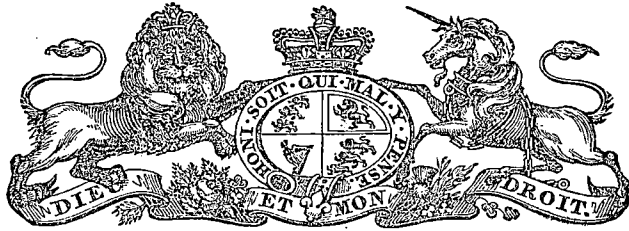


(No. 7.)



1877.

SESSION III.

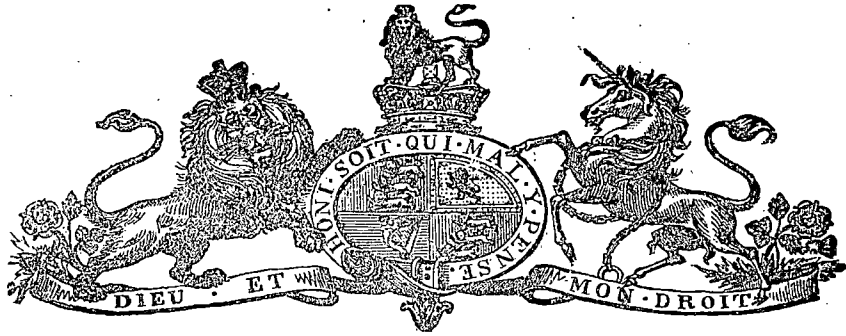
T A S M A N I A.

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

E D W I N H U N T:

P E T I T I O N F O R R E L E A S E, W I T H C O R R E S P O N D E N C E.

Laid upon the Table by the Colonial Secretary, and ordered by the House to be printed, July 13, 1877.



To His Excellency the Governor of Tasmania, &c., in Council.

The humble Petition of William Hunt, late of Tasmania, and now of Brisbane in the Colony of Queensland.

RESPECTFULLY SHOWETH :

THAT your Petitioner, with the view of following his trade (a shipwright), settled in Queensland aforesaid, intending when he had made a home for his family to send for his son Edwin Hunt, a youth who remained temporarily with his mother Louisa Hunt in Tasmania.

That your Petitioner is sorely grieved to find by letters from his friends and from Tasmanian newspapers that his said son, whilst with and under the influence of his mother, was in July last convicted of arson and sentenced to two years' imprisonment.

That the jury on the trial when returning their verdict strongly recommended the said Edwin Hunt to the mercy of the Court.

That your Petitioner finds the boy received from Dr. M'Farlane, Medical Officer of the General Hospital, Hobart Town, and others a very good character, evidently showing that the said Edwin Hunt was before the Court charged with a first offence.

That your Petitioner, looking at the deplorable effects that may be produced on the mind of so young a lad by this sentence of imprisonment, and with a view of redeeming him from his present degrading position, respectfully begs to state that your Petitioner is prepared to take him at once under his care at Queensland, and to cause good and sufficient sureties to be entered into that the said Edwin Hunt shall not be found within the Colony of Tasmania during the unexpired term of his said sentence.

Your Petitioner therefore humbly prays that Your Excellency will be pleased to favourably consider in Council your Petitioner's appeal for the release and deportation of the said Edwin Hunt.

And Your Excellency's Petitioner, as in duty bound, will ever pray, &c.

WILLIAM HUNT:

As foreman of the jury before whom Edwin Hunt was tried, I strongly recommend this Petition to the favourable consideration of the Governor in Council.

MATTHEW SEAL:

WE recommend the prayer of the Petition and concur in the recommendation of the foreman of the jury.

Thos. Reibey, M.H.A.

C. O'Reilly, M.H.A.

James Gray, M.H.A.

J. M. Dooley, M.H.A.

George Turnley.

W. H. Macfarlane, M.B.

M. F. Daly.

Edwin Johnson.

Neil Lewis.

W. F. Brownell.

W. Fisher.

P. Facy.

George Arnold.

James M. Bayley.

W. A. Weymouth.

Joseph Okines.

