



SAMUEL MIDDLETON GANNON

1857-1915



The birth on 5 December 1857 of Samuel Middleton Gannon, second son of John Thomas Gannon and his wife Harriette Mary Jones, was reported in *The Sydney Morning Herald*.¹

GANNON – December 5th, at her residence, 425, Pitt-street, Mrs. J.T. Gannon, of a son.

With a new baby and Samuel's older brother, toddler Henry Shuttleworth Gannon, to look after, Harriette advertised for some child-minding assistance.²

WANTED, a Girl of about 14, to look after a little boy. Apply, after 11 o'clock, to Mrs GANNON, Wilshire's Cottage, 425, Pitt-street South.

Samuel's arrival was one of two special events in December 1857 for this family. The second, also reported in *The Sydney Morning Herald*, advised readers that John Thomas Gannon had been admitted as 'an attorney, solicitor and proctor', of the Supreme Court.³ In early 1859 John Gannon and his family moved to Goulburn, where John established a legal practice.

Nothing is known about Samuel's early life. Was he educated in Goulburn, or did he return to Sydney for his schooling? Certainly, Goulburn offered parents a range of options for the education of their children, ranging from denominational schools, public and private schools.⁴ But a later reference suggests that part of his education was acquired in Sydney.⁵ What we do know is that he was only 13 when his mother died in July 1871, and that by 1874, and a portent of things to come, he was proving to be a worrisome young man. The following notice was placed in the 9 November 1874 issue of *The Sydney Morning Herald*.⁶

CAUTION.—My Second SON (Samuel) having absconded from home, all persons are cautioned against HARBOURING him, or giving him CREDIT on my account.
J. T. GANNON, Goulburn.

How long the absconder was away is not known, but he did return to Goulburn where, in November 1883 he had successfully applied for a license as a spirit merchant and a few days later advertised in the local paper that, as S.M. Gannon & Co he would shortly be opening as a Wine and Spirit Merchant in premises adjoining those of Mr D. Doherty, in Auburn Street.⁷

S. M. Gannon & Company,
Wine and Spirit Merchants,
Will Open in a Few Days
IN PREMISES ADJOINING
Mr. D. Doherty's, Auburn-street,

Typical of the gregarious Gannon clan, Samuel was active in the local community, holding positions on various committees, ranging from the Poultry and Pigeon Society to holding the office of City Marshal of

¹ *The Sydney Morning Herald*, 10 December 1857, p.1, "Family Notices".

² *The Sydney Morning Herald*, 14 December 1857, p.1, "Advertising".

³ *The Sydney Morning Herald*, 25 December 1857, p.4, "Law. Supreme Court - Saturday. Last Day of Fourth Term".

⁴ Ransome T. Wyatt, *The History of Goulburn, The History of Goulburn, NSW, The Municipality of Goulburn, 1941, Chapter XX Schools*, pp.359-409.

⁵ *The Sydney Morning Herald*, 12 October 1915, p.8, "Family Notices".

⁶ *The Sydney Morning Herald*, 9 November 1857, p.9, "Advertising". Copies had also been placed in the paper on the 7 and 8 November.

⁷ *Goulburn Evening Penny Post*, 17 November 1883, p.4, "Town Talk"; *Southern Argus*, 20 November 1883, p.3, "Advertising".

the newly established Southern Cross, No. 3 Lodge.⁸ He was also on the committee of the Goulburn Football club.⁹

Various members of the Gannon clan had previously come to the attention of the law, mainly for minor infringements, and Samuel carried on the tradition. In January 1884, for example, he appeared before the magistrates to answer a charge of unruly driving. J.T. Gannon appeared on behalf of his son – how useful to have a solicitor in the family! However, despite the seemingly “reasonable” mitigating circumstances, Samuel copped a fine. Whether he won his appeal is not known.¹⁰

John Boyd, inspector of nuisances, deposed that on the 5th instant he saw the defendant driving round the corner of Auburn and Montague streets at a trot.

To Mr. Gannon: There are no notices stuck up warning people as there are in Sydney.

Frederick Meares deposed that he saw defendant drive round the corner of Auburn and Montague streets last week at a trot.

To Mr. Gannon: Would not swear that defendant did not attempt to draw the horses in.

For the defence, Samuel Gannon deposed that he was driving his father's ponies on the 5th inst; they were rather fresh, having stood in the stable for three or four days; one of them will rear if you try to stop him suddenly, and it is dangerous to attempt it; he tried to pull them in but could not.

The bench convicted the defendant, and fined him 5/- and 5/6 costs.

Mr Gannon gave notice of appeal.

At the age of 26, on 11 July 1884, Samuel married 21 year old Frances Maria Cooper at Scots Church, Sydney. The Reverend Alexander Milne Jarvie officiated. Samuel's bride was the only daughter of Robert Cowley Cooper, grazier, and Elizabeth Stevenson. The groom's parents were recorded as John Thomas Gannon, solicitor, and Harriet Mary Jones. Both Samuel and Frances were usually resident at Goulburn and Samuel's occupation was given as wine merchant.¹¹

Robert Cowley Cooper (1841-1914) was a scion of the pioneer Lake George pastoralist family whose principal station Willeroo was first taken up by his uncle James Cooper in 1825.¹² I have found no record of a marriage between Robert and Elizabeth, to whom four children were born – Frances Maria (1866), Robert James (1868), Frank Albert (1876) and Pontius Pilate (1880).¹³ I have found no further record for “Pontius”, but, of note is that in the same year as he was born his father Robert Cooper married Maria Constance McAlister, member of another pioneer family, with whom he had at least six children.¹⁴

Apart from marrying one of the Cooper girls, Samuel Gannon had a further connection with the Cooper family for which 1884 proved to be an up-and-down year. James Volney Cooper, elder brother and partner of Robert Cowley Cooper, died on 19 September. The nominated co-executors of his estate were Samuel Gannon and James' brother Robert.¹⁵ And so, on 1 November 1885 and as one of the parties, we find Samuel Middleton Gannon, of Goulburn, Wine and Spirit Merchant, making application for probate of the will of his wife's lately deceased uncle. As per the inventory drawn up and signed off by Samuel, the net value of the estate was £15,675 7s 6d. To further cement the inter-family relationship, Samuel's brother

⁸ *Goulburn Evening Penny Post*, 20 June 1885, p.4, “Poultry and Pigeon Society”; *Southern Argus*, 14 April 1885, p.3, “Order of Buffaloes”.

⁹ *Goulburn Evening Penny Post*, 7 May 1885, p.2, “Goulburn Football Club”.

¹⁰ *Goulburn Herald*, 12 January 1884, p.4, “Goulburn Police Court”.

¹¹ New South Wales Registry of Births Deaths & Marriages (NSW BDM), Marriage Certificate, 1884/1033.

¹² 'Cooper, Robert Cowley (1841–1914)', *Obituaries Australia*, National Centre of Biography, Australian National University, <http://oa.anu.edu.au/obituary/cooper-robert-cowley-1170/text1666>.

¹³ NSW BDM, Birth Registrations, 1866/14049, 1868/15587, 1876/11888, 1880/14250.

¹⁴ Pontius was actually Horace Cowley Cooper, the third son of Robert Cowley Cooper, who died at Darlinghurst on 15 January 1945 – *Goulburn Evening Post*, 17 January 1945, p.2, “Obituary”.

¹⁵ *The Sydney Morning Herald*, 19 September 1885, p.5, “Government Notices”.

Henry Shuttleworth Gannon, who was then carrying on business in Goulburn as the 'Son' under the shingle of Gannon & Son, was Robert's solicitor.

In 1885 Samuel and Frances welcomed into the world their only child, a son born in Goulburn, whose birth was registered under the name of Willeroo Gannon.¹⁶ It was also in this year, in April, that Samuel had placed his business on the market.¹⁷

*ONE of the finest Wholesale Wine and Spirit BUSINESSES in the Southern District.
Apply S.M. Gannon and Co. Wine and Spirit Merchants, Goulburn.*

Two months later, the following notice, worded somewhat sharply, appeared in the local press, as part of the winding-up process of Samuel Gannon's interest in the business.¹⁸

*ALL persons INDEBTED TO S.M. GANNON AND CO. are requested to PAY THEIR ACCOUNTS to us before 1st JULY to avoid being sued.
GANNON AND SON, 24th June 1885*

Two years later, in June 1887, Samuel Gannon was the defendant in a matter that came before the Small Debts Court.¹⁹

R.S. Russell v Samuel Gannon; £2 14s for goods supplied. Plaintiff proved the debt, and received a verdict for the amount and 7s 6d costs.

The defendant had not appeared in court because by this time Samuel Gannon was living in Wollongong, where very early in his new surroundings he was again before the courts, having been fined 14s 10d by the Wollongong Court of Petty Sessions in December 1886 for keeping an unregistered dog.²⁰

When he actually relocated has not been established. But once in Wollongong Samuel threw himself into the city's activities. In February 1887, and as an elector of Illawarra, he was one of the signatories of a petition calling for one Francis Woodward Esq to stand for election for the NSW Legislative Assembly.²¹ Samuel made quite a name for himself in the local political arena. As announced in the *Illawarra Mercury* on 31 January 1889, Samuel M. Middleton had been nominated as a candidate for the annual February election of aldermen and auditor. In fact Samuel had been nominated twice – once for the North Ward and again for the West Ward.²² However, on 5 February, at the close of nominations, the returning officer, Mr W.J. Poulter announced that Mr Gannon had withdrawn his nomination for the West Ward. The *Illawarra Mercury* reported on the candidates' nomination addresses.²³

Mr. Gannon said if the other candidate was afraid to come forward he was not. He did not come with a long record, but as a new-chum. It struck him, listening to the other candidates, that there would be very little for him to do if returned to the Council. However, the election was to take place, and he was a candidate for the West Ward. He had been nominated for the North and West Wards, and he decided upon standing for the West because he had been twitted and threatened that his election would be upset. If returned they were quite welcome to try and oust him, but he did not think they would attempt it. He was a young man, had some time at his disposal, and was willing to give that time and whatever ability he possessed to further the interests of this borough, in which he had made his home, if the ratepayers were pleased to give him the opportunity.

¹⁶ NSW BDM, Birth Registration, 1885/13161. He was known by his first name John. Willeroo (variant spellings) was his second name.

¹⁷ *The Sydney Morning Herald*, 18 April 1885, p.14, "Advertising".

¹⁸ *Goulburn Herald*, 30 June 1885, p.3, "Advertising".

¹⁹ *Goulburn Evening Penny Post*, 9 June 1887, p.4, "Goulburn Small Debts Court".

