

A Story from the Adelaide Gaol

The Hindmarsh Square Shooting - John McGrath

Adelaide 1929

Saturday evening, February 23rd 1929. 11.00pm. Constable John Holman was at the Adelaide City Watch House in Angas Street preparing to report off duty.

With him were Constables Marshall and Budgen. The three were plain clothes constables.

They were told to go to 199 Grenfell Street, City to check on a disturbance.

Constable Holman owned a motor car, so the three officers drove to the Grenfell Street address. On arrival the constables noticed a motor bike and side-car outfit parked outside number 199.

The constables made enquiries regarding the disturbance and asked who owned the motor cycle. They were told by the house occupant that he did not know who owned the cycle.

The officers decided the motor cycle outfit was at risk being left in the street so late at night and decided to take the motor cycle outfit back to the Police Watch House in Angas Street and keep it until it could be claimed by the owner.

Constable Holman was delegated to ride the motor cycle outfit, and Constable Budgen to ride in the side car. Constable Marshall would drive Holman's car back to the watch house.

The two constables could not start the cycle, so they commenced pushing it along Grenfell Street towards Hindmarsh Square. A passer-by, walking along the street, offered to help push start the cycle and after a short delay the cycle started. The two policemen rode off slowly.

They had just got opposite the Protestant Meeting Hall when two men stepped out of the shadows on the footpath and onto the road. One of the men spoke to the two officers. "What are you doing with my cycle?"

Constable Holman stopped the cycle and leaving the engine running, replied "We are police officers."

Without any further remarks, the man took a pistol from his coat pocket and fired a shot in the direction of the two officers. The shot narrowly missed Constable Budgen but hit Constable Holman.

The man and his companion turned and started to run towards a nearby hotel in the Square.

Constable King and Tilka who were on bicycle patrol and in uniform nearby heard the gun shot. They quickly arrived on the scene and stopped one of the two men at gunpoint.

Meanwhile, Constable Holman, who was wounded, had started to chase the man who had fired the shot but after running a short distance dropped to the

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ground on the roadway outside of the hotel.

Constable King observed all this and began chasing the man down a narrow side lane. He called on the man to stop, stating that he was a police officer, but the gunman turned and fired 2 shots back at the constable.

Constable King fired one round into the air, then three rounds at the man. Two rounds hit the man in the leg, who then dropped to the road wounded.

When Constable King reached the wounded man, the man spoke to him, "I am done! The --- got me!" The gunman pointed his gun at the constable and pulled the trigger, but the gun did not fire. Constable King quickly pulled the gun from the man's hand.

Constable Holman meanwhile had fallen into unconsciousness and was placed in a motor car and taken to the Adelaide Hospital. The wounded gunman was taken to the same hospital.

The man who had been with the gunman was questioned by police and found not to be armed. He was taken into custody.

Early the next morning, Constable Holman died.

The gunman, John McGrath, was charged with murder.

In July John McGrath stood trial for the murder of Constable Holman. He pleaded not guilty.

At the trial McGrath's defence counsel, Mr E. Millhouse and Mr J. Travers, maintained that he, McGrath, did not know that the two men on the motor bike outfit were policemen. McGrath thought they were men out to get him.

Mr A. Pickering and Mr W. Rollison put forward the case for the Crown.

McGrath appeared in the court on crutches. McGrath stated that, on the day of the shooting, he and Albert Matthews, the man who was with him on the night of the shooting, went to a house in Halifax Street, City, to obtain and drink some beer.

After a few drinks, he, McGrath, had a few words to say to several other men present. They had an altercation and in the end he flung his glass into the fire place.

He and Matthews were then told to leave. They started to leave and as they went along the passage towards the front door, he, McGrath, drew a pistol from his pocket.

Matthews said to me "You are not game to fire it." McGrath turned and fired the pistol down the passage. They then left the house.

"Myself and Matthews then drove around to 199 Grenfell Street. As we got off the motor bike a man named Lawrence and another named Skinner pulled up in a car and got out. Skinner pulled out a gun, so I rushed him and during the scuffle I was hit on the head.

