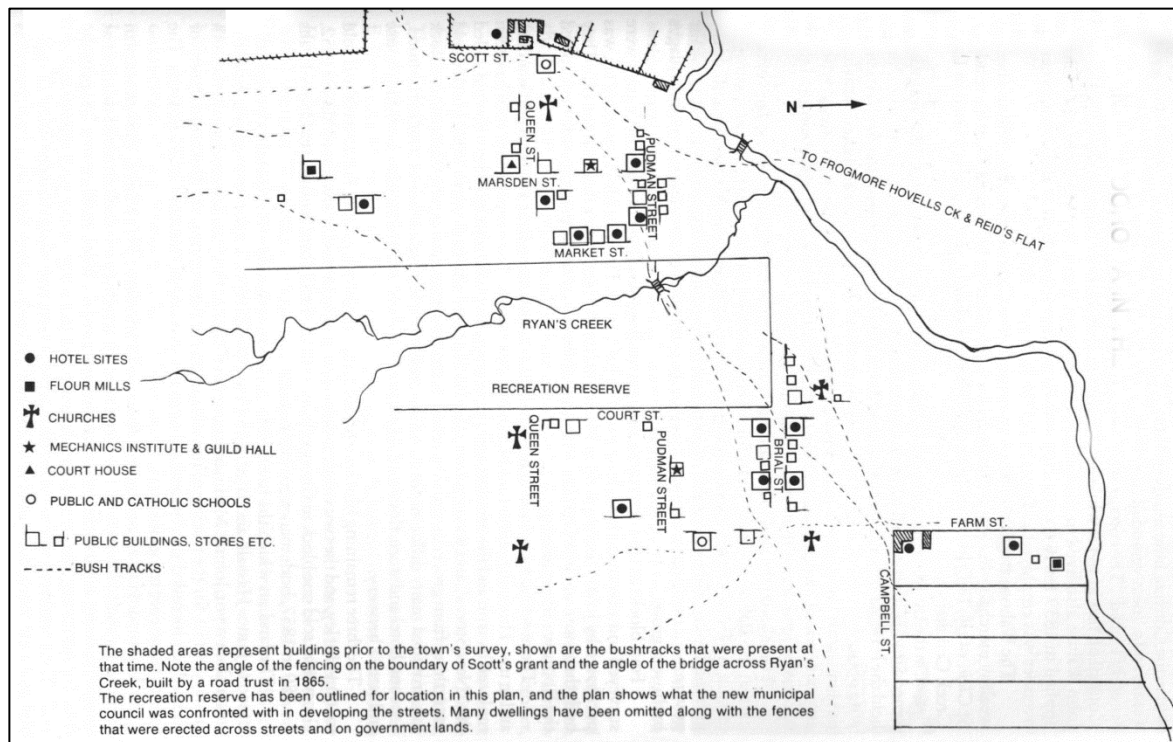


## Agnes Jane McGrath – a Hard Life.<sup>1</sup>

Our story starts with James William Gates who was born at Tootgarook, Victoria, on the 9<sup>th</sup> September 1877, the son of James Henry Gates and Clara Gates [nee Spicer].<sup>2</sup>

In 1898, James married Agnes Jane McGrath at Boorowa.<sup>3</sup> The couple had seven children:

1. Elizabeth Marie Gates [b.1898, Boorowa],<sup>4</sup> [d.23<sup>rd</sup> March 1904, Boorowa]
2. James William [aka Billy] Gates [b.1899, Boorowa],<sup>5</sup> [d.25<sup>th</sup> November 1971]
3. Alphonsius Cyril Gates [b.1901, Boorowa],<sup>6</sup> [d. 4<sup>th</sup> January 1902, Boorowa]
4. Josephine Irene Gates [b.1902, Boorowa],<sup>7</sup> [d.25<sup>th</sup> May 1985]
5. Dorothy May Gates [b.1905, Boorowa],<sup>8</sup> [d.1918, West Wyalong]
6. Philomena [aka Kitty] Kathleen Gates [b.1907, Boorowa],<sup>9</sup> [d.1951, Sydney]
7. Hannah F Gates [b.1911, Boorowa],<sup>10</sup> [d. ??]. In 1932, Hannah married Leslie C Andrews, at Sydney.<sup>11</sup>



**Above:** 1880's plan of Boorowa township.<sup>12</sup>

<sup>1</sup> Daily Express. 11<sup>th</sup> February 1921, p2. / Daily Advertiser. 11<sup>th</sup> February 1921, p3.

