

Chapter 8

THE PARDONED FENIAN CONVICTS

Sydney...has been constituted headquarters for Australia on account of its central position. The organization has a comparatively powerful foothold in three gold fields in New South Wales, in the Middle Island of New Zealand, and in a Queensland goldfield.

John Edward Kelly to Jeremiah Rossa,
April 1876¹

In January 1874, six years after they arrived at Fremantle, only a dozen Fenian convicts were still undergoing servitude. Apart from O'Reilly who arranged his own departure, and one Fenian who died whilst a convict, almost fifty had been granted pardons, the nature of which - whether free or conditional - influenced their choice of destination. Ten returned almost immediately to Ireland, eighteen left for the United States and seventeen elected to stay in Australia. Three others cannot be traced with certainty. This chapter focusses attention on the nature of social and political relations between the newly released Fenians and Australian colonists. To what extent were the Fenians accepted or rejected, and by whom? And how did they in turn adjust to free society; in particular, did any seek to reparticipate in revolutionary Irish separation, by attempting to found a Fenian branch in Australia?

Some mystery surrounds the granting of the first pardons to Patrick Doran and Bartholomew Moriarty, who received Queen's clemency only six months after they arrived in Western Australia. Doran, a Dublin gardener turned Fenian, had been convicted of high treason and sentenced to death - commuted later to life penal servitude - for his part in the Dublin rising in March 1867². The only clue as to official motives behind his remarkably early

(1) See p. 236.

(2) Convict Register R16, CN 9715, Convict Dept. Records, WAA 1156 (hereafter R16).

release is revealed in a recommendation from the Irish attorney-general, forwarded by Earl Mayo, chief secretary of Ireland, to the Home Office in London, on 17 April 1868. It stated in part:

Doran was selected for trial because the leader Lennon had escaped...and because it was convenient to try some men implicated in the Dublin outbreak³.

Moriarty, from Rathmore, County Kerry, a mason by trade before he turned to Fenianism, was convicted of treason-felony and sentenced to seven years servitude for his part in the Cork rising of 1867⁴. In this case, Dublin Castle submitted a recommendation, dated 9 May 1868, to the British secretary of state, referring to discussions between the lord chief justice and the lord lieutenant of Ireland, in which mention was made of Moriarty having pleaded guilty⁵ - an implication that an early pardon may have been promised in return for his turning Queen's evidence.

The two pardons were issued in Western Australia on 9 July 1868, conditional upon the recipients not returning to the United Kingdom before the full expiration of sentence⁶. Comptroller General Henry Wakeford called for an account of the private cash and prison earnings of each man, and when told that the income due to both was nil, he secured Governor Hampton's approval that each be given a £2 gratuity to assist his return to society⁷. Doran stayed a year in the colony then departed in September 1869 with fourteen other pardoned Fenians who were bound for San Francisco⁸. The circumstances of Moriarty's release possibly account for the absence of any further mention of his

- (3) Home Office, 12-179-81642, PRO, London (copy in G.P. Fitzgerald's research papers, Pascoe Vale, Vic.). See also Liddell (Home Office) to Elliot (Colonial Office), 24 April 1868, C018-160, reel 1659 AJCP; and Buckingham to Hampton, 9 May 1868, COD 72, WAA 41.
- (4) R16, CN 9828.
- (5) cited G.P. Fitzgerald, 'Sothward the Wild Geese', unpub. MS, c 1968, pp. 42, 93, MLMSS 3097. And see Buckingham to Hampton, 15 May 1868, COD 72, WAA 41.
- (6) R16, CNs 9715, 9828. For Gov. Hampton's definition of a conditional pardon, 19 June 1868: Compt. General's Corres. C16, 7180-4, Convict Dept. Records, WAA 1156 (hereafter C16).
- (7) Perth Gaoler's Corres. C51, 10352, 10577 (hereafter C51); Superintendent's Order Book, S014, 9715, 9828 (hereafter S0 14), Convict Dept. Records WAA 1156.
- (8) See p.222.

movements, either on his convict record, where departures from the colony were usually indicated, or in communications between released Fenians in later years. On the other hand, he might simply have settled quietly somewhere in Western Australia.

The first major release of imprisoned Fenians coincided with the fall of Disraeli's Tory Government in December 1868; Gladstone being swept to power partly in the wake of a commitment to pacify Ireland by conciliatory means. Accordingly, as an initial gesture, the new government announced in February 1869 that 49 Fenian convicts would soon be released: 15 from English prisons and 34 transportees in Western Australia⁹. To assuage alarm, it was emphasised that none were important Fenians and that no British army Fenian would be granted the Queen's pardon¹⁰. In the United Kingdom, exuberant Irish celebrations were held in honour of the released men, including a Cork city banquet at which the mayor, Daniel O'Sullivan, was loudly cheered when he expansively attributed noble Fenian sentiments to the Australian Irishman, Henry O'Farrell, who had attempted to rid them of Prince Alfred¹¹. More sober minds in England had O'Sullivan arrested for sedition; and began to wonder whether the Fenian pardons had unduly inflamed Irish nationalist passions¹².

No doubt some Irish revelry also occurred in Western Australia when the home mail arrived several weeks later, but in this scantily populated penal colony it appears to have lacked a chronicler. In the first weeks after their release on 15 May, any elation the Fenians may have felt was tempered by concern about earning a living. Released with little more than the clothes they were wearing when convicted, they pooled a few small financial resources and attempted to support themselves with the help of friends. Two with building experience, Hugh Brophy and Joseph Noonan, were contracted to build a bridge over the Swan River, which helped employ some of their comrades. Father Gibney

(9) Advocate (Melbourne), 8 May 1869.

(10) ibid.

(11) See Ch. 3, p. 81.

(12) Advocate, 10 July 1869; Oliver MacDonagh 'The last bill of pains and penalties: the case of Daniel O'Sullivan, 1869', Irish Historical Review, Vol. 19, No. 74, September 1974, pp. 136-55.

found positions for several more. It was expected that money would eventually arrive from Ireland; but before it did, communications offering assistance reached them from Victoria and South Australia. After some discussion it was decided that John Kenealy should be sent as a representative to the eastern colonies to meet their friends and ascertain the options open to them. With a £25 loan from Patrick Moloney, the Irish proprietor of a Perth hotel where some of the Fenians were boarding, Kenealy set out on 25 June by mail coach 300 miles to Albany, a port at King George's Sound, on the south-west extremity of Western Australia, where he planned to board a steamer. His stay at the port allowed him to locate their old friend from the Hougoumont, Father Delany, who wished him well and generously added £5 - the equivalent of his monthly salary - to Kenealy's purse¹³.

Before Kenealy reached Melbourne early in July, a widespread and fairly spontaneous move to assist the liberated Fenians began to be organized, particularly among Irish diggers on goldfields in Victoria, New South Wales and New Zealand, where sympathy was readily mobilised by the two major Irish-Australian papers, the Sydney Freeman's Journal and the Melbourne Advocate. From overseas reports in May, it was gleaned that free pardons permitted the Fenians to return to Ireland if they wished, but not at the expense of the British government¹⁴. Editorials and letters to the two papers quickly followed. In Sydney, the editor of the Freeman's Journal, Richard O'Sullivan, invited assistance with a strongly worded editorial on 'these unfortunate Celts' who might 'beg borrow or starve...for all the home officials cared'¹⁵. His suggestion that the paper publish subscription lists immediately attracted a £5 donation from a Grenfell correspondent who used a traditional endorsement of the 1798 rebellion in signing himself 'Vinegar Hill'¹⁶ - the same badge was chosen, for example, by Peter Lalor, as the rebel password at Eureka¹⁷. At a Sydney meeting in June, a central committee was organized to co-ordinate appeals for the 'Released Irish State Prisoners' throughout New South Wales¹⁸. The committee's executive comprised O'Sullivan, as secretary; Thomas O'Neill, a confectioner, chairman; and Bernard Gaffney, a baker, and J. Murphy, joint treasurers¹⁹. Apart from

(13) Drawn from Kenealy's reminiscences, Gaelic American, 17 December 1904. McCabe's annual salary was £60 in 1872 (Colonial Police Records, 4898, 19 April 1872, WAA 129).

(14) Advocate, 8 May 1869; Freeman's Journal, 22 May 1869.

(15) 22 May 1869.

(16) *ibid.*, 5 June 1869.

(17) Geoffrey Gold (ed.), Eureka, Sydney, 1977, p. 59.

(18) Freeman's Journal, 12 June 1869.

(19) *ibid.* For biographical sketches of O'Neill and Gaffney: Mark Lyons, Aspects of Sectarianism in N.S.W., c. 1860-1880, Ph.D. thesis, ANU, 1975, pp. 411, 414.

O'Sullivan, these same men had helped organize the Irish State Prisoners Fund of 1866²⁰. In August the committee announced that it would soon close subscriptions; having collected, from about 4000 donors, a total of £1400²¹.

Victoria's appeal followed much the same pattern, though on a somewhat larger scale. A correspondent to the Advocate who signed himself 'Killeavy', suggested in May that funds to help the Fenians reach Victoria, or any land of their choice, was the least Irishmen could do for courageous countrymen who had struggled nobly to uphold the 'ancient glory' of Ireland²². Simultaneously the Advocate took up the cause; and in June a Melbourne committee formed to organize collections, appointed as its chairman the paper's owner-editor, Samuel Winter²³. An Australian-born Catholic, Winter was the elder son of an Irish-Catholic mother and an English-Protestant father who had immigrated with assistance to Australia in 1841²⁴. By October the Melbourne fund had £2863, including £52 from South Australia and £763 from New Zealand goldfields; the latter forwarded care of Victoria's most eminent Irish politicians, John O'Shanassy and Charles Gavan Duffy²⁵. In addition, an independent fund organized at Ballarat by F.H. Byrne soon raised £500 on the same diggings that spawned the Eureka rebellion in 1854²⁶. All told, about £5000 was collected - by today's standard, approximately \$700,000²⁷.

Although the sum raised was sufficient to meet expected needs²⁸, it did not reflect an overwhelming response to an appeal that spanned eastern Australasia. Compared, for example, with £2800 raised in the New South Wales township of Orange alone to build a Catholic church in 1871²⁹, donations were numerous but fairly small - usually 10/- or less³⁰ - a clear indication that most wealthier Irish colonists shied away from the appeal for the same reasons

(20) Freeman's Journal, 28 April, 5 May 1866; and see Ch. 2, pp. 42-5.

(21) Freeman's Journal, 14 August 1869; Lyons, op. cit., p. 257.

(22) 29 May 1869.

(23) Australian Dictionary of Biography, Vol. 6, p. 425.

(24) Advocate, 12, 19 June 1869.

(25) Advocate, 14 August, 9 October 1869.

(26) ibid., 19 June, 10 July 1869.

(27) On the basis that a £2 worker's salary in 1869 could be equated with a \$300 wage today.

(28) When the total surpassed expected cost of passages, it was suggested that surplus funds be forwarded to the Dublin amnesty committee (Advocate, 18 September 1869)

(29) Freeman's Journal, 7 October 1871.

(30) Ibid., sundry subscription lists, June-September 1869.

they avoided the Irish State Prisoners Fund of 1866³¹. This sector said little publicly, but its opposition to Fenian methods, combined with a desire not to offend Protestant loyalists by appearing to show sympathy towards Fenian objectives was evident to some of the appeal's collectors. In the scathing opinion of one collector, respectability bred class considerations at the expense of national loyalty:

...unfortunately many Irishmen became imbued with the notion that the surest and quietest way to social equality with their English friends is to keep persistently aloof from every movement whose aim and tendency may be, in the remotest degree, Irish. Thus in nine cases out of ten do these tinselled sticklers for rank throw their country overboard..³².

The Released Irish State Prisoners Fund thus received its strongest support from lower-class, keenly nationalist Irish colonists who were defiantly unintimidated by the power of English-oriented conservatism in Australia. When an opportunity arose to assist countrymen whom they believed had sacrificed much in the cause of Irish independence, they showed sympathy without inhibition.

Elements of Australia's Protestant establishment were bitterly hostile to the pardoned Fenians. As the Advocate's appeal gathered momentum, the Argus denounced it as a 'Fenian' journal³³, and warned readers that 34 Fenians would soon set foot in Melbourne 'unless something is done about them'; it went on to suggest that the government could exclude them by means of the 'Influx of Criminals Prevention Act' (passed November 1854, and modified February 1859) which had effectively been used to stem a stream of ex-convicts arriving from Tasmania³⁴. The Act stipulated that any transportee whose sentence had not expired three years earlier could be expelled within seven days, or risk sentence of up to three years hard labour in irons on the roads; and further, that anyone who harboured such a person, or a ship's captain who landed one, was liable to a £100 fine or ⁶months imprisonment³⁵. Acting on the same advice, and on prior warning of Kenealy's approach, the McCulloch government had police waiting for him the moment his ship arrived. The police warned that

(31) see Ch.2 pp.44-5.

(32) William McCurtayne quoted, Advocate, 17 July 1869.

(33) 8 August 1869.

(34) Ex-quoted, Freeman's Journal, 24 July 1869.

(35) *ibid.*

he was best advised to go on to New South Wales, which had not passed a similar law, but he declined and was eventually permitted to land after supplying an address at which he could be contacted after consideration of his case³⁶. On July 16, he was called before the chief commissioner of police, Captain Frederick Standish³⁷ who informed him that the government would enforce the law if he did not leave the colony within the month³⁸. Winter expressed outrage in the Advocate, pouring scorn on all he believed had conspired against the pardoned Fenians:

...the Loyal Liberal Government of Victoria, who instruct their Chief Commissioner of Police...the Loyal Liberal Age, who first announced its interest in 'the destiny and destination' of the released men; and especially...the Argus for its foulness in acting as jackal, informer and spy...³⁹.

In the time allowed him, Kenealy contacted friends and was widely feted in Victoria. James Fearon, who had written to Fremantle offering support, took him to meet Edward Dillon, a senior officer at Melbourne's Union Bank, whose credentials included two elder sons named Tone and Emmet, and a Fenian brother, Brian, undergoing a ten year sentence in England⁴⁰. Dillon in turn took Kenealy to a meeting of the Melbourne committee, at which he learned among other things that £500 sent out from a Dublin amnesty committee had been returned out of colonial pride. The colonial committees, Kenealy recalled, were determined to be self-sufficient, and vied with each other for the honour: Winter's committee inquired as to their needs and despatched an initial £250; independently, Byrne's committee forwarded £500. When Kenealy visited Ballarat, Byrne and a wealthy Tipperary-born goldminer, Daniel Brophy, offered to set him up in a dry goods business, but he gratefully declined. His most memorable host, he recounts, was Charles Gavan Duffy, who invited him

(36) Melbourne Age, 11 August 1869.

(37) Cyril Pearl describes Standish as an Englishman with landed gentry connections who was more at home in the Melbourne Club than he was at police headquarters. He adds that one of his services during Alfred's royal visit in 1867 had been to introduce the young prince to Sarah Frazer, a doyenne of Melbourne's brothel madams (Rebel Down Under, Melbourne, 1970, pp. 78, 87).

(38) Advocate, 14 August 1869.

(39) ibid., 17 July 1869.

(40) Dillon's health succumbed to the rigours of prison life and he died a year after release in 1871 (Advocate, 12 June, 26 October 1872). Edward wrote to him on 15 July 1871 (copy kindly provided by Bill Fitzgerald, from G.P. Fitzgerald's Papers, loc. cit.) mentioning a brother, Richard, who had been summarily dismissed from his position on a property at Harrow, Victoria, when his employer, a squatter named Willis, inquired if he was a relative of the imprisoned Fenian, Brian Dillon.

home, plied him with 'good Colonial claret' and spoke with surprising frankness about the merits of Fenianism. However, as they parted, Duffy displayed some sensitivity about a controversial remark he was reported to have made when he left Ireland in 1855: 'there seems to be no more hope for the Irish Cause than there is for the corpse on the dissecting table'⁴¹. Duffy had inquired what Kenealy thought of the state of Ireland, and when the reply came: 'she is not dead yet', he took it to be a reference to his reported words and quickly assured Kenealy he had been misquoted and misunderstood⁴².

On 3 August, Duffy led a deputation of 18 politicians and leaders of the Melbourne central committee to interview the chief secretary, James McCulloch, in an effort to permit entry for Kenealy and his comrades. Supported by Winter and the noted barrister, Butler Aspinall, Duffy argued that the Fenians would prove responsible citizens and should be spared discrimination connected with hostility towards O'Farrell's insane act. It was further contended, by Captain McMahon, that as a police commissioner in the 1850's, he had permitted the entry of several conditionally pardoned Young Irelanders from Tasmania⁴³, because he did not regard them as 'criminals' within the Act. McCulloch undertook to do what he could, but he warned the group that Kenealy had overstayed the deadline the police had set down and as chief secretary he had no wish to undermine the law⁴⁴.

Two days after the deputation, Kenealy was arrested. At a packed court hearing on 10 August, he was ably defended by Aspinall, but lost the case and was bound over - £500 on his own undertaking, and £250 each put up by James Moran, proprietor of Melbourne's Treasury Hotel, and Samuel Winter - to leave the colony within seven days⁴⁵. High authority relaxed in relief, confident that Fenian settlement had been diverted. The governor, J.H.T. Manners-Sutton, approved of the finding, despatching to the secretary of state, Earl Granville, his belief that Kenealy had arrived in the colony 'for the express purpose of organizing a system of pecuniary contributions to the

- (41) Extract from a letter Duffy wrote to his constituents when he resigned his parliamentary seat, quoted James Carty, Ireland 1851-1921, A Documentary Record, Dublin, 1951, p. 28.
- (42) Kenealy's reminiscences, Gaelic American, 17 December 1904; Advocate, 19 June, 10 July, 9 October 1869.
- (43) See Ch. 1, p. 29.
- (44) Age, 4 August 1869.
- (45) Advocate, 14 August 1869.

