-fated explorers Joseph Gellibrand and George Hesse. By September 1837, Murray had arrived as part of the first group of European settlers ready to stake their claim on the region.[10] Hugh and his brother Andrew established neighbouring stations. Hugh Murray’s Ti Tree station sat to the north of his brother’s Wool Wool run. The ever-changing shoreline of Lake Corangamite formed a natural border to their south and west. Together the combined area of their stations exceeded 7,200 hectares of land.[11] To their east, they were bordered by large tracts of land claimed by William Robertson, while Calvert’s station sat to the north.

Early settlement at Port Phillip was beset by labour shortages. For squatters, servants from the ex-convict class rather than free immigrants were often preferred. [12] With new immigrants preferring life closer to towns and having little experience to prepare them for the conditions of early Western District stations, convicts were often the only men suitable to take shepherding work. An old hand, ‘no matter how drink-sodden’ was usually a better proposition.[13] One such ‘old lag’ was Thomas Brockhurst. After being tried and found guilty of burglary at Warwick in 1822, Brockhurst was sentenced to death. The punishment was later commuted to transportation. He arrived in Van Diemen’s Land aboard the Commodore Hayes the following year to serve his life sentence.[14] Three decades in the colony had passed by the time of his disappearance, his surname having evolved from ‘Brockhurst’ to ‘Brookhouse’ along the way. Where he had come from was not at issue. Those who had known the Ti Tree shepherd were more concerned with where he had gone.

A shepherd’s work was monotonous and undemanding. Men worked from first light to night fall.[15] Tasked with keeping flocks moving slowly throughout the day, the intelligence of shepherds was insulted by the colonists’ derisive ‘hatter’ tag.[16] Often these men looked to grog as a cure to the loneliness created by the solitary nature of their work, losing themselves in what Kiddle describes as ‘a hopeless mirage’.[17] The arrival of other shepherds on the same or neighbouring stations was welcomed by the ‘old lags’ who were glad to have another man with whom to ‘pass a yarn’.[18] Human contact could be irregular for shepherds, with their huts often located far from the

home station. The hut that Brookhouse called home was situated several kilometres from the hub of Ti Tree station. [19] Others recalled not seeing Old Tom for a month at a time, while others sometimes saw him two or three times a day.[20]

The hut where Brookhouse had lived was over four kilometres from Lake Corangamite.[21] Its interior had been found just as it might have been any morning: tin teapot, earthenware basin and knife on the table.[22] The faithful sheepdog of Old Tom remained nearby. Nothing suggested the shepherd had planned to leave his watch. As Andrew Murray later testified, nothing was ‘disturbed or taken as if he had bolted’.[23]

Word quickly spread through the station of Brookhouse’s disappearance. Hugh Murray’s overseer made enquiries to those stationed at Ti Tree and neighbouring runs. Had they seen the shepherd recently? Witnesses recalled the last time they remembered seeing Old Tom. The last visit John Lamont had made upon Brookhouse was to the shepherd’s hut, possibly a week before the man had vanished.[24] Two days before Brookhouse was reported missing, James and Rose Wilson, servants from Robertson’s, had seen him returning from town.[25] It had probably been the night before he disappeared that the shepherd had stopped by Samuel Duck’s hut on the way back from the Ti Tree’s home station. Duck watched evening descend as Brookhouse headed in the direction of the Warrion Hills.[26] Even George Leek, the police sergeant at Colac, could recall when he had last seen Brookhouse: it had been about four days before the shepherd was reported missing. The two men had spoken as Brookhouse headed from the township towards the Ti Tree station.[27]

The disappearance of Thomas Brookhouse warranted serious attention. Once the alarm had been raised, a search of the Ti Tree run commenced that involved everyone from squatter to station hands. Word was also sent to the Colac police.[28] The quest to find the missing shepherd extended into Andrew Murray’s Wool Wool run to the south of Ti Tree and John Calvert’s land to the north. Murray searched on horseback and later recalled: ‘a great number of persons searched. We were near a fortnight looking for him’.[29] Sergeant Leek said the search for Brookhouse continued for over a month.[30]

Some of those involved in the search noted the behaviour of Brookhouse's dog. Following his master's disappearance, the dog had been found near Brookhouse's hut. Andrew Murray thought the sheepdog might hold a clue to the whereabouts of Old Tom. Yet each time the animal was followed, it would head west for about 800 metres and go no further.[31] John Sharp regretted that he had not thought to follow the dog.[32] Others recalled hearing the dog howling by some stony rises.[33] Cutting a mournful figure across the run for some time after his master had gone, the dog eventually vanished.[34] No one could say what had become of Old Tom's dog.

