No. 6.

Early Australian History.

THE

STORY

—OF—

Australian Bushranging.

By C. WHITE.

BATHURST:

C. & G. S. WHITE, *Daily Free Press* Office, George Street.

1893.

Alfred Lee.

CASE ..... *SHELF* .....

No .....

Early Australian History.

PART IV.

The Story of the Bushrangers.

(Published in Numbers I to VII.)

No. 6.

By CHARLES WHITE

(Author of 'The Story of the Ten Governors," "The Story of the Convicts," and "The Story of the Blacks.")

BATHURST:

C. & G. S. WHITE, "DAILY FREE PRESS" Office, George-street.

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CONTENTS OF PRESENT NUMBER.

NUMBER 7 *of "THE STORY OF AUSTRALIAN BUSHRANGING" is now being prepared for the press. It will contain an account of the exploits of—*

HARRY POWER,

AND THE

NOTORIOUS KELLY GANG.

NUMBER 5 *of "THE STORY OF AUSTRALIAN BUSHRANGING" contains a Complete Record of of the Doings* **BEN HALL'S GANG,** *from its inception to the hanging of* **JOHN DUNN, the Last of the Western Banditti.**

(Now to be had from all Booksellers, or wholesale from EDWARDS, DUNLOP & Co., and GORDON & GOTCH, Sydney.)

DANIEL MORGAN,

INCENDIARY AND MURDERER.

IN each of the characters hitherto revealed by the acts of robbery or violence in bush townships or on bush roads recorded there has been brought into prominence more or less of the ruffian—generally more. The Australian bushranger of any "standing" was necessarily a ruffian, even if robbery was his only crime; but there were many degrees in this particular species of viciousness, each of which had its proper representative. Taking only the latter-day bushrangers, from Gardiner, the father of them all, down to Johnny Dunn, the last of Hall's gang to fall a victim to the laws which he had outraged, * we find each differing from the other in certain particulars, the strong individuality of the man shewing out in the acts of the bushranger. Thus Gardiner, although the leader in the attack upon the gold escort at Eugowra † and in other smaller affairs of the road, did not display the coarser and more brutal instincts which marked the career of Gilbert, O'Meally and Dunn. The same remark applies to Ben Hall, who was never known during the whole course of his career to himself

* "Story of Australian Bushranging"—No. 5. † Ditto—Nos. 3 and 4.

attempt to wound or kill either the persons whom he robbed or the police who hunted him, although, being associated with the other bushrangers who added violence and murder to robbery—for a length of time being their leader—the guilt of the more serious crimes in which they engaged attached to him. Gilbert, O'Meally and Dunn were, however, altogether regardless of human life in cases where resistance was offered, while the last-named of the three committed at least one act of exceptional atrocity, in shooting down in cold blood the constable who was on his way to do his duty in defence of the townspeople of Collector, whose solitary guardian for the time being he was. Whether they had it or not, they each assumed a particular virtue—or what they chose to consider a virtue. One member of the gang prided himself on courteous behaviour to women, declaring that he had never molested one of the gentler sex. Another boasted of his kind-heartedness, declaring that he had never "pulled trigger upon any unarmed cove." A third claimed credit for robbing only those who could afford to part with that which he took from them. And a fourth avowed that he had "never shot anyone, not even a 'bobby.'" They were all thus apparently concerned for their reputation or a part of it, having more than a little regard for the good opinion of one section or another of the people to whom they made their assertions or boasts.

But our Story has now to do with one who was a monster rather than a man—who tortured his victims because the sight of their painful writhings gave him pleasure—who committed murder from sheer wantonness, and from a tigerish lust for blood. That monster's name was Daniel Morgan, and the scene of his exploits was in the southern districts, over which he exercised a terrorism more intense

and of longer duration than that exercised by any of the gangs or individuals who ranged the bush in other parts of Australia—not even excepting Mike Howe, Brady or Jeffries, of the old convict days, * or the worst of the western outlaws of later days, whose nefarious work and ignominious end have more recently be described.

Of the early history of Morgan, before he "took the bush," very little reliable information can be gleaned, but the following account, given by an old man who adopted him when only about two years of age, may be taken as fairly correct:—Morgan's proper name was Fuller, and he was the illegitimate son of a man of that name and a woman named Owen, being born at Campbelltown about the year 1830. Both father and mother were well known characters in the neighbourhood, the latter being known as "The Gipsy," and the former a sort of Colonial costermonger, who many years afterwards was stationed as a barrow-man in the Haymarket, Sydney. Until he was about 17 years of age young Fuller remained under the roof of the man who had adopted him—and who was also a "character" in the neighbourhood of Campbelltown, rejoicing in the nick-name of "Jack the Welshman"—after which he went for a trip to the Murrumbidgee, where he was employed as a stockman until the year 1854. Then he returned to Campbelltown, and for some ten months luxuriated in idleness at the old Welshman's hut; after which he proceeded in the direction of Bathurst, giving it out that he was going to see his mother, who was then living in that locality. But in order that he might perform the journey with greater ease and more speedily, he appropriated two horses without asking the owner's permission, and was chased for several miles on the road by the Campbelltown

* "Story of Australian Bushranging"—No. 1.

police, whom he managed to evade. Whether he carried out his intention and visited his mother, who was then married and the mother of a legitimate family, does not appear, and he was next heard of in the Murrumbidgee district in the latter part of 1863, as a bushranger whose every exploit was marked by ruffianism of the very worst kind.

It is not my intention to follow closely the career of this arch-fiend of the later bushranging days, as even a brief account of three or four of the deeds of blood in which he engaged will enable the reader to fully understand his character, and the terrorism which he exercised in the district over which he "ranged"—touching as chief centres, Gundagai, Wagga Wagga, Narandera, and Albury.

At one time during his lawless career he worked in company with a "mate," but the two did not run together long, and the latter came to an untimely end, being discovered in the bush dead after an encounter with the police. In that encounter the present Police Magistrate of Wagga, Mr. H. Bayliss, was engaged, he having volunteered for service in hunting the bushrangers, who were at the time infesting the district. Mr. Bayliss received a wound during the affray, and was subsequently presented with a gold medal for his bravery. It was supposed by some that he had shot Morgan's companion; but others declared that the man must have been shot by Morgan himself in order that his own escape might be rendered more easy.

On one occasion the two bushrangers paid a visit to Mr. Gilbank's station at Wallandool. They were mounted on two fine horses and intercepted two overseers who were making their rounds. After conversing with them for a few minutes the bushrangers suddenly presented their revolvers,

and before the overseers had fully realised the situation they were stripped and tied up to two convenient trees, in which position they were left, minus their portables, Morgan informing them as he bade them adieu that he and his companion were about to pay a visit to "old Gilbank" himself. Cantering up to the station they found Mr. Gilbank, and, assuming the characters of station-hands in search of work, they asked him to give them a "job." The station holder told them that he had no job on hand on which he could engage them and they then said they "must have a feed," at the same time giving Mr. Gilbank a shock by presenting their revolvers at his face and ordering him to "bail up," Having secured him as they had secured his two men, they proceeded to make a deliberate survey of the premises. Shortly afterwards they rode away, leaving Mr. Gilbank the poorer by about £60 worth of property, including two horses and their trappings.

After the death of his mate Morgan invariably operated single-handed, and as a solitary freebooter he committed outrages which made his name feared in every settler's house in the district, and by every traveller along the road. On one occasion he visited Mr. Gibson's house, near Piney Ridge, and compelled the owner to draw a cheque for £90, keeping him prisoner while a man was sent to get the cheque cashed. He also visited Messrs. Stitt Brothers' station at Wolla Wolla, and compelled the proprietor to bring rum to the wool shed and treated all the shearers. He made particular enquiries as to the treatment the servants received, and instructed the servants to acquaint him if they were ill-used, as he was always to be found thereabouts. In this particular he followed the practice of the early-day convict bushrangers, whose fellow-feeling for assigned servants made them

"wondrous kind." But this considerateness was not by any means natural to him, and it soon became known that he would sooner shoot those with whom he came in contact, no matter what position in life they might occupy, than minister to their necessities or order for them luxuries.

Shortly after the visit to Wolla Wolla Station, the desperado committed an outrage which for cold-blooded atrocity had never been equalled by any of the "gentlemen of the road" since the days of Mike Howe and Jeffries. Shearing was in full swing at Vincent's Mittagong Station, when one morning the police rode up and asked Mr. Vincent if he could give them any information concerning Morgan. They had previously sought information from the same quarter, but had either not acted upon it when supplied, or had failed to follow the instructions given, and on this occasion Mr. Vincent replied to their query: "What is the use of giving you information, for it appears to me you do not want to meet him; if you do, your horses are in much better condition, and you could run him down; I am quite convinced I could do it with any of the several horses I could point out to you in the yard." "Oh," they remarked, "you give us the information, where we are likely to fall in with him, and if you don't hear a good report of ns, and Morgan's capture, we will not blame you." "Well," Mr. Vincent said, "I will try you again. You know —— (mentioning a certain place) some miles from here, there is a wattle-sided stable; if you see a chestnut horse therein, Morgan is not far away. He is riding a horse he stole from this station; if the horse is not there, there is some thick scrub within a very short distance of the stable, where you can remain unseen, and in all probability Morgan will turn up some time during the night?" After refreshment, the party rode away, and had

not gone far before they met a horseman, from whom they made similar enquiries. This man professed that he knew nothing of any one named Morgan; at any rate, the result was Morgan was not captured that night, nor for a long time afterwards. But he was in the neighbourhood, as Mr. Vincent soon to his cost discovered.

A few days after the visit of the police, the bushranger himself called at Mittagong, and at once set at rest all question concerning his mission by sticking-up the whole body of shearers, and making particular inquiries for Mr. Vincent, who shortly afterwards appeared on the scene and was at once made prisoner. Having secured him Morgan ordered him to a paling fence some 60 yards from the shearing shed, and then called on one of the shearers to strap him tightly to the fence. This was straightway done, but not to Morgan's satisfaction, for he examined the work and peremptorily ordered the man to strap his employer "much tighter," standing over him during the operation and seeing that the straps were drawn so tightly round his wrists as to stop the circulation almost completely. Then Morgan stood before his helpless prisoner and revealed the fact that he was acquainted with all that had transpired between him and the police. "You are the man," said he, "who gave information to the police the other day. You can see they have not taken me, and your life is forfeited. I will give you five minutes to live, and if you have anything particular to say to your wife and family, I will have them called up to see the last of you."

One of the men was at once despatched to the house with a message for Mrs. Vincent and other members of the family, and while he was away on this message, Morgan amused himself by placing the muzzle of his gun close to the face of his victim, whose feelings, the reader may be sure, were not

to be envied. Morgan also tauntingly said to his victim: "You also told the police you had several horses with which you could run men down, and that if you once had your hand upon me you would hold me. You are quite in error if you think anyone harbors me; they do not, but I force my company upon them, as I am doing upon you." Vincent knew very well that the ruffian into whose hands he had fallen was not one to be moved by prayers or entreaties, and that it was useless for him to look for help to the shearers, who were themselves either thoroughly afraid or heartlessly indifferent whether he committed the threatened murder or not.

In due course the ladies arrived on the scene, and the air was rent with screams and prayers for the life of the husband and father, and with such effect that Morgan hesitated, after pointing his rifle, and offered Vincent his choice either to have the woolshed and wool burnt, or be shot.

To this alternative offer Vincent replied that if Morgan had a grudge against him it would be poor satisfaction to burn the wool and shed, as they belonged to his mother and brother and sisters equally with himself, but that certainly he had no desire to be shot. It was, after some delay decided by Morgan to do the burning. Some men were told off from the gang of shearers to cut open the bales; another man was sent for a firestick, and in a very short time the fire was completely master. The heat from the burning shed was so intense that the unfortunate prisoner at the fence became utterly exhausted, and being apparently forgotten in the new excitement, narrowly escaped death by slow roasting.

But the devilish work was not to end with the destruction of the woolshed. When that building and its contents were nearly consumed Morgan marshalled the shearers—there

were some eighteen of them on the ground, but not one of them offered resistance on their own or their master's account —to the station store, some distance away, intimating that he desired to "treat" them. The store contained a large quantity of clothing, provisions, saddlery, and all the etcetera of a well-furnished establishment at shearing time, including no less than ten tons of flour, a new dog-cart and harness, and other articles of the more valuable kind. Having reached the store Morgan told the men that they could help themselves to whatever they might require. He then commanded the storekeeper to produce the station books, containing an account of the goods supplied from the store to the shearers, and this having been done he threw it into the building and then ordered that a firestick should be applied. His orders were carried out, and in a few minutes this property was also being consumed by the flames.

It goes without saying that the men who would stand by and see their employer's property thus ruthlessly destroyed without making any attempt to restrain the hand of the destroyer—who could, in fact, obey orders which made them co-destroyers with him—would not put forth any effort to detain or capture; and so Morgan, glutted with accomplished revenge, proceeded unmolested on his way, leaving behind him a wrecked homestead, a ruined, almost roasted man, and his terrified wife and children, as mementoes of his visit. The property distroyed was valued at about £1600. I have not been able to ascertain whether the unfortunate station-holder ever received compensation from the Government, although his claim for compensation was undoubtedly a good one, seeing that his loss was clearly brought about by his efforts to assist the police in the capture of the notorious ruffian who was holding the whole country-side in terror.

Morgan's object in committing this act of incendiarism was undoubtedly to intimidate other settlers from conveying to the police information concerning his whereabouts, and it had the desired effect, although the police were not long left in ignorance of the bushranger's movements, as fresh robberies were reported to them day after day.

Mail robberies were of frequent occurrence shortly after the outrage at Mittagong woolshed, and these were diversified by the "sticking-up" of settlers, small and large, and the robbery of travellers on the roads, the wonder being that one man could so frequently and with such perfect ease "bail up" and rob as many as a score persons at one time. But all these events were classed as ordinary when viewed in the light of other exploits in which this monster engaged. To rob for the sake of enriching himself was the natural work of the bushranger, but to make targets of the men who had obeyed his command to "bail up" from sheer love of blood-shedding was work natural only to a devil in human shape, and Morgan gave himself up to that work.

An outrage committed by him at Round Hill Station, in the Albury district, was marked by more cold-blooded brutality than any committed by bushrangers during any of the bushranging periods, early or late. The station in question was owned by Mr. Henty, and was about 40 miles from Albury. On a Sunday morning towards the close of 1863, four persons belonging to the station—Mr. Watson, the superintendent; Mr. McNeil, the overseer; Mr. McLean, cattle overseer; and Mr. Heriot, a visitor, son of a neighbouring squatter—were sitting in a room of the house quietly conversing, when Morgan suddenly made his appearance. He entered the house unobserved and looked in through the deor of the bedroom in which Mrs. Watson was

ngaged, enquiring where her husband was. Mrs. Watson ras naturally alarmed at this unlooked-for intrusion, and her larm was increased when she recognised the intruder as Morgan, she having seen him on a previous occasion. But vithout betraying the preturbation she felt she pointed out he room in which her husband was engaged with the other nen named, and thither Morgan at once proceeded, introducing himself to the occupants, after opening the door, by presenting two revolvers at their heads, and commanding them not to move from their seats on peril of their lives. He then asked where the grog was kept, and on being informed desired to know how many bottles there were available. Mr. Watson replied that there were six bottles of gin in stock and that one of them was broached; whereupon the bushranger ordered the four men to march to the apartment indicated, himself following with a revolver in each hand and fingers on the triggers. Mr. Watson poured out a glass of the liquor and offered it to Morgan, who smiled and said "Now drink that yourself; you may have had it readied up for me." Having thus assured himself that the grog had not been "doctored" for his special delectation, the bushranger drank a glass himself, and then called the female servant and ordered her to get dinner for him, at the same time instructing her to tell one of the men to put his horse in the stable and give him a feed. Both these commands were faithfully carried out, and while the meal was being prepared Morgan conversed freely and pleasantly with his four prisoners, among other things questioning Mr. Watson concerning the rations given to the station hands. He continued to act in a friendly manner while eating his dinner, although he was careful to let his prisoners know that he had not forgotten his mission, for during the meal he kept a loaded revolver in one hand and

displayed other similar weapons in his belt, keeping an eye always upon the corner before him where the four men were standing by his orders. He reminded Mr. Watson that he was "not a man to be played with," and declared that he came to the house fresh from a brush with the police, who had, however, been unable to capture him, although they had chased him for about four miles through the bush. This statement was subsequently found to be correct. The police had come across him when resting in a shepherd's hut on an adjoining station, but he had managed to get away scathless, running the gauntlet of their fire and outpacing them on the magnificent horse that he was riding.

Having appeased his hunger, Morgan marched his prisoners out and mustered all the men, making a total of eleven, at the stable door while he went to examine his horse. He then ordered them to precede him to a small cattle shed, take their seats on a bench there, while Mr. Watson returned to the house for the bottles of gin. These having been brought, one of the men, at the bushranger's desire, handed round the spirits until the four bottles had been emptied, Morgan making his prisoners drink the spirits raw, and himself taking at each round a small "nip" of brandy from a bottle which he had with him. He told the men that he had been drinking hard for a whole week, and his subsequent conduct left no room to doubt the correctness of his assertions.

