

## No(r)ster Family History

Place: Andersons Bay Cemetery, Dunedin, New Zealand

---

Norster, Samuel (\*1827 - †1913)

2

# Samuel Norster

\*15 Jan 1827 - †26 Nov 1913

---

Father: Samuel Norster (\*? - †1863)

Mother: Joan Gibbs (\*? - †?)

Siblings: William Gibbs Norster (\*? - †?)  
Francis Norster (\*? - †1870)  
Christopher Gibbs Norster (\*? - †1841)

Wife: Priscilla Elizabeth Wilson (\*1859 - †1918)

Children: William Samuel Noster (\*1882 - †1918)  
Francis Robert Noster (\*1884 - †1961)  
Charlotte Emily Noster (\*1889 - †1967)

Birth: 15 Jan 1827  
Chesil, Portland, Dorset

Baptism: Parish Church, Portland, Dorset

Wedding: 12 Aug 1882  
Register Office, Dunedin, New Zealand  
(Priscilla Elizabeth Wilson)

Death: 26 Nov 1913  
Caversham, Dunedin, New Zealand

Funeral: 28 Nov 1913  
Andersons Bay Cemetery, Dunedin, New Zealand

---

Note: <sup>a)</sup> CHRISTENING: Appears to have been baptised twice, 23rd Jan 1827 at Conygar Lane Wesleyan Weymouth, and again 9th Feb 1827 at Parish Church Portland.  
BIOGRAPHY: Family name Given name / title Age Ship name Departure month Departure year Destination Film Ref month Film Ref year  
PagenORSTER S 27 PUNCH AUG 1852ADELAIDE AUG 1852 1  
BIOGRAPHY: North Otago Times, Volume VII, Issue 159, 30 November 1866, Page 2  
SMUGGLING TOBACCO. Mr T. W. Parker, Sub-Collector of Customs and Deputy Commissioner at Oamaru, said he had to bring a case of rather a novel nature in Oamaru before the Bench, and he begged to submit to their Worships' notice the portions of the " Customs Regulations Act, 1858," on which the proceedings were based. He referred to secs. 163, 165, and 170, and then went into the charge against the following five individuals, viz., John Roulis, D. Hood, Samuel Noster, Alfred Grey, and Thos. Davis, for having in their possession quantities of tobacco on which Customs Duties had not been paid.  
The cases were heard separately, according to Sec 193 of the Act.  
All the defendants pleaded "Guilty."  
The Sub-Collector elected in each case to proceed for once the value of the goods found in the possession of the men.  
R. Thomson, Landing Waiter, deposed to searching for dutiable goods, and finding the following quantities of uncustomed tobacco with the defendants at their respective residences, viz. :- In the possession of - Roulis, 1¼lbs. ; D. Hood, 71bs. ; Noster, 1lb. ; Alfred Gray, 1lb. ; T. Davis. ½lb.  
Judgement was reserved till the following cases were heard.  
The Bench was asked to order the seized goods to be condemned, as provided by the Act.  
John Anderson and John Russell were each charged with being knowingly concerned in evading duties of Customs upon, or in dealing with, certain goods :- to wit, 91bs. weight of manufactured tobacco, with intent to defraud Her Majesty of the duties of Customs thereon, on or about the 16th November inst.  
Both pleaded "Guilty."  
Judgement was reserved till the next case was heard.  
Gordon McKinnon, as master of the barque Collingwood, was charged with committing a breach of secs. 163 and 170 of the "Customs Regulations Act, 1858."  
Mr O'Meagher appeared for the defendant, and pleaded "Not Guilty."  
The Sub-Collector elected to proceed against defendant for L100 for a breach of sec. 163 of "Customs Regulation Act, 1858."  
John Russell, a boatman in the employment of Messrs Traill, Roxby and Co., deposed :- Know defendant; have been engaged in taking coals out of his vessel. It was part of my duty to go from shore to the barque. On or about 16th inst., was engaged in this work of landing

coals. In my boat there were three ; J- Anderson, J. Roulis, and myself. From information I received I went to the Captain of the Collingwood, and asked him to sell me some tobacco, he was at first unwilling, but at last consented to let me have some. I was in the cabin when I got it; I took it from off the table. I don't remember anything particular the captain said at the time. He brought the tobacco out of a locker and put it on the table. I am not certain about the weight, but there would be about 51bs; and I paid for it at that weight. I gave him a L1 note for it. I did not see the captain take the money from off the table, where I put it; that was the price agreed upon between us. I put the tobacco in a newspaper and handkerchief. There was no one else in the cabin at the time. When leaving the cabin I met George Mackenzie. I found on deck a bag, into which I put the tobacco, after which I hove it into the boat.