Among the shepherds and station hands who took part in the search for Thomas Brookhouse, were John Sharp, a shepherd from Calvert's station, together with John Lamont and Patrick Geary from the Ti Tree run. Geary, or as his Irish brogue earned him the moniker of 'Paddy', was the shepherd who lived some 1,600 metres away, making him Brookhouse's closest neighbour. It was to Geary's hut that Sergeant Leek, accompanied by a constable, first headed after completing his search of the missing man's accommodation. Having spotted Geary some distance away, Leek spoke to his wife Margaret Geary before entering the hut and sitting down while waiting for her husband to arrive. Unlike Brookhouse, Geary had a wife and children in residence. On leaving the hut without an opportunity to speak to Geary, Leek discovered him outside close by. The Sergeant bid Geary 'good morning' as the two men passed. The sole door and window of the slab hut faced south. Leek walked around to the north side of the hut where he overheard the words: 'Oh Paddy you murdering bugger! You ought to be hanged!' shouted by Margaret Geary. Her words, according to Leek, were as clear as they were angry. Retracing his path around the hut, the sergeant returned inside to quiz the woman. How could she use such language to her husband he asked. 'Oh bad luck to him, he is always angry. I don't know what to do with him.' Her reply concluded, Margaret Geary broke into song. Her Irish folk song ringing in his ears, Leek returned to his police constable, whom he had left minding the horses.[35]

The disappearance of Old Tom was not the only mystery emanating from the shores of Lake Corangamite. There had been losses to the sheep flocks at both Ti Tree and Wool Wool runs in the year before Brookhouse's disappearance. The losses were substantial at both stations: anything up to 500 sheep each. Squatters at

neighbouring stations also complained of large losses to their flocks.[36] The depletion of sheep numbers were great enough to cause Hugh Murray concern. He was said to skulk about the stony acres of the Ti Tree, spy glass in hand, in search of an explanation.[37]

In September 1837, Murray had arrived in the Colac region with a flock consisting of 100 ewes. In the first years of European settlement, the local Aboriginal population had attacked Murray's sheep: first by night, then becoming more daring by driving a score or two from the shepherds in daylight.[38] At the time of Brookhouse's disappearance, the number of Aboriginal people at Colac had dwindled to ten men, five women and one child. By then, most of those were employed as station hands.[39] The local Aboriginal community were unlikely to be responsible for damage to the flocks.

Before Brookhouse's disappearance, talk had circulated among shepherds and station hands about problems between him and Geary. In usual shepherd practice, both kept their own flocks. Geary had lambing ewes, while Brookhouse kept some wethers for fattening. In response to the disappearance of some of his own sheep, Brookhouse had examined John Sharp's flock, but could find none belonging to his own.[40] Brookhouse had told Samuel Duck that he was not on 'good terms' with Geary. [41] While Brookhouse did not seem to like Geary, John Lamont was not aware of any particular quarrel between the two men.[42]

Geary quickly became the object of suspicion. John Lamont, the first person to call at the hut in search of Brookhouse, stated he had seen Geary carrying a partially filled flour sack over his shoulder.[43] Geary had not disclosed that he came from the direction of Brookhouse's hut the day the search begun. When asked by Lamont, Geary seemed certain Brookhouse had left the district.[44] Forthright claims were made by James Wilson from Robertson's station, who directly accused Geary: 'You bugger, you have murdered him'. The words apparently caused Geary to grow silent and his face to 'change colour'.[45]

The search concluded when no sign of Brookhouse could be found. Patrick and Margaret Geary left Hugh Murray's employment sometime after. Some thought Geary and his wife had left a month after Old Tom had been reported missing, while others thought it was anywhere up to a year-and-a-half afterwards. They remained in the Colac district for some time, or at least Margaret Geary did: her husband was jailed in 1857 for horse theft.[46] Regardless of their movements after 1854, the fact remained that when the discovery of the skeleton was made 15 years later, Patrick and Margaret Geary were long gone.