After the spirits had been consumed the bushranger ordered his horse to be brought, and while this was being done he fired several shots from one of his revolvers over the heads of his prisoners. He then proceeded to mount the horse, having a revolver in each hand, but as he was in the act of crossing the saddle the horse shied and one of the revolvers was accidentally discharged. In a moment Morgan

ad secured his seat, and, thinking that the shot had been ired at him, began firing right and left, using both revolvers. One of the shots struck young Heriott, passing clean through his leg between the knee and ankle, shattering the bone, and striking one of the station hands standing behind him without doing much damage, as its force was spent. Another shot was aimed direct at Watson's head, but that gentleman instinctively put up his hand, and the ball passed through it, afterwards grazing his scalp. The other shots fortunately missed, for the men scattered as soon as the first two had been fired. Young Heriott fell to the ground, but rose again immediately and managed to drag himself after some of the others for a considerable distance, when he fell from pain and exhaustion. Watson had hid himself behind the shed, and Morgan galloped round looking for him, declaring that he would have his life for having fired at him. Some of the others then interfered and convinced Morgan that it was his own revolver that had gone off, and that Watson had not fired at him; but although he abandoned his intention of shooting Watson the murderous instinct was still operating, and observing young Heriott in the distance he galloped towards him, leaped from his horse, and, putting the revolver to his head was about to fire, when the wounded man appealed to him for mercy, declaring that his leg was broken. At the same moment Watson rushed from his hiding place and besought the drunken madman not to murder the boy.

Then in a moment Morgan changed his tactics. A wave of compassion seemed to sweep over him, and he called upon the station hands to assist him in attending to the wounded man, declaring with an oath that if they did not come at once he would shoot every man on the station. At the same time he knelt down and cut the boot from the wounded leg, and

tenderly lifting the unfortunate youth, carried him to the ga
near the house, when two of the men came forward an
relieved him of his burden, carrying Heriott, under Morgan
direction, into the house and laying him on a bed. The
Morgan cut off the other boot, and set a man to attend to th
wounded boy, after which he returned to Mr. Watson an
bound a handkerchief round his wounded hand, expressin
regret for having in a moment of passion disabled him, addin
that the police and drink had driven him mad, and that h
scarcely knew what he was doing.

But the villain's thirst for blood had not yet bee
appeased, and before the mandlin tears which he had she
over the suffering he had caused to Heriott and Watson ha
dried upon his cheek, his hand had once more been raise
against the life of a fellow-man—and this time successfully.

While attention was being paid to the wounded men tw
strangers appeared upon the scene—one of them a half-cast
aboriginal—and it soon became evident that they were i
some way connected with the bushranger, evidently being hi
"telegraphs." These men remained on the station observin
everything that transpired, and apparently keeping a watc
upon the now terror-stricken company.

Seeing Morgan apparently relenting as if satisfied wit
the damage done, Mr. McLean suggested the advisability
of sending for surgical assistance for the wounded men, and
asked if he might go for a doctor. Morgan assented and said he
would accompany him on the road. McLean started, but had
not gone more than two or three miles towards Walla Walla,
when suddenly Morgan rode up and exclaimed, "You wretch,
you are going to give information," and at once fired at
McLean's back, shooting him clean through the body. The
unfortunate man fell from his horse mortally wounded, and

his murderer rode away, but returned again after a short time, and, having assisted him to remount his horse, held him in the saddle until the return journey to the station had been made.

As may be imagined, the appearance of the dying man attended by his murderer increased the consternation of the people at the station. McLean was in too great agony to give any explanation of the affair, and Morgan declared that he must have been wounded by one of his (Morgan's) mates, as he himself had not fired. Poor McLean was carried into the house, and received what poor attention the inmates could give him. He lingered in great agony until the following night, when death put on end to his sufferings.

Having brought McLean to the house Morgan joined the two men who had come to the station after him, and the three caroused until about 1 o'clock on the Monday morning, when they hurriedly left, a party of police calling at the station within an hour after their departure—just too late to see the man for whom they were looking, and not a little put out at the circumstance; although, for some reason not stated, they remained at the station for about twelve hours, within easy reach of the murderer—if they had but known it—for it was afterwards discovered that Morgan had camped within two miles of the place for the remainder of the night.

The remains of the unfortunate man McLean were subsequently conveyed to Albury, and a magisterial inquiry into the cause of death was held by Captain Brownrig, the local Police Magistrate, the result of which was a finding of wilful murder against Morgan. At that inquiry the events which transpired at the sticking-up of the station were narrated by several of those who had been present, the following being a portion of the evidence given :—

Edward Smith, stockman at the Round Hill Station, deposed that he knew the deceased. On Sunday, about three or four o'clock, as he was coming home from the run, he saw a mun he supposed to be Morgan driving a number of men before him. He was on foot, and told witness to go on with the others or he would blow his brains out. He drove them all into the stable where his horse was, and on getting there he told one of the men to see that his horse was right and to give him some hay. After staying a few minutes he asked Mr. Watson, the superintendent of the station, if he gave his men enough rations. Mr. Watson said "Yes, and if they thought they did not get enough they had only to ask for more." He then drove them back towards the carpenter's shop, and as they were going Mr. Watson said "We had better get the bottle and give the men a nobbler." He (Morgan) then put them in the shop, and Mr. Watson went and fetched a bottle of drink. The deceased, McLean, was one of the party driven into the shop. Four bottles of grog were fetched one after the other by Watson, by the direction of Morgan, who stayed some time while all the men drank of it. When he was going away some remark was made by someone about his stirrup-irons and about their having been stolen from Mr. Johnstone, when Morgan fired among them all. He fired two shots at one of the men named Connors first, and then amongst them all, when they ran away and did their best to hide themselves; although deceased was amongst the party in the shed when Morgan fired upon them, he did not believe he was hit at that time. Witness, while he was in the loft, heard Morgan say somebody had fired at him, and deceased answered "No, Morgan, no one shot, it was your own revolver that went off." The man he (witness) called Morgan was a dark complexioned man, with very long whiskers and hair, and about five feet ten inches high. He had a long, drawling way of speaking. Heard the rest of the people call him Morgan, so supposed him to be so. Saw him fire the shots. When he (witness) saw deceased in bed at Mr. Watson's on Monday night, spoke to him, but he did not make any answer that he could understand. Mr. Watson said it would not do for too many to be in the room, and witness then left.

Henry Stitt, residing at Walla Walla, deposed that he was

a medical man, but not following his profession. On Monday morning he was called upon by the police to go up to the Round-hill to see a wounded man (deceased) whom he believed he had not seen before. Examined him and found that he had a gun or pistol-shot wound penetrating the left side about the tenth rib, and issuing from the body again about three inches above the navel. Deceased exhibited symptoms of great internal injury. He did not state how he received the wound. Applied what remedies he could, and apprised him of the danger he was in, staying at Round-hill and visiting him at intervals. Next day found him suffering from inflammation of the peritoneum. Prescribed again and told him he was in great danger, and had better send for any friends he might wish to see. Left that night and was informed that he died before morning. Had no doubt that death ensued from the wound, which he looked upon from the first as a dangerous, if not a mortal wound.

To the Police Magistrate: There was a magistrate present during the time that deceased was lying in a dangerous and precarious state, namely, Mr. Heriot, but he was attending to his son, who was also lying wounded. Mr. M'Lerie, the superintendent of police, was also there, and stayed until two o'clock next day, and witnessed mentioned to him that deceased was in a most dangerous state. Did not know that any dying declaration was taken.

The Police Magistrate asked if the police knew whether there was any declaration taken?

Senior Constable Anderson, who had charge of the enquiry, said he was not aware that any declaration had been taken from the deceased.

Dr. J. K. Barnett, a duly qualified medical practitioner, deposed that he made a post-mortem examination of the deceased, and found a shot wound on left side over the first floating rib, which was broken into several pieces. The pancreas was torn into pieces, partly by the ball and partly by the splintered bones. There was a passage from the pancreas between the stomach and the large intestine, tearing up an opening of the peritoneum, and thence passing through the walls of the abdomen, making its exit above the navel. The whole of the peritoneum exhibited signs of inflammation. Had no doubt whatever as to death resulting from the wound he had described.

Young Heriot, who had been removed from the station to the Imperial Hotel at Albury, and who was too ill to attend the inquiry, was examined in his room. He said he lived with his father at Garabobala, and knew McLean. Was at the Round Hill station on Sunday, the 19th inst. A man came there that day who was called Morgan. He was armed and drove witness and a number of others into a shed. The deceased McLean was one of the number. Morgan sent Watson for drink, and some time elapsed. Morgan was going away, when, upon some remark being made by Mr. Warren about the stirrup irons as Morgan was mounting, he turned round and shot at them. He levelled a pistol at witness and fired. He did this coolly. He shot witness in the leg. Witness tried to cling to McLean, the deceased, who was near him, and he did not then appear to know that witness was hit. Found that his leg was broken, and deceased helped him after a time to a bed in the house. After a time, when it was dark, the deceased came to his bedside and said Morgan had given him leave to go and fetch a doctor. Witness told him to go quickly and take his horse. McLean then left and returned in about an hour or more. A colored man brought him to the door of the room where witness was lying. Only saw the colored man's face for an instant. McLean, deceased, took off some of his clothes, and while he did so said " I was riding along the road and just as I got past the sheep station, Morgan said, ' You —— wretch, you are going to lay an information.' He then fired at me and I tumbled oft my horse. Morgan then rode into the bush and came back after a short time and gave me some grog and lifted me on the horse again and helped me all the way home." Morgan sat by the bedside of witness for nearly two hours after deceased was brought in. He went over to McLean's bed and asked him how he was. Witness did not hear the answer. When witness was brought into Albury deceased was still lying in bed and Dr. Stitt was attending him.

One of the stockmen deposed that Morgan brought McLean to the house and carried him to the room where he afterwards died.

Alexander Mackay, publican, of the Border Hotel, Wodonga, deposed that deceased was his nephew. On Tuesday got information that the deceased had been shot by Morgan, and went to Round Hill station the same day and

ırrived before sundown and found him lying on his bed. He vas perfectly sensible but in a bad state. The first words he poke was "Uncle, I am done." Witness after a time asked ıim why he did not remain with the other men, when he eplied that he went for the doctor to Dr. Stitt's place, and after ıe had gone some distance, Morgan came up to him and asked ıim where he was going and rode with him, saying "You —— wretch, you are going to give information." He then at ınce fired and deceased said he fell from his horse. In a few ıinutes Morgan got hold of him and got him back to the tation.

To the Bench: When deceased made this statement he new he was in danger. The statement was made about ıidnight on Tuesday. He died at twenty minutes after two 'clock. Witness was with deceased nine hours, and he was erfectly sensible all the time. Deceased said that, after he ad left the station to go to the doctor, Morgan came after im and told him to stop, and rode up to him saying he was oing the same way.

Poor McLean was buried by his friends, and Heriot was y his nursed back to life, but the shattered leg never became ıoroughly sound. Meanwhile the murderer was committing ther outrages, and the authorities were putting forth trenuous efforts to effect his capture or compass his death, ut without avail, although the Government sought to stimuıte police energy and encourage the bushranger's friends to etray him by offering £1000 for his capture.

But as in the cases of other bushrangers whose exploits ave been narrated, * the police were powerless to catch or hoot the outlaw, although they frequently pressed him closely. ınd this failure on their part brought them under the lash of nkindly critics. Here is a sample of some of the current ress criticisms, taken from one of the papers circulating in ıe district over which Morgan was ranging:—

Then as to the police. There are four officers—Messrs.

* "Story of Australian Bushranging"—Nos. 3, 4, and 5.

McLerie, O'Neil, Morrow, and, of late, Zouch—with some five or six men each, to scour the country described, in wet, cold, hail, and snow, constantly camping out at night under the most unfavorable circumstances—a country pretty nearly as large as Old England itself. No one knows or can suppose what these men endure. They have been frequently seen to pull off their shirts and socks, go to a creek, turn to and wash them, sit down contentedly while the articles became hal f or one-fourth dry, and then put them on again! Their food, too, is principally half-baked damper (large fires being prohibited), tea and sugar, procured at stations, of the very worst description, and for which they are charged the highest price; and beef, instead of being supplied, as might be reasonably expected, by large squatters, is sold to the police at exorbitant rates. It may be said, why should squatters any more than other people, supply beef to the police without charge? The answer is, it is better for them to support the police with a quarter of beef or mutton occasionally than have scores of cattle shot, with an occasional superintendent to boot. Morgan should be taken or shot at once. The neighboring police should be made to do their share of the work. Superintendent ——, of Deniliquin, instead of visiting an out-station occasionally and attending balls and small tea parties, varied now and then by a "go-in" at Mr. Police Magistrate Giles, should be compelled to penetrate his district above Jerilderie, and camp out until Morgan's end is finished. Sub-inspector ——, of Hay—instead of continuing (as he is mostly to be found) outstretched on a couple of chairs on the verandah of the inn in which he resides at Hay, attired either in his morning or afternoon costume—for be it known this gallant officer of police never thinks of outliving a whole day in the one dress—should be made to *bush* it, on the Urana or Billybong Creek, with his men, and not be permitted to while away his time at whist, all fours or some other game until disposed to retire to rest. It is to be feared, however, that can *not* be expected from Mr. ——, considering that if he wants to go as far as Balranald to visit a station he is obliged to be carried there and back in Mr. Police Magistrate Shiell's buggy, with one or two constable strappers to assist him in and out of the vehicle. Well, as to the other officers. To ask Captain —— to go out would be monstrous, seeing that Captain Cloete and the buggy are gone! Besides, who could

think of asking him to go to the Murray district while his own remains in the disgraceful state it is in. As to Inspector ——, poor fellow, he is not the cut for beef and damper life. He would be more at home in Sydney. Mr. Sub-inspector ——, too, could be well dispensed with in Burrowa, and find more scope on the track of Ben Hall and Co., like Sir F. Pottinger. A few of the lounging blues at present to be seen at the corners of streets in most of our country town might be spared, and sent up the bush for a season. Indeed, the time has arrived when measures should be taken to effectually put down the lawless state of things that now exist. There should be no cheese paring about the police expenditure. Let the apprehension of Morgan, Hall and others, cost what it will, these scoundrels should be stopped in their wicked career.

Some of the Victorian papers were particularly severe upon the police of this colony, and boasted that no bushranger could reign for more than a week or two in their territory, where the police knew their work and were competent to perform it. How the Victorian "blowers" were in later years—when the notorious Kelly gang reigned—compelled to eat the leek, will be shewn before this Story is finished. The men of the New South Wales force were as energetic and as brave as men could be, and it was not their fault that bushrangers lived so long. The fault lay with the system, and with some of the higher officials appointed under it. One writer, who had wide experience of the Morgan-infected country, wrote thus in defence of the police:—

I have travelled about 300 miles in and about the district and have had opportunities of witnessing some of the movements of the much abused police. I have likewise held many conversations with the inhabitants, and I consider it my duty to give to the public what came under my observation some few days back, upon three different occasions, and at a distance of about twenty-five miles apart. I met two men riding in the bush who, at first sight, I took to be bushmen in search of employment, but, upon closer observation, I found they were police officers with an ordinary swag, which

was merely composed of one pair of blankets and holsters for pistols, and not loaded like elephants and with turbans, as your contemporary's informant describes, and their horses appear to have been ridden for a long period. Upon the 17th of this month I had occasion to pull up at a hut in the bush, which to me appeared to be a deserted one, at about eight o'clock in the evening, and where I was surprised to find a sergeant and three or four blacks who had just taken shelter for the night and were as ragged as gipsies. If your contemporary's correspondent had only seen what I then saw, and had a spark of humanity, he would not have spoken about 'scented handkerchiefs' and other nonsense. The men appeared—like the horses—literally and thoroughly knocked up, and the horses nearly starved, in consequence of the want of sustenance in the grass and being upon duty since November last. Instead of stowing themselves away comfortably in bed at night, they just unrolled their pair of blankets, and went off to sleep in five minutes. Next morning I said to the sergeant, "If Morgan were to gallop across the plain now in your sight what could you do?" He answered, "Nothing, for we have not got one horse that could stand an hour's chase." I maintain that the attack made upon the character of the police is not warranted. The right horse should wear the saddle—the fault lies with the Government in not supplying the police with more horses; good judges should be appointed to select these. The horses at present used by the police are of the very worst description. In my opinion, two good officers, well mounted, should be stationed or billeted on every station in the tainted district, so that if sticking-up occurred at one station, and the ruffian escaped, they could gallop off to the next station, and then the pursuit could be taken up by the fresh horses and men, who would be able to run him down. It is not generally known that this south western district, under Superintendent Carne, is nearly as large of the whole of Victoria, and the number of constables under his command only thirty five, while they have 900 men in Victoria, and stations every fifteen miles or so. They have nothing to do if an offence is commited, but to gallop up to the next station and the pursuit is taken up. It is laughable to hear the feather-bed police in Victoria brag what they would do if they were in Morgan's country; about one month's service with the police that came under my observa-

tion would be *quantum suffiicit* for them. I, for one, wonder not that Mr Carne should resign.

