

EARLY DAYS OF THE N.Z. POLICE FORCE

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(By courtesy of *The N.Z. Police Journal*)

It is sometimes said that the police during the early days of New Zealand were an indolent, disorganised force and played little part in the settlement and progress of the nation. However, this was far from the case and one can only but admire the police of the early days for their courage and resourcefulness ; for their ability and zeal in a bush-covered country with its swamps and mountains, rivers and streams—a country untamed and unknown.

This is a token tribute to the police in Otago one hundred years ago for readers will appreciate that the writer has only scratched the surface.

In 1861, gold was discovered at Tuapeka by Gabriel Read and the first gold escort with 5,056 oz. arrived at Dunedin in August, 1861. The "gold rush" was on, and by September, 1861, over 5,000 miners were swarming over the Tuapeka and Waitahuna goldfields. Then came news of the Dunstan. Storemen, workers, seamen and all, headed in a steady stream for the Dunstan and the diggings, leaving Dunedin a deserted town. In 1862 came the Arrow, Shotover, Cardrona and Maniototo with an estimated 20,000 miners on the Otago diggings at the end of 1865.

Otago was then governed by the provincial system of government and in 1861 St. John Branigan was the Commissioner of Police of Otago. How fared the police during the times of such turbulence? As to be expected, they became involved in the turmoil, ill-equipped, understaffed and untrained, but with a solid core of men who, despite all obstacles, became the masters of the debacle and thus gained the respect and admiration of the multitude.

Crime and offences mushroomed; highway robbery was at its zenith during 1861-62 when 47 cases were reported in the Otago Police Gazette. Housebreaking increased from 59 cases in 1861-62 to 106 in 1863, while deserters soared from 25 in 1862 to 109 in 1863. Forty-three cases of horse stealing were reported in 1861-62 but 76 in 1863, while the 20 reported missing friends in 1862 trebled the next year. Cases of murder declined by one to three in 1863, but the 61 inquests held in 1861-62 were overshadowed by 147 held in 1863 and the number of prisoners discharged increased by 68 to 190.

Likewise the Police Force mushroomed; 189 constables were appointed from October, 1861, to December 1862, but this increase was robbed of 101 due to resignations, discharges and dismissals. A further 129 constables were appointed during 1863 but again a loss of 81 left a total gain of only 136 at the end of 1863.

The first issue of the Otago Police Gazette was on Monday, October 28, 1861, and was printed by W. Lambert, Printer to the Provincial Government of Otago. It was of three pages containing "the substance of informations received in cases of Felony and Misdemeanours," etc., and concluded with a list of promotions, appointments, and discharges. A reward was offered to members "who may display gallantry in the arrest of notorious criminals, or by evincing extraordinary zeal in the performance of their general duties."

This issue also notified that Sub-Inspector Jackson Keddell, of the Victorian Constabulary had been appointed Sub-Inspector of the Otago Police; 1st class Sergeant William Nixon Morton to Sub-Inspector, and two constables to Sergeant 2nd class. However, on 16th September, 1862,

Sub-Inspector Jackson Keddell resigned and was appointed a Commissioner of Gold Fields after having had less than one year's service with the Otago Police. Keddell was, in 1863, the Resident Magistrate at the Dunstan. Also on 16th September, 1862, Mr. B. F. Duncan, storekeeper of police, resigned and was appointed Gold Receiver at the Nokomai.

That the police were in a state of flux is obvious from the record of Otto Charles Oscar Paschen who was appointed Constable (Mounted) on 28th October, 1861. On 22nd November, 1861, he was promoted to Sergeant 1st class but was later reduced to the rank of Constable in April, 1862. However, Paschen was again promoted to Sergeant 2nd class on probation on 2nd August, 1862, and to Sergeant 2nd class on 30th August, 1862. Paschen was discharged on 19th January, 1863, after some 15 months' service.

With the advent of the gold rush, crime was on the ascent and the Otago Police Gazette reported:

"Between 9 p.m. on 5th October, 1861, and 6 a.m. on 7th October, 1861, the shop of James

Mills, Gunsmith, at Stafford Street, Dunedin, was burglariously entered...." Some five rifles, four guns, five revolvers (including one pepper-pot), one Chinese double sword with scabbard, and three shot belts were stolen and all was described in great detail.

