



Season 2 - Episode 11

The Mark's Murders

The Aftermath – The Mark's Family

Greg: [00:04](#) From 'Today's Stories' - this is 'The Mark's Murders' – a story of murder and mayhem told one episode at a time by myself, Greg and by Peter.

If you haven't listened to this series from Episode 1, we suggest that you stop listening now and go back to the very beginning.

Also, a warning. This series of podcasts discusses the murders of indigenous and non-indigenous people. It contains the names of Aboriginal people who have died. Whilst quoting original historical material, this series also contains:

- racist language,
- some language that would be seen as inappropriate today, and
- historical ideas that are offensive.

Peter: [01:01](#) Previously on the "Mark's Murders"

It's 1847 – about 50 km north-west of modern-day Goondiwindi.

John Watts: [01:12](#) *"Marks was a splendid shot, and the blacks were very much afraid of him, and from information I obtained from the Beebo people, they had long been watching to kill him."*¹

Richard Bligh: [01:25](#) *"The Blacks it appears took away both the boy and the sheep and upon search being made for them the upper half of the boy's body was discovered hanging among the branches of a tree. The lower portion of the body seems to have been carried away and has not yet been discovered."*²

Denise: [01:43](#) *Young described Marks's frenzied response, calling him 'a hater of all Aboriginals', 'shooting every native in sight'.³*

Richard Bligh: [01:55](#) *"I have much reason to suspect that he (James Mark) and some of those now in custody were with the others concerned in the murders now reported by Mr Morris."*

Denise: [02:08](#) “A party of Aboriginal Natives, encamped at “Umberiolli,” on the Macintyre River, a station belonging to Mr. John Brown, of Singleton, was attacked by a party consisting of seven white men and an Aboriginal native, who murdered a gin named “Bootha,” His Excellency the Governor directs it to be notified, that a reward of fifty pounds will be paid to any free person or persons, not the actual perpetrators of this murder.”⁴

Peter: [02:44](#) The murder of Mark’s son and the related murders of Aboriginal people started in 1847, around the modern-day town of Goondiwindi. We know the bare bones of the story from the *Personal Reminiscences* of John Watts, an early squatter on the Darling Downs, and from other historical accounts.

But these accounts don’t provide any context as to why the murders occurred, what actually happened, and their aftermath. We want to tell the truth of what happened. In previous episodes, we’ve discussed the background to the people involved, the murders and the law and order response.

Firstly, Commissioner Bligh tried a conventional legal approach, but this failed. Then, Frederick Walker and the Native Police were established and they came to the McIntyre. Walker described the previous nine years as a war.⁵ Walker brought peace to the McIntyre, but peace often means that there are winners and losers. In our last episode, we started covering the aftermath of the Mark’s mayhem – what happened to the Bigambul, the Young family and the Native Police.

Greg: [04:01](#) Yes, the Bigambul were decimated and the Young family prospered – and the murder of James Mark’s son and James brutal response were key factors in the formation and continuation of the Native Police in Queensland.

But - most importantly - was James Mark ever brought to justice? It’s pretty obvious that James and his gang murdered several Aboriginal people and that rewards were offered for information leading to a conviction. But what happened to James Mark?

Peter: [04:31](#) We do know that Commissioner Bligh’s attempt to convict James Mark and his gang for murder was frustrated and that James Mark wasn’t arrested at that time, but no historian really seems to know what happened to James after that. There are a few vague comments that he fled to the Upper Dawson but nothing more than that. This didn’t seem right to me – we needed to know what happened to him in the aftermath of the murders he committed. We do know from John Watts’ story that James Mark appeared in Brisbane⁶ at some stage but how? So, I set out on a tedious search and, after finding numerous threads of information and tying them together, I now know his full story after the McIntyre.

Greg: [05:18](#) So, did he flee to the Upper Dawson?

Peter: [05:21](#) Yes. Firstly, Mark transferred *Goodar* to Edward Gostwyck Cory in 1849⁷ for an unknown price – probably not much as the McIntyre was in a state of chaos at that time. If you recall, Frederick Walker noted that, in 1849, a station on the McIntyre would only fetch £100. Then, in January 1853, James Mark tendered for a property in the Dawson and was successful.⁸ The three properties he got were called *Sandy Creek*, *Rosevale* and *Lily Vale*. The first year’s rent for the three runs was £10 4s. each. The Licence-to-Occupy describes these properties as: *Lily Vale*, 16,000 acres, carrying

capacity - 640 cattle or 4000 sheep; *Sandy Creek*, 20,000 acres, carrying capacity - 4000 sheep; *Rosevale*, 11,520 acres, carrying capacity - 640 cattle or 4000 sheep.⁹