Cross-examined by Mr O'Meagher. ? When I first spoke to defendant about tobacco, I was on the deck of the vessel. I did not ask the Captain to give me any tobacco. I believe some one else did so. When I asked him to sell, he said it was not right to do so. He did not say he would not sell it. I then said to him, Will you sell some amongst the boat's crew? I am perfectly satisfied I asked him to "sell." He consented; he said he would. He and I went down to the cabin, where I got it. The piece I got was a portion of what the Captain took out of the locker. I made objections to some pieces I saw; there were three kinds, one of which I did not like. I pulled out a L1 note in the Captain's presence; he saw it. I laid it on the table, pushing it towards him; didn't see him take it up. I swear the Captain never left the cabin during the time I was there. He may have lifted the money without my seeing him do so; don't recollect if it lay on the table when I left. The Captain agreed to take 4s. a pound for it.

Re-examined. - When I left the cabin, Captain McKinnon did not call to me that I had left a pound note on the table; he did not give me the money back. The case of tobacco from which the piece I got was taken, would weigh about 20lbs.

John Anderson, another boatman, deposed: I work with Russell and Roulis in a boat, in the employment of Traill, Roxby and Co. Have been discharging coals from the Collingwood. I recollect Russell heaving a bag with tobacco in it into the boat from the vessel. I know defendant was on board at the time. I have already pleaded guilty to bringing the tobacco ashore in the boat. Know George Mackenzie - he was on board the vessel when the tobacco was thrown off. When we went back with the boat next time, the Captain asked Russell, "Is that all right ?" or "Did you get that all right ?" or words to that effect. To the best of my knowledge, those are the words he used.

Cross-examined :- I can swear these words referred to the tobacco. I knew it was tobacco that was in the bag, because I undid the bag and looked at it. I don't recollect the precise date when this happened. I had some conversation with Russell about buying tobacco. Russell went on board expressly to buy it; he had money with him to pay for it.

George Mackenzie, one of the Shareholders of the Oamaru Boating Company, deposed :- Know two last witnesses (Russell and Anderson) by sight; was twice on board the Collingwood; once for coal and once with water. On one of these occasions, saw one of the witnesses, Russell I think, on board. Saw him first near the cabin door, or between that and the main rigging. He met me with a hankerchief in his hand; he said he had been buying tobacco. I went into the cabin; the Captain was there; but no one else, I think, was present. Saw nothing on the table, so far as I recollect, netther tobacco nor money. I think I would have seen anything that was on the table. Russell came as if from the cabin door. No one could have gone into the cabin after he left and before I went down.

Cross-examined :- Can't say what I went down to the cabin for; it might hare been for a drink. The Captain never gave me tobacco. Russell said something about what he had given for the tobacco. First heard of the charge of smuggling on Saturday or Sunday last. I was not in the whare when the search was made. Was not longer than five minutes on board the vessel, when I saw Russell there. It is not customary for captains of vessels to give away tobacco.

R. Thompson, Landing Waiter, produced the ship's papers. She arrived in port on 31st October. The manifest showed that she had then 401bs. of tobacco on board. The Captain while here never paid duty on tobacco. Was sent for on Saturday to clear the vessel; produce the clearance. 201b. tobacco is entered as the quantity on board. On the 25th went on board the vessel; saw the defendant. I asked to see all the tobacco he had on board. He showed me between six and eight pounds at the very outside. When clearing the vessel, he said he had not been quite sure of the quantity; he had spoken somewhat at random. Asked for the tobacco account. He produced what I saw was the September account; the entries were in black lead; the account was unintelligible. He said he had been in the habit of giving the men a stick or two of tobacco to induce dispatch in discharge of cargo. Defendant did not admit or deny selling tobacco. It would be unusual, with a crew of 12 men, to give away 141b. in 34 hours.

Cross-examined :- I don't know that tobacco is served out once a month. I did not say, at clearing of vessel, when the Captain said he had about 121b., "put down 20, if you don't know exactly what quantity there is." Don't think it usual to put down every glass of grog given away on board ship. When I say he did not admit or deny selling tobacco, I mean he hummed and haa-ed. I got no direct answer. I don't remember the mate saying on the 25th that tobacco had been given out the previous evening.

This was all the evidence.

Mr O'Meagher contended that there was no case to answer. The tobacco had not been produced; if it had, there was no evidence to show that it had ever been on board the Collingwood. On that ground, he held that the prosecution had failed. A great deal had been attempted to be made of such a small affair as this; and it was unfortunate for Captain McKinnon that he was so placed that he could not give evidence. Mr O'Meagher then said that although at first his plea had been one of not guilty, he was instructed to say that the Captain admitted having given the tobacco to Russell for the men for their civility during the time they were working at the vessel. He did not enter into any contract. Russell had asked for a few plugs for the men, and as there was a good many of them he had given 4 or 6 lbs.; but he declined to sell, and did not wish to leave the port with a bad name. Russell might have put a L1 note on the table, but the Captain had not seen it. As to any fraudulent intent, there was an entire absence of it; besides, if he had sold, it was not for