Fenian cause elsewhere if not establishing a Fenian brotherhood here'; and adding, that although no Fenian organization seemed to be afoot, 'abundant materials' existed for one⁴⁶. More liberal opinion, however, tended to side with the Fenians. The Sydney Empire, for example, observed that Victorian officialdom had acted in a 'ridiculous' manner with 'sanctimonious zeal', not unlike the impetuous action taken by the Martin-Parkes government with its Treason Felony Act⁴⁷; and the Hobart Mercury commented that Victoria, having always considered itself a superior colony, was now drawing distinctions between its own colonists, in discriminating against the Irish⁴⁸. Kenealy's supporters, meanwhile, made a final but futile effort: at a large Ballarat meeting, Byrne opened a fund to finance an appeal to the supreme court⁴⁹. Supported by the Melbourne committee, this was duly heard early in September before Chief Justice Redmond Barry: Mr. Ireland QC for the government; Dr. Mackay and Professor Hearn, principal counsel for Kenealy⁵⁰. Hearn's main point was that the Act had been improperly enforced - the old colonial legislature having been terminated by Victoria's new constitution; but the bench upheld the government's case⁵¹. While the Advocate railed about the McCulloch ministry's Orange connections and a tyranny of 'law English bigotry' in the colony⁵², Kenealy packed his bags for Western Australia. At a farewell banquet in St. Patrick's Hall, Winter was presented with a gold watch and chain for his exertions, and Kenealy expressed gratitude that the Fenian's Victorian supporters, committed as they were to the interests of their adopted country, had not forgotten their native land⁵³. He departed with £950 to be distributed equally among the pardoned Fenians; arrangements having already been made to convey any who wished to leave Western Australia, by steamer to New South Wales, which had no law restricting the entry of former convicts⁵⁴.

When Kenealy's ship put in at Adelaide, police officers came on board to warn him that a law similar to that used to expel him from Victoria also operated in South Australia - since 1865, to restrict ex-convicts arriving from

- (46) Confidential despatch, 14 August 1869, Gov's. Despatches to the Sec. of State 1861-70, Vol. 1, Pt. 2, p. 340, PRO, Melbourne.
- (47) Editorial, 12 August 1869.
- (48) Reprinted Advocate, 28 August 1869.
- (49) *ibid.*
- (50) *ibid.*, 4 September 1869.
- (51) *ibid.*, 4 September 1869.
- (52) *ibid.*, 11 September 1869.
- (53) *ibid.*
- (54) Advocate, 23 October 1869; Kenealy's reminiscences, Gaelic American, 24 December 1904.

Western Australia⁵⁵ - so rather than risk another furore, and with the captain's protection in mind, he stayed aboard. The ship was visited by a large Irish delegation headed by Timothy Lonergan, a former Fenian in Kenealy's 'circle' in Cork, who had emigrated to the colony in 1863, having first secured James Stephens' approval. Kenealy's presence, even off-shore, caused a small sensation in Adelaide: the Register and the Express reported that Fenian meetings had been held, and large sums passed on to him; but the Irish Harp scoffed that he had been given something far better than their money: 'the sympathies of all who hate injustice'⁵⁶. Upon arrival at Albany, he went to see Father Delany, who told him that a number of his pardoned comrades had arrived a few days earlier: they had travelled overland from Perth and were housed in a barn on the outskirts of town, awaiting instructions. Delany accompanied Kenealy to the barn that night, where a convivial time was had by all⁵⁷.

During Kenealy's absence from the colony, Police Superintendent Hare had kept a watchful eye on the pardoned Fenians. With O'Reilly's escape fresh in mind, he was concerned that an attempt might be made to assist the escape of one or more of the British army Fenians working under light security at remote bush camps⁵⁸. In July, the police were suddenly confronted with another worry, for there appeared in the Perth Inquirer an advertisement sent from Ballarat, authorised by F.H. Byrne, advising the released Fenians that a fund to permit their return to Ireland or elsewhere was being raised, and that an agent from Ballarat would be sent to contact them⁵⁹. Hare mounted a 'strict but discreet watch' on the soldier Fenians, and alerted Albany police to trail any Ballarat passenger who disembarked at King George's Sound⁶⁰. A suspect named Mitchell was followed but gave the police no cause to arrest him⁶¹.

(55) Sydney Morning Herald, 5 October 1869.

(56) Advocate, 25 September 1869.

(57) Kenealy's reminiscences, Gaelic American, 24 December 1904.

(58) Hare to Sub-Inspector Finlay, 19 July 1869, Colonial Police Records, 13-484, WAA 129.

(59) Byrne wrote the letter, 20 June 1869; the Inquirer published it, 21 July 1869.

(60) Hare to Finlay, 19 July 1869, loc. cit.

(61) Finlay to Hare, 27 July 1869, loc. cit.

Acting either on Mitchell's advice or on another eastern communication, 25 pardoned Fenians made ready to leave Perth on Saturday 11 September⁶².

The 'Galtee Boy', John Casey, one of the travellers to King George's Sound, wrote a detailed account of their journey for The Irishman⁶³. Their departure, he records, attracted a considerable crowd in Perth as the Fenian contingent and well-wishers wound their way out of the city:

First came a splendid cavalcade of ladies and gentlemen on horseback, mustering probably some 25 or 30, the gay costume of the former forming a striking contrast to the more home attire of the latter. Next came the 'bus containing the departing exiles drawn by four horses, which though the best that could be procured for the purpose, resembled very closely Don Quixote's Rosinante, the rear being brought up by several carriages crowded with friends and sympathisers, and in this manner through the principal thorough fares, by the Government House, over the immense bridge across the Swan, nor halted until the whole companys reached a wayside inn some twenty miles from Perth...

After a farewell dinner, including several 'shin fains' for the road, the Fenians pressed on in two groups, each escorted by a mounted policeman detailed to prevent contact being made with Fenian convicts stationed along the route. But in the event, their guards were not as vigilant or unbending as expected; and so farewells were possible with a number of comrades, most of whom were reported to be in good health. After eleven days' journey through rough bush country they arrived at Albany, only to be informed by a P. & O. agent that a personal notification sent to him from the Victorian chief secretary had warned his company against conveying them, since any captain who took them aboard risked a £100 fine if they landed at Adelaide or Melbourne. This rejection put the men in low spirits until Kenealy appeared at the barn, bearing news that the Rangatira, a New Zealand vessel on which he had arrived, had previously been chartered to take them to Sydney⁶⁴.

The voyage to Sydney was punctuated at Adelaide and Melbourne with receptions much the same as Kenealy experienced. At Port Adelaide, on a bright

(62) Kenealy, loc. cit.

(63) Extracts were published in the Inquirer, 2 November 1870.

(64) Casey, loc. cit.

Sunday morning, a vast crowd lined the quay as the Rangatira pulled alongside. Many present were moved out of sheer curiosity, Casey records, but the Irish community which predominated, extended the Fenians an overwhelming welcome:

The steamer had scarcely touched the quay ere a general rush was made on board, and...it was so densely crowded by Irishmen and women as to render it impossible to move a foot. Then commenced such a scene as those who witnessed it will not forget for some time, the hearty welcomes and sincere congratulations freely offered in the vernacular baffles all description. The grasping of hands lasted until our arms were nearly dislocated. Many venerable men and women, grey with years, were moved even to tears, so overjoyed were they...⁶⁵

As Kenealy had done, the men assured the police they would not go ashore, and for four days they hosted aboard a stream of well-wishers from dawn to midnight. The scene at Sandridge Pier, near Melbourne, began in a similar vein but ended less happily. Shortly after the vessel berthed at 11 a.m. on 2 September, two police officers came aboard to advise the Fenians that all except Kenealy had official permission to come ashore during their two day stopover. The men immediately became indignant, refusing to accept any favour if it excluded Kenealy. As the Irish mood on board and ashore became increasingly heated, angry demonstrations broke out; and at 5 p.m.. the Rangatira's captain was ordered to cast off for Sydney. Hundreds of welcome^rs arrived the next morning only to find the steamer had departed⁶⁶.

Events at Sydney demonstrated the extent to which the O'Farrell affair had stirred acrimonious divisions between Irish nationalists and imperial-minded conservatives. The Fenian visit began peacefully enough when the Rangatira steamed into Sydney Harbour at 8 a.m. on Tuesday, 5 October⁶⁷. During the voyage, all the pardoned men had decided to embark either for Ireland or San Francisco as soon as financial arrangements were finalised, so their stay at Sydney was intended to be only a stopover for a week or two. Amidst an enthusiastic crowd several hundred strong at Circular Quay, they landed, formed lines, and marched four abreast to carriages waiting to

(65) ibid.

(66) ibid.; Advocate, 9 October 1869.

(67) Freeman's Journal, 9 October 1869.

convey them to the Italian Hotel, in north George Street⁶⁸. During the next few days, they received visitors and strolled the streets, impressing one and all with their quiet, gentlemanly behaviour⁶⁹.

The trouble began when Richard O'Sullivan's committee advertised at short notice that a grand picnic to welcome the Fenians would be held on Tuesday, 19 October, at Clontarf, the same picnic ground where O'Farrell had shot Prince Alfred⁷⁰. Loyalist reactions were immediate: 'And what have the liberated Fenians done to deserve an ovation where Royal blood was so recently spilt?' demanded the Sydney Morning Herald, proceeding to remind its readers that Fenians, like O'Farrell, had shown themselves to be ferociously violent murderers; the whole picnic idea, it concluded, was an insolent outrage on public decency⁷¹. The government also reacted quickly, though less emotively, on 16 October, when Colonial Secretary John Robertson, advised O'Sullivan by letter that the proposed picnic at Clontarf had been prohibited and that he hoped, 'in the interests of peace and good feeling in the community', the committee would forego its demonstration altogether⁷². Additional pressure was applied from the altars of St. Mary's Cathedral and other Catholic churches on Sunday morning, in the form of a condemnatory circular prepared by the vicars general - Archbishop Polding being absent overseas⁷³. For a few days excitement increased when it seemed the committee might resist being dictated to, and after an advertisement appeared, said to be authorised by Orangemen - though this was denied by Sydney's Orange grand master - calling upon every loyalist to support a counter demonstration at Clontarf on the same day⁷⁴. But as it turned out, Robertson tactfully overcame the impasse at an informal meeting with Fenian spokesmen, later recollected by Kenealy:

All the bigotry and anti-Irish hatred of the Orange and scoinin community were aroused...and it looked for a while as if there might be some senseless and useless blood-letting. Organizations were getting ready, some drilling going on and old, rusty muskets shined up for service. At this time an old Scotchman, familiarly called 'Jack' Robinson, or Robertson (I forget which) was Chief Secretary of New South Wales. He was considered a fair minded, good sort of official.

(68) *ibid.*

(69) *ibid.*

(70) *ibid.*; 16 October 1869.

(71) Editorial, 16 October 1869.

(72) Colonial Secretary's Despatches, 1869-70, 4-784.1, NSW A0.

(73) Sydney Morning Herald, 18 October 1869; Advocate, 23, 30 October 1869.

(74) Inserted in a Sydney paper, 15 October 1869, Advocate, 23 October 1869.

Through a prominent Irish lawyer named Hart I received an invitation from Mr. Robinson to meet him at this attorney's office. The appointment was made, and Cashman, Hennessy, Fitzgibbon and myself went... We were introduced to the Chief Secretary, who received us individually in a friendly manner. He explained the object of the meeting and his desire to prevent any unpleasantness in Sydney. He stated the bitter feelings aroused by the announcement of our picnic at Clontarf, and requested our assistance to prevent bloodshed. There were many places as suitable for our demonstration, and he hoped we would induce our friends to change the location. There was quite a general talk on this subject and we left assuring him we would do everything in our power to avoid trouble⁷⁵.

Robertson's moderate approach, supported by his popular standing with the Irish community⁷⁶, achieved success. After the Fenians informed the committee that they would not attend the picnic unless it were held elsewhere, O'Sullivan formally advised the government that it would not be held at Clontarf; adding, in explanation, his committee's concern that the interests of unreleased Fenians might be harmed if it went ahead⁷⁷. The committee then considered switching the venue to the Athol Gardens, but later abandoned the picnic altogether⁷⁸. When news of Robertson's negotiations leaked to his parliamentary opposition, he was asked in the House if he had interviewed several Fenians, and if so, whether he had done so in the capacity of colonial secretary or president of the Irish National League; to the applause of colleagues, he brushed the question aside as an impertinent one not worthy of an answer⁷⁹. A final response to the picnic came from the British secretary of state, Earl Granville: upon receipt of Governor Belmore's despatch describing the controversy, Granville expressed satisfaction that 'the Government and community of New South Wales were opposed to any display of sympathy with men who had been condemned for their treasonable practices'⁸⁰.

Clearly, the picnic would not have attracted the attention it did had some venue other than Clontarf been selected by O'Sullivan's committee. Even Samuel Winter conceded in the Advocate that an alternative venue 'would have been in better taste'⁸¹. Since the committee was undoubtedly aware that loyalist opposition would be incited, its proposal was obviously provocative.

(75) Kenealy, loc. cit.

(76) See Ch. 2, p. 38.

(77) 18 October 1869, Col. Sec's. Despatches 1869-70, loc. cit.

(78) Advocate, 23 October 1869.

(79) Freeman's Journal, 30 October 1869.

(80) Belmore to Granville, 27 October 1869; Granville to Belmore, 24 January 1870, Col. Sec's. Despatches 1869-70, loc. cit.

(81) 23 October 1869.

Why, then, was the move made? Explanations can only be speculative, but foremost among them was probably an intention on the part of the committee and their associates to level the score for indignities thrust upon them during the O'Farrell affair; in particular, the Treason Felony Act, which had been condemned even in England as an undesirable manifestation of extreme loyalty⁸². Although there may have been some sincerity in the explanation given for calling off the picnic, it simultaneously affirmed the committee's determination to reject all responsibility for, or any association with, O'Farrell's act. That violence did not occur in the wake of this determination was due in large measure to John Robertson, whose timely intervention displayed rational tact and an unbiassed racial attitude deserving of credit.

Before the month's end, Samuel Winter arrived from Melbourne to assist the Sydney committee men in arrangements for the disbursement of all relief funds collected in Australia. Additional to the £950 Kenealy took to Western Australia, £1500 was shared equally (£30 each) among the 25 Fenians at Sydney, and £300 set aside for ten pardoned comrades who had remained in Western Australia⁸³. A further £400 was forwarded to Perth, care of three of these men, Hugh Brophy, Joseph Noonan and Cornelius O'Mahony, to be held in trust for the unreleased Fenians⁸⁴. Before separating, the Fenians and representatives of the joint committee kept photographers busy for a few days, taking stylised portraits of the various groups. The 15 Fenians who chose to embark for San Francisco were: John Kenealy, Denis Cashman, Denis Hennessy, Eugene Geary, Michael Moore, Patrick Leahy, Maurice Fitzgibbon, Patrick Wall, Patrick Doran, Patrick Dunne, Thomas Fogarty, David Cummins, David Joyce, John Sheehan and John Walsh⁸⁵. The ten who decided to return to Ireland: Thomas Daly, Jeremiah O'Donovan, John Casey, Eugene Lombard, Patrick Reardan, Robert May, Morgan McSwiney, Michael Noonan, Thomas Cullinane and Simon Downey⁸⁶. On Thursday 21 October, those bound for America departed on board the Baringa: the remainder returned by steamer to Hobson's Bay, Victoria, where they immediately transferred to the Suffolk and sailed for Ireland the same day - Tuesday 26 October⁸⁷. As the Baringa cleared Sydney Cove, the Fenians raised a green silk flag and exchanged three hearty cheers

(82) See Ch. 3,

(83) Advocate, 23 October 1869.

(84) Kenealy, loc. cit.

(85) R16, CNs 9645, 9915.

(86) *ibid.*

(87) Freeman's Journal, 30 October, 6 November 1869.

with a crowd on the wharf. The incident went un-noticed in Sydney papers but Adelaide's Register observed, with a measure of relief that would have been shared by many conservative loyalists: 'Fenianism is not yet extinct in Australia...(but) thank goodness some of it is going away'⁸⁸.

The Suffolk contingent reached London in March 1870, received a tumultuous welcome at the Theatre Royal, then proceeded later to the city of Cork where a torchlight procession of thousands escorted them to a grand banquet in their honour⁸⁹. The Baringa Fenians received a similar welcome at San Francisco, where it was reported that crowds lining the dockside had kept up a splendid chorus as their ship floated down the bay:

Dear old Ireland, braye old Ireland
Ireland boys, hurrah!⁹⁰

Weeks later, when the cheers and tumult subsided, at least one Fenian at San Francisco, John Walsh, looked back at his Australian freedom with fond memories and some regret that he had elected to sever the unaffected friendship advanced by Irish-Australians, particularly the fairer sex. Walsh wrote to John Boyle O'Reilly:

You would not believe how kind they were to us. I could not find words in the dictionary to express their goodness - wherever we went we found them the same. The Irish ladies, both young and old, are - faith, I can't express my feeling of admiration for them, so I will only say they are first class. Some of the young ladies I met there could not be beaten for beauty if you were to travel the world over, and along with being beautiful, they are kind, good and noble-hearted girls, too. You see, I don't call them ladies, because a lady, in my opinion, means a cold-hearted woman, fond of dress and all that sort of thing. At the same time, I don't mean to say that the women in the colonies don't dress well - they do; but it is not in that flashy sort of style that women here do, with their Grecian bends, large enough to clap a horse's saddle on, and a large mop of - I don't know whether it is horse's or human's - hair stuck behind their heads. The women in the colonies wear their hair in the best of all styles - the natural style; there were a few who wore their hair chignon style; perhaps it became them. I don't know. However I will say no more about it. Had we stayed in Sydney we would have all got first-class situations from the wealthy Irishmen there; but like fools, as we were, nothing would do us only to come to this place, where we are loafing about for the

(88) Advocate, 30 April 1870.

(89) ibid., 16 April 1870.

(90) ibid.

last six or seven weeks and can't get employment. Were it not for the money we got in Australia we would be 'hard up'; some of us would be off soldiering for Uncle Sam; perhaps down in Arizona, or some other place, by this time⁹¹.