- Greg: [06:31](#) So for £30 per year rent, James Mark acquired almost 50,000 ac of land.
- Peter: [06:37](#) Yes – but, by searching the records of property transfers, I found a sale notice in December 1853. This is less than a year later. The property is described as:-
- Peter: [06:52](#) *Rosevale is situated on the Upper Dawson, about 260 miles from Ipswich, the head of the navigation of Moreton Bay, and about 210 miles from Maryborough, the shipping port of the Wide Bay district. This station has been acknowledged by all who have seen it, to be the best in the district. It is bounded on one side by the Dawson River for about 12 miles, a stream of water constantly running; and on another by a creek about 20 miles long abounding in water holes in the driest season. There are also several other creeks tributaries to this main one, constantly supplied with water.*¹⁰
- Peter: [07:35](#) Now, I've tracked down where this property is. This property is about 20 km north of modern-day Taroom.¹¹ In April 1854, he sold the combined properties with 6000 sheep and 400 cattle to Joseph King¹² for £8715 and moved down to Ipswich.
- Greg: [07:57](#) Gee, that sounds like a tidy sum. James Mark might not have made much money from *Yelleroy* or *Goodar* but he seems to have done well at *Rosevale*. And what happened in Ipswich?
- Peter: [08:07](#) Before we talk about his time in Ipswich, there is one other point I'd like to discuss. In our first episode, John Watts said:
- John Watts: [08:16](#) *"Marks declared he would never be taken alive, and when I saw him, I asked him how he managed to escape service of this warrant, and he said, "I have friends all over the country who let me know when Mr. Walker is in the neighbourhood, and I never leave my rifle out of my reach, and whoever tries to take me must kill or be killed, and I retire into the scrub and my people supply me with food until all is clear again."*
- Peter: [08:46](#) We now know that Walker was sent to the MacIntyre to look for James Mark as well as to quell the Bigambul. But Mark had left the McIntyre just before Walker arrived. So where is James Mark talking about when he says that he hid from Walker? Well, it was in the Dawson in 1853. I've found that Walker visited the Dawson in October 1853 to help an old friend – James McLaren. James Mark had allowed McLaren to run some of his sheep on Mark's own property,¹³ so it seems likely that Mark knew when Walker was there and took the trouble to stay hidden. Walker had visited the Dawson at that time as there had been troubles with Aboriginal people there and, in fact, Walker's friend, McLaren, was later murdered by the local Aboriginal warriors. It is while Mark is in the Dawson that he writes letters to the editor of various papers criticizing Frederick Walker¹⁴ – presumably because he thinks that Walker is still out to arrest him.
- Greg: [09:52](#) Well that's one mystery solved – but back to Ipswich. What happened there?
- Peter: [09:56](#) He takes up a station called *Rosewood*, just outside of Ipswich. Now we need to clear up some confusion here. Mark owned two different stations – one called

Rosevale in the Dawson and another called Rosewood near Ipswich. Rosevale is about 350 km north of Goodar and was about 450 km north-west of Rosewood. Sometimes, Rosevale and Rosewood get confused.

Greg: [10:26](#) OK. Does anything happen while he is at Rosewood?

Peter: [10:31](#) In October 1854, James' remaining son, William - that's the one who survived being killed at Goodar - marries Annie Castling. On the marriage certificate, it lists the witnesses to the marriage to be James Mark and his daughter, Isabelle. There is no reference to his wife, Mary.

No. 697 I, William Mark (died 1919) do hereby declare that I am a Member of, or hold
Communion with, the Presbyterian Church of Scotland

I, William Mark do hereby declare that I am a Member of, or hold
Communion with, the _____ Church.

I, William Lambie Nelson of Ipswich Minister of Scott's Church
do hereby Certify, that William Mark, Bachelor of Ipswich and
Annie Castling, Spinster of Ipswich were joined together in Wedlock by me,
on the 24th day of October 1854, at Ipswich in the
presence of James Mark & Isabelle Mark, both of Ipswich

James Mark
Isabelle Mark } Witnesses. William Lambie Nelson Minister.

Marriage of William Mark to Annie Castling (27 Oct 1854)
Witnesses – James Mark and Isabelle Mark

Greg: [10:51](#) So where was Mary?