Morgan's statement at Round Hill station that he had just had a brush with the police was correct, and the *Wagga Wagga Express* shortly afterwards gave the following particulars of the encounter:—"It appears that on Sunday morning Sergeant Carroll and Constables Horrigan and Dalziel were going through a portion of Edgehill's run, sergeant Carroll being somewhat ahead, when they caught sight of a man in light clothes galloping away from an old hut occupied by some people of the name of Corcoran. The horseman was then about 500 yards off, and the police at once gave chase, the horsemen turning to look at them, and then putting spurs to his animal, and making at first for a large belt of scrub, then, however, changing his mind, and wheeling round the base of a hill at hand. This gave the police such an advantage as to enable them to gain on him to within 200 yards. When Carroll and Horrigan reached the top of the hill together, Morgan was in the hollow, and Carroll shouted out, "You wretch, surrender! We have you now!" Carroll states that Morgan's horse, even then, after about a mile and a half, appeared jaded and to require sharp spurring, and Carroll at once directed Horrigan, who was best mounted of the three, to let his horse out and keep Morgan in view at all hazards, Carroll's own animal not being up to his weight, and that of Dalziel a very inferior one for a long push (just the old story over again.) On they went—up hill, down hollow, and round scrub and brush, when the latter shouted out, 'Here he is.' Carroll checked his horse, turned his head to the left, and just caught sight of Morgan's head and shoulders emerging from the scrub hardly thirty yards ahead of him. Carroll at once pointed his revolver and fired, but, on rounding the bush for a second shot,

had lost sight of him again. Dalziel, who had made, it appears, a cut through some scrub, here came up, as it were, right behind them, and said Carroll's shot had nearly met him in the face, as he was riding up, and that he saw the smoke go just over Morgan's head. He told Carroll he could not rein up his horse so as to shoot at Morgan when he first sighted him, and that, in rounding the scrub, he could not fire at Morgan without the prospect of shooting Carroll, from their respective positions. Horrigan meanwhile was following up, but when Carroll next sighted him he was getting off his horse at some scrub, to which Morgan had taken, to take as he stated, a rifle shot, which he had not time to do. Here appears to have been a grave mistake; for if he had stuck on his horse they might, says Carroll, have succeeded, at all events, in hemming Morgan in at the fence. However, jumping on his horse again, Horrigan once more sighted him, and followed hotly on, Carroll and Dalziel following as best their horses would let them, sometimes in sight of Horrigan, sometimes out of sight, till on nearing him at a hut on Wallendool station, Carroll learnt, for the first time, that he had lost sight of Morgan, by hearing him call out an inquiry to the woman there;—another grave mistake in over-riding his mark. On their all reaching the hut, the three spread out to reach the scrub, but from then in vain; even finally redoubling their steps from the hut from whence they started, and continuing the search till night. As they now believe, Morgan must have doubled on them at a portion of the fence, where, subsequently, two slip panels were found down, but which seems (how we cannot say) to have escaped their attention (particularly that of Dalziel, who was directed by Carroll to watch the fence) till the following day, and through which they might have found their way to the Round Hills, from

which they were then some twelve miles off."

There was no lack of bravery, as we have said, on the part of the police, although they must have frequently lost heart when they realised how heavily they were handicapped by poor equipments and erratic leading. As already stated, the horses with which they were furnished during the bush-ranging era were of an inferior description, while the bush-ranger could always command good mounts; and it was made plain on more than one occasion that their firearms were not equal to those carried by the outlaws, who had no hard and fast Government regulation to confine them to the use of certain bores and brands. Thus it happened that when the police chanced to drop across Morgan before he had an opportunity of galloping beyond range, they were worsted in the encounter, although some of them were undoubtedly as good marksmen as could be found.

Two sergeants of police were shot dead by Morgan, one of them in an encounter with the bushranger on the road, and the other when at camp in his tent in the bush. The former —Sergeant McGinnity—was out with a constable named Churchley when he came across Morgan near Tumberumba. They exchanged shots, and the horses of both the sergeant and the bushranger were shot under then. The former then rushed at Morgan and grappling with him they struggled together, and in the struggle Morgan shot his assailant through the spine. Churchley's horse, not standing fire, bolted with his rider, and with one more life to answer for the bushranger escaped. The second sergeant—Thomas Smyth—was out in the bush running the outlaws tracks very closely, and had camped for the night when Morgan surprised him and fired at him while in his tent, inflicting wounds from which he died three weeks afterwards.

And these were not the only tragic events in which this bloodthirsty desperado engaged. Although he bailed up numbers of people and robbed coaches on several occasions the events were deemed scarcely important enough for record unless attended with some act of violence. One of his victims was an inoffensive shepherd on the Wollondool station, about 40 miles from Albury. The man was quietly feeding his dogs on the station when he was suddenly and without warning shot by the bushranger, who had approached him unawares. The ball from the revolver struck the unfortunate shepherd in the thigh, and after he had fallen Morgan went forward and expressed regret for having wounded him, saying that he had mistaken him for someone else. Such was the demoralised state of the people in the neighborhood that the wounded man had to apply to seventeen different persons before he could get any one to convey him to the Albury hospital. The wound was fortunately not dangerous, and the shepherd was discharged from the hospital cured shortly afterwards.

The following account of one day's doings, supplied by a correspondent from Kyamba to the Albury *Banner*, will serve as an illustration of the prowess of this notorious ruffian, and the disregard of human life which characterised his lawless movements :—

Tragic events in connection with bushranging follow each other in such rapid succession that no one wlll be surprised to hear that Morgan paid us a visit here last evening. At about 12 o'clock noon he made his appearance in the camp of Mr. Adams, road contractor, when he bailed up all his men, about 15 in number, and, as a warning to the contractor for having no cash in hand for the supply of his wants, he set fire to the tents, thus ruthlessly destroying at least £15 or £20 worth of property. Five Chinamen having made their appearance, he caussd them also to join the rest of the men; aud having

ordered them to strip, with a view to search their garments, they not understanding the command, and therefore apparently hesitating to put it in force, he shot one of them in the arm just below the shoulder joint. This man is now lying at the Kyamba hotel in a precarious state, and the ball has not been extracted. After all, the money found on them was trifling—one small gold piece and about 30s in silver—which latter Morgan threw away from him in chagrin, expecting to have obtained a larger sum. He remained at the camp till 5 p.m., having caused tea to be made and a damper prepared for him by the cook of the party. The position of the camp is above a mile north of Kyamba Inn; and everything, including the account-book of the contractor, was destroyed. He did not tie the men or secure them in any way, but kept them in such a position as rendered it impossible to have rushed him without incurring a further loss of life, otherwise the men were well disposed, and would, if opportunity had been given, most undoubtedly have made resistance. The only weapon in the place was a double-barrelled gun, which was unloaded; but remarking that "he did not like double-barrelled guns," he expressed his intention of taking it away with him. About one o'clock in the afternoon Mr. Jones, another contractor, paid a visit to the camp (which was soon after it had been set on fire); he was likewise secured, besides a traveller, and two or three other men residing in the neighborhood who came there on horseback. On leaving he took these men with him, as also Mr. Jones, four in all, they being each mounted on horseback. He made them carry the gun with them, and took them by a circuitous route over the mountains to a small bridge on the Little Billabong, about eight miles south of Kyamba. Here two buggies, in one of which were Mr. and Mrs. Manson, on their way to Braidwood, and in the other were two young men, travelling to the same destination. These he immediately stopped, ordering them out of their buggies; and, because Mr. Manson seemed to hesitate, he threatened to shoot the whole of them on the spot. Having got them out, he pointed to the four other men standing where he had placed them in a rank close by, and spoke of them as belonging to his own party. This effectually set aside all idea of resistance; and after having stripped Mr. Manson to his shirt, and searched the pockets of the others, he succeeded in taking about £6 in all. They

then asked his permission to proceed, but he said they must wait twenty minutes, as the mail was expected and the buggies would be useful in stopping the passage of the coaches. The time having expired, however, and the mail not arriving, they were allowed to proceed. It may be important to mention here that he conversed freely at the camp for hours with the men, detailing his exploits at great length, and dwelling particularly upon the murder of McGinnerty and Smyth, of which he made no attempt at concealment—indeed he stated that he had watched Smyth's party five days in order to make sure of the right man. Soon after Mr. Manson had escaped from his clutches the mail to Albury arrived at the scene of action. The mailman had been previously warned, but did not consider it to be his duty to take any steps by way of special security. Being very light he allowed it to pass after a merely formal examination; but shortly afterwards, and it was now nearly 11 o'clock, the Albury mail arrived, when he demanded of the driver to stop. This not being instantly complied with, he fired a shot at him to bring him to. He then made him get out and hold the horses heads, while he ransacked the mails. This inspection lasted a considerable time, in the course of which nearly, if not the whole of the letters were opened, and though many cheques were found, which he threw on one side as useless, it is supposed that he obtained but little booty in the shape of bank notes, for he complained bitterly of the mails. A box of pills and some photographs were disposed of with sovereign contempt. Having accomplished this much he is supposed to have visited Mr. Williams' station, where it is said he pressed two men into his service, taking also a horse, saddle, and bridle. But the circumstances connected with this portion of the story have not yet been sufficiently authenticated. He took with him the gun obtained from Adam's camp. Perhaps the worst feature in this affair is the telegraph having been cut down by his order, and the wire severed, thus he supposed, stopping the communication; but fortunately the line to Albury being open, allows communication northwards by way of Deniliquin. I omitted to state that, in the course of conversation the bushranger spoke of three men whom he was determined to shoot before "retiring from business," namely, Mr. McKenzie late of Mundaloo, identified with the capture of Peisley; Mr. McLaurin, of Yarra Yarra; and Sergeant

Carrol. On these he expressed himself determined to be revenged; and with respect to the former he declared that if he once had him in his power, £5000 would not save his life. Otherwise he said there was "no good in bushranging," and he felt inclined, after a time, to give it up. You may implicitly rely upon the accuracy of all that has been related above; many other particulars could have been furnished, but they would probably only tend to pamper a morbid curiosity.

At last the day of reckoning arrived. The outrages committed by the desperado had become so frequent and were attended by such brutal violence that no settler in the district felt safe; yet the daring of the rufflan seemed to have a paralysing effect upon those who under other circumstances would have resisted attack and made some effort to capture their assailant. The vigilance of the police was redoubled, and they managed to press him so closely that Morgan was at last compelled to forsake his favorite haunts and seek fresh fields for robbery across the Border—on Victorian soil. But he did this without letting the New South Wales police into the secret, and they were still busily engaged in searching for him when they received word that he had been shot at a station near Wangaratta, some miles on the other side of the Murray from Albury.

As soon as he had crossed the Murray—which he did on April 5th, 1865—he commenced what he was pleased to call a "raid upon Victoria." He had heard of the boast of the Victorian police that they would arrest or shoot him within a week if he entered their territory, and he told one of his first victims on that side that he had come to shew that he was not afraid to enter Victoria and that, notwithstanding the smartness of the police, he would "go through it in a week." And he certainly commenced well, for on the first day he stuck up Mr. Evans' station at Whitfield and a number of carriers on the road near Winton, or Witton, taking from

them sums ranging from £3 to £50. He fired Evans' granaries in revenge for a wound which the owner had inflicted on him four years previously, when he was engaged at that station. In addition to these exploits he visited and stuck up McKinnon's station at Little River. He then passed on to Mr. Rutherford's Peechelba station, about 20 miles from Wangaratta, which place he reached on Saturday night, 9th April, and where his career was suddenly and effectually cut short by a rifle bullet, fired, not by any member of the police force, but by one of the station hands. News of his doings had spread throughout the whole country side, and while the Victorian police were arranging to give the unwelcome intruder a warm reception, the residents of the Victorian border district armed themselves, prepared to resist attack if Morgan should make it. How he made the attack on Peechelba station and what befel him there has thus been told by one who was present :—

"Morgan arrived at the station on Saturday night and bailed up all the occupants—as he thought—in one room, having as prisoners eight females and four males. One of the women, a nursemaid named Alice MacDonald, pretending that she heard one of the children crying in an adjoining room, demanded that Morgan should let her go to attend to it; but he refused and she then boldly smacked his face and declared that she would go in spite of him. Unused to such treatment, and evidently as much amused as annoyed, the bushranger complied with her demand, and passing out of the room she managed to convey intelligence to one of the station hands who had been overlooked in the 'mustering,' Morgan happened to hear her talking and when she re-entered the room he questioned her, but she said she had only been talking to the dog. Among the prisoners was Mr. McPherson,

who was part owner of the station with Mr. Rutherford. Morgan proceeded to enjoy himself, and tea being ready he made all the company sit down together, including Mr. and Mrs. McPherson, and the other ladies who were present. During the night the bushranger was very chatty and confidential, speaking of the hardships he had to endure, and of his father and mother, who he said were still alive. He made one of the ladies play the piano, and allowed them to retire at bedtime. He said he was blamed in the Round Hill affair for more than he had done, and that Heriot's messenger would not have been shot only that he took the wrong road, which made him think that he was going to give information to the police, and that he (Morgan) consequently shot the messenger. Morgan was very sleepy, and nodded occasionally but always kept a revolver in hand; he said he had not slept for five days and nights, but told the people to be cautious, as he always slept with one eye open. He treated Mr. McPherson, to whom his remarks were chiefly addressed, civilly all through the night, declaring that he would be content if supplied with a good horse in the morning.

"Meanwhile the man with whom Alice MacDonald had spoken had gone to a neighboring station and carried the news, and all the men were immediately supplied with firearms and proceeded to Peechelba house, which they quietly surrounded, awaiting the arrival of the Wangaratta police, for whom a messenger had been despatched on a fleet horse. When this messenger reached the township he found that all but one policeman were absent, but the news having spread, six civilians volunteered for service, and placing themselves under the lead of the policeman—Senior-constable Evans—the party were soon on the road, making for the scene of what they had every reason

to believe, from Morgan's character, would be murder. Arrived at the house they found the other party lying in ambush near the various outlets, and a whispered consultation ensued as to what was best to be done. There were fourteen persons all told outside the house, each carrying arms, among them being Mr. Rutherford, McPherson's partner. At first some of the civilians wished to rush the place, expressing a fear that at any moment Morgan's murderous propensities might be given play, and there would be a repetition of the Round Hill affair; but better counsels prevailed, and it was resolved to lie in wait round the house until daylight, when the bushranger was expected to show himself. During the night the watchers were reinforced by some additional policemen.

"Towards daylight Morgan went to the door and cautiously looked out, as though feeling that there was danger near; but not a sound or movement came from the watchers, and he returned to the room and drank a glass of whisky, the first spirits he had tasted during the night. He then made preparations to leave, and cocking his two revolvers, he ordered Mr. McPherson and the three other men to precede him to the stable to catch the horse that had been promised him. When he was well out, and while he was watching his men, those behind closed cautiously on him, and an Irishman named Quinlan, employed on the station, stepped in front to a stump. McPherson glanced round as if talking to Morgan, and seeing the men advancing, stepped a little on one side to allow them to fire, which action was observed by Morgan, who was in the act of turning his head to see the cause when Quinlan took aim at him and fired. The shot struck the bushranger in the back near the shoulder, and he immediately fell forward to the ground on his face, and in a moment he was secured and disarmed.

"As soon as his captors laid hands upon him he cried out 'Why didn't you challenge me fair, and give me a chance ?' but he made no attempt at resistance, doubtless feeling that he had received his death wound, for the shot had entered at the back of the shoulder and passed upwards and out near the windpipe. For some minutes the bushranger remained unconscious, but he recovered slightly on belng lifted up and carried to the house. He was placed on a stretcher and a doctor was sent for to Wangaratta, his attendants meanwhile carefully ministering to his wants. It was seen that he was mortally wounded, and no one was surprised when Dr. Dabbyn on his arrival pronounced the case hopeless. One of his attendants asked the dying bushranger if he would like a clergyman to be sent for or a prayer to be read; but he somewhat mournfully answered 'No.' He lingered in great agony from 8 o'clock a.m. when he was shot down until 2 o'clock p.m., when he pointed to his throat as if choking and expired.

"When searched he was found to have on him £86 in notes, a bank draft on Albury for £7, and two revolvers, one of which proved to have belonged to Sergeant McGinnerty, whom he had shot some months previously.

"During the afternoon the body was removed to the police camp at Wangaratta, where an inquest was held and a verdict of justifiable homicide was returned. The body was subsequently buried at Wangaratta."

Iu some of the minor details this story differs from others that were published at the time concerning the conduct of Morgan at the station and the circumstances surrounding the shooting; but in its main features the account is correct, and I have given it as it came to me.

But something more remains to be told, and that something makes plain the fact that others besides the bushranger were moved by instincts of the more brutal sort, although they would doubtless have been grievously offended if anyone had ventured to question their claims to be considered gentlemen. The body, as stated, was buried at Wangaratta; but it was not a whole body, the head having been removed and taken to Melbourne to Professor Halford, presumably to advance the cause of science. But if all that was reported was true the body had been mutilated even before the head was removed. Here is what the Wangaratta *Dispatch* of the day said on that subject:—"It may not be generally known that an act, the parallel of which might in vain be looked for among the stories of the most savage tribes, was perpetrated upon the remains of the bushranger Morgan, as he lay exposed in the police camp, after the coroner's inquisition had decided upon and recorded the verdict, and the majority of the public had departed, after their curiosity was glutted by gazing on the peculiar features, the flowing locks, and the luxuriant beard and moustache of the unfortunate man. The razor or knife was, by the order or the act of some high official, brought into requisition, the lower part of the face hacked and the skin and portion of the flesh dragged round and over the chin, till the operator performed the task of taking from the corpse his massive beard. This degusting job finished, the official departed with his trophy, to be gazed at and admired by distant friends. Those who were eager to see the corpse, and who were late in gratifying the feeling, were horror-stricken with the spectacle which presented itself to their view. The decomposed state of the head when it arrived in Melbourne may have precluded, perhaps, the possibility of the detection of the horrible desecration; but

numbers of our townspeople are aware of it. We have now drawn attention to the fact, and it becomes incumbent on the proper authorities to institute an investigation, and let us all see the credentials of the perpetrator for the atrocity he has committed."

A greater act of barbarity was perhaps never committed in any civilized community; and when the rumor circulated public indignation found loud expression. A board of inquiry consisting of four Government officials was appointed to investigate the affair, and that board sat in secret at the Wangaratta Court House, certain charges in reference to the outrage having been preferred against a prominent police officer and the coroner for the district. Whether the Board found the charges proved, and if it did what penal consequences followed, I have not been able to ascertain, for the matter was hidden as much as possible from public view. That the mutilation took place, however, was proved beyond doubt, and the horror of the public when they heard of the act of barbarity was only equalled by the indignation which they felt towards the savage who had committed it.

