

Death of Rita Kirk by Poisoning by her grandmother – 5 May 1923

SMH Sat 5 May 1923 DEATH OF_A CHILD I ALLEGED_ POISON. GUYRA, Friday.

As a result of police inquiries here for the past five days concerning the death of Rita Jamieson Kirk, aged 9 years, at Tamworth, on the 28th inst. Harriet Kate Mills, aged 50 years, married, living with her husband near Guyra, was arrested last night by Inspector Barnes, of Armidale, Sergeant Vidler, of Tamworth, and Constable Stennett, of Guyra.

Accused was brought before the police court this morning, and charged with causing the death of the child by poison. On the application of Inspector Barnes accused, who was not represented by counsel, was remanded to the Coroner's Court in Tamworth.

Mrs. Mills is the mother-in-law of Arthur Kirk, who during his first marriage adopted the victim of the tragedy. Since the death of his first wife and at her request the little girl had been in the care of her adopted grandmother.

Guyra Argus – Thu 17 May 1923 – Death of Rita J. Kirk:

Coroner's Inquiry at Tamworth Mrs. Mills was Committed for Trial on a charge of Murder. This inquest into the death of Rita Veronica Jamieson, the 9-year-old adopted daughter of Mr Alexander Arthur Kirk, of Guyra, who died at the residence of her adopted grandmother, Mrs Moore, April '29, was opened before the Deputy Coroner, Mr G A. M. Naukerns, at the Court House, Tamworth, yesterday morning Harriet Kate Mills, who was charged with the murder of the accused, was present in custody. Mr O. L. Mackenzie, Guyra, appeared for the accused. Mr Westbury appeared on behalf of the State Children's Department.

Edward Barnes, Inspector of Police, Armidale, was the first witness. He said that on Saturday afternoon, 28th April, he received a 'phone message and went to Guyra to make inquiries into the death of Rita Jamieson Kirk, by which name the deceased was known.

The next day he went to the residence of Alexander Kirk, at Redbank, near Guyra, in company with Constable Stennett. He had a conversation with Mrs Kirk, and was handed a letter and envelope (produced); later he went into a bed at the rear of Mrs Kirk's house, and was handed a bottle (proa need), labelled ' pure strychnine,' from ft safe; next morning, in company with Sergeant Tidier, he again went to Mr Kirk's residence, and later on to the residence of Henry John Mills, about e farther on; Mills went into an old kitchen at the rear of the house, and handed him a bottle labelled ' pure strychnine,' same being a little more than half full; next morning, with Sergeant Vidler, he went to Mrs Schaefer's place at Armidale, where he saw Mrs Mills; asked if she knew the little girl Rita Kirk, and she said ' Yes'; he said. 'She's dead, she's been poisoned — do you know who did it?' ; she said ' No,' and in response to a request by Sergeant Vidler she wrote the address on a piece of paper where the little girl, Rita Kirk, had been staying; she wrote the names of different people on a piece of paper, which was retained. by Sergeant Vidler; later he saw Constable Stennett, and gave him certain instructions;

Sergeant Vidler and he then proceeded to the railway station at Guyra, between 10 and 1030 pm, and went into the ladies' waiting room, which was then, almost dark; the lamp was turned down very low, and be turned it on and saw Mrs Mills) standing in the room; they went across to the office adjoining the courtroom; Mrs Mills was shown a letter, and said it was one she had left behind for her husband; she made a statement, which he took down in writing, and she signed it; Sergeant Vidler said, ' Did you intend to kill Rita when you sent her those chocolates?'; she replied ' No'; witness then arrested her and charged her with causing the little girl's death; in reply to the final question as to whether she wished to say anything, aha said 'I have told you «U'; next morning she was shown a letter signed *' G, Kelly,' and said she did not write it.

In reply to Mr Mackenzie, Inspector Barnes said the residence of Mrs Mills was about five miles from Guyra; he did not know whether she walked to that night; Mrs Mills' statement was not made on entirely in reply to questions; at the railway station be did toot bear Sergt. Vidler say, 'It's only your damned conscience that is eating you to go away?'

