

An Adelaide Gaol Execution

Malachi Martin

Executed 24 December 1862

"Malachi Martin drove the mail coach which serviced the Coorong district between Kingston and Encounter Bay. In the 1860s this was an isolated district consisting of white salt pans, dark scrub and sand dunes. The Salt Creek Inn or wine shanty, 90 kms north west of Kingston, was a regular stop for the mail coach on its journey.

Catherine (often known as Nellie) Bracken had arrived in South Australia in 1849 and married William Robinson two years later. The couple moved to Salt Creek where they ran the small inn to service the passing trade. It was at the inn where the itinerant coach driver Malachi Martin appeared to develop a passion for the innkeeper's wife, Nellie Robinson. In 1856 Martin and William Robinson were on a cattle search together when Robinson disappeared in suspicious circumstances. Aboriginal witnesses indicated that Robinson had been murdered but their evidence was ruled inadmissible and a verdict of suicide was recorded.

Nellie continued to run the business and hired 35 year old Irish servant Jane Macmenimen as a domestic to assist with duties at the Salt Creek Inn. Two years after William Robinson's death Martin married his widow, Nellie. Jane soon began to have suspicions about Martin and his involvement in a series of unsolved crimes around the district, including the death of the innkeeper.

Early in February 1862 Martin persuaded Nellie to take a holiday in Goolwa. On 4 February, Martin sent Thomas Wilson, the other employee, on a mission to borrow a saddle from a neighbour. During his absence Jane Macmenimen disappeared without trace. Wilson became suspicious when he discovered that many of Jane's belongings still remained at the inn and her quarters were in disarray although she was noted for being very tidy. Martin spread the story that Jane had terminated her employment of her own accord and left the district - however, he was inconsistent with his account of her sudden departure saying variously that she had gone to Mt Gambier, Guitchen Bay or Keilor Plains and that she left in a German covered wagon, in a two horse wagon or a bullock dray. Wilson kept his doubts to himself but Jane's sister in Wellington had become concerned for her sister and made enquiries of all persons who had passed through the district.

It was not until 27 May 1862 that a local Aborigine, Major Martin, discovered Jane Macmenimen's body buried in a wombat hole about 2 kms north of the inn. Although the body was badly decomposed and partially mummified, medical examination clearly showed that strangulation was the cause of death. Police investigating the murder soon arrested Malachi Martin and Thomas Wilson and charged them both with murder.

The trial took place in early December 1862 before the Chief Justice. They stood in the dock of the crowded Supreme Court in Adelaide charged with the murder of Jane Macmenimen. Evidence was given that Wilson was at Wellington during August 1862 and became very agitated saying that Martin had killed Jane and that he had seen her body but Martin appeared unconcerned, saying that he would dispose of it later. Arthur Bradford, a local farmer, told the court that Jane had expressed concerns about Martin and told him that she was afraid to remain in her position, fearing for her own

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safety.

Each of Martin's stories about Jane Macmenimen's disappearance were examined in court by the prosecution and defence but after less than two hours deliberation Malachi Martin was found guilty of wilful murder. Thomas Wilson was found guilty of being an accessory after the fact. The judge expressed agreement with both verdicts before passing the mandatory death sentence on Martin and sending Wilson to gaol for four years.

The date of execution for Malachi Martin was set for 24 December 1862.

About thirty persons petitioned the Governor for a delay in administering the sentence 'because of the festive season of Christmas being so near at hand and an execution at such a time would be likely to cast a cloud over the enjoyments of the people'. The Government however, saw no reason for interfering with the case and decided that Martin must die on the appointed date. In the meantime the newspapers called for Martin's spiritual advisors, Fathers Russell and Lemelont, to persuade him to make a confession to the murder for the 'public good'.

The bell tolled slowly as Malachi Martin was led from his cell at 8am 24 December 1862 to the scaffold which had been erected between the Gaol walls in the north-western corner. He carried a rosary and a crucifix and ascended the steps in a resolute manner. The executioner and his assistant [reportedly an Aboriginal man] adjusted the fatal noose and pulled the white cap over the murder's face. Within seconds the process was over. An hour later the body, still hanging, was viewed by the Adelaide Coroner, Dr Woodforde, and the inquest jury. The Sheriff produced the death warrant and stated that the execution had been carried out according to law. The Gaol Keeper, Mr Lawrence, formally identified the body and the verdict was returned that the deceased was executed according to the sentence of the Supreme Court. A request to make a death mask was refused and the body was buried later that day near the site of the execution.

If Malachi Martin did confess his crimes to his spiritual advisors they maintained their confidentiality and made no public comment. Seven years later Catherine [Nellie] Martin, then 35, married once more, this time to George Ingham. She had two daughters by her new husband but experienced tragedy in her life yet again when her youngest child, Mary, died a few days short of her first birthday."

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