

CHARLES GALLAGHER; AN INVESTOR IN MINING

Philip Hart

Te Aroha Mining District Working Papers

No. 54

2016

Historical Research Unit
Faculty of Arts & Social Sciences
The University of Waikato
Private Bag 3105
Hamilton, New Zealand

ISSN: 2463-6266

© 2016 Philip Hart

Contact: prhart1940@gmail.com



THE UNIVERSITY OF
WAIKATO
Te Whare Wānanga o Waikato

CHARLES GALLAGHER; AN INVESTOR IN MINING

Abstract: *Charles Gallagher, born in Ireland, for a time prospered when working on American silver mining fields. After arriving in New Zealand in 1883 with his Irish wife and young children, he settled at Thames, where for a while he was a publican and invested in mining as well as doing some prospecting. As so often, he was involved in arguments over the ownership of a silver-bearing claim.*

In 1884, the family settled at Te Aroha, where he erected two houses, expensively furnished. Once again, he prospected for silver, unsuccessfully, wasting considerable sums on this endeavour. His financial state was secure until, when he was ill, he settled his money on his wife, and afterwards was angered when she refused to return it because of his 'intemperate' habits. The consequence was that while she was in comfortable circumstances, even able to share the ownership of a steamer, he would die penniless.

His private life was increasingly unhappy, marked by heavy drinking and violence against others, especially his wife. He was pathologically jealous of his long-suffering but faithful wife, with tragic consequences on Christmas Day, 1890.

BEFORE NEW ZEALAND

Charles Gallagher¹ was born in County Donegal, Ireland, in 1847.² 'When quite a boy' he went to the United States, and 'all his early life was passed in connection with mining'. During the American Civil War he fought in several battles against the South, and after its conclusion 'resumed his former occupation of mining', with his brother and others becoming an owner of 'some very rich silver mines' in Nevada.³ Reportedly he was also reportedly one of the early prospectors of Leadville, Colorado, and a 'lucky Californian digger' who had done well on that field.⁴ Along with his two brothers he held an interest in the Great Bonanza in Nevada, which they sold 'to Mackay, Flood, and other millionaires for £100,000, the

¹ For sketch of Gallagher and his wife, see *Observer*, 17 January 1891, p. 16.

² Death Certificate of Charles Gallagher, 25 December 1890, 1891/1100, BDM.

³ *Taranaki Herald*, 27 December 1890, p. 2.

⁴ *Waikato Times*, 9 November 1889, p. 2, 30 December 1890, p. 2.

brothers sharing equally, each receiving £33,000'. Gallagher returned to Ireland in 1877 or 1878 'to see his friends'.⁵

In August 1878, at Letterkenny in County Donegal, he married Margaret Gertrude Walker when she was either 18 or 21, making her either ten years or 13 years his junior, depending on which register recorded her age accurately.⁶ She was described as 'a perfect lady in manner and education' and 'a sincere and devoted' Roman Catholic, three of her brothers being priests.⁷ After her death, she was 'said to have been a well-educated woman' and to have been 'well known', with 'numerous friends, in various parts of the colony'.⁸ They were to have five children, three boys and two girls; the two youngest boys were born after the family settled in New Zealand.⁹

Soon after their wedding they sailed for Australia.¹⁰ After living for a time in Melbourne, they arrived in Auckland in 1883 and 'after a few days' went to Thames.¹¹ Reportedly, 'Mrs Gallagher when in Sydney not being well', he 'decided to take her to Te Aroha for the benefit of the baths'.¹² Another possible reason they came to New Zealand was because one of his brothers lived for 'some time' in Auckland, acquiring 'some property' which he retained when he and his wife left for California in about 1888 to rejoin

⁵ *New Zealand Herald*, 29 December 1890, p. 5.

⁶ Birth Certificate of John Edmund Gallagher, 19 October 1883, 1883/15223; Death Certificates of Margaret Gertrude Gallagher and Charles Gallagher, 25 December 1890, 1891/1100, BDM.

⁷ *New Zealand Herald*, 29 December 1890, p. 5.

⁸ *Thames Star*, 29 December 1890, p. 2; Report by Constable Benjamin O'Brien, 27 December 1890, given at Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

⁹ Birth Certificates of John Edmund Gallagher, 19 October 1883, 1883/15223; Desmond Boniface, 14 May 1885, 1885/5642; Death Certificates of Margaret Gertrude Gallagher and Charles Gallagher, 25 December 1890, 1891/1100, BDM.

¹⁰ *New Zealand Herald*, 29 December 1890, p. 5.

¹¹ *New Zealand Herald*, 29 December 1890, p. 5; 'Addresses Presented to Sir George Grey on his 74th Birthday, 14 April 1886, by European and Maori Residents of Auckland Province', folio 191, Te Aroha residents, Grey New Zealand Manuscripts, GNZ MS 275, Auckland Public Library.

¹² *Taranaki Herald*, 27 December 1890, p.2.

the other, unmarried, brother.¹³ Presumably it was the latter who was ‘a very wealthy farmer in California’.¹⁴

AT THAMES

After settling in Thames, Gallagher and his family lived in ‘Avondale Villa’, Karaka Road.¹⁵ In July 1885, he became publican of the Lady Bowen Hotel, which he ran for about a year.¹⁶ Being both Catholic and Irish, he was a supporter of Irish Home Rule and of New Zealand’s Liberal Party.¹⁷ It was later recalled ‘that the doings of the Clan-na-gael’, an Irish republican organization in America, ‘and more especially of its mysterious leader, “No. 1,” excited a great deal of interest’ when Gallagher was living at Thames, where he ‘was known by the soubriquet of “No. 1” ’.¹⁸

Gallagher ‘invested largely’ in mining, ‘owning some interests in Waiomu and other out districts, which he subsequently sold’, and ‘personally did a good deal of prospecting in Tararu’, at the northern end of Thames.¹⁹ By late August 1885 he had pegged out the New Eureka, six miles up the Tararu Creek, had employed some men to work it, and was intending to employ more, stating that he would not form a company, preferring to work it himself.²⁰ It would not be a success. At the same time he sought to acquire the Kiwi, also at Upper Tararu, assuring a mining reporter that he had taken ‘satisfactory’ tests.²¹ At the end of September he

¹³ *New Zealand Herald*, 29 December 1890, p. 5.

¹⁴ *Thames Star*, 29 December 1890, p. 2.

¹⁵ Birth Notices, 19 October 1883, p. 2, 14 May 1885, p. 2.

¹⁶ Advertisements, *Thames Star*, 13 July 1885, p. 3 – 4 August 1885, p. 3; *Thames Directory for 1886* (Thames, 1886), p. 154; *New Zealand Herald*, 29 December 1890, p. 5.

¹⁷ Death Certificate of Charles Gallagher, 25 December 1890, 1891/1100, BDM; *Te Aroha News*, 12 June 1889, p. 7; ‘Addresses Presented to Sir George Grey on his 74th Birthday, 14 April 1886, by European and Maori Residents of Auckland Province’, folio 191, Te Aroha, Grey New Zealand Manuscripts, GNZ MS 275, Auckland Public Library.

¹⁸ *New Zealand Herald*, 29 December 1890, p. 5.

¹⁹ *New Zealand Herald*, 29 December 1890, p. 5.

²⁰ *Thames Star*, 2 September 1885, p. 2.

²¹ Thames Warden’s Court, Register of Applications for Licensed Holdings 1881-1886, folio 130, BA CL 14452/1a, ANZ-A; Thames Correspondent, *New Zealand Herald*, 8 September 1885, p. 5; advertisement, *Thames Advertiser*, 9 September 1885, p. 2.

challenged another miner, John Fitzgerald, formerly at Coromandel,²² ‘to sustain his objection’ to his being granted it. Fitzgerald, a prospector who claimed ownership of the ground, deposed that he, his brother Michael, another miner,²³ and Gallagher were on the ground on 27 August. As ‘they all liked the look of the ground’, Fitzgerald and his brother pegged it out as the Garry Owen. ‘Gallagher was not present at the pegging’, but met them on the claim on the following day with two other men, one named Cleary, who has not been traced, and Henry Tapp, an agent for English investors and for a new treatment process.²⁴

It was then arranged that Gallagher was to be admitted to the partnership, and to have two-thirds interest in the claim, and was to allow witness and his brother £2 per week each. Witness would not agree to work for wages, as he had not done so for many years. Witness and Gallagher were alone when this arrangement was arrived at. Up to this time complainant had not put a peg in the ground. Some days later witness met Gallagher at his hotel, when Cleary, Tapp, Mrs Gallagher, and witness’ brother were also present. Gallagher offered witness £2 and his “tucker” for his trouble in pegging out, which he declined to accept, and asked Gallagher for his account for board and lodging, which he refused to give. Cautioned Gallagher to desist from his smart tricks I trying to make him a wages man instead of a shareholder.