When I awoke I was lying on the ground in the East End Market with

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Matthews, who told me 'Lofty and Skinner are going to get you. This is only a minor bashing'.

I then thought about getting my cycle and leaving Grenfell Street, and as we were walking towards where I left the bike, I saw two men riding it. I thought Lofty's mob was stealing my motor cycle. That is when I stepped out onto the road and said, 'Get off my bike!'

"The bike stopped and the two men in plain clothes stepped off. I did not hear them say they were police officers. The bike engine was running noisily. I was protecting myself. When I took out my gun, the two men came towards me."

"I told Matthews 'Look out!' I took out my gun and fired the gun at them. I did not intend hitting the man, only to frighten the two men away from my cycle."

The other man tried to grab me, so I started to run away. Both of the men started to chase me and one dropped to the ground while running. I turned and saw a man coming after me so I fired at him and the man returned the fire and I was hit in the leg."

McGrath maintained that whilst running he did not know it was a constable chasing him as it was dark.

Constable King had taken over in the chase with Constables Budgen and Tilka. Constable Marshall was holding Mathews.

Constables Budgen and Marshall, like Constable Holman, were not armed as they had finished their shift when they were given the job of going to Grenfell Street to check the disturbance complaint.

Constables King and Tilka were the only two officers armed as they were on night duty, doing a patrol.

McGrath stated he always carried a pistol as he worked on the wharfs at Port Adelaide and kept it for self defence as most of the workers there carried guns.

Prior to the shooting, during the day he had been to the races at Two Wells, where he had engine trouble. He returned to the city, then with the trouble at the house in Halifax Street, then further trouble at the East End Market, and then the shooting, everything had gone wrong that day. He had no intention of shooting anyone. "I was protecting myself. I am sorry for what has happened."

Detective S. Trestrail gave evidence that he had visited the house in Halifax Street and found bullet holes in the woodwork in the house passage.

Detective P. Lindsay gave evidence that at 10.30pm on the night shortly before the shooting, he had been to 199 Grenfell Street and spoke to several persons inside the house regarding a disturbance there, and shortly after 11.00pm the 3 plain clothes constables were sent to the same address regarding another disturbance.

The trial judge, Mr Justice Napier, in his summing up stated there were 3 verdicts open to the jury; Not Guilty, Manslaughter or Guilty of the offence of Unlawful Homicide.

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The jury retired for two hours and thirty minutes before returning a verdict of Guilty of Murder with a Recommendation of Mercy.

When McGrath was asked if he had anything to say he replied "No."

The judge then sentenced McGrath to death by hanging and told him he would forward the recommendation of mercy to the proper authorities.

McGrath accepted the verdict calmly.

McGrath was 23 years of age.

John Holman was also 23 years old. Having been in the police force 17 months, he showed good aptitude so several months previously he was placed in plain clothes.

Constable Holman's funeral was attended by police and firemen from Adelaide and the suburbs. The funeral left Constable Holman's parent's home on Richmond Road for the West Terrace Cemetery.

He was to have been married the following week.

Constable Holman had attended the local school and Sunday school in the area and was a well known local cricketer and footballer having tried out with West Torrens.

His grave inscription reads "In Memory of Constable Jack".

John McGrath appealed against the death sentence. In his appeal he stated he was sorry for what had happened, he did not know he had shot a policeman and at the time was in fear of his life. He had a good reputation and was not in any previous trouble.

The Executive Council discussed the case, and due to the facts submitted commuted the sentence to life imprisonment.

No charges were laid against Albert Matthews who had been with McGrath on the night of the shooting.

The Newspapers ran several stories from gunsmiths who stated that the police should be better armed, and concerned citizens voiced their opinions that the police should be armed so as to protect themselves and the public in the execution of their duties.

Constable Holman was the third police officer to be shot in the line of duty since 1908. Constable Ring in 1908 and Constable Hyde in 1909.

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