

## AUSTRALIAN BUSHRANGERS

VICTORIAN CRIMINALS—AN "OLD HAND" ON HENRY BERESFORD GARRETT—AN INFLUX OF CRIMINALS—THE MAUNGATAPU MURDERS.

(No. 170.—By J.M.F.)

An "Old Hand," recalling Henry Beresford Garrett ("The Sportsman," 15-16 L3), says: "When at Dunedin, working in the prison gang, sometimes rain came on, and the prisoners would be marched into the railway station at Caversham for shelter. The stationmaster would allow Garrett to go to the office fire to warm himself on several occasions, for which favor Garrett was very thankful to Mr. Forsyth, the then stationmaster. In return, he said he would give him something that might do him some good. He gave his manuscripts, which, however, were not published till after his death, which occurred in 1880. The Otago 'Witness' published a good portion of them until an order obtained by Colonel Tom Price forbade the publication of any more in the newspaper. A horrible murder was committed in Dunedin—the Dwyers, father, mother, and a baby in the cot being the victims. The notorious Butler, not our infamous mountain criminal—was the reputed murderer. He confessed to arson, got a long sentence, and became a fellow-prisoner of Garrett's."

Butler confessed the murders to Garrett, who made a severe attack upon him with the leg of an iron bedstead, and only for timely aid he would have done for him. The killing of the baby was what roused him. Butler was hanged some time ago in New Zealand for murder under the name of Watson.

Otago, in the early sixties, suffered from an influx of criminals from Victoria, induced by the discovery of the Otago goldfields, just as Victoria in the first fifties suffered from an influx of the same class from Van Diemen's Land. The Government of Otago, wise in its generation, sent to Melbourne for a chief of police to organize a force for them. They got Inspector St. John Brannigan, who took with him one or two of the detective force. Brannigan and the men he took with him know most of the old criminals by sight, and were, therefore, a decided assistance to the Law and Order folk of New Zealand, and Dunedin in particular. Brannigan brought a clear head to police work in Otago, and spotted many of the undesirable. The four notorious rounders who encouraged the death of six men in the Maungatapu murders were directly from Victoria, where they had all learned the art they had exhibited in the Land of the Moa. Sullivan, the informer, was said to have been well known as a convict in Sydney. Kelly, one of the three hanged in New Zealand for the Maungatapu murders, was a Victorian, and well known there under the name of Hannon, but still better under what is believed to be his real name, Thomas Noon. Under this name, he and his brother, William Noon, were tried at Boroowah for murder and highway robbery at The Owens in 1853. With them were two other criminals, Teddy Gore, should have been Riddy Gore, and Sandy Fraser. The latter became an approver; William Noon was hanged; Gore and Thomas Noon, alias Kelly, were sent back to the Hula in Hekona Bay to complete their original sentences, they being convicts at large on ticket-of-leave. Burgess, another of the trio, was known as Hibb, and at the time of the Owens murder was serving a sentence of 10 years for highway robbery committed near Melbourne in 1852. He was also known as Miller, Levy, the third hanged, was known for 15 years in Victoria and New South Wales as a 'putterer-out' of robberies. Burgess was described as a man who never gave way to drink, nor ever was known to keep the company of low women. Sullivan, the