²⁰ *Illawarra Mercury*, 7 December 1886, p.2, "Court of Petty Sessions".

²¹ *Illawarra Mercury*, 12 February 1887, p.4, "Woodward for Illawarra!"

²² *Illawarra Mercury*, 31 January 1889, p.3, "Advertising".

²³ *Illawarra Mercury*, 7 February 1889, p.2, "Municipal Nominations".

Mr. Armstrong assured Mr. Gannon that so far as he was concerned he need have no fear of his election being upset ... In 1884, however, the Full Court gave an opposite decision, and decided that a ratepayer of the Borough could be returned for any ward.

[Further into the proceedings – Mr. Andrew Armstrong again]

While admitting Mr. Gannon's right to stand for the West Ward, he nevertheless thought he should have stood for the part in which he lived. If Mr. Gannon was left to himself, he felt sure he would not be so forward. He was simply being used as a cat's-paw. He did not use the term offensively. If Mr. Gannon were returned it would not cause him the loss of his sleep or of a meal. He believed Mr. Gannon would make a good man, but he thought he (Mr. Armstrong) was a better man. ... Though he was opposed by a cannon, he was something of a big gun himself, and when he brought his big gun broadsides on to his opponent's water-line, they would see what the result would be. (Laughter).

For the record, Mr. S.M. Gannon was returned for the West Ward, with the following brief comments.²⁴

Alderman Gannon said he had little to remark other than he would do his duty in the Council as far as possible. He was glad to believe that there were no cliques or parties in the Council, all being good sterling men that would do their duty fearlessly and well.

His opponent, Mr Armstrong, in conceding his seat, noted that, as one of the three rejected candidates who had two years previously personally lent Council £2000 -

It was scarcely graceful of the ratepayers, to say the least of it, to turn them out of the Council until that money, for which they were personally responsible was wholly repaid.

Apart from local politics Samuel took an interest in many other aspects of community life. He served on the committee of the Wollongong Agricultural, Horticultural, and Industrial Association, and on the Ladies' Bathing Place Committee.²⁵ To protect lady bathers from prying eyes, the Committee instructed the Mayor to have notice boards placed in conspicuous adjacent places 'warning men from trespassing within view of the bathing pond.'²⁶ After much lobbying of the NSW legislature, and with the particularly strong advocacy of Sir Henry Parkes, the Wollongong Harbor Trust Act was eventually passed and came into operation in October 1889. A public meeting was called to consider how best to celebrate this momentous event and to thank Sir Henry Parkes and his Ministry for guaranteeing improved port facilities for Wollongong. Alderman Gannon moved:

That Sir Henry Parkes and the other members of the Ministry be invited at an early date to a public banquet, in order to afford the citizens of Wollongong an opportunity of personally thanking them for the earnest sympathy they have shown in the scheme for the proposal of a Harbor Trust at Wollongong and to congratulate them on their success in passing the proposal into law.

The resolution was carried and Alderman Gannon was appointed as honorary secretary of the committee formed to organise the banquet.²⁷

He was also able to indulge a particular passion for horse racing, one he shared with numerous of his Gannon relations, as committee member and Honorary Secretary of the Wollongong Turf Club, horse owner and punter.²⁸ To top off what, for Samuel had apparently been a good year, in November 1889 his appointment to the magistracy was gazetted.²⁹

A large list of new magistrates has been gazetted, among the number being the following local

²⁴ *Illawarra Mercury*, 14 February 1889, p.2, "Wollongong Aldermanic Election".

²⁵ *Evening News (Sydney)*, 8 May 1889, p.6, "News by Telegraph".

²⁶ *Illawarra Mercury*, 30 March 1889, p.2, "The Ladies' Bathing Place".

²⁷ *Illawarra Mercury*, 5 October 1889, p.2, "Banquet to the Ministry".

²⁸ *Illawarra Mercury*, 24 October 1889, p.2, "Wollongong Turf Club".

²⁹ *Illawarra Mercury*, 16 November 1889, p.2, "New Magistrates".

gentlemen - Samuel Middleton Gannon, Wollongong.

And the *Illawarra Mercury* also reported that:

*Mr. S.M. Gannon, J.P., in response to a requisition, has expressed his intention of becoming a candidate for a seat on the board of commissioners of the Wollongong Harbor Trust.*³⁰

However, things may not have been as rosy as they may have seemed for Samuel Gannon if the following advertisement, placed in the *Illawarra Mercury* on 7 September 1889 signals wavering fortunes.³¹

A.T. SAULEZ, has received instructions from Mr Sam Gannon to sell by Auction on TUESDAY NEXT at GEORGE COCHRANE'S at 12 O'CLOCK, CAMPERDOWN, ches. gelding, 7 yrs. old, by ROODEE (full brother to Chester) out of Lady Maribymong. He is a good performer, in full train, and sound as a bell, fit for the coming meeting.

By May 1890 rumours were going around that Alderman Gannon intended to resign his seat on the Council.³² In September the Mayor refuted a report that Alderman Gannon's seat on the Wollongong Council had become vacant 'through his not attending to his municipal duties as provided by law' adding³³

The time when Alderman Gannon will cease to be eligible to sit at the civic board will not have expired until the end of the present month, and should that gentleman attend a special meeting to be held next week his seat will be safe for another three months.

Clearly Alderman Gannon did not take his place at the Council table, with the result that, at the Council meeting of 3 October 1890, his seat was declared vacant, owing to his absence for three consecutive months. The decision was confirmed by the following advertisement placed in the *Illawarra Mercury* the following week.³⁴

BOROUGH OF WOLLONGONG

EXTRAORDINARY VACANCY IN OFFICE OF ALDERMAN FOR WEST WARD.

NOTICE is hereby given that NOON on TUESDAY, the 21st day of October inst., is the DAY OF NOMINATION, at the Town Hall Wollongong, for the election of an ALDERMAN for the WEST WARD, in room of Alderman Gannon, disqualified. Written nominations of Candidates for election must be delivered to me seven days at least before such day of nomination.

JOHN W. HOSKING, Returning Officer. Town Hall, 4th October, 1890.

One Mr. Edward Woods was elected as Samuel's replacement.³⁵

<p>BOROUGH OF WOLLONGONG. EXTRAORDINARY ELECTION, WEST WARD, 21ST OCTOBER, 1890. <i>NOTICE is hereby given that Mr. Edward Woods has been duly elected an Alderman for West Ward, in room of Alderman Gannon, disqualified.</i> JOHN W. HOSKING, Returning Officer. Town Hall, 21st October, 1890. 8256</p>	<p>3s.</p>
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In fact Samuel Gannon was somewhat preoccupied by mid-1890 with matters entirely unrelated to, and distracting him from his civic duties. One such matter may have been picked up by the more sharp-eyed members of the Wollongong community if, by chance, they read in the 1 July *The Sydney Morning Herald*

³⁰ *Illawarra Mercury*, 16 November 1889, p.2, "The Scrap Album".

³¹ *Illawarra Mercury*, 7 September 1889, p.3, "Advertising".

³² *Illawarra Mercury*, 13 May 1890, p.1, "Newsettes".

³³ *Illawarra Mercury*, 11 September 1890, p.1, "Newsettes".

³⁴ *Illawarra Mercury*, 4 October 1890, p.2, "The Scrap Album"; *Illawarra Mercury*, 9 October 1890, p.3, "Advertising".

³⁵ Ancestry, New South Wales, Australia, Government Gazettes, 1853-1899, 1890 September-October, p.8313.

a very brief mention in the Supreme Court Law Notices advising that the case of Baumberg v. Gannon was scheduled for 10.45am before the Probonotary.³⁶ Nearly two months later a further reference to the matter was noted under Bankruptcy Proceedings – Creditors’ Petitions.³⁷

Aug. 25 – Abraham H. Baumberg, of Glebe Point, v. Samuel Middleton Gannon, of Coogee, lately residing at Wollongong. Petition to be heard on September 4.

It was through the *Government Gazette* that Samuel Gannon’s bankruptcy was formally notified. The first notice, dated 9 October 1890, referred to a sequestration order; the second notice, dated 14 November 1890 concerned a meeting of creditors.³⁸

[Notice under Section 11 of the Bankruptcy Act, 1887.]
In the Supreme Court of New South Wales. (2,758)
IN BANKRUPTCY.
Re Samuel Middleton Gannon, of “Iberia,” Bream-street,
Coogee.
NOTICE is hereby given that a Sequestration Order has this day been made against the abov-named bankrupt, on the petition of Abraham Harris Baumberg, of Mansfield-street, Glebe Point, Sydney.—Dated at Sydney, this 9th day of October, A.D. 1890.
ARTHUR HENRY,
Registrar in Bankruptcy.

In the Supreme Court of New South Wales. (2,758)
IN BANKRUPTCY.
Re Samuel Middleton Gannon, of Coogee.
NOTICE is hereby given that the Single Meeting of creditors in the above matter will be held at the Registrar’s Court, Chancery-square, Sydney, on the 17th day of November, 1890, at 11 a m., or as soon after as the course of business will permit. To entitle a creditor to vote thereat, his proof must be lodged with the Registrar in Bankruptcy, not later than the 14th day of November, 1890.
ARTHUR HENRY,
Registrar in Bankruptcy.
Official Assignee—**AUGUSTUS MORRIS.**
8391 6s.

There had been a number of delays in proceedings but no doubt the readers of the *Illawarra Mercury* and of the *Goulburn Evening Penny Post* readers would have been particularly interested to finally read the account published in those newspapers on Thursday 4 December 1890.³⁹

Re Samuel Middleton Gannon.

An examination meeting in the above matter was held in the Bankruptcy Court, Sydney, on Monday. The bankrupt deposed that the Commercial Bank had proved in his estate for £500; the bank had as security a cash credit bond from John Davidson and H.S. Gannon, of Goulburn, to the extent of £500, in respect of which the guarantors held a mortgage over witness’s property; Baumberg’s claim was for money lent and a pair of earrings, sold to witness, worth £50; witness pledged the earrings with the Mont de Piété, receiving £20 on them; he had destroyed the pawn ticket; Davidson and H.S. Gannon had not paid the bank; the horses belonged to witness; there was one racehorse - Camperdown - and two ponies; he sold Camperdown more than 12 months ago; Good Iron, a pony,

³⁶ *The Sydney Morning Herald*, 1 July 1890, p.7, “Law Notices”.

³⁷ *Maitland Mercury and Hunter River General Advertiser*, 28 August 1890, p.8, “Bankruptcy Proceedings”. Abraham Harris Baumberg was a jeweller of Castlereagh Street, Sydney, and a member of a leading Jewish family.