W. H. Burgess, jun.

J. White.

Robt. Walker.

W. Marsh.

William Murray.

William Murdoch.

J. Fras. Mather.

John Semple.

Jas. Lucas.

J. P. Boxall.

Jas. E. Salier.

R. Andrew Mather.

D. Lewis.

FORWARDED to the Hon. the Attorney-General.

THOS. D. CHAPMAN.
Colonial Secretary's Office.
11th November, 1875.

Cascades, 1st November, 1875.

SIR,

I TAKE the great liberty to address you, as I feel aggrieved concerning my sentence. I complain of the cruelty of being condemned, and my child unheard, for a crime we never committed. I should wish the trial brought forward again if it possibly can be done. I come to you in the name of God and my conscience, as an unprotected woman, to beg you to do justice to my innocent and only child, as I think it is my bounden duty as a mother to my boy to bring truth as much as possible concerning the fire to light; also my other affairs, how cruel and utterly false I was slandered in the newspapers. I can bring witnesses forward to every point; also I can prove how I made a mistake in a half-hour's time. We never left the house before a quarter to Seven o'clock. I can prove the woman Linton came to my door that same night after the church bells commenced ringing. I asked her how she came in the open door; she told me with her own lips Master Hunt went out and left the door open; she said she saw my son going out of the door. I told Detective Simpson about the woman Linton. I told him we lost a number of things, myself and Dr. Macfarlane; he seemed not to understand my broken English. She called me names at the door because I refused her some money. I found a hood and pawn ticket in the kitchen drawer after the inquest. Why was she not fetched up? I would have brought her forward had not illness prevented me. Mr. Bromby told me he would have the case adjourned, as Mrs. Linton was not at home. A man met me in Murray-street, in company with Mrs. Hubert; he told me he saw Mrs. Linton going into the house and saw her coming out about half-past Seven o'clock, out of the back door, carrying a large bundle. If you will be so kind as to send Mr. Graves the lawyer up, I can get him paid. I could make a proper statement to him.

Please will you consider my humble petition as well, for my son's sake?

I remain,
Your humble Servant,

L. HUNT.

To the Attorney-General.

FORWARDED to the Sheriff.

A. H. BOYD.

2nd November, 1875.

TRANSMITTED to the Honorable the Attorney-General.

JNO. ROTHWELL, *Deputy Sheriff*.
8. 11. 75.

WILL His Honor the Puisne Judge kindly favour me with his opinion as to the expediency of mitigating in the manner suggested the sentence passed upon the boy Hunt? The sentence was in the first instance a very lenient one, and I fear evil effects from making too light the penalties of crime, even when committed as probably in this case at the solicitation or command of the lad's mother.

W. R. GIBLIN.
13th November, 1875.

I THINK that it would be very desirable to cause careful enquiry to be made as to the truth or otherwise of the statements of Louisa Hunt, for if there is any foundation for her statements as to Linton then the boy ought to be pardoned. If a very full statement were obtained from her as to facts, with time and place, *e.g.*, as to the meeting the man who saw Linton go in and come out of the house, the truthfulness or otherwise of Louisa Hunt's statement might be put beyond doubt. Where, as I presume there was in this case, a reward is offered and the case is got up by the police, too much caution cannot be used in exhausting every source of information which the prisoner suggests as demonstrative of her innocence. In making the enquiry it would be desirable, as far as possible, to carry it out through some other medium than that of the police who secured the conviction. I should feel in a much better position to afford the Attorney-General the advice he asks, if I saw first the result of such an enquiry as I have ventured to suggest.

W. L. DOBSON.
15th November, 1875.

WILL the Inspector of Police be good enough to cause the enquiries suggested by Mr. Justice Dobson to be made, and through some other agency than that of Detective Simpson?

W. R. GIBLIN.
15. 11. 75.

Office of Inspector of Police, 25th November, 1875.

SIR,

I HAVE caused inquiry to be made into the case of Louisa Hunt, directing special attention to her statements in reference to Mrs. Linton, and the hawkker John.

I forward a report from Mr. C. D. C. Quodling, which contradicts Mrs. Hunt's assertions in the material particulars.