Little more remains to be said concerning Morgan. Shortly after his death a responsible officer from police headquarters in Sydney visited Wangaratta for the purpose of more fully inquiring into the circumstances concerning the shooting of the notorious bushrauger and distributing the reward. The £1000 offered by the New South Wales Government for his capture was paid over by that official as follows:—£300 to Quinlan, who fired the fatal shot; £250 to Alice McDonald, who courageously conveyed information to the station hands, and communicated to McPherson and others, who were guarded in the house by Morgan, what was being done, and who finally gave the signal to the armed men

outside when Morgan left the house; £200 to James Frazer who volunteered to ride into Wangaratta with information and for assistance—(when another man selected would not go) —riding the forty-two miles in about three hours and a half, and afterwards taking his post under arms as directed, until Morgan was shot; £100 to Donald Clarke, who conveyed the information to Mr. Rutherford, and then volunteered (others having refused) to go up to the schoolroom for guns, cleaning and loading them with his own—watching the house all night, and arranging plans with others—then following Morgan down to try and shoot him, in which attempt he was prevented by Mr. McPherson and son being too near; £50 to Alice Keenan, a fellow servant with Alice McDonald, for her presence of mind in communicating between the parties guarded by Morgan and those outside. The balance of the money was handed over to Mr. Rutherford and one of the officers of police to be apportioned among the Victorian police and the other civilian volunteers who assisted on the occasion.

There was not one redeeming feature in Morgan's career as a bushranger. He entered upon that career of pillage and blood from choice, and not one single regret can be felt that the wretch who could so ruthlessly slaughter innocent men, from sheer tigerish love of blood, should himself be shot down without warning. "Why not challenge me fair and give me a chance?" he asked with his dying breath; but fair challenges and chances had not been given to any of the unfortunate men who had fallen before his murderous fire. He had shewn no mercy to others, and no mercy was shown to him; the only regrettable circumstance connected with his final disappearance being the brutal mutilation of his body after death.

"THUNDERBOLT" (FREDERICK WARD.)

NEXT to Morgan, perhaps, no individual bushranger earned greater notoriety than did Frederick Ward, otherwise called "Thunderbolt." He was an old "Cockatoo" bird, and one of the few prisoners who escaped from that gruesome island. The escape was effected on September 11th, 1863, and Ward had for a companion in his flight a fellow convict named Britten. Having evaded the sentries and got across the water dividing the island from the mainland, the two men headed for the Hawkesbury, and despite the efforts of the police to recapture them they managed to get clean away. Ward was a native of Windsor, and at the time of his flight was about 27 years of age. He was in point of size and agility a good sample of the "Hawkesbury native," was a splendid horseman, and fearless and daring to a degree. To stimulate the police in their efforts to re-arrest the bolter, the Government offered a reward of £25; but very shortly after his escape he disappeared from the district, and all efforts to trace him were for a time fruitless.

It was not to be expected, however, that such an adventurous spirit as "Thunderbolt" would remain long in

inactive seclusion; and when next he was heard of he was making a name for himself as a bushranger in the New England District. Like Morgan, he preferred generally to work single-handed, having, perhaps, at one time or other experienced the disadvantages of having a "pal" in any business requiring secrecy of movement. He doubtless believed in "trusting nobody and not being deceived," and although he was occasionally associated with others, himself being the head of the gang, as a rule he plied his nefarious calling alone. Yet there was associated with him—all unknown to the authorities for some time, a person who knew all his secrets, sympathised with him in all his troubles, sheltered him, watched for him, and proved a faithful bosom friend in more than one sense. That person was a woman, and it is questionable if ever bushranger had a "mate" more serviceable, more faithful, or more devoted. "Thunderbolt" had a long reign, and during five or six years his name was kept prominently before the public, while his person was eagerly sought after by the police of the district chiefly infested by him. He was a terror to the mailmen of the North, and, sometimes alone, sometimes in compauy with others, "stuck-up" the drivers, rifled the mailbags, robbed the passengers, and then leisurely decamped. His paramour did not accompany him in his raids, but was generally near at hand in some secure camp, to which "Thunderbolt" would resort when hard pressed by the police or in want of provisions. She was not, as was at one time commonly reported, an ignorant aboriginal woman, but an intelligent, pleasant-looking half-caste, able to read and write fairly well, and more refined in her speech than many of her European sisters, having been carefully trained in her younger days. At one time she was in the habit of riding about in

man's attire and *en cavalier*, collecting horses or information, procuring supplies, or doing any other odd jobs which it would be unsafe for her bandit comrade to engage in. It was by her means and through her indefatigable exertions that "Thunderbolt" was enabled for so long a time to evade capture, and although the police arrested her on a charge of vagrancy nothing could be proved against her and she was released, again to serve the master whose critical fortunes she had elected to follow. It has been stated on more than one occasion, when hard pressed for food in some lonely retreat in the bush, and when a visit to any settler's house or wayside store would have furnished a clue as to the hiding place, she had been known to hamstring a young calf, using a sharp shear-blade fastened to the end of a long stick for the purpose, and having cut up the carcase carry the meat to the "camp." During a portion of the time she had several children with her, but it was reported that, towards the latter part of 1866 she had gone "down the country" and left all but one, the youngest, with some of "Thunderbolt's" friends She proved faithful to her hunted paramour to the last, and, as will be seen farther on, "Thunderbolt" proved faithful to her, inasmuch as at great personal risk he found for her a comfortable resting place in which she could breathe her last.

From a number of accounts of mail robberies the following are selected as illustrative of the course pursued by this bushranger:—

One morning the horse-mail was proceeding from Warialda to Tamworth, when the mailman, Thomas Hitchener, received a peremptory command to bail up, the voice proceeding from behind him. He at once turned his head, and saw a man close behind him pointing a revolver at

his head. Hitchener was riding one horse and leading another upon the back of which the mailbags were strapped; and as he saw there was no chance of his getting away he replied "All right," and at once pulled up, having realised that he was in the presence of "Thunderbolt." He was then ordered to take his horses off the road into the bush, his assailant following him as he went, and when about half a mile from the highway he was further instructed to dismount and walk to a tree some 70 or 80 yards distant, leaving his horses where they stood. This he did, and then "Thunderbolt" proceeded leisurely to unslip the bags and open them one by one, ransacking them and breaking the seal of every letter which he thought likely to contain money. Before the robber had completed his search he noticed a pouch in the saddle, and from this he took, evidently with much satisfaction, a small parcel of gold, which had been entrusted to the mailman's care for delivery at the township. This find appeared to satisfy him, and telling the mailman that he was now at liberty to gather up the scattered letters and bags and resume his journey, he mounted his horse and rode off in the direction of the Namoi river. As soon as the mailmain arrived at Tamworth he gave information to the police; but the search subsequently made for the robber was fruitless, and before it was finished "Thunderbolt" was heard of as having committed another depredation in another part of the district.

On four different occasions he stopped and robbed the same mail, and on each succeeded in making a good haul. In February, 1867, the mail was being driven to Tamworth by Abraham Bowden, who had with him a passenger named Derrington. They had just passed Manilla when the command to "bail up" was heard, and having obeyed the

nandate the two men were ordered to pass into the bush a nile from the road, where " Thunderbolt " had a second horse ied up. Here Bowden was commanded to take out the nailbags and to take up his position with Derrington about 30 yards distant while the bushranger rifled the bags, taking rom the letters all the notes, cheques and orders which they contained. He then took the mailman's saddle, which he said he would return, and eased Derrington of some cheques and silver, but handed back the latter ; after which he rode off, leading the second horse. As soon as he had disappeared Bowden rode back to Manilla for a saddle, and while there observed two horses on the upper side of the river, which he believed to be " Thunderbolt's." Having resumed his journey towards Tamworth he met Constables Norris, Shaw and Doherty, who were returning to their stations from the sessions at Baraba. To these he told his story and then pushed on to Tamworth to acquaint the police there. It subsequently transpired that after robbing the mail, the bushranger had crossed the Namoi to Mr. Hill's public house, and while he was there McKinnon, the superintendent of Manilla Station, rode up. " Thunderbolt " saw him coming and at once went out, and mounting his horse sat in the saddle awaiting his approach. Thinking that the stranger was some traveller McKinnon paid no attention to him, and having finished his business at Hill's he left and crossed the river to Veners' public house, where he saw several persons in excited conversation. and learned from them that the mail had been robbed. But before the narration concluded there was an interruption. Hearing Mrs. Veners utter a scream, McKinnon turned his head and saw the supposed traveller whom he had met at Hill's standing behind him and presenting a revolver at his head.

"Thunderbolt" ordered him to dismount and take his place with the other people, whom he also commanded to "bail up." After overhauling the superintendent and making an exchange of saddles, he entered into conversation with his prisoners and partook of some grog, for which he paid. After an hour had elapsed, McKinnon begged to be allowed to proceed on his journey to Tamworth, saying he was on his way to the doctor's, and having obtained permission was fixing the saddle on his horse preparatory to making a start, when all were startled by hearing the bushranger ejaculate "What's that?" and looking down the road they saw Constable Norris approaching. "Thunderbolt" at once mounted his horse and rode leisurely round the corner and along a fence towards the river, leaving the pack horse at the hotel. As Norris rode up the people at the hotel cried out to him "Bushranger! after him," and the constable at once let the pack-horse he was leading go, pulled the revolver out of its pouch, and followed. But the chase was a short one, and ineffectual, for Norris was soon back at the hotel, and "Thunderbolt" was seen on the opposite bank of the river. As Norris returned to the hotel, Constable Shaw drove up in a buggy, and after a consultation the two policemen got into the buggy and drove towards the river. As they ascended the opposite bank they caught sight of the bushranger, who had evidently been waiting for them, for when they came within hailing distance he called upon them to stand. Shaw replied with a shot from his revolver, but his aim was defective and "Thunderbolt" put spurs to his horse and disappeared. The two policemen then drove up to Hill's house and while Shaw proceeded to take the horse out of the buggy Norris ran back to Veners' for the horse he had left, to find that the bushranger had crossed the river and ridden down the road,

icking up as he went the pack-horse which the constable ad been leading. Sergeant Doherty at this juncture ppeared on the scene, and Norris having joined him the wo started in pursuit of the bushranger, who they were nformed was more than half drunk and might be easily aptured if they were smart. Before they had proceeded ery far they caught sight of "Thunderbolt," and getting vithin range they fired, but without effect; and finding that he chase was getting too warm the bushranger abandoned Norris' pack-horse and soon out-paced his pursuers, who eturned to the hotel to report another failure. Attention vas then directed to the pack-horse which "Thunderbolt" ad left at the hotel, and in the saddle-bags were found the heques and orders that had been taken from the mailbags, mounting in all to £427; but the more easily negotiable ank-notes that had been taken were not there, the bush-anger having doubtless considered his own pockets the afest place for them.

Shortly after this "Thunderbolt" made his appearance n the road with a boy as his robber companion, and the queerly-assorted pair committed many depredations on the oad, Her Majesty's mails still forming the chief attraction. The boy's name was Mason, and it was not long before he established a reputation for reckless daring equal to that of his chief. In many instances they abstained from robbing the passengers or the driver, and contented themselves with rifling the bags and "sorting" the letters, in which work they became quite proficient. Together they held the road, defying all the efforts of the police to capture them, for they took care to be always provided with the fleetest horses, well-known racers having to leave their owners' stables and do duty as hacks for them. How they managed to evade the

police for such a length of time was a mystery, for credit must be given to the latter for putting forth every effort to take them. All attempts to discover their camps or hiding places while occupied were fruitless, although the baffled officials would now and then succeed in following a trail leading to a deserted retreat, the "birds" having flown to some other locality before their arrival.

But while so frequently levying blackmail upon the post in its transit from one place to another, "Thunderbolt" and his boy-mate were not particular as to the victims. The money they stole from the mailbags was not spent in the purchase of stores, although some of it may have gone into the pockets of active sympathisers and assistants, who, themselves not bold enough to "take the bush," kept the bush-ranger posted in the movements of the police. If stores were wanted they were generally obtained in sufficient quantities by a sudden descent upon some roadside pub-store (in those days the publican generally served in the double capacity of grog-seller and grocer), from the stock in which a good choice of needful articles could be made. "Thunderbolt" and his boy would present themselves at the establishment, each leading a pack-horse—not the heavy animal usually led by the traveller, and whose chronic pace was a slow jog-trot, but a well-bred, fleet-footed beast, equal to the task of a break-the-record pace if necessity arose—which they would load with flour, tea, sugar, potted fish, and anything else that the unfortunate storekeeper might have in stock, not forgetting a bottle or two of spirits. And when fully loaded they would ride off as suddenly as they appeared. If there did not happen to be a general store near when provisions ran short, a visit would be paid to the house of a well-to-do settler, and

nothing more than provisions were taken the latter would count himself remarkably fortunate.

Shortly after "Thunderbolt" had committed a series of depredations, ending with the robbery of the Tamworth-Singleton mail, the Government awoke to the necessity of offering further inducements to the police and others to effect his capture, and the following notice was published in the *Gazette* and newspapers :—

Colonial Secretary's Office,
Sydney, 25th May, 1870.

£200 REWARD

For the apprehension of FREDERICK WARD (otherwise known as "THUNDERBOLT") and £50 each for accomplices.

WHEREAS, the abovenamed convict, who effected his escape from the Penal Establishment, Cockatoo Island, on the 11th September, 1863, is still at large, and is further charged with the commission of divers other serious crimes: And whereas, by notice dated the 4th December, 1865, a reward of £100 was offered by the Government for the capture of this offender: Notice is hereby given that an increased reward of £200 will be paid by the Government for the apprehension of the abovenamed offender, or, if effected upon information received, then one half the reward to the person giving such information, and the other moiety to the person or persons effecting the capture; and, further, that the Government will pay a reward of £50, to be similarly divided, for the apprehension of any accomplice of the said Frederick Ward, arrested in his company, or associated with him in the commission of crime.

The above reward to be in lieu of all other rewards payable by the Government under previous notice for the apprehension or conviction of this offender.

HENRY PARKES.

But still the depredations continued, and as month

followed month, and as report after report was published o highway robberies by the one man whose immunity fron arrest caused men to marvel, only those who were compelle to do so travelled through the infested district, and thes resorted to every imaginable device for secreting the mone and valuables they were compelled to carry with them, ir the hope that they would be able to pass scatheless through the process of "sticking-up" to which they knew they were exposed. The reader can easily imagine what a serious block to business was caused by this state of things, and how the residents of the northern district fretted under it. Business people were afraid to forward money through the post, and when they were compelled to do so they sent it in the form of cheques. But even these were not allowed to pass by "Thunderbolt," who invariably took them away with him, and either concealed them in the bush or destroyed them, uttering many complaints about the "infernal" custom which had sprung up of paying for everything with "paper" which in a bushranger's hands was not negotiable.

For a length of time after Mason, his young confederate, joined him, the two worked together in every branch of the "business," and occasionally the older ruffian would stand aside and allow the younger to do the whole work, himself keeping a watchful eye upon the intercepted travellers, who were naturally indignant that they should have to submit to be robbed by a boy scarcely out of his teens. "Thunderbolt" was one of those men of the road who could boast with truth that he was always courteous, if not kind, to females, who might happen to be in the company of those "stuck up;" and he trained his bushranger apprentice to act courteously also. On one occasion when he had stopped the mail coach between Murrurrundi and Wallabadah, there were two females among

he passengers, and he ostentatiously instructed Mason to confine his attention solely to the mail bags, and not to molest he passengers in any way for fear of "hurting the ladies' eelings." The lad was armed with a gun, and seemed inclined o "show off" a little in the presence of the females, grumbling not a little that his "boss" should allow the men to escape for the sake of the women, especially as the principal letters contained the objectionable "paper" instead of money.

Close following this "Thunderbolt" appeared alone at Shepherd's Terragong Station, about two miles from Merriwa, but, strange to say, he did not attempt to rob the place or the inmates, although he kept a close watch over them—the manager and two females—while his horse had a comfortable feed in the stable. Shortly after he had left the station he was seen with his "lady" and his boy mate on the road; but they were nowhere to be found when the police went out to look for them. Variety was shortly to be given to the official reports, however, and some excitement was created by the news spreading in Tamworth and neighboring localities that the police had encountered "Thunderbolt" on two occasions and had captured him—nearly. The first part of the report was correct. The first "brush" took place under the following circumstances:—Senior-constables Dalton and Cantrill had been vigorously scouring the bush and had come across tracks which they believed to be those of the bushranger and which they concluded were leading to his camp in the mountains. They followed these tracks to a point which they knew would not admit of any turning, and then dismounted. Leaving their horses they proceeded cautiously into the bush on foot in the direction of the spot where they concluded the camp would be. It was night when they began this march, and

they could not make much headway, but as day dawned on the following morning they saw that for once they had hi upon a good trail, for at a distance of about 60 yards they saw the bushranger, who was in the act of putting on his boots preparatory to catching his horse, which was grazing near. He had one boot on and the other and a bridle in his hands, but a slight noise caused him to look up, and catching sight of the police he dropped the boot and bridle and dashed off into the scrubby range close at hand, the police following as fast as they could and firing as they ran. But neither their firing nor their running proved effective. "Thunderbolt" had an advantage over his pursuers in knowing the course, and after a race of about a mile he succeeded in getting away at a spot where the scrub was more than usually dense. Returning to the camp the police secured a boot and two horses, one of which was supposed to belong to the boy Mason, and returned with them in triumph to the station. At a later hour of the day another party of police came across "Thunderbolt" on the same range. They had been escorting the mail from Warialda to Tamworth, and had turned off the road on the return journey when they saw two horsemen talking to a woman on the range. At first they thought the man belonged to the police, as one of the horses looked like a "force" animal, but on nearer approach they saw that it was "Thunderbolt" and Mason, and that they were talking to the mistress of the former. The police made a rush, and so did the bushrangers, each of whom held a spare horse, which was dropped as soon as the flight commenced. Shortly after starting "Thunderbolt" and the boy separated, each taking a different road through the bush, but the police continued to chase the larger game, being more anxious to catch the master than the apprentice. They fired several times, but

the bullets did not hit the mark at which they were aimed, and the bushrangers again escaped, although the pursuers reported that they had seen blood on the track, as though either a man or a horse had been wounded. "Thunderbolt" was still minus one boot, the foot having a black cloth wrapped round it. When the police returned to pick up the two spare horses the woman whom they had at first seen had disappeared.