³⁸ *Ancestry*, New South Wales, Australia, *Government Gazettes*, 1853-1899, 9 Oct 1890, p.8081; 17 Nov 1890 p.8568.

³⁹ *Illawarra Mercury*, 4 December 1890, p.2, “Bankruptcy Court”; *Goulburn Evening Penny Post*, 4 December 1890, p.4, “Re Samuel Middleton Gannon”. Mont-de-Piété was a pawnbroking establishment. The outcome of an assessment of Samuel’s assets and liabilities was a debit balance of £43 9s 6d – there was no dividend for creditors - *Ancestry*, New South Wales, Australia, *Government Gazettes*, 1853-1899, 31 March 1891, p.2025.

was sold, while witness was at the Macleay, by Mrs. Gannon for £8 14s; during the last two years witness had raced horses; he did not lose anything at all; he was secretary to the Wollongong Race Club; he never received money for fines for which he had not accounted; he never received a letter from the Rosehill Club; he received £20; Clinch came to him and said he had a jockey who had a bar, as he had not paid a £20 fine; witness took the £20 from him, used it for his own benefit, and did not return the money; witness had put that in his schedule as a debt due to Clinch; the land mortgaged to Davidson and H.S. Gannon was worth £500, and in a good market it would be worth more than that.

So now we see why Samuel had missed meetings of the Council. By the time of the bankruptcy proceedings he had left Wollongong and was living at Coogee, and the 1891 Sands Directory confirms his address as 'Iberia' in Bream Street, Coogee.⁴⁰ As described in the To Let columns, the property, comprised 4 rooms, balcony, kitchen, stables, garden, was close to the tram and available at a low rental.⁴¹ However, the NSW census of 1891 placed Samuel Gannon at 34 Darling Street, Balmain (no occupation given) later described as⁴²

A WELL-FURNISHED Villa RESIDENCE to LET 6 rooms, gas, bath, piano, splendid harbour views, 5 minutes from the city, 1 minute from penny ferry, 30s.

At the end of May 1891 *The Sydney Morning Herald* reported that, from 1 June, after a lapse of nearly half a century, the Courts of Quarter Sessions at Newcastle were to be re-established. Everything necessary in the way of facilities and staffing had been made ready for the opening day. Eighteen months later, in January 1893, a new employee was taken on.⁴³

THE NEW SHERIFF'S OFFICER

Mr Samuel M Gannon, recently of Sydney, has been appointed to the position of sheriff's officer in this city, vice the late Mr. W.A. Sims. Mr. Gannon has taken up his new duties, and being a Justice of the Peace he will be on hand when the court officials want affidavits or documents sworn, and so save the previous continuous search that has almost daily to be made after a magistrate.

Various notices appeared in the local papers, under his signature between January and March 1893 after which he had been replaced.⁴⁴ However, he did come in for special praise by the foreman of a jury which had been required to be locked up overnight:

On the jury being discharged, the foreman stated that one and all wished to thank the Sheriff's officer, Mr. S.M. Gannon, for the kind way in which they had been treated during the night.⁴⁵

For whatever reason, in his professional life Samuel Gannon seemed incapable of holding down any office or position for any length of time. Certainly, by the end of 1893 his life had really begun to unravel. Samuel had embarked on what was to prove a more enduring career of petty crime, heralded by a notice that appeared in the pages of a New South Wales Police Gazette of that month.⁴⁶

Samuel Gannon, charged on warrant with forging the name of H.S. Gannon to a cheque for the sum of £2, and uttering the same to Edward Lee, with intent to fraud, has been arrested by Detective Keatinge and Senior-constable Rae, Sydney Police. Committee for trial at Criminal Court.

⁴⁰ City of Sydney, Sands Sydney, Suburban and Country Commercial Directory, 1891, <http://cdn.cityofsydney.nsw.gov.au/learn/history/archives/sands/1890-1899/1891-part4.pdf> page 358.

⁴¹ *The Sydney Morning Herald*, 10 September 1890, p.19, "Advertising".

⁴² Ancestry, 1891 New South Wales, Australia Census; *The Sydney Morning Herald*, 11 January 1894, p.8, "Advertising".

⁴³ *Newcastle Morning Herald and Miners' Advocate*, 10 January 1893, p.5, "The New Sheriff's Officer".

⁴⁴ *Newcastle Morning Herald and Miners' Advocate*, 28 January 1893, p.8, "Advertising"; *Newcastle Morning Herald and Miners' Advocate*, 28 February 1893, p.8, "Advertising"; *Newcastle Morning Herald and Miners' Advocate*, 2 March 1893, p.8, "Advertising".

⁴⁵ *Newcastle Morning Herald and Miners' Advocate*, 1 March 1893, p.6, "Quarter Sessions".

⁴⁶ Ancestry, New South Wales, Australia, Police Gazettes, 1854-1930, 21 February 1894, p.70.

Ironically, having served, albeit it for a short time, as an officer of the Courts, in February 1894 he appeared in the court dock to face a charge of forgery, as reported widely in the regional press. For example:⁴⁷

Forging a Brother's Name.

At the Central Criminal Court on Thursday, before Judge Windeyer, Samuel Gannon pleaded not guilty to having, on 13th December last, at Sydney, forged and uttered a cheque for £2 with intent to defraud. Mr. Conroy appeared for the defence. The case for the Crown was that the accused forged the name of his brother, H. S. Gannon, to a cheque on the A.J.S. Bank at Goulburn for the payment of £2. The jury found the accused guilty, and he was sentenced to six months' hard labour in Darlinghurst Gaol.

A middle-aged man named Samuel Gannon was sentenced to six months imprisonment at the Central Criminal Court for forging the name of his brother Henry Gannon, a solicitor at Goulburn, to a cheque for £2.

Samuel was admitted to the Darlinghurst Gaol on 22 February and was released on 21 August.⁴⁸ He was hardly out of gaol before he was once more embroiled in a legal action. In tandem with the downward spiral of his professional life, his personal life had deteriorated to the point where, after ten years of marriage, his Frances wife sued for divorce. Both of the leading Goulburn papers reported on the hearing of *Gannon v Gannon*, 29 October 1894.⁴⁹

In the divorce case, Gannon versus Gannon, the petitioner, Frances Maria Gannon, gave evidence to the effect that she married the respondent, Samuel Middleton Gannon, in 1884 at Sydney. The respondent at that time was a wine and spirit merchant at Goulburn. He took to drink. He afterwards became clerk to his brother. She ultimately had to pay his debts. He afterwards went to Wollongong and other places. The bailiffs were put in the house and she had to pawn her jewellery to pay. The respondent was cruel and unkind. On one occasion he caught her by the throat and choked her till she was black in the face. For three years and upwards he was drinking and he left her without support. The respondent said he wished to make no defence. All he wanted was to have the child handed over to his brother, a solicitor at Goulburn, who was prepared to adopt it. This application was opposed by Mr. Whitfield, who applied for the custody of the child. His Honor granted the decree nisi and made it returnable in three months. Petitioner (the wife) was given the custody of the child, the respondent to see it once a month.

In the divorce court on Monday Mr Whitfield appeared for the petitioner, Frances Maria Gannon, who sought to have her marriage with Samuel Middleton Gannon dissolved on the ground of respondent's having during three years and upwards been an habitual drunkard and habitually left the petitioner without any means of support, and habitually been guilty of cruelty towards the petitioner. Mr. Whitfield stated that an appearance had been entered, but no answer filed. The respondent appeared in person, and in answer to His Honor said he did not wish to offer any defence, but wished to take part in the proceedings so far as the child was concerned. The parties were married in Sydney on July 11, 1884, according to the rites of the Presbyterian Church. After hearing evidence, his Honor granted the decree nisi. On the matter of the custody of the child, the respondent informed the court that Mr. H.S. Gannon, solicitor of Goulburn, had offered to take the child and bring it up. Petitioner objected to parting with the child, and subsequently his Honor granted her custody of the child, respondent to be permitted to see it once a month.

⁴⁷ *Goulburn Evening Penny Post*, 24 February 1894, p.2, "Forging a Brother's Name"; *The Maitland Daily Mercury*, 23 February 1894, p.1, "Late General News".

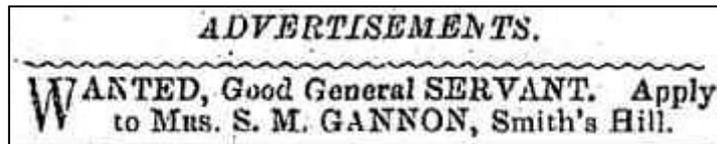
⁴⁸ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books, 1818-1930.

⁴⁹ *Goulburn Evening Penny Post*, 30 October, 1894, p.4, "Telegrams"; *Goulburn Herald*, 31 October 1894, p.2, "In Divorce – Gannon v. Gannon".

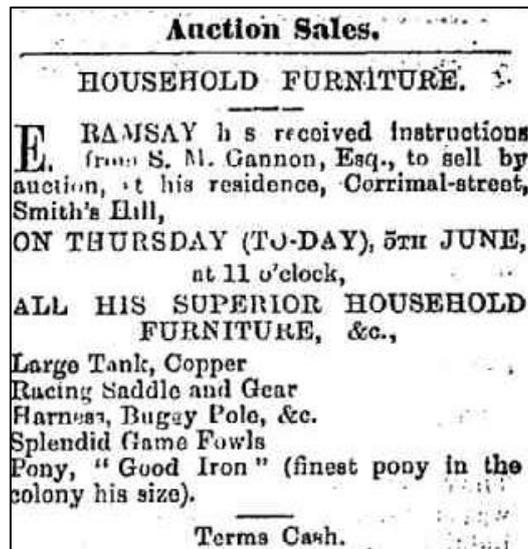
Three months later, on 26 February 1895, the marriage was formally dissolved.⁵⁰

In divorce the decree nisi granted in the following case was yesterday made absolute and the marriage declared dissolved: - Frances Maria Gannon v. Samuel Middleton Gannon, with custody of child.