Under cross-examination, Fitzgerald explained that he ‘had agreed with Gallagher that if the latter wished to prospect in any claim he might take up, he must allow him and his brother £2 each per week, and to hold a two-thirds interest’. When going with Gallagher to Fitzgerald’s claim at the head of Te Puru Creek, Gallagher ‘took a piece of stone from the ground now disputed. Witness did not think much of it, but was no judge of silver-bearing rock’, whereas Gallagher later described the sample as ‘the kind of stone to carry silver’. When they went to peg out,

Gallagher went to see the place where he had found the stone, but did not point out where the claim was to be marked off. Agreed with complainant to peg out the Garry Owen claim if allowed £2 per week, and one-third interest. Gallagher was not present when

²² See *Thames Advertiser*, 6 January 1881, p. 3, 1 July 1886, p. 2.

²³ See *Thames Advertiser*, 2 August 1883, p. 3.

²⁴ See *Thames Advertiser*, 16 July 1885, p. 2, 25 July 1885, p. 2, 30 July 1885, p. 2, 19 August 1885, p. 2.

the first peg of the Garry Owen was driven. The pegs were marked "No. 1," by which appellation Gallagher had been known.

Their dispute 'took place on the day after the claim was pegged. It was not decided to mark out the claim until they came to the ground'. Michael Fitzgerald

gave evidence of a generally corroborative nature, and added that on the day after pegging out Mr Tapp came to him in Gallagher's hotel, and asked him to sign a document which proved to be an agreement to work for Gallagher for £2 a week wages and his "tucker." At the same time Gallagher threw down two sovereigns. Witness indignantly repudiated the idea that he should work as a wages man, and refused to sign the paper. Tapp exclaimed that he could swear that he had accepted the money, and witness thereupon declined to remain any longer in the house, and left after calling for his account, which complainant refused to give. Gallagher's position was simply that of a "backer," as he was to have two-thirds of the claim, leaving the remaining interest to witness, and allowing him and his brother £2 per week.

Gallagher then gave evidence of applying for a license for the Kiwi:

On the 22nd August the defendant and his brother came to his hotel, the Lady Bowen, to lodge. In conversation they said they had taken up a claim near the Vulcan, Tararu, and would give him two-thirds of it if he would allow each of them £2 per week. Witness accordingly went with defendant to inspect the ground, and on the way thither witness broke a piece of stone from a reef, and put it in his pocket. Was not satisfied with defendant's claim and declined to have anything to do with it. Next day Michael Fitzgerald brought a piece of stone from the Tapu district. Witness examined it, but thought very little of it. He informed them, however, tht he had a better thing on, and would pay them a day's wages if they would peg out a 30-acre claim for him. To this they assented, and witness went with them to the spot where he had found the nice-looking stone, and after pointing out where he wished the claim to be located, and seeing the first peg driven, left them to finish the work. Did not offer them the same terms as had been mentioned in reference to the Vulcan claim. On the following Friday he agreed to allow them one-third of the claim if they would remain and represent that interest. Offered them £2 each for marking out, which they refused to take.

In reply to Fitzgerald's counsel, he stated: 'It was not usual to give £2 a day wages, but he could pay his men whatever he chose'. He had refused to give the brothers their account because 'he was willing to throw in their "tucker" with the monetary allowance'. To his own counsel he explained that Fitzgerald 'did not accept the proffered third of the ground, as he considered himself owner of the claim. The offer of an interest was not part of the arrangement on which the claim was pegged out'. After his wife 'corroborated her husband's testimony in detail', the warden noted that there had been only one pegging out and the brothers had applied for the claim two days after Gallagher, 'after the time prescribed by the regulations. The whole circumstances bore out the contentions of the applicant for the license. Defendant had put himself out of Court by his delay in giving notice, and also by having taken up an adjacent claim', and accordingly the Kiwi was granted to Gallagher.²⁵ The following month he remained confident it would 'yield good payable returns of silver', but it was soon taken over by another hopeful.²⁶

In December 1886, when he was described as 'largely interested' in Waiomu mines, he sold his interests there to a company.²⁷ The following year, he was a member of a party visiting the Waiomu and Te Mata fields.²⁸

AT TE AROHA

In February 1884, Gallagher called tenders to build a three-roomed cottage at Te Aroha.²⁹ Two months later, he was 'erecting what promises to be an exceptionally good three-room house' close to the domain.³⁰ A year later, because of returning to Thames to develop his Upper Tararu mine, he sold his household furniture and effects.³¹ Not having sold his house as well, in September 1886 had several rooms added to it, and by December had left

²⁵ Warden's Court, *Thames Advertiser*, 30 September 1885, p. 3.

²⁶ *Thames Star*, 20 October 1885, p. 2, 23 March 1888, p. 2.

²⁷ *Thames Advertiser*, 18 December 1886, p. 2; Thames Warden's Court, Claims Register 1886-1888, no. 1477, BACL 14397/18a, ANZ-A.

²⁸ *Thames Advertiser*, 29 October 1887, p. 2.

²⁹ *Te Aroha News*, 9 February 1884, p. 7.

³⁰ *Te Aroha News*, 26 April 1884, p. 2.

³¹ *Te Aroha News*, 18 April 1885, p. 7; Birth Notice, *Thames Star*, 14 May 1885, p. 2; *Thames Advertiser*, 30 September 1885, p. 3.

Thames for the last time.³² In April 1888, he called tenders to remove what was described as a cottage, along with its fences.³³ His wife having purchased another house, adjacent to the domain, he made ‘considerable additions’ to it and ‘greatly’ improved both it and its grounds.³⁴ In July, he asked the domain board for the right to obtain a water supply from the domain; the Minister of Land gave his approval, Gallagher meeting the cost of connection.³⁵ At this time, he was nominated for the domain board, allegedly secretly,³⁶ but was not appointed.

Gallagher and his wife’s two houses were valued in 1889 at £270 and £190.³⁷ The larger one, ‘Riverview’, was estimated to have cost from £700 to £800 to erect.³⁸ Close to the domain on ‘the best site in Te Aroha’, it had been ‘faithfully built with every modern improvement, comprises six large rooms, scullery and outhouses, splendid water supply, kitchen range, etc, verandah three sides of house’. The adjoining cottage had five rooms.³⁹ In October 1886, he leased just over nine acres at Te Aroha West for £1 4s per annum; when sold three years later his land was described as ‘about 7 acres, well fenced and laid down in grass, held under perpetual lease’.⁴⁰

³² *Te Aroha News*, 25 September 1886, p. 2; *Thames Advertiser*, 18 December 1886, p. 2.

³³ *Te Aroha News*, 14 April 1888, p. 7.

³⁴ *Te Aroha News*, 28 April 1888, p. 2, 16 June 1888, p. 2, 23 June 1888, p. 2; *New Zealand Herald*, 29 December 1890, p. 5.

³⁵ Domain Board, *Te Aroha News*, 14 July 1888, p. 7; advertisement for sale of villa residence on 11 April 1892, Hesketh and Richmond Papers, box 26, 1051/c, MS 440, Auckland Public Library.

³⁶ John Ilott to Minister of Lands, 9 July 1888 (telegram), Tourist Department, TO 1, 1881/198, ANZ-W.

³⁷ Te Aroha Borough Council, Rate Book 1888 [no pagination], Matamata-Piako District Council Archives, Te Aroha; Assessment Court, *Te Aroha News*, 18 May 1889, p. 2.

³⁸ Report by Charles Ahier, 6 November 1891, Hesketh and Richmond Papers, box 26, 1051/c, MS 440, Auckland Public Library.