Peter: [10:53](#) Good question. When I carefully look at all of the available records, I can't find any reference to Mary after the birth of Isabelle in 1840. In fact, I am not sure that she ever went to Goodar. Margaret Young says clearly that she was the only European woman in the area at the time of the murders. I can't find a death certificate for Mary, but I do know that James Mark remarries in May 1855 – to an 18-year-old, Irish immigrant, also called Mary as well – Mary Mangan. James was 46 at the time. So, I assume that the first Mary died earlier – maybe while they were in the Dawson and James Mark didn't want to record the death officially for some reason. Anyhow, Mary, the second wife, falls pregnant almost immediately but their first child - Mary Burgess Mark – dies in February 1856.¹⁵ Mary quickly falls pregnant again and a daughter – Mary Abigail Burgess Mark – is born in October 1857 in Redfern in Sydney. Sadly, the mother, Mary dies in March 1858, also in Sydney.¹⁶

Greg: [12:07](#) That's sad. Do we know why they were in Sydney?

No. 714 I, James Mark, Widower do hereby declare that I am a Member of, or hold
Communion with, the Presbyterian Church.

I, Jas. Mark do hereby declare that I am a Member of, or hold
Communion with, the _____ Church.

I, William Lambie Nelson of Ipswich Minister of Scotts Church there,
do hereby Certify, that James Mark, Widower of Rosewood and
Mary Mangan, Spinster of Rosewood were joined together in Wedlock by me,
on the Twentyfourth day of May 1855, at Rosewood in the
presence of William Mark & Isabella Mark, both of Rosewood

William Mark } Witnesses. Jas. Mark William Lambie Nelson Minister.
Isabella Mark } Mary Mangan

Marriage of James Mark to Mary Mangan (24 May 1855)

DEATH CERTIFICATE

Date and place of death	Name and occupation	Sex and age	Cause of Death Duration of last illness; medical attendant; when he last saw deceased	Name and occupation of father. Name and maiden surname of mother	Informant
<u>33rd March 26th 1858</u>	<u>Mary Mark</u>	<u>Female</u> <u>29 years</u>	(1) <u>Spitting Fever</u> (2) <u>1 Month</u> (3) <u>Dr. Stewart & Brown</u> (4) <u>March 25th</u>	<u>Mangan</u>	<u>Jas. Mark</u> <u>Husband</u> <u>Nelson</u>

Death Certificate of Mary Mark (nee Mangan) (26 March 1858)

Peter: [12:09](#) I have no idea but, in Queensland, other events occur. In January 1856, the following newspaper article appears.

Denise: [12:21](#) "Violent Assault. At the Police Office on Friday, Mr. James Marks, of Rosewood, was summoned before the bench, charged with having violently assaulted a man named William Castling on the 13th ultimo., at Little Ipswich. The complainant stated that during the course of conversation with the defendant on the day in question, the latter became irritated, and struck the former with the butt end of his whip, after which he seized him, and knocked him down. Three witnesses were called to corroborate the testimony of the complainant, and the bench being satisfied that the case was proved, sentenced the defendant to be imprisoned one month in Brisbane gaol."¹⁷

Peter: [13:06](#) Now you might remember the maiden name of James' son, William's wife was Castling. James had assaulted the brother or father of his daughter-in-law.

Greg: [13:17](#) That makes James sound like a thug but at least he got some gaol time this time.

- Peter: [13:22](#) Yes – but the legal system seems to miss the fact that James was still under indictment for the murders at *Umbercollie*. Even though he was in gaol for assault, he was not then arrested for murder.
- Greg: [13:34](#) I wonder if there's confusion between the jurisdictions. Anything else happen at that time?
- Peter: [13:38](#) Yes. In June 1856, James Mark appeared before the Bench to answer an information which had been filed against him by Mr. Laidley, of *Franklyn Vale*, under the Impounding Act, for an alleged excessive charge for impounding cattle.¹⁸ Also, in June 1856, three male servants absconded from the service of James Mark.¹⁹ This might indicate that he is not the best employer to work for.
- Greg: [14:06](#) So, apart from what we know about him at *Goodar*, he is now charged with assault and his employees run off. Does sound like a nice bloke! What's next?
- Peter: [14:15](#) Well, James Mark offered *Rosewood Station* for sale. It's described as being within 30 miles of Ipswich, with 10,000 sheep, sale for delivery on 1st February 1857.²⁰ In 1858, James officially transfers *Rosewood Station* to John B Watt.²¹ I can't find out how much he sold *Rosewood* for. The next that I can find of him is that he and Isabelle live at a property called *Emu Creek*. The property included 6000 sheep and Mark paid £6000 cash for it.²² *Emu Creek* is between Walcha and Uralla in the New England region. It is about 50 km directly south of Armidale.
- Greg: [14:57](#) What happens there?
- Peter: [14:59](#) Well, James' reputation as a poor employer continues. Men absconded from *Emu Creek* in July and September and October of 1858. Then, another male servant absconded in March 1859, a couple more in September 1859 as well.²³ Then in 1859, there's a Summons for Wages.²⁴ *John Maher v. John Ashburn*. The plaintiff, a shepherd lately in the employment of Mr. Mark on *Emu Creek*, claimed the sum of £11 of wages due. He, Mr. Rowsell, for the defence, set up the ancient plea of non-jurisdiction of the court, which was immediately blighted by the Bench. John Ashburn, who was James Mark's overseer on the property, stated that, on the 1st May, Maher applied to him for three months' wages. He told him Mr. Mark was in Sydney, and that he was not empowered to settle with him until his master's return. He dare not make a decision. Mr. Mark said that Maher had engaged with him until after the lambing, and that, at the time, he came for a settlement, a quarter's payment was not due. The Bench however didn't agree and awarded the amount claimed, with court costs.
- Greg: [16:20](#) More negative stuff. Does anything good happen around James Mark?
- Peter: [16:25](#) Well, in 1861, James Chisolm Mark married Eliza Bruen when he was 52 years old. This is now his third wife.
- Greg: [16:35](#) Okay. Do we know any more?
- Peter: [16:37](#) Yes – more problems.^{25,26} In 1865, another newspaper report.
- Denise: [16:44](#) “*The blacks have been troublesome at Mr. Mark's station, Emu Creek, in the Walcha district. It appears that during one night lately, a slab was removed from*