Frances' deposition is very revealing and, if it is to be believed, and given that Samuel did not dispute it, her life must have been very difficult. It gives the first, and only reference to Samuel, having sold his wine and spirits business, being taken on as a clerk to his brother Henry. It is not clear from the deposition whether she and their son, referred to as 'it' during the hearings, accompanied Samuel to Wollongong, but a small November 1888 advertisement in the *Illawarra Mercury* confirms that she did.⁵¹



Frances refers to the bailiffs being called in but gives no date. However, an auction sale, coinciding with the time that Samuel was heading for the bankruptcy court, places this calamitous event as occurring on 5 June 1890.⁵²



It is questionable as to whether Samuel was still in Wollongong for the sale. The last item listed for sale was "Pony, "Good Iron" (finest pony in the colony his size)". We have already come across "Pony" – at the meeting of creditors held in December 1890 Samuel stated that "Good Iron, a pony, was sold, while witness was at the Macleay, by Mrs. Gannon for £8 14s".

Whether or not Frances and son John accompanied Samuel to Sydney and then Newcastle is still not certain, but perhaps the 'three years and upwards he was drinking and he left her without support' refers to the period 1890-1894. Frances Gannon may have relied on her brother-in-law Henry Shuttleworth Gannon for material and moral support, and it is interesting to note that he was prepared to look after her son. As things turned out for Henry, Frances' decision to keep custody of the child was a very wise move.⁵³

A year after the divorce settlement Samuel made his second and third appearances in the Police Gazette. The first, on 15 January 1896 under the heading 'Offences not otherwise described', alerted police station

⁵⁰ *Goulburn Herald*, 27 February 1895, p.3, "General News".

⁵¹ *Illawarra Mercury*, 24 November 1888, p.3, "Advertising".

⁵² *Illawarra Mercury*, 5 June 1890, p.3, "Advertising".

⁵³ Refer to Persons of Interest, <https://fretwelliana.com/the-boys/the-gannon-boys/henry-shuttleworth-gannon/>.

staff and other readers to a 'wanted man'.⁵⁴

Bourke. – A warrant has been issued by the Bourke Bench for the arrest of Samuel Gannon, charged with forging a cheque by altering it from £1 to £21, and uttered the same to Peter William Byers, at Byerock, on the 26th Ultimo. Offender is 38 year of age, 5 feet 9 inches high, rather stout, sunburnt complexion, brown eyes, brown hair, and moustache turning gray; well educated; respectable appearance; a clerk, likely to represent himself as a land appraiser. Identical with offender same name, see discharged prisoners list, Police Gazette, 1894, page 294.

The second appeared nearly a month later.⁵⁵

Samuel Gannon, charged on warrant with forging a cheque by altering it from £1 to £21 and uttering the same to Peter William Byers, has been arrested by Constable Cameron, Coolabah Police. Committed for trial at Bourke Sessions.

The *Western Herald* gave an account of the arrest and charging of Samuel Gannon who proved to be a bit tetchy.⁵⁶

ALLEGED FORGERY.

At the local Police Court on Wednesday, before Mr. R.M. Hughes, J.P., Samuel Gannon, in custody, was charged with that he did at Byrock, on the 26th December last, forge by altering a certain cheque for £1 to £21.

Constable Alexander Cameron, of Coolabah, deposed that on the 7th inst., he saw accused on the railway platform at Coolabah; asked him his name and he replied "James Morrison," adding that he came from Bourke. Asked if he knew Mr. Burton of Coronga Peak, accused said "No". Witness then said that a warrant had been issued by the Bourke bench for the apprehension of a man named Samuel Gannon, who was charged with forgery. Accused asked if witness had the warrant, and the latter said "No," but that it was at either Byrock or Bourke. After this conversation witness took accused over to the lock-up at Coolabah, showed him the Police Gazette containing particulars of the warrant referred to. Witness again asked him if he knew Mr. Barton, and accused in answer said "I'm not supposed to answer your questions, am I?" Searched him and found the money produced, consisting of seven £1 notes and £1 1s 6d in silver. Took accused on to Byrock for identification, and there he admitted his name was Samuel Gannon. On the 28th instant accused was brought on to Bourke, and this morning witness read the warrant (produced) to him. The warrant was under the hand and seal of C. McA. King, P.M., and was dated January 6, 1896, and accused was therein charged with forgery, by altering a cheque for £1 to £21, on the 26th December last. In reply to the charge accused simply said the cheque was not attached to the warrant.

To accused: The cheque is not attached to the warrant, and the latter does not disclose whose cheque it purports to be. Witness never saw the cheque.

Upon the application of the police accused was remanded for eight days.

The following week the *Western Herald* covered the trial proceedings. Samuel Gannon was the second person on the list of those to appear before District Court Judge Gibson.⁵⁷

BOURKE QUARTER SESSIONS

Monday, February 3, 1896.

Samuel Gannon was charged with forging a cheque, by altering it from £1 to £21, and uttering the same.

Prisoner pleaded guilty, and handed in a statement.

⁵⁴ Ancestry, New South Wales, Australia, Police Gazettes, 1854-1930, 15 January 1896, p.24.

⁵⁵ Ancestry, New South Wales, Australia, Police Gazettes, 1854-1930, 12 February 1896, p.61. Coolabah and adjacent By[e]rock are small villages in Bourke Shire north-western New South Wales located between Bourke and Nyngan along the Mitchell Highway/Railway line.

⁵⁶ *Western Herald and Darling River Advocate*, 1 February 1896, p.2, "Alleged Forgery".

⁵⁷ *Western Herald and Darling River Advocate*, 5 February 1896, p.2, "Bourke Quarter Sessions".

The evidence given at the Police Court on Saturday, irrespective of that given on Friday, and already published, was as follows:-

Constable Angus Cameron, on oath, deposed that he produced a cheque received from P.W. Byers of Byrock, dated December 26, 1895, on the Bank of New South Wales, Kyneton, in favour of 1014 or bearer, £21, and signed Booth, Burton and Co.; witness showed the cheque to accused that morning, and told him that he charged him with forging it; accused replied, "Yes;" produced the cheque, and asked that it be marked exhibit A.

Peter W. Byers, on oath, deposed that he was licensee of the Royal Hotel, Byrock; accused, Gannon, came to the hotel on the morning of the 26th December; in the evening witness cashed a cheque for £21 for accused; the cheque marked exhibit A witness identified as the one; accused's account was £2 7s 6d, and witness gave him £18 12s 6d change; witness sent the cheque to the stationmaster at Byrock, who gave him cash for it; the stationmaster sent the cheque to Kyneton, and it was returned to witness; accused stayed at the hotel till the following day, when he left for Bourke by the train; from information received witness's suspicions were aroused, and he came to Bourke on the 2nd or 3rd ultimo; saw the accused at Gale's; witness told accused he had suspicion about the cheque he cashed for him, and unless he gave him his money back he would have to hand him over to the police at such time as he obtained information with regard to the cheque; accused made no reply, but put his hand in his pocket and gave witness £4, and said he would find the remainder by 12 o'clock. Did not see accused again till he saw him in the dock that morning; witness laid an information on the 6th ult.; when he saw the accused at the hotel he did not know for certain that the cheque was a forgery, and he only did it to protect himself.

Solomon Burton, on oath, deposed that he was a grazier, residing at Coronga Peak, near Byrock; the accused had lately been in his employment as bookkeeper, storekeeper, etc.; his time expired on the 26th December, and witness paid him with two cheques, one for £1, and one for £6 1s 11d; he paid accused with two cheques at his own request; accused said he wanted the £1 cheque to send away; the cheque produced, marked A, is the one he gave accused for £1; the cheque had been altered by writing twenty before the one, and the figure 2 before 1; did not give accused authority to alter it.

His Honor complained that many of the indictments were not endorsed by the section of the Act under which proceedings were taken. The same thing was constantly happening, and was a cause of inconvenience and delay.

His Honor said that Gannon's statement was a plausible one, but the record of a previous conviction was against him, and accused was sentenced to three years' imprisonment.

Subsequently, at accused's request, his Honor altered the sentence to two years and eleven months.

Unfortunately, the account did not include details of Samuel's mitigating statement. But whatever he had to say in his defence had little sway, and as confirmed by the Gaol Entrance Books, Samuel was admitted to Bathurst Gaol on 3 February 1896 and was to serve the full two years and eleven months with hard labour.⁵⁸ Individual records were raised on admission for all inmates, and that for prisoner 1085 lists not only his convictions – by 1896 two offences of forgery and uttering – but also provides a detailed description, supported by front and side-on 'mug shots' taken on 1 April 1896.⁵⁹

<i>Native place:</i>	<i>BC Sydney</i>
<i>Year of birth:</i>	<i>1857</i>
<i>Trade or occupation previous to conviction:</i>	<i>Clerk</i>
<i>Religion:</i>	<i>Church of England</i>
<i>Education, degree of:</i>	<i>R & W</i>

⁵⁸ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books 1818-1930, 3 February 1896, Bathurst, New South Wales.

⁵⁹ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books 1818-1930, 1 April 1896, Bathurst, New South Wales.

<i>Height without shoes:</i>	5 feet 8 inches
<i>Weight in lb</i>	on committal 179 on discharge -
<i>Colour of hair:</i>	Brown w Grey
<i>Colour of eyes:</i>	Brown
<i>Marks or special features:</i>	A.L. tattooed on left forearm, two scars right wrist, scar on forehead, scar left temple, scar on nose, 2 scars inside left leg, scar left shin.



Samuel presents as a rather shabby, doleful looking man. The “A.L.” tattoo is intriguing and he certainly carried a number of scars the explanations for which may have made for interesting telling. According to the prison records, with remission, Samuel Gannon only served 2 years and 2 months of his term and was released from Bathurst Gaol on 7 July 1898.⁶⁰ Perhaps Samuel, seemingly wandering about New South Wales, was unable to find work, and/or had been cut off from any family support, or he just could not help himself, but six months later he was up to his old tricks and yet again featured in the *Police Gazette* in December 1898.⁶¹

Samuel Gannon, charged with obtaining from James Gale the sum of £3 18s 6d, by means of a valueless cheque, has been arrested by Constable Chandler, Warren Police. Further charged with fraudulently obtaining the sum of £2 18s 6d James Wood. Committed for trial at Dubbo Sessions on both charges. Bail allowed. Identical with discharged prisoner Samuel Gannon, vide Police Gazette, 1898, page 232.

For those who did not read the *Police Gazette*, they may have caught up with the latest news of Samuel

⁶⁰ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books 1818-1930, 1 April 1896, Bathurst, New South Wales.

⁶¹ Ancestry, New South Wales, Australia, *Police Gazettes*, 21 December 1898, p.440.

Gannon through *The Sydney Morning Herald*.⁶²

A man named Samuel Gannon, formerly of Goulburn, was brought before Mr. L.S. Donaldson, P.M., charge with obtaining two sums of £3 and £2 from James Gale and James Wood, hotelkeepers, by means of valueless cheques, and he was committed for trial.

