

Index

Names of complainants and defendants are not given in this index.

- Aborigines, 11, 121, 141, 200, 271
- agency, 3
- Allen, Judith, 7
- anthropology, 3, 9–10
- Antill, Henry Golden, 182
- assault:
 - by men, 239–42
 - by women 239–42
 - law concerning, 88–9
 - on women, 88–103
 - on men, 93–4
 - on constables, 163–4, 194–5
 - over fencing, 222–4
- Atkinson, Alan, 1, 24, 32, 37
- Australian*, 40
- Australian history, 2–3, 6–7, 10
- Aveling, Marion, 1
- Bathurst, 199–201
- Bathurst, Earl, 21
- Beattie, John, 82
- Bell, Archibald, 190, 194
- Bennet, John, 11
- Bent, Eliza, 280–1
- Bent, Ellis, 209, 267, 281
- Bentham, Jeremy, 276
- Berg, Maxine, 31
- Bigge, John Thomas, 19, 24, 31, 35, 189
- Blossom*, 40
- Bourke, Governor Richard, 142
- boxing, 195–6, 249
- Brewer, John, 289
- Brisbane, Governor Thomas, 19, 130
- Brooks, Richard, 182
- Broughton, William, 182
- burglary, *see theft*
- Burn, Richard, 88
- bushranging:
 - Bathurst, 199–200
 - harbouring, 139–42
 - image, 129–45
 - Irish precedents, 139
 - legislation concerning, 130, 142, 145, 198
- Calhoun, C. J., 208
- Cameron, Iain, 6
- Cartwright, Richard, 190
- Castlereagh, Viscount, 38
- charivari, 138
- clearing parties, 52
- Close, Edward, 144, 145
- Cockburn, David, 8
- community, 208
- constables:
 - house searching, 84, 179, 232, 235
 - rewards, 188
 - wages, 157–8
 - see also assault; warrants*
- convicts:
 - female, 38–51
 - legislation, 20–1, 41–2
- offences, 26–65
- reward vs punishment, 53
- wages, 41–2, 53, 157–8
- see also labour*
- coroners, 88–9
- corporal punishment, 277
- courts, structure, 11–12
- Cowpastures, 197–201
- crime, 3–6
- Crowley, F. K., 214
- currency, 218–21
- Currey, C. H., 170
- Darling, Eliza, 41
- Darling, Governor Ralph, 19, 21, 22, 40–1, 51–2, 130, 143–4
- Davidoff, Lenore, 50
- Davis, Natalie, 9
- Demos, John, 73
- deposition, interpretation of, 8–9
- De Tocqueville, Alex, 276
- disorderly houses, 167–8
- domestic violence, 89–103
- Donzelot, J., 7
- Douglass, Henry Grattan, 266
- Dowling, Justice, 274–5
- Druitt, Major George, 22, 24–5
- Emu Plains, 40–1
- ethnography, 3
- etymology, 3

