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## Pardoned man's family look to proper burial

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THE remains of a man wrongly executed 86 years ago for a murder he almost certainly did not commit are likely to be returned to his family so he can finally be laid to rest as a free man.

Attorney-General Rob Hulls yesterday formally announced that Colin Campbell Ross has been pardoned for the rape and murder of 12-year-old Alma Tirtschke in December 1921.

Ross, who always maintained his innocence, was hanged in the Old Melbourne Gaol in April 1922.

Colin Ross' niece Betty Everett, who was present in Parliament yesterday to hear the posthumous pardon announced, said it was her dearest wish that the remains be returned to his relatives.

"We are hoping that the coroner can positively identify the remains that are in his possession as Colin's so that a completion to this story will be the laying of Colin's ashes with his family, and he may rest in peace now that his innocence has been proved," she said.

Ms Everett and Alma Tirtschke's niece, Bettye Arthur, were presented with letters of pardon by Mr Hulls. The two women spoke of their relief that justice had prevailed, and how public hysteria had condemned an innocent man. Mr Ross was executed just 115 days after the body was discovered.

The two families' petition of mercy was based on evidence uncovered by historian Kevin Morgan, who wrote a book on the case, *Gun Alley: Murder, Lies and Failure of Justice*.

Morgan believes a "shadowy" male relative of Alma Tirtschke could have been responsible for the murder, but Mrs Arthur said she wanted to let the matter rest.

"As a child it was always hush-hush in the family, because of the slur that was there for all those years," she said.

Heritage Victoria archaeologists have uncovered a series of graves of executed prisoners in Coburg's decommissioned Pentridge Prison. Records show that the remains of 32 executed inmates were exhumed from the Old Melbourne Gaol when it was closed in 1929.

But a further four sets of remains, including those believed to be of Colin Ross, were found in 1937 buried at the former police hospital next to the Old Melbourne Gaol. They were also exhumed and reburied at Pentridge.

That burial site was discovered during the archaeological dig in February this year.

A Heritage Victoria spokeswoman said: "We are reasonably confident we have found the remains of Colin Ross."

Many of the coffins exhumed had name plates attached, but the four moved from the old police hospital were unidentified.

They have been sent to the Victorian Institute of Forensic Medicine for identification.

A spokeswoman for Mr Hulls said the Government had committed to returning Ross' remains to his family once they were identified.

On Fairfax radio yesterday morning, Premier John Brumby condemned capital punishment.

"It might only be one mistake in a hundred, but in that one case in a hundred the damage obviously you do to the individual is irredeemable — you take their life," Mr Brumby said.

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