I have had an interview with the prisoner, and cannot discover that she has any fresh evidence in her own or her son's favour to bring forward.

Assuming the justice of Edwin Hunt's conviction, it would be an evasion of responsibility to liberate him upon condition of his leaving the Colony.

I have, &c.

JOHN SWAN, *Inspector.*

The Hon. the Attorney-General.

THE following is the substance of a statement made by Louisa Hunt on the 16th instant:—

“About a fortnight after the fire at my house in Macquarie-street, a man met me, in the afternoon, in Murray-street: he said he had been looking for me, as he did not know my address, and wanted to speak to me very particularly. He told me that on Sunday evening he called at my house to see Dr. M. Farlane, but the dog would not let him go in; that my son came out of the front door, whistling to the dog; that, after my son had gone, he saw Mrs. Linton go to the front door, and heard me say to Mrs. Linton, ‘You must be mad to come here for money;’ and that he heard Mrs. Linton reply, ‘I’ll have my revenge, you d—— b——.’ I know the man well, but don’t know his name: I think it is John: he used to bring butter and eggs to my house when I lived in Murray-street: he never came to my house in Macquarie-street to sell anything. I had not seen him for three or four years before I saw him in Murray-street. I asked him to go to Mr. Graves with me to make his statement, but the office was closed. I never saw the man again. Three weeks or a month before the fire, a gentleman from the country (I do not know his name, but think it was Warden) came to my house and asked me if I could let him have a room to put a gun, powder, shot, and kerosene in: he put them in the room in which the fire afterwards occurred.” (I asked her to describe the article said to have kerosene in: she said it was a large tin can). “For a long time there was a very strong smell of kerosene through the house, but we could not find where it came from. The gentleman left about a week before the fire. He did not live in the house, only slept there.”

Mrs. Abbott, wife of Mr. Abbott of the Sheriff's Department, is the lady referred to as “Mrs. Hubert” in Louisa Hunt's letter: she remembers having been in conversation with Mrs. Hunt in Macquarie-street, after 4 P.M., some time after the fire, when a man came up and tapped Mrs. Hunt on the shoulder, and spoke to her; but she, Mrs. A., did not hear what was said, nor did she take any notice of the man. Mrs. Hunt appeared much excited, and went across the street to Mr. Sargent's. The man who spoke to Mrs. Hunt did not remain with her more than *half a minute.*

Sarah Lucas, *uxor* Williams, was in the service of Mrs. Hunt when she lived in Murray-street: she never knew a man to take butter and eggs to the house: she always obtained such articles for Mrs. Hunt from Mr. Boxall, a grocer: did not know a dealer called John: was also in Mrs. Hunt's service in Macquarie-street when, and for some time before, the fire occurred: never knew any gentleman to sleep in the house but those who boarded there: no person of the name of Warden, or any similar name, was staying at the house within a month before the fire, or at any time that she can remember: no one had the use of a room to keep a gun, powder, and kerosene in. About a week before the fire, Mrs. Hunt asked her several times if she did not smell kerosene very strongly in the house, but she could not. Mrs. Hunt also complained of gas escaping. Lucas noticed the gasolier was bent, and a smell of gas in the room a few days before the fire broke out in it.

Mr. Richard Sargent, solicitor, states that Mrs. Hunt never spoke to him in the street on the subject of the fire, but did so frequently at his office: she never told him that a man had told her he saw a woman at her house on the night of the fire: she gave him an anonymous letter (which he cannot at present find), the tenor of which was that the writer had seen a man wearing a white hat come out of her back gate on the evening of the fire.

I HAVE made every inquiry for the hawker or dealer named John, but have failed to find such a person.

H. G. QUODLING, C.D.C.
22. 11. 75.

Mrs. Linton positively asserts that she did not go to Mrs. Hunt's house on the Sunday referred to; and that the previous Friday was the last time she had been there before the fire occurred.

I have made these inquiries unaided by and without the knowledge of any other member of the Police Force.

H. G. QUODLING, C.D.C.
19. 11. 75.

The Inspector of Police.

THE enquiry which His Honor suggested has been formally made, and the result is now forwarded for his information.