Whether or not Samuel Gannon had found someone to stand surety for his bail, he was behind bars in the Dubbo Gaol in late January 1899, one of at least twenty cases scheduled for a particularly heavy Quarter Sessions programme to commence on Monday 31 January.⁶³ On the first day of the sittings Samuel pleaded guilty of issuing the valueless cheques at Warren and was remanded for sentencing on the Wednesday. Once again anything Samuel had to say in his defence was as worthless as the cheques he had passed.⁶⁴

His Honour said he could not accept the representations in prisoner's written statement. Two previous convictions were recorded against him. His Honor passed a sentence of two years' imprisonment.

The sentence was in fact two years with hard labour for each of the two offences, to be served concurrently at Bathurst Gaol. The prison authorities amended Samuel's records to include this third offence.⁶⁵

Where and When				Offence	Sentence
Sydney GD	Feby	22	1894	Forgery & uttering	6 months HL
Bourke CH	Feby	3	1896	Forgery & uttering	2 years & 11 months HL
Dubbo	Jan	30	1899	False pretences 2 charges	2 years HL on each charge

By October 1900 Samuel Gannon was once more a free man.⁶⁶

Between 1894 and 1900, during what might have been the prime years of his life, he had spent most of the time behind bars. At a time when a son really needs his father's guiding influence, all Samuel could offer his son John, during the vulnerable and fragile teenage years, was an example of how not to conduct one's affairs. Perhaps the only benefit from the years of hard labour, as recorded on discharge, was a weight loss of nine pounds.⁶⁷

For the next couple of years Samuel was living in Balmain, Sydney. According to the 1901 census he was residing at 45 Evans Street, Rozelle, Balmain, in a household comprising 2 males and 1 female. Both the 1902 Sands directory and the 1903 Electoral Roll confirm this address, and provide the additional information that Samuel was a bookkeeper by profession, somewhat ironic considering his record.⁶⁸

However, from the middle of 1902 he would not have been found at that address because he had in fact sailed for New Zealand.

⁶² *The Sydney Morning Herald*, 3 December 1898, p.7, "Country Quarter Sessions".

⁶³ *The Dubbo Liberal and Macquarie Advocate*, 25 January 1899, p.2, "Dubbo Quarter Sessions".

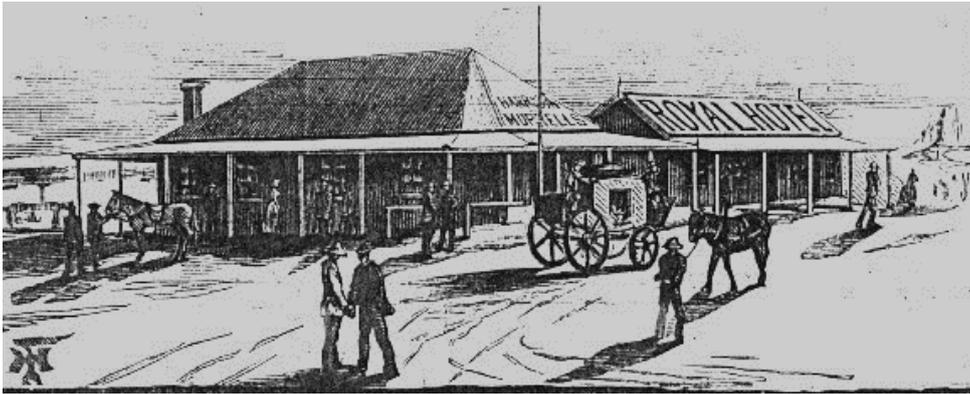
⁶⁴ *The Dubbo Liberal and Macquarie Advocate*, 4 February 1899, p.2, "False Pretences".

⁶⁵ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books 1818-1930, 1 April 1896, Bathurst, New South Wales.

⁶⁶ Ancestry, New South Wales, Australia, Police Gazettes, 1854-1930, 3 October 1900, p.360.

⁶⁷ Ancestry, New South Wales, Australia, Gaol Description and Entrance Books 1818-1930, 1 April 1896, Bathurst, New South Wales.

⁶⁸ Ancestry, 1901 New South Wales, Australia Census; Ancestry, Sands Directories: Sydney and New South Wales, Australia, 1858-1933; 1903 Electoral Roll, Dalley (Rozelle Polling Place), https://www.ihf.com.au/secure/docimages/nswr1903/nswer1903_01823.gif.



Royal Hotel, Byrock, *Town and Country Journal*, March 21, 1885



Railway Station, Bourke

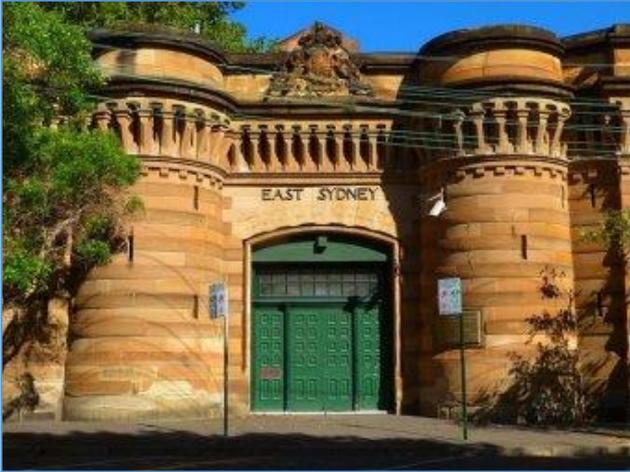


Formerly Gales' Hotel, Bourke (opposite Railway Station)



Court House, Bourke
(Photographs - Mike Fretwell, May 2014)

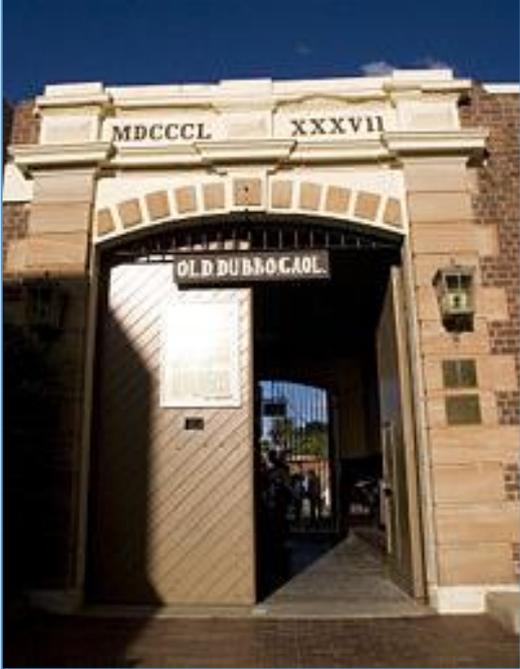
Home from Home



Darlinghurst Gaol



Bathurst Gaol



Dubbo Gaol

The “ss Warrimoo”, under the command of Captain Phillips, left Sydney on 2 July 1902.⁶⁹ Included in the manifest, and travelling Saloon class, was one S.M. Gannon who had contracted to land at Lyttleton, the main port entrance for the Canterbury/Christchurch area. The only doubt that this was our man was estimated birth year – 1867 – and the age given on the manifest. Could Samuel Gannon pass as a 35 year old?⁷⁰



ss Warrimoo

I had thought that Samuel's life in his newly adopted country might be tracked through the electoral rolls, but he did not appear in the rolls until 1911, living at Lower Ruakaka in the district of Marsden, Northland region, and described as a gum digger.⁷¹

The gum referred to was kauri gum, a commodity found in the northern hilly region. In the early 1830s it had been used for barter between the early settlers and the Maoris and later was purchased for export, initially to America, and then to England and Europe. As with the gold discoveries in Australia, prospectors arrived from overseas with high hopes of making their fortunes and, again like Australia, when times were hard, and seasons poor, local farmers and their families also tried their luck on the kauri gum fields. Inevitably the surface gum became scarce and the gum gatherers became diggers, turning spades to unearth the valuable commodity. By the 1890s it was estimated that 20,000 were engaged in gum digging, 7,000 being full-time.⁷²

Samuel was not in fact one of those who rolled up his sleeves to toil in the gum fields. He had been employed as Secretary of the Waipu Gumdiggers' Association. One of the issues facing the Association's members was the proposed light tramway line to Waipu, and on their behalf the Secretary wrote to the local council.⁷³

⁶⁹ WARRIMOO 3,628 gross tons. Lb: 105.2 x 12.9 metres. on: 101901 Steel hulled, single screw, triple expansion engine. Passenger - cargo vessel built by C S Swan & Hunter at Wallsend, Newcastle upon Tyne for James Huddart, Melbourne. Service speed = 14.5 knots. Passenger accommodation for 367. Put under management of Huddart Parker & Co, she traded the Tasman Sea between Australia and New Zealand, under the Company name 'New Zealand & Australian S N Co'. Thinking big, James Huddart soon after decided upon a service from Australia to Canada and, changed Company name to Canadian - Australian Steamship Co. Taking in Vancouver as part of its transpacific run. 1893 saw Fiji included in the service, taking passengers and cargo and generally annoying the 'established' shipping concerns who held Fiji as their domain. 1901 saw the Company sold to Union Steamship Co of New Zealand. August 1909 saw the last departure of the Warrimoo from Fiji and the Company was encountering serious financial troubles. From then she was employed on the Tasman route. Sold October 1916 and registered in Singapore to unknown owners. 18th May 1918 sunk after a collision off the coast of Tunis North Africa - <http://www.flotilla-australia.com/images/Warrimoo4.jpg>.

⁷⁰ "New Zealand, Archives New Zealand, Passenger Lists, 1839-1973", index and images, FamilySearch (<https://familysearch.org/pal:MM9.1.1/QJDJ-L33K> : accessed 19 Jun 2014), S.M. Gannon, 1902.

⁷¹ Ancestry.com, New Zealand, Electoral Rolls, 1853-1981.

⁷² The Kauri Gum Industry, <http://ahipara.co.nz/gumfields/info/kaurigum.htm>.

⁷³ *Northern Advocate*, 11 May 1912, p.3, "Whangarei County Council".

Mr. S.M. Gaumon [sic], secretary of the Waipu Gumdiggers Association, took exception to the County Engineer's report that "the proposed light tramway line to Waipu runs through the Marsden Kauri Gum reserve, a portion of which containing 2000 acres is evidently not sufficiently gumbearing to warrant its being retained as a reserve". He instanced cases where small fortunes had been made in short periods by a smaller number of diggers on the field and ended up his letter by stating that the all-important union respected Mr Fraser's position as Engineer, but recognised that he was out of his latitude in dealing with gum land without making due enquiries, as "he knew nothing absolutely whatever about gum land".