Something more came out of this chase, however, than the police expected. The separation between the master and his boy proved fatal to the latter. He made no effort to rejoin "Thunderbolt" as he believed he had fallen into the hands of his pursuers, and at once started off for another part of the country. He first made his way to Bunnawannah station, and thence to Mr. Dangar's old Oreel station, about 30 miles from Millie. The encounter in which he and his master were separated took place on the Borah Ranges, and for some time the police concentrated their forces in this locality, imagining that "Thunderbolt" and the boy would endeavour to rejoin each other near the spot at which they had been driven apart. Mason was riding a good horse when he disappeared, but the hard riding took all the "go" out of it and before he had reached Dangar's station it had completely knocked up. Leaving the horse, Mason put away his arms and the saddle and bridle, and performed the rest of the journey on foot. Here he appeared to be known to some of the persons who saw him, and word having been conveyed to the police, Senior-constable Connery and other members of the force started in pursuit from Narribri. On reaching Millie they separated, Connery taking the direction of Oreel. He camped one night near the station and early next morning made a sudden descent, and captured Mason without any

resistance on the latter's part. The youngster admitted that he was "Thunderbolt's" boy, and that he had with him committed several robberies. He had on his person when arrested, cheques amounting to about £100, which had been taken from the Merriwa mail. During his trip to Tamworth he became very communicative to the police, giving them an account of his life. Among other things he told them that he was apprenticed out of the Orphan School to a Mr. Shaw, in the employ of Messrs. Gilchrist, Watt, & Co., of Sydney, at the age of twelve years; that he remained with him for some time and then proceeded "up country," where he engaged with different persons; that he was doing a job of fencing when he fell in with "Thunderbolt," who represented himself as a squatter, and engaged him to assist in taking a mob of horses overland; that he soon ascertained "Thunderbolt's" real character, and did not hesitate to join him in the free but dangerous life that he was leading. Mason was at the time of his arrest only about sixteen years of age, of slight build, fair complexion, and not by any means a formidable-looking character.

In due course the youthful bandit was brought before the court and committed for trial, was tried and sentenced to a comparatively short term of imprisonment, which term he served only to be released and imprisoned again, a proceeding which was repeated several times, sentences of ten, fourteen and twenty years following each other.

Turning again to "Thunderbolt" we find that after the capture of his boy mate he continued his single-handed depredations, his extraordinary power of keeping out of the hands of the police still being the constant theme of conversation. Occasionally, however, the hunters and the hunted would come near each other, but the report made by the

former after the event presented a monotonous sameness. Here is one account furnished by a correspondent at Bandon Grove to a district newspaper :—

" About two o'clock on the 28th ultimo (September, 1867) our active and zealous Senior-constable Shannon, stationed in Dungog, came in hot haste into Bandon Grove to secure the service of a black tracker to enable him to follow in the track of the notorious 'Thunderbolt,' with whom he had shortly before had an encounter, of which he gave the following particulars :—Judging from the circumstance of his having stuck up the Northern mail at the Chain of Ponds that 'Thunderbolt' would be making his way down to his old haunts in that direction, Shannon, believing he had discovered his usual track to the Monkey, obtained the assistance of another constable in that vicinity, and with him secreted himself in a brush in a solitary mountain glen, near the junction of the Little and Chichester rivers, known as Gum Flat. After some time, believing it would be better to remove their horses to a distance from what he supposed to be 'Thunderbolt's' track, he directed his mate, Constable Cleary, to do so. During the constable's absence, Shannon heard a noise, and believing it to be his mate returning, looked up, and his eyes met, not his mate, but the redoubtable 'Thunderbolt' himself riding a fine black horse and leading a bay. 'Thunderbolt' saw him at the same moment. Shannon immediately called upon him to surrender, a demand to which he replied by suddenly wheeling round and placing the led horse between himself and the constable's levelled weapon, and the poor brute received the rifle ball intended for the bushranger, who, setting spurs to the magnificent beast upon which he was mounted, was out of sight before another bullet could be despatched after him. Senior-constable Shannon,

who seemed much annnoyed at not having taken his man, deserves every credit for the very energetic, persevering, plucky way in which he has, almost single-handed for months past, been endeavoring to apprehend the notorious scoundrel. His measures taken on this occasion were most judicious, and would most likely have been successful had it not been for the unfortunate absence of his mate at the critical moment. . . It being well-known that this part of the country is 'Thunderbolt's' home, it seems a great oversight that a party are not tracking him in this direction, as, however meritorious our constables may be, it is impossible that a couple of men (all that can be spared from other duties) can cope with a fellow who knows every inch of the country, has command of all the best horseflesh, and is known to be the best bush rider in the district. We rode out to see the horse, and met him at a free selector's about five miles from here, and about two from the scene of the encounter. He is very lame, and has bled a great deal, the ball having entered his off-shoulder near the neck, coming out in an oblique direction at the opposite shoulder a little lower down."

But at the very time the readers of the newspaper were perusing this rather sensational account, and commiserating the police on their bad fortune, "Thunderbolt" was making more easy conquests on the road. His next achievement was the robbery of the Northern mail between the Chain of Ponds and the Dam Bridge, with the driver of which he had previously formed an acquaintance not relished by him. The coach was being driven quietly along by driver Smith, who had for a companion on the journey a single male passenger, Mr. Yeo, the Scab Inspector, when a horseman rode past. By the light of the coach lamp Smith saw that the horseman was a suspicious-looking person, and told the passenger that

he believed him to be "Thunderbolt." His suspicions were confirmed shortly afterwards by the horseman returning and shouting "Bail up!" at the same time presenting his rifle. As he pulled up Smith said "This is not fair, you should not stick me up twice in a fortnight," but "Thunderbolt" replied. "It is no matter to you, I'd stop and rob my own brother." He then asked Mr. Yeo if he had any money, and receiving a reply in the negative, he ordered the driver to throw out the mailbags. But this the driver refused to do, and the bush-ranger dismounted and ordered Mr. Yeo to "hand out the bags," at the same time presenting a revolver at his head and threatening to shoot him if he did not move promptly. Mr. Yeo then gave out all the bags but one, and "Thunderbolt" emptied all the letters into one bag, re-mounted his horse, and rode away into the darkness.

About a month after this, "Thunderbolt" made his appearance at the house of a settler on the Goulburn River, near Muswellbrook, as a petitioner, and not as a freebooter. To the woman of the house he told a story which at once aroused her pity. His faithful mistress was sick unto death, and he desired to secure for her a little comfort during her declining hours. He had nursed her for some time in their secret camp, but the rough life which she had been compelled to lead and the constant anxious look-out which she had kept had undermined her health, and she was slowly dying. Would Mrs. Bradford take pity on her, admit her to the shelter of the house, and permit her to breath her last beneath a roof? This was "Thunderbolt's" appeal. It would not be safe for him to attempt to bring the woman to the house, but he would describe the place so that it could be easily found if Mrs. Bradford would agree to perform this act of charity; otherwise, he would seek aid from the clergyman

(Rev. Mr. White), who happened to be in the neighborhood, and ask him to report her condition to the police, and have her attended to, for he must leave the district, which was getting too warm for him, at once. Mrs. Bradford readily consented to do as "Thunderbolt" desired, and herself proceeded to the spot described by him, and found the poor half-caste woman lying helpless and speechless in an extemporised camp near a cave on the mountain side, sheltered from the sun's rays by some boughs. Without delay a cart was procured, and "Yellow Long"—that was the name by which she was commonly known—was slowly carried to Mrs. Bradford's house. "Thunderbolt" had stated correctly that she could not live many hours. It was seen that she was dying, and while one messenger went to inform the police another was despatched for the clergyman. The latter arrived shortly before the woman died, and the police, with Dr. Brown, whose services they had thoughtfully solicited, immediately afterwards. An inquiry was held before Mr. J. Hungerford, J.P., next day, and a *post mortem* examination revealed the fact that death had resulted from acute imflammation of the lungs, brought on by exposure. It was only natural, of course, that "Thunderbolt" should seek aid and shelter for his faithful paramour in her dire extremity, and it was not less natural that he should desire for her decent burial after death. Yet, in comparison with some of the early bushrangers, he was singular in this respect. The reader may remember how Michael Howe turned upon the woman who had served him so faithfully and in cold blood shot her down when she was running by his side endeavoring to escape form the police.* The sick woman must have been a constant source of danger to "Thunderbolt" during the

* "Story of Australian Bushranging"—No. 1.

month preceding her death, yet he tended her carefully until all hope of recovery had fled, and did not scruple to reveal his hiding-place in order to secure for her an easy death-bed. When the police subsequently visited the camp they found one of the bushranger's horses tied up near the place ; but the bushranger himself had disappeared, and search for him proved fruitless.

For several weeks nothing was heard of him, and many persons concluded that he had carried out the intention expressed to Mrs. Bradford, and left the district. But all uncertainty on the point was set at rest one morning by the report that he had been seen and chased—ineffectually of course—by the police. Owing to the frequent raids made by "Thunderbolt" on the mails and travellers, police were told off to patrol the roads between certain places, and while carrying out that duty two troopers unexpectedly came across him when shoeing his horse in the bed of the Namoi River, near Manilla. Not expecting to find him in that locality they were proceeding leisurely on their way, talking rather loudly as they rode, when they suddenly espied a horseman in the river's bed. There was a mutual recognition, and simultaneous excited movements, the troopers on the bank, which at this spot was very steep, riding at good speed towards a point which they knew would afford the man below an opportunity of ascending to level ground with them, and the bushranger pressing forward at top speed, eagerly looking for a tolerably easy spot to climb. He discovered that spot before the troopers could close upon him, and facing his horse at the bank he scaled it within view and almost within range of his pursuers. Then ensued a rather exciting chase for a couple of miles; but "Thunderbolt" was riding a very fine blood animal which he had stolen

from Mr. Clift, of Breeza, and almost without effort he outpaced the horses ridden by the troopers, and disappeared in the bush, one of his pursuers firing a harmless shot after him.

For fully two years after this harmless encounter "Thunderbolt" remained at large, making occasional raids on travellers, coaches, and wayside stores, and then hastening back to some close retreat in the mountains. But in May, 1870, his long career was brought to a close, and in a manner as sudden as it was unexpected. He was at this time plying his vocation in the neigbourhood of the little town of Uralla, and the inhabitants were one afternoon at about dusk thrown into a fever of excitement by the intelligence that the bush-ranger was at that moment engaged in sticking-up travellers and others at Blanche's inn, about three miles from the township. The news was brought in by a hawker who had himself been robbed by "Thunderbolt," but who had obtained permission to proceed on his journey, taking the road leading away from the town. At a convenient spot, however, he turned and made all haste to Uralla, where he made his errand known to the police, and Senior-constable Mulhall, the officer in charge of the station at once started out for the scene of operations, instructing Constable Walker, the lock-up keeper, to follow him as soon as he had changed his uniform for a private suit.

Approaching Blanche's place Mulhall saw two well-mounted men talking together near a garden at the end of the inn, and at once concluding that one of them was "Thunderbolt," he galloped forward and fired his revolver. But it is one thing to screw one's courage to the "sticking point" and another thing to keep it there; and so Mulhall proved. Either his horse or himself took fright at the sound of the

shot—we may charitably suppose it was the horse ; for during a lengthy connection with the force Mulhall's courage was never called in question—and the next movement was a retreat. But the timid horse had not gone many hundred yards back towards Uralla when Walker was met with.

Pointing to the men in the distance, Mulhall said to Walker, "There are the wretches—I have just exchanged shots with them" ; and Walker then advanced by himself, the men at the same moment separating, one of them coming along the road and the other starting off at a gallop through the bush. Rightly concluding that the latter was the man he wanted, Walker put spurs to his horse and galloped after him, but coming into contact with a sapling where the bush was thick he "came a cropper," although he managed to stick to the reins. Just as he fell the bushranger turned in his saddle and fired, the ball whistling close to Walker's ear.

Quickly remounting, the constable resumed the chase, and he then saw that his man was trying to double round the paddock which adjoined the garden with the object of getting back to the main road. Putting his horse to his best speed he managed to block the way in that direction, and forced the bushranger into a small gully and through some swampy ground up a hill on the other side. From this vantage point the bushranger again took aim and fired upon his pursuer, but without result, and he then galloped up to some large granite rocks at the edge of the waterpool, and plunged into the water and swam over, leaving his horse on the other side. But Walker was "up to the dodge." He saw that the design of the bushranger was to "spell" his horse, double round the hole to him if his pursuer followed where he was so strangely taking his bath, and thus have a clear escape back to the road again. He thereupon turned his attention for the

moment to the horse, and riding up to him sent a revolver bullet through his brain. By this means he literally destroyed the enemy's boats, and forced him to an encounter.

Having destroyed the horse, the plucky constable then rode round, crossing a narrow slip of water with which the hole was connected with another of somewhat similar dimensions. The water formed a chain of ponds, and "Thunderbolt," making another dash, got across the narrow strip, and had just reached the top of the bank when his pursuer reached the edge of the opposite side. Here the two men paused, facing each other, and the bushranger spoke. "Who are you?" he asked. Walker replied "Never mind; surrender." "Are you a policeman?" queried the other. "I am; you surrender." replied his opponent. "What's your name?" again asked the bushranger. "My name is Walker." "Have you a wife and family?" asked the man of the road. Walker replied "I thought of that before I came here; you surrender." "Thunderbolt" replied "No; I'll die first"; and then Walker stuck spurs into his horse, and crying out "You and I for it!" sought to urge his animal across the water separating him from his opponent. But his haste nearly cost him his life. As the horse jumped forward under the spur-stabs he missed his footing and plunged into the creek almost head first, and before he could recover his footing the bushranger rushed forward and endeavored to pull the constable from the saddle into the water, his object no doubt being to either disable or kill his opponent, and then escape on his horse. That he did not succeed in his object was not his fault, for he was a strongly-built, muscular man, while Walker had only just recovesed from a long sickness, and if it had been a mere test of strength between the two men the constable must have gone under. But the latter

was fortunate in having reserved one charge in his revolver, and in having kept the weapon out of the water. At the critical moment he managed to press the revolver against the bushranger's body and pull the trigger. Simultaneously with the discharge of the piece "Thunderbolt" uttered a cry of rage and pain, and staggered back, but speedily recovering himself—although, as was afterwards seen, the bullet had passed clean through his body, tearing his right lung and coming out at the back—he made another clutch at his opponent. Walker knew that he had fired his last shot, and he at once turned the revolver and used it as a club, striking his assailant on the head and knocking him back into the water, which at this spot was about four feet deep. Walker then jumped from his horse and dragged his fallen foe to the bank, where, after giving two or three gasps, he expired.

Night had now fallen, and the officer, leaving the body of the bushranger on the bank of the lagoon, rode back to Blanche's, near which place he again met the man whom he had seen with "Thunderbolt" on his arrival. Thinking he was an accomplice, Walker, who was now without ammunition, boldly called upon him to surrender, which he did, but explanations following it transpired that the man, who was a drover, had some horses in his charge, and had himself been "bailed up" by the outlaw, and the horse the constable had shot was one that "Thunderbolt" had taken from him and was giving a trial to. This explained the attempt made by the bushranger to double back to the inn, whe he had left his own horse—a splendid thoroughbred; and had he succeeded in doing this he would have easily shown his pursuer a clean pair of heels.

Having informed the people at Blanche's inn of what had taken place, Walker started with some of them to

remove the body of the dead bushranger, but owing to the darkness of the night the exact spot where the body lay could not be found, and it was decided to abandon the search until the following morning. No difficulty was experienced in discovering the spot in the daylight, and the body having been removed to Uralla a magisterial inquiry was held before Mr. Buchanan, J.P., and a verdict of justifiable homicide was returned. The body was fully identified as that of Frederick Ward, *aiias* "Thunderbolt," by several witnesses, including Sergeant Bell, of Armidale, who had been a warder at Cockatoo Island during "Thunderbolt's" incarceration there, and a man who had been engaged with him near Mudgee in horsebreaking. The boy bushranger, whose term of imprisonment had just expired, also saw and fully identified the remains as those of his outlaw mate ; and when those remains were interred in a corner of the general cemetery at Uralla, no sighs or tears of mourners added to the solemnity of the proceedings.

Walker received the reward which the Government had offered for "Thunderbolts's" capture, and in due course was further rewarded by promotion in the ranks of the force of which he had proved himself so useful a member.

