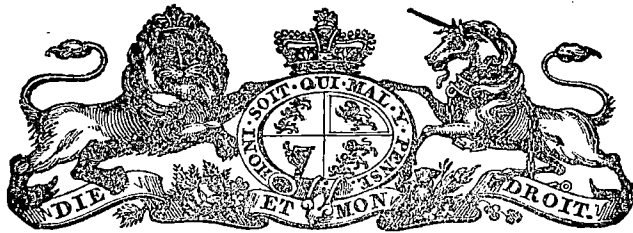


(No. 32.)



1877.

SESSION III.

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T A S M A N I A.

H O U S E O F A S S E M B L Y.

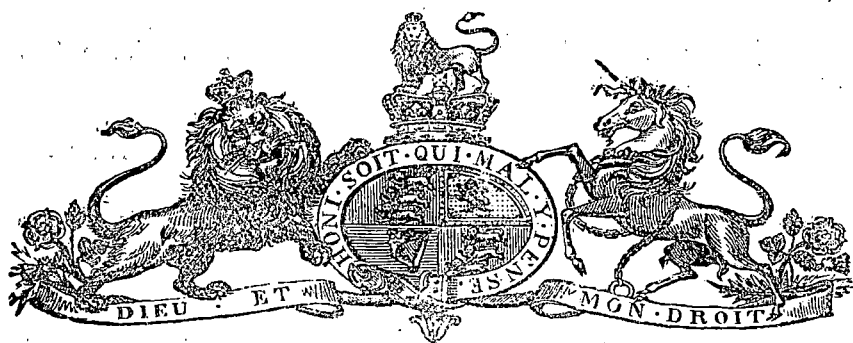
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W I L L I A M R O B I N S O N.

P A P E R S I N H I S C A S E.

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Laid upon the Table by the Attorney-General, and ordered by the House to be printed, August 1, 1877.



To His Excellency CHARLES DU CANE, Esquire, Captain-General and Governor-in-Chief of the Island of Tasmania and its Dependencies.

The humble Petition of William Robinson, per ship "Fairlie," a Prisoner at Port Arthur, under sentence of Life, for Manslaughter.

MOST RESPECTFULLY SHOWETH :

THAT your Petitioner has completed upwards of 10 years and a half at Port Arthur, and humbly submits the particulars of his case, which are as follow:—

The deceased woman, Ann M'Mahon, lived with your Petitioner as his wife for seven years, and on the occasion of her death they were both going home very drunk. He walked in advance, and his attention was called to her having fallen down, by a Mr. Sawyer. Your Petitioner picked her up, and the deceased, after going about sixty yards further, again fell and cut her chin upon a rock. Your Petitioner helped her up and had hold of her hand, when she said that she could walk without assistance, and before she got far she fell into the river, and your Petitioner waded in up to his middle and brought her out. They shortly after crossed the river in a boat, and on reaching the other side the deceased in getting out fell on to the side of the boat and rolled out on to the mud. She was speechless: and your Petitioner went for assistance and found one Wilson, when they placed the unfortunate woman on the level ground above, and Petitioner went to his home accompanied by Wilson, and returned about an hour and a half afterwards and found her dead. Your Petitioner then went for one Smith and his wife, and on their coming sent Smith to report the matter to the police; your Petitioner going to Bridget Powell's and relating to her all the particulars of the sad affair as they occurred.

That your Petitioner did not inflict the injuries to the deceased, but they were caused by her falling about in a drunken state as narrated above, and the cuts upon her legs must have been caused by her crinoline.

That Bridget Powell was first made acquainted with the facts of the case by your Petitioner, and she swore falsely in saying that she saw him illuse the deceased.

That your Petitioner therefore humbly prays, that in consideration of the long period he has undergone that he may be restored to his freedom, and thus be allowed to leave the colony and in another clime end his life as a respectable member of society.

And your Petitioner, as in duty bound, will ever pray, &c.

FORWARDED.

A. H. BOYD.  
21st January, 1874.

William Robinson, per "Fairlie," F.S. Tried Launceston, S. Ct., 2nd July, 1863, Manslaughter, Life, Penal Servitude. Port Arthur, 16. 2. 65, fighting, 4 days S.C.; 12. 4. 69, fighting; 7 days S.C.; 2. 9. 72, misconduct in having a quantity of leather improperly in his possession, 3 months H.L.

*EXTRACT from Report of Chief Justice.*

"MY opinion is, that it was a cruel and brutal murder, and as a necessary consequence I pronounced the heaviest sentence of the law, informing the prisoner at the same time that I should recommend to the Executive its being carried out in all its integrity, and that I trusted he would never be suffered to be at large again. I have only to add, that I hope the Governor will see with me the propriety of having this recommendation fulfilled."

(Signed) V. FLEMING, C.J.  
Judges' Chambers, 23rd July, 1863.