Suffice it to say that the measure of Irish nationalist empathy experienced by Walsh and the other pardoned Fenians with countrymen who celebrated their release across the width of Australia, clearly indicated that the proportion of Australian colonists in favour of upsetting British rule in Ireland was at the very least a sizeable minority.

One by-product by the Fenians' Sydney sojourn was a disagreement between Richard O'Sullivan and his owner-partners of the Freeman's Journal, William Dolman and Richard Blundell; a dispute that resulted in O'Sullivan's resignation and departure for America. Underlying their differences was an issue close to the heart of most Irish-Australians: the extent to which a vigorous assertion of the Irish national cause was proper in a loyal British colony. O'Sullivan's unequivocal belief in any colonist's right to advance the interests of his native land had been consistently and controversially pursued since his first editorial in January 1867; quite often to the discomfort of conservative Irish-Catholic views, and loyal Protestant opinion in the colony. On the occasion of the Fenians' departure from Sydney, his strongly worded leader attacking all who had opposed the Clontarf picnic as 'flunkeys, loyalists and political touters' was rejected as unfit for publication by his partners⁹² - who were, no doubt, sensitive among other things to the ramifications of having the vicars general so assailed in the colony's leading Catholic paper. Unwilling to accept this interference with his editorial liberty, O'Sullivan accepted a dissolution of the partnership and resigned from the paper⁹³. In a parting letter addressed to the readers of the Journal in November 1869, he was unrepentant:

I have been frequently charged with 'importing foreign dissensions' into this young country, with striving to create disunion amidst a community whose only road to greatness and happiness is through social harmony and unity...this allegation is utterly unfounded. An Irishman has quite a much a right to sympathise with the grievances of his country, as much a right for its redemption

(91) Walsh to O'Reilly, 9 March 1870, quoted in full, Advocate, 25 June 1870.

(92) Freeman's Journal, 20 November 1869.

(93) ibid.

from misgovernment, as an Englishman has to exult over the power and wealth of Britain, or to pray that its glory may be perpetual⁹⁴.

At a testimonial dinner in February 1870, O'Sullivan was presented with a gold watch and chain and a purse of Australian sovereigns in recognition of his 'fearless advocacy of Irish freedom'⁹⁵. He took passage to San Francisco, where he became editor of the Monitor, but was plagued with poor health and died after a short career⁹⁶.

In Western Australia, ten Fenians who received free pardons with the others in May 1869 carved out new lives for themselves devoid of any early involvement in Irish radicalism. Hugh Brophy, in partnership with Joseph Noonan ran a successful building firm for three years until he departed for Melbourne in May 1872 - having first passed on his responsibilities as a Relief Fund trustee. On arrival in Victoria, he was challenged under the Influx of Criminals Prevention Act, arrested, and taken to Russell Street police station. He was released after bail was raised by Samuel Winter's brother, Joseph, an active participant in the Melbourne committee; and the case was later dropped upon recognition of the fact that having been free for three years, he was exempt from any charge under the Act. A widower when amnestied, he married again in Melbourne and settled there as a building contractor⁹⁷. Most of the others settled for at least a few years in Western Australia. Noonan successfully established himself as a builder and architect, and on 21 June 1871 married Maria Farrelly, who came from one of the most respected Catholic families in the colony⁹⁸. Cornelius O'Mahony secured a teaching position at the Catholic Boys School in Perth, and on 27 September 1874 married Mary Butler, a milliner, of Perth⁹⁹. Noonan was best man at their wedding. O'Mahony, his wife and their two children moved to Melbourne in 1877 and settled there; O'Mahony becoming head teacher at St. Mary's Catholic School, Hotham¹⁰⁰. Thomas Duggan, an experienced teacher, taught privately for a time, then secured a teaching position at Goomalling, twenty miles from Northam¹⁰¹. Luke Fullam, who shared

(94) *ibid.*

(95) *ibid.*, 5 February 1870.

(96) Kenealy, *loc. cit.*

(97) Morgan P. Jaguers, 'One of the last Fenian leaders: death of Hugh F. Brophy', Advocate, 21 June 1919.

(98) Rica Erickson (ed.), The Brand on His Coat, Nedlands, 1983, p. 153.

(99) *ibid.*, p. 152; q.v. Walter McGrath, 'Honouring an O'Mahony exile in Australia', The O'Mahony Journal (Cork), Vol. 9, 1979, p. 34.

(100) See Ch. 11 p. 330

(101) Western Argus, 6 January 1914 (an obituary); and see Ch. 11, p. 340-1.

with Duggan the distinction of being the eldest Fenian, took up bootmaking in Perth; but troubled with a weak constitution, he collapsed and died on 24 February 1870, aged 47, apparently from sunstroke after a day at the races¹⁰². Lawrence Fullam joined his brother at bootmaking and shared his poor health, both being consumptives. He married an Irish migrant, Bridget Doyle, in June 1871, and had a son, Luke, who was an infant when his father died¹⁰³. The Fullams were buried together in Fremantle cemetery.¹⁰⁴ Jeremiah Aher found work as a carpenter, and married Mary Brennan, an Irish migrant, in May 1873¹⁰⁵. John Goulding and James Reilly probably returned to their respective former occupations, carpentry and labouring¹⁰⁶; and James Flood is recorded only as having left the colony on 16 December 1869, bound for Melbourne¹⁰⁷ - where authorities would have expelled him if his landing was ever brought to their attention.

Another nine Fenians, who were not British soldiers when convicted, were denied pardons in May 1869 in consideration of their more important roles in the Fenian movement. In July, the ever-benevolent Father Delany sought their release on grounds that they were the only non-military Fenian convicts in Western Australia. His petition was addressed to the British secretary of state for the colonies, who referred it to the Home Department, which in turn referred it to the lord lieutenant of Ireland¹⁰⁸. The latter held that there were 'no grounds for separating the cases of these convicts from those who are undergoing their sentences in England', the home secretary concurred, and Delany was duly informed that no additional remissions would be granted¹⁰⁹. Though his appeal failed, Delany's objective was not lost. In the United Kingdom, the Fenian Amnesty Association maintained continual pressure on Gladstone's government: in September 1869, 10,000 demonstrators massed in Trafalgar Square to be addressed by George Moore, the member for County Mayo¹¹⁰; in October 300,000 demonstrated near Dublin, 60,000 turned out in Wexford and 15,000 in Navan¹¹¹; in November, when O'Donovan Rossa was

(102) *Advocate*, 2 April 1870.

(103) Erickson, *op. cit.*, p. 147.

(104) *ibid.*, and see Ch. 11, p. 319-20.

(105) Erickson, *op. cit.*, p. 148.

(106) R16, CNs 9750, 9854.

(107) Fitzgerald notes (*op. cit.*, p. 70) that Flood embarked on the Geelong but is not listed as having landed at Melbourne or Hobart.

(108) C51, 11212; Granville to Weld, 1 January 1870, COD 74, 1869-70, WAA 41.

(109) Granville to Weld, 1 January 1870, *loc. cit.*; Weld to Wakeford, 14 March 1870, C51, 11212.

(110) *Advocate*, 4 December 1869.

(111) *ibid.*, 1, 8 January 1870.

elected to the seat of Tipperary whilst still in prison, 31 public meetings in Ireland rejoiced at the result¹¹². In December 1870, Gladstone finally succumbed to the pressure and announced a partial concession: all Fenian convicts who had not been British soldiers were to be released on condition that they did not remain in or return to the United Kingdom before their sentences fully expired¹¹³. In Western Australia, eight conditional pardons were duly passed out on 13 March 1871, to the same men for whom Delany petitioned: John Flood, J. Edward Kelly, Michael Cody, Thomas Fennell, Cornelius Keane, Daniel Bradley, Thomas Baines and George Connolly¹¹⁴. The other Fenian on Delany's list, James Kearney, was already free; having received his ticket-of-leave on 17 March 1870, followed by a certificate of remission on 12 January 1871 - a normal termination of the five year sentence he had been serving since May 1867¹¹⁵. Of this group, only Kearney settled in the colony; he married an Irish migrant, Catherine Tobin, and worked as an itinerant bootmaker in the Bridgetown district, a pioneering frontier in the colony's south-west¹¹⁶.

Flood, Baines, Fennell and Kelly, joined by John Goulding, who had received one of the free pardons granted in 1869, left Western Australia on 11 May 1871, aboard the Queen of the South, bound for New Zealand¹¹⁷. Upon arrival at Port Lyttleton on 5 June they found to their dismay that New Zealand had passed an Introduction of Convicts Prevention Act in 1867¹¹⁸, to exclude incoming ex-convicts in the same way as South Australia and Victoria. All five, and four ex-convicts from Western Australia who were not Fenians, were taken before a magistrate the next day. The latter were found guilty and imprisoned pending deportation back to Western Australia; but when the Fenians produced a letter from the colonial secretary of Western Australia, stating that he was not aware of any restriction against their landing in New Zealand, which they claimed had been concurred with orally by Governor Weld of Western Australia, they were remanded for a week¹¹⁹. During

(112) *ibid.*, 22 January 1870.

(113) *ibid.*, 25 February 1871.

(114) Comptroller's Despatch Book C47, 69403, Convict Dept. Records, WAA 1156 (hereafter C47); R16, CNs 9735, 9793, 9721, 9790, 9672, 9654, 9653.

(115) R16, CN 9791.

(116) Erickson, *op. cit.*, p. 155.

(117) R16, CNs 9735, 9654, 9731, 9793, 9750; Advocate, 1 July 1871.

(118) VR No. 15, 10 October 1867, copy in file IAI, 1871-2718, National Archives, N.Z.

(119) *ibid.*, Bailey to Manning (agent for Queen of the South, 2 May 1871; Crown Pros. to Att. Gen., N.Z., 8 June 1877; Res. Mag., Lyttleton, to Col. Sec., N.Z., 7 June 1871; and sundry other telegrams; also Advocate, 8 July 1871.

the hearing on 13 and 16 June, the crown prosecutor dropped charges against Goulding, whose free pardon exempted him, but pressed that the others be deported as a warning to the Western Australian government and to prevent them landing in any other colony; however the bench ruled that providing bail was raised as security that they would quit the colony within fourteen days, no further action would be taken¹²⁰. The owner of the Queen, whose captain risked a £100 fine or six months imprisonment for landing them¹²¹, readily provided bail and offered early passage to New South Wales, aboard a cargo vessel bound for Newcastle¹²². With the aid of £100 raised by sympathetic countrymen at Christchurch and £30 from Westport, the Fenians paid £150 for five passages and departed on 27 June¹²³.

General financial assistance for the conditionally pardoned Fenians began to be organized as soon as news of their release reached the eastern colonies. In Victoria, Samuel Winter was re-elected secretary and treasurer of a Melbourne committee to co-ordinate collections, and a new subscription list was opened in the Advocate¹²⁴. The Sydney committee was also re-activated, but with much less publicity in the Freeman's Journal than in the days when O'Sullivan was editor: small paragraphs only mentioned regular meetings headed by Dr. Patrick McDonagh, chairman, Bernard Gaffney, vice chairman, and John King, secretary; under whose authorisation a weekly notice called for donations to the fund from the 'Friends of Freedom and Political Liberty in New South Wales'¹²⁵. Newcastle sympathisers warmly received the five Fenians recently arrived from New Zealand at a public meeting on 17 July, toasted them and sang their health, and passed over £40 collected during the evening¹²⁶. In Sydney a few days later, they were informed that a further £300 had arrived from New Zealand supporters, and that donations were being collected throughout New South Wales¹²⁷. Subscriptions continued for several weeks on a scale more modest than in 1869 - with only nine men to cater for, and wound down fairly quickly after three Fenians who had chosen to depart for America, were farewelled at Sydney late in July.

- (120) Lyttleton Times, 14 June 1871, reprinted in Sydney Evening News, 11 July 1871; Advocate, 8 July 1871.
- (121) VR, No. 15, 10 October 1867, loc. cit.; Police Supt., Christchurch, to Col. Sec., N.Z., 10 June 1871, file 1A1, 1871- 2718, National Archives, N.Z.
- (122) Advocate, 8 July 1871.
- (123) Freeman's Journal, 15 June 1871; Advocate, 8 July 1871.
- (124) Advocate, 22 April 1871.
- (125) 17 June, 29 July 1871.
- (126) *ibid.*, 22 July 1871.
- (127) *ibid.*

Coincidentally Sydney had not long recovered from yet another Fenian scare when nearly all the conditionally pardoned Fenians gathered in the city. In February 1871, alarm had been raised when the British secretary of state, Lord Kimberley, sent the following telegram in secret cypher to all Australian governors:

Government have received a statement which they do not credit but think it right to send, that in this month a filibustering expedition is to leave the United States (from San Francisco) for Melbourne, Sydney and Otago¹²⁸.

The matter should have remained a high level concern but it became public knowledge after the South Australian governor, Sir James Fergusson, who happened to be in Melbourne at the time, indiscreetly sent an uncyphered telegram on the subject to Governor Belmore in New South Wales¹²⁹. Fergusson expressed fear that a Fenian raid could wreak havoc on their unprotected colonies and conveyed his personal knowledge of such expeditions:

I heard a good deal of such reports from America when I was at the home office and managed the Fenian department. There were one or two strange vessels which came to Ireland and landed mischief makers and arms¹³⁰.

As soon as the telegram's contents leaked in Sydney, public alarm stampeded the government into action: the Volunteers were issued arms and instructed in defence manoeuvres; preparations were carried out on the shore batteries; and the British naval squadron, put on alert after the premier consulted its commodore, arranged gun practice outside Sydney Harbour¹³¹. Excitement gradually subsided, however, after Kimberley notified Belmore in June that the British consul at San Francisco was quite sure the rumour was unfounded¹³².

In such a climate all but one¹³³ of the conditionally pardoned Fenians were briefly re-united in Sydney. George Connolly and Michael Cody, who left Fremantle in May, arrived aboard the Rangatira on 12 June, having received at Adelaide and Melbourne the usual warnings that they could not land without

- (128) Kimberley to Belmore, 17 February 1871, Sec. of State Despatches, 4-1360, NSWAO.
- (129) Belmore to Kimberley, 27 March 1871, Belmore Papers, 1862-72, A2542-2, ML.
- (130) *ibid.*, Fergusson to Belmore, 21 March 1871.
- (131) *ibid.*, Belmore to Kimberley, 27 March 1871.
- (132) Kimberley to Belmore, secret circular, 6 June 1871, Sec. of State's Despatches, 4-1360, NSWAO.
- (133) Thomas Bradley stayed in W.A. until 6 February 1871 then left the colony for a destination not recorded (R16, CN 9672).

risk of prosecution¹³⁴. A few weeks later, when the Fenians from Newcastle joined them, funds were shared and plans laid for the future: Flood, Cody, Kelly and Goulding electing to stay in New South Wales; Baines, Connolly and Fennell, to depart for San Francisco. Passages were booked, and a farewell organized by their Irish hosts for 150 guests on 27 July, at the Oddfellows' Hall, Sydney¹³⁵. Predictably, the proposed banquet met with loyalist criticism, culminating in a belated call for its prohibition by the Evening News, a few hours before the function began. Such a vulgar display of 'triumph and defiance', intoned the editor, should not be tolerated in a loyal British colony where:

...a vast majority...with some comparatively insignificant exceptions hold that Victoria the First is, rightfully and constitutionally, Queen of Great Britain and Ireland, and must view with strong feelings of irritation the attempt to identify Sydney with the lionising of a number of men who had attempted to dispossess her of a portion of her dominions¹³⁶.

The banqueters presented a contrary view. On the wall behind the head table hung a large green banner emblazoned in the centre with a harp encircled by shamrocks. This was supported on one side by America's star spangled banner and on the other by the N.S.W. standard, and around the room were various other national flags; but as the Evening News observed, the union jack was conspicuously absent. Mr. D. Connor occupied the chair, the Fenians on his right, committee men on his left. The first toast, 'Our Guests', brought loud and prolonged cheers, as it was instantly realised that the loyal toast had been ignored; and when the chairman, in outlining the hallmarks of Irish nationalism, mentioned that he might best 'avert the battle of Clontarf', renewed cheering broke out. Several toasts later, when Connor proposed 'The land we live in', he affirmed his belief that there was 'more liberty, freedom and toleration (with the exception of a few persons)' in Australia than in any other country in the civilised world, and for that reason no persons were more attached to it than 'the sons of St. Patrick'. The evening concluded with an eloquent speech by John Flood, who had shown the stamp of a leader among peers since the days aboard the Hougoumont. Referring to the Evening News that day, Flood said that he and his comrades were

(134) Freeman's Journal, 17 June 1871.

(135) ibid., 29 July 1871.

(136) Leader, 27 July 1871.

accustomed to being falsely 'stigmatised as murderers and robbers'; and added that he believed such attacks only bound true Irishmen closer together. 'Their hearts were in union', Flood concluded, 'and they had everything to hope for that cause, in support of which he and his associates had suffered, and for which others aspired to do so'¹³⁷.

It should be noted that the crux of differences between ultra-loyalists and radical Irish nationalists like those at the banquet, centred on a clash of ideologies. Conservative English-oriented colonists were totally opposed to any perceived disrespect towards, or defiance of, British power and glory in Ireland, Australia or any other part of the Empire. From this viewpoint, any loyal subject of the British Empire in Australia had to be, by definition, a loyal supporter of British rule in Ireland. Radical Irish colonists on the other hand, and very many non-Irish colonists of democratic and radical outlook, supported Irish freedom without any sense of compromising their deeply felt loyalty to Australia, because they felt that Ireland - or any other country - rightly should enjoy Australian levels of liberty and toleration. Quite clearly, this was the viewpoint expressed for example by D. Connor at the banquet, or by Premier John Robertson and David Buchanan in their marked sympathy towards Irish national aspirations and various local organizations founded to support them.

Another instance of the same conflict between these opposed ideologies was the Foley-Ross prize fight held at Sydney on 28 March 1871. The fight deserves a passing mention because it further illustrates the way in which attitudes towards Fenianism intermingled in 'Orange and Green' rivalry at about the same time as the Fenians reached Sydney. Larry Foley, an Australian-born Irish-Catholic, and 'Sandy' Ross, a Scottish pugilist who had a strong Orange following, met in an epic seventy-one round bare knuckle bout that lasted two hours and forty minutes in the open air at Como, near George's River, south of Sydney¹³⁸.

