

Historical Happenings

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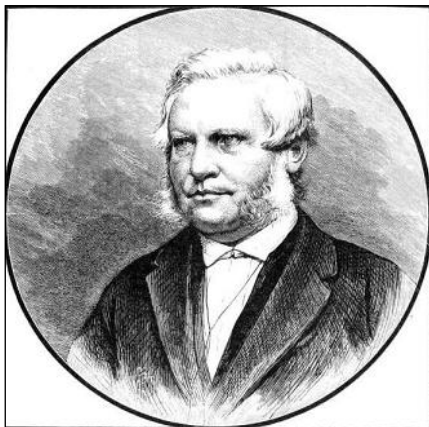
May
2006

Casterton and District Historical Society Inc.

“THE WAINES MURDER” *By the late Jack Gorman*
Taken from, “Tales of Casterton; the Waines Murder and Other Stories”
Final Part.

The case against WAINES was to be no push over for the Crown. It was held in the Circuit Court at Portland, on Monday April 16th, 1860 before his Honour Mr. Justice POHLMAN. The Crown Prosecutor was Mr. C. B. BREWER. (right)

Mrs. Waines, still convinced of her husband’s innocence, had briefed one of the Colony’s leading Barristers, and a former Attorney General, Mr Richard IRELAND (below) at the trial. Throughout the proceedings, WAINES sat unmoved in the dock, showing no emotion, and convinced that with the prowess of his Barrister and the flimsy circumstantial evidence so far presented, he would be acquitted.



The case really revolved around the identification of the remains to be those of Mary Hunt. It was to be a long, arduous and sometimes bitter trial. The case for the Crown was ably presented by Mr. Brewer. Property belonging to the Hunts – jewellery, apparel, a bonnet and dress – were presented to the jury for their perusal; a Birth Certificate belonging to Robert Hunt, their marriage certificate – how could any woman ever leave her marriage certificate behind, argued the Crown Prosecutor.

From the evidence it seemed that Waines had laced the Hunts with rum. When both were partially stupefied, he had felled Robert Hunt with an axe, mortally wounding him. He had then attacked Mary Hunt, who, staggering from a vicious blow, had attempted to leave the hut, calling out “WAINES you brute”.

They were the last mortal words spoken by Mary HUNT. Although mortally wounded, she managed to escape from the hut into the garden. She was attacked again by WAINES, now in a frenzy of rage, and the screams as she lay dying were probably the cries in the night heard by their neighbours.

The bodies were covered with straw, and at sunrise, Mary Hunt’s body was buried in the garden. Another hole was dug in the paddock for her husband.

After eight months of suspicion and tormented by in quietude, Waines dug up Mary Hunt’s remains and set fire to the badly decomposed body. Sickened by the smell of the charred bones, he could not face



The courthouse at Portland. Senior Constable McArthur is noted as being the officer in charge. The photograph is listed as being taken at any time between 1941 and 1941.

another fire with the husband. In a macabre journey by moonlight down the Black Hill to the Watering Place, the decomposed bodies heavily weighted and covered with straw and Hessian were flung into the river.

During all the time of the investigation, the true identity of the “useful” at the Inn, Charlie Browne, was known only to one person – George CUE. Even the local police did not know.

The rich stentorian tones of Richard Ireland thundered across the floor room of the Portland Court. No case to answer or go before a jury. Under English Law it was necessary for a conviction to prove “Corpus Delicti” he shouted to the jury. There was no evidence to prove that Mary Hunt was really dead or the remains really hers. The Hunts could be in America or New Zealand and could turn up in the Colony at a future day. There had to be proof of death, apart from the prisoners confession to a spurious cell mate.

The silvery tongued Barrister was fighting gallantly for George Waine’s life. Mr Brewer would not admit these inferences. All that the prisoner had confessed to Browne was corroborated by the finding of the bodies, and the evidence of sworn witnesses. Sufficient medical evidence had been show throughout the trial to show that there were two bodies, male and female. Mr Richard Ireland’s eloquence was to be in vain.

After only one hour’s deliberation George Waines was found to be guilty of the murder of Mary Hunt. An appeal to the High Court was turned down.