the store and a quantity of goods stolen. It was evident that the robbery had been committed by blacks, of whom a large number were in the vicinity, and subsequently they assumed a threatening appearance. On Sunday, Sergeant du Vernet receiving the intelligence, he went out from Walcha. The property could not be found but to prevent further depredations the Sergeant put the blacks over the Falls, and it is understood the police have a sharp eye upon their further movements. Mr. Mark was absent at Sydney at the time."²⁷

Peter: [17:35](#) And then another newspaper report in December 1865.

Denise: [17:39](#) "Disputed Boundary. The case of disputed boundary between the owner of the run, Winterbourne, Mr. W. Morris, and Emu Creek, belonging to Mr. James Marks, and recently referred by the Government to arbitration, under the Crown Lands Act, was decided on the 29th ultimo, in favour of the latter gentleman. Mr. Commissioner Black acted for both parties, and his decision was approved of by Dr. Morris."²⁸

Greg: [18:10](#) Does it ever stop his problems with the law?

Peter: [18:14](#) The only time he gets out of the newspapers is the last time - when he dies. James Chisolm Mark died on 3 January 1883 in Armidale, New South Wales, when he was 74 years old. It is noted that his wife was Eliza and his occupation was an Inn Keeper. So, I've found the gravestone of James Mark – and his third wife Eliza – in the Armidale Cemetery. I wonder if any residents of Armidale are aware that there is a mass-murderer buried in their town's cemetery.

Greg: [18:49](#) Yeah, So, despite everything – and constant contact with the legal system – James Mark was never held to account. It seems that, in the aftermath of the Mark's murders, James Mark is a bit of a winner but that doesn't sound fair!

DEATH CERTIFICATE

Date and place of death	Name and occupation	Sex and age	Cause of Death	Duration of last illness; medical attendant; when he last saw deceased	Name and occupation of father. Name and maiden surname of mother	Informant
3 January 1883 2779 Beady H Armidale	James Chisolm Mark. Inn Keeper	Male 73	Suppression of urine (1) Coma 6 days (2) Dr Sheldon (3) ↓ (4) 3 January 1883	(1) George Mark (2) Not Known (3) Not Known	Rainey Mackay Son in Law Enmore Walla	

Particulars of Registration	When and where buried; name of undertaker	Name and religion of Minister and names of witnesses of burial	Where born and how long in the Australasian Colonies or States	Place of marriage, age, and to whom	Children of marriage
(1) Lambeth Road (2) 4 January 1883 (3) Arundale	4 January 1883 Presbyterian Cemetery Arundale Robert Harper by informal form Harper & Co. Ltd. Christchurch	Rev. A. B. Macfarlane for Rev. J. J. Macfarlane Presbyterian Witnesses Jno. Dorman Lich. Dorman Johnston & Dorman Moel	Scotland about 30 years J. M.	1st (1) Scotland 2nd France 3rd Walscha (2) Not known (3) 1st Not known 2nd Mary Thompson 3rd Eliza Thompson	Before marriage (R.M.K.) Lump William (boy) 11 Isabella (girl) 11 dead 2 males 1 female 2nd marriage Lump Mary (girl) 23 dead 3rd marriage Lump

Death Certificate for James Chisholm Mark (3 Jan 1883)



Headstone of James Mark and Eliza Mark

Peter: [19:03](#) No, it is not at all fair but there is one remaining issue. John Watts says:

John Watts: [19:12](#) *I saw him some years after in Brisbane, and the warrant was never executed, and I expect the Government, after the trial of the two who were taken being acquitted, thought it was no use to try any more. The native police put such fear into the tribes in this district that there was no more trouble, and the country began to settle down and progress.*

Greg: [19:38](#) So, when and where did John Watts meet James Mark?