<sup>2</sup> VIC BDM's. Death registration # 25529.

<sup>3</sup> NSW BDM's. Marriage registration # 774.

<sup>4</sup> NSW BDM's. Birth registration # 29401.

<sup>5</sup> NSW BDM's. Birth registration # 29230.

<sup>6</sup> NSW BDM's. Birth registration # 11433.

<sup>7</sup> NSW BDM's. Birth registration # 10961.

<sup>8</sup> NSW BDM's. Birth registration # 2057.

<sup>9</sup> NSW BDM's. Birth registration # 22567.

<sup>10</sup> NSW BDM's. Birth registration # 30663.

<sup>11</sup> NSW BDM's. Marriage registration # 13181.

<sup>12</sup> Helen V. Lloyd. *Boorowa. Over 160 Years of White Settlement.*

## Tragedy

A fatal accident occurred at Burrowa, in March 1904. Nineteen year old Bertie Maloney, an employee of Mr HM Tiddy, storekeeper, set light to a quantity of waste paper in the yard at the rear of the store, as he had on numerous previous occasions. He walked away before the fire had expired, and it was after he left that six year old Elizabeth Marie Gates entered the yard, and as a consequence of moving too close to the fire her clothes caught fire, setting her alight. Her screams attracted her mother, Agnes Gates, who tore off the burning clothes and with the help of her [Agnes's] mother, Margaret McGrath, carried the child back to the latter's home, which was also where Agnes and her family resided. The government Medical Officer attended to the child on the 22<sup>nd</sup> March and was immediately of the opinion she would not survive, the burns being quite extensive. His prediction proved to be correct. An inquest found that the child died from the effects of burns, accidentally received.<sup>13</sup>

## Criminal Activity

On the 18<sup>th</sup> September 1901, twenty four year old married man, James Gates, and an accomplice, nineteen year old Herbert Canty, a single man, broke into the Bank of NSW at Burrowa and stole a cashbox, containing about forty pounds, from the manager's office.<sup>14</sup> Gates was living with his parents-in-law at the time of his arrest.<sup>15</sup> The two men were subsequently convicted and sentenced to two years imprisonment in Young gaol, with an option of a suspended sentence subject to each man lodging a personal security of eighty pounds and two sureties each of forty pounds, and subject to all the money stolen being paid back to the bank [under the First Offenders Act].<sup>16</sup>

James Gates served twelve months for this offence. He did not though learn his lesson. In June 1906 he and his father-in-law, Henry McGrath, were charged with stealing rabbit skins, same being the property of Michael John McKeown of Burrowa. The case against McGrath was dismissed but James copped three months imprisonment in the Young jail. This, apparently, was only his second conviction. Testimony from Gates confirmed that he was a labourer and that he resided in Brial Street, Burrowa. His defence was that he had been employed digging out rabbits at Tarengo for fifteen shillings a week plus rations. He claimed he obtained the skins from the rabbits he dug up.<sup>17</sup>

In May 1907, Gates was before the court again, this time charged with attempting to rob one John Cummins. He was convicted and sentenced to three months hard labour at Bathurst gaol.<sup>18</sup>

By 1914, Gates appears to have been an habitual drunk. A conviction in April 1914 - drunk and resist police – attracted a fine of forty shillings, or 28 days in jail.<sup>19</sup>

When James appeared in court in October 1916, there was a prohibition order out on him, and he was again charged with being drunk, resisting police and using indecent language. The court heard that there were six previous convictions against him. He was convicted and fined a total of five pounds ten shillings, or jail by default.<sup>20</sup>

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<sup>13</sup> Burrowa News. 25<sup>th</sup> March 1904, p2.

<sup>14</sup> Goulburn Herald. 12<sup>th</sup> October 1901, p4.

<sup>15</sup> Burrowa News. 11<sup>th</sup> October 1901, p2.