W. R. GIBLIN.
1. 12. 75.

His Honor Mr. Justice DOBSON.

THE enquiry as to the truthfulness of the statement of Louisa Hunt does not result in discrediting any of the testimony given at the trial.

If the boy were really a *child* under the influence and control of his mother, I should look upon his case as a comparatively venial one; but his demeanour in Court, and his bearing towards his mother, led me to infer that he not only had perfect self-control, but to a great extent controlled his mother.

I believe that the sentence is not more than is adequate to the offence. As to the substitution of deportation for imprisonment, that so largely involves a question of policy that I do not venture to obtrude any opinion which I may entertain upon the Executive.

W. L. DOBSON, J.
Chambers, 3 Dec., 1875.

The Hon. the Attorney-General.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Attorney-General's Office, Hobart Town,
6th December, 1875.*

EDWIN HUNT.—REMISSION.

I AM unable at present to recommend any interference with the sentence passed upon Edwin Hunt.

W. R. GIBLIN.

THE Governor in Council declines to interfere.

E. C. NOWELL.
13. 12. 75.

The Hon. the Attorney-General.

PETR. W. Hunt infd.—15. 12. 75.

To His Excellency the Governor in Council.

The humble Petition of EDWIN HUNT, aged 15 years, a prisoner in Gaol at Hobart Town.

SHOWETH :

THAT your Petitioner was tried and convicted of attempt at arson before His Honor Mr. Justice Dobson, at Hobart Town aforesaid, in July 1875, and sentenced to two years' imprisonment.

That the jury recommended your Petitioner to the merciful consideration of the Court; and the learned Judge, in passing sentence on your Petitioner, said :—" Edwin Hunt, you are, comparatively speaking, a boy, and the jury believe that your own will was not strong enough to resist that of one placed in relationship towards you as your mother," (who was also convicted and sentenced to 7 years' imprisonment).

That, shortly after sentence was passed on your Petitioner, a Memorial, signed by the foreman of the jury, by members of Parliament and merchants of the city, was presented to the Executive, praying for a mitigation of such sentence, and speaking as to Petitioner's previous irreproachable character and conduct.

That your Petitioner has now undergone 12 months of the said sentence, and during imprisonment has by good conduct earned, according to the prison regulations, a further credit of 2 months; and, as Petitioner believes, has secured the approval of the officers of the prison.

That, looking at the punishment your Petitioner has undergone, the recommendation to mercy of the Jury, the compassionate and feeling remarks of the learned Judge, and the testimony borne by the gentlemen who signed the Memorial referred to, as also the character for good conduct which the officers of the prison are enabled to give, Petitioner prays Your Excellency in Council to graciously and humanely consider your Petitioner's case, and grant a remission of the remaining portion of Petitioner's sentence.

And Petitioner will ever pray.

EDWIN HUNT.

8th July, 1876.

FORWARDED by order of the Sheriff. Prisoner's conduct good.

R. ATKINS.
H. M. Gaol, &c. Males, Campbell-street, Hobart.
8. 7. 76.

FORWARDED to the Hon. the Attorney-General.

JNO. ROTHWELL, Deputy Sheriff.
8. 7. 76.

WILL His Honor the Puisne Judge, who tried this case, favour the Attorney-General with his views thereon, for the information of His Excellency the Governor in dealing with this Petition?

W. R. GIBLIN.
12. 7. 76.

I EXPRESSED my views on a former Petition, but I have no desire to interpose in any way with regard to the exercise of any clemency which the Executive may desire to extend to the boy.

W. L. DOBSON, J.
14th July 1876.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Attorney-General's Office, Hobart Town, 17th July, 1876.

EDWIN HUNT.—REMISSION.

UNDER all the circumstances of this painful case, I recommend that the unexpired portion of this lad's sentence be remitted.

W. R. GIBLIN.

THE Governor in Council approves.

E. C. NOWELL.
17. 7. 76.

The Hon. the Attorney-General.

SHEFF. infd.—17. 7. 76.

FORWARDED to the Assistant Colonial Secretary for record.

F. STOPS.
A.G.O., 19. 7. 76.