Mr. Mackenzie: Do you swear he did not say that f — I do not think it was said; I swear I did not hear him say it. You saw some sensational statements in the Armidale papers in connection with this case P Tea. Did they come from the police PV; nothing came from the police as far as I know.

Mr. Mackenzie: I ask you that because proceedings are going to be taken against them for contempt of court Sergeant Vidler gave lengthy evidence; during which Mr Mackenzie objected to the production of a letter from Mrs Mills, as it was a communication between man and wife, and inadmissible Mr Mills did not wish it to be tendered and Mr Mackenzie had been instructed to object to its production.

After the argument, the letter was admitted.

Dr. Thomas Sbolto Dongjas, of Tamworth, stated he was called to Mr Moore's place to see a child, who he thought was poisoned and was having fits; she had taken a pill? little: time eventually; he concluded that she died of strychnine poisoning; he was handed a box containing some chocolate-coated pills — evidently homemade, and also a letter signed 'R Moore,' from Guyra.

Henry Lewis Harris, Government Medical Officer, gave evidence as to holding a post-mortem examination and the forwarding of the stomach and contents to the Government Analyst for examination Dr. Thomas Cooksey, Government Analyst, gave evidence There was one grain of strychnine in the food, and one of the pills was found to contain strychnine.

After the hearing of lengthy evidence by Hilda May Whitten (assistant postmistress at Gowrie), Annie Moore (postmistress at Gowrie), Lancelot D'Arcy Piper (aged 14, a state lad and playmate of Rita Kirk), James Wallace (postmaster at Guyra), Alexander Arthur Kirk (farmer, Guyra, adopted father of Rita Kirk), Constable Stennett (Guyra), the Coroner delivered the following finding: 'I find that Rita Veronica Jamieson died at the house of Mrs Moore, at Gowrie, from the effects of a poison (strychnine), contained in a pill. I further find that Harriet Kate Mills did maliciously and feloniously murder the said Rita Veronica Jamieson, and I commit her to the Central Criminal Court, to be held on the 6th day of June, 1923, or to each other place as the Attorney-General may appoint. A woman was then remanded to her former custody.'

During the proceedings, Henry John Mills, farmer, of Redbank, Guyra, was called. He refused to give evidence against his wife, and was permitted to retire.

Mudgee Guardian & North-Western Representative Mon 21 May 1923 – Rita Kirk's Death

Rita Kirk's Death. EVIDENCE OF DOCTORS. STRYCHNINE IN STOMACH. STORY AT INQUEST.

TAMWORTH, Wednesday.

One grain of strychnine, sufficient to cause death, was found by the analyst in the stomach of a little girl who died suddenly at Gowrie.

An inquest into the circumstance of the death of Rita Jamieson Kirk, a little girl, at Gowrie, near Tamworth, was opened by the deputy coroner, Mr. G. A. M. Nankervis, at Tamworth this morning. Harriet Kate Mills, who is charged with feloniously and maliciously murdering the child, was present in custody.

Mr. G. L. MacKenzie, of Guyra, appeared for the accused. Inspector E. Barnes, of Armidale, conducted the case for the police.

Edward Barnes, inspector of police at Armidale, stated that he went to Guyra on Saturday, April 28, making inquiries regarding the death of the child known as Rita Jamieson Kirk. He went to the residence of Alexander Kirk, and had a conversation with Mrs. Kirk. He was given an empty bottle labelled "Pure strychnine." On the following Monday, he went to the residence of Henry John Mills. After conversation, Mills gave witness a bottle labelled "Pure strychnine," about half full.

WAS NOT PREMEDITATED.

Continuing, Inspector Barnes said that later he went to the railway station at Guyra between 10 and 10.30 p.m., and found Mrs. Mills standing in a room which was almost dark. Sergeant Vidler said, "Hello, are you bolting?" Mrs. Mills replied "No, I am going to Armidale. You didn't come out today as you said you would."