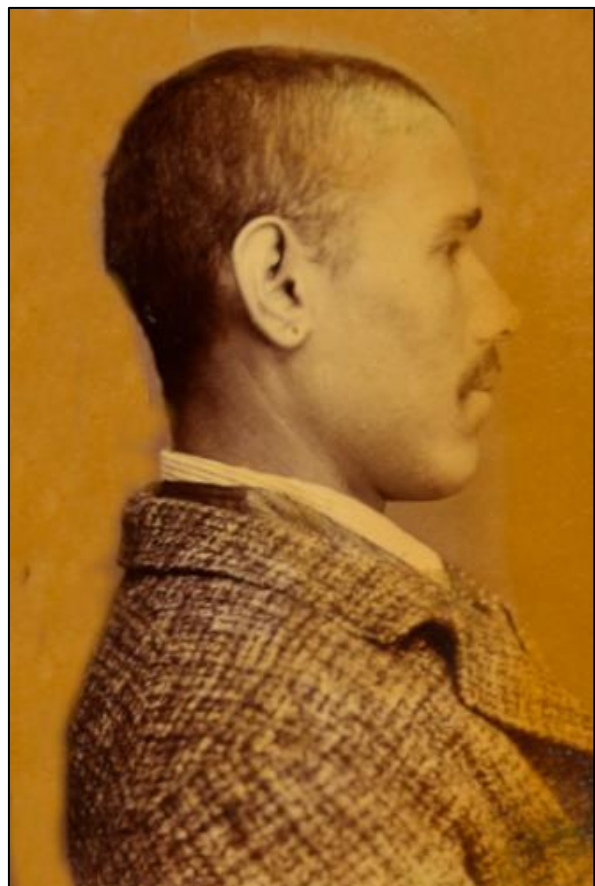
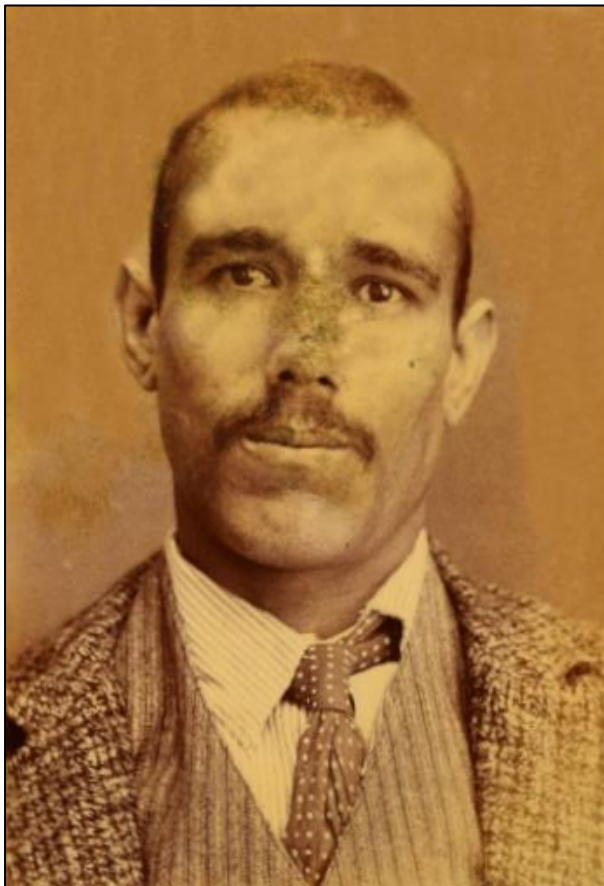
<sup>16</sup> Yass Evening Tribune. 28<sup>th</sup> November 1901, p2.

<sup>17</sup> Burrowa News. 15<sup>th</sup> June 1906, p2.

<sup>18</sup> Burrowa News. 24<sup>th</sup> May 1907, p3.

<sup>19</sup> Burrowa News. 24<sup>th</sup> April 1914, p2.

<sup>20</sup> Burrowa News. 20<sup>th</sup> October 1916, p2.



Native place.....	Victoria
Year of birth.....	1877
Arrived in } Ship.....	B.S.
Colony } Year.....	
Trade or occupation } Laborer	
previous to conviction }	
Religion.....	R.C.
Education, degree of.....	Law
Height, without shoes, 5...feet 6 3/4 inches	
Weight } On committal.....	
in lbs. } On discharge.....	
Color of hair.....	Black
Color of eyes.....	Wk. Brown
Marks or special features:—	Scar
	right eye brow. Scar
	1st finger left hand. Scar
	base knees 2 fingers left
	hand.