- evangelical interests, 41
- exchange, 208
- Executive Council, 51
- Fairchilds, Cissie, 50
- Female Factory, 40, 43–4, 49, 172, 278, 281
- Female School of Industry, 41
- fencing, 222–4
- Field, Barron, 171
- Finnane, M., 7
- Fischer, M., 9
- Fletcher, B., 223
- footpads, 212
- Forbes, Francis, 20–1, 274
- forgery, 218–22
- Foveault, M., 7
- free servants, 215–17
- freedom, 2, 142–5, 155–201
- Galenson, D., 37
- gangs, 25–37, 61–6
- Garrioch, D., 209
- Genovese, Eugene, 65
- Ginzberg, Carlo, 9
- Golder, Hilary, 7
- governor, 20–1
- grand juries, 211
 - see also* juries
- Habeas corpus*, 266
- Hay, Douglas, 4–5, 265, 289
- Herrup, Cynthia, 12, 289
- highway robbery, 213–14
- Hirst, J. B., 2, 23, 37, 52, 214
- Hogg, R., 7
- houses, layout, 77–8
 - see also* warrants
- household structure, 77–8
- Howe, John, 189
- Howe, William, 182, 186–7
- Hufton, O., 6
- Hunter, Governor John, 22, 38
- Hutchinson, William, 19
- Hyde Park Barracks, 157
- Ignatieff, 6
- Ikin, William, 183–4
- illegal economies, 7
- illegal punishments, 277–8
- infanticide, 250–8
 - law concerning, 251, 255
- informing, 233–9, 240
- Jamison, John, 129–30, 214–15
- juries, 196–7, 275, 280–1
- King, Governor Phillip, 289
- Labour, 2
 - convict, 19–66
- female, 38–50
 - free, 214–20
 - legislation, 20–1, 53–5
 - regulation, 20–3, 28, 51–3, 62
 - wage, 23–4, 28, 51–3, 62
- Langbein, John, 4–5, 171, 288
- language, 19
- larceny, law regarding, 160
 - see also* theft
- law, history, 3–12, 120
- Legislative Council, 130, 142–3, 171
- Lemire, Beverly, 85–6
- Linebaugh, Peter, 5
- Liverpool, 182–9
- Lowe, Robert, 1, 182
- Macarthur, Hannibal, 42–3, 59, 177, 278
- Macarthur, James, 143
- Macquarie, Elizabeth, 41
- Macquarie, Governor Lachlan, 22, 41, 130, 155, 182, 197, 209, 244
- magistrates, 53–4, 170–1, 185–7
 - legislation, 50, 55
- manslaughter, 88–9
- market regulations, 178, 194, 209–10
- Marcus, George, 9
- Marsden, Samuel, 24, 177, 280
- masters and servants, 214
- McLeod, Donald, 55
- McGowen, R., 277
- McKinnon, J., 130
- McLaughlin, J., 11, 53–4, 169
- Medick, H., 9
- men:
 - discussion of morality, 107
 - employers, 23–4, 30, 33–6
 - historiography, 107
 - murder of, 98–103, 123
 - servants, 19–38, 51–66
 - sexuality, 106–8
 - theft, 74
 - use of courts, 82–3
 - value of in colony, 37–8, 65
- Meredith, Frederick, 183–8
- Meredith, William, 183–8
- midwifery, 251
- Moore, Thomas, 182–3
- murder, 94–103, 117–23
 - law concerning, 88–9
- Murray, Sir George, 4
- Neal, David, 2
- Newcastle, Stephen, 10, 31, 52
- nuisance, 211
- Oakes, Francis, 177–8
- overseers, 30–7, 56–60
- Parramatta magistracy, 170–2
- Parsons, George, 223
- payment in kind, 85
- Philips, David, 5
- Phillip, Governor Arthur, 41
- plantation, 64–5
- policing:
 - Bathurst, 199–201
 - Cowpastures, 197–201
 - English, 155–6
 - Newcastle, 200–1
 - Parramatta, 168–82
 - Sydney, 156–8
 - see also* constables
- Portelli, A., 271
- prison reformers, 276
- property in service, 20–1
- prostitution, 160–3
- public houses, 245–7
- publicans, 222–3, 246–7
- punishment, 276–82
 - illegal, 170–2
- Quarter Sessions:
 - and juries, 275
 - and magistrates, 169
 - assault cases, 90
 - establishment, 12
 - Liverpool, 185–6
 - Parramatta, 178
 - Windsor, 189, 192, 271
- Radzinowicz, O., 5
- rape, 58–9, 109–16
 - evidence, 112–13, 115–16
 - legislation, 109–10
 - on children, 109–12
- receivers, 233–9
- Reddal, Rev. Thomas, 188
- Redman, John, 158
- Riley, Alexander, 279
- Roberts, Michael, 163
- Robinson, Portia, 1
- Rossi, Francis, 155, 157, 169–70
- Roubin, Lucienne, 49
- Rude, George, 34
- rule of law, 7
- Rumsby, Ann, 171
- Sabbath offences, 172, 190–1
- Segalen, M., 49
- Sewell, William, 20
- Sharpe, J. A., 209
- Shaw, A. G. L., 53, 276
- small farmers:
 - America, 223
 - NSW, 220–36
- Smith, Adam, 32
- social history, 3–11
- Sonenscher, Michael, 215
- space, use of, 50
- Stansell, Christine, 86
- Stephen, Judge, 274–5
- street regulations, 211–12

- Sturma, Michael, 1, 6, 39, 124
Supreme Court:
 institution of, 12, 273
 procedure, 273–4
surgeons, 94, 96, 110, 254–6
Sydney Gazette, 41, 42, 212, 269–82
taskwork, 22–3
Tasmania, 10
Taylor, Alan, 223
ticket of leave, 186
theft:
 convict, 36–7, 46–8
 English, 82
 from houses, 80–6
 law concerning, 73–4, 160
 of cattle, horses, 197–8, 224–9
 of pigs, 192–3, 224
Thompson, E. P., 9, 31–2
Throsby, Charles, 186
torture, 171, 266
tracking, 1
unnatural assault, 106–9
vagrancy, 156–7, 161–3, 177
 English, 163
Vaissey, David, 8
venereal disease, 109–12
warrants to search, 165–7, 178–80, 181,
 192–3
Weekes, Jeffrey, 109
Wentworth, Darcy, 23, 157, 288
Windsor, 119–20, 189–96
women:
 discussion of morality, 39–40
 employers, 35, 36
 first to be defined as vagrant, 161
 historiography, 2–3, 39–40
 operation of law on, 66
 servants, 2–3, 38–50, 57
 theft, 84–6
 use of courts, 82
 value of in colony, 38–43, 50–1
written defences, 268–71
Wylde, John, 157, 234, 272, 281
Zehr, Howard, 4