On April 30th 1860, George WAINES, showing no emotion, was taken leg-ironed and handcuffed in the Steamer “Queen” from Portland Bay to the Melbourne goal. On July 8th 1860, George Waines made a full confession of both murders to Richard Ireland who had so valiantly tried to save him from the hangman’s noose. On July 16th, 1860, with the Black Hill and his farmlet at Casterton far behind him, he went on his last journey to the cat walk, and paid the penalty for his crimes when he was hanged at the Melbourne goal.

Next Month – A FLASH IN THE SKY – By Jack GORMAN

Memories.....Part 2

The society received an email from Ian Grace, born in Casterton and now living in Sydney. We thought we would publish it as it will bring back memories for some and be of interest for the younger ones. If anyone has more information about the events, people or places mentioned and would like to see it in print, we would love to hear from you.

Part 2

I also remember Denny Hurley just up the street. He was the local Mobil dealer and he used to take me out on his truck; Athol Tucker, he delivered groceries around the area. I also used to accompany him. In hindsight, I spent a lot of time in other people's motor vehicles, roaming around the immediate area. Mrs. Perry lived on the corner, my grandmother then the Baxter's - correction: Mrs. Perry did not live on the corner, it was a lady by the name of Mrs. Knapsey (spelling?). Mrs. Perry was my grandmother's cleaner. Mrs. Knapsey lived on the other side of Aub and Mary Baxter on the corner.

Just around the corner, across the road from the station, lived the Dowling family - I think it was George. He had trucks; a daughter named Joy and another driver called Leon. Yes, I also used to ride around in his truck.

Early 50's the circus came to town a lion escaped and we all hid in our houses it's probably in the local paper.

Stooks' Store; my mother owned the hairdressing salon in this store, I remember that it burnt down but I don't remember the year.

I remember Gordon's Café in the middle of the main street just down from Moran and Cato grocery store; Pedens Furniture Store, McAllister's Ford dealership down near the river...the cars always seemed brighter and more colourful than the more mundane offerings at Coxons.

The circus used to come regularly. It used to set up down below the river I think it was on the Noss Road. I hope they caught the lion!!

Mrs. Edgerton; I think her husband had earth-moving equipment They lived up the top of Jackson Street. This woman was frightening, she used to drive a big Jaguar and literally would come roaring down the street everyone would run for their lives!

Dr. Millikan..... always drove a Wolseley. He lived on the corner opposite my parents' house. Dr. Downey..... my father and mother used to

that he was quite the lad. He had a Riley. He cut a hole on the floor and drove down the main street. Everyone thought the car had no driver!

Hillier.... I think they owned a garage; he used to fly a Tiger Moth. It always seemed to be very low and very loud. Quite the local identity. I recall a number of Tiger Moths in the area.

On the corner of Jackson Street lived a family called the Stainsbys. The boy my age was called Fife. His mother was a very quiet and well-mannered person. They lived with her father. They had a fridge or a cooler in the floor. Very unusual!!

My mother had a dear friend – Jean Jackson married Frank Joyce from Wando Vale.

My mother had another friend, Win Coulson who lived in Merino. She drove a Morris Minor. Notice how I remember everyone's car!!

My grandmother was born in the region, my grandfather – Rod McFarlane was from Scotland. My grandmother, from memory, seemed to have an enormous number of relatives in a small rural region out on the Mt. Gambier road - maybe 10-15 miles and then right turn off that road. I'm not sure what this region would be. The surname may have been Ball. Relatives' surnames were Cain; John and Mavis.

It's marvelous what you can remember when you are very young, for in those days, children did not have video games, mobile phones, or even television, so you tended to spend your time outside and everything seemed so much bigger than it really was. The power station used to make a very loud noise in the early evenings bang, bang, bang as it ticked over. When the fire station siren went off, it was even louder. I remember a dairy somewhere near the fire station or even next door.

I remember McAllister's on the left as you came into town, and a hotel; from memory, a somewhat rundown hotel on the right-hand side. I do remember a lot of trucks in the street behind the main street. In fact, on the riverside and on the other side, near the football ground.

I remember the cars, the trucks, aeroplanes more than anything. The Ansett buses were very impressive. They stopped in the middle of the main street outside Jeff Gordon's café. I actually have photographs of the local football team from this era and possibly others from the time as well. I have one of myself looking at a car!