## MEMO.

ON the recommendation of the Judge before whom this man was tried, the Governor directs that he shall never be suffered to be at large again.

(Signed) W. NAIRN, *Comptroller-General.*  
1. 10. 63.

MAY write to his friends, C.G.'s decision, 28. 11. 63. Declines interfere with Governor's decision, 16. 2. 67.

## MEMORANDUM.

THE Civil Commandant begs to report that the above-named convict has completed ten years of his sentence of life P.S. He has been tried Magisterially three times since his arrival at Port Arthur.

(Signed) A. H. BOYD, *Civil Commandant.*  
*Port Arthur, 2nd July, 1873.*

*The Hon. the Attorney-General.*

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Attorney-General's Office, Hobart Town, 7th July, 1873.*

WILLIAM ROBINSON (FAIRLIE).—DISPOSAL.

THIS man has served ten years of a sentence of life penal servitude for manslaughter. The learned Judge who tried the case described it as a "cruel and brutal murder," and he recommended that the sentence should be "carried out in all its integrity."

I do not make any recommendation in this case.

JOHN A. JACKSON.

THE Governor in Council declines to interfere.

E. C. NOWELL.  
7. 7. 73.

*The Hon. the Attorney-General.*

C.C. infd.—7. 7. 73.

## MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Attorney-General's Office, Hobart Town, 26th January, 1874.*

WILLIAM ROBINSON (FAIRLIE).—REMISSION.

THIS prisoner has served ten years and a half on account of a life sentence passed for what the presiding Judge described as a "cruel and brutal murder." The Judge and the Attorney-General of that time (July, 1863) expressed the hope that prisoner "would never be suffered to be at large again."

I do not desire to deny all hope to this prisoner, but it appears to me that he should undergo a more lengthened term of imprisonment before any interference could with propriety take place in his favour.

W. R. GIBLIN.

THE Governor in Council concurs.

E. C. NOWELL.  
26. 1. 74.

*The Hon. the Attorney-General.*

C.C. infd, and P.C. retd.—31. 1. 74.

*House of Correction, Hobart Town, 30th November, 1874.*

*To His Honor SIR FRANCIS SMITH, Acting Governor, and the Executive Council  
of the Island of Tasmania.*

The humble Petition of William Robinson, per ship *Fairlie*, now undergoing the sentence of life,

MOST HUMBLY SHOWETH :

THAT your Petitioner was tried before his Honor Sir Valentine Fleming at the Supreme Court held at Launceston on the 2nd July, 1863, for manslaughter, and received the above sentence of life.

Your humble Petitioner having completed eleven years and five months by elapse of time, would thank your honorable body to grant to me the indulgence of a ticket-of-leave or conditional pardon, as I can earn an honest livelihood in one of the adjacent colonies for the future period of my existence, and your honorable body shall never regret restoring me to my freedom.

Your humble Petitioner having obtained the sanction of His late Excellency and the present Honorable Thomas Daniel Chapman on the 27th of the present month to present this Petition, under the hope that my condition would be altered at once.

Your humble Petitioner need not go into the details of my unfortunate position on this paper, as the honorable members of the Executive Council know the full particulars of my case.

Trusting that the prayer of your humble Petitioner will be granted, after fulfilling the term of eleven years and five months with only one report being recorded against me for misconduct at Port Arthur and the House of Correction, Hobart Town.

And your Petitioner is ever bound to pray.

WILLIAM ROBINSON.

FORWARDED to the Sheriff.

William Robinson, F.S., *Fairlie*, was convicted at the Supreme Court, Launceston, on the 2nd July, 1863, of manslaughter, and sentenced to life, P.S. He was transferred from Port Arthur here on the 20th ult. His Excellency the late Governor was pleased on the occasion of his last visit to this Establishment (27th inst.) to grant him leave to petition on account of his general good conduct since his conviction. Police Recd. herewith.

R. ATKINS.

*H.M. Gaol, &c, Males, Hobart, 30th November, 1874.*

*The Sheriff.*

SUBMITTED to the Honorable the Attorney-General.

JNO. ROTHWELL, *Deputy Sheriff.*  
30. 11. 74.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Attorney-General's Office, Hobart Town,  
18th January, 1875.*

WILLIAM ROBINSON, (FAIRLIE) — REMISSION.

I RECOMMEND that this prisoner be ordered to serve twelve months without offence for a free pardon to be computed from the 27th November last, the day upon which Governor Du Cane permitted the prisoner to petition, with a hope that his case would be favourably considered.

W. R. GIBLIN.

THE Governor in Council approves.

E. C. NOWELL.  
18. 1. 75.

*The Hon. the Attorney-General.*

F. A. W.

SHFF. infd.—18. 1. 75., and P.C. ret'd.

WILLIAM ROBINSON (FAIRLIE).

THE Governor in Council directs this man to serve twelve months without offence, from the 27th November last, for a free pardon.