³⁹ Advertisement for sale of villa residence on 11 April 1892, Hesketh and Richmond Papers, box 26, 1051/c, MS 440, Auckland Public Library.

⁴⁰ Lands and Survey Department, Ledger of Leases 1887-1893, p. 140, BAAZ 1134/1, ANZ-A; Register of Rents of Lands held under Deferred-Payment Leases 1887-1890, folio 14, Suburbs of Te Aroha, Section 65, LS 23/2, ANZ-W; *Te Aroha News*, 7 September 1889, p. 7; advertisement, *Waikato Times*, 19 September 1889, p. 3.

When the family left Te Aroha in 1889, their standard of living was indicated by the sale in September of his ‘very superior household furniture and effects’, including:

DRAWING-ROOM – Very Superior Suite (maroon velvet), consisting of eight pieces, American Folding Couch, Piano by Rosener, Oval Table (kauri), 2 Small Tables, Mottled Kauri Bookcase, Whatnots, Pier Glass, Vases, Pictures ... Carpets....
 DINING-ROOM – Very Superior Kauri Telescope Table, Tablecloth, 6 Cane Chairs, Easy Chair, Sewing Machine, Office Table (with drawers), Lamps, Glass, China, Linoleum, &c, &c.

There were three bedrooms, the parent’s room having a chest of drawers in mottled kauri and a ‘Dressing Table and Looking Glass combined’. The hall had a clock and a mahogany hallstand, with mirror, and the kitchen, scullery and washhouse were well furnished. The sundries included mining tools.⁴¹ The *Te Aroha News* reported that the furniture ‘was made to order, has been but a short time in use, and is all really first-class’.⁴² Although Gallagher feared his goods would go ‘for an old song’, most sold at high prices, in some cases higher than ‘the first cost’;⁴³ perhaps the luncheon provided helped produce this good result.⁴⁴

Upon settling at Te Aroha, Gallagher reportedly ‘was struck with the indication of the existence of silver in the district, and went actively into mining, importing’, it was believed but not confirmed by other sources, ‘some very valuable machinery’.⁴⁵ In early 1888 from an unspecified area he sent ‘Clayey Stuff’ for assaying which was found to be ‘nearly all clay – very little grit in it: very unlikely stuff’, with a nil value.⁴⁶ He took out a miner’s right early in August.⁴⁷ He held the Bonanza, which included the original Prospectors’ and Bonanza, and at the beginning of November called tenders

⁴¹ Advertisement, *Waikato Times*, 19 September 1889, p. 3.

⁴² *Te Aroha News*, 25 September 1889, p. 2.

⁴³ *Waikato Times*, 1 October 1889, p. 2; *Te Aroha News*, 2 October 1889, p. 2.

⁴⁴ Advertisement, *Te Aroha News*, 18 September 1889, p. 7.

⁴⁵ *Taranaki Herald*, 27 December 1890, p. 2.

⁴⁶ Thames School of Mines, Assay Book 1887-1889, entry for 5 April 1888, School of Mines Archives, Thames.

⁴⁷ Te Aroha Warden’s Court, Miner’s Right no. 1576, issued 9 August 1888, BBAV 11533/2b, ANZ-A.

for driving 50 feet.⁴⁸ At the end of that month, a correspondent was optimistic:

Mr Charles Gallagher is carrying on active work in the lower levels of his ground. He has 57 acres, a good deal of it having been largely prospected and driven on by the prospectors on the first gold discovery at Te Aroha. The stone is highly mineralised, and contains silver, galena, copper, and gold. The reef is easily traced, and is twenty feet through. This claim is likely to show up well, as the owner is showing a commendable earnestness of purpose by having the lower levels well driven on, besides working on the made ground in the higher levels.⁴⁹

The following April, he was 'putting in a drive to cut the old Prospectors' lead, from which very rich stone was obtained some years ago. The drive is now in about 80 feet, and it is expected the reef may be cut at an early date'.⁵⁰ If cut, the values must have been disappointing, for when in October the mining inspector moved to forfeit the ground for non-working Gallagher did not contest this.⁵¹ He had done 'a good deal of prospecting on the old Prospector's claim and its vicinity, expending some £600 to £700 within six months', fruitlessly.⁵² In November, Clem Cornes, a prominent local miner,⁵³ 'alluded in complimentary terms' to his efforts to assist mining at both Thames and Te Aroha, and his departure after spending 'so much money in the mining industry in this district' was 'a decided loss to the community'.⁵⁴ As Gallagher had helped to organize a banquet to honour Cornes' prospecting at Tui one year earlier,⁵⁵ these comments were those of a friend, but they also reflected the general enthusiasm for anyone prepared to invest money in local mining.

⁴⁸ *Te Aroha News*, 3 November 1888, p. 2.

⁴⁹ Te Aroha Correspondent, *Waikato Times*, 29 November 1888, p. 2.

⁵⁰ *Te Aroha News*, 24 April 1889, p. 2.

⁵¹ Te Aroha Warden's Court, Transfers and Assignments 1889, 35/1889, BBAV 11581/10a, ANZ-A.

⁵² *New Zealand Herald*, 29 December 1890, p. 5.

⁵³ See paper on Clement Augustus Cornes.

⁵⁴ *Waikato Times*, 9 November 1889, p. 2.

⁵⁵ *Te Aroha News*, 21 April 1888, p. 2.

A Thames newspaper understood that for a short time he was a publican at Te Aroha.⁵⁶ If this was so, he must have been filling in briefly for the licensee.

AFTER TE AROHA

At Easter 1887, Margaret Gallagher 'visited New Plymouth and placed her two girls in the convent school, leaving her eldest boy with the priest to be educated'.⁵⁷ Gallagher moved to New Plymouth in 1888 also, but in late September 1889 was living in Auckland.⁵⁸ When his Te Aroha friends farewelled him at the Hot Springs Hotel in November, Cornes stated that 'All will regret to bid him adieu, but he sincerely hoped they were only wishing him goodbye for a time, and that he would return amongst them with renewed vigour'.⁵⁹ Although he did not, his 'favourite and fine dog', named 'Rover', lived up to his name, reappearing one month later, 'having walked from Auckland!'⁶⁰

Gallagher had become interested in the apparent silver field discovered at Puhipuhi, north of Whangarei, and had interests in some claims there, reportedly living in that district for a year or more.⁶¹ It seems that he lived for at least part of this time in Auckland, for not until late March or early April 1890 did he inspect the Puhipuhi reefs, thinking 'so well of them' that he intended 'to devote some time in prospecting in the district', which he did;⁶² as he acquired no interests in any claims, he must have realized that his first impressions were wrong. Reportedly, during 1890 he also visited silver mines in America and Australia.⁶³

A WEALTHY MAN?

⁵⁶ *Thames Star*, 29 December 1890, p. 2.

⁵⁷ *Taranaki Herald*, 27 December 1890, p. 2.

⁵⁸ *Waikato Times*, 1 October 1889, p. 2, 30 December 1890, p. 2; *Taranaki Herald*, 27 December 1890, p. 2.

⁵⁹ *Waikato Times*, 9 November 1889, p. 2.

⁶⁰ *Waikato Times*, 5 December 1889, p. 2.

⁶¹ *Thames Star*, 29 December 1890, p. 2; *Waikato Times*, 30 December 1890, p. 2.

⁶² *Te Aroha News*, 12 April 1890, p. 2; *Taranaki Herald*, 27 December 1890, p. 2.

⁶³ *Taranaki Herald*, 27 December 1890, p. 2.

Gallagher was believed to have arrived in New Zealand ‘possessed of considerable means’, and by his successful investments in American silver mines and in the Thames goldfield was ‘reputed to be a wealthy man’.⁶⁴ Possibly ‘shortly after he was married’, but certainly before arriving at Te Aroha, he ‘settled his money on his wife’ by ‘deed of assignment and power of attorney’.⁶⁵ After his death it was reported that he had conveyed his money to his wife when ‘very ill’, but that when he recovered ‘she retained it against his will, for the reason, it is believed, that she would take better care of it than he, his habits at one time being very intemperate’.⁶⁶ Although rumour claimed his fortune had amounted to ‘some £20,000’ or even £30,000,⁶⁷ it seems he gave her only £2,000, which was all that remained of the large sum he had received for his Nevada interests; it was not known how he had spent so much.⁶⁸ He seemingly regretted settling all his property on his wife and that it had been done, in her words, for his ‘own good’,⁶⁹ implying he had squandered most of his fortune before the residue was placed in her safekeeping. One of his two brothers was ‘a very wealthy farmer in California’ and another lived for a time in Auckland in the 1890s and acquired some property,⁷⁰ but there was no record of his receiving financial assistance from either.

