

# BEN HALL

## Fact file

**Born:** Near Maitland, Hunter Valley, New South Wales, 1837

**Significance:** Originally a successful grazier who became a bushranger and outlaw. He committed over 600 hold-ups around Forbes NSW from 1862 -1865

**Died:** Billabong Creek, New South Wales, 1865



### Ben Hall's Colt model 1849 Pocket revolver

.31 calibre, five-shot revolver with a 5-inch (12.7-centimetre) barrel, made in late 1855

The initials 'BH' have been carved into the gun handle. The revolver forms part of the collection of the National Library of Australia.

## Education value

This resource shows:

- » a revolver used by famous Australian bushranger, Ben Hall, one of the 'wild colonial boys'. Hall is considered to have begun his life as an honest, hardworking stockman, but eventually turned to bushranging; he spent three years holding up mail coaches, robbing banks and stealing livestock from the areas surrounding the Weddin Mountains in New South Wales, until he became the first Australian bushranger to be outlawed; he was ambushed and killed by police on 6 May 1865
- » reflects the violence and danger involved in bushranging - bushrangers used revolvers, rifles, shotguns and carbines to commit their crimes and many people died or were injured as a result; although Ben Hall was considered to be less violent than other bushrangers, he nevertheless is known to have killed two constables and wounded another, and he himself died by gunfire shows how bushrangers took advantage of the latest technology to commit their crimes. In the 1860s, the most advanced hand guns included this percussion revolver, one of the earliest multiple-shot hand guns, which allowed the gunman to shoot up



### Portrait of Ben Hall

Photograph, ca. 1865

gelatin silver, sepia toned ; 23.7 x 14.7 cm  
nla.pic-an12596897

to five shots without having to reload, and gave the bushrangers an advantage over their victims and the police

- » an example of one of American Samuel Colt's (1814-1862) many ground-breaking inventions that became widely used around the world - Colt invented the multiple-shot revolver, the first remote-controlled explosive, and (with Samuel Morse) the first underwater telegraph cable; he also helped to popularise nitrous oxide as an anaesthetic
- » one of a substantial number of items from the Frank Clune collection, held at the National Library of Australia. Frank Clune (1893-1971) was a prolific writer who wrote about Australian life and history and is best known for his numerous books about the outback and bushrangers such as Ned Kelly, which helped to popularise the Australian bush.

## KEYWORDS

Australian history; Ben Hall; Bushrangers; Firearms; Horses; Law enforcement; Oil painting; Outlaws; Patrick William Marony; Police; Revolvers; Rifles; Samuel Colt, Colt 1849 Pocket Model revolvers; Handguns; Percussion revolvers; Wild colonial boys;



**William Patrick Marony, *Death of Ben Hall*** 1894, Oil on canvas, National Library of Australia nla.pic-an2263709

## Education value

This resource shows:

- » the death of bushranger Ben Hall, at his camp at Billabong Creek, who was who became the first Australian to be outlawed under the Felon's Apprehension Act of 1865
- » the violence of Hall's death through an ambush by seven policemen and two Aboriginal trackers, after he had been betrayed by a friend tempted by the reward of £1,000, a huge sum for the time - bushranging was a dangerous and violent activity, with most bushrangers dying young; Hall was 27
- » Hall's camp at Billabong Creek on 5 May 1865 - Hall was shot as he crossed a clearing to collect his horse in the morning and is depicted in the painting holding his bridle and reins, with his saddle in the foreground; Hall was camped alone; he and his gang had split up, with Hall planning to give up bushranging and go to America
- » examples of the style of weapons in use in the second half of the 19th century - a revolver, designed by Samuel Colt, that allowed a person to fire multiple shots without reloading, and a breech-loading rifle that was quick to load and powerful and accurate to fire can be seen
- » the attire worn by men in the bush - both the policemen and Hall wear tight-fitting trousers (probably moleskin) and long boots, suitable for leg protection when riding through bush
- » an example of the work of Patrick William Marony (1858-1939) well known for his romanticised paintings of bushrangers (including Ned Kelly and Frank Gardiner), all painted around 1894; Marony was also a photographer, scriptwriter and movie director, responsible for the 1911 film *Ben Hall*, notorious bush ranger

## Felon's Apprehension Act of 1865

In the New South Wales colony, the Bushranging Act of 1830 allowed police troopers to arrest anyone and keep them locked up indefinitely if they were suspected of being a bushranger.

In 1865 the government passed a more extreme law, outlawing bushrangers such as Ben Hall's gang, permitting anyone to shoot them dead on site. The Felon's Apprehension Act of 1865 let police and citizens do things never before allowed in Australia.

This law enforced jail to anyone who assisted bushrangers by providing guns, ammunition, food, clothes or a place to sleep. It allowed policemen to enter any privately owned

house at any time to search for bushrangers, or to arrest anyone they suspected. These excerpts are from the Act of 1865:

*"it shall be lawful for any of Her Majesty's subjects whether a constable or not... using any deadly weapon... to take such an outlaw alive or dead.*

*"...if any person shall voluntarily and knowingly harbour, conceal or receive or give any aid, shelter or sustenance to such outlaw or provide him with firearms... [they] shall be guilty of felony... and shall be liable to imprisonment...*

*"...any justice or officer of the police force... may break and enter such dwelling house or premises and therein apprehend every person whom he shall have reasonable ground for believing to be such outlaw or accused person...*

## POINTS FOR DISCUSSION

In 2007, a descendent of Ben Hall called for the inquest into the bushranger's death to be reopened. This is because the Felon's Apprehension Act became law on 10 May 1865, five days after Ben Hall was deliberately killed by police, despite the original inquest finding a cause of "justifiable homicide". Discuss this legal term and any moral issue surrounding when and how Ben Hall was shot.