A ballad commemorating Foley's victory, circulated by broadsheet soon after the bout, rejoiced in Foley's 'Fenian' victory over the combined forces of

(137) *ibid.*, 28 July 1871; *Freeman's Journal*, 29 July 1871.

(138) 'Larry Foley's Golden Fists', *Australia's Heritage*, 21 vols., Hamlyn, Sydney, 1971, Vol. 12, p. 1393.

Ross, William of Orange, and John Davies - the most eminent figure among Sydney Orangemen:

John Davies hears with great regret
 The news that's going round,
 That Sandy Ross has lost the fight
 At George's River Ground.
 No more his crowing will be heard
 No more his colours seen,
 For I think he's had enough this time
 Of Foley and the green.

Chorus: Oh, the green the colour of the brave
 We'll raise high in the air,
 And to our enemies we'll show
 The colour that we'll wear.
 For the orange flag has been pulled down,
 The battle fought out keen,
 And Sandy Ross has lost the fight
 At George's River Green.

The yellow ties they mustered strong
 Upon that Tuesday morn,
 Poor Sandy, he came up to time
 With his head and beard all shorn.
 His yellow scarf around his waist
 Was plainly to be seen
 When Foley stepped into the ring
 To fight for Ireland's green.

Sinn Fein, Sinn Fein, he cried aloud,
 As he saw his friends close by,
 I've come to fight for Ireland's cause
 And for that cause I'll die.
 And to deny her colours,
 I ne'er will be so mean,
 For in this ring I'll die or win
 For dear old Ireland's green.

Here's to him men, here's to him boys,
 Then Sandy Ross did say,
 I've come to fight for old King Bill
 Upon this glorious day.
 My yellow scarf around my waist
 That has come into bud,
 Will be dyed deep red upon this ground
 With this poor Fenian's blood.

They both shook hands, you'd really think
 No ill feeling lay between
 The colours bright that made this fight,
 The orange and the green.
 For two long hours that fight did last
 Till Ross's seconds came between
 And threw the sponge high in the air
 In favour of the green¹³⁹.

Shortly after the banquet in their honour, most of the pardoned Fenians in Sydney dispersed. Connolly and Fennell sailed for San Francisco¹⁴⁰, and Baines followed after a return trip to the Gympie goldfield in Queensland, where local Irishmen, 'still true to the dear old Land and... always ready and willing to assist those who suffer in her sacred cause', presented him £125 at a testimonial soiree¹⁴¹. Goulding was befriended in Sydney by John Feehan, an 1841 emigrant from Cashel, County Tipperary, who owned a farm at Gerringong, on the south coast of New South Wales¹⁴². Well-known among his friends as a fiercely patriotic Irishman, Feehan had headed the list of Kiama subscribers to the Irish State Prisoners Fund of 1869¹⁴³. Goulding returned with Feehan to Gerringong, settled down to farming in his employ, and in 1875 married his daughter, Ellen¹⁴⁴. Michael Cody spent some time on several New South Wales goldfields before settling in Sydney, where he opened his own business, apparently as a hotel keeper¹⁴⁵.

John Flood and Edward Kelly stayed several years in Sydney, employing for a time the interest in journalism they had developed aboard the Hougoumont when engaged on producing 'The Wild Goose'. Flood, a former lawyer's clerk, educated at the elite Catholic college of Clongowes Wood¹⁴⁶, and Kelly, an Irish-American compositor¹⁴⁷, respectively became owner-editor and assistant-editor of The Irish Citizen, a newspaper which ran from 2 December 1871 to 3 August 1872, bearing the imprint: 'Printed and published by the proprietor, John Flood, at No. 6 Park Street Sydney'¹⁴⁸. Unfortunately no issues have survived for scrutiny as to content and style, but judging from a comment

- (140) San Francisco Monitor, 7 October 1871 reprinted, Advocate 25 November 1871. Connolly and Fennell arrived 8 September 1871, thirty-eight days out from Sydney.
- (141) Gympie subscription list, Freeman's Journal, 2 December 1871.
- (142) Ellen Robinson (Goulding's grand-daughter), to G.P. Fitzgerald, 25 March 1969, Fitzgerald Papers, loc. cit.; obituary, 3 October 1894, source not known, Robinson family papers, Gerringong (kindly made available to the writer, March 1980).
- (143) *ibid.*; and Freeman's Journal, 17 July 1869.
- (144) Robinson to Fitzgerald, loc. cit.
- (145) Cody was visited in Sydney in 1880 by Anne Cody, his cousin from Ireland (David Croner, a Cody descendant, to W. Fitzgerald, 14 May 1976, Fitzgerald Papers, loc. cit).
- (146) Gympie Miner, 23 August 1909 (an obituary); and see Ch. 4 pp.103-4.
- (147) R16, CN 9793.
- (148) Gympie Miner, 23 August 1909.

made by Edward Butler, MLA¹⁴⁹, its politics were radically nationalist. Butler, having aligned himself politically with Henry Parkes when the latter unsuccessfully contested the seat of Mudgee during a by-election in 1872, consoled Parkes in regard to the Irish Citizen's endorsement of the member elected, a radical Irish candidate, James G. O'Connor¹⁵⁰, in the following terms:

In Mudgee as in Sydney there is doubtless an unthinking lot easily misled by such as require the Irish Citizen as an organ because the Freeman's Journal will not go to the lengths they want for them. But surely we know as in Sydney that this is an uninfluential rabble!¹⁵¹

Perhaps having launched O'Connor into politics, the paper's primary purpose for being was achieved; for in mid 1872 when its early closure was contemplated, Flood left Kelly in charge and joined a gold rush to the Palmer River diggings in Queensland¹⁵². Seeing some prospect there, he returned to Sydney six weeks later, closed the paper, and went back to the goldfield, where he stayed about a year before moving to the north Queensland coast in 1874 to become editor of the Cooktown Courier¹⁵³. In 1877 he married Susan O'Beirne, an Irish migrant from Lusta, County Leitrim, and settled permanently in Queensland¹⁵⁴.

- (149) A former Young Irelander, Butler was Gavan Duffy's sub-editor on the Dublin Nation before he emigrated to Australia in 1852 (Lyons, op. cit., p. 346).
- (150) A Sydney printer who had emigrated from Ireland in 1841, O'Connor served on the committees of several Irish nationalist associations over the years (Lyons, op. cit., pp. 413-4), including an executive position on the Irish State Prisoners Fund of 1866 (See Ch. 2, p. 43). A regular organizer of St. Patrick's Day celebrations in Sydney, he helped defeat a move to invite Prince Alfred and include loyal toasts in 1869, when he scathingly labelled the proposal 'slavish loyalty and disgraceful flunkeyism' (Freeman's Journal, 17 April 1869).
- (151) Butler to Parkes, 9 January 1872, Parkes Corres., A 872, ML.
- (152) John Edward Kelly to Jeremiah O'Donovan Rossa, 8 April 1876, ML DOC 1448. (typed copy from Rossa Papers, Catholic Univ. of America, Washington D.C.).
- (153) *ibid.*; and see Courier file, 1874-9, Queensland Parl. Library.
- (154) Marriage Certificate, 13 August 1877 (courtesy of Flood's granddaughter, Shelagh Johnson, of Narrabeena, Sydney). For further details of Flood's later life: Ch. 11, pp. 342-4.

After Flood closed the Irish Citizen, Kelly was lured for eight months to some goldfields in New South Wales, then returned to Sydney in 1873 with the idea of writing a book about notable Irish exiles¹⁵⁵. To support himself whilst writing, he found employment in September 1873 as a reader on the Empire, and held this position until the paper ceased publication in March 1875, by which time his book was complete¹⁵⁶. Published by his close associate, the Sydney printer turned politician, James O'Connor, the book was titled Illustrious Exiles; or, Military Memoirs of the Irish Race Abroad (376 pp., 1875). It was dedicated as follows: 'To the memory of John Mitchel, one of the most illustrious exiles of the present century, these pages are respectfully subscribed by an exiled fellow countryman'¹⁵⁷. Included among twenty-two major biographies and fifty-eight minor ones were profiles of Justin McCarthy, Viscount Mountcashel; Patrick Sarsfield, Earl of Lucan; Charles O'Brien, Viscount Clare; Field-Marshal Brown of Austria; Field-Marshal Lacy of Russia, and a relative, Field-Marshal Lacy of Austria; the Lacys of Spain; Don Joachim Blake, Captain-General of Aragon; and a lengthy study of Marshal McMahon, President of France. The frontispiece contained a verse that Kelly would have readily identified with:

Oh Erin in thine hour of need
Thy warriors wander o'er the earth;
For others' liberties they bleed,
Nor guard the land that gave them birth.
In foreign lands it is their doom
To seek their fame - to find their tomb.

Disappointed with his book's limited sales, Kelly stayed in Sydney until the end of 1875, then departed for San Francisco¹⁵⁸.

In April 1876, from an address in Sacramento, California, Kelly wrote a letter to O'Donovan Rossa, in which he outlined details of Fenian organizational work undertaken in Australia during the early 1870s by Flood, Cody and himself¹⁵⁹.

(155) Kelly to Rossa, 8 April 1876, loc. cit.

(156) *ibid.*

(157) A volume of this little-known and now fairly rare publication is in the State Library of N.S.W. Inscribed on the leaf is the purchaser, T.G. Dangar of Bullerawa, Wee Waa, on the Namoi River of N.S.W. Dangar was a descendant of an old Cornish family which settled in Cornwall after being expelled from France in 1685 by Louis XIV (J.M. Forde, *Newscuttings*, ML).

(158) Kelly to Rossa, loc. cit.

(159) *ibid.*

Rossa, one of a group of leading Fenians who were conditionally pardoned from English imprisonment in 1871, was at this time a senior figure in the American Fenian movement¹⁶⁰, so he had an obvious interest in the information provided. In view of its importance, Kelly's report is best conveyed in his own words:

The following sketch of general...affairs in Australia may not be devoid of interest to you. In or about 1868, an organization was set on foot in New Zealand to collect funds for the raising of an expedition to effect the release of the prisoners in Western Australia. A similar organization was started in Sydney, N.S.W., but hardly survived its inception. The funds raised in New Zealand were handed over to the first batch of released prisoners.

...John (Flood) while in Christchurch, started the organization anew, remodelling the old one. This scheme was embraced and gone into very heartily. Arrived in Sydney, New South Wales, he canvassed the colony for the support of a paper - the 'Irish Citizen'. Meanwhile, Cody had reached Sydney by way of Melbourne, and had gone to the Gulgong gold fields (about 250 miles in a westerly direction from Sydney). Flood met him, and arranged that he should work the field.

...Commissioned by Cody, when I returned to Sydney (after gold prospecting in 1873), to regenerate that town, I set about it with a very poor opinion of my own ability in the first place, and a certainty of the scarcity of sympathetic spirits in the second. Irish nationality stinks in the nostrils of the 'respectable' community, but they glory in being Catholic and loyal to their queen. Those who profess to be Irish to the hearts core belong to the 'Hibernian Australian Catholic Benefit Society', which by its constitution, admits to membership all nationalities of the one faith, thus practically belying its title. On festive occasions, too, this very Irish society would not dare slight the queen by not toasting her health, or refrain from playing the English anthem, or leave the English flag out of its display, - all a piece of necessary policy they tell you. In fact, those people 'run with the hare, and hunt with the hounds'.

Of course, there are exceptions to this rule among those I know, and there are no doubt many more among those I don't know. However the organization is floated in Sydney, and earnest men are at the helm. Though that city numbers few at present, it has been constituted headquarters for Australia on account of its central position. The organization has a comparatively powerful foothold in three gold fields in New South Wales, in the Middle Island of New Zealand, and in a Queensland goldfield. This is all owing to Mick (Cody).

(160) Rossa was on the central council of the Fenian Brotherhood in 1874 (Advocate, 5 December 1874) and became 'Head Centre' in 1876 (E.M. Archibald, British Consulate General, New York, to Lord Derby, Foreign Office, London, 27 February 1877, British Foreign Office Correspondence relating to the Fenian Brotherhood 1876-83, F05-1599, pp. 82-95, PRO 5779, AJCP.

Some other time I may, perhaps, tell you one of the results of that organization; but I know you will rest satisfied at present with the knowledge that it can be of some assistance¹⁶¹.

There is little reason to doubt the veracity of Kelly's report. His description of 'respectable' Irish reluctance to be associated with Fenianism was certainly accurate, and his assessment of the organization's modest following in Sydney and elsewhere does not suggest exaggeration to impress Rossa. With regard to its inception in New Zealand in 1868, about which Kelly knew little, it is interesting to note that O'Farrell told Henry Parkes in March that year, that Prince Alfred was ill-advised to visit New Zealand because he would be in more danger from Fenians there than in Sydney¹⁶². As already indicated, Parkes was almost certainly incorrect in his long-held conviction that O'Farrell was a Fenian agent, but if in fact Fenianism was established even in a minor way in New Zealand and New South Wales in 1868, then his general suspicions about the existence of Fenian Organization were more accurate than historical opinion has credited¹⁶³. In the absence of supportive evidence, a clear picture of the beginnings of an Australasian Fenian movement cannot be obtained. However, its re-organization in the early 1870s is not in doubt. We shall see in the next chapter that antipodean Fenians played an important role in a secret mission to liberate six Fenian military convicts from imprisonment in Western Australia. The mission was organized by the United Brotherhood, an American Fenian movement secretly founded in 1870 behind the public front of Clan na Gael (The Irish Race) - ostensibly a mutual benefit society, but in reality an effective means of unifying rival factions which had weakened and divided John O'Mahony's Fenian Brotherhood¹⁶⁴. According to a report tabled at the United Brotherhood's

(161) Kelly to Rossa, 8 April 1876, loc. cit.

(162) Parkes and O'Farrell, conversation recorded at Darlinghurst Gaol, 18 March 1868, The O'Farrell Papers: A Correct Reprint of the Papers Tabled in the Legislative Assembly by Mr. Parkes, Sydney pamphlet, 1869, p. 7.

(163) A standard conclusion is that Parkes exploited anti-Fenian sentiment for political advantage, not because he really believed that a Fenian organization was in existence. See for example, Manning Clark, A History of Australia, Vol. 4, Melbourne, 1978, p. 259, and Patrick O'Farrell, The Catholic Church and Community in Australia, Melbourne, 1977, pp. 156-7.

(164) Archibald to Derby, 27 February 1877, loc. cit. In theory the United Brotherhood was a highly secretive organization but in practice secrecy was not strictly adhered to, with the result that the British Foreign Office intelligence about it was fairly readily obtained. See for example, *ibid*: Archibald to Derby, 9 March 1877, F05-1599, pp. 105-10; Crump to Derby 16 December 1877. F05-1599, pp. 174-9; Thornton to Salisbury, 17 June 1878. F05-1707, pp. 143-6; Sackville-West to Granville, 25 January 1883, F05-1860, pp. 105-12.

1875 annual convention, Fenian strength in New South Wales and Victoria that year was estimated at about 7000 followers¹⁶⁵. The 1877 convention was informed by its foreign relations committee that 'revolutionary organizations' in New Zealand and Australia were in direct contact with the Brotherhood executive¹⁶⁶. Rather quaintly, the antipodean movements were respectively code-named 'Ofx Zfbmboe' and 'Bvtusbmjb', by substituting succeeding alphabetical letters for the actual ones¹⁶⁷. In recognition of the importance of this connection, Australasia was allotted one seat in company with three American Fenians and three IRB representatives from the United Kingdom, on the Brotherhood's supreme ruling body, a seven-man Revolutionary Directory:

In order to combine the whole Irish revolutionary movement all over the world into one compact federation, acting under a common head, so that it may be capable of acting with vigour and decision against the power of England by securing concert of action and concentration of force between the scattered divisions of the Irish race, the Executive Body is empowered to name three members of the U.B. to act on a Revolutionary Directory in conjunction with three men named by the Supreme Council of the I.R.B. and one by the executive of Australia and New Zealand¹⁶⁸.

In light of this evidence, it is reasonable to conclude that Fenian organization spanning eastern Australasia did occur during the 1870s, perhaps on a more modest scale than American Fenians indicated, but at the very least gaining a core of cadres who had access to a wider group of sympathisers.

To sum up, almost all the Australian Fenian convicts pardoned in 1869-1871 were beneficiaries of Gladstone's attempt to pacify Irish separatism by way of a more enlightened imperial policy on England's part. As they dispersed across Australia, various discernible social sectors reacted differently towards them; motivated according to such factors as race, cultural and political ideology, and class interest. The warmest response came from radically nationalist Irish colonists, mostly of the lower social orders, who celebrated their release with enthusiasm, and willingly offered

(165) Archibald to Derby, 27 February 1877, loc. cit.

(166) Report of the 8th Annual Convention, Cleveland, Ohio, 4 September 1877, Catholic Univ. of America, Washington D.C., pp. 85-6.

(167) *ibid.*, p. 85. In the same manner the United Brotherhood is coded the V.C. and its Executive Bureau, the F.C., *ibid.*, *passim*).

(168) 'The Special Commission Act, 1888, Report of Proceedings', Times reprint, 4 vols., London, 1890, Vol. 4, p. 290, cited Sean O Luing, Fremantle Mission, Tralee, 1965, p. 48; see also, Report of the Eighth Annual Convention, loc. cit., p. 85.

assistance for their settlement in Australia or another country they chose. Conservative, mainly middle-class Irish countrymen, on the other hand, being more conscious of their fragile acceptance in a predominantly British, Anglo-Saxon community, reacted more warily; partly out of opposition to Fenianism, and partly in consideration of their social position. The least favourable reaction came from imperial-minded arch loyalists who sought the application of colonial legislation to exclude Fenian settlement and were relieved when most of the Fenians departed for Ireland or America. And finally, a moderate attitude marked the reaction of liberal-minded, non-Irish colonists, such as Butler Aspinall and John Robertson, whose conduct reflected marked sympathy towards Irish independence and a conviction that Irish radicalism could be positively accommodated in Australia.