Peter: [19:43](#) Well, this did concern me a bit because I knew that John Watts eventually becomes a magistrate and a minister in the Queensland parliament. If he held those positions, shouldn't he have turned in James Mark to the law when he met him. The answer came when I got a copy of James Mark's second marriage certificate to Mary Mangan, if you remember. It seems that James was married in Ipswich in May 1855 by the Rev. William Lambie Nelson. I remembered that John Watts was married by the Rev. William Lambie Nelson on 2 Jan 1855 – just a few months before. More interestingly, John married Jane Lambie Nelson, the only surviving daughter of the Rev. William Nelson. That of course, means that Jane Lambie Nelson is my great-great-grandmother – and that James Mark was married by William Nelson, my great-great-great-grandfather! John Watts had worked on *Rosewood* as manager for a previous owner in 1855. This was probably where and when he met James Mark – perhaps in the handing over of the property. This was well before he became a magistrate, or he was elected to parliament.

Greg: [21:02](#) OK. So, is this the end of our story about the Mark's Murders?

Peter: [21:07](#) No. Not quite. There is one more thing that we should look into. You might remember that in our first episode, we discussed the History Wars and the idea that our history was being re-told – incorrectly – at present and in the past. Now that we have told the story of the Mark's Murders using contemporaneous information, I'd like to look at how the story of Marks and the Mark's Murders has been told to Australians over the last 170 years. We'll cover the telling of the Mark's story in our next, and final, episode.

Greg: [21:42](#) Well, that sounds very interesting. Now, we would like your views on this topic. Do you have a similar story in your family tree? If so, please contact us on email or comment on our Facebook - contact details are on our webpage – www.todaysstories.com.au. Full details of this story are available on our website. Please remember to subscribe to our podcast.

For this podcast,

- Your hosts were Greg and Peter
- Research by Peter
- Voice actors were Mark, Denise and Mick
- Original music and Sound Engineering by Pete Hill

- IT solutions by Shelly

Thank you very much for listening

John Watts, *Personal Reminiscences* - Download PDF version

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Today's Stories from our Past

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Citations

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- ³ Lydon, Jane, 1965- & Ryan, Lyndall, 1943- & EBSCOhost (2018). *Remembering the Myall Creek massacre*. Newsouth Publishing, Kensington, NSW, p.102.
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- ⁶ John Watts, *Personal Reminiscences*, Allendale, Wimborne, 1901. OM Box 10937, ACC 5823, John Oxley Library, Brisbane, p. 42.
- ⁷ TRANSFERS OF RUNS. (1849, August 7). New South Wales Government Gazette (Sydney, NSW: 1832 - 1900), p. 1164. Retrieved December 21, 2019, from <http://nla.gov.au/nla.news-article230391789>
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- ¹⁰ Classified Advertising (1853, December 31). The Moreton Bay Courier (Brisbane, Qld.: 1846 - 1861), p. 3. Retrieved December 21, 2019, from <http://nla.gov.au/nla.news-article3708974>
- ¹¹ The three properties may have included the modern-day town of Taroom. Hornet Bank Station, where a massacre of Europeans occurred in October 1857, is about 45 km south-west of Rosevale.
- ¹² COLONIAL EXTRACTS. (1856, March 8). The Moreton Bay Courier (Brisbane, Qld.: 1846 - 1861), p. 4. Retrieved November 5, 2019, from <http://nla.gov.au/nla.news-article3711327>
- ¹³ Skinner, Leslie Edward (1975). *Police of the pastoral frontier: native police, 1849-1859*. University of Queensland Press, St. Lucia, Q. p.113.
- ¹⁴ This letter is an example. They were all signed 'A Squatter' but it is believed that this was James Mark. NORTHERN SETTLERS AND NATIVE POLICE. (1852, August 21). The Moreton Bay Courier (Brisbane, Qld.: 1846 - 1861), p. 3. Retrieved December 10, 2019, from <http://nla.gov.au/nla.news-article3713410>
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