way to drink, nor ever was known to keep the company of low women. Sullivan, the informer, had an experience in Melbourne, when he turned up there in 1874. He had lived at Wedderburn, and had left his wife there, and after many wanderings, he made his way back there, only to find that Mrs. Sullivan had consorted herself with another husband. He was recognized, and passed from hand to hand until he reached the City Police Court, Melbourne, where Mr. Sturt, police magistrate, and about a score of honorary justices, gave him audience. He was charged as Joseph Sullivan, alias Thomas Sullivan, alias Frank Clarke, with being in the colony within three years of the expiration of a sentence imposed on him for felony in another colony, contrary to the provisions of the Influx of Criminals Act. Though accepted as an approver in the Maungatapu murder cases, he was convicted of highway robbery, and served seven years in Dunedin Gaol. The Bench asked for proofs of identification. The Superintendent of Police pointed to the fact that Sullivan did not deny the fact. The arresting constable at Wedderburn was called, and detailed a conversation with Sullivan, but the most satisfactory evidence of identification was that given by Mr. Bernard O'Hagan, of the Star of the West Hotel, Lonsdale-street, who was a warder in Dunedin Gaol in 1866 and subsequently. He knew Sullivan there, and had him under observation for four or five years. He had last seen him on leaving Dunedin a few days before Christmas, 1873. The Bench consulted for a short time, and the chairman, the Mayor (James Gatehouse), said that the Bench had agreed, and sentenced Sullivan 'to be taken in custody to the country whence you came, and should you be brought here again you will be sentenced to three years' imprisonment in heavy irons.'

The sentence on Sullivan meant that he was to be kept in gaol until opportunity offered to send him back to New Zealand, when he could be sent over in charge of a constable and left on one of the wharves. Sullivan, however, was not sent away, and most people had forgotten his existence, until one morning an application was made to Mr. Justice Fellows for a writ of habeas corpus, directing the governor of the gaol to show by what authority he held him in custody. Sullivan knew the law better than the authorities of the day. He knew that having been a resident of the colony before the Influx Act was passed, that Act did not apply to him, but he was cunning enough to keep quiet and hold his peace until his unadorned name had faded from the public memory. Mr. Justice Fellows upheld Sullivan's contention and discharged him. Sullivan is said to have ended his days in the Old Men's Home at Perth, Western Australia, under an assumed name. In dealing with bushranging in New Zealand I will have something more to say about this quartette.

While the Authorities were dealing with Sullivan under the Influx of Criminals Act, another arrest was made which caused the press to question if Sullivan were legally in custody. A pugilat, named D—W—, convicted in New South Wales of highway robbery, and sentenced to ten years, had obtained his liberty on ticket-of-leave, and went to Melbourne, where he was promptly arrested on the Influx Act; he employed the well-known criminal law practitioner, Frank Stephen, who pleaded that as W— had been a resident of Victoria prior to the passing of the Act, he was not amenable to its provisions. After a remand, I think, W— got the benefit of the Act, but he returned to Sydney, and, I believe, ended his days here.

The years 1856 and 1857 were stirring days in the annals of the Penal Department of Victoria. Into them were crowded the shooting of a prisoner named Gibbons, while attempting to escape from custody; a daring rush for liberty by a number of convicts (mostly of the highway robbery or bushranging type), in which Owens, a warder, Turner, a sailor,

was a robber or bushranging type), in which Owens, a warder, Turner, a sailor, and Stevens, a convict, lost their lives; the appointment of a Commission, or Select Committee, to inquire into the methods of prison administration adopted and practis-

ed by Mr. John Price; the murder of that gentleman by a gang of convicts at the Williamstown Breakwater; and finally of the selection of his successor, Colonel Champ, who was the first to introduce a reformatory system of prison discipline in Victoria.

"V.D.L." Martin Cash, the renowned Tasmanian bushranger, whose adventures by flood and field I gave in these columns some time ago, and the particulars of whose death I then gave, died at his home, "Glenorchy," five miles from Hobart, on the left bank of the Derwent the place was originally known as O'Brien's Bridge, on Sunday, August 27, 1878, vide tombstone in Cornelian Bay Cemetery. He called upon Mr. Samuel Weir, landlord of the Lord Rodney Hotel, New Wharf, and told him that, in consequence of severe illness, he had applied for admission to the General Hospital, and had been refused. Mr. Weir gave him accommodation at the hotel until the Monday when he returned home. Cash had a very romantic time in New South Wales, before he crossed over to Tasmania. Mr. Samuel Weir, his brother James, and a Mr. B. Midlow, raised a very handsome memorial over the bushranger's grave. Cash was 57 at the time of his death. "V.D.L." will find the whole story of Martin Cash in the "Sportsman," between September, 1911, and September, 1912.

(To be Continued.)