Mr Fraser, for his part, took exception to the tone of the letter, saying

... that he would wish the correspondent to know that he had himself been digging for five years and could therefore speak with authority; possibly with even more than he could on the railway. What was the Gumdiggers' Union? Three or four men sat down and discussed matters and Government paid attention to them. It was absurd, and he was not afraid to say that a number of the gum reservations in the Country should be lifted.

Peace-maker Cr. McKay, who declared that he had much respect for the diggers and their union, moved that a reply be forwarded pointing out that the Council would do its best in the interest of the diggers, as it had always done.

Any hopes that Samuel may at last have sorted himself out, and was holding down a regular job, were dashed by an October 1913 item in the *Northern Advocate*. He was back to his old tricks.⁷⁴

Samuel Middleton Gannon, late secretary of the Waipu Gumdiggers' Union, who was arrested in Auckland last Thursday on a charge of false pretences at Hikurangi, will appear before the Whangarei Police Court on Friday next.

The *Northern Advocate* carried a report of the Magistrate's Court hearing held on 31 October.⁷⁵

FALSE PRETENCES

Committed for sentence

At the Magistrate's Court this morning, before Messrs H.C. Hemphill and J.D. McKenzie, Justices, Samuel Middleton Gannon was charged that he did, on or about September 29th at Hikurangi, obtain from Norman D. Champney, of Hikurangi, the sum of £6 by means of a false pretence, representing that a cheque on the Bank of New Zealand, Auckland, signed by "S.M. Gannon," was a good and genuine order for payment.

N.D. Champney said that on September 12th accused engaged a room at his house. On Monday, the 29th, accused asked witness to change a cheque signed by himself (accused) and handed over the cheque in payment of two weeks' board. The cheque was for £6, drawn on the Bank of New Zealand at Auckland. Witness cashed the cheque and gave the accused £4 less exchange, the remaining £2 being payment of board. Accused left Hikurangi the same day by train. The cheque was eventually returned marked "No Account".

R. Lomas said that between September 25th and 29th accused went to his store at Hikurangi and asked for a blank cheque as his cheque book had "run out". Witness gave accused a blank cheque. Accused gave the name of "Gallion". The butt of the cheque corresponded with the number of the cheque which was the subject of the case before the court. Accused told witness that he lived at Ruakaka and was well-known in the district.

Detective Hammond of Auckland said he arrested accused on October 23. Accused made a statement admitting the offence and regretted being unable to "make it good". There was no account at the Bank of New Zealand in the name of S.M. Gannon.

Accused declined to ask the witnesses any questions and pleading guilty was committed to the

⁷⁴ *Northern Advocate*, 28 October 1913, p.4, "Local and General News".

⁷⁵ *Northern Advocate*, 31 October 1913, p.4, "False Pretences".

Supreme Court for sentence.

The Supreme Court convened on 6 November before Mr Justice Cooper.⁷⁶

In the case of an elderly man called Samuel Middleton Gannon, of Whangarei, who had got £4 on a cheque when he had no money in the bank, the Judge said accused had apparently been making an attempt to live honestly since his last conviction in 1910. His Honor decided to give him another chance. Accused was ordered to come up for sentence when called upon, and in the meantime to refrain from drink and make restitution.

The Judge's comments raise some interesting questions and provide a clue as to how Samuel had spent his earlier years in New Zealand. Indeed this was not to be the first time the two men had met on opposite sides of a court room, but previously Samuel had been going under the first name of Stephen.⁷⁷

The first reference I have found to Stephen Gannon was a short Lyttelton newspaper item in July 1903. Although he was charged at Napier, the fact that he was remanded to Christchurch fits in with Samuel having initially lived in the Christchurch area.⁷⁸

ALLEGED FALSE PRETENCES

Stephen Gannon has been remanded to Christchurch on a charge of obtaining £4 from Kenneth Matheson and Co., by a valueless cheque. Other charges are pending.

Giving consideration to the Probation Officer's unfavourable report as to Samuel's character, the Magistrate sentenced the offender to three months imprisonment with hard labour.⁷⁹ Even so soon after his arrival in New Zealand, Samuel seems to have acquired a poor reputation (or his Australian past had caught up with him). A month later he was in court once more, this time in relation to the 'other charges' referred to above – the theft of a silver watch, silver chain and a scarf pin belonging to one James Anderson. His Worship imposed a sentence of three months' imprisonment.⁸⁰ Even if the sentences were served concurrently, Samuel spent most of the last half of 1903 behind bars. And it was not too long before he was back in this familiar environment as evidenced by the following items from the Palmerston North newspaper *Manawatu Times* of 15 and 16 December 1904.⁸¹

Alleged Forgery.

At the Police Court this morning, a middle-aged man named Stephen Gannon was charged with forging a cheque for £16. Messrs F. Mowlem and E. Edwards, J's.P., were on the bench, and Sergeant Stagpoole prosecuted. Sergeant Stagpoole said accused had been staying at the Post Office Hotel in the early part of October. On October 8th he borrowed a blank cheque from a man named Graham. Subsequently he came to Miss Smith, daughter of Mrs Smith, who managed the hotel for the licensee, and gave her a cheque for £16 to keep for him. He borrowed £2 on account of the cheque. After that he borrowed other sums, which with his board made up the amount of £17 11s. When the cheque was paid in it was dishonoured, there being no account at the bank in the name on the cheque. Accused said it was alright, he knew the man on whom it was drawn in Wellington, and would wire to him. He was asked on several subsequent occasions for the money, and when pressed he said he would get it in half-an-hour. He then went upstairs and got out of the hotel by the fire escape. Evidence was given by Mrs Smith, and S.A. Gover, bank clerk, to this effect.

⁷⁶ *Auckland Star*, 6 November 1913, p.4, "Prisoners Sentenced". His Honour, Theophilus Cooper was not, as far as I can ascertain, related to the Cooper family of Lake George, New South Wales.

⁷⁷ Various clues strongly support the fact that Samuel Gannon and Stephen Gannon were one and the same. Stephen's petty criminal record commenced shortly after Samuel Gannon arrived in New Zealand, and ceased by the time Samuel was recognised under his correct name.

⁷⁸ *Press*, 11 July 1903, p.7, "Alleged False Pretences".

⁷⁹ *Press*, 21 July 1903, p.2, "Magistrate's Court".

⁸⁰ *Evening Post*, 14 August 1903, p.4, "Local and General".

⁸¹ *Manawatu Times*, 15 December 1904, p.4, "Court Proceedings"; *Manawatu Times*, 16 December 1904, p.2, "Court Proceedings".

Miss Smith, deposed, that the accused presented the cheque to her and asked her to advance him £2 on it, which she did. She subsequently advanced several other sums on the cheque.

James Graham deposed that he was staying at the hotel at the same time as the accused, who asked him for a blank cheque, which he supplied, the cheque produced in Court corresponded with the butt in his cheque book.

Constable Gray, stationed at Levin, deposed that he arrested the accused at Levin about Dec. 7th. When questioned prior to his arrest the accused stated that the cheque was given him by a man, named Middleton, of Wellington, and was given to him in a business transaction. He also stated that he had heard that the cheque had been dishonored. When arrested the accused was under the influence of liquor.

Giving evidence on his own behalf, the accused stated he gave Miss Smith, the cheque on the understanding that it was put in the safe for him. On the Monday morning she asked if her mother should put the cheque through the bank or give him it back. Had been in the habit of receiving cash at various times during his stay at the hotel from Mrs Smith. He could have had the cheque cashed right off if he had liked. Mrs Smith held the cheque for two months and had not taken proceedings until she left the hotel just recently.

The accused was committed to take his trial at the next sitting of the Supreme Court at Palmerston North.

COURT PROCEEDINGS.

Alleged Forgery.

Stephen Gannon, an elderly, grey-haired man, was before the Court yesterday on a charge of forging and uttering a cheque for £16. Messrs F. Mowlem and R. Edwards, Justices, heard the case. It was stated in evidence that accused, while staying at the Post Office Hotel, gave the daughter of the manager, Mrs Smith, the cheque to keep for him, and on the security of it he borrowed various sums at different times. These amounts, together with his board account, totalled up to £17 11s. When the cheque was presented at the bank subsequently it was dishonoured, and when pressed for payment accused said he would get the money, and he went upstairs to do so, but escaped out of the hotel per medium of the fire escape. Accused stated that he had given the cheque to Mrs Smith to hold. He had been in the habit of receiving money before.

After the evidence had been heard, accused said he was prepared to plead guilty. He gave as his reason that it would be impossible for him to bring witnesses to rebut the evidence of Miss Smith, and therefore he would plead guilty to save further proceedings. It appeared, however, that a prisoner could plead guilty only before a magistrate. Justices had no power in the matter.

Sergeant Stagpoole said that on the understanding accused would plead not guilty all the expense had been gone to of bringing witnesses to give evidence, and proceedings should go on and accused be committed.

This course was agreed upon, and accused was committed for trial at the sitting of the Supreme Court at Wellington in March.

Another charge was preferred against the same accused of forging and uttering an order on the Bank at Levin for £2 10s. This cheque, drawn under the name of J. Hodder, of Palmerston, accused uttered at Levin to a storekeeper, to whom he represented himself as a dealer in hides and skins.

Accused again intimated that he was prepared to plead guilty if it would shorten proceedings, but when it was shown that it would be no advantage to him to do so, he withdrew the plea and substituted "not guilty." Evidence was taken, and accused was committed as in the former case. Bail was allowed.

It was three months later, in March 1905, when the Supreme Court of Palmerston convened. On the lesser charge of forging and uttering, Stephen Gannon pleaded guilty. However he still maintained his innocence

in respect of the alleged forgery at the Post Office Hotel.⁸²

FORGERY.

Stephen Gannon pleaded guilty to a charge of forging and uttering a cheque for £2 10s drawn on the Bank of Australasia, Levin, and purporting to be signed by Jas. Hodder.

Accused pleaded not guilty to a second charge of forging and uttering a cheque for £16, drawn on the Bank of Australasia, Wellington, and purporting to be signed by Jas Middleton.

As was now his standard practice, the accused presented a written statement to the Court and, as was by now the standard response, it was received with scant sympathy. The concurrent sentences would account for Samuel's whereabouts to March 1906.⁸³

FORGERY.