It was rumoured that at the end of the 1880s he had ‘inherited a legacy of £3000 per annum’, but his agent in Auckland stated that this rumour was ‘unfounded’.⁷¹ Because of his comfortable financial circumstances, Gallagher described his occupation as ‘gentleman’, and he was not employed when he died at the age of 43.⁷² Yet in 1885 he stated that he had ‘often’ mined for £2

⁶⁴ Thames Correspondent, *New Zealand Herald*, 8 September 1885, p. 5; *Waikato Times*, 30 December 1890, p. 2; *New Zealand Herald*, 29 December 1890, p. 5.

⁶⁵ *Observer*, 12 January 1889, p. 3; *New Zealand Herald*, 29 December 1890, p. 5; *Taranaki Herald*, 31 December 1890, p. 2.

⁶⁶ *Taranaki Herald*, 29 December 1890, p. 2.

⁶⁷ *Observer*, 12 January 1889, p. 3; *Taranaki Herald*, 27 December 1890, p. 2.

⁶⁸ *New Zealand Herald*, 29 December 1890, p. 5.

⁶⁹ *Te Aroha News*, 2 January 1889, p. 5.

⁷⁰ *New Zealand Herald*, 29 December 1890, p. 5.

⁷¹ *New Zealand Herald*, 29 December 1890, p. 5.

⁷² Birth Certificate of John Edmund Gallagher, 19 October 1883, 1883/15223; Death Certificate of Charles Gallagher, 25 December 1890, 1100/1891, BDM; *Tauranga Electoral Roll, 1887*, p. 9; Inquest into death of Charles Gallagher, Justice Department, J 46, COR 1891/1, ANZ-W.

per day before moving to Thames.⁷³ When he left Te Aroha, his ‘liberality towards assisting schools and in many other ways, was eulogized’.⁷⁴

Margaret paid the expenses of his Te Aroha prospecting and also bought two houses there.⁷⁵ One allotment containing a house and other buildings cost her £100,⁷⁶ and in October 1890 she mortgaged her three allotments for £500.⁷⁷ When visiting Australia in May 1890 she ‘purchased a large interest in the steamer Terranora which was placed on the trade between the Manukau, New Plymouth, and the South’. By December she was planning to sell her interest, reportedly ‘something under £6000’, and purchase a Wellington hotel.⁷⁸ Her partner was Father Andrew Cassidy of New Plymouth, then based at Grafton in New South Wales, who came over from Australia to encourage Waitara residents to purchase a share; after Margaret’s death, her interest fell to Cassidy, ‘they being owners in common’.⁷⁹ When Margaret died, she was reported to be ‘of independent means’; her estate, valued at £1,432 9s 11d, included jewellery bequeathed to her daughters.⁸⁰ After her death her Te Aroha properties were sold, for an undisclosed amount.⁸¹ Having nothing to leave his children, Gallagher made no will, dying with ‘a £20 note, three single notes, a sovereign and half-sovereign, and four shillings in silver’ in his possession; he said that ‘his wife had all their property’, and thought that he had left his children ‘comfortably provided for’.⁸²

⁷³ *Thames Advertiser*, 30 September 1885, p. 3.

⁷⁴ *Waikato Times*, 9 November 1889, p. 2.

⁷⁵ *New Zealand Herald*, 29 December 1890, p. 5.

⁷⁶ Transfer of Allotment 3 Block 30 Te Aroha with buildings thereon from Charles Ahier to Margaret Gallagher, 26 March 1888, Te Aroha Warden’s Court, Transfers and Assignments 1888, BBAV 11581/9a, ANZ-A; *Te Aroha News*, 28 April 1888, p. 2.

⁷⁷ Mortgage of Allotments 1-3 Block 30 Te Aroha by Margaret Gallagher to Charles John Johnston and Walter W. Johnston, 2 October 1890, Te Aroha Warden’s Court, Transfers and Assignments 1890, BBAV 11581/11a, ANZ-A.

⁷⁸ *New Zealand Herald*, 29 December 1890, p. 5; *Taranaki Herald*, 30 December 1890, p. 2.

⁷⁹ *Taranaki Herald*, 29 May 1891, p. 2.

⁸⁰ Inquest into death of Margaret Gertrude Gallagher, Justice Department, J 46, COR 1891/2; Probate of Margaret Gertrude Gallagher, Probates, AADM 6029/3608; Testamentary Register 1891, folio 93, no. 45, AAEC 639/152, ANZ-W.

⁸¹ Te Aroha Correspondent, *Auckland Weekly News*, 9 April 1892, p. 23.

⁸² Evidence of Constable Benjamin O’Brien, 27 December 1890, Inquest into Charles Gallagher, Inquests, J 46, COR 1891/1, ANZ-W; *Wanganui Chronicle*, n.d., reprinted in

VIOLENCE AND DRINK

In July 1884, Gallagher was charged with assaulting Michael Conroy, a painter,⁸³ in Thames. According to the magistrate's notes, Conway described meeting Gallagher in the street one night and being struck 'on the head 3 or 4 times' before Conroy 'got stick from him & knocked him down. He wounded my forehead bruised my shoulder and finger'. Conway, who claimed not to have spoken a word to him before being struck, denied giving any provocation, but under cross-examination agreed having been charged with assault six times previously. He had passed Gallagher and wished him 'good night', but 'did not say are you an Irishman or is your name Gallagher', and denied assaulting him 'because he gave his work to another man – I only spoke once to Gallagher before this occasion 3 weeks ago'. He had been struck 'without the slightest provocation'.⁸⁴

According to a press report, Conway said he had talked to Gallagher shortly before meeting him again, when Gallagher 'turned round and said, "You scoundrel," striking plaintiff several times on the head with a stick. Did not provoke him nor say a word to him. Witness took the stick away from defendant and knocked him down'. Under cross-examination he denied being 'fond of hammering people, though he had been before the Court half a dozen times for assault. Did not know he was called "Mick the bullock" because he was fond of rushing people', and denied having spoken to Gallagher about painting his house.⁸⁵

A witness who had not seen the start of the fight arrived to see Gallagher striking Conroy with a stick; 'Conroy caught hold of Def & pulled him down'. Gallagher 'struck Conroy more than once – Gallagher appeared to be keeping Conroy off with stick'. Gallagher then gave evidence:

Other side of Karaka Bridge 10.30 – I was passing Conroy sd You are man I want to see You are an Irishman named Gallagher –

Taranaki Herald, 29 December 1890, p. 2; *Patea County Press*, n.d., reprinted in *Taranaki Herald*, 7 January 1891, p. 2.

⁸³ See *Thames Advertiser*, 15 January 1880, p. 2, 7 September 1889, p. 2, 4 July 1896, p. 2, 28 February 1899, p. 3, 1 March 1899, p. 4.

⁸⁴ Thames Magistrate's Court, Magistrate's Notebook 1883-1885, entry for 11 July 1884, BACL 13830/1a, ANZ-A.

⁸⁵ Magistrate's Court, *Thames Star*, 11 July 1884, p. 2.

You have let your work to Fricker an Englishman – he followed me up to May Street calling me names – I walked up May St one side of street Conroy followed up other side of street saying I am coming across to punch your head for you – I said if you do I will charge you nothing He came across & rushed me I kept him back with stick. He got me down & rolled on top of me – A man came up & told us to stop it.⁸⁶

The magistrate dismissed the case because neither party could corroborate their stories.⁸⁷

Just over two years later, in Te Aroha in August 1886, Gallagher pleaded not guilty to a charge laid by Reuben Parr, a Waitoa farmer,⁸⁸ of ‘Assaulting complainant by striking him with his fist and pulling his whiskers’. Parr had been struck in the mouth for reasons not revealed in the press report. After witnesses ‘substantiated the charge and proved the use of threatening language to defendant’, Gallagher was fined 10s and costs; if not paid, he would be imprisoned for 14 days. He paid at once, and provided a surety of £25 and found two other sureties of £10 to guarantee that he would keep the peace for six months. Parr was then found guilty in ‘another assault case arising out of the former one’.⁸⁹

After his death, it was reported that Gallagher ‘was greatly addicted to drink’,⁹⁰ which might explain the second of these assaults.