What "Thunderbolt" had done with all the money he had taken during his bushranging career was a mystery which no person was able to solve, and to this day that mystery remains unsolved. Unlike many of the other "men of the road," he had very few friends in the district to which his depredations were confined, and his "takings" could not have been dissipated in gifts as "hush-money" or payments for services rendered as "telegraphs." The general impression was that he had "planted" the bulk of the spoil

in the bush, and that impression was strengthened by a discovery that was made twenty years afterwards in a cave which had been used by him and his half-caste paramour near the Goulburn River. A lad was hunting for birds' eggs at this spot in 1890 and found an oil-bottle containing a large number of £5 Commercial Bank notes. The notes were damp and mouldy, and it was only with difficulty that the numbers could be deciphered on some of them, the pulpy mass being neither good for ornament nor use. There can be very little doubt that the notes were hidden by the bushranger in readiness for the flight which he contemplated making with his dark-skinned companion, but all hope of which had been destroyed by the latter's illness and death, and the tragical ending of his own career in the encounter with Constable Walker. Neither "Thunderbolt" nor his bosom companion enjoyed their ill-gotten gains even for a short time, for while they possessed the stolen money it was a burden to them, and their expectations of getting away with it were cut off in a manner both sad and sudden. It was the old story repeated—the hard way of the transgressor, ending in a death of ignominy and shame.

CAPTAIN MELVILLE.

THIS man was one of the most notorious of the Victorian bushrangers. He was a rogue-gentleman rather than a gentleman-rogue, although that was the dual term applied to him by one who had an opportunity of watching his career. After he had "taken the bush," which he did without any of that pressing necessity which others of his calling have given as an excuse for their lawless deeds, he appeared to aim at distinguishing himself in peculiar ways. Daring to a degree, he would face any danger—would sometimes, indeed, run to meet it, apparently for the purpose of shewing how cleverly he could extricate himself. He loved notoriety, and won it very easily; and although he was detested and feared by all who resided in the districts raided by him, he sometimes committed his depredations in such a way as to cause even those who were robbed to smile under the "operation."

It is not my intention to follow him through his course, or narrate the different outrages committed by him; but one of the episodes in his career partook so large of the humorous and gives so clear an insight into the character of the man,

that I cannot pass it over. Here is the story, as told by an old colonist who made his acquaintance—not with advantage to himself—during the time that the Captain was the terror of the Western district, in the year 1853 :—

One day, just before sundown, the Captain rode up to the station of a Mr. McKinnon, and after giving his horse to the care of one of the men, with strict instructions to look after him, walked boldly into the drawing-room, made himself comfortable in an easy chair, placed his revolver on a small table before him, and rang the bell. He told the terrified girl who answered his summons to tell her master that a gentleman desired to speak to him. In a few minutes Mr. McKinnon made his appearance, and was astonished to see a stranger seated with such an air of proprietorship in his favorite chair. The Captain rose, and bowing, said "Mr. McKinnon, I believe." "Yes," replied that gentleman. "I hope you will pardon this somewhat unceremonious visit," continued the Captain, as he played gently with his revolver, "but I felt that I was in need of a little relaxation after my late mental and bodily fatigue, so I thought a little music would be the best thing to rally my drooping spirits, and I have heard that your daughters are accomplished musicians, so if you will summon them we will make a night of it." Mr. McKinnon objected, and said that his daughters were going to a ball at a neighboring station, were ready dressed for it, and he was not going to keep them at home to play for him.

The Captain's pleasant smile vanished at once, and his features settled with a determined expression as he said, "Well I shall have to make you do it, whether you like it or not, and summoning the servant, said, "Your master wants his wife and daughters and all the servants in the house at

once." Tne girl departed on her errand, and Mr. M'Kinnon made a move to leave the room. "Stop!" roared the Captain. "Another move and you're a dead man. Sit down in that corner and don't move till I tell you." Mr. M'Kinnon obeyed, although he could not help smiling at the ludicrous position he was placed in, when in trooped his wife and daughters, looking charming in their brilliant dresses, followed by all the servants.

The scared servant girl had imparted a little of her alarm to the ladies of the house, who entered the room rather timidly, and there was a sudden paling of the cheeks as they saw that the fingers of the "gentleman visitor" were fondling a revolver. They knew without being told that they were in the presence of the notorious bushranger whose exploits had frequently formed the topic of conversation in the domestic circle. At the sight of the ladies the Captain's face regained its pleasant smile. He prided himself upon being the Claude Duval of Australian bushrangers, and so was very polite to Mrs. M'Kinnon and her daughters, saying as they entered the room, "It is needless to tell you, ladies, who I am, but I must apologise for preventing you from going to the ball. I thought an evening of music in pleasant company would be entertaining, so if you will throw off all reserve and restraint we will begin." Mrs. M'Kinnon asked if it was necessary for the servants to be present. "Certainly it is," he said; "poor things, they will enjoy themselves and be kept out of mischief." He then opened a small cupboard and brought out a bottle of wine. After taking a glass he made the servants move the piano near the door. Sitting at the instrument he had a good view of the room, and made it impossible for anyone to leave without passing him. He began to sing

In a clear tenor voice that beautiful song of Moore's :—

Sweet Innisfallen, fare thee well
May calm and sunshine long be thine.
How fair thou art let others tell,
To feel how fair shall long be mine.

When he had finished the song he asked one of the girls to sing or play. After a little pressing she complied, and sang a touching little song, which seemed to please him immensely. Turning over the music he came to one of Mendelsshon's weird nocturnes. Placing it on the stand he began to play, and soon everyone in the room felt the influence of the music.

It was a strange scene. The man at the piano dressed in the garb of a bushman, the lamplight playing on his rough handsome features ; his revolver within easy reach. The girls in white dresses sitting round the room listening intently and with wondering eyes to the music. The servants crowded together at the further end of the room conversing in low whispers. The head of the house sitting meekly in his corner pretending to sleep, while his wife sat dignified and stiff opposite him.

Suddenly a noise is heard in the passage ; the music abruptly stops ; the captain grasps his revolver and listens intently. A step is heard approaching the door, and next minute a police officer stands in the doorway. He is instantly covered with the bushranger's revolver. Though a brave fellow he turns pale before the determined-looking man and his murderous weapon. " Throw up your hands," calls the Captain. The officer paused for a moment, then banging the door he caught hold of the handle and held it with all his strength whilst he whistled to his men. Two troopers came running in. They were ordered to watch the windows, and the officer began congratulating himself upon a clever capture.

But the captain was too quick for him. Excusing himself to the ladies for his hasty departure, he leapt through the open window and disappeared among the shrubs of the garden just as a trooper ran round the corner of the house. A shot was fired after him without effect. The officer came up puffing and swearing at the man for being so slow. "Look sharp and catch his horse," he roared; but it was too late. A shrill whistle answered by a neigh was heard, and the captain's horse raced past them to where his master was waiting. The troopers had the mortification of hearing a loud burst of ironical laughter, as the captain rode away.

But he was not always so successful in escaping. He was captured at last, and being tried on different charges of highway robbery was convicted and sentenced to penal servitude for thirty-two years. Daring and reckless while beyond prison walls, he became desperate within them, and while there the demoniacal portion of his character received its fullest development. It was not the ordinary gaol that he was consigned to, but that "floating hell"—the convict hulk "Success," into which were drafted the worst of the prison crowd of Victoria, swelled to abnormal proportions through the influx, attendant upon the newly opening gold-fields, of the worst of the criminal population of the other erstwhile convict colonies. The Victorian Government had purchased the vessel and converted it into a prison hulk, the occupants finding their "hard labor" in improving the harbor accommodation of Williamstown.

Captain Melville found congenial spirits within the upper and lower cells which had been constructed in this floating gaol, and finding that the chances of escape were very small he joined them—nay, led them—in revengeful assaults upon the keepers. Owing to his known desperate character

he was at first kept in solitary confinement in one of the cells below the deck, but was allowed to come out on deck for a short time each day for exercise, being well-guarded by armed warders. On one of these occasions he made one of a gang of ten at exercise, and as he was loitering behind his companions he was ordered by the warder—Sergeant Graham—to "close up," whereupon he deliberately stepped out of the ranks and insolently insisted upon being addressed more respectfully. He was at once ordered to the cell, Graham accompanying him on the way. Arrived at the cell the warder proceeded to remove the handcuffs from Melville's wrists, but he had no sooner done so than Melville sprang upon him, clasped him round the neck and deliberately attempted to bite his nose off. Fortunately for Graham there was another warder near at hand, and he at once jumped on Melville's neck and bore him down, enabling his companion to escape. The latter at the same instant dealt Melville a heavy blow on the head with his baton, and that fight was over. The punishment for this attempt at mutilation was twenty days' solitary confinement on bread and water, and having been sent to the cell to serve that sentence, Melville, the would-be nose-chewer, became very violent, and it was found necessary to chain him to a ringbolt which had been fixed in the cell for that purpose. To make his punishment more severe the authorities chained the unfortunate wretch in such a way that he could not lie down. The third day, however, a merciful wave swept over the floating hell, and Melville's chain was lengthened, so that he could obtain partial rest by frequently alterlng his position; but even with the lengthened chain he could not stand or sit or lie down property. The other convicts on board, hearing the treatment which was being meted out to their popular

companion, gave expression to their sympathy for him and anger at the authorities by creating a great disturbance, shouting and yelling and hammering the doors of their cells—more they could not do, or they would have done more; and this resulted in a general distribution of "solitary" sentences, but it was some time before the disturbance could be quelled.

It will be readily understood that a man of Melville's stamp was not reformed by treatment of this kind, and while pursuing his labors subsequently, breaking stones at Gellibrand Point in the daytime as a member of one or other of the stone-breaking gangs that regularly left the "Success" for the land in the morning and returned in the afternoon, or cogitating in his cell during the long hours of the prison night, he "plotted mischief more." As I have said, he was a leader, having power to influence the less intelligent but equally brutalised convicts among whom he was "putting in time." It was not surprising, therefore, that an effort should be made to overpower the guard and escape at the first favorable opportunity that presented itself. That opportunity came, or Melville thought it had come, in October, 1856. Between 40 and 50 of the "hulkers" had been taken to the Point on that morning, and after breaking stones all day had been mustered about 5 o'clock in the afternoon for embarkation. They entered the launch that was to convey them to the "Success," moored in the bay. A small boat containing warders named Owen Owens and John Turner, and others, was in front of the launch in which the convicts were huddled, for the purpose of towing her to the hulks. The shipkeeper of one of the sister hulks, the "Lysander," was in charge, and observing an unusual crowding of the convicts in the bow of the launch he ordered four or five of them aft, so that the boat might be more properly trimmed. They obeyed the

mandate, but this did not prevent the convicts from attempting to carry out a design that had evidently been carefully planned. The launch had been towed about 200 yards from the shore when some of the prisoners seized the tow-line, and hauling her quickly up to the boat in front, nine of them, headed by Melville, jumped into the boat and cut the line, the leader before rushing the boat having bodily seized the ship-keeper and pitched him overboard. Before they could offer any resistance Turner and the others in the boat were served in like manner, with the exception of Owen, who was knocked into the bottom of the boat. Having "cleared the deck" of its official occupants, the nine men seized the oars and commenced pulling vigorously, with the idea of escaping from the harbour. A more insane attempt at escape was never attempted, for the harbour was full of shipping, and the boat was within range of the "Success," upon the decks of which the armed guards were stationed. The latter were eye witnesses of the seizure of the boat and the summary ejectment of the first occupants, and they immediately opened fire upon the mutineers, two of the latter being struck by the bullets, one of them being killed on the spot. While this was going on an attempt was made to throw Owens overboard, but the warder resisted, and Melville then rushed upon him and struck him two fearful blows with the hammer which he had been using during the day upon the stones. With skull smashed in Owens's still quivering body was then picked up from the bottom of the boat and flung overboard. The convicts still continued to ply the oars, making for a schooner which was lying off the Point, and which they evidently intended to seize; but before they had gone far the water police boat had overhauled them, and seeing that the game was lost the convicts surrendered, and were at once manacled

and taken back to their quarters in the "Success."

Three lives had been sacrificed in this mad freak of the convicts—Turner, Owen, and one of the convicts being the victims. The nine men, including Melville, were subsequently tried for the murders, and, being convicted, were sentenced to death. But that sentence was set aside on a technical point, and they were reprieved. Before the knowledge of the commutation could reach the erstwhile bushranger, however, he had taken matters into his own hands, and had strangled himself with a pocket-handkerchief in his cell. Thus by his own hand he brought to a close a career which from first to last had been distinguished for lawlessness and crime.

When introducing him to the reader I mentioned that he was born at sea; but that statement has been contradicted by some who professed to know all about him, and they declare that he first saw the light either at Perth or Paisley, in Scotland. All agree, however, that he came to the colony when very young, having been transported to Port Arthur, Van Dieman's Land, when a boy for stealing a potatoe pie from a countryman's cart. He came out in the "Minerva" with a convict "cargo" of over 100 other boys. Shortly after his arrival he absconded from a road gang with two other older "hands," and with them "took the bush." They were out for five or six weeks before they were taken; and as they were under arms when they were arrested they were sentenced to death; but Melville (he went by another name —McCallum—at that time) was subsequently respited, and a life-sentence was passed upon him. Five years of the time were "put in" at Port Arthur, and then he was removed to Hobart Town and assigned to a man in Launceston. But from this service he absconded, and reached Port Phillip as a

stowaway in the brig "Melbourne" in 1852. Making his way to Ballarat he mixed for a time with the diggers; but a miner's life not being congenial to his taste he assumed the *role* of bushranger, which "profession" he followed, as already described, until he was compelled to change the bush for the gaol, from which place he escaped by destroying his own life. As a bushranger he was not by any means so bloodthirsty as some of his compeers, but as a prisoner it is questionable whether the gaol authorities, even in the older convict days, had many worse characters under their charge than Melville proved to be, although he had "done time" sufficient to habituate him to the life within cell walls.

THOMAS LAW, *alias* "MIDNIGHT."

DURING the latter part of 1878, on the Macquarie River, N.S.W., a bushranger of most desperate character had a "run," both short and bloody. His proper name was not known, but he was entered in the gaol register as Thomas Law, *alias* George Gibson, *alias* Harry Wilson, *alias* "Midnight." Before appearing on the Macquarie he had been a confinee in Parramatta Gaol, but had escaped. All efforts to trace him had proved ineffectual until the latter part of 1878, when he came into collision with the police in the "back country" through appropriating other people's horses. In the year mentioned the police connected with the Dubbo station managed to "locate" Law and a man said to be his brother, and warrants were issued for their apprehension on charges of horse-stealing. The men heard that they were "wanted," and

immediately adopted all means known to them for evading the police. For a length of time they were successful, but at last the diligence of the officers of justice in that portion of the north-west was rewarded. They found their men, but, as the sequel will show, it had been better for at least one of the officers of police had he never heard of "Midnight."

News of the whereabonts of the Laws having been communicated to the police at Dubbo, the supposed brother of "Midnight" was arrested, and the tracks of the bushranger himself taken up. This was in September, and the parties engaged in the search for the horse-lifter were Senior-sergeant Wallings and Constable Walsh, of Dubbo, and Senior-constable Souter, of Warren. It having been reported that Law was in hiding at Mrs. Mills' inn, the two former officers arranged to meet Senior-constable Souter near the spot, and the three, having camped for the night within sight of the place, on the following morning proceeded together in the direction of Mills' house. They had no rifles, but were armed with revolvers, and when starting Sergeant Wallings remarked to Walsh that they had better bring plenty of ammunition, jokingly adding "for one of us might get a ball through him." Poor fellow! he little thought that he was foreshadowing his own doom. They reached the inn shortly after six o'clock a.m., and Sergeant Wallings at once made disposition of his men as follows:—Walker took up his station at one side of the house, and Walsh at the stables, about 20 or 30 yards at the rear of the inn, Wallings himself dismountfng and giving his horse to Souter, intending to go up to the house on foot. Before he could do this, however, Walsh observed a man emerge from the back of the house, carrying a gun and a rifle, and he at once directed Souter's attention to the circumstance. Souter immediately called to the sergeant to take his horse,

while he started to ride after the man, whom he challenged and called upon to stop; but the man took no notice of the challenge, and kept moving on, although he half turned to say "If you came a step farther I'll shoot you." Souter then fired a shot over his head, but this only had the effect of accelerating the man's speed, and the senior-constable then motioned to Wallings and Walsh to ride through the slip-panel into an adjoining paddock, which was surrounded with a wire fence, with the view of intercepting the runaway. They at once started, and Souter fired two more shots from his revolver, Walsh also firing a shot without effect. What then transpired is best told in Souter's own words. "At this moment," said he, "Sergeant Wallings and Walsh closed on him, and I heard the sergeant call again upon the man to stand, upon which he turned and raised the rifle to his shoulder. Upon this Wallings fired at him, and the man then dropped on one knee and called out something, which I did not hear, and fired, after which he started running again in the direction of a cross-line of wire fencing. Sergeant Wallings fell from his horse a few paces from where the shot was fired at him, and his horse bolted and ran through, or rather tumbled over, the wire fence. The man then got through the fence, and from behind a tree covered me with his rifle, being then about 50 paces from me; and seeing that he had me at a disadvantage, being covered by the tree, I made towards Constable Walsh. The man then started to run for the bush, and as he did so I fired at him again. Constable Walsh then called to me 'For God's sake come, I think the sergeant is shot dead.' I hung up my horse to the fence and went over to where the sergeant was lying. He appeared to me to be dead. I opened his waistcoat, which was covered with blood, and saw a hole in his right breast, as

if made by a bullet. Seeing that the sergeant was dead, I left Walsh in charge of the body and went to Wonbobbie Station, about a mile distant, and reported the matter to Mr. Bird, J.P., lessee of the run. On returning I saw some men carrying the body towards the inn, and it was subsequently conveyed in a cart sent down by Mr. Bird to Wonbobbie."