Of the Fenians who settled in Australia, most seemed bent on a non-revolutionary assimilation in their adopted land; but for a few the desire to reparticipate in Fenianism led to the formation of an Australasian branch of the movement. For almost a century the antipodean guardians of British imperialism had feared the likelihood that committed Irish nationalists might rise en masse in rebellion, just as they did at Castle Hill in 1804 and at Eureka fifty years later. With Fenianism sending tentative roots into the Irish community in the 1870's, it remained to be seen whether its activity would be limited to the siphoning of funds to support Fenians overseas, or whether an attack of some kind would be launched against British authority in Australia.



FENIAN AMNESTY ASSOCIATION: PROMINENT AUSTRALIAN MEMBERS

Chapter 9

FOREIGNERS AT FREMANTLE

A noble whale ship and commander
 Called the Catalpa they say,
 Came out to Western Australia
 And took six poor Fenians away.

Traditional Australian ballad¹

After nearly a decade of convict servitude since they were first imprisoned in Ireland, the small number of Fenian military convicts serving life sentences were desperate for outside aid to assist their escape. In response to their secret written appeals to the American Fenian movement, a Clan na Gael rescue mission succeeded in liberating six of them in April 1876. When Irish nationalists around the world heard the news, they marvelled at the Fenian success and scorned Britain's failure to keep its Irish political prisoners secretly incarcerated. Indeed, when compared with the movement's cavalcade of operational disasters in Ireland, England and Canada, the so-called Catalpa rescue stood out remarkably as one of the few Fenian successes. This chapter is concerned with events that preceded the escape: the circumstances that prompted appeals for assistance, the rescue mission's organization and planning, and the coincidental arrival at Fremantle of an Irish expedition with the same objective. Particular attention is focussed on the nature and extent of Irish-Australian involvement in the mission.

As we have seen, the seventeen British army Fenian transportees were consistently subjected to harsher treatment than the other 'civilian' Fenian convicts. All were considered by the authorities to have been at least doubly treacherous - disloyal both to the Queen's uniform and to her government in Ireland - and seven were branded with a sign of their further discredit: a 'D' tattooed on the chest as an infamous badge of their desertion from the army. Accordingly, during the voyage to Fremantle and in convict work parties thereafter, the military Fenians were scattered among ordinary criminal convicts whereas their civilian comrades were permitted exclusive Fenian quarters and road gangs. The same discrimination applied when forty-two pardons were granted to Australian Fenian convicts between 1869 and 1871.

(1) See Ch. 10 pp. 308-9.

Though three military Fenians were sentenced to only five years servitude in 1866, none received a pardon². A likely explanation, recounted by the Fenian leader John Devoy, is that Gladstone was willing at the time to pardon all Fenians without exception, but was overruled by the Army commander, the Duke of Cambridge, whose opinion had a stronger influence with Queen Victoria:

Gladstone..yielded to strong pressure of public opinion led by Isaac Butt, George Henry Moore and John Nolan, and wanted to release all the prisoners, but a characteristic English reason prevented it. The Duke of Cambridge, Commander-in-chief of the British army, interposed an objection against the military prisoners and his word was law with his august cousin Queen Victoria. Releasing these Fenian prisoners, he said, would be subversive of discipline in the army, and as the duke was a great soldier, as soldiers go near the top of the army in England, that settled it. H.R.H. had won distinction in the Crimea by promptly falling from his horse at the opening of the battle of the Alma and had to nurse a dislocated shoulder at home in England during the balance of the war. But he knew all about discipline and red tape and he was quite sure that it would have a bad effect on the army to let those Fenian fellows out³.

When even those among them serving short term sentences were excluded from the pardons granted, the Fenian military convicts would have realised that Queen's clemency for them was a remote prospect. This left two options open to them: to serve out their sentences, or follow O'Reilly's example and attempt escape. At least some were aware of an assurance given by a pardoned comrade, Jeremiah O'Donovan, before he left the colony for Ireland in September 1869. O'Donovan told one of the military Fenians, James Wilson, that rather than attempt to escape unassisted, he and the others would be better advised to wait until arrangements were made for them by three pardoned men who intended to stay in the colony and had been trusted with a portion of the Fenian relief fund that was due to the remaining Fenian convicts⁴. One military Fenian who may not have heard of this, or perhaps grew impatient, was James Keilley, a Tipperary soldier serving a life sentence. Keilley had already shown some defiance as a prisoner in March 1869 when reprimanded for

- (2) John Donoghue, William Foley and John Lynch (Convict Register R16, CNs 9714, 9738, 9811, Convict Dept. Records, WAA 1156 - hereafter R16).
- (3) Gaelic American (New York), 16 July 1904. Devoy's reminiscences of the Catalpa escape appear weekly, 16 July - 8 October 1904.
- (4) Wilson to Devoy, 4 September 1873, W.O'Brien and D. Ryan (eds), Devoy's Post Bag, 2 vols., Dublin, 1948 and 1953, Vol. 2, pp. 562-6.

insubordination and refusing to work⁵. In July, his two attempts to abscond from his road party earned him respectively two days solitary confinement and one month hard labour⁶. A 30/- reward paid to the two constables responsible for his second recapture was charged against him⁷. The fact that Keilley was so readily caught suggests that his escape bids were made on impulse. Whatever the circumstances, he subsequently reformed. Between 1870 and 1876, several instances of responsible and useful conduct earned him nearly two years remission to his sentence and a promotion to convict constable⁸.

A more concerted escape bid, partly modelled on O'Reilly's, was made in 1870 by Thomas Hassett. Hassett was also serving a life sentence and wore the engraved 'D' on his chest as a reminder of a night in January 1866 when he left sentry duty at the Royal Hospital, Kilmainham, after a warning that his arrest was imminent⁹. O'Reilly recalls that Hassett surprised a secret meeting of Fenian military deserters that night when he appeared at the door of a house in Thomas Street, Dublin, resplendent in his scarlet uniform complete with knapsack, rifle and sixty rounds of ammunition; his red coat was consigned to the fire and he joined them, ready-armed¹⁰. In appearance he reminded O'Reilly of a muscular Methodist minister¹¹. Prior to his escape in Western Australia, Hassett's convict record had been marred by only one instance of insolence, which earned him three days bread and water, and a lone reprimand for drinking¹². He thus took his warder by surprise when he made off from a Toodyay work party in June 1870¹³.

A detailed account of Hassett's escape is given by James Wilson in a long letter he wrote to John Devoy in September 1873¹⁴. In a catalogue of charges that the relief fund trustees Noonan, Brophy and O'Mahony, had shown a marked reluctance to advance them money to assist their escape, Wilson cited

- (5) R16, CN 9797; Superintendent's Register V10, CN 9797, Convict Dept. Records, WAA 1156 (hereafter V10).
- (6) *ibid.*
- (7) Governor's approval of police expenditure 1867-75, Colonial Police Records, 4925, 29 July 1869, WAA 129.
- (8) R16, CN 9797.
- (9) 'Personal and other description of 280 convicts received per ship Hougoumont on 10 January 1868', Convict Dept. Records, WAA 128; Boston Pilot n.d., reprinted in Melbourne Advocate 28 January 1871.
- (10) O'Reilly's account, Pilot n.d., loc. cit.; and see James Roche, Life of John Boyle O'Reilly, New York, 1891, pp. 123-5.
- (11) *ibid.*
- (12) R16, CN 9758; V10, CN 9758.
- (13) *ibid.*; and see Advocate, 17 December 1870.
- (14) Wilson, loc. cit.

Hassett's bid as a case in point. He said that Hassett had surprised his free comrades when he suddenly appeared at the Fullam brothers' residence in Perth, seeking a place to hide. When all of them refused to take him in, he was forced to seek shelter from a stranger, a friendly Irishman, who gave him refuge for a few days. The free Fenians then proposed that he should go to Bunbury where plans could be made to smuggle him aboard an American whaler. Hassett agreed to go, but was given only £1 to undertake a journey of 120 miles on foot through the bush. In the Bunbury district he was taken in by a poor Irish family who gave him employment, but could only afford his food and keep in lieu of wages. Eventually, a whaling skipper agreed to smuggle him out of the colony for £30. Noonan was contacted and agreed to forward the money, but for some reason it was never sent. Several urgent reminders from Hassett, a messenger sent to Perth, and a written request from Father McCabe, the priest who had assisted O'Reilly's escape, were all to no avail. After the skipper sailed without him, Hassett desperately stowed himself aboard the Southern Belle, bound for London, but was discovered by the water police who had been particularly vigilant since O'Reilly's escape. On his return to Fremantle Prison in April 1871, he was sentenced to three years hard labour within the prison, the first six months in strict solitary confinement¹⁵. He had been at large ten months.

Much the same account of Hassett's escape was given by another military Fenian, Martin Hogan, in a letter he wrote to the Dublin-based Amnesty Association in August 1875¹⁶. In the absence of a version of these events from Noonan, Brophy or O'Mahony, it is unclear whether or not they deserved the blame both sources directed at them. It would certainly appear that they delayed sending, or withheld, money due to Hassett, since they held in trust about £35 for each Fenian convict¹⁷. But whether this apparent obstructiveness was accidental, or arose from concern that they might be implicated and imprisoned as abettors, or was due to some disagreement with Hassett, or resulted from one or more of them having commandeered the trust fund, cannot be established. When Hassett reached New York in 1876 - having been one of those liberated by the Catalpa rescue - O'Reilly mentioned him in a welcoming

(15) R16, CN 9758.

(16) Hogan *et al* (James Keilley, Robert Cranston, Thomas Hassett, Michael Harrington, James Wilson and Thomas Darragh) to Michael F. Murphy, Secretary of the Amnesty Association, 3 August 1875, Charles G. Doran Papers (per. John C. Elliot, of Dublin).

(17) *ibid.* Hogan received this information from Samuel Winter, the Australian co-ordinator of the Fenian Relief Fund.

speech as a gallant comrade who had 'fled into the bush, and lived there like a wild beast for a whole year, hunted from district to district in a blind but manful attempt to win his liberty'¹⁸. Beyond this, no Fenian reminiscence enlarged on the escape. It can be stated with certainty, though, that Hassett, Wilson, Hogan, and most of the other military Fenians became bitterly disappointed and impatient when no escape plans were formulated for them by their freed comrades in Western Australia.

The first to gain a measure of freedom were those sentenced to only five years servitude, John Donoghue, John Lynch and William Foley, who duly received tickets-of-leave between May and July 1869¹⁹. Donoghue and Lynch had been well-behaved convicts and gave no trouble after their release. Donoghue worked as a labourer and stockman, and was employed for a time by Brophy, as a builder's labourer on a generous salary of £4-16-0 a week²⁰. When his sentence expired in August 1871, he was granted a certificate of freedom and settled permanently in the colony²¹. Lynch also found work as a labourer until he received a conditional release at York in November 1870²². Thereafter his movements cannot be traced. Foley, too, worked as a labourer, duly receiving a certificate of freedom in August 1871²³. Like his comrades he kept out of trouble with the law. We shall see below that he proved a useful assistant in the Catalpa rescue²⁴.

The convict records of a further four, Patrick Killeen, John Foley, John Shine and Thomas Delaney, who received tickets-of-leave in 1871, reflect an aimless, unsettled attitude, understandable in men who had been uprooted from family ties in their native land, cast several years in the company of criminals, then partially released into the assignee-convict class among whom there was a strong temptation to drown loneliness and lack of self-esteem in heavy drinking. Typically this attitude led to behaviour unacceptable in the convict system; and as the convict continually clashed with colonial authority, he embarked on a downward spiral of increasing offences met with heavier punishments. A break in this unfortunate 'rehabilitation', if there was one, generally occurred only when full liberty was restored.

(18) Quoted, Roche, op. cit., p. 171.

(19) R16, CNs 9714, 9811, 9738.

(20) *ibid.*, CN 9714.

(21) *ibid.*; and see Ch. 11, p. 340.

(22) R16, CN 9811, loc. cit.

(23) *ibid.*, CN 9738.

(24) pp. 263-4.

Patrick Killeen, a horse-trainer in the Royal Artillery, had spent most of his sentence at York, working as a convict teamster. A well-behaved probationary convict, he was reported on only two occasions: once in 1868 for refusing to mend his shirt (three days bread and water) and again in 1870 for refusing to shave (cautioned and discharged). In 1870 a letter arrived from his father, James Killeen, inquiring after him; and he subsequently asked if his father, mother, sister and wife could be assisted to emigrate to the colony. The comptroller general, Henry Wakeford, indicated that his request would be conveyed to the British secretary of state; but after an examination of Killeen's file revealed that he had previously declared himself unmarried, no further consideration was given to the matter. Upon receipt of his ticket-of-leave in March 1871, he was assigned to the Toodyay district, and later to York, working at various labouring jobs including one in the employ of Father McCabe, for 30/- a week. In August that year, he was fined 10/- for being absent from his district without leave. In September 1872, two offences of being drunk and out after the 10.00 p.m. curfew earned him one month hard labour in Fremantle prison. Thereafter, he kept out of trouble until granted a certificate of freedom at York in June 1874. He remained in the colony, wandering from job to job on outlying stations²⁵.

John Foley, a driver in the Royal Artillery, had spent most of his sentence as a convict teamster working on the road from Perth to Albany. First reported in March 1869 for idleness and having a newspaper, he received five days bread and water. A few days later, inattention to his driving earned him seven days gang labour. In July, for general misbehaviour and disrespect, he served ten days solitary confinement; and a year later, drunk and disorderly conduct resulted in a further thirty-five days solitary. Three weeks after he received a ticket-of-leave in March 1871, he was found drunk and incapable, and returned to Perth prison to serve fourteen days hard labour. During the next three years, he was assigned at different times to his free comrades, Noonan and Kearney, to Patrick Moloney, the friendly Irish publican of Perth's Shamrock Hotel, and in the mines at Geraldton; but was often in trouble, mainly through his drinking habits. In February 1872, his ticket was revoked for two months for causing a disturbance at a road party where some unreleased Fenians were working. Later that year he served three and a half months hard

(25) R16, CN 9798; Comptroller's Letter Book C16, 9774; Perth Gaoler's Corres. Reg., C52, 12643, 12680, 12917, Convict Dept. Records, WAA 1156 (hereafter C16 and C52). On Killeen's later years in the colony, see Ch. 11 p. 341-2.

labour at Perth prison for being absent from lodgings and out of hours. The next year, more drink charges resulted in his detention at Fremantle prison. He finally received a certificate of freedom in February 1875, after serving a year longer than the seven year sentence he was given in May 1867. In August 1878 he made his way to Adelaide, after which his movements cannot be traced²⁶.

John Shine, a Limerick mason and farm labourer before he joined the 60th Rifles, was initially a well-behaved convict. Reported only once whilst a probationer - in February 1869 for refusing to work in support of the Fenian 'mutiny'²⁷ - his steady conduct earned him promotion to convict constable in February 1870. He received his ticket-of-leave in September 1871 and was assigned to Noonan on 4/- a day. Within a week, however, he was fined 10/- for being absent from lodgings. Between 1871 and 1876 he was assigned to some two dozen employers, mostly working at servant duties, labouring, haymaking and shepherding, in the course of which he was often in conflict with the law. In October 1872 three charges of not reporting, drinking and out after curfew earned him three weeks hard labour. In June the next year, he was fined 5/- for disorderly conduct in court whilst facing another charge of not reporting. In 1875 he was sentenced to one month hard labour after three charges of being drunk and incapable and out of hours whilst assigned at Champion Bay. Originally sentenced to ten years in 1866, he completed twelve years servitude before receiving a certificate of freedom in March 1878. In July 1882 he sailed for Melbourne with two Fenian comrades, Thomas Delaney and James McCoy, after which there is no trace of his movements²⁸.

Thomas Delaney, a guardsman in the 5th Dragoons, had shown exemplary conduct as a probationary convict in gang labour at Mt. Eliza. After three years he earned himself three months remission, and was duly promoted to convict constable in February 1871. In July, he was given a ticket-of-leave and assigned to Noonan; but by September he was before a magistrate, charged with being out of hours, and was fined 10/-. Four days later, found 'loitering about town and public houses', his ticket was revoked and he received one month hard labour at Fremantle prison. Between 1872 and 1878, he was assigned to a variety of labouring jobs, teamster work and servant duties; but was

(26) R16, CN 9737; V10, CN 9737; C16, 10228.

(27) See Ch. 6, pp. 168-73.

(28) R16, CN 9871.

constantly in trouble, mainly through repeated carousing. All told, his ticket was revoked six times as a result of numerous charges of being drunk and incapable; out after curfew; disorderly in conduct; being in a house of ill fame; leaving his team unattended whilst in a public house; using obscene language when warned to attend court; drinking in a disorderly house; insolence; refusing to work; and refusing to leave a refractory cell. His total punishment for these offences was almost three years hard labour at Perth and Fremantle prisons. When the Catalpa rescue took place in April 1876, he was under close confinement in Fremantle prison, serving hard labour. Originally sentenced to ten years in 1866, he served twelve before he received a conditional pardon in March 1878. In July 1882 he sailed to Melbourne with Shine and McCoy after which he cannot be traced²⁹.

The convict records of these four men indicate the difficulties they had, trying to adjust to the partial freedom permitted to ticket-of-leave holders; an experience, no doubt, little different to that of most Western Australian convicts in the same circumstances. Obviously, there were fundamental inadequacies in the rehabilitative capacity of the British penal system, transplanted and modified as it was to meet the labour needs of a pioneering society. A noticeable feature of the Fenian string of transgressions is the absence of any violent misdeemeanour. There is instead a strong and indeed defiant inclination to seek comfort and cheer in carousals,, as a sustaining buffer against the loneliness of a frontier environment. For young men in their prime, thrown into a rough society in a hard land, their behaviour, and the convict system's inflexible treatment of it, were both fairly predictable.