The skeleton had been well concealed. Volcanic stone of varying size cloaked the grim deed well, until it was unearthed by one of the squatters' less-celebrated legacies. As part of acclimatisation, additional rabbits were introduced to Australia by Western District squatters, most notoriously by Thomas Austin in 1861 and quickly grew to plague proportions.[47] The Robertsons built stone walls with 90-centimetre deep foundations in the futile hope of protecting their stations.[48] Dry stone wall fences and the introduction of rabbits to the region were symbols of the landed gentry's dominance. These two emblems of success combined in accidental circumstances to dislodge the bones of Thomas Brookhouse from their makeshift resting place of 15 years. Pursuing the rabbit he had spied as he worked with his step-father, John Baylis's efforts to break through the outer layers of the stony rise had been made all the easier by these pests. Their persistent burrowing had removed the earth, causing the rise of volcanic rocks to partially collapse and expel the skull in a macabre eruption.[49] The skeleton had laid under the pile of stones, disturbed only by rabbits and other creatures small enough to press their way through the gaps available.

Discovery of the bones in 1869 came as the role of Western District shepherds was in decline. Fencing had consigned shepherds to a class of obsolete rural worker. [50] The site discovered by George Ball and John Baylis was just 800 metres from where Brookhouse had once lived. The huts formerly occupied by Brookhouse and the Gearys were no longer standing. By 1869, the remains of Thomas Brookhouse were the only physical evidence that these shepherds had once roamed the lakes and craters of the surrounding area.[51] The man who had employed both shepherds was no longer alive. Hugh Murray had pre-deceased the discovery of the skeleton by a matter of

weeks.[52] Murray was the archetype of the successful pioneer and squatter: someone who was historically articulate. His local life was rich in community involvement. Yet within the pages of public records concerning Thomas Brookhouse, a murdered shepherd, a richness of detail can be found that is not available for descriptions of Murray.

Coroner Dr Thomas Rae presided over the September 1869 inquest at Colac, finding the cause of death resulted from skull fracture.[53] The injuries had not been self-inflicted.[54] A verdict of 'wilful murder against some person or persons unknown' was declared.[55] The bones were established to belong to a male of age and height similar to Thomas Brookhouse. Witnesses were asked to testify to Brookhouse's physical appearance, his style of dress and his mannerisms. Their evidence was vital to help establish the identity of the remains and to connect the surviving fragments of clothing and personal possessions to Brookhouse.

It was the remarkable facial features of the deceased that were best remembered. His protruding jaw meant Brookhouse's visage was sharp, displaying a 'formation of face rarely seen'.[56] He was recalled by Hugh Murray and others as 'oldish', at about 50 years of age.[57] As to his height, most thought Brookhouse had stood between five foot six inches (167.6 cm) and five foot seven inches (170.2 cm) tall. Recalling their banter from long ago, John Sharp described how they had compared their respective heights. Brookhouse was just less than Sharp's own height of five feet eight inches (172.7 cm). Old Tom, he had quipped, was 'not fit to be a soldier'.[58] Some had no memory of Brookhouse's teeth, while others were quite certain in their recollection. He had a tooth missing from the lower left jaw, maybe both sides, Samuel Duck thought.[59] Old Tom had been barely able to keep his pipe in place while smoking, Lamont stated, due to Brookhouse missing two teeth on the lower jaw.[60] From the sandy colour of his hair to his knock-kneed walk, the records disclose what otherwise would have been forgotten to history.

It was not just his physical features that were recalled. Acquaintances of Brookhouse presented an image of him as a fastidious man who kept his appearance tidy: 'a very smart clean man' in the opinion of George Leek.[61] He dressed in a blue woollen shirt, over a cheap cotton undershirt with corduroy trousers.[62] A sou'wester protected Brookhouse's head from the elements.[63] The handkerchief he wore around his neck was black with red stripes, or maybe it had been in a blue bird's eye pattern?[64] All agreed the fabric would usually be tied in three knots and was likely to be silk.[65] The fragments of cloth found with the skeleton were found to match Brookhouse's usual clothing. As a portion of the boots had survived their years under the rocks, footwear also linked the skeleton to Brookhouse. The shepherd had worn lace up boots, with very close lace holes.[66] As he had worn his boot laces closer than any other man, John Sharp had not the least doubt 'inwardly' that it was the remains of Brookhouse's boots that had been presented before him in the court room.[67]