Stephen Gannon was sentenced to 12 months' imprisonment with hard labour at Wellington gaol for the two charges of forgery on which he was found guilty. The prisoner handed in a written statement to the Judge, who, after perusal, remarked it was very unsatisfactory to see an educated man in his position; but the present occasion was not a first offence. The prisoner had previously received sentences for theft and uttering. He unfortunately was one of the class of criminals who were present at every session of the Supreme Court - a victim to drink. At the prisoner's request the Judge altered the gaol of commitment from Wanganui to Wellington.

We now come to the second encounter with Justice Cooper who, on 25 September 1906, presided over the Supreme Court sitting at New Plymouth.⁸⁴

Addressing the Grand Jury, His Honor said he was glad that on this the first occasion of his presiding at the Circuit Court of New Plymouth the criminal calendar was very short, there being only three cases to engage their attention ... The charge of forgery against a man named Gannon should present no difficulty whatever. The prisoner was charged with forging a cheque purporting to be signed by Wright, Ranish and Co., of Wellington, under stated circumstances which, if the jury found were true, were ample to justify them in returning a true bill against the prisoner. His Honor mentioned that a good deal of laxity was shown by business men in accepting cheques from perfect strangers, thus making it easy to commit the crime of forgery. This cheque bore the name of a well-known firm in Wellington, but was on a Fielding cheque with the word "Fielding" scored out and "Wellington" written in. That in itself should have made the storekeeper suspicious, for a Wellington firm did not usually write its cheques on the Fielding bank, or use Fielding cheque forms marked "Wellington" in this way. But evidently the shopkeeper accepted the cheque in good faith.

Justice Cooper's warning to gullible business men was apposite, but could almost be understood as suggesting that, as in such cases as that before the court, trusting people had unwittingly aided and abetted a pathetic man, down on his luck, for whom, under different circumstances, it would not have crossed his mind to commit such a crime. The details of the charge were as follows.

Stephen Gannon, was indicted with that on or about 23rd. August, 1906, at Hawera, did forge the name of Watson, Ranish and Co. to a certain false document, to wit a cheque purporting to be signed by that firm in favour of W. Mitchell, knowing the same to be false, and at the same time and place did utter the said cheque to Timothy Sexton and obtain from him goods to the value in all of £9 13/. He pleaded guilty, and handed a statement to the bench.

In sentencing the accused, His Honor said that this was an unfortunate case. He was evidently a man of good education. It was not the first time he had been before the court, by having been convicted by the Supreme Court, last year, and twice in 1903 by the Magistrates Court. If accused would not give way to drink, the probability was that he would not commit crime. It was evident that

⁸² *Manawatu Standard*, 1 March 1905, p.5, "Forgery".

⁸³ *Manawatu Times*, 3 March 1905, p.3, "Forgery".

⁸⁴ *Taranaki Daily News*, 26 September 1906, p.2, "Supreme Court New Plymouth".

the twelve months' sentence had not been sufficient deterrent, and on this charge the prisoner would be sentenced to two years' hard labour. At the end of that time he hoped that, as the prisoner said, his brother in America would send for him and receive him.

On the application of Mr. Kerr, an order was made for the restitution of the goods purchased from Sexton, and also for the restitution of the cash found on him, evidently the proceeds of the cashing of the cheque.

The brother alluded to in his Honor's concluding remarks was Henry Shuttleworth Gannon, who in fact was himself a fugitive from the law, who had absconded from Goulburn in 1897. How much credence can be given to the claim that Henry was prepared to lend support to Samuel is uncertain. While Samuel would have been aware of the circumstances under which Henry found himself in America, there is some question as to whether Henry was still there in 1906 and also his capacity to assist his brother.⁸⁵ In the event, Samuel squandered any chance he may have had of joining his brother. He had only just walked out of jail when, in August 1908, he was yet again up on a charge.⁸⁶

ALLEGED FORGERIES

Stephen Gannon a robust man, past the prime of life, winked his weather eye-warily as if, by force of habit, and born of the constant practice of cunning. With well-affected nonchalance, he listened to the charges that he had forged a cheque for £7/18/6 in the name of William Young and one for £6 in that of Fred Ford. In both instances Gannon was also accused of having uttered the cheques. He was remanded for eight days.

Notably, no bail was granted this time. Another version of the charge states that Stephen/Samuel was masquerading as Mr Henderson. Presumably the name Stephen Gannon was becoming too well known!⁸⁷

Police Court News

Alleged Forging and Uttering

At the Police Court yesterday, before Messrs G. Baildon and M.J. Bennett, justices of the peace, a middle-aged man named Stephen Gannon, alias J.H. Henderson, was charged on two informations with forging and uttering cheques for £7 18s 6d and £6 respectively.

Detective P. T. McMahon, who appeared for the prosecution, applied for a remand for eight days, and the application was granted.

Yet another account states that when charged, Stephen Gannon claimed that he was under the influence of liquor when he forged the cheques.⁸⁸

Justice Edwards of the Auckland Supreme Court was not inclined to show any leniency to repeat offender Gannon.⁸⁹

A Bad Record

Stephen Gannon, an elderly man, came up for sentence on two charges of forging and uttering, to which he had pleaded guilty. He handed in a written statement in extenuation.

The man's record was an unsatisfactory one, showing numerous convictions for theft, forgery, and uttering. His Honor stated that but for the fact that two of these convictions had been in the Magistrate's Court, the prisoner had qualified for treatment as an habitual. Gannon was sent to prison for three years on each charge, the sentences to run concurrently.

The sentence handed down accounts for the years from 1908 until Samuel Gannon managed, somehow, to secure the position as Secretary of the Gumdiggers' Union.

⁸⁵ Refer to Persons of Interest, <https://fretwelliana.com/the-boys/the-gannon-boys/henry-shuttleworth-gannon/>.

⁸⁶ *Auckland Star*, 6 August 1908, p.5, "Police Court".

⁸⁷ *New Zealand Herald*, 7 August 1908, p.7, "Police Court News".

⁸⁸ *New Zealand Herald*, 15 August 1908, p.8, "Forging and Uttering".

⁸⁹ *New Zealand Herald*, 19 August 1908, p.5, "Auckland Supreme Court".

Samuel Gannon spent over six years in prison during the first ten years or so of his time in New Zealand and was lucky to have found a sympathetic judge for his conviction in 1913 or his 'time in' might have been even longer. By 1914 he had qualified for inclusion in the Auckland East Supplementary Electoral Roll. He was listed as a clerk and was living at the People's Palace, Wellesley Street.⁹⁰ The Palace offered cheap accommodation for a range of clientele, but most particularly provided a haven for those unfortunates 'on their uppers' or those, like ex-prisoner Samuel, who had fallen through society's cracks. The following statistics, compiled a few years before Samuel found refuge at the Palace, clearly demonstrate the need for such a facility.⁹¹

LOCAL AND GENERAL NEWS.

The demand for the cheap beds provided by the, Salvation Army at the People's Palace is invariably an indication of the distress in the city. Whenever money is scarce the authorities receive an increasing number of applications for cheap or free beds. During the last few months this demand has been unparalleled, and for four months there has rarely been a vacant bed, while on some occasions a number of men have had to be turned away. During last month up to the 25th 1064 beds at 4d were provided by the authorities, 69 to men who paid for their beds by doing light work, £5 free, and 263 to those who presented orders from the charitably disposed. There was during the month an equal demand for free meals. At 1d tariff 557 were supplied, at 2d 313, at 3d 170, and at 4d 104. In addition, 415 meals were supplied for work done, 106 free, and 392 on orders presented by applicants.

In fact, according to the following sorry tale recounted in the colourful *NZ Truth*, Samuel had arrived in Auckland late in 1913.⁹²

*COLD CHARITY!
WRETCHED RED TAPEISM OF A BOARD.
HOW THE SUFFERING POOR ARE PENALISED.
Samuel Gannon's little Growl.*

New Zealand, like all other countries, has much to worry and ponder and one of the greatest, problems for the Government to consider at all times is the providing of suitable accommodation for the Dominion's unfortunates. By unfortunates, "Truth" means those persons, who, through old age, consumption, or other serious complaints, have their health affected to such an extent that they are incapable of earning their own livelihood, and have to depend

UPON THE CHARITABLE INSTITUTIONS

to make life as comfortable as possible. Day after day the police bring before the Court old and feeble men and women, and charge them with vagrancy. In many cases the proceedings are taken with the sole object of helping the unfortunates and endeavoring to get them proper care and attention. Inquiries are made at the various homes, but, in almost every instance, the answer is received that the accommodation is taxed to its utmost and the "unfortunate" has either to be turned again on to the streets or sent to gaol. The latter is generally decided upon as best in the individual's own interests. The present charitable institutions are totally inadequate and before long New Zealand is going to be faced with a very serious problem.

Last week there called upon "Truth" Samuel Gannon, an apparently respectable man, over 60 years

⁹⁰ Ancestry, New Zealand, Electoral Rolls, 1853-1981.

⁹¹ *New Zealand Herald*, 3 July 1909, p.4, "Local and General News".

⁹² *NZ Truth*, 18 July 1914, p.7, "Cold Charity!" Costley House, funded mainly by a bequest from Auckland businessman Edward Costley, was opened in 1890 and operated under the Auckland Hospital and Charitable Aid Board. Following complaints, a Commission of Inquiry was established to investigate and report on the management and conditions at Costley House. The report was damning. Following the dismissal of the original managers, it appears that conditions had improved somewhat – *The Costley Home (Report of Commission on). Together with Minutes of Evidence*, Appendix to the Journals of the House of Representatives, 1904 Session I, H-26. Further complaints about the management led to Dr. McElvey being appointed to complete control of the institution where he was Medical Superintendent until his death in 1931 – Greenlane Clinical Centre, Our History, Auckland District Health Board, http://www.adhb.govt.nz/gcc/gcc_history.htm.

of age, a member of the well-known New South Wales family of lawyers of whom the Hon. J.C. Gannon, K.C. and ex-Attorney-General of New South Wales is one. Gannon called upon "Truth" to voice a complaint he had to make against Mr. A. Jones, of the Auckland Charitable Aid Board, through whom all applications for relief from the Board, or permission to enter the Costley Home, as an inmate, must be made.