Only two of the other nine Fenian military convicts received tickets-of-leave before the Catalpa rescue. James McCoy, from Dublin, a drummer in the 61st Foot, had been sentenced to fifteen years, and was not eligible for a ticket-of-leave until mid 1874. As a probationary convict he was well-behaved, and duly promoted to convict constable in September 1870. Within two years however, three drinking offences resulted in his being stripped of his rank. After receiving his ticket in June 1874, he was assigned mainly as a baker in Perth and Fremantle, where his conduct resulted in a record much the same as Delaney's. In McCoy's case, his ticket-of-leave was revoked seven

(29) R16, CN 9710; V10, CN 9710; C51, 11212, 9, 29 November 1869.

times between 1874 and 1878, as he progressed through a long series of charges and punishments for being drunk and incapable; holding conversations with convicts; being out after curfew; absent from lodgings; refusing to work; and refusing to leave a refractory cell. He was assigned in the Vasse district when the Catalpa rescue occurred, and celebrated it with a heavy drinking bout that earned him fourteen days hard labour at Fremantle Prison. Granted a conditional pardon in March 1878, he left the colony with Shine and Delaney in July 1882, bound for Melbourne. Thereafter his movements are not known³⁰.

The case of Patrick Keating, whose ticket-of-leave was granted in July 1873 only on account of chronic ill health, provides another facet of the Fenian convict experience; that, despite the brutalising impact the British colonial penal system had on those who administered and suffered it, there were nevertheless occasions when the authorities showed creditable compassion. Keating, a labourer from Clare before he joined the 5th Dragoons, had been informed upon in 1866, brought to trial, and sentenced to penal servitude for life. It was Keating who had reassured O'Reilly when he first boarded the Hougoumont, easing O'Reilly's dismay at the fearful human misery below deck³¹. Forty-one when he arrived at Fremantle, he developed an organic disease that began to trouble him after four years servitude, and in November 1871 was admitted to Fremantle prison hospital in a pale and sickly condition. The surgeon, George Attfield, diagnosed his complaint as 'febricula', and administered rice pudding porridge morning and night, supplemented with chicken broth. He returned to work after five days in hospital. In March 1872 he was readmitted, complaining of chest pains and a weight loss of 1½ stone. On the same diet Attfield restored his weight to 11½ stone and discharged him in May; but within a month he was back in hospital, anaemic, thin, and in pain. Six months hospitalisation supported by dietary supplements, including castor oil, fish, mutton chops, beef tea and potatoes, failed to improve his condition. On 2 July 1873, the Catholic chaplain of Fremantle Prison, Father A. Bourke, suggested that Keating be given a ticket-of-leave in the hope that a change of scene and the company of friends might spark a recovery. The acting comptroller general,

(30) R16, CN 9815; V10, CN 9815.

(31) See Ch. 5, p. 130.

William Robert Fauntleroy³², asked for a comment from Attfield, who replied that Keating was incurably ill from an organic disease of the pancreas and spleen but would possibly live longer if allowed to reside outside the prison. Fauntleroy visited Keating, learnt from him that he wished to go to York (sixty miles east of Perth), and instructed that he be issued clothing and medicine to do so. He was discharged on 7 July, but admitted to Guildford hospital, nine miles from Perth, when it was found that he was too weak to continue to York³³.

James Wilson, intent on giving Fenian friends in America the impression that he and his comrades were suffering severe privations as convicts, related in a covert letter to John Devoy that Keating's condition deteriorated as a result of indifferent treatment:

...He went out of here on a cold black day in the midst of winter, and, only for the exertions of our own men inside the prison, he would have had nothing to cover him except the regulation blue shirt and pants which was all unfit for the covering of a sick man in cold and stormy weather³⁴.

While it is correct that Keating left the prison in mid-winter and may well have received extra clothing from his comrades, his medical and general treatment reflect, to the contrary, that the utmost care and consideration was given to him. In November 1873, when it was clear Keating was dying, Father Matthew Gibney asked Fauntleroy if Wilson could be given special leave to comfort him at Guildford hospital. Fauntleroy consented, instructing that Wilson be escorted immediately to Guildford. On 16 December, a further request came from Joseph Noonan who asked if Keating and Wilson could be permitted to reside in his Perth residence. With Governor Frederick Weld's approval Fauntleroy again complied, though he took the precaution of ordering that a warder visit the house daily at unexpected times. On 19 January Wilson was

- (32) Wakeford had been promoted to governor of Woking male convict prison in November 1871. Fauntleroy, the registrar of Fremantle Convict Establishment, replaced him in March 1872 and held the position in an acting capacity for several years. (Home Secretary Bruce to Governor F.A. Weld, 28 November 1871, Home Office Despatches 1869-80, WAA 391; examination of W.R. Fauntleroy, official inquiry into the Fenian escape, 15 May 1876, Governor's Corres. 1878-79, WAA 392.)
- (33) Compiled from sundry records: R16, CN 9792; Surgeon's Medical Register M9, November 1871 - June 1872, Convict Dept. Records, WAA 1156 (hereafter M9); C52, 12694, July, August 1873.
- (34) Wilson to Devoy, 4 September 1873, loc. cit.

found drunk, but only cautioned that a repetition would lead to his removal to prison. When Keating died on 27 January, Noonan was allowed to arrange the funeral on condition that it was not accompanied by any kind of Irish demonstration. A quiet ceremony attended his burial beside the Fullam brothers' grave in Fremantle cemetery³⁵.

For a dying convict then, Keating was given unusually compassionate consideration. Two factors may have influenced this. Firstly, Weld and Fauntleroy would have been aware of the fact that a strong lobby of public opinion in Britain favoured more humane treatment of Fenian prisoners, particularly during the early 1870's. Under this pressure, for example, Gladstone's government established the Devon Commission of Inquiry to ascertain whether Fenian convicts - notably O'Donovan Rossa - had been excessively punished, for no positive result other than the unwanted effect of enobling them in the eyes of their countrymen³⁶. During the same period considerable publicity had been given to various other individual cases of alleged mistreatment, such as that of Daniel Redden, a Fenian released in England in a state a partial paralysis brought about by the rigours of prison confinement³⁷. In this light, Weld and Fauntleroy may have considered there was more to gain from allowing Keating special comfort than there was to lose, since it would not have served their interests had a rumour spread in the colony, or worse still reached higher authority in England, that prison treatment at Fremantle had hastened Keating's demise. The other influence on decisions taken may have been Weld's background. An unusual appointee to a governorship, he was a self-made New Zealander who had raised himself from bushman, farmer, politician and cabinet minister, to become prime minister of New Zealand³⁸; and such a broad experience of life may have induced in him a more pliant, humane approach to prison regulations. He was also a Catholic³⁹ which may have made him more amenable, than an English Protestant governor would have been, to the requests of Father Bourke and Father Gibney.

For the seven remaining Fenian convicts, all serving life sentences, there was scant comfort in the thought that they could rely on Noonan and

(35) Drawn from: R16, CN 9792; C52, 12694, sundry entries November 1873 - January 1874, loc. cit.; Wilson to Devoy, 15 June 1874, Devoy's Post Bag, Vol. 2, p. 567.

(36) Jeremiah O'Donovan Rossa, My Years in English Jails (1874), Tralee, 1967, pp. 217-26.

(37) Advocate, 1 February 1873.

(38) ibid., 10 July 1869.

(39) ibid.

the good Catholic priests to arrange their funerals should they die whilst serving out their terms. Hasset's experience, on the other hand, had demonstrated the futility of trying to escape without carefully planned outside support; and since Noonan and the other pardoned Fenians seemed unwilling or unable to provide that, they turned to the only other source of assistance open to them: Fenians in America and Ireland. The first such move was made by Martin Hogan in 1871, within a month of Hasset's recapture. He read in a newspaper smuggled into the prison that amongst a group of conditionally pardoned Fenians warmly received in New York following release in England, was an old comrade, Peter Curran, in whose public house in Dublin Hogan and others had received Fenian military training from an Irish-American cavalry officer, Captain John McCafferty. Using Father McCabe as an intermediary, Hogan wrote at once to Curran:

Perth, Western Australia
May 20th 1871

My Dear Friend:

In order that you may recollect who it is that addresses you, you will remember the night of the 17th January, 1866, some of the Fifth Dragoon Guards being in the old house in Clare Lane with John Devoy and Captain McCafferty. I am one of that unfortunate band and am now under sentence of life penal servitude in one of the darkest corners of the earth, and as far as we can learn from any small news that chances to reach us, we appear to be forgotten, with no prospect before us but to be left in hopeless slavery to the tender mercies of the Norman wolf.

But, my dear friend, it is not my hard fate I deplore, for I willingly bear it for the cause of dear old Ireland, but I must feel sad at the thought of being forgotten and neglected by those more fortunate companions in enterprise who have succeeded in eluding the grasp of the oppressor. If I had the means I could get away from here at any time. I therefore address you in the hope that you can procure and send me pecuniary help for that purpose and I will soon be with you.

Give my love and regards to all old friends - Roantree, Devoy, Burke (General), McCafferty, Captain Holden, O'Donovan Rossa, St. Clair and others, not forgetting yourself and Mrs., and believe me that, even should it be my fate to perish in this villainous dungeon of the world, the last pulse of my heart shall beat 'God Save Ireland'.

Direct your letter to Rev. Father McCabe, Fremantle.
Do not put my name on the outside of the letter. I remain

Yours truly,
Martin J. Hogan.

'Erin go Bragh!'⁴⁰.

Among the friends Hogan wished to be remembered to, John Devoy felt a particular obligation to try to assist the Fenian prisoners. As chief organizer of British army Fenians in Ireland, he had been largely responsible for their recruitment, and was deeply conscious of the fact that most of their convictions related to Fenian meetings organized by him⁴¹. Although arrested himself in 1866, he had been more lightly sentenced than most of his recruits because he was not a British soldier: for treason-felony, rather than mutinous conduct, he had been sentenced to 15 years penal servitude and was one of the group conditionally pardoned in 1871⁴². On arrival in America, he at once joined Clan na Gael's Fenian wing, the United Brotherhood, and soon rose to a leading position within it⁴³. In 1872 and 1873, he referred the Australian prisoners' plight to consecutive annual conventions of the United Brotherhood, backed by a suggestion from Thomas Fennell, a former Fenian prisoner at Fremantle, that an American vessel loaded with grain or some such cargo could be sent to Australia to provide a means of escape⁴⁴. On both occasions, however, the Brotherhood's executive declined to pursue the matter, being more preoccupied with other concerns and doubting their ability to raise the funds needed for such a venture⁴⁵.

Devoy persisted in his cause, urged on by a second letter from Hogan and a long missive forwarded by James Wilson in September 1873. Wilson, considered by O'Reilly to have had the best intellect of all the Fenian military prisoners⁴⁶, devoted most of his letter to complaints about Noonan's apparent reluctance to advance the Fenians their full financial dues; but what particularly interested Devoy was his accurate description of their situation and suggest^{ion}s as to how they might be rescued:

(40) quoted John Devoy, Gaelic American, 16 July 1904.

(41) ibid.

(42) Fenian Papers, 5246 12, No. 27, State Paper Office, Dublin.

(43) T.D. Williams, 'Devoy and O'Donovan Rossa', T.W. Moody (ed.). The Fenian Movement (1968), Dublin, 1978, pp. 92-4.

(44) Gaelic American, 16 July 1904.

(45) ibid.

(46) Boston Pilot, 27 May 1876, quoted, James Roche, Life of John Boyle O'Reilly, New York, 1891, p. 158.

..I was delited (sic) to find that Martin Hogan had opened up a communication with you. It was the thing of all others that we most wanted, for we are under the impression that you would have divised (sic) some scheme to get us out of this if you had known the real position of affairs with regard to us; now there is not the least thing in the world to prevent us getting away from this place if it was managed properly, the whole amount of the population of this country is only twenty-four thousand.

There are some good ports where whalers are in the habit of calling and several other towns in the interior of the country. You can perceive at a glance that the number of inhabitants in any of those places are not very great. The greater portion of the people are in and about the capital, Perth, and the chief seaport, Fremantle, where is situated the convict establishment. There is a guard of pensioners at Fremantle and also Perth. They are about three hundred strong all told. This forms the whole disposeable (sic) force of the colony; with a few police. So you see that it would not be much risk for any vessel, whaler or otherwise, to run in on some pretence or other. And if we had the means of purchasing horses could make through the⁴⁷ bush to the coast where the vessell (sic) might be and so clear out...

When Devoy raised the matter yet again, during the Brotherhood's annual convention at Baltimore in July 1874, he was in a stronger position to influence proceedings, and was finally successful. It was moved that he be appointed chairman of a ten man committee responsible for planning the mission and raising funds to effect it⁴⁸. In practice most of the work fell to Devoy and five others: John Reynolds from New Haven, Connecticut; Patrick Mahon and John Goff, from New York; John Talbot, from San Francisco; and Dr. William Carroll, from Philadelphia⁴⁹.

Devoy's initial idea was to lead a band of twelve or fifteen carefully selected men who would land fully armed from an American ship calling at a Western Australian port, rendezvous ashore with a Fenian agent sent ahead of them then release the prisoners from custody, by force if necessary⁵⁰. The final plan, however, gradually evolved during the first months of 1875, following consultations with former Australian prisoners who had settled in America. Thomas Fennell, John Kenealy, Denis Cashman, John Walsh and John Boyle O'Reilly,

(47) Wilson to Devoy, 4 September 1873, loc. cit.

(48) Gaelic American, 23 July 1904.

(49) ibid.

(50) ibid.

all conveyed their knowledge of conditions in Western Australia, suggested likely contacts, and made available useful intelligence they'd received in letters from Australia⁵¹. O'Reilly in particular, was a guiding influence from the outset. He advised Devoy that they should commission a New Bedford whaler for the purpose but stressed the need for absolute secrecy, a lack of which had been the undoing of so many Fenian operations in the past. 'Above all things you should keep your means of proceeding a secret', O'Reilly warned. 'The crowd may know (what) you are doing; but they ought not to know - not half a dozen men should know - how it was to be done'⁵².

Following discussions with Cashman and O'Reilly at the Pilot's Boston office in February 1875, Devoy proceeded to New Bedford with an introduction to meet O'Reilly's old friend, Henry Hathaway, who had wide experience in whaling and proven loyalty from his conduct as third mate aboard the Gazelle, the whaler on which O'Reilly had escaped from Bunbury⁵³. Hathaway, who had since retired from the sea to become captain of the New Bedford night police, entered warmly into the project, immediately impressing Devoy with his knowledge and manner. Devoy noted in his diary:

(Hathaway) Recommended strongly the buying of a vessel and gave solid reasons why any other course would not be safe. Showed how it could be made to pay expenses. Splendid physique; handsome, honest face; quite English looking. Wears only side-whiskers; very reserved in manner; speaks low and slowly, but every word fits. Never without a cigar in his mouth. Eighteen years to sea, whaling all the time⁵⁴.

On Hathaway's advice a whaling agent, John Richardson, was engaged, and after much examination of and bargaining for ships, a choice was made. The Catalpa, a 202 ton barque, slow sailing but a sound vessel which had served as a trader, was purchased at Boston for \$5,250⁵⁵. As soon as the winter ice thawed, it was sailed to New Bedford. It underwent conversion there to a whaler, complete with a coppered hull, and was then fully equipped and provisioned for a whaling expedition⁵⁶. Hathaway supervised the fitting out

(51) ibid. 23 July, 6 August 1904.

(52) O'Reilly to Devoy, 4 December 1874, Devoy's Post Bag, Vol. 1. p. 86.

(53) Gaelic American, 23 July 1904.

(54) ibid.

(55) ibid., 6 August 1904; see also Irish World (New York), n.d. reprinted Melbourne Advocate, 5 August 1876.

(56) Gaelic American, 6 August 1904.

and also recommended a captain he was confident the committee could trust: Richardson's son-in-law, George Anthony, a native of Nantucket, aged 29, who had been a whaler since boyhood⁵⁷. Anthony was made fully aware of the expedition's Fenian objective but was not put off from accepting his first offer of a captaincy. It is worth noting that Hathaway, Richardson and Anthony, in whom Devoy placed great trust, were neither Fenians nor Irish, but were imbued with a sense of empathy derived from traditional American respect for national independence and the rights of man, won in their own land at England's expense in 1776, and reinforced in 1865, against English support for the South during the Civil War⁵⁸.

An Australian Prisoners' Rescue Fund to finance the operation was launched immediately after approval was given at the Baltimore convention of 1874⁵⁹. Through voluntary contributions from Clan na Gael's 86 district branches and some 7000 members, about \$6,000 was raised in a few months by way of a skilfully managed drive which alluded to the general nature of the mission without giving details⁶⁰. Circulars sent to the branches included copies of Martin Hogan's 1871 appeal, a letter from one of the great patriachs of Irish nationalism, John Mitchel, and extracts from a second, emotionally moving letter Devoy received from James Wilson.

Hogan's letter has already been described. Mitchel's related to his return of \$100 the Fenians had paid him to lecture at the Cooper Institute, New York, in aid of the rescue fund. Aware that his word was gospel among the American Fenian rank and file, Devoy's committee readily capitalised on the publicity value of his written support:

Brooklyn
8th Dec. 1874.

Dear Friend Rossa,

The good Irishmen who are interesting themselves in a

- (57) *ibid.*; Z.W. Pease, The Catalpa Expedition (published, George Anthony), New Bedford, 1897, p. 72.
- (58) Hathaway's sentiments are evident in extracts from a diary he kept while on board the Gazelle (quoted in Roche, *op. cit.*, pp. 91-6), particularly the entry 18 December 1869 (*ibid.*, p. 95). On Anthony and Richardson: Gaelic American, 16 July 1904. See also, Ch. 7, p. 202.
- (59) Gaelic American, 23, 30 July 1904.
- (60) Gaelic American, 23, 30 July 1904.

good and sacred work - which I need not more specifically specify - but which calls forth all my sympathies - will certainly allow me to make my humble contribution towards the fund which is to go to that humble use. I think I said to you before, that I could not think of making profit of a lecture, the proceeds of which were to be devoted to such a cause. Take back therefore this cheque for \$100; I will not have it. When I was in Australian captivity I never could have dreamed of any possibility of escape, but for the means supplied for that purpose by our good countrymen.