gain, as the tobacco cost as much as the sum stated to have been paid for it. Mr O'Meagher thought the 170th section would have applied much better to the charge than did the 163rd, and he was sure that the Act was never intended to be so strictly interpreted as it had been in this case. The case was so paltry that it was most unlikely that Captain McKinnon would risk his well-known reputation in such a manner, by selling tobacco at what it cost him. Mr O'Meagher, in concluding his defence, pointed out Sec. 202 of the Act, "referring to mitigation of penalty, if it was the opinion of the Bench that any case had been made out against his client. The Sub-Collector said he would offer no objection to a mitigation of the penalty. The Court was adjourned for half-an-hour, to allow time for their Worships to consider their verdict. When the Court resumed, the following judgements Were given :- Russell and Anderson fined 36s. each and 40s., cost of boat going out to the vessel, or ten days imprisonment. The five men were fined as follows, being once the value of the tobacco found in their possession :- Roulis 10s.; Davis, 4s.; Noster 8s.; Grey 8s.; Hood 40s.; or a fortnight's imprisonment. With regard to the charge against Captain McKinnon, their Worships found that satisfactory proof had been shown of the sale of tobacco on board the vessel, which rendered him liable to a penalty of L100. They had the power, however, to mitigate the penalty, and this they had decided to do to the smallest amount allowed, L25. The smallness of the quantity had nothing to do with the case; the officers of Customs had a duty to perform to Her Majesty; and to those who paid for the privilege of trading in such goods, and they had performed that duty. The judgement found would be for L25, with L1 17s. 6d. costs. North Otago Times, 21st December 1866. We deeply regret being obliged to record a melancholy and fatal accident which happened in the Bay yesterday afternoon. A heavy sea was rolling in from the northeast, with short breakers, and two of the surf-boats had got drifted from their lines, when four men in the employment 'of Messrs Traill, Roxby and Co. went out in the small surf-boat to fetch in another large boat which was there. Arrived at the boat, three of the men got into it, leaving the deceased, John Hagan, in the small one. One, man we may remark, is usually left in it, so that he may run back on the line with it. In a very short space of time after the three men got out of it, a heavy sea came and filled it, Hagan still keeping his place, and making for shore as best he could. Another sea came and capsized it, throwing him out. The large boat was to leeward, and a line could not be thrown to Hagan, but Samuel Noster, who was in charge of it, threw an oar, which unfortunately fell about six feet short. Hagan by that time was apparently powerless to make any exertion to save himself, having been more under than above water, although a good swimmer. All efforts to save him were unavailing, and he was carried beyond reach of help. The men belonging to the Oamaru Boating Company were in one of their boats to render any assistance possible, but nothing could be done. All the boats were rescued unscathed, save the capsized one, which also was recovered late in the evening. Hagan was, we believe, a Norwegian, and about 29 years of age. A mate of his, John Meagan, informs us that both come out from London in the Blue Jacket, now at Lyttelton. Deceased had no relatives in this colony, and had been for a considerable number of years at sea. He had on his person upwards of L18. He was a man much liked by his mates, and his sudden and untimely death is deeply regretted. No blame is attachable to any one. His body was not recovered up to a late hour last night. Otago Daily Times October 9 1872. The discharge at Moeraki of the brig Pakeha, chartered by Mr G. F. Reid, and loaded with Waitaki bridge material, is now nearly finished. About ten tons still remain on board to keep the brig righted, pending the receipt of her outward cargo of oats. The discharge has been completed thus far in something less than a fortnight, notwithstanding the unsettled state of the weather usual at the period of the vernal equinox. On the morning of the 1st a heavy sea began to set into the bay, and increased towards midday to so great an extent as to prevent work being gone on with during the remainder of the day. This was the only interruption which occurred. The girders, which weigh 2 1/4 tons each, were landed two at a time in a punt worked by Noster and party. Upon reaching the beach a team of six horses was hitched on, and the girders were drawn ashore and stacked near a jib crane erected for the purpose by Mr Leggatt, under whose management the shore work was done. They are now being forwarded to their destination upon waggons. It is satisfactory to know that the landing of these large pieces of ironwork has been so successfully accomplished at Moeraki. DEATH: Otago Witness, Issue 3116, 3 December 1913, Page 51. NOSTER.—On November 26, at Caversham, Samuel Noster; aged 86 years. BURIAL: Burial Details from Dunedin CC website. Surname NOSTER Forename SAMUEL Age 86 Years Gender Malen Date of Death 26 Nov 1913 Last Address CAVERSHAM Next of Kinn Funeral Director Hope & Sons Ltd, P O Box 5013, Andersons Bay, DUNEDIN Cemetery ANDERSONS BAY Location Block 28 . Plot 0079 Date of Burial 28 Nov 1913 Type Burial Notes Original reference:- A19131128 Occupation:- SEAMAN Native of:- ENGLAND Unfortunately there is no headstone for the above named and the plot was purchased by the Estate of Samuel Noster. Regards Jenny Dyhrberg Cemetery Services Officer, Cemeteries & Crematorium Dunedin City Council