**Above – Left & Right:** Police photographs of James William Gates, 1902.<sup>21</sup>

**Left:** Police entry, description of James William Gates in 1902.

Agnes's mother, Margaret McGrath, passed away in May 1917,<sup>22</sup> and that may have been the catalyst for the family moving to Wagga Wagga. Her husband had predeceased her.

James William Gates, senior, died around the 3<sup>rd</sup> June 1919, a victim of the Spanish Flu.<sup>23</sup> He was survived by his wife and four of his children – Billy, Josephine, Kitty, and Hannah.

Agnes Jane Gates [nee McGrath] died on the 25<sup>th</sup> January 1959, at Boorowa.<sup>24</sup> Her certificate listed her parents as James and Margaret Jane W McGrath.

## **Cruel World**

Just before midnight, on the 9<sup>th</sup> February 1921, Sgt Gallaher, Sgt O'Brien, Tracker Mclean, and two council employees raided the residence of a Chinaman, Willie Wing Sing, in Travers Street.

The residence consisted of a small cottage set back from Travers Street, with a dilapidated verandah at front. [In 1919, Wing Yung owned a small brick cottage on allotment 16 of section 65, which allotment was situated on the south west corner of the T intersection of Travers and Trail Streets. This would be the cottage referred to].<sup>25</sup>

Two men and two women were charged and appeared in court the following day. The two men, William Graham, aged 23, and William Gates, aged 21, were charged with, "*being idle and disorderly persons.*" Their cases were heard in open court. William Gates was the son of Agnes Gates, the older of the two women arrested.

The two women were charged with the same offence, but their cases were heard in camera.

The two children, one aged nine [Hannah] and the other thirteen [Kitty], were charged with being neglected.

Sgt Gallaher testified that he had known the two children and their mother for about two years. When he first knew them they were living in a bag tent on the river bank near the viaduct bridge. The father did gardening work, finding odd jobs around town. In May 1919, the father was a victim of the Spanish Flu, and passed away at the Wagga Wagga Hospital, in that month, leaving his wife and children to fend for themselves.

Following her husband's death, the mother [Agnes, aged 42], with her children, squatted in a condemned house near The Esplanade, where they had resided up until the previous Monday. During that whole time the family had lived in poverty. There had been numerous complaints from the public about the children begging "*from house to house.*"

Sgt Gallaher testified that the police had visited the house on several occasions, and the inference was that she had been conducting immoral business. The officer was aware that the woman had applied for State aid, but her application had been rejected.

The second woman, Josephine Gates, the eighteen year old daughter of Agnes Gates, was also suspected of immoral conduct and she had previously given birth to an illegitimate child who lived with her. [Arthur G Gates, b.1919, at Sydney]<sup>26</sup>

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<sup>22</sup> Burrowa News. 11<sup>th</sup> May 1917, p2.

<sup>23</sup> NSW BDM's. Death registration # 10037.

<sup>24</sup> NSW BDNM's. Death registration # 6557.

<sup>25</sup> Wagga Wagga Rate Books. 1917-1919 [NRS.17647]

<sup>26</sup> NSW BDM's. Birth registration # 24665.



It was noted that the police had spoken to the two women on a number of occasions, cautioning them against the lives they were leading.

When the police raided the residence of Willie Wing Sing the only food they found on the premises was half a loaf of bread. The older woman, with her two children slept in a room at one end of the verandah, while the younger girl, with her child, slept in a room at the other end of the verandah, under the window of the Chinaman's bedroom. The two women's beds were described as *"very dirty"* and *"composed for the most part of sacking and old bits of cloth."*

When the police raided the house [near midnight], the two women were away. They arrived shortly afterwards, accompanied by their children, and the two men followed not long after that.

The police had turned a blind eye to the women living in their former residence – the condemned house on The Esplanade – because of their destitute situation, but as complaints increased the decision was made to remove the roof of the house, in order to make it uninhabitable.

The two women were convicted and sentenced to a month's imprisonment at Long Bay jail, with the option for a suspended sentence provided they entered into a good behaviour bond, of five pounds each.

The two men were convicted and sentenced to three months imprisonment in Albury Gaol. They too had the option to enter into a good behaviour bond – ten pounds each plus a surety of ten pounds.

The two children were made wards of the state and sent to an institution.



**Above:** The railway bridge over the Murrumbidgee River, not far from where the Gates family lived in their bag tent.