Who should sympathise with our countrymen in bondage if I did not?

Therefore, my dear friend, just cancel this cheque; for it would be far more grateful to me - if I were young enough - to take part in the expedition which, no doubt, will be made, than to derive any sort of personal profit from the devoted zeal of my countrymen in such a cause - which is in fact my own cause.

Very truly your friend,
John Mitchel⁶¹

Mitchel's lecture had described a trip he made to Ireland in July that year - his first return after 26 years' exile - to stand for the British parliament as the candidate for Tipperary. He was duly elected, then returned to America after the British government annulled the result following his refusal to take the loyal oath⁶². When a new election was called, he returned to Ireland and was re-elected, but died there during parliamentary debate on a second annulment⁶³. On receipt of the news, Clan na Gael organized a massive memorial demonstration at the New York Hippodrome, some proceeds from which were passed on to the Catalpa project⁶⁴.

The letter Wilson wrote to Devoy in June 1874 took the form of a final, desperate appeal for assistance to help the remaining Fenians convicts to escape⁶⁵. Included was a detailed description of Keating's demise and further bitter complaints about Noonan's frugality with the funds set aside for them in his trust. Devoy deleted the references to Noonan then circularised the rest of the letter to the Clan na Gael branches to encourage fund raising⁶⁶. Its contents were such as to move even the hardest Irish heart to a sense of

(61) *ibid.*, 30 July 1904.

(62) *ibid.*, 30 July, 20 August 1904.

(63) *ibid.*

(64) *ibid.*

(65) Wilson to Devoy, 15 June 1874, Devoy's Post Bag, Vol. 2, pp. 566-8.

(66) *ibid.*, fn. p. 566; *ibid.*, Vol. 1, pp. 81, 84-5; see also, John Devoy, Recollections of an Irish Rebel, New York, 1928, pp. 252-3.

obligation towards the seven life-sentenced prisoners:

Fremantle, Western Australia.
15 June 1874.

Dear Friend,

It is now over 12 months since I wrote to you before, and ever since I have been waiting and watching every mail expecting and hoping that you would answer my letter, but concluding that it never reached your hand or else that you have been waiting to see the result of the appeals made at home for our release. I have decided now that these efforts have failed to appeal to you once more.

.....It is most certain that the British Government will never release one of the soldiers. This is as true Holy Writ; most of us are beginning to show symptoms of disease, in fact, we are all ailing to a a greater or less extent, and cannot expect to hold out much longer, and one of our number, the finest man amongst us named Patrick Keating, is dead. This will also be our position if we do not get some assistance soon...And what a death is staring us in the face, the death of a felon in a Brittish (sic) dungeon, and a grave amongst Britton's ruffians. I am not ashamed to speak the truth...that it is a disgrace to have us in prison today. A little money judiciously expended would..release every man that is now in West Australia,

.....This can be readily done thro' a whaler. There could be a whaler spoken to in Boston or any other port that they sail from and for a trifle she would call here for water and provisions, and if we could know the name of the captain and also of the ship, we could be ready to start as soon as she was ready for sea.

.....We want you to let our case be known to O'Donovan Rossa and the Council and tell them that in the hour of trial we flinched not and that we expect to be assisted out of our difficulty..(and) We expect great aid from you yourself who know us perhaps better than any other man in the organization.

.....Now, dear Friend, remember this is a voice from the tomb. For is not this (a) living tomb? In the tomb it is only a man's body that is food for worms but in this living tomb the canker worm of care enters the very soul. Think that we have been nearly 9 years in this living tomb since our first arrest, and that it is impossible for mind or body to withstand the continual strain that is upon them. One or the other must give way....⁶⁷

Such enclosures helped stimulate voluntary contributions prior to February 1875, but once the decision was made to purchase and provision a whaler,

(67) Wilson to Devoy, 15 June 1874, loc. cit.

which Hathaway estimated would cost at least £12,000, Devoy recommended that each district branch be invited to vote a loan from its funds reserved for revolution in Ireland. On the understanding that such loans would be fully repaid when the Catalpa and its oil were sold, the idea was adopted. Straight forward in theory, the extraction of loans in practice took much effort, patience and lobbying on the committee's part. In the process, Devoy realised that since so much depended on his supervision, he would need to remain in New York rather than take part in the expedition. By the time the vessel was ready to put to sea, \$19,010 had been expended on the project⁶⁸.

In the selection of crew it was realised that the inclusion of a dozen or more Fenians, untrained in whaling, would very likely arouse suspicion and create problems for the captain. After much deliberation it was decided that only one or two should go. The first choice was Denis Duggan, a Dublin-born Fenian of proven courage, who had been one of the bodyguard chosen to protect the Fenian leader, James Stephens, when he escaped from Richmond prison in 1865. A coach-maker by trade, he became ship's carpenter. The second choice, Thomas Brennan, was nominated by John Goff, one of the committee, but was not held in high esteem by the others. Goff was determined to have Brennan go - partially, it seems, because his own proposal to lead the expedition, with full authority over the captain, had been rejected by the committee. This wrangle reached a climax on board the Catalpa after Brennan arrived in New Bedford too late to be included in the ship's papers, already cleared by customs. Reluctantly, Goff and Brennan accepted a compromise Hathaway suggested: Brennan was to make his way independently to Fayal or St. Michael's, in the Azores, to rendezvous with the vessel six months hence. It was considered very likely that by then at least one crewman would have died or deserted, and Brennan could fill the vacancy providing Captain Anthony could safely keep the rendezvous. The rest of the twenty-four man crew were actual whalers: Samuel Smith, first mate, was an American of Scotch parentage; the others mostly Malays, Kanakas and Portuguese negroes from the Azores and Cape Verde Islands, and one or two whites⁶⁹.

(68) Gaelic American, 27, 30 July, 6, 20, 27 August, 1904.

(69) ibid., 23 July, 20 August 1904. For Brennan's account: Report of the 8th Annual Convention (of the United Brotherhood), Cleveland, Ohio, 4 September 1877, Catholic Univ. of America, Washington, pp. 10-13 (hereafter, '1877 Convention Report').

On the eve of departure, Anthony was instructed to cruise six months in the north Atlantic, put into Fayal, ship home any oil taken, then head for Australia via the Cape of Good Hope⁷⁰. He was to time his arrival at Bunbury in the early spring, then await instructions from Fenian agents sent directly to Australia to make plans for the break-out⁷¹. The Catalpa set sail on 29 April 1875 and whaled with good fortune, \$11,000 being later realised from the oil taken⁷². As anticipated, one crewman died at sea and several others deserted when the ship put into Fayal in October⁷³. Brennan, who had been waiting for two months on the neighbouring island of St. Michael made haste to Fayal when he heard the Catalpa was in port; but the ship departed hurriedly on 6 November, the day before he arrived⁷⁴. He was sure Anthony had deliberately left him behind⁷⁵. Years later Anthony confirmed this⁶⁵, but it appears his reminiscence covered the fact that the sudden departure was in part due to a timely warning that Fayal authorities had discovered he was smuggling tobacco⁷⁷. Not to be outdone, Brennan proceeded alone to Fremantle, financed by Goff and others critical of Devoy⁷⁸. He arrived in time to participate in the rescue, but harboured strong resentment against Anthony and Devoy, and contributed to a dispute which occurred on the return voyage to America⁷⁹.

The agent Devoy chose to take his place as leader of the Australian mission was John Breslin who had gained renown from the prominent role he played in the daring rescue of the Fenian commander-in-chief, James Stephens, from Richmond Prison, Dublin, in 1865. Born in Drogheda, County Louth, well-educated, and an avowed nationalist, Breslin first became associated with Fenianism when he offered to help liberate Stephens. As infirmary warder in the prison, he carefully planned every detail of the escape, made duplicate keys from wax impressions, unlocked Stephens and helped him scale the outer wall, then returned to duty without being suspected of complicity. He subsequently became a Fenian courier between America and Ireland, and

(70) Devoy quoted, Pease, op. cit., p. 80.

(71) *ibid.*

(72) Statement of the oil sales and voyage expenses per J. T. Richardson's report, '1877 Convention Report', p. 68. For a description of the voyage: Pease, op. cit., pp. 83-90.

(73) Pease, op. cit., pp. 87, 89-90.

(74) Brennan loc. cit., p. 12; Devoy, Gaelic American, 27 August 1904, Pease, op. cit., pp. 90-2.

(75) Brennan loc. cit., p. 12; Devoy, Gaelic American, 27 August 1904.

(76) Pease, op. cit., pp. 90-2.

(77) Devoy quoted, '1877 Convention Report', p. 22.

(78) Brennan, loc. cit., pp. 12-3.

(79) Brennan (under cross examination by Devoy and Breslin), loc. cit., pp. 14-29; Breslin's report, '1877 Convention Report', pp. 57-9.

eventually settled in Boston where he joined the United Irish Brotherhood, a relatively small Fenian organization, with branches in New York and Boston, regarded as a rival body to Clan na Gael. Devoy, having been one of the Fenian team who whisked Stephens away from prison into hiding, had not forgotten the 'clean job' Breslin made of the rescue. He was impressed, too, with Breslin's unassuming reserve, distinguished bearing, cool-minded courage, obvious intelligence and unusual strength of character; and he saw a decided advantage in sending someone familiar with the British prison service. All round, Breslin seemed an ideal man for the task. When the committee put it to him, he readily accepted, agreeing also to their condition that he join Clan na Gael⁸⁰.

Breslin left New York on 19 July 1875, arrived at San Francisco a week later, then proceeded to Sacramento to interview J.C. Talbot, a Californian representative on the rescue committee. The Californian branches, having raised nearly half the rescue fund, had sought to have at least one of their own men on the expedition; and accordingly, Breslin was introduced to the man they proposed, Captain Thomas Desmond. Desmond, an emigrant from Queenstown, County Cork, had struck up a close friendship in Los Angeles with the former Australian prisoner, John Kenealy, and was highly recommended by Kenealy and others for the task in hand. Breslin liked and trusted him from the outset. The two men travelled to Los Angeles in August to discuss plans with Kenealy, then returned to San Francisco to arrange passages to Sydney. Before departing, Breslin converted into gold \$1,200 the committee advanced him, and both men adopted aliases. Breslin obtained from a San Franciscan Fenian, Judge M. Cooney, evidence identifying him as James Collins, a holder of substantial land and mining interests in Nevada and other states; and Desmond became an Illinois-born American, Thomas Johnson⁸¹. They sailed for Sydney on 13 September, intending to contact the Fenian ex-convict, Edward Kelly, upon arrival⁸².

Support for the mission, secretly mobilised in New South Wales and

- (80) Devoy, Gaelic American, 27 August 1904, 21 January 1905.
- (81) Detective Sergeant Thomas Rowe, report, 13 May 1876, Governor's Corres., 1878-79, No. 227, WAA 392.
- (82) Breslin, loc. cit., pp. 30-1; Devoy, Gaelic American, 27 August 1904.

New Zealand after Breslin's arrival at Sydney on 15 October, further verifies the shadowy Fenian network Kelly described in his letter to O'Donovan Rossa⁸³. During Breslin's four-day stopover, Kelly introduced him to John King and James McInerney, two local Fenians with whom he had established connections⁸⁴. Both men were Irish migrants who had been some years in the colony. King, an emigrant from Tallaght, County Dublin⁸⁵, relates that he was a Fenian in Ireland until the movement's 1867 rising was put down. He then retreated to Liverpool and took ship to Sydney, where he worked for a time in a grocery business before trying his luck on the goldfields. As already indicated, he became in 1871 secretary of a New South Wales fund to assist Fenian prisoners pardoned in Western Australia⁸⁶. At about this time, King recounts, plans were discussed and money put aside to organize a local Fenian mission to liberate the remaining Fenian convicts. Prior to Breslin's arrival, however, the only idea that had seemed feasible was one they considered in 1874, following the arrival in Sydney of several exiled communists, foremost among them Henri Rochefort, who had escaped from the French penal settlement on New Caledonia⁸⁷. Observing that Rochefort and his comrades were given political asylum in Sydney before departing for England, King's group thought there was a good chance escapee Fenians would receive like treatment if landed on New Caledonia. Accordingly, they had discussed the possibility of chartering a steamer from Sydney, manned with their own men, to rescue the Fenians imprisoned at Fremantle.

McInerney acted as treasurer of the Fenian group King was associated with. An emigrant from Cratloe, County Clare, he was employed in a quarry his brother owned at Petersham, an outlying Sydney suburb⁸⁸. When Breslin arrived, King was also working at the quarry. He recalls that he and McInerney were returning to the city one Saturday afternoon after work when Kelly first introduced them to Breslin:

(83) See Ch. 8, pp. 235-7.

(84) Breslin mentions McInerney briefly as 'A' (loc. cit., p. 31). In King's narrative of the expedition (Gaelic American, 8, 15, 22 October 1904), McInerney is identified in a more detailed account of Breslin's Sydney visit, from which this paragraph is drawn.

(85) John Denvir, The Rescue of the Military Fenians, pamphlet, Liverpool, 1882, p. 5.

(86) Ch. 8, p. 228.

(87) For some public reactions to the Communists: Marguerite Mahood, The Loaded Line: Australian Political Caricature, 1788-1901, Melbourne, 1973, pp. 142-3.

(88) King, loc. cit., 8 October 1904; Norma McInerney, Narrabeen, Sydney, interview with writer, November 1981; James McInerney, Ennis, County Clare, letter to the writer, January 1982.

...We had a half holiday in the mines on Saturday, and one afternoon in September (actually, October). McInerney and myself were going home from the quarry on an omnibus a little after twelve. As we passed the bus coming the other way I noticed Kelly seated on the top. There were strangers with him and he signaled for us to get down. We all left the 'buses and sat down in the shade of a tree by the roadside. Then Kelly introduced me to the stranger and for the first time I had the pleasure of shaking John Breslin by the hand. He was then travelling under the name of Collins and had left America in the summer of 1875 to come down and arrange all the details of the escape. We had a long talk about these together and Breslin seemed very much surprised that we had been active and had a plan of escape under consideration. He showed us that his plan was the best and urged upon us strongly the necessity of absolute secrecy⁸⁹.

After King and McInerney agreed to give Breslin their full support, the two men indicated that he could have the total sum at their disposal, £200 in gold⁹⁰. Breslin accepted £170, leaving £30 to cover travelling expenses expected to be incurred by the Fenian ex-convict, Michael Cody, whom King undertook to summon to Sydney from the country, to embark on a fund-raising circuit of the New Zealand branches⁹¹. In February 1876, Cody having successfully completed his mission, King followed Breslin to Fremantle, carefully guarding a portmanteau containing £384 collected in New Zealand⁹². Since no further funds were passed to Breslin or King when they contacted friends during^a brief stay in Melbourne⁹³, the total Australasian contribution to the mission was £684. Equivalent to \$3,420 American⁹⁴, this compared favourably with sums raised in America, principally loans only, from a much greater Irish population.

Preparations for the escape commenced in Western Australia unnoticed by the police and prison officers. Breslin and Desmond, under their respective aliases of Collins and Johnson, reached Albany aboard S.S. Pera on 13 November, then boarded the steamer, Georgette, from which they landed at Fremantle three days later⁹⁵. Desmond found work in Perth as a carriage builder, becoming

(89) King, loc. cit., 8 October 1904.

(90) King, *ibid.*; Breslin loc. cit., p. 31; Statement of the A.P.R. Fund, '1877 Convention Report', p. 66.

(91) King, loc. cit., 8 October 1904; Breslin, loc. cit., p. 31.

(92) King, loc. cit., 8 October 1904; Statement of the A.P.R. Fund, loc. cit., p. 66; Breslin, loc. cit., p. 33.

(93) Breslin, loc. cit., p. 31; King loc. cit., 8 October 1904.

(94) Statement of the A.P.R. Fund, loc. cit., p. 66.

(95) Rowe, loc. cit.; Breslin, loc. cit., p. 31.

known to friends and workmates as 'the Yankee' because of his thick American accent⁹⁶. Breslin decided that Fremantle should serve as their headquarters and took accommodation at Patrick Moloney's Emerald Isle hotel, posing as a wealthy visiting speculator⁹⁷. To enhance his image, he left Judge Cooney's document lying about his room for inquisitive eyes to see, and soon heard that he was being talked about as an American millionaire⁹⁸. His appearance seemed to confirm the rumours: the police being later told that he looked about 42, roughly six foot in height, had scant grey hair inclining to baldness, long grey whiskers, a pale complexion, aquiline nose, gentlemanly address and cut, a quiet, reserved manner, and a peculiar long stride, as if flat-footed⁹⁹. Early in December he boldly approached prison officers at Fremantle prison, expressed interest in it, and was permitted a guided tour accompanied by the superintendent, Joseph Doonan¹⁰⁰. A thorough inspection of the corridors, two chapels, punishment cells, hospital, cook-house, workshops and storeroom, convinced him that it was extremely secure and well-guarded, suggesting that the escape would best be attempted on some occasion when the Fenians were outside the prison¹⁰¹. During the next three weeks he managed to have several convert meetings with the Fenian convict, James Wilson; arrangements having been made by a Fenian ex-prisoner, William Foley, with assistance from a friendly Irish warder, Michael McMahon¹⁰². The venue was the prison stables, situated outside the walls, at which Wilson was employed as a constable¹⁰³. Months later the police were informed by an English convict that he had observed a tall well-dressed stranger talking to Wilson on several occasions with obvious cooperation from Warder McMahon, who removed himself into his office whenever the meetings were held¹⁰⁴.