A bay Troop horse strayed from the Police Camp in Gabriel's Gully on the 8th January, 1862, and a reward of £5 "will be paid to any person handing him over to the nearest Police Station." Who paid the reward is not recorded but no doubt the unfortunate Constable responsible made the offer.

"At about midnight on the 8th March, 1862, an accommodation tent situated at the Junction of Gabriel's and Weatherstone's and kept by a man named Alexander, was cut into, and on a man named Livsey going outside, he was set upon by three men, garrotted, thrown down, and robbed of £27. Alexander, hearing the scuffle going on also came out of the tent and was fired at by one of the offenders, who then made off. On information being given at the Police Station, Weatherstone's Sergeant Major Bracken, accompanied by Detective Johnson and Sergeant Trimble, proceeded to a tent frequented by well-known thieves. As the police approached the tent the alarm was given; five men were then seen to run out and take different directions; three of the five were, however, secured by the Sergeant Major and Detective Johnson; the other two, after firing at the Police, succeeded in getting away. They were however, arrested while asleep next morning before daylight in a tent situated between Weatherstone's and Waitahuna, by the Sergeant Major assisted by Sergeant Trimble. Each of the offenders was armed with two loaded revolvers, a loaded double barrelled gun, and several articles of stolen property were found in the tent...."

The five offenders were John Russell, alias Sprat Callagan, John Davis, Richard Burgess, alias Dick Hill, Thomas Kelly, alias Tommy Hannan, and James Sullivan, all of whom except Sullivan (who was discharged from "want of identification"), were committed for trial charged with assault and robbery in company. Kelly and Burgess were additionally charged with shooting with intent at Sergeant Trimble. They were duly convicted at the Criminal Sessions, Dunedin, on 7th May, 1862, and all were sentenced to 3 years' hard labour ; Burgess and Kelly to an additional 6 months for larceny. They were the type of flotsam that the police encountered during the rising tide of gold-feverish humans now rolling in from afar.

Sergeant Major Hugh Bracken had been promoted in November, 1861, and was awarded the sum of 00 from the "Vote for Rewards" in acknowledgment of his gallantry at Weatherstone's. Later that year he restored law and order at the Arrow after Fox's discovery of gold. On the 19th January, 1863, Bracken was discharged from the police and ran the "Queen's Way" Hotel at Queenstown for a time apparently in partnership with William Rees.

Detective Francis Johnson was awarded the sum of £5 and promoted to Detective 2nd class on 10th March, 1862 (two days after the incident) for capturing James Sullivan after a desperate resistance and for "tact in tracing and energy in assisting" at the arrest of the offenders captured by Sergeant Major Bracken. Johnson had been appointed on 17th February, 1862. He resigned from the service on the 31st March, 1863, after completing some 13 months' police service.

For his part in the arrest Sergeant Trimble was awarded the sum of £5 and promoted to Sergeant 2nd class on 10th March, 1862.

As the year 1862 drew to a close, the Reaper had not been idle, 61 inquests having been held by Coroners in the Province. A variety of verdicts such as "found drowned, death from eating tutu berries, killed by a fall of earth while mining," were recorded. A verdict "That William Smyth, aged 36 years, died on the 18th April, 1862, by the visitation of God, in a natural way—to wit, disease of the heart" was typical of some of the findings. Smyth had been carting wood when he suddenly dropped down dead. Six inquests were held on bodies whose names were unknown and other inquests were conducted on bodies whose names were little more than descriptive. "An inquest was held at McCaffin's tent near the Dunstan on 22nd December, 1862, on the body of a man named Peter the Prussian who was accidentally drowned by the swamping of a ferry boat at the Junction of the Kawarau and Clutha rivers on 30th November, 1862. Verdict accordingly."

On the night of the 25th September, 1863, John Edward Garvey, Sergeant of Police, died from exposure to cold near Mount Ida, after having lost himself in a snow storm on the 24th September while in the execution of his duty. A magisterial inquiry was held on the 5th October, 1863, at Kilgour's Hotel, Mount Ida, by Edward Hardcastle, Esq., Resident Magistrate, who returned a verdict accordingly. 2nd class Detective James Rowley, No. 343, was awarded the sum of £5 from the Police Reward Fund for his praiseworthy conduct in heading a party of volunteers to go in search of the body of Sergeant Garvey and on the 23rd November, the Commissioner's Office reported that the sum of £156 6s Od (including £28 13s Od from the

Wakatipu police) had been subscribed by members towards the erection of a monument in memory of the late Sergeant Garvey and to the late Constable John White Parker whose death was accelerated by injuries received in the discharge of his duty. Parker had been appointed a constable on 16th September, 1861, and had been "murderously assaulted" by two ruffians.