Walsh's story was to the effect that as he and the sergeant approached the man—of whose identity they were not then certain—the latter put the rifle to his shoulder and called out "I'll shoot you, you ——." The sergeant called upon him to stand at the same time riding close up to him with his revolver pointed, the distance between them being only six or seven yards. The man fired and the sergeant fell on the horse's neck, upon which Walsh fired, but without effect. Immediately upon this the man took aim at Walsh and fired, the shot striking his horse on the ear and causing it to bolt for some distance down the fence. When he turned he saw that the sergeant was lying on the ground, and that his horse had got through the fence which the man had previously crossed. Walsh then rode up to where Wallings was lying, and found that he was dead, the ball having penetrated his breast, from which a great quantity of blood was flowing.

Two days afterwards a magisterial enquiry was held by Mr. Bird, whose finding was that death had been caused by a gunshot wound inflicted by a person concerning whose identity no conclusive evidence had been furnished. At the inquiry a *post mortem* examination was made by Dr. Tibbets, and it was then seen that the ball, which the doctor could not discover in the body, had penetrated both lungs and heart, causing instantaneous death.

The news of the death of the deservedly popular sergeant

came as a shock to the people of Dubbo, among whom he had resided for many years. He had been in the police for nearly a quarter of a century, but was only 40 years of age when thus ruthlessly murdered. The remains were removed to Dubbo and there interred, the funeral being more largely attended than any which had previously taken place in that locality.

The reader will have observed that neither of the constables who were present at the shooting of the sergeant could identify his murderer as Law, but many days had not elapsed before one of them at least had an opportunity of closely examining him, and in the light of the description given of him in the *Police Gazette*, identifying him as the Parramatta escapee. At this time the bushranger himself was a corpse, having been tracked and shot down by the police from a neighboring station in that sparsely-populated district. The story of the search and shooting may be briefly told.

As soon as the news of the shooting of Sergeant Wallings reached the Dubbo Police Station, Sub-inspector Grainger, Constables Purcell, Walsh and O'Brien started in pursuit of the murderer, while Constables Baker, of Warren, and Sub-inspector Duffy, of Bourke, with Constables Hatton and Grey also went out in search. It fell to the lot of the Bourke party to avenge the death of their comrade in arms, and how they did it was subsequently told by Constable Hatton, whose story ran as follows:—

"Having received certain information I went to Enngonia in company with Senior-constable Duffy and Constable Gray. Between ten and eleven o'clock on the night of the 2nd October (twelve days after the murder of Wallings) I heard horses crossing the road about 300 yards

from Kerrigan's public-house. I went with Constable Gray to meet the horses, and when we arrived near I saw a man on the ground with three horses. I called out 'Who is that?' The man jumped on the horse he had been riding. I again called upon him to stand. He moved, and I said 'Unless you stand I'll shoot you.' He at once inquired 'Who's that?' and galloped away through the scrub. I fired two shots at him, being about twenty yards distant. When he galloped away he left behind him the two horses. One was packed, and the other had a saddle on it. I took these horses to the hotel, and, on searching the pack, I found a Sneider rifle and revolver. Both were loaded, and were in a coat on the top of the rack. There was also a bullet mould, and a powder flask nearly full, some provisions and a purse containing money. The rifle and revolver produced are those which I found upon the pack-horse. Gray and I saddled up the two horses and went in search, and remained out for about two hours. On the following morning Mr. Sub-inspector Duffy, Constable Gray and the black tracker followed on the tracks from Enngonia all that day. We kept following them until between ten and eleven o'clock of the morning of the 5th instant. We then saw a chestnut horse that was tied up in a mulga scrub near the Maranoa Station, near the Queensland border. It had a saddle and bridle upon it. I galloped up, and then saw a man just rising up from the ground, and who, it would appear, had been asleep and was awoke therefrom by our arrival. Constable Gray and myself got in and stopped between the man and his horse, which, as I have said, was then tied up at a distance of about twenty yards, in a thick scrub. I had my revolver in my hand, and at once commanded him, in the Queen's name, to surrender. I said 'We are constables.' I also told him to put up his hands or

I would shoot him; and I repeated this four or five times. Constable Grey was also telling him to put up his hands, and at one time I thought he was putting them up. He was then in a sitting posture, and I said to Constable Gray 'You jump down and handcuff him, and I will keep him covered.' At that Law jumped up, ran past my horse, and under Constable Gray's horse's neck, to his own horse, which was tied up to a tree. He grabbed the reins on the off-side. I fired at the horse three times to prevent Law from escaping. The horse kept moving along, the man having the reins in one hand whilst the other was upon the saddle. He also had one foot in the stirrup, and was trying to mount from the off side. At one time he nearly got into the saddle, and I had my revolver levelled straight at him to fire, but did not do so, as he fell backwards. The horse then plunged round. At that time I was firing another shot at the horse and I believe it was that shot which killed Law. I am not by any means certain, as I never fired one shot at the deceased. All the shots fired by me were at the horse. I fired five times altogether. When I fired the last shot the horse deceased had made a plunge and fell, and the deceased fell also and remained upon the ground. I then immediately jumped off my horse, caught Law by the hands, and called upon Constable Gray to put the handcuffs on him. This I saw done. I examined Law and found a hole made by a bullet which had pierced his left side above the hip bone and appeared to have come out below the right hip. I then arrested Law on the charge of having murdered Senior-sergeant Wallings. He exclaimed: 'Oh! I'm done. It serves me right.' He also said, 'I've no one to blame but myself. I have run to all this.' I then asked him his name, and he replied, 'That doesn't matter. It doesn't matter what my name is, let me die.' He subse-

quently said to me, 'My name is Harry Wilson.' I sent to Maranoa Station for a cart into which we lifted the deceased and brought him to Wapweelah Station, where he died on the following morning. Previous to his death he complained very much of great pain, and said 'There was a chance of my escaping. But if I was arrested there was no chance.' He said also, 'If I had been arrested at first I should have got years and years for horse-stealing. Oh! that I had the world for my rifle, I'd learn some of you to be merciful.' The saddle, bridle, and pouch now produced are those which I found upon the chestnut horse. The pouch was full of Sneider cartridges, and they fit the rifle which was taken from the pack-horse on the 3rd instant. When we came to where we saw deceased lying down he had neither coat nor hat on. I received a description of Thomas Law, *alias* Gibson, which agrees in every particular, with the exception of the height. I examined the body and found certain scars and moles upon it which agree fully with those mentioned in the description."

Constable Gray's story corresponded in every essential particular with that told by Hatton, but he furnished one or two details omitted by his companion. As soon as he saw the bushranger attempt to reach his horse he turned in the saddle and fired at the animal, but the shot not taking effect, he fired a second time and the bullet struck the horse through the saddle flap. A third shot was also fired by Gray which struck the horse at the girth; and as the bushranger was at that time endeavouring to clamber into the saddle on the other side, it was thought that one of these rifle bullets passed clean through the horse and inflicted the fatal wound upon the man. In reply to Gray's question as to his name Law replied "My right name I will never tell; I have lived like a dog, and like a dog I'll die—what I have been all my life." This

constable found in Law's coat pocket a handkerchief marked with the name "Jane Mills."

All doubt as to the man that was shot being the murderer of Sergeant Wallings was set at rest by Constable Walsh, who arrived at the station where he was lying dead, and fully identified him. He also identified a bridle and pouch found in the dead bushranger's possession as the property of the late Sergeant Wallings, and a saddle as the property of the Government.

At an inquest subsequently held all the facts now related were given on oath, and the jury returned the following verdict:—"We find that George Gibson, *alias* Thomas Law, being the murderer of Sergeant Thomas Wallings, was killed by a shot fired by either Constable Hatton or Constable Gray in endeavoring to shoot a horse upon which the said George Gibson, *alias* Harry Wilson, *alias* Thomas Law, was attempting to escape."

The body was buried near Wapweelah Station, those who performed the last offices doing so with a feeling of pardonable satisfaction that a violent death had come to one who by violence had taken the life of one of the most useful officers in the district.

"CAPTAIN MOONLITE."

THE proper name of this bushranger, who troubled the southern districts of New South Wales during the latter part of 1879 was Andrew George Scott, and his career was a most remarkable one. Born in 1842 in the North of Ireland, and brought up as a civil engineer, while still young he emigrated to New Zealand, where he served as a volunteer and saw some active service against the Maories, receiving several slight wounds during the latter portion of his service. From New Zealand he proceeded to Victoria, and being a man of good parts and tolerable education he sought and found employment as a lay reader in the Church of England at Bacchus Marsh. While in this position, however, he engaged in exercises other than devotional. Becoming friendly with the manager of the Egerton Bank, he found opportunity for a display of energies not altogether compatible with his religious calling. Masked and armed he one night entered the bank and single-handed "stuck-up" the manager and robbed the institution of its treasure, amounting to about £2000 in notes and gold, including a tolerably large sized cake of smelted gold. Although the manager did not at first recognise his assailant he was subsequently led to suspect him, but although he openly declared his conviction that

Scott was the robber the authorities did not believe him, and the manager himself was arrested and charged with the robbery, but the offence could not be proved against him, and he was discharged.

The details of this robbery, although it comes within the category of burglary rather than of bushranging, were so extraordinary that I may be pardoned for giving them *in extenso*. Egerton is (or was in 1869) a small town in Victoria, on the line of road between Geelong and Ballarat, of which latter it was a sort of mining tributary, and it was here that Scott was located as a lay-reader to a congregation in the township during the clergyman's absence in another part of the parish. There was a branch of the London Chartered Bank in the township, under the charge of the manager referred to above, named Brunn, who was the sole occupant at night of the building, a wooden structure only. The inhabitants of the place were for the most part miners, and the hotel and storekeepers who furnished them with provisions. Scott, who was sometimes called Captain and sometimes Parson, kept a horse, and occasionally appears to have visited neighboring townships of Gordon and Buninyong, now called Yendon ; but his means were slender, and he was considerably in debt. He lodged at a Mr. Morgan's in Egerton, and Brunn boarded with one Simpson, the house of the latter being near the bank, to which it was Brunn's habit to return between nine and ten nightly. For some weeks before April in that year considerable intimacy existed between Scott and Brunn, and the former was a frequent visitor at the bank, to every part of which he had access; but at the end of March that intimacy ceased, and Scott and Brunn rarely met. This was the state of things at the time

of the robbery, which took place on Saturday night, the 8th of May.

The story subsequently told by Brunn was to the effect that the night was very dark, and there was a drizzling rain, and as he was about to enter the bank a little before ten o'clock a man caught him by the shoulder and told him to be quiet or he would shoot him, at the same time cocking a pistol and holding it close to his head. The robber then ordered him to enter and close the door, which he did, and the two then proceeded to where the safe stood, the man first having told Brunn to deliver to him a revolver which was on the premises. In obedience to another order Brunn opened the safe and gave the robber its contents, which amounted in the whole in money or value (including a quantity of retorted gold, entered as 127 ounces, and five ounces of alluvial gold) to £1195. There were 318 bank notes, chiefly of the Chartered Bank, amounting to between £500 and £600 in all besides about £98 in gold and silver coin. After this the robber took Brunn to the bedroom and bandaged his eyes, and then went to the safe, striking there a light. Afterwards he ordered Brunn to accompany him outside, ssying that he would meet his mate there and tie Brunn in the bush. In the bank the robber talked of not knowing the bloody place, and asked for brandy; and outside he asked where the road ran, and where he could get a good horse, and whether there was not a "parson chap" thereabouts who rode one. During all this time Brunn declared that the robber, who had a black veil drawn tightly over his face, kept him covered with the revolver, and he was in constant dread of being shot if he resisted or called out; and being at the time in a bad state of health was completely unnerved. The robber told Brunn that there were two other men with him, one being close at

hand in case of need and the other having gone to a neighing township (Gordon) to rob the bank there. By this time Brunn had come to the conclusion that the robber was no other than Scott, but he did not venture to give any intimation of his discovery to the robber, and the two proceeded down the street. As Brunn and Scott passed along in the open two men came by, one of whom had a dark lanthorn, and to avoid observation Scott kept on the off side. The robber and the robbed went then to a stable, where the former said he had a horse; and thence, at Brunn's entreaty, to the village schoolroom—where Scott actually offered to sign, and did sign, a certificate, written at his dictation by Brunn, that the money had been taken by force and with firearms. Brunn said he wrote this by the light of a match or matches, produced by the robber, who, on signing the paper, made Brunn retire to another part of the room. The signature was "Captain Moonlite, Secretary." He moreover asked Brunn there, if any of the money was his own; and, on the latter saying yes, £10 15s (which was not true), Scott gave him £11 in half sovereigns. After giving him that money, Scott tied Brunn's hands with what turned out to be the bell rope, cut from where it had hung, and departed. In about 10 minutes Brunn mustered sufficient courage to cut the rope, and make a rush to the nearest miner's; who accompanied him to a Mr. Tanner's store, where he obtained horses, and at once rode into Gordon, a man of Tanner's accompanying him, the pair reaching that place at about midnight.

Brunn soon told his story to the accountant of the bank at Gordon, and then sought the services of two constables, who returned with him to Egerton; but after having heard all that their informant had to tell them, and having personally examined the bank premises and the schoolroom, without

finding any traces of burnt matches or other corroborativ signs—they looked for marks on Brunn's wrists also, but coul not find any evidence of their having been bound tightly wit a rope—they concluded that the manager himself was th culprit, and they accordingly arrested him and took him bac to Gordon. On the following day (Sunday) they also arreste the schoolmaster—a man of proved irreproachable characte —as an accessory, and charged him with having written th certificate which Brunn alleged had been left by Scott in th schoolroom, and which they found there. The constables coul not well, however, allow Brunn's assertions that Scott was th robber pass without notice, and they accordingly paid a forma visit to the "Parson's" lodgings, and made search for the tw pistols—the one used by the robber and the one taken fro the bank; but although there were several pistols in th room, none of them corresponded with those described b Brunn, and the officers of justice apologised to the gentlema for having subjected his room to the indignity of a search How could they do otherwise? for was not Mr. Scott a deco rous gentleman, engaged in a semi-sacred calling, appointe to officiate that very day in the little church on the hill? An was not one of the searchers a member of the Church Com mittee who had employed him to take duty with the full ordained clergyman? So it afterwards turned out, and th constables naturally sympathised with the "Parson" in hi humiliation, agreeing with him that the charge was a bas concoction of Brunn's; and tacitly nodding when he declare that he should bring an action for slander against the banke for daring to impugn his honesty.

In due course Brunn was charged before the court with the robbery, and Scott was a witness against him. During his evidence he admitted, in cross-examination, that he wa

vithout pecuniary resources, that he was absent from his odgings the whole of the evening and night of the robbery up o past one o'clock, that he had accounted for that absence)y giving a false statement, and he ended by distinctly efusing to say where he was. Brunn nevertheless was :ommitted for trial; and on the 23rd of July was tried in the 3allarat Circuit Court, but acquitted, Scott again appearing as . witness against him. Mr. Simpson, who had also been :ommitted, was not, however, put upon his trial.

Meanwhile the sanctimonious Scott had been paying off iis debts—all in Chartered Bank notes. He resigned his ay-readership, bought two horses, kept a groom, and iltogether aped the gentleman. Between July and December, ie was supposed to have made a voyage to Fiji; but on 28th December he was in Sydney, on that day selling at the Mint :20 ounces of retorted gold, resembling in fineness and other qualities the metal taken from the bank at Egerton, although no thought of connecting one lot with the other was then entertained. The proceeds of this sale—something over £500—he deposited in the Union Bank in Sydney on the 31st of December, and this deposit he subsequently supplemented with another of £200, drawing thereupon by cheques in his own name up to November, 1870, when his account was finally closed. After this he went to Maitland, and in that district he was convicted on two charges of obtaining money by false pretences, for which he was sentenced to twelve and eighteen months' imprisonment. Of these concurrent terms Scott served 15 months, on the expiration of which he was, in March, 1872, arrested in Sydney on the charge of robbing the Egerton Bank, and forwarded to Ballarat for examination and trial. But he was a man of many resources, and before the day fixed for his trial arrived he succeeded in escaping

from the gaol. Cutting a hole through the wall of his cell he gained an entrance into the cell adjoining, which was occupied by another prisoner who was as desirous of escaping as himself. Together, therefore, they seized the warder, gagged him, and tied him up, and making use of his keys, proceeded to other cells and liberated four other prisoners; and the six men succeeded in escaping over the wall by means of blankets cut into strips, which they used as a rope.