By mid-January, Breslin had determined the plan of escape and had no further need of Foley's hazardous service as an intermediary. Being in poor

- (96) Rowe loc. cit; Breslin loc. cit., pp. 32-3.
 (97) Breslin, loc. cit., pp. 31-2.
 (98) *ibid.*
 (99) Rowe, loc. cit.
 (100) Breslin, loc. cit., p. 32; Examination of Doonan, 3 May 1876, Board of Inquiry into the Fenian escape, Governor's Corres., 1878-79, WAA 392.
 (101) Breslin, loc. cit., pp. 32, 38-9.
 (102) Breslin, loc. cit., p. 32; convict Thomas Kirby's statement, 5 May 1876, encl., Rowe, loc. cit. An inquiry into McMahon's conduct resulted in his dismissal: See Ch. 10, p 304.
 (103) Kirby, loc. cit.; Rowe, loc. cit.
 (104) Kirby, loc. cit.

health from a heart condition and at some risk in the colony, Foley was given assistance to sail to America via England and Ireland¹⁰⁵. He left on 16 January and arrived at New York in mid-July¹⁰⁶. His health declining, he was admitted to St. Vincent's Hospital, New York and died there in November 1876¹⁰⁷, three months after witnessing a jubilant welcome-home for the Catalpa and the escapees.

When King arrived at Fremantle in March, he informed Breslin about some difficulties he experienced at Albany¹⁰⁸. Due to a measles epidemic on his ship, the mail steamer China, all passengers were quarantined on Rabbit Island in King George's Sound. A tense moment arose when the authorities requested all luggage for fumigation. Fearing discovery of the gold, King managed to fling his portmanteau under a bush, then recovered it later, 'willing...to have the whole population of Australia stricken down with measles' rather than jeopardise the mission. That night he overcame the chance of being indefinitely delayed by breaking quarantine with two other passengers. After a four mile row to Albany jetty in a small boat they commandeered, the trio boarded the steamer Georgette bound for Fremantle later that day. They paid the captain for his trouble, avoided searching water police, and reached Fremantle on 5 March. With Breslin's approval King took up lodging in Moloney's hotel. Breslin gave him £20 for a fare back to Sydney but he wanted to stay on for the rescue and was permitted to do so¹⁰⁹. In the meantime he disguised himself as a gold-miner, 'T. Jones', attracted to the colony by reported gold discoveries in the north-west¹¹⁰. Aged about 30, of average height and florid complexion, he wore a thin, sandy-coloured beard and had a smart, active manner¹¹¹.

After weeks of anxious waiting, the rescuers were relieved to learn that the Catalpa had put into Bunbury on 28 March. Breslin hurried there by mail carriage and located Captain Anthony at Spencer's Hotel, where he had taken a room¹¹². Anthony reported that his main concern was with the crew, many of whom had become suspicious during the long voyage to Australia

(105) Foley interviewed by the New York Herald n.d., cited Sean O'Luing, Fremantle Mission, Tralee, 1965, p. 101. See also, Roche, op. cit., p. 160.

(106) *ibid.*

(107) R16, CN 9738.

(108) King, loc. cit., 8, 15 October 1904.

(109) Breslin, loc. cit., p. 33.

(110) *ibid.*

(111) A police description, Rowe, loc. cit.

(112) Breslin, loc. cit., p. 33; King, loc. cit., 15 October 1904.

devoid of any attempt at whaling. Four of the crew were recaptured after deserting at Bunbury: three were in irons on board, and a fourth who assaulted his arresting officer was in Bunbury lock-up undergoing a seven day sentence¹¹³. Anthony added that he had taken the first mate Samuel Smith into their confidence, assuring Breslin that the American could be trusted¹¹⁴. Breslin suggested they both return to Fremantle to survey the coast at Rockingham, twenty miles south of Fremantle, where they planned to collect the escapees aboard a whale-boat in about a week's time, while the Catalpa waited ten to twelve miles at sea, behind Garden Island¹¹⁵.

At this point in the mission, Breslin encountered three unexpected complications. The first was that Thomas Brennan, the Fenian left behind at the Azores, suddenly joined them at Bunbury. Bound for Fremantle aboard the Georgette, Brennan had recognized the Catalpa when his ship put in at Bunbury and had come ashore to offer his services¹¹⁶. Breslin was unenthusiastic about accommodating another agent under some guise or other in the colony, but had no wish to invite further fears or suspicions on board the Catalpa by placing him among the crew¹¹⁷. On the other hand, he could not risk further alienating a man who had shown himself so determined to be involved. Nor was Brennan a man to be trifled with, judging from a description the police later compiled: about 36, stout, and six foot tall, he had close cropped dark-brown hair, a matching moustache, a full fat face, and a general resemblance to 'a low common looking man (with) the appearance of a bully'¹¹⁸. Reluctantly, Breslin invited him to join them, hoping that a minor role in the mission could be found for him¹¹⁹.

As the trio prepared to land at Fremantle on 2 April they observed the second complication. Anchored in the harbour was a British gunboat, the Conflict, carrying two guns and thirty men; schooner-rigged, it was obviously faster than the Catalpa and quite capable of overtaking it in a chase¹²⁰. Further inquiries revealed that the gunboat was on its annual visit of eight or nine days, after which it usually proceeded to Adelaide or

(113) Breslin, loc. cit., pp. 33-4. The latter, when interviewed by the police after the escape, described the crew's suspicions during the voyage (John McCarthy's statement, encl., Robinson to Carnarvon, confidential despatch, 15 May 1876, CO 18-184, PRO 1680, AJCP.

(114) Pease op. cit. pp. 93-5.

(115) Breslin, loc. cit., p. 34.

(116) *ibid.*, pp. 34, 58; Brennan, loc. cit., p. 13.

(117) Breslin, loc. cit., pp. 34, 58.

(118) Rowe, loc. cit.

(119) Breslin, loc. cit., pp. 34, 58.

(120) *ibid.*

Sydney¹²¹. Breslin elected to await its departure, entrusting King with the daily task of keeping secret watch on it through a spy-glass¹²². While they waited, Anthony was instructed to carry out maintenance on the Catalpa to stall for time¹²³. Before the captain returned to Bunbury, he and Breslin travelled to Rockingham, studied the coast, estimated times needed for different stages of the rescue and settled on a coded exchange of telegraphs to communicate their preparedness¹²⁴.

The third complication arose from a remarkable coincidence. Almost on the eve of the breakout, the rescuers were to learn that two Fenian agents from the United Kingdom had arrived in the colony with the same objective, unaware that the American mission had pre-empted them. The Irish expedition originated from an IRB response to an appeal from Martin Hogan, dated 3 August 1875, which he sent on behalf of the seven Fenians serving life sentences to Michael F. Murphy, secretary of the Fenian Amnesty Association¹²⁵. Murphy, an ardent Fenian who had been arrested in 1865 but not sent for trial, handed the letter to his son-in-law, Charles Guilfoyle Doran, secretary of the IRB's supreme council¹²⁶. Hogan wrote that one of the prisoners had been advised to contact the Amnesty Association by an Irish correspondent, Mr. O'Shea, of Limerick. He went on to describe their convict condition, covering much the same ground as Wilson had in his letters to America, including bitter complaints about Noonan's trusteeship of their financial dues, which he said had been commandeered by Noonan for his business and lost when he became bankrupt¹²⁷. He concluded by pointing out that this was the first appeal the prisoners had made to Ireland and that they were driven to it by a desperate need of assistance to alleviate their condition. Favourably moved, the IRB launched a rescue fund that raised £1000 from Fenian branches and sympathisers in the United Kingdom, and despatched two agents to Australia to effect the rescue: Denis Florence McCarthy, a Cork Fenian (originally from Kenmare district), and John Stephen Walsh, a native of Milford, Cork, who had become

(121) *ibid.*, pp. 34-5.

(122) English convict Michael Sheen's statement, 6 May 1876, encl., police report to Governor Robinson, 28 May 1876, Governor's Corres. 1878-79, No. 350, WAA 392.

(123) Breslin, *loc. cit.*, p. 35.

(124) *ibid.*

(125) Doran Papers, *loc. cit.*

(126) Walter McGrath, 'Long-Hidden Records from the Valuable C.G. Doran Papers', Cork Evening Echo, 17 February 1977.

(127) The police were informed in May 1876 that Noonan had become an excessive drinker, had used the money for his own purposes, and had lately moved to the northwest of the colony. (Rowe, *loc. cit.*)

an IRB leader in Durham, England¹²⁸. Under respective aliases of Alfred Dixon and Henry Hopkins, the two agents departed from Southhampton aboard S.S. Sumatra¹²⁹. Upon arrival at Albany on 28 February 1876, they were quarantined on Rabbit Island where their accents and demeanour aroused John King's curiosity¹³⁰. King sensed they were compatriots but only had time for casual conversation before he skipped quarantine¹³¹. Walsh and McCarthy took passage on the Georgette's next voyage to Fremantle a month later, being joined on board quite coincidentally by Breslin, Anthony and Brennan¹³². The prisoners' cause, in fact, was fast becoming embarrassed with a surfeit of sympathetic Fenian conspirators.

The two groups disembarked at Fremantle on 2 April and independently pursued their preparations. Walsh and McCarthy immediately sought an interview with Father Matthew Gibney, who had risen to become Catholic vicar general and was the founding proprietor of the colony's first Catholic newspaper, the West Australian Catholic Record.¹³³ Gibney met them on 5 April, listened while they read out Hogan's letter and advised them in regard to it. On the matter of complaints about Noonan, he said that much of the prisoners' bitterness had stemmed from refusals, he had himself supported, to advance them further money after earlier sums had been spent on drinking sprees that only got themselves and friendly warders into trouble¹³⁴. To encourage escape was a dangerous course that might lead to bloodshed, he warned; but added that he had heard some Americans were active in Fremantle for that very purpose. As the meeting concluded, he recommended two men who could assist them to contact the prisoners: Father J. Carrerras, a Spaniard, who was Catholic chaplain at Fremantle prison, and Frank O'Callaghan,

(128) Devoy, Gaelic American, 3 September 1904; King, loc. cit., 15 October 1904; McGrath, loc. cit.

(129) Robinson to Carnarvon, conf. despatch, 15 May 1876, CO 18-184, PRO 1680, AJCP.

(130) King, loc. cit., 8, 15 October 1904.

(131) *ibid.*

(132) McCarthy, IRB report, Doran Papers, loc. cit.; Breslin, loc. cit. p. 34.

(133) Dictionary of Western Australians, 3 vols, Nedlands, 1979, Vol. 3 (compiled Rica Erickson), p. 311.

(134) Noonan may not have been entirely unblameworthy. A police informant alleged that he drank excessively and had used the prisoners' money for his own purposes. (Rowe, loc. cit.).

a teacher in the government school at Fremantle¹³⁵. O'Callaghan was duly approached, pledged his support, and passed a note on to Father Carrerras who in turn conveyed it to Wilson. The outcome was a covert meeting between McCarthy and Wilson on Tuesday 11 April, at which Wilson thanked the agents for their efforts but indicated that the prisoners were already committed to a rescue scheme and expected to be off within a couple of days. When McCarthy promptly offered assistance, Wilson replied that he would mention the offer to one of the rescuers who would contact the agents in due course¹³⁶.

That night, Breslin offered King the delicate task of trying to establish the bona fides of Walsh and McCarthy without divulging their own plans, in case the agents turned out to be spies sent out from England as a result of the British government having received some inkling of the mission from America¹³⁷. King accepted, knowing full well that his imprisonment was a possible cost of maintaining the mission's security. He relates the meeting at Fremantle as follows:

...I started out in the evening to meet these men. Fremantle is a small city, nearly all of the inhabitants being convicts - ticket-of-leave men, as they call them. There are a few free men there. These convicts all remain under prison discipline, and when the curfew bell rings at ten minutes of nine they are all obliged to be in their houses for the night. This leaves the streets comparatively deserted after this hour. I was strolling up the principal street when I met McCarthy. He was travelling under the name of Dixon, and I at once recognized him as one of the men I had seen in quarantine on Rabbit Island. I spoke to him and called his attention to the fact that we had met only a short time before and stated the circumstances. He did not remember me at first, or at least he pretended not to. We strolled along talking on various subjects until we reached the outskirts of the city.

Then I turned to my companion and asked him bluntly what he was doing there. He seemed surprised at my manner of asking the question and finally told me that he had an uncle in Champion Bay and that he was going there in a few days to engage with him in the business of sheep raising. I let this go for a minute and then I told him flatly that I knew all about his plans and just what he was in Australia for. He seemed thunderstruck and said I must

(135) On O'Callaghan's further activities and police suspicion of them: Ch. 10, pp. 281, 294-5, 298-9.

(136) This paragraph based on McCarthy, *loc. cit.*

(137) King, *loc. cit.*, 15 October 1904.

be dreaming. He tried to make me believe that I had been misinformed, but I insisted and finally told him all his proposed plan, the details of which I had learned from Breslin. I told him furthermore that I was heartily in sympathy with the movement and that I was prepared to give material aid in his enterprise if he could only convince me he was all right. I told him that I was in a position to do him a lot of good in an undertaking of that kind. He hesitated and finally said that he would meet me on the beach in a half hour and give me his decision.

I felt that he wanted to have a chance to confer with Walsh about the matter, and even then I had not made up my mind whether they would return as friends or come with a posse of police at their back to take me into custody¹³⁸.

McCarthy's version of the meeting, more prosaically recorded in a report compiled for the IRB, indicates how mutual suspicions on both sides were satisfactorily resolved:

...King called on me that evening but in consequence of the want of introductions we had a difficulty in understanding each other and were 'beating around the bush' on both sides for a considerable time, we wound up making an appointment for the next morning he anxious to consult friends before he would make any admissions and I equally anxious to consult mine before I would go any further.

When we met the next morning we saw there was no use in further secrecy between us and to prevent clashing with or exposing each other we had better speak out and work together for the common good - I made a second appointment same day to meet King and J.B. (Breslin) in the bush and talk over matters from both sides.

We had a long chat in the bush, read over the letter of prisoners and discussed fully the arrangements and difficulties surrounding us...(Breslin) said that he had sufficient cash and clothes but would avail of the revolvers and that we would see as matters went on how we could turn ourselves to account but that there were too many of themselves already. After this we met from day to day or twice a day¹³⁹.

(138) *ibid.*

(139) McCarthy, *loc. cit.*

McCarthy placed Walsh and himself at Breslin's disposal and offered him their IRB fund of about £1000, which Breslin declined, apparently because he had no real need of it and possibly out of a sense of American Fenian independence; though he did accept their personal service and revolvers¹⁴⁰. When the gunboat, Conflict, departed early on Tuesday, 11 April, Breslin wasted no time in putting the rescue into operation. At 10 a.m. that day, he telegraphed Captain Anthony, 'Your friend S has gone home; when do you sail?', to which Anthony replied the next day: 'I sail today. Good-bye. Answer if received'¹⁴¹.

Though Breslin now had more rescuers standing by in Fremantle than he wished in the interests of security, there was still no sign that the authorities were aware of their plans. What he did not know was that the IRB mission had been brought to the attention of the British government in January, and that a secret warning from Lord Carnarvon to Governor William Robinson had reached the colony on the same mail steamer that brought out the IRB agents. Carnarvon had advised Robinson:

I have been requested by the Secretary of State for the Home Department to acquaint you that information has reached him to the effect that money has been collected in this country and Ireland and a scheme set on foot for the purpose of assisting the escape from Western Australia of certain Fenian (I believe Military) convicts now in the colony.

There is reason for supposing that persons charged with carrying out this attempt have either lately sailed for Western Australia or may do so by the mail steamer which carries this despatch.

I shall be obliged by your taking such measures as you may think best (observing the strictest secrecy and communicating only with me or two persons whose fidelity and intelligence render them the fittest to assist you in the matter) to discover and prevent any such undertaking as I have mentioned.

You will inform me confidentially of the result of your observations¹⁴².

As Easter approached, then, a convergence of international moves and countermoves concerning a handful of Fenian military convicts at Fremantle,

(140) King, loc. cit., 15 October 1904.

(141) Breslin, loc. cit., p. 35. The reference 'S' meant that the gunboat had sailed in a southerly direction. (Breslin, *ibid.*).

(142) Carnarvon to Robinson, secret despatch, 20 January 1876, CO 18-185, PRO 1681, AJCP.

Western Australia, was close to being resolved. Letters from two of these convicts, James Wilson and Martin Hogan, had evoked sympathetic responses respectively in the American and Irish branches of the Fenian movement, which in turn mobilised assistance from Australian Fenians and fellow-travellers, in separate missions that became united coincidentally in their common objective. Though Fenian security in America and Australasia remained intact, the Irish mission became exposed to British government intelligence, thereby inviting a late move by Whitehall and Western Australian authorities to foil the operation.

What general observations, therefore, can be drawn in the light of these events? In the broadest sense, an Australian stage was set for a particular incident in the long struggle between British imperialism and radical elements of the Irish diaspora, on the issue of Irish independence. It was commonly pronounced in Victorian England that the sun could never set on the British dominions, so widespread were the splashes of red on English maps of the world. Side by side with the spread of British imperialism however, was a world-wide dispersal of Irish nationalism, at the radical extremity of which revolutionary republicanism flourished or waned in step with resistance to British rule in Ireland. The Fenian military convicts were a late addition to a long line of Irish political prisoners exiled to remote British penal colonies in the interest of English hegemony over Ireland. Furtively dumped at Fremantle in 1868, some of their number found no great solace when released on ticket-of-leave, one died, and the remainder faced life sentences in quiet desperation. They had not been forgotten by compatriots in Britain, America and Australasia, but it seemed to them as if they had, after nearly a decade of servitude. In the event, the response given to their appeals for assistance to escape the English 'yoke' demonstrated the extent and depth of sympathy their condition aroused among the Irish and those they influenced in such widely scattered corners of the world as Cork, Durham, New York, New Bedford, San Francisco, the goldfields of New Zealand, Sydney and Fremantle. The common conviction shared by such diverse men as John Devoy, a professional Irish revolutionary, George Anthony, an American whaler, John King, an Australian Irish expatriate, Michael McMahon, stables warder at Fremantle Prison, and Father Carrerras, a Catholic Spajniard, was that there was no inherent glory attached to the British empire if to maintain it England had to forever suppress Irish national fulfilment or that of any other land under its rule. As we have seen in other chapters, a substantial leavening

of Australian colonists, not exclusively Irish, shared this view; and as a sense of nationalism gradually evolved in Australia, an anti-imperial element in it drew sustenance from the same influences.