A JEALOUS HUSBAND

According to reports published after his death, Gallagher ‘was unreasonably jealous, and this led to many painful scenes, for he frequently beat and ill-treated his wife without cause, and her married life was a miserable one’.⁹¹ This led to an unusual court case in December 1888 in New Plymouth, where Margaret was living with her children because of his

⁸⁶ Thames Magistrate’s Court, Magistrate’s Notebook 1883-1885, entry for 11 July 1884, BACL 13830/1a, ANZ-A.

⁸⁷ Magistrate’s Court, *Thames Star*, 11 July 1884, p. 2.

⁸⁸ See Travelling Reporter, ‘The Piako County’, *Waikato Times*, 3 May 1881, p. 2; *Te Aroha News*, 30 December 1925, p. 1.

⁸⁹ Te Aroha Magistrate’s Court, Criminal Record Book 1881-1896, 45/1886, BCDG 11220/1a, ANZ-A; Te Aroha Correspondent, *Waikato Times*, 2 September 1886, p. 2.

⁹⁰ *Auckland Weekly News*, 3 January 1891, p. 14.

⁹¹ *Auckland Weekly News*, 3 January 1891, p. 14.

behaviour.⁹² They had moved there together, but their relations had become 'so strained' that she charged him with threatening to shoot her.⁹³ She deposed that he had said: 'I will blow your brains out; you won't be in it by then', meaning that she would not be alive by evening, and then tried to strike her. But for 'the interposition of others' he would have caused her 'bodily harm', and as because of this and other threats she was afraid he would 'do her some bodily injury' she wanted him to provide 'sufficient sureties to keep the peace'. After Gallagher, who was not represented by counsel, denied the allegation, Margaret gave evidence:

I have been married ten years and a-half to defendant, and have five children, who are now in the Convent. Three of the children have been in New Plymouth for some time. My husband and I have been residing in the Te Aroha district, and we came to New Plymouth on Wednesday, the 19th December. We brought the other two children with us. We went to stay at Father [Andrew] Cassidy's, St Joseph's parsonage. We stayed there till Christmas Eve. The two girls were at the Convent except two nights, when they remained at Father Cassidy's at their father's desire. My husband made some very unpleasant insinuations several times during the stay. In addition to myself and husband, the Rev. Fathers [Patrick] Costello, [Richard] O'Donnell, and Cassidy were also at the parsonage, as well as my three children and a woman servant. The Rev. Fathers and myself and husband had meals together, but sometimes my husband came in late. My husband has been constantly drinking. He says he can drink more than most men without it having any effect on him. At breakfast on Monday the Rev. Father O'Donnell said, "You have not been out since you came here, so will take you out for a drive." I said, "All right. I will take the little girl and go." My husband made a remark, "You are badly off for fresh air." I answered, "You are constantly in town, and don't want it." My husband did not make any objection to my going for a drive with Father O'Donnell. After writing a letter to a friend I went to my husband, who was standing with Fathers Cassidy and Costello in the garden, and said, "I am going now." My husband looked glum. Someone came in and said the buggy was ready. The buggy belongs to the Rev. Father Cassidy. It is called a single buggy. Rev. Father O'Donnell drove me to Waitara to see a lady friend of mine. We returned at twenty minutes to 2 o'clock in the afternoon. We left New Plymouth about eleven. We only stayed a few minutes at

⁹² *Waikato Times*, 30 December 1890, p. 2.

⁹³ Police Court, *Taranaki Herald*, 27 December 1888, p. 3; *New Zealand Herald*, 29 December 1890, p. 5.

Waitara, Rev. Father O'Donnell remaining in the buggy whilst I went and saw my friend. When we got back dinner was going on. Fathers Cassidy and Costello had finished their dinner and Rev. Father O'Donnell and I sat down to have ours. I saw nothing of my husband when I came in. After finishing dinner the servant brought me a cup of tea. Mr Gallagher came to the door and addressed me as follows: "Madam, I want you." I said, "I will come directly I have drunk my tea." I afterwards went into the bedroom. He had all the children in there with him. I heard him speaking to them but do not know what he said to them. When he came to the dining room door he turned to me and said roughly, "You had better get out of here." He raised his hand at the same time to strike me. I was sitting at the table, when Father O'Donnell, who was sitting near the door, stood up and prevented him striking me; saying that my husband should not strike me whilst he was there. Before that on the same morning between nine and ten I went into the bedroom where he was, and he was in a terrible rage, and said, "I will get away from this place as quickly as I can. I will shoot you." In fact, I do not know what he said. He said, "You are always bringing me into trouble. I will take your life. I promised to do it, and I will blow your brains out." On my oath I gave him no cause for this anger. The same day he used threats, such as "you won't be in existence then." He has hundreds of times threatened to kill me. He told me the day before that he got a revolver from a tobacconist, and he would blow out the brains of the four of us. His temper is uncontrollable. When my husband threatened to strike me Father O'Donnell crossed his arms, and said he should not strike her whilst he was there. My husband then struck Father O'Donnell, the latter having his arms folded. The blow was on the side of the face with his clenched fist. Father O'Donnell pushed my husband back, and said "not so fast," or something to that effect. I was frightened, and ran into my bedroom, and remained there with my five children. I was frightened of my life. He has pointed a loaded revolver. He threw a carving knife at me once, and it stuck in the table three inches. I have been subject to very frequent ill usage from him. I never gave any cause for anything a sane man could take notice of. I am in bodily fear of him.

The defendant was then told by the Resident Magistrate that he could cross-examine his wife, when a very wordy warfare took place between the two. Mrs Gallagher would persist in asking her husband questions instead of answering his. She said Father Cassidy, when he wrote to her, always addressed her as "Madam." Her husband had raised a revolver to her before she met Father Cassidy, at Te Aroha, and the servant had knocked him down with a broomstick. She had received ill usage from defendant over and over again. Before they left home he had threatened her life. She was not aware that her husband had ever

told her not to go driving about with the priest. When she came on a visit to Father Cassidy before, her husband told her she could do as she pleased. When he sent for her to return she came back in the first steamer leaving belonging to the Union Company, as she was not going in a little one. She was ordered to go away for six months by the doctor. She did not think it the slightest harm to go out with Father O'Donnell. When her husband came to the door and said, "Madam, I want you," she did not go to him at once, as she did not consider she was to be a slave to him, or, like a little poodle dog, to go at his calling. Father Cassidy went into his study whilst they were having their dinner, and after that went into the garden. On Sunday night her husband was in a better temper than usual, also on Monday morning before breakfast. Her husband attended to her in coming down on board the steamer. Her husband had made all his property over to her. He did it for his own good.

In reply to her counsel's questions, she added that 'within three weeks after marriage her husband drew a razor on her. Met Father Cassidy the Christmas after her husband had pointed a pistol at her at Te Aroha', and told him 'the state they were living in, and Father Cassidy tried to make peace between them. She was then going to leave her husband but for Father Cassidy advising her, for her children's sake, not to leave them'. Cross-examined by Gallagher, she said: 'You drew the razor on my brother, who is a priest. I do not know who it was you drew it on. You abused the priests, and I would not let you'.⁹⁴

In the *Te Aroha News* account, published under the headline: 'Priest Versus Husband. An Exciting Fight. The New Plymouth Scandal', when Margaret said he had 'threatened to shoot me hundreds of times', Gallagher asked, 'Were you frightened of me?' Margaret responded: 'Was I frightened? I should think I was. He has pointed a loaded revolver at my head. He has beaten me till I could not see'. Asked by Gallagher whether 'the first row' they had that day was because Cassidy asked O'Donnell to take her for a drive and that he had objected, she replied:

No; I did not hear you object. Of course you are of a suspicious nature.

Defendant: Did I not say "I want five minutes' talk with you?"