Scott was subsequently recaptured and held safely until he could be tried. In July he was tried at the Ballarat Circuit Court, when, by a series of cross-examinations of unprecedented length, conducted by himself after rejecting his counsel, he spread the case over no less than eight days, but was at last convicted and sentenced to ten years' hard labor. From that sentence, expiring in July, 1882, he succeeded in obtaining a reduction of one-third—which enabled him, after lectures in Victoria on the enormities of Pentridge, to collect a gang of young desperadoes, and with them commence his last career in crime. The evidence against him, besides that of Brunn, his possession and sale of the stolen gold, and his unexplained possession of considerable sums of money soon after the robbery, contrasted with his impecuniosity before it, was as follows:—A letter to his father was found on him, in which, after solemnly protesting his innocence of the two Maitland charges, Scott gives a long account of his (real or pretended) large transactions in business, and speculations, and of the swindling by which he had been victimised. With the handwriting of this letter, and of his signature to various receipts and cheques, the signature "Captain Moonlite, Secretary," was compared, and found remarkably to correspond. The revolver taken from Brunn, and a horse-

pistol supposed to be the one then used by the robber, were found in an old mining shaft about 200 yards from Morgan's. It was proved that Scott was at a public-house in Egerton, but only for a few minutes, at or about eight o'clock in the evening of the robbery. One Caldicott said that about eleven on that night he heard the galloping of a horse going as fast as possible in the direction from Egerton to Buninyong. Alice Roberts deposed to the like—a horse going at a "fearful pace" down the hill a little after eleven. Webb, a publican at Buninyong, supplied some drink at about half-past eleven to a horseman who rode up to the door there as from Egerton, and without dismounting went on towards Ballarat. Robert Scott, in contradiction of the prisoner's statement that he travelled from Melbourne to Geelong on the Saturday, the 8th, proved that it was on the day previous. A miner named Willis deposed that a few weeks after the robbery, in conversation respecting the recent committals, Scott maintained the falsehood of Brunn's allegation that he could not distinguish the robber's features because of his wearing a veil. Willis expressing a doubt as to this, Scott went into his bedroom and actually brought out and put over his face a crape veil, and on his head an old felt hat—the very kind of dress that Brunn had described. As compared with other portions of the case this evidence was of no great value; but, dovetailing with those, and as characteristic of the man, it was remarkably striking.

The gang Scott formed consisted chiefly of young men, whose names were Wreneckie, Williams, Bennett, Nesbit, and Rogan—two at least of them having previously served a term in gaol; and it is probable that they had first formed acquaintance with Scott, who about this time became generally known by the title "Captain Moonlite." The gang

commenced operations as bushrangers near Mansfield, in Victoria, but shortly after coming together they made their way over the border into New South Wales; and it was in the southern districts of that colony that they entered into the full practice of their "profession." In one act they made themselves notorious, and caused a thrill of excitement to run through the whole colony. On Saturday evening, 15th of November, 1879, they entered the little settlement of Wantabadgery, about twenty-eight miles from Gundagai, and proceeded to "bail-up" all the residents. First robbing the proprietor of the local inn, they then proceeded to Wantabadgery Station and played what one of them afterwards called a "high old game." The proprietors of the station—the Messrs MacDonald—were absent at the time the bushrangers first appeared, and were surprised on returning to the station to find that the place had been captured, and was being held by armed men, prisoners to the number of nineteen being held in close confinement. It goes without saying that they went to swell the number of the prisoners. They reached home about eight o'clock on the Saturday evening, and were met by two armed men, who ordered them into the house, declaring that if they did not obey the order they would be shot. Like wise men they obeyed, and then became prisoners in their own house, and were compelled to entertain the unwelcome visitors during the night, under cover of the firearms held by the bushrangers. The prisoners were not harshly treated, as they all submitted themselves to the inevitable and kept quiet, making no effort to escape. "Moonlite" was the leader and guide all through the piece, the other five members of the gang obeying his orders implicitly. During the Sunday they each equipped themselves in suits of slop clothing from the station store, and

relieved their prisoners of all their superfluous cash and valuables; but even when they had "gone through" their victims they did not care to leave the place. They watched their prisoners closely, of course, locking up a number of them in a room to ensure their safety, but providing them with sufficient meat and drink. Others of them, including the owners of the station, they compelled to get upon the roof, with instructions to watch and give them timely notice of any attempted surprise from without.

But a surprise came, nevertheless, although the bushrangers were not, as it happened, taken at a disadvantage. The woman at the inn which had been "stuck up" before the station, was allowed to remain on her own premises, and during the afternoon of the Sunday she was standing outside, quietly weeping over her misfortunes when two travellers rode up. They naturally inquired concerning the cause of her trouble, and having learned that the station was then held by six bushrangers, they put spurs to their horses and rode to Gundagai with the information, causing a message to be also sent to the police at Wagga Wagga. The police at the latter place were the first to take saddle and start for Wantabadgery. The news reached them at 11 o'clock on Sunday evening, but for some reason not stated they did not start for the scene of the outrage until next morning. But once started they did not lose any time, and reaching the station at an early hour—there were four troopers in the batch—they proceeded to discuss the situation and how best to make a successful attack. They had just decided upon the course to pursue, and having fastened up their horses at a convenient place, were endeavoring to steal upon the homestead, which they could see was still held by the bushrangers, when they were startled by a challenge from an unexpected quarter.

"Moonlite" had seen them coming, and having watched their movements, when they were at a convenient distance from their horses, he went into the paddock and challenged the police to fight. Nesbitt and most of the others joined him, and suddenly engaging the police, shots were exchanged, without injury being done to the fighters on either side. But the troopers soon found that they were outnumbered, that their opponents were brave and desperate men, and, furthermore, that they had been, by a flank movement on the part of the enemy, cut off from their horses. The issue was that they were forced to retire on foot, retreating across a swamp to seek cover until reinforcements should arrive, "Moonlite" and his companions returning in triumph to the house with most valuable spoil in the shape of the troopers' horses. Shortly afterwards the six bushrangers picked out the best horses from the double supply now at their command and left the station, knowing that for a time at least they would be safe from pursuit, the defeated constables having no horses to follow them. They therefore made no haste in their flight—if flight it could be called—and even stopped to overhaul the Clarendon mail, which happened to come along the road which they were taking.

And it was just here they made a mistake—fatal to them, but fortunate for the police and the community whose interests they were serving. An hour or two after the departure of the bushrangers from the station, the discomfited Wagga contingent of police received fresh heart by the arrival of a strong party of their brethren from Gundagai. This party consisted of five mounted and two foot police, with a vehicle containing extra arms and ammunition, who had left Gundagai at about 9.30 that morning intent upon the arrest of the "Moonlite" gang. It appeared that the

Gundagai Quarter Sessions were just about commencing when the news of the trouble at Wantabadgery arrived, and Judge Forbes, apprehending the importance of help being speedily dispatched, adjourned the court in order to allow the whole of the available force to leave, Gundagai itself being temporarily placed under the charge of special constables. Information was sent to all towns connected by wire with Gundagai, apprising the authorities of the occurrence, with a view of placing them on their guard against a surprise from the bushranger.

In addition to the contingent from Gundagai another relief party also arrived in the shape of armed men from the Junee railway camp, word having beeu sent to that locality by special messenger; so that a formidale attacking party was formed, and without delay a start was made in the direction taken by the bushranger when leaving Wantabadgery station, Senior-sergeant Carroll assuming the command. The party had not proceeded far upon the road when they fell in with the gang of bushrangers, who were at the time on the road near the farm of a man named McGlede. An engagement at once ensued and smart firing from both sides was kept up for some time. At last one of the bushrangers fell mortally wounded and the rest retreated to McGlede's house, from which they kept up their fire upon the police, one of the discharges severely wounding and disabling Constable Bowen. Determined to capture the gang dead or alive the attacking party advanced upon the house, and in the firing another of the bushrangers—Nesbitt—fell, and a rush being made by the police the remainder of the gang surrendered—with the exception of Rogan, who disappeared suddenly and mysteriously. Those who had surrendered were secured, the dead bushranger was carried in from the road, the wounded bushranger

and the wounded policeman were attended to, and arrangements were made for conveying the prisoners to Gundagai, diligent search being meanwhile made for the missing member of the gang. That member, who proved to be Rogan, was subsequently discovered concealed beneath a bed in one of the rooms of the house, having his "shooting irons" with him. He was evidently awaiting a favorable opportunity for escaping from the house, and it was quite by accident that he was discovered. While hidden beneath the bed he was an auditor, if not a witness, of a rather curious business proceeding. There happened to be in the vicinity of McGlede's house when the affray took place a travelling agent of one of the active life assurance societies, and having gone to the house with his medical travelling companion, whose duty it was to examine subjects before the agent "took their lives;" like a good business man he improved the occasion and succeeded in inducing one of the constables, who had just been forcibly impressed with the truth that life was uncertain, to make a proposal for insurance and submit to the necessary examination. The doctor made his examination in the room where Rogan lay hidden, and the proceedings no doubt caused the latter to mentally weigh his own slender chances of living long, and speculate upon the improbability of even this smart agent filling up an assurance proposal form on *his* account.

The captured bushrangers were conveyed to Gundagai in due course, as also were the bodies of the two bushrangers, Nesbit having succumbed to his injuries at McGlede's, and in due course an inquest, which the reader may conclude could have only one result, was held. It may be mentioned here that Constable Bowen, who had been shot in the neck, subsequently died, after a lingering and painful illness. The bodies of the dead bushrangers were photographed, and then

buried in the general cemetery at Gundagai. Nesbit, though shot through the temple so badly that his brains protruded, lived for nearly half an hour, during which time "Moonlite" manifested much grief at his dying companion's fate. During the time Nesbit was dying in McGlede's kitchen his leader wept over him like a child, laid his head upon his breast and kissed him passionntely.

The four prisoners were brought up at the Police Court within a week after their arrest, and the proceedings at the trial before the Gundagai Bench were so peculiar, and furnishing as they did many facts concerning the "sticking up" of the station and the subsequent deadly conflict, that I venture to describe them at length.

The four men — "Moonlite," Rogan, Bennett, and Williams—were charged with robbery under arms and with wounding with intent to murder Constable Bowen, who was at that time still alive. The latter part of the charge was directed against "Moonlite," who was alleged to have fired the shot that inflicted the wound, and the other prisoners were charged with aiding and abetting their leader in the attempt to murder the constable. The case was heard before Mr. Lowe, Police Magistrate, and the prosecution was conducted by Inspector Singleton. The court was crowded, and in the box usually occupied by the Clerk of Petty Sessions was a heap of saddles, rifles, revolvers, pistols, knives, powder flasks, bullet moulds, blankets, rugs, and other articles found in the possession of the bushrangers when they were captured. Some of the firearms were still loaded. Two or three of the revolvers were new, and some of the knives were murderous-looking weapons. The prisoners occupied the Police Court dock, an insecure structure without a door, but there was an efficient guard of constables in attendance. All the prisoners

were heavily ironed while confined in the gaol, but before being brought into the court the irons were removed, and only the handcuffs were upon the men when they entered the dock. "Moonlite" was handcuffed to Rogan, the bushranger who was found under the bed; and Williams, the prisoner whose face was battered by one of the constable's revolvers during the fight, was handcuffed to the bushranger Bennett, who was wounded in the arm. After having entered the dock the handcuffs were removed. The appearance of the men was disappointing to those who expected to see villainous-looking mortals. The only one with anything of the bushranger about him was "Moonlite," and he showed but little of what one would expect to find about such a desperate scoundrel. The others were very ordinary individuals, and two of them were mere boys. "Moonlite" had thin pointed features, small beard, shaved cheeks and lips, small forehead, and straight light brown hair. His mouth was firm, and his eyes deep set and penetrating. His temper, as would appear from his conduct during the hearing of the evidence, was almost ungovernable. He was the inside man in the dock, and stood with pencil and paper noting the evidence, and occasionally refreshed himself with a drink of water from a jug and glass which stood on the seat of the dock behind him. His style of cross-examining the witnesses proved that he was well used to police court proceedings. He was constantly putting questions and making observations with the intention of causing the crowd to laugh, and throughout, his object seemed to be to cast all the guilt of what had occurred upon himself and the dead bushranger Nesbit, and to shield the others. With regard to Nesbit, whom he frequently styled his dead mate, he either was, or affected to be, much concerned for his death, and several times during the earlier part of the

case appeared to be almost unable to proceed with his cross-examination of a witness, owing to intense emotion. At the mention of any of the circumstances attending the shooting of his dead companion in crime, towards one or two of the witnesses, and towards the bench, "Moonlite's" conduct was at times most atrocious; for, giving full license to his tongue, he spoke with intense passion, and abused them roundly. In the end the magistrate stopped this, bnt with a disposition to give the prisoners as full an opportunity as possible to question the witnesses, and have the case conducted fairly on both sides, he permitted "Moonlite" to go too far. "Moonlite" took upon himself the whole burden of the defence, for the other prisoners said nothing. Rogan was a tall dark young man with something of the Negro in his appearance, and there was some indication of cruelty about his features. He wore a little moustache and beard, which met around his mouth. The faces of the other two were wholly destitute of hair. The bruised face of Williams was covered with scabs on that part where the revolver struck him, and the wounded arm of Bennett hung in a sling made by a towel knotted around his neck. Bennett was allowed to be seated before the case commenced. "Moonlite" wanted a plan of the premises where the fight and capture took place, and immediately began to show he was well skilled in taking objections. All the prisoners were dressed in slop clothing which they had stolen from Wantabadgery. The constables who took part in the fight were either inside the court or about the entrance, and in every sense they looked a fine body of men.

The first witness examined was Constable Rowe, whose evidence was similar to that which he gave at the inquest which was held the previous day. He was complimented by

"Moonlite" on his good shooting; for when the witness stated that he had fired several times at the bushrangers, "Moonlite" remarked "And good shots you made," which was not an undeserved compliment, for one of the shots grazed the neck of the bushranger. Later on "Moonlite" admitted that he fired on the police with a carbine which he took from the constable he had bailed up.

Senior-Sergeant Carroll, of Gundagai, stated that about seven o'clock on Monday last he started with Sergeant Cassin and Constables Barry, Gorman, and Bowen, for Wantabadgery, which they reached by nearly eleven o'clock, and found there the constables who had come from Wagga. Finding the bushrangers had gone, they proceeded to McGlede's farm, where they discovered the bushrangers, and were immediately fired upon with rifles. The police fell into skirmishing order, and approached the house in a half-circle, calling upon the bushrangers to surrender, and then, on their not doing so, returning their fire. The bushrangers shouted in defiance, and retreated towards the house. The police closed in upon the house, and after a bit he got through a fence and crossed the open up to the house. Whilst he was waiting for some of his men to come up, and as he stood under shelter of the corner of the kitchen, he saw "Moonlite" come out and fire a rifle in the direction of the police. He covered "Moonlite" with a rifle, but the piece missed fire. Then the bushrangers came out again and fired in the same direction as before, and a second time the constable's rifle, though it covered the bushranger, missed fire. Sergeant Carroll then fired through the window into the kitchen, and going to the back door of the kitchen, which was open, he in the fireplace saw the prisoner Williams, who threw up his arms and said "I surrender." The bushranger

Bennett also surrendered. Constable Gorman had already got into the kitchen, and Carroll then saw "Moonlite" brought in handcuffed, and Nesbitt lying dying in the kitchen. The dead body of the other bushranger who was shot was brought in afterwards. During this witness' evidence "Moonlite" complimented him in a characteristic way by saying "That's a plucky old fellow; he is speaking just as true as he shot." Carroll said to him "If my rifle had not missed fire you would not be here," to which the bushranger, alluding to the police carbine he had used in the affray, said "I wish some of your carbines had not missed fire"; and subsequently, in reply to some complimentary remarks made by Carroll, said "There's a bolder man than me—my mate who is dead—and I don't want any compliments."

Sergeant Cassin, stationed at Adelong, corroborated the evidence of the preceding witness, and described how he had struck one of the bushrangers with his rifle across both arms and injured his weapon so much that he could not afterwards use it. "Moonlite" levelled a gun or rifle at him, and it was only by dropping under a fence that he escaped being shot. He then raised his revolver, and joined Carroll at the side of the house, and with him rushed into the kitchen. In reply to a question from "Moonlite" during the cross-examination, the witness said he saw "Moonlite" run away; to which the bushranger replied, "God forgive you, I never ran away from any man yet, and never will," a statement which provoked laughter from the lookers-on. Alluding to the firing from a revolver, "Moonlite" exclaimed, "I wish you would give me a pair now, and you would see how many times I would fire in half a minute."

Constable Gourman was the next witness. His evidence went to show that the encounter between the police and the

bushrangers was a very hot one. After several times receiving the fire of "Moonlite's" rifle at him, and returning it, he managed to get to the house and called on Constables Bowen and Williamson to come on. Williamson came, and Gourman, followed by Constable Headley, rushed into the house. While there, Gourman lifted aside the window blind in order to see where the bushrangers were, and immediately he did so, he saw Nesbitt in the act of aiming at him with a small rifle from the right-hand corner of the kitchen. Instantly he took a half pace to the right and threw himself over on a bed. The ball from the bushranger's rifle just passed over his left shoulder, and lodged in the slabs behind him. Witness then got upon his feet, and placing his revolver in the hole made by Nesbitt's bullet through the window, shot the bushranger through the temple. Nesbitt fell backwards, and the others in the kitchen cried out, "We surrender." When Gourman ran into the kitchen he saw the bushranger Bennett there, and covering him with his empty revolver he cried out to him, "Surrender you dog." Bennett had a revolver in his hand, but throwing it on the table said "I surrender, sir." Bennett was then made a prisoner. Williams ran out of the kitchen, and was soon struggling with two constables outside, and there he was secured.

Constable Gourman was cross-examined by "Moonlite" with the object of screening all the other prisoners; but the witness's evidence clearly showed that shots came from the house where all the surviving bushrangers were. "Moonlite" wished to show that witness's idea of the manner in which Constable Bowen fell was erroneous; the constable's recollection being that Bowen fell from the shot, and "Moonlite," eliciting from the witness that he had not heard that wounded men invariably fell from a shot, remarked "Well, I hope you

will never have any more experience, or you will see that they do."

Sergeant Cassin, recalled, read a long list of rifles, revolvers, pistols, bowie-knives, saddles, blankets, powder flasks and other things found at McGlede's, among them being a telescope taken by the police from "Moonlite."

Constable Alexander Barry, stationed at Gundagai, gave an account of the melee with the bushrangers similar to that given by the other policemen, and described how his horse was shot under him. He was riding to take up his position