That concludes Ian's memories

THE CHANGES IN TIME - Part 9

By Des Murphy

We bought our first truck in 1952. We used it as a farm truck, and with a trailer, started wool carting to Melbourne and Geelong. Later, we bought a 25 foot semi trailer, built a stock crate and carted stock and wool.

Bill McGinty, Charlie and Clem McCombe were the main stock carters for many years. As the years rolled by so the size of the crates for sheep increased; 1 deck, 2 decks, 3 decks then 4 decks.

For cattle, first 1 deck then 2 - 45 feet long. Then the B Double started; 2 decks of cattle and 4 decks of sheep. Fully loaded they carried 660 sheep or 60 bullocks The B Double was powered by 500 hp motors.

Before the war all stock were walked to market the day before, now very few stock walk to market. 70 years ago stock traveled 10 miles a day. Now, a B Double with 600 sheep travels 600 km overnight.

Pre war, any super phosphate was in bags, and dropped with a horse drawn dropped spreader. After the war the use of super phosphate was in big demand, thousands of tons of bagged super was unloaded at the Casterton Railway Station and spread for the land holders.

Later small tray trucks with spinning equipment were used.

Jim KENT started using bulk equipment when the Portland works started. Most super phosphate is in bulk now and most super spreaders are now boggy drive or 4 wheel drive and are computer controlled. The super phosphate now comes in 25 ton loads or larger and is carted from the works and is loaded directly into the spreaders.

In the grain industry it was mainly in bags, although some was in bulk. Post war the trend was to bulk, with better and bigger cultivating and harvesting equipment coming into use.

Continued next month



Kent's Radio Corner

As you may know, Jim Kent has been heard on the ABC radio recently, speaking about the history of Casterton. For those who have not been able to listen to the transmissions, here is a précis of them.

Further astonishment awaited him as he approached a magnificent natural harbour where he was to find already settled and busily engaged in whaling and agricultural pursuits, The Henty Brothers. They had established quite an array of houses and industrial buildings on the shore of what we now know as the City of Portland. Mitchell told the Henty Brothers, who were very agriculturally minded, about the splendid pastoral country he had traversed to the north of Portland.

The Henty Brothers moved quickly inland, taking up runs around 115,000 acres. Other pastoralists were smart to follow, taking up equally large areas of grazing and arable land.

Quite a number of these holdings were in the vicinity of what is now the township of Casterton using the Glenelg and other smaller streams as their boundaries, while the embryo settlement of Portland sufficed as the entry and exit point for all manners of goods and produce from these pastoral holdings.

About the Hentys:

Thomas Henty of Sussex, England was a senior member of this family, who for generations had been in that part of England, engaged in farming and financial quests. (Thomas Henty and I have something in common' Tom and his wife Frances had 8 sons and 3 daughters where as Jean and I had 8 daughters and 3 sons. There the similarities end.)

Thomas passed on his ambitious genes to his sons. They became innovative Pastoralists, Bankers, Lawyers and so on, moving to Tasmania then the west coast of Western Australia and finally to what is now the Port of Portland. It was here at Portland, that Edward Henty, with a home-made plough, turned the first sod in this district of Victoria, truly the agricultural pioneer of this part of the Western District of Victoria.

Continued next month.

Helen Macpherson Schutt - Philanthropist

17th April 1874 - 19th April 1951

Extracts taken from a history of her life, first published in 1991, celebrating the 50th Anniversary of the benefaction of Helen Macpherson Schutt, which honours her lasting legacy to the people of Victoria.

Helen Macpherson Schutt, (née Smith) who was charitable in life, bequeathed the majority of her considerable wealth to Victorian charities on her death in 1951. The Helen Macpherson Schutt Trust subsequently donated to hospitals, art galleries, museums, aged care homes, educational institutions and medical research bodies throughout Victoria, according to the stipulations of its benefactor. In 2001, the Trust marked the 50th year of its operation by publishing a brief biography of its benefactor, and by changing its name to the Helen Macpherson Smith Trust in order to honour her family, and recognise the origin of her wealth.

The life of Helen Schutt was not one that made headlines. She lived comfortably and quietly, first in Melbourne, then in Europe, secure in the financial and social legacy of a family of entrepreneurs in land, farming and timber. She was born Helen Macpherson Smith in Scotland in 1874 to her Scottish father, Robert Smith and her Australian mother of Scottish descent, Jane Priscilla Macpherson.