Witness: Yes; and I said I would come when I had finished my tea. I am not a little poodle dog that I should dance attendance on you.

⁹⁴ Police Court, *Taranaki Herald*, 28 December 1888, p. 3.

Defendant: Were we not good friends on Monday morning before we got out of bed?

Witness: Oh, yes; you said I was a love and all that was good.

Defendant: On Friday morning did I not tell you that I did not want you to go out driving with Father O'Donnell?

Witness: I don't remember.

Defendant: Have I not settled all my property on you?

Witness: Yes; settled everything on me; it was for your own good.⁹⁵

Father Richard O'Donnell gave evidence that when Gallagher and his wife visited him on 19 December 'they did not seem to be living very comfortably together. On the day before Christmas Day I asked Mrs Gallagher if she would go for a drive, as she had been in some days. She said she would. The husband did not appear to make any objection'. That afternoon, after dinner Gallagher 'told his wife to go to the bedroom. She said she would as soon as she had taken her tea. He then went to the bedroom and returned in a minute or two, and threatened to beat her', holding up a clenched fist. 'I thought he was going to strike her. I think so still. I often heard him threaten to strike her. I have heard him threaten to shoot the four of us'. After he stood up and warned Gallagher to desist, 'he then turned on me and told me that his boy had told him that Father Cassidy and I were laughing at him'. He described being struck on the jaw and his pushing Gallagher into the corridor; 'as he went back his head struck the doorway accidentally'. O'Donnell then pushed him 'into the parlor close by, I did this to get him away from his wife that he might not assault her. When I got him in the parlor I struck him. He was struggling with me; I lost my temper, and could not say whether he struck me or not'. Gallagher was struck several times, and when he tried to kick 'I bumped him on the floor. He cried for mercy, and said, "it was cowardly to hit a man when he was down," so I helped him to his feet. He then had a little blood on his face. I told him to promise not to attempt to assault his wife and me again whilst he was in the house', but Gallagher would not. 'After a few minutes he said that it were not for my coat he would strike me. I offered to take off my coat, but he took hold of me. Father Costello assisted him, and would not let me take it off'. Costello had not previously interfered apart from hoping 'I would give Gallagher a good thrashing. Then Gallagher said that one of us would not be able for him, and it took two. I said, "All right,"

⁹⁵ *Te Aroha News*, 2 January 1889, p. 5.

and told him to be ready. He then put up his hands and shaped at me'. After being hit and knocking his head against the window, he took a fish bowl and tried to strike O'Donnell on the head with it, whereupon Costello 'held his arm, actively interfering with Gallagher for the first time. Then I put him down again on the floor, and held him on his back. I did not strike him, but bumped his head. He pulled my head down by my whiskers, and got hold of my forehead with his teeth. I put him on his feet again, and told him to wash his face, so that his children might not see him in that condition', but although Costello brought water and a towel he would not do so. 'I told Father Costello to send the children to the Convent. I then let him out, and he went to the bedroom and washed his face'. After going with her children to the convent Margaret remained there ever since. Cross-examined by Gallagher, O'Donnell repeated that Costello did not strike him but did urge O'Donnell to give him 'a good hammering'.

Father Patrick Costello confirmed the evidence of Gallagher's 'threatening manner' towards his wife and attempts to strike her, prevented by O'Donnell; he followed the fighting men into the sitting room, where O'Donnell 'appeared to be trying to quiet him' but Gallagher 'seemed to be struggling to get back to the room where Mrs Gallagher was'. He did not interfere 'except to tell Father O'Donnell to beat him if he would be good' and to grab Gallagher's arm when he raised the fish bowl, receiving 'part of the contents down my neck'.

I have previously heard Gallagher threaten his wife, also to shoot all four of us. I have never seen or heard of any conduct on the part of Mrs Gallagher to provoke Mr Gallagher's violent behaviour.

By Mr Gallagher: I have heard you several times say you had shot several priests before breakfast in Colorado.

By the Bench: Whenever I have seen Mr Gallagher he has appeared to be muddled,

a polite way of saying he was drunk. Gallagher then gave evidence, admitting he had sued threats. He claimed that despite his forbidding Margaret had twice gone for a drive with O'Donnell. On the second occasion 'I said I wanted to take the children to the breakwater, and she must go, too, with us. I did not threaten her on the occasion of the row. I have no fault to find with her, except that I thought she should come with me and the children, instead of going with the priests. All my talk about revolvers and shooting was not meant seriously'. The magistrate did take it seriously,

requiring him to keep the peace for six months ‘in two sureties of £100 each, and himself in £200’.⁹⁶

The *Te Aroha News* account included Costello saying he had known the Gallagher family in Auckland and Thames, and that although he had never seen Gallagher drunk, he had ‘constantly appeared to be muddled’. Gallagher denied ever saying he would shoot her and that saying he had shot priests was ‘only a joke’. ‘I admit that I am hasty in temper. I was not drunk then. I don’t remember anything about striking the priest. I have no lawyer here to help me, and I cannot state my case’.⁹⁷ According to one report he had been ‘dreadfully beaten, and had his face much disfigured’.⁹⁸

An Auckland columnist thought Gallagher should ‘consider himself exceptionally fortunate in being let off so easily’. The priests had been

placed in a most painful and embarrassing position; and, in pursuit of their plain duty, no doubt, felt it necessary to chastise Gallagher for his outrageous behaviour. Therefore, more in sorry than anger, they set upon him so effectually as to impart an entirely different expression to his features, which it would take a considerable amount of diluted arnica to restore to their normal state. As embodiments of muscular Christianity, those worthy fathers may take rank with the most pronounced shillelagh-wielding priest of Sam Lever’s stories. What, indeed, could be more calculated to challenge one’s admiration and respect than the spectacle of Father Costello exhorting his brother priest to “wire-in” [‘set-to with a will’]⁹⁹ and give particular fits to that recalcitrant son of Mother Church – the contumacious Gallagher. Let us hope the incident will prove a salutary lesson to that most unreasonable husband.¹⁰⁰

The *Observer* was more sympathetic:

What the dailies call “the New Plymouth scandal” has attracted a good deal of attention in Auckland, and indeed throughout the colony, and even some “good Catholics” of my acquaintance seem to think that priestly interference went too far when Father O’Donnell invited Mrs Gallagher to take a drive with him “to see

⁹⁶ Police Court, *Taranaki Herald*, 28 December 1888, p. 2.

⁹⁷ *Te Aroha News*, 2 January 1889, p. 2.

⁹⁸ *Waikato Times*, 29 December 1888, p. 2.

⁹⁹ Eric Partridge, *A Dictionary of Slang and Unconventional English*, 8 ed., ed. Paul Beale (London, 1984), p. 1344.

¹⁰⁰ ‘Mercurio’, ‘Local Gossip’, *Auckland Weekly News*, 12 January 1889, p. 7.

a lady friend,” and when the husband objected, as husbands will on these occasions, “gave him a few reminders” by bumping his head on the floor, and otherwise “punishing” him.

It considered Gallagher was perfectly justified in objecting to his wife driving out with a priest, thought his signing over all his fortune to her might have been a cause for his objection, and wondered what the bishop would do about the actions of his priests.

Gallagher may not be all Mrs G.’s fancy painted him before he led her to the “hymeneal altar,” but his objection to his wife driving out with a priest was perfectly justifiable, and I fancy he has all the sympathy on his side. His objection to priestly attentions to his wife has cost him dear. He has had “a good hammering,” was dreadfully beaten in fact and his face much disfigured, and he has been dragged into a police-court and bound over in heavy sureties to keep the peace! - What of the priests?¹⁰¹

The implication of possible sexual impropriety was not pursued by other journalists, but it was later reported that Gallagher had accused Cassidy ‘of being intimate with his wife’.¹⁰²

According to Julia Ellis, wife of Thomas, publican of the Commercial Hotel at Waverley, near Whanganui, where Margaret lived from 12 March 1889 onwards, Gallagher and his wife separated on that date because as ‘he annoyed her in some way through being over fond of her’ she refused to live with him. Their separation ‘was caused through a visit to a Cousin of hers – He was jealous of her through his excessive love for her, jealous of man, woman or child looking at her’. She was ‘a well behaved woman’ and ‘a good mother’ who had left New Plymouth through ‘dread of his violence’ when he was drunk, telling her that ‘he had threatened her life over and over again’.¹⁰³

Gallagher left Taranaki immediately after they separated, three days later being admitted to the Thames hospital suffering from insomnia; it

¹⁰¹ *Observer*, 12 January 1889, p. 3.