They went to the police office, where Mrs. Mills made a voluntary statement, which she signed, and said it was true. Sergeant Vidler said "Did you intend killing Rita, when you sent those chocolates?" she said "No." Witness then arrested her and charged her with causing the death of Rita Jamison Kirk on April 28 at Gowrie, Goonoo Goonoo.

WHAT ANALYSIS FOUND.

Dr. T. S. Douglas, of Tamworth, said what at 9.15 am on the morning of April 28 he went to Gowrie to see a child who was taking fits and was thought to be poisoned. He went out at once, and on arrival at 10 a.m., he found the child had died about 10 minutes before. He was informed that the child had died about 10 minutes before. There were no marks of violence, and from the symptoms mentioned to him, he concluded she had probably died from strychnine poisoning. He was handed a box containing chocolate-coated pills, evidently homemade.

One pill was wrapped in tissue paper, apart from the remaining 12. He reported to the Tamworth police what had happened, and handed the box of pills to Sergeant Vidler. Dr. H. L. Harris said that he made a post mortem examination of the body on April 29. He found all the organs in a healthy condition.

The Government analyst said he examined the stomach and pills sent by the Tamworth police. About one grain of strychnine was found in the stomach contents.

THE PILLS.

Hilda Mary Whitten, assistant postmistress, residing with her grandmother, Mrs Moore, at Gowrie, recollected seeing a parcel addressed to Mrs Moore. She saw the contents, which were 12 or 14 pills, two larger than the others, and rolled in tissue paper, on Saturday, April 28, when having breakfast with Rita Jamieson Kirk.

She saw Rita take one of the pills. Later she saw the child on a sofa, apparently very sick. She gave her a dose of oil, and later, when the child was no better rang Dr. Douglas, who advised salt and water. The child kept taking fits and the witness rang again and asked the doctor to come. Death took place in her presence about a quarter of an hour before the doctor arrived. It was one of the larger pills the child took.

To Mr Mackenzie: She did not see the box opened. Annie Moore, postmistress at Gowrie, said the deceased had been residing with her for four years.

Witness received a letter and a box containing 14 pills. Two were larger than the others, and were rolled up in tissue paper. On Saturday, April 28, Rita wanted a pill, and she gave her one, in accordance with instructions in the letter.

Alexander Arthur Kirk, farmer, Guyra, said he and his first wife, who died some years ago, adopted the child known as Rita Jamieson Kirk, and after his wife's death, she was taken by Mrs. Moore at Gowrie. He married again in 1921 to the daughter of Mrs. Mills. He and his present wife were very fond of the deceased child. He had had a quarrel with his father in law, John Mills, husband of Mrs Harriet Kate Mills.

Rita was insured for £100, and on death, the premium was repaid with 4 per cent. interest. One premium of £6 had been paid.

The coroner found that Rita Veronica Jamieson died at the house of Mrs. Moore at Gowrie, near Tamworth, from the effects of a poison, strychnine, contained in a pill. He further found that Harriet Kate Mills did maliciously and feloniously murder Rita Veronica Jamieson, and committed her for trial.

Thursday 6 Sep 1923 – Criminal Court.

(Before Mr. Justice Ferguson.) Crown Prosecutor, Mr. W. T. Coyle, K.C.
GUYRA TRAGEDY. VERDICT OF MANSLAUGHTER.

Harriet Kate Mills, a married woman, 60 years of age, was charged with the murder of Rita Veronica Jamieson, a child 10 years of age, at Gowrie, on April 28. Mr. Norman M'Ghie (Instructed by Mr. C. L. Mackenzie, of Guyra) appeared for the accused.

