

There is no memorial for Cyrus Haley.

He is buried in the paupers' section

of Dunedin's Northern Cemetery

Within a year of the first settlers arriving in March 1848 the first gaol was erected. It was a small wooden structure and was sited where the law Courts Hotel now stands on the corner of Stuart and Cumberland Streets. This building was destroyed by fire in 1855 and the immigration barracks was relocated to become the replacement gaol. As the population of Dunedin rose so did the need for further prison accommodation, and in 1860 a bluestone building was constructed within the triangular section bounded by Stuart Street, Jail Street (now Dunbar Street) High Street and Cumberland Street. So the history of the area is to this day has been closely linked to the administration of justice.

In the early days of Dunedin society generally placed great emphasis on the work ethic as a means of rehabilitation of prisoners. The words 'hard labour' meant just that. Dunedin needed manpower to build a city from a settlement and prisoners were used to fill that need, in a wide variety of development tasks.

One of the most impressive examples of Dunedin prison labour was the removal of a large portion of Bell Hill. Before the mammoth task began in October 1862, the hill rose more than 10 metres above the site of First Church, and was a barrier to travel from south to north along Princes and George Street.

Bell Hill consisted of bluestone boulders and these were split by inmate labour for a wide range of building purposes. Any stone not suitable for building purposes, huge quantities, was used to fill in the harbour reclamation.

Not all prisoners were keen to quarry stone, preferring to take their chances with a run for freedom. One of them, Cyrus Haley, absconded from Bell Hill on October 4 1875. Haley, with other prisoners, was drilling a blasting hole, high up on a rock near first church. Haley moved behind a rock, removed his trousers as they were marked with arrows, then made his dash for freedom in his underpants.

Warder James Millar saw the prisoner escaping and gave chase. Millar got within 40 metres of the escapee, brought his rifle to his shoulder, and called for him to stop. Haley had no intention of stopping as he leapt a fence and ran through the church manse garden. Millar fired twice and missed his target.

Haley climbed out of the garden and was crossing Stuart Street when Millar reached Moray Place. The warder saw that the prisoner was heading towards the coal and timber yard owned by Peter

Forrester. From this yard it was highly probable the prisoner would have made good his escape. Millar fired again and this time he did not miss, Haley stumbled forward and fell. He was dead when Millar reached him.

The official report stated that the “temptation to escape was unknown”. Subsequently a jury returned a verdict of “Justifiable homicide”.

Cyrus Haley, aged 42, was buried in Dunedin’s Northern Cemetery in an unmarked pauper’s grave which, as the photo shows, is today overgrown and uncared for.

Prepared by the Historic Cemeteries Conservation Trust of New Zealand (www.cemeteries.org.nz) from *Dunedin Gaol – a community prison since 1851* by Bill (Wilfred) Martin.