¹⁰² *Auckland Weekly News*, 3 January 1891, p. 14.

¹⁰³ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *Taranaki Herald*, 27 December 1890, p. 2, 31 December 1890, p. 2.

took a month to cure him.¹⁰⁴ After they parted, ‘Gallagher wrote to his wife, but she did not answer him’. Margaret explained her separation to Julia Ellis by stating that ‘when she was on a visit to her cousin at New Plymouth Gallagher got jealous of her, and got drunk, and she was annoyed with him for drinking, and left him’.¹⁰⁵

Whilst living at Waverley, Margaret ‘went away occasionally to see her children and once to see her brother’, George Walker, headmaster at Lane’s Creek, Rockhampton, Queensland, for a few months in 1889.¹⁰⁶ She left her eldest son, another Charles, with him; her daughters were placed in the St Joseph’s Convent School in Wellington.¹⁰⁷ The two youngest boys lived with her. Not till 24 October 1889 did Gallagher rejoin her because he wanted ‘to see his children’.¹⁰⁸ Just before he rejoined her, Margaret informed James Craig (of the Star Hotel in Auckland, and for years their agent) that she ‘feared’ to purchase a Wellington hotel ‘lest, as she said, her husband should come and torment her’.¹⁰⁹ ‘They corresponded during the time of separation’, and when they met again were ‘very affable’ and were seen ‘riding driving & singing never apart’. Gallagher went away only once after they were reunited and wrote to her during his absence; as ‘they appeared alright’, their friends ‘were hopeful that the couple would live amicably’.¹¹⁰

During the nearly two years that Margaret lived in Thomas Ellis’ hotel, Gallagher visited her three times, including this October visit. Ellis did not think they met when Gallagher first visited, a few days after Margaret moved there; he did not know why not. Gallagher’s second visit

¹⁰⁴ Thames Hospital Board, Register of Patients 1884-1901, folio 29, entry for 15 March 1889, YCAH 14074/1a, ANZ-A.

¹⁰⁵ *Taranaki Herald*, 31 December 1890, p. 2.

¹⁰⁶ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *Taranaki Herald*, 27 December 1890, p. 2.

¹⁰⁷ *New Zealand Herald*, 29 December 1890, p. 5.

¹⁰⁸ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *New Zealand Herald*, 29 December 1890, p. 5.

¹⁰⁹ *New Zealand Herald*, 29 December 1890, p. 5.

¹¹⁰ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *Thames Star*, 27 December 1890, p. 2.

was when Margaret was in Australia.¹¹¹ Julia recalled his staying for three days on one of the earlier occasions.¹¹² Thomas Ellis recalled that they lived together after October ‘as a loving husband and wife’, in ‘perfect harmony’.¹¹³ It was likely that conjugal relations had ceased before they separated, for they had no further children after their youngest child was born in 1885.¹¹⁴

CHRISTMAS DAY 1890

A few weeks before Christmas 1890 Gallagher returned from Puhipuhi to be with his family. It was believed they had become ‘reconciled a few months’ previously, and reportedly were ‘living together very happily’, just ‘as a loving husband and wife should do’.¹¹⁵ Julia Ellis recalled them being ‘very affable towards each other’ when reunited, passing their time ‘riding, driving, walking, singing, etc, and were never apart scarcely’, Gallagher being sober for the entire time.¹¹⁶ On Christmas Eve, Thomas Ellis saw ‘nothing strange’ in his ‘appearance or conduct’.¹¹⁷ He was playing euchre with some friends, and ‘complained of not feeling very well, he remarked that this was the first Christmas at Waverley and it might be the last. I understood they were looking out for some business’, and thought Gallagher meant ‘that he expected to settle somewhere else’.¹¹⁸

¹¹¹ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹¹² Evidence of Julia Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹¹³ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2; Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹¹⁴ Birth Certificate of Desmond Boniface Gallagher, 14 May 1885, 1885/5642; Death Certificate of Margaret Gertrude Gallagher, 25 December 1890, 1891/1100, BDM.

¹¹⁵ *Taranaki Herald*, 27 December 1890, p. 2, 30 December 1890, p. 2, 31 December 1890, p. 2.

¹¹⁶ *Taranaki Herald*, 31 December 1890, p. 2.

¹¹⁷ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹¹⁸ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

On Christmas morning, according to Julia Ellis, Gallagher and his wife 'appeared alright, and went to Church together'. He returned with Julia while Margaret 'stayed in Church to finish some singing with the Children – I noticed no strangeness about him, only he had a bad cold'. By the time Margaret returned with the children, he had gone upstairs to his bedroom; he was 'quite sober', having been in that state throughout his stay. 'There was nothing in the demeanour of either to suggest that what happened would happen'.¹¹⁹ What happened, at about noon, was described by Agnes Ellis, her daughter, who was working upstairs:

I heard a noise upstairs about that time I did not know what it was – I was along the other passage at the time – At first I thought the noise was down stairs there was a second noise and screaming, I still thought it was down stairs, I was coming down stairs, when I heard the screaming in the direction of the deceased's room – I went to the end of the passage in the neighborhood of deceased's room when I saw smoke coming out of the room Mrs Gallagher was in, and I saw Mr Gallagher run from the room which she was in to the one adjoining – I could not see anything in his hands for the smoke, he was screaming and saying die.

In another version, he said 'dying'; 'she did not hear any female scream'. While her parents investigated the commotion, Agnes went to fetch the police.¹²⁰ Her father described coming out of his bathroom to hear Gallagher 'calling out she is dead, she is dead'. With his wife, he entered Margaret's room to find her 'sitting on the bed leaning against the wall her feet were on the bed, she was quite dead'. Seeing a hole in her dress at the top of the right breast, 'my first impression was that she had shot herself', but later realized that this was 'impossible'.¹²¹ What the coroner was not told, but some newspapers reported, was that, when found dead on her bed, Margaret had 'one of her children clinging to her, bedabbled in blood'.¹²²

¹¹⁹ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹²⁰ Evidence of Agnes Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *Taranaki Herald*, 31 December 1890, p. 2.

¹²¹ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹²² *Thames Star*, 27 December 1890, p. 2; *Auckland Weekly News*, 3 January 1891, p. 14.

However, a later press report stated that ‘none of the children saw their parents after the tragedy’.¹²³

Gallagher had locked himself into the adjoining room, and when the door was forced by Constable Benjamin O’Brien and others they found him lying on the floor, shot by his own gun.¹²⁴ Gallagher said, ‘Let me die let me die’. Ellis did not think Gallagher’s shrieks that ‘she is dead, she is dead’ were those ‘of a sane man, but that of a madman’.¹²⁵

Doctor Money’s post mortem revealed that Margaret had been shot ‘at the root of the right neck’; one pellet had reached the heart, and death from haemorrhage and shock ‘must have been instantaneous’. She was shot ‘from the side and above – I feel certain she had no warning’.¹²⁶ Gallagher used ‘a double-barrelled fowling piece, which he always carried with him, but unknown to the proprietor of the hotel’.¹²⁷ After Margaret collapsed, dead, across the bed, Gallagher immediately

fired the remaining barrel at himself, but the charge missed him and went into the ceiling of the room. He instantly ran back to the room where he had taken the gun from, locked himself in, re-loaded the piece, and fired two charges into his own body. The first charge took effect in the ribs under the left arm, and the second one wounded him lower down, and drove his watch into his entrails.

After examining him, the doctor ‘gave no hopes of his recovering’, and a priest was sent for.¹²⁸

Agnes Ellis thought Gallagher was ‘very excited’ when he rushed into the adjacent room ‘like a madman’. She heard him shoot himself and ‘scream out die but he said something before it but I cannot say what it was

¹²³ *Thames Star*, 29 December 1890, p. 2.

¹²⁴ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹²⁵ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹²⁶ Evidence of Dr Percy Frederick Money, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹²⁷ Evidence of Constable Benjamin O’Brien, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *Thames Star*, 29 December 1890, p. 2.