The Crown evidence was that the child, Rita, was an adopted daughter of the accused's son-in-law, Alexander Arthur Kirk, a farmer, residing at Redbank, near Guyra. Kirk was twice married, and his first wife adopted the child when it was nine months old. Kirk married again in November, 1921, his second wife being a daughter of the accused, and the child, Rita, went to live with the first Mrs. Kirk's mother, Mrs. Annie Moore, postmistress at Gowrie, Goonoo Goonoo. Kirk and both his first and second wife were all particularly fond of the child.

On April 25 last the following letter, dated from Guyra, April 19, 1923, was received by Mrs. Moore, from the accused: -"Dear Mrs. Moore, Arthur Kirk asked me to send you some tonic pills, the same as I give to my girls. They are nerve nuts.

They are splendid. Arthur seemed worried about Rita not being very strong. These will soon fix her up. Give her the ones wrapped in paper first, they are aperient."

On the Thursday following Mrs. Moore received a box containing 14 pills, two of which were larger than the others, and wrapped in tissue paper. On the morning of April 28, the child, Rita, took one of the pills wrapped in tissue paper with her porridge. Half an hour afterwards she became very ill. She was given a dose of oil and put to bed, and died at a quarter to 10.

The accused made a lengthy statement from the dock in which she said that she was quite ignorant of what she was doing when she signed a statement saying that the reason she had sent the pills was that a temptation came over her on the spur of the moment.

During most of the time, her mind was a complete blank. She had no recollection of having been seen by her husband or daughter while in the prison at Guyra. She was fond of the girl, Rita, and never had any intention of doing her harm.

She prepared pills with strychnine to kill rabbits, and some of them might have become mixed up accidentally with the pills she had sent.

Henry John Mills, husband of the accused, a farmer, residing at Guyra, said that his wife was of such a good nature that she would give the boots off her feet to any person who was in need of them.

She had a motherly regard for Rita.

Dr. Adrian Henry Verbruggen, practising at Guyra, who had attended the accused on various occasions lately, said that accused was passing through an important stage of her existence, during which she was liable to conditions of nervousness, and might be subject to delusions.

The Jury returned a verdict of manslaughter, and the accused was remanded for this morning for sentence.

Daily Standard Thu 6 September 1923

POISONED PILLS. LITTLE GIRLS DEATH. WOMAN CHARGED WITH MURDER.

Jury Finds her Guilty of Manslaughter. SYDNEY, Thursday.

At the Central Criminal Court, Harriot Koto Mills. 50. a married woman, of Guyra, was charged with the murder of a girl named Rita Veronica Jamieson, aged 8, last April.

Evidence was given that the girl was the adopted child of the first wife of Alexander Kirk, a farmer of Guyra.

Kirk's first wife died, and he remarried, his second wife being the daughter of the accused. The girl went to live with Annie Moore, widow, at Gowrie, near Tamworth, who was the mother of Kirk's first wife.

Last April Mrs. Moore got a letter and package containing 14 pills for the girl, who was not in too good health. The accused admitted sending the pills. The child took the pills and died soon afterwards. A post mortem revealed strychnine in the stomach.

A statement made by the accused was read in court. It set out that she sent the pills on the spur of the moment, the temptation having come over her. She said something kept saying to her to make up some poison and send it to Rita. She would have given anything not to have done the deed.

IN a long statement from the dock the accused said she had no intention of harming the girl, but took to blame rather than anyone else should be suspected.

When she put her name to the statement read out her mind was a blank... She did not know what she was signing. She had no recollection of a conversation with her husband or daughter at Guyra lockup, in which she made certain admissions.

She made, up the pills with strychnine for rabbits, and could not account for time reaching the girl.

Dr. Verbruggen, of Guyra., said he had been the medical attendant of the accused for many years. She suffered from delusions.

The jury returned a verdict of manslaughter. The accused was remanded for sentence till this morning.

Guyra Argus – Thu 6 September 1923 – Trial of Mrs Mills

The Trial of Mrs. Mills FOUND GUILTY OF MANSLAUGHTER.