The practice of tobacco smoking was also crucial to evidence. A pipe and a knife found with the remains received close scrutiny for possible resemblance to objects belonging to the missing man. Brookhouse had been a smoker who used his finger and a knife to place his tobacco into a common short clay pipe.[68] The small knife he carried in his pocket had a handle made from buckhorn and was used to treat sheep for footrot.[69] Witnesses remembered the knife had a hole in either its blade or handle, similar to the one found with the bones.[70]

The inquest formally concluded that the remains were those of Thomas Brookhouse. Newspapers announced with glee that the 'Ti Tree Murder' was 'thus official' and that the findings of the inquest were 'an unfortunate discovery' for Patrick Geary.[71]

Geary was arrested in Albury and charged with murder. His wife Margaret, was found in Ballarat and charged as being an accessory after the fact to murder. Both were tried and pleaded not guilty at the Criminal Sessions of the Supreme Court before Judge Pohlman, held at Melbourne on 15 November 1871. The jury returned after just two and a half hours with an acquittal for Margaret Geary and a verdict of guilty against Patrick Geary, who was sentenced to death.[72] The execution took place at Melbourne Gaol on 4 December, 1871.[73]

A possible explanation of the circumstances in which the murder took place is available throughout the witness testimony, but curiously absent from the judge's summary. [74] Alcohol may have contributed to Geary's crime. A few days before Brookhouse was reported missing, multiple witnesses, including the Colac Sergeant of Police, had seen him returning from town with a bottle of gin under each arm.[75] In accounting for his own whereabouts, Geary claimed he had been drinking with Brookhouse in town that same day.[76] A witness stated they had never seen Brookhouse 'worse' for drink, while Geary was known to 'get plenty of drink in'.[77]

The involvement of alcohol, while not offering an excuse for murder, does present the act in less than romantic terms. Had the 'hopeless mirage' as described by Kiddle visited itself upon Brookhouse and Geary in a grog-filled argument? To Kiddle, the isolation and boredom of the shepherd made for a destructive mix: 'When stimulated by grog the dream became frenzied fancies ending in oblivion. To these shepherds reality itself often became the nightmare'.[78]

The remains of Thomas Brookhouse were buried five days after Geary's execution. Newspapers described the funeral in flowery terms. In life, little was known about the murdered man. In death, Old Tom had not been forgotten, regardless of his humble existence as a shepherd. The funeral procession had wound through the streets of Colac, containing 'many old men, who knew and respected the deceased when alive.' Funeral costs were to be defrayed by public subscription. The death of Brookhouse 17 years earlier was recast as a nostalgic tragedy for eager newspaper readers to consume. The headstone read:

Here lies the remains of Thomas Brookhouse, who was murdered on the late Hugh Murray's Ti Tree run near the Warriorn Hills in February 1854. Discovered 26th August 1869, and now interred 9th December, 1871.[79]

Finding Thomas Brookhouse through official documents was made possible by his violent death. This event enabled his life to be recovered through public records, unlike many of his fellow station hands. Although his life ended prematurely, specific and individual detail that would not otherwise have survived is available to contemporary researchers. Brookhouse might summarily be dismissed as one of history's 'losers', an anonymous individual destined to be ignored or pitied

according to Sullivan's prediction.[80] Close reading of the available public archives is replete with detail about the minutia of a Western District shepherd's daily life during the 1850s. Illuminated here for contemporary researchers are descriptions of his living accommodation, clothing style and preferred way of lacing his boots. The trial documents reveal Brookhouse's methods for treating footrot in sheep and his ongoing concerns over thefts from his flock. They also describe his fondness for tobacco and alcohol, as well as his interactions with other station occupants. The imagery presented is highlighted by lengthy discussions about Brookhouse's physical appearance, his missing teeth and gait. The accounts of the shepherd's faithful sheepdog add a layer of sorrow and grief not witnessed elsewhere at the time of his disappearance, indicating that Brookhouse was genuinely missed by at least one other living being.