Compare the Bushranging Act of 1830 with recent rulings Australian governments have made towards dealing with terrorists. Discuss what similarities or differences in community or government opinion have contributed to laws being passed which had an impact on privacy or freedom in different historical periods in Australia.

Ben Hall's parents both came to Australia as Convicts. The children of freed Convicts were often denied equal rights and this may have disadvantaged Ben Hall in his early interactions with police troopers. Compare the social situation for Emancipists (freed Convicts) and their children with free settlers in 19th century Australia.

## SOURCES AND FURTHER READING

Search for **Ben Hall** in the National Library of Australia's catalogues and databases

<http://librariesaustralia.nla.gov.au> Australian library catalogues combined

<http://www.pictureaustralia.org> follow the Australiana image trail for 'bushrangers'

<http://ndpbeta.nla.gov.au> Historic Australian Newspapers 1803 to 1954

<http://pandora.nla.gov.au> Australia's website archive

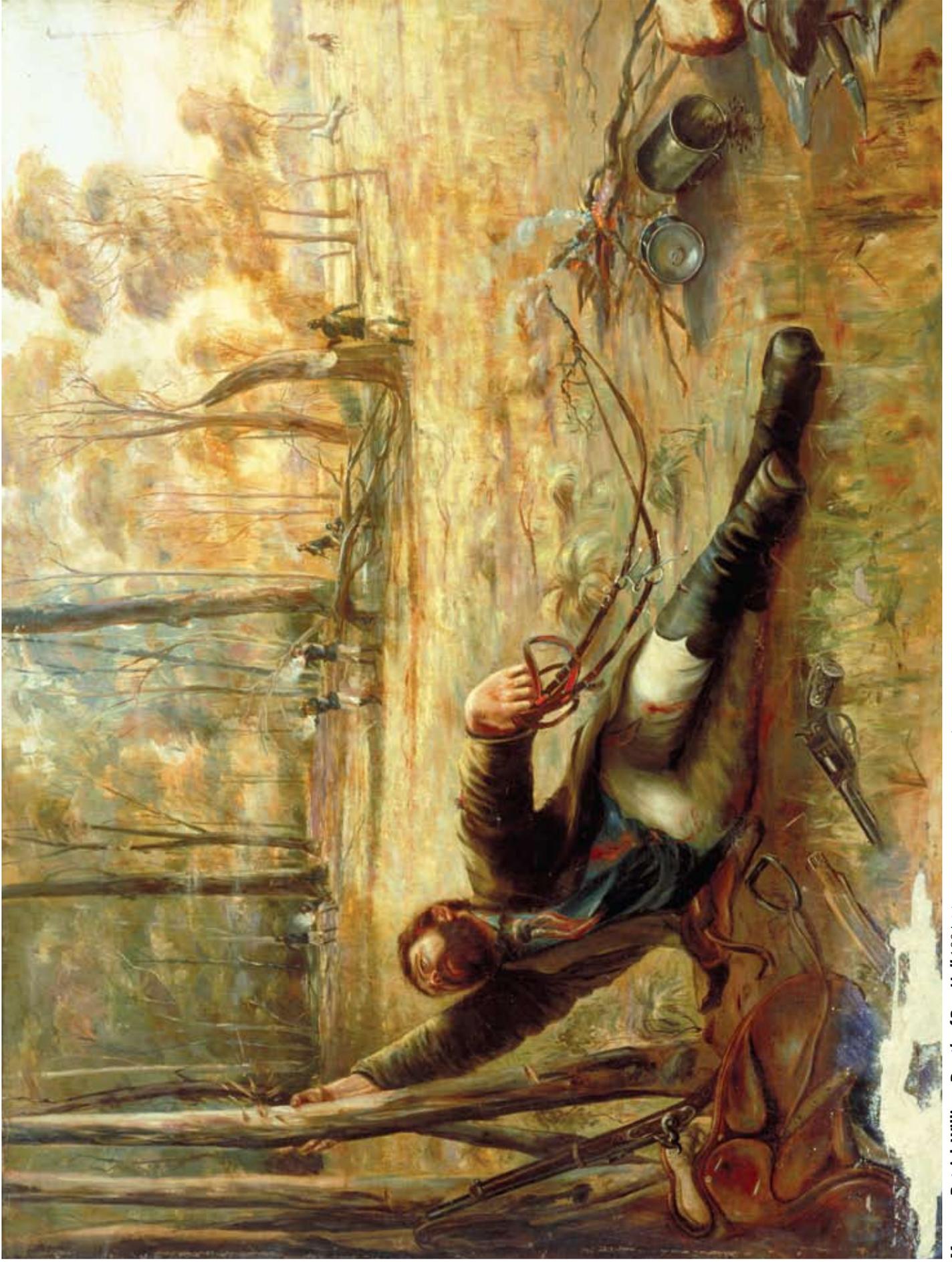
Penzig, Edgar F *Ben Hall: the definitive illustrated history* Katoomba, N.S.W., Tranter Enterprises, c1996

"Family urges new Ben Hall inquest" Meacham, Steve, *The Age*, March 31, 2007





**Ben Hall's Colt model 1849 Pocket revolver** Colt's Patent Firearms Manufacturing Company, c. 1850, metal and wood, 12,5cm, na.pic-an7969455



Marony, Patrick William **Death of Ben Hall** 1894 Oil on canvas, 137.6 x 182.7cm , nlapic-an2263709