Harriet Kate Mills, a married woman, of Guyra, was charged at the Central Criminal Court, Sydney, yesterday, before Mr Justice Ferguson, with having feloniously and maliciously murdered Rita Veronica Jamieson, aged nine years, adopted daughter of Alexander Kirk, Guyra, who died at the residence of her adopted grandmother, Mrs. Moore, postmistress at Gowrie, on Saturday, April 28. The accused, who was heavily veiled, pleaded not guilty.

She was defended by Mr Norman McGhie, who was instructed by Mr. C.L. Mackenzie, Guyra. In outlining the case for the Crown, Mr. Coyle, K.C., said the accused was the mother of the second wife of Arthur Kirk. Kirk and his first wife had some years ago adopted the little girl, of whom they were particularly fond. There was no reason to believe that Kirk's second wife was any less fond of the child. At the time of the alleged crime, the child was staying with her adopted grandmother, Mrs Moore, at Gowrie.

It would appear, continued Mr. Coyle, that some little while ago there was a difference between the accused's husband and Kirk, which almost resulted in police proceedings. A statement which the accused was alleged to have made to the police was read, in which the accused admitted having made the pills taken by the girl out of sugar and cocoa and put strychnine in them. The motive, concluded Mr Coyle, may have been the remnant of a family squabble.

In order to injure Kirk, the woman may have chosen to kill the girl. A statement, which the Crown Prosecutor said had been made by Mrs Mills, was read. It set out that the reason she sent the pills was that temptation came over her on the spur of the moment.

Accused made a lengthy statement from the dock, and evidence was given by Henry John Mills, husband of the accused, who said his wife had been suffering from delusions and headaches, Dr Adrian Verbruggen, Guyra, said he had been attending Mrs Mills from time to time. He first attended her in April, 1922 Mr Coyle objected to the doctor telling the court Mrs Mills' family history, and Mr Justice Ferguson refused to admit the evidence.

Dr. Verbruggen said that Mrs Mills was passing through a menopause period at this time. It would be possible for her to be subject to delusions. Witnesses who gave evidence at the coronial inquiry again related their statements. Mr McGhie, addressing the jury, said it was a most remarkable case. The Crown was trying to hang on to the trouble between Mills and Kirk the motive for the alleged crime. "If you do come to the conclusion that Mrs Mills sent the pills: he said, "then I put it to you that she was not responsible for her actions.

Again, should you decide that she had sent the poisoned pill by mistake she would not be guilty of murder."

The jury, after an hour's deliberation, returned a verdict of manslaughter. The accused was remanded for sentence.

As we went to press, we received a wire from Mr. Jas. Wallace, Postmaster, Guyra, one of the Crown witnesses in the above case, stating that Mrs Mills was today sentenced to five years' imprisonment in Goulburn Gaol.

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https://www.ezitree.com.au/guyra/Argus_Index/E-L.htm

Kirk, Rita Jamison	Death	8	d. 28 Apr 1923 Tamworth	03.05.1923
Kirk, Rita Jamison	Court Case	8	Person charged with death	10.05.1923
Kirk, Rita Jamison	Inquest			17.05.1923
Kirk, Rita Jamison	Court Case		Newspapers in contempt	09.08.1923
Kirk, Rita Jamison	Court Case		Regarding death	06.09.1923
Kirk, Rita Jamison	Court Case		Regarding death	01.05.1924

Guyra Argus Index

https://www.ezitree.com.au/guyra/Argus_Index/M-R.htm

Mills, Harriet Kate Court Case Charged with causing death 03.05.1923

Rita was adopted by Arthur and Frances (nee Moore, daughter of William Moore and Anne Mason) Kirk. She was murdered by her grandmother (The mother of Arthur's 2nd wife) who sent poisoned chocolates in the mail so she would not get the family inheritance.

She is buried in the old Tamworth cemetery (91191) but I have never been able to find her grave although she is buried under the name Rita Jamieson (I am told).

I did find a cement flower receptacle with the name Rita Kirk etched into it and gone over with yellow paint.

Lexie Prince says that she went to school with her sisters, Audrey and Edna Whitten.