

# High Country Felony



**T**RAVEL north-west from Timaru and you'll come, beyond Fairlie, Burke's Pass and the Dalgety and Rollesby Ranges, to the Mackenzie Country. It's now 100 years since the Canterbury Settlers found the Mackenzie, the last sheep country discovered in the South Island. It was through this country that James Mackenzie, the sheep stealer, drove to South Otago the sheep he stole from South Canterbury. No one knows how or where Mackenzie ended his life, but the journeys made by this first European to discover and explore the country which now bears his name will never be forgotten, and on April 12—the 100th anniversary of his conviction for sheep stealing—the NZBS will recall this near-legendary figure in a radio play written by Basil Clarke. Mackenzie—as the play will relate—was caught in the Mackenzie Country by John Sidebottom, the manager of the Levels sheep station, and two Maori shepherds, who had followed the tracks of 1000 sheep stolen from the Levels four days before—the biggest sheep robbery in New Zealand's history. He escaped only to be arrested by the police at Lyttelton. There, on April 12, 1855, he was tried by Mr. Justice Stephen, found guilty of sheep stealing, and sentenced to five years in prison. After escaping several times, he was eventually pardoned and put aboard a ship for Sydney—and that's the last that was heard of him.

Why has Mackenzie—a criminal—received more honour in his own country

## The Story of James Mackenzie

than most honest men ever receive in theirs? was one question *The Listener* asked Basil Clarke when we called to talk to him about Mackenzie. "The reason probably is that the Highland Scots are romantic people, champions of the underdog and supporters of lost causes," he said. "In Scotland they supported Bonnie Prince Charlie, in New Zealand they championed Mackenzie the sheep stealer. You have to remember that these Scots were the people who occupied the Mackenzie Country, and only those who live there can appreciate the spirit of the man who first went into it." Though Mackenzie's trial was given only a few inches of space in the *Lyttelton Times*, it directed the attention of the Canterbury Settlers to the great new sheep country he had found, and which even then was being called after him. In the next decade many Scottish settlers took up land there, probably attracted by country not unlike the stern, hard Highlands they had left behind.

From all accounts it was a lonely, treeless desert, open to the wind and the cold, when Mackenzie drove sheep through it—only matagouri thorn scrub, tussock and spear grass grew there. Even at the beginning of this century it could break a man's heart. There's a story told of a young man who lost his way in a blizzard about 50 years ago. He went mad—came across an empty dog kennel, stripped himself naked, and crept into it. They found him three days later, frozen stiff. Mackenzie drove 500 sheep 200 miles through that country in the middle of winter. It's true they were

stolen sheep, but that doesn't count with the people of the Mackenzie Country today as much as the fact that he made the journey. He crossed rivers holding on to a bullock's tail. His dog? Yes, Lassie was a good dog—uncannily intelligent even for a sheep dog. He worked her in Gaelic and was absolutely devoted to her, as she was to him. This was borne out at the trial when the dog was brought into court, for Mackenzie, who had tried to fool the court by pretending that he could speak only Gaelic, broke down and in fluent English pleaded with the judge to spare the dog. Lassie was to have been shot, but James Edward Fitzgerald, Superintendent of the Province, interceded on her behalf, and her life was spared.

James Mackenzie was a big man—he is described in the play as tall, hard and lean, with a brown beard and bushy eyebrows. Almost the first quality noticed about him was his craftiness. It was not till later that his courage, endurance and skill were recognised. There is one amusing sidelight on his physical qualities in the story of Police Sergeant Seager, who ar-



**LEFT:** An aerial view of the Mackenzie Country, still not unlike the stern hard Highlands James Mackenzie came from

rested him at Lyttelton. "Seager declared," Mr. Clarke said, "that Mackenzie could run faster than any horse in New Zealand for a quarter of a mile. I can't resist the picture that suggests of Mackenzie racing like a deer up Oxford Street, Lyttelton, away from the arms of the law and towards the beckoning heights of Mt. Pleasant."

Mr. Clarke said that though much had been written about Mackenzie there were really very few facts to go on in writing the play. As in other programmes he had written, however, he had been very greatly indebted to the research of scholars. "All we can do in plays of this sort and in documentaries is try to stimulate interest in their researches and create in a small way a consciousness of our own history." The little that was known about Mackenzie was that he was born in Ross-shire—the *Dictionary of New Zealand Biography* gives the date as "about 1820"—and is thought to have left Scotland early in the 1840's for Australia. He probably arrived in New Zealand in the early 1850's, when the great new lands of the Canterbury Plains were first being brought into settlement and were attracting run-holders from New South Wales. In Australia he had worked as a shepherd and drover, and when he came to New Zealand he was for a while a shepherd on the Levels station, near Timaru—from which he stole the 1000 sheep that led to his arrest and trial. The theory is that he discovered the pass through the Dalgety Ranges while working at the Levels, and followed it through to the country that is named after him.

*Mackenzie the Sheep Stealer*—a *Story of Canterbury*, was produced for the NZBS by Bernard Beeby, with Roy Leywood as Mackenzie. Others in the cast include William Austin (Seager), Selwyn Toogood (Reko, a Maori), Bernard Beeby (Sidebottom), and Peter Varley (Rhodes of the Levels). Basil Clarke himself has a small part as McNab, the sheepfarmer for whom Mackenzie worked in Australia, and who visited him in prison. In working on Gaelic passages in the play the author was helped by several Gaelic-speaking Scots—there are more than 100 of them in Wellington—and one of these, Duncan McDiarmid, actually stood in for George Royle, who has the part of court interpreter, in the Gaelic-speaking passages of the play. *Mackenzie the Sheep Stealer* will be heard from 1YC and 3YC at 9.30 p.m. on Tuesday, April 12, and later from other stations.

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