Helen attended school in Scotland, Europe and Australia. In 1901, aged 27, Helen married William John Schutt. He was 33, a barrister, raconteur, Essendon footballer and later to become a Judge of the Victorian Supreme Court.

Of the 22 years of their married life in Melbourne, little is known. They had no children and Helen's name rarely appeared in the social pages of newspapers or magazines. It is through the reporting of William's life, especially after his retirement from the bench, that we learn something of Helen's life in Europe, where she lived from late in 1923 until her death in 1951. William Schutt died in 1933, aged 65, after an accident on board ship while returning to Australia from one of his many visits abroad. And in 1951, while living in the South of France, Helen contracted pneumonia and died at the Hotel Majestic in Cannes.

The story of Helen Macpherson Schutt could -



have ended there but for the fact that on her death, she left the majority of her considerable wealth to Victorian charities. Helen's financial legacy is not the only lasting mark left on Australia and its people. Helen's forebears – both Macphersons and Smiths – were strong, energetic and resourceful, and include many who have contributed much to Australian life.

An Only Child.

Helen was born in Scotland, at her father's birthplace, Darnick, in the District of Melrose in the Scottish Border country, at ten past three in the morning of April 17, 1874, just over a year after her parents had married in Melbourne.

Named Helen Macpherson Smith, she was baptised on May 22nd, 1874 and was the Smith's only child. Helen's mother, Australian born Jane Priscilla Macpherson, who took Priscilla as her first name and was known to the family as 'Prissy', and her father, Robert Smith, were married in Melbourne on February 20, 1873. Robert was 37 and Jane Priscilla 26.

More next month.....

***Society Meeting Times and Dates,
With Guest Speakers for 2006/7:***

Wednesday 17th May 2006 at 7.00 pm

Helen Moore and Ian Black
Hamilton History Centre

Monday 19th June 2006 at 2.00 pm

Mr. Ray Welsford
Warnambool Family History Group

Monday 17th July 2006 at 2.00 pm

Mrs. Pat Hein
Mount Gambier Heritage and History Society

Monday 21st August 2006 at 2.00 pm

Ms. Jenny Fawcett - Genseek Genealogy

Wednesday 20th September 2006 at 7.00 pm

Basil Stafford, Local/Family History Researching

Wednesday 18th October 2006 at 7.00 pm

To be advised

Wednesday 15th November 2006 at 7.00 pm

Dinner Meeting - **Ms. Joan Hunt**

December 2006 and January 2007 - No Meeting

Wednesday 21st February 2007 - **AGM** at 7.00 pm

President: Jan Lier

Publicity Officer: Basil Stafford

Secretary/Treasurer: Cheryl Elmes

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Publications for Sale

Casterton Historical Street Walk
"From Flour Mill to Glenelg Inn - \$10.00

Extracts from the Casterton and District Historical
Society Inc. 1966-1996 - \$10.00

Corndale State School Honour Board Booklet \$7.00

Casterton Cenotaph WWI soldiers - \$20.00

Casterton Cenotaph WWII soldiers - \$10.00

Major Norman McDonald
Photograph Album CD - \$20.00

History in the Depths – Gallipoli – DVD - \$20.00

Vern McCallum Photographs CDs
Casterton High School - \$20.00

Vintage Tools of Trade - \$10.00

Newsletters of the Casterton and District Historical
Society 2005 Booklet – Indexed \$10.00

Extracts from Gleanings – \$1.00

Contact Jan 55 752578



Historical Society
Presentations to
ABC Horsham

April 24 th 2006	Coleraine
May 1 st 2006	Harrow
May 8 th 2006	Balmoral
May 15 th 2006	Casterton
May 22 nd 2006	Coleraine
May 29 th 2006	Harrow
June 5 th 2006	Balmoral
June 12 th 2006	Public Holiday
June 19 th 2006	Casterton
June 26 th 2006	Coleraine

Any material for inclusion can be left at P.O. Box 48 or passed to Basil Stafford or Jan Lier.

Any ideas or comments always welcome at P.O Box 186

You can email Jan and Cheryl via the Ballarat Genealogy Website.