W. R. GIBLIN.

*Attorney-General's Office, 18th January, 1875.*

*The Sheriff.*

INFORMED, J.W.—19. 1. 75.

FORWARDED to the Gaoler for his information and guidance.

JNO. ROTHWELL, *Deputy Sheriff.*  
19. 1. 75.

*Lands and Works Office, 30th July, 1875.*

Sir,

At the Campbell-street Gaol there is a man of the name of Wm. Robertson, whose time expires in November next. This man has been very useful as a fireman to the engine, with the stone-breaking machine, from the commencement of operations, and has been a very quiet willing fellow at all times. I beg to recommend for your favourable consideration that the remainder of his sentence be remitted, and that he be employd to attend to the engine now working at O'Brien's Bridge, at a low rate of wages, say 4s. to 5s. per day.

I have, &c.

W. H. CHEVERTON, *Overseer of Works.*

*The Hon. the Minister of Lands and Works.*

FORWARDED by instruction of the Hon. the Minister of Works, to the Hon. the Attorney-General.

WM. SMITH, *Clerk Public Works.*  
5. 8. 75.

WILL the Sheriff be so good as to state what sentence this man is under, where he was tried, and what his conduct has been under sentence.

*For the Attorney-General.*

F. STOPS.

5 August, '75.

REFERRED to the Gaoler, who is requested to furnish the information required by the Hon. the Attorney-General.

JOHN ROTHWELL, *Dep. Sheriff.*  
6. 8. 75.

THE prisoner William Robinson, F.S., per "Fairlie," was convicted at the Supreme Court, Launceston, on the 2nd July, 1863, of manslaughter, and sentenced to penal servitude for life. He was transferred here from Port Arthur, in October, 1874, and has conducted himself remarkably well. The decision of the Governor in Council respecting him, dated 18th January last, is forwarded herewith. His police record has not been returned here.

R. ATKINS.

*H.M. Gaol, &c. Males, Campbell-street, Hobart.*  
7th August, 1875.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Attorney-General's Office, Hobart Town, 7th August, 1875.*

WILLIAM ROBINSON (FAIRLIE).—DISPOSAL.

UNDER all the circumstances I recommend the remission of the small unexpired residue of this prisoner's term of probation.

W. R. GIBLIN.

THE Governor in Council approves.

E. C. NOWELL.  
9. 8. 75.

*The Hon. the Attorney-General.*

DISCHARGE ordered.—11. 8. 75.

WILL the Honorable the Colonial Secretary be so good as to submit the instrument of pardon herewith for the Governor's signature and the Seal of the Colony.

W. R. GIBLIN,  
12. 11. 75.

PARDON signed, sealed, and returned herewith.

B. TRAVERS SOLLY,  
17th November, 1875.

*The Hon. the Attorney-General.*

FREDERICK ALOYSIUS WELD, *Governor and Commander-in-Chief in and over the Colony of Tasmania.*

To all to whom these Presents shall come—GREETING:

WHEREAS William Robinson was on the second day of July, One thousand eight hundred and sixty-three, charged before the Supreme Court, held at Launceston in Tasmania aforesaid, upon an information exhibited against him the said William Robinson in the said Court, for that he the said William Robinson, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, on the twenty-seventh day of March, in the year of our Lord One thousand eight hundred and sixty-three, with force and arms in Tasmania aforesaid, in and upon one Anne M'Mahon, in the peace of God and of our said Lady the Queen, then and there being feloniously, wilfully, and of his malice aforethought did make an assault, and her the said Anne M'Mahon then and there feloniously, wilfully, and of his malice aforethought did kill and murder against the peace of our Lady the Queen, Her Crown and Dignity, upon which said information the said William Robinson was convicted and sentenced to be kept in penal servitude for the term of his natural life.

And whereas favourable circumstances touching the conduct of the said William Robinson since he was so convicted of the said offence have been represented to me: NOW KNOW YE that I, FREDERICK ALOYSIUS WELD, Esquire, Governor and Commander-in-Chief as aforesaid, by virtue of the powers and authorities in me in this behalf vested, Do by these presents remit and release to the said William Robinson the suit of Our said Lady the Queen which appertaineth to Her for the offence whereof the said William Robinson was so convicted as aforesaid, and Do grant to the said William Robinson the firm peace of Our said Lady the Queen, and freedom from all pains and penalties incurred by the said William Robinson in respect thereof. IN TESTIMONY WHEREOF I have to these Presents set my hand and caused the Seal of the said Colony to be hereunto affixed, at Hobart Town, in the said Colony, this sixteenth day of November, 1875, and in the thirty-ninth year of the Reign of Our Sovereign Lady Queen Victoria.

FRED. A. WELD, *Governor.*

By His Excellency's command,

THOMAS D. CHAPMAN, *Colonial Secretary.*