Cases of highway robbery still continued. At 11 a.m. on 2nd November, 1863, William Acton, storekeeper at Switzer's Diggings, was proceeding to Invercargill via the Pyramid, on horseback when he was stopped by three men; one having a double barrelled gun, the other two, revolvers. The men fired upon and slightly wounded Acton who was robbed of over 60oz. of gold, £30 in sovereigns, eight £5 notes, his watch, and a revolver. Sergeant Hewson, of the Mounted Escort, subsequently reported that a gun, answering exactly to the description, was seen by him on the 12th October, 1863, at George Fletcher's Accommodation House at the Elbow, Southland. A reward of £20 was offered for the apprehension of the offenders.

Rewards were many and various; a large one of note was offered by the Government of New South Wales on 27th October, 1863—"£4,000 reward for the apprehension of John Gilbert, John O'Meally, Benjamin Hall, and John Vane, or £1,000 for each of them, and £100 for accomplices who have been charged with numerous and serious offences at Sydney". On the 14th September, 1863, Detective Cassells offered a reward of £10 for the apprehension of Thomas Barrow who had escaped from custody while under escort from the Dunstan to Dunedin. Barrow had escaped by slipping his handcuff while camped out about two miles from Deep Stream.

As mentioned, Hewson was attached to the Mounted Escort which was of considerable police magnitude, often consisting of one Sub-Inspector, two Sergeants, and six Constables. On an appointed day, the escort would leave Frankton for the Dunstan and return three days later.

Frankton was only one of the many Police Stations in the Wakatipu Police District ; others being Arthur's Point, St. John's (Kingston), Maori Point, and the Arrow, while the police boat plied between the Headquarters at Queenstown and Frankton. The staff at Queenstown was one Inspector, one Sub-Inspector, two Sergeants, one Detective, and seven Constables, while the Out-Stations usually had one Sergeant and one Constable or two Constables only. The Gaol at Queenstown was proclaimed on 13th May, 1863, by John Hyde Harris, Superintendent of the Province of Otago, who recorded "the cell, Enclosure, or Compartment No. 2 in the Lockup or Watchhouse at Queenstown in the said Province, shall be used as a public Gaol."

William Nixon Morton was an Inspector in Charge of the Wakatipu Police District. The designation of 1st class Sergeant was later changed in 1863 to that of Senior Sergeant and also the system of numbering each member then commenced. Although to some, Morton may have been an overbearing official, he is to be admired as one who endeavoured to raise the standards of untrained inexperienced staff who were labouring under adverse conditions.

On the 19th December, 1863, a quantity of calico was received by the Arthur's Point police and ten days later, Constable Fleming recorded "Carpenter Smith lined the Barracks, calico dirty when received from Headquarters.... Smith's bill for lining 15/-." On the 20th February, 1864, Ray Johnston, Publican, Arthur's Point, reported that some person attempted to enter his step-daughter's bedroom by cutting a hole in the calico at about 3 a.m. that morning.

Morton inspected Frankton on 13th October, 1863, and recorded: "Inspected Station, found it in a slovenly state. The Sergeant must pay more attention to the neat appearance which every station should always present." On 22nd December, 1862, he inspected Arthur's Point and noted: "Inspected Station. Constable reprimanded for disobedience of orders. He having evinced great neglect in attending to my instructions relative to the ground in front of the Barracks". Again, on Tuesday, 5th January, 1864, he inspected the station and noted: "Inspected Station. Found it in an untidy state. Beds must be made up 'with sheets' in a proper and uniform manner. Mattresses must be obtained before the 8th instant." Six days later at St. John's, Morton recorded: "Inspected. Station. Sergeant's personal appearance anything but creditable. He must procure a better uniform." Morton also detailed a Constable from St. John's for duty at the races at Frankton later that week "in uniform with pistol and sword."

However, Morton was not always complaining and if he found a Station to his pleasing he would note that likewise. He was referred to by his men as "Mr. Inspector". Not only did Morton have to contend with his staff but also with his superiors for in January, 1864, the

Commissioner of Police, St. John Branigan, and His Honor, John Hyde Harris, Superintendent of the Province of Otago, visited the District and all Police Stations, the Commissioner riding Troop Horse "Devil".