The life of Thomas Brookhouse was remembered at the time of the inquest into his death and the subsequent trial resulting from his murder. This ensured that traces of his life would be preserved, if only by inadvertent means. Sudden death, however, was not unique to Brookhouse: inquest records were created to explain the circumstances that caused lives to end prematurely. At least three other inquests examining the deaths of shepherds occurred in the Colac district between 1857 and 1876. Their findings detail grim accounts of causes of death as varied as accidental poisoning, lightning strike and dray accident.[81] Common to each of these records is the richness of detail they contain about the rural working class. Particulars about health, wages and labour relations provided contemporaneously as background to coronial proceedings emerge as vital primary research material on a class of 'historically inarticulate' people.[82]

Contemporary researchers are able to locate the lives of the rural working class within official documents. Increased access to online indexes and digitised records have allowed incidental traces of individuals, who otherwise may have been forgotten, to be preserved. Scattered throughout public archives as part of other events, such as inquests and criminal trials, Thomas Brookhouse and his milieu remain. Their appearances, habits and activities may be found—often as a result of unintended consequences—well articulated and illuminated for further discovery.

## Acknowledgment

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## Endnotes

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- [7] PROV, VPRS 264/P0 Capital Case Files, Unit 7, Patrick Geary, November 1871, testimony of John Sharp (hereafter 'Sharp testimony'), p. 14.
- [8] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of Samuel Duck (hereafter 'Duck testimony').
- [9] 'Sharp testimony', p. 8.

- [10] ‘Letter from Hugh Murray, Colac (The Warriorn, Lake Corangamite, north-west of Colac), 18 August 1853’ in Francis Thomas Bride & CE Sayers (eds), *Letters from Victorian pioneers, being a series of papers on the early occupation of the colony, the Aborigines, etc. addressed by Victorian pioneers to His Excellency Charles Joseph La Trobe, Lieutenant Governor of the Colony of Victoria, new edition*, Heinemann, Melbourne, 1969, pp. 102–104.
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- [18] ‘Sharp testimony’, p. 15.
- [19] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of Andrew Murray (hereafter ‘Murray testimony’), p. 3.
- [20] PROV, VPRS 30/P29 Criminal Trial Briefs, Unit 400, Case number 14: Patrick Geary and Margaret Geary, p. 33.
- [21] ‘Murray testimony’, p. 3.
- [22] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of George Leek (hereafter ‘Leek testimony’), p. 22.
- [23] ‘Murray testimony’, p. 4.
- [24] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of John Lamont (hereafter ‘Lamont testimony’), p. 18.
- [25] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, testimony of Rose Wilson (hereafter ‘R Wilson testimony’), p. 31.
- [26] ‘Duck testimony’, p. 16.
- [27] ‘Leek testimony’, p. 25.
- [28] PROV, VPRS 30/P29, Unit 400, Case number 14: Patrick Geary and Margaret Geary, George Leek affidavit (hereafter ‘Leek affidavit’), p. 44.
- [29] ‘Murray testimony’, p. 4.
- [30] ‘Leek testimony’, p. 25.
- [31] PROV, VPRS 30/P29, Unit 400, Case number 14: Patrick Geary and Margaret Geary, Andrew Murray affidavit (hereafter ‘Murray affidavit’), p. 41.
- [32] ‘Sharp testimony’, p. 11.
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- [34] PROV, VPRS 264/P0, Unit 7, Patrick Geary, November 1871, James Wilson testimony (hereafter ‘J Wilson testimony’), p. 30.
- [35] ‘Leek testimony’, pp. 22–24.
- [36] ‘Murray testimony’, p. 5.
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- [53] Inquests resulting in criminal charges in the period 1840–1950 can only be found in VPRS 30 Criminal Trial Briefs. For this reason, the inquest record for Brookhouse was not located in PROV, VPRS 24/P0 Inquest Deposition Files, Unit 227, 1869/758 Male. Inquest information cited in this article has been obtained from testimony given in the Criminal Trial Brief, Capital Case File and contemporary media.
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- [55] ‘Current Topics’, Geelong Advertiser, 8 September 1869, p. 2.
- [56] ‘Leek affidavit’, p. 46; ‘Murray testimony’, p. 6.
- [57] ‘Murray testimony’, p. 6.
- [58] ‘Sharp testimony’, p. 12.
- [59] ‘Duck affidavit’, p. 36.
- [60] ‘Lamont testimony’, p. 20.
- [61] ‘Leek testimony’, p. 26.
- [62] ‘Sharp affidavit’, p. 34; ‘Duck affidavit’, p. 37.
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