Gannon's story to "Truth" was that he came to New Zealand from Australia many years ago and has been for some years living just outside Whangarei. He was a sufferer from ulcerated varicose veins, which became so severe that he decided to come to Auckland. This he did and was treated by Drs. Stride and Maguire, of the Auckland Hospital. He also received attention from Dr. McKelvie, of the Costley Home. The latter gentleman considered that Gannon

REQUIRED COMPLETE REST

and recommended his admission to the Costley Home, but told Gannon that an order would be required from the Charitable Aid Board. Gannon says he took a letter from Dr. McKelvie to the Board's officer, Mr. Jones, also a letter from Mr. J.J. Craig to Mr. J.M. Mennie, Chairman of the Board. He also interviewed Mr. Mennie, who promised that Gannon would be admitted to the Home. Later Gannon saw Mr. Jones, who flatly refused to give the required permit, which would admit Gannon to the Home, and instead offered to pay the man's fare to Whangarei, but would give no guarantee that Gannon would receive the necessary care and proper attention when he got there. The position now is that Gannon is at present walking about Auckland, although doctors have certified that his case is a bad one. In order to learn if the position was accurately stated by Gannon, a "Truth" rep. later called upon Mr. Jones at the Board's office and mentioned the matter. Mr. Jones said it was one of those unfortunate cases in which the Board could give only slight assistance. One of the remits of the Board distinctly stated, that no person, who belonged to another hospital district, could be admitted to the Costley Home. "I did all I could for him," said Mr. Jones, "but he refused all help and seemed set upon getting into the Costley Home, which was, of course, impossible, not only because of the remit which distinctly prohibits the admission of a person belonging to another hospital district, but also because the accommodation is overtaxed now."

Mr. Jones said it was quite true that Dr. McKelvie had given Gannon a certificate and also that Gannon's case was favorably considered by the Chairman, Mr. Mennie, but at that time neither of those gentlemen was aware that Gannon belonged to the Marsden district, and were under the impression that the man belonged to the Auckland district.

"In making the usual inquiries," said Mr. Jones, "I found the man had been about 12 years in New Zealand, but during that time had been once to Sydney. He lived in the Marsden district and worked as a gumdigger during the last few years, and towards the end of last year came to Auckland. When I reported to the Board that he belonged to another hospital district, the members agreed that he could not be admitted to the Costley Home. When I informed Gannon

HE BECAME ABUSIVE.

I offered to secure him a ticket to take him back to Whangarei, and also enough money to see him over the night when he arrived there, but he emphatically declined any assistance unless he went to the Costley Home. Mr. Jones added that all accommodation at the Home was taken up and he had three "unfortunates" waiting for beds.

"Truth," however, while not doubting Mr. Jones' version of the affair, must draw his attention to the fact that Gannon did not hide from anybody concerned that he came from Whangarei, and it was with the knowledge that Gannon came from Whangarei that Dr. McKelvie wrote the letter on his behalf. What, in Mr. Jones' mind is abuse, in the minds of others, would be legitimate remarks. Gannon is a well-educated man, down in his luck, ill and friendless. He, when informed of the red-tapeism of the Auckland Board, expressed his opinion freely on the rights of the taxpayer, and if Gannon's word can be relied upon, he was not only insulted, but treated as paupers generally are. Gannon has since informed "Truth" that he knew nothing of the offer of expenses, in addition to having his passage paid to Whangarei. Under the circumstances, "Truth" would now advise him to accept the offer. Charity is generally cold, but the official brand of it, is kept in the refrigerator.

It would appear that the reporter had not delved very deeply into Samuel's past and Samuel was not about to set the record straight. Despite appearances, Samuel's chequered past would hardly qualify him as 'respectable'. There was truth in the references to connections with a well-known family of lawyers, and the J.C. Gannon referred to was James Conley Gannon, one of Samuel's second cousins. No reference was made to two other Gannon members of the legal fraternity – Samuel's brother Henry who had absconded from his Goulburn practice, and another second cousin, Frederick Sydney Gannon, who just two months prior to the *Truth's* article, had come before the Sydney Equity Court, and deemed liable to stand committed to prison for his alleged contempt in not paying some moneys due as per a previous Court order.⁹³ If in fact Samuel had made a return visit to Sydney I am not sure quite how he was able to fit this in between his time as a guest of 'His Majesty', and his time with the Gumdiggers was unlikely to have spanned 'a few years'.

But, regardless of the gilded lily, it is obvious that by this time Samuel was truly in a sorry state. I do not know if he took the advice, and the offer of financial assistance, to return to Whangarei, but it was in Auckland that he died in October 1915. Squeezed between an item on the storage of frozen meat and a notice about a forthcoming concert, the *Auckland Star* of Wednesday 6 October reported on his final days.⁹⁴

The circumstances of the death of Samuel Gannon, a man of 64 years of age, who was found dead yesterday morning, were related to the coroner (Mr. E.C. Cutten, SM) at the morgue this morning. The evidence showed that deceased, who for some time had been staying at Whitehead's Coffee Palace, Cook Street, complained of feeling unwell on Monday evening, and retired to bed early. Yesterday morning he was found dead in his room. In accordance with the medical testimony the coroner returned a verdict of death due to fatty degeneration of the heart. Deceased, who was an American [sic], was an accountant.

A further account was carried in the *New Zealand Herald* the following day.⁹⁵

An inquest was held before Mr. E.C. Cutten, coroner, yesterday morning, concerning the death of an old man named Samuel Gannon, who was found dead in bed at Whitehead's Coffee Palace, Cook Street, on Tuesday morning. Evidence was given that the deceased was found dead in bed. It was stated that he was born in Goulburn, New South Wales, and was nearly 70 years of age. He was an accountant by calling. Medical testimony was given that death was due to fatty degeneration of the heart. A verdict in accordance with the medical evidence was returned.

The Coffee Palace was a boarding house run by William Henry Whitehead, and as advertised in the local press, it offered board and residence, at reasonable prices, 'To Working Men Only'. In June 1912 Whitehead had been called to give evidence to a Cost of Living Commission Inquiry. He stated that, with the increase cost in commodities, instead of charging 15/- a week for board as he would fifteen years ago, he now had to charge 18/- and 20/-.⁹⁶ So how did Samuel afford to stay there? He would not have qualified for the pension. Applicants had to meet certain criteria to qualify for a pension of at most £18 per year. Proof was required that the applicant was aged at least 65. Only those with an annual income of £34 or less and property valued at no more than £50 received the full amount. Applicants had to have lived in New Zealand for the previous 25 years, and if not British subjects (including Māori) they needed to have been naturalised at least five years ago.⁹⁷ Did the Palace ever relax its requirement that boarders had to

⁹³ *The Sydney Morning Herald*, 16 May 1914, p.10, "In Equity", In this instance Frederick Sydney Gannon escaped prison, but a year later, having been found guilty of misappropriating clients' money, he was jailed for three years and struck off the Solicitors' roll.

⁹⁴ *Auckland Star*, 6 October 1915, p.4.

⁹⁵ *New Zealand Herald*, 7 October 1915, p.6, "Local and General News".

⁹⁶ *Auckland Star*, 29 June 1912, p.8, "Expenses of Living".

⁹⁷ New Zealand History online, 1898 Old-age Pensions Act becomes law, <http://www.nzhistory.net.nz/old-age-pensions-act-passes-into-law>.

be employed, or had, in fact, Samuel managed to pick up some work to cover the cost of his board and lodging?

One of the newspaper accounts gave Samuel's age at death as 64, which was the also the age recorded on his death certificate. According to the second account he was nearly 70. All were inaccurate - perhaps he looked much older than he was? Samuel actually died shortly before his 58th birthday. According to the death certificate the coroner had determined that he had died of 'fatty degeneration of the heart' on or about 5 October 1915, at Cook Street, Auckland. Additionally, the certificate recorded that he had resided in New Zealand for 16 years – somewhat longer than his actual time there; at the age of 35 (actually 26) he married Frances Cooper, now 50 years old, and that he had a son now aged 29.⁹⁸

Samuel Gannon was buried at the Waikumete Cemetery on 7 October 1915 in Plot 31 in the Anglican section.⁹⁹ At this time both his ex-wife (now referring to herself as Mrs. Morton) and son John Willaroo Gannon were living in New Zealand. John Willaroo had married in 1913 but, while his mother was present, there was no mention of his father attending the wedding. Indeed, on the marriage certificate the groom named his grandfather, John Thomas Gannon, as his father. So it would seem that Samuel was completely cut off from his family. Indeed, I have found only one reference to Samuel's passing in the Australian press, and it is this reference that supports the likelihood that Samuel received some education in Sydney.¹⁰⁰

GANNON – October 5, Samuel Marsden, at Auckland, suddenly. Inserted by his old schoolmate, M.B. Pell, G.P.O. Auckland (N.Z.).

Notwithstanding getting Samuel's middle name wrong, M.B. Pell's full name was Morris Birkbeck Pell, whose American born father, also named Morris Birkbeck Pell, had arrived in New South Wales in July 1852 to take up the position as the first professor of mathematics and natural philosophy at the University of Sydney.¹⁰¹ Morris junior, a couple of months older than Samuel, had arrived in New Zealand in the late 1870s, and had found employment in Auckland as a legal clerk. In 1916 he was charged with taking illegal bets both at the billiard-room of which he was the proprietor, and a hotel across the road, for which he was fined £75 – so it seems that, like Samuel Gannon, Morris was 'a bit of a lad'.¹⁰² Morris, by then an old age pensioner, died in Auckland on 23 October 1934.¹⁰³ Under the name Sydney Morris Pell, he was buried in the Wesley Division of the Waitakere cemetery on 25 October.¹⁰⁴

Samuel's ex-wife, known by 1913 as Mrs. Morton, died on 17 February 1923, at Howick, Manukau, Auckland. John Willaroo Gannon returned to Australia in 1925, accompanied by his wife Elizabeth Jane (née Lindsay) and their two New Zealand born children, Kenneth Beveridge and Joyce. John Gannon died on 1 July 1943 at Newtown, Sydney.

⁹⁸ Births, Deaths & Marriages Online, death certificate 1915/7456, <https://www.bdmhistoricalrecords.dia.govt.nz>.

⁹⁹ Ancestry, New Zealand Cemetery Records, 1800-2007.

¹⁰⁰ *The Sydney Morning Herald*, 12 October 1915, p.8, "Family Notices".

¹⁰¹ I.S. Turner, 'Pell, Morris Birkbeck (1827-1879)', Australian Dictionary of Biography, National Centre of Biography, Australian National University, 1974. Morris Birkbeck senior was buried at Balmain, and from his estate valued at £4000 he left an annuity of £80 to his wife Julia, then residing in Tasmania, on the proviso that she did not return to Sydney.

¹⁰² *New Zealand Herald*, 24 August 1916, p.5, "Bookmakers Caught".

¹⁰³ Births, Deaths & Marriages Online, death certificate 1934/1590, <https://www.bdmhistoricalrecords.dia.govt.nz>.

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