

HISTORY HOUSE

INCENDIARISM IN MACQUARIE STREET

CHRISTINE YEATS
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INCENDIARISM IN MACQUARIE STREET

Christine Yeats, RAHS Senior-Vice President

Had it not been for the vigilance and quick action by a police constable back in 1899 the building, once described as “a first class residence in Macquarie Street”, may have gone up in flames.¹ At 2.00am on Tuesday 24 October 1899, Police Constable Yates was patrolling the area near Macquarie Street, when he noticed that a fire had broken out in a four story building opposite the Botanic Garden. Immediately alerting Constable McCarthy, who telephoned the Metropolitan Fire Brigade, Constable Yates rushed off to rouse the building’s occupants. The address of the four story building was 133 Macquarie Street. Today we know it as History House.

The house was built around 1872 for George Oakes MLA, the member for Parramatta. By 1899 it had seen many changes. It was used as a private residence until 1879. Then it became the premises of the Reform Club until Oakes’ death in 1881. The Warrigal Club used it between 1887 and 1889. At the time of the fire Mrs Jane Ware was running a boarding house on the premises.

The Metropolitan Fire Brigade responded quickly to the telephone call.

“District officer Watson having checked the flames at the windows, took a line of hose upstairs, and attacked them from the interior. Then, leaving an officer in charge of the operations at the back, he went round to the front, and having burst open the door, proceeded to investigate the extent of the fire. Inside he met Alfred Ware, the son of Mrs. Ware, who is the landlady of the establishment. Ware was, the officer states, almost fully dressed, with the exception of coat and hat. Just then also Mr. Superintendent Webb arrived with a detachment of men from the head station.”²

**INCENDIARISM EXTRA-
ORDINARY,
A MACQUARIE-STREET
SENSATION.
37 FIRES IN ONE HOUSE.
EXTINGUISHED BY BRIGADES.
WOMEN IN DANGER.
NARROW ESCAPES.
AN OCCUPANT ARRESTED.**

Evening News, 24 October 1899, page 4

Once the building was secured Superintendent Webb began his inspection. He discovered that fire had broken out in 37 different places. According to the report in the Sydney Morning Herald he noticed a strong smell of kerosene on the floor, in the wardrobes, dressing tables and in the bedding of the bedrooms. In other places there were charred and burned remains of newspapers. The report pointed out that the contents of the building were insured for £2,000 while the building, which was owned by Mr A.W. Oakes of Toongabbie, was insured for £5,000.³

Alfred Ware was subsequently arrested on suspicion of having set fire to the premises. The inquest into the cause of the fire before the City Coroner Mr J C Woods and a jury opened on 24 October 1899 and continued until 9 November 1899. In her evidence on 1 November Mrs Ware admitted that she had been somewhat naive in her dealings with Mrs Waugh, the former proprietor of the boarding house. Despite never having inspected the books she had agreed to pay Mrs Waugh £2,000 for the goodwill of the business. After taking possession of the premises from Mrs Waugh, she had purchased several hundred pounds worth of furniture. Mrs Ware also testified that she had insured the contents for £2,000.

Although according to her evidence she was doing good business, Mrs Ware had asked all the lodgers to leave on the Monday before the fire and only two servants (the cook Mrs Sarah Clarke and the housemaid Miss Alma Sandery) were in the house. She said she had been advised by her doctor to leave the house because her health was bad and she intended to get things settled and then let the rooms to doctors and leave the house in the management of a housekeeper. She added that she had put the business in the hands of the agent and was trying to sell it. Asked whether she had received any offers Mrs Ware said “yes, several, but they could not pay sufficient cash.” Asked whether any of the offers came anywhere near £2000, she again answered “yes”.⁴

The jury’s verdict was that the building at 133 Macquarie Street had been “feloniously & wilfully set on fire by Alfred Ware”.⁵ The Coroner then committed Alfred Ware for trial at the Central Criminal Court at Darlinghurst on 20 November 1899. The Evening News noted that Alfred Ware “well knew that, at the time Alma Sandery and Sarah Clarke were asleep therein”. The jury was not agreed about Mrs Ware although she too was committed for trial at the Central Criminal Court. Bail was refused for Alfred Ware as it was a capital offence.⁶

On 10 February 1900 Mrs Jane Ware and her son Alfred Ware appeared in the Central Criminal Court charged with having on 24 October 1899 maliciously set fire to the dwelling house in Macquarie Street, knowing that Alma Sandery was in the house. A second count charged them with setting fire to the house. Both entered a plea of not guilty. The Crown contended that the receipt of insurance money would have enabled Mrs Ware to settle her liabilities,

16.

No. 7953 Name Alfred Ware

Date when Portrait was taken, 15.3.1900

Native place Victoria
 Year of birth 1865
 Arrived in } Ship
 Colony } Year

Trade or occupation } Carpenter
 previous to conviction }
 Religion Anglican
 Education, degree of None
 Height 5 feet 9 7/8 inches.
 Weight { On committal 159
 in lbs. { On discharge

Colour of hair Black
 Colour of eyes Blue
 Marks or special features: Scar on forehead
Left thumb & fingers 1 scar outside left 3rd
but little finger, on - (No. of previous Portrait
middle left thumb & fingers outside & inside
left thumb. Bridge of nose prominent.
Small indented scar on left temple high
cheek bones. Eyes deep sunk.

PREVIOUS CONVICTIONS.

Where and When.	Offence.	Sentence.
<u>Sydney 14 Mar. 1900</u>	<u>Setting fire to a house</u>	<u>7 years & 5 months</u>

Alfred Ware

State Records NSW:
 Corrective Services, NRS
 2232, Goulburn Gaol
 Photograph Description
 Book, 1900. [19/17286 p.
 208, reel 5124] Alfred Ware
 15 March 1900

leaving some money left over. Mrs Ware was acquitted. There was nothing to connect her directly with the crime and on the night of the fire she was visiting her daughter in Manly. The jury was unable to agree on Alfred Ware's guilt and he was remanded for trial.⁷ Mrs Ware died not long after the trial.

On 1 March 1900 Alfred Ware was arraigned at the Quarter Sessions for maliciously setting fire to the dwelling-house of Jane Ware, with Alma Sandery and Sarah Clarke inside. Much of the evidence rested on a pocket knife in his possession. Found on it were fragments of candle wax similar to those found on the scene in 133 Macquarie Street. He was defended by Mr W P (Paddy) Crick and continued to protest his innocence. Alfred Ware was found guilty and on 14 March 1900 sentenced to seven years penal servitude.⁸ He was released from gaol on 4 July 1905, having served five of his seven year sentence. He died on 5 October 1941.

About the Author

Christine Yeats is currently the Senior Vice President of the RAHS and Convenor of its Events Committee. For

many years she was the Manager, Public Access at State Records NSW. Christine's research interest is nineteenth century NSW colonial history. She has contributed to numerous publications and spoken at many national and international conferences, seminar and workshops.

References

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- Evening News* 9 November 1899, p.3
- Sunday Times* 25 February 1900, p.8
- Evening News* 15 March 1900, p.2