¹²⁸ *Taranaki Herald*, 27 December 1890, p. 2.

I was too frightened'.¹²⁹ The doctor found 'two wounds one trivial and the other distinctly a gun shot wound, I saw at once that this must be fatal eventually', and told Gallagher of his fate. Gallagher, who took about five hours to die, said 'he was sorry that he had not blown his head off. He tried to reach his heart but the gun was too long, he then shot himself through the bowels'. He was fully conscious when questioned, and 'absolutely sober'. The postmortem revealed that the lesser wound 'would have caused a long illness but no danger', whereas the major wound caused death through shock.¹³⁰

Thomas Ellis heard Gallagher 'shriek, "She's dead – she's dead," at the top of his voice'. He described the shrieks as 'most inhuman – the shrieks of a madman'.¹³¹ When asked if he knew his wife 'was dead – he said yes.... I asked him why he had shot her – I think he was unable to answer – you could only get a word at a time he would answer by a shake of the head.... He never acknowledged to me that he had shot her'.¹³² Gallagher did admit the shooting to the doctor: 'I was exceedingly fond of her and she would not live with me. It has been on my mind to do it for the last three years'.¹³³ A newspaper version of his statement to the doctor was: 'I know what I have done – I've murdered my wife, and I meant to do it; I loved her too deeply, but she did not reciprocate. Do not try to save me but kill me outright'. This version had him dying 'apparently penitent'.¹³⁴ James Craig, the Gallagher's Auckland agent, after hearing the news declared he now had 'little doubt' that Gallagher 'contemplated the murder of his wife' when he left Auckland to rejoin her.¹³⁵ At the inquest into Margaret's death, Money gave additional details, starting with Gallagher's own explanation:

¹²⁹ Evidence of Agnes Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹³⁰ Evidence of Dr Percy Frederick Money, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹³¹ *Patea County Press*, n.d., reprinted in *Taranaki Herald*, 7 January 1891, p. 2.

¹³² Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹³³ Evidence of Dr Percy Frederick Money, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹³⁴ *Wanganui Chronicle*, n.d., reprinted in *Taranaki Herald*, 29 December 1890, p. 2.

¹³⁵ *Auckland Weekly News*, 3 January 1891, p. 14.

I am very fond of her and she will not live with me – I was with him until he died – I believe him to be perfectly sane at the time I asked him the question – He said he had it in his mind for three years – He was the coolest and most dispassionate man I ever saw on a death bed – The impression he gave me was that he was desirous of knowing the contents of some document in his wife’s possession which she refused to divulge to him causing him to kill her.¹³⁶

He ‘inferred from Gallagher’s manner that it was something his wife had received lately that disturbed him’.¹³⁷ When Gallagher said he was sorry, Money ‘asked him what he was sorry about, and he said “because he had not blown his head off;” that he had tried to reach his heart, but the gun was too long, and he then shot himself through the bowels’. When Margaret refused to let him to see the letter or document that he ‘was anxious to see or read’, her refusal ‘apparently impressed deceased with the fear that it was “the old thing over again,” and he would end it at once and for ever, and without allowing time for further thought had taken up the gun.... He also said that papers would be found which would fully explain his action’. (No such papers were discovered.) The document he alluded to was not her will, which he knew about and ‘appeared satisfied’ about, but ‘seemed to be something long past, which a very recent occurrence had reawakened. Nothing that he said gave me the idea that they were living unhappily now. He was absolutely sober and calm, peculiarly calm and collected for a man in his condition’.¹³⁸

Constable Benjamin O’Brien found Margaret clutching a bunch of keys in one hand and in the other a letter from Sister Mary Borgia, of St Mary’s Convent in Wellington, wishing her a happy Christmas. Gallagher told him, ‘I shot my wife and also shot myself I wanted to die with her – He said I shot her because I loved her and she would not live with me.... He did not make any reference to any document as the cause of his killing his wife’.¹³⁹

¹³⁶ Evidence of Dr Percy Frederick Money, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹³⁷ *Taranaki Herald*, 31 December 1890, p. 2.

¹³⁸ *Patea County Press*, n.d., reprinted in *Taranaki Herald*, 7 January 1891, p. 2.

¹³⁹ Evidence of Constable Benjamin O’Brien, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W; *Taranaki Herald*, 31 December 1890, p. 2.

Another version of his statement was ‘because I loved my wife and she would not live with me, and I wanted to die with her’.¹⁴⁰

Julia Ellis also spoke with Gallagher as he lay dying.

I asked him did he know that he had shot his wife, he said yes, He said he did not know why he did it that she had a letter in her hand and would not let him read it – I asked him who he thought the letter was from, he said he did not know, I told him it was from one of the Sisters in the Convent, he said is that so, he said he pressed her to let him see the letter and she would not, and he then got angry, he persisted in seeing it and she refused and he became mad, and she refused to answer him in the end.

He was ‘perfectly calm’, and later told her ‘that he would give the world to have things as they were in the morning’.¹⁴¹ Margaret ‘often received letters from the Convent and from her brother’.¹⁴²

Thomas Ellis asked him ‘what is to be done with the children he said God will take care of them’.¹⁴³ Julia Ellis asked the same question: ‘He said keep the boys, I said I could not – He said the Nuns would keep the girls’.¹⁴⁴ ‘He said the children would be better of without either of them’, the constable recalled.¹⁴⁵

The coroner’s jury returned verdicts of wilful murder and suicide.¹⁴⁶ The death certificates were equally blunt: Margaret died through ‘wilful murder by Charles’, and he committed suicide ‘while temporarily insane’, a phraseology that permitted him to be buried in consecrated ground.¹⁴⁷ ‘The

¹⁴⁰ Evidence of Constable Benjamin O’Brien, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, J 46, COR 1891/1, ANZ-W.

¹⁴¹ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹⁴² *Patea County Press*, n.d., reprinted in *Taranaki Herald*, 7 January 1891, p. 2.

¹⁴³ Evidence of Thomas Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46, COR 1891/2, ANZ-W.

¹⁴⁴ Evidence of Julia Ellis, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹⁴⁵ Evidence of Constable Benjamin O’Brien, 27 December 1890, Inquest into death of Charles Gallagher, Inquests, Justice Department, J 46, COR 1891/1, ANZ-W.

¹⁴⁶ *Waikato Times*, 30 December 1890, p. 2.

¹⁴⁷ Death Certificates of Charles and Margaret Gertrude Gallagher, 25 December 1890, 1891/1100, BDM.

funeral of the unfortunate couple took place immediately' after the verdicts were known, 'the *cortege* waiting some short time for that information. The funeral was very largely attended'.¹⁴⁸

Gallagher was 43 when he died; his wife was shot three days before her thirtieth birthday.¹⁴⁹ Their orphaned children were aged 11, 10, 8, 6, and 5.¹⁵⁰ The life of only one has been traced: John Edmund, who never married, died in 1928, aged 49.¹⁵¹

CONCLUSION

Charles Gallagher's life story was overshadowed by his suicide and the murder of his wife after years of pathological jealousy. Quite apart from the manner of its ending, it had the rare distinction of his being beaten up by priests. In other ways his was the typical life of an investor in mining, unexceptional apart from his handing over his money to his wife, probably done because in his saner moments he needed to be protected from himself and to ensure that his drinking did not reduce his family to poverty. A sad life, tragically ended.

Appendix

Figure 1: 'The Christmas Day Tragedy at Hawera: Mr and Mrs Gallagher', Observer, 17 January 1891, p. 16.

¹⁴⁸ *Taranaki Herald*, 31 December 1890, p. 2.

¹⁴⁹ Deaths Certificates of Charles and Margaret Gertrude Gallagher, 25 December 1890, 1891/1100, BDM; Evidence of Julia Ellis, 27 December 1890, Inquest into death of Margaret Gertrude Gallagher, Inquests, Justice Department, J 46 COR 1891/2, ANZ-W.

¹⁵⁰ Death Certificate of Margaret Gertrude Gallagher, 25 December 1890, 1891/1100, BDM.

¹⁵¹ Death Certificate of John Edmund Gallagher, 1928/11021, BDM.



THE CHRISTMAS DAY TRAGEDY AT HAWERA.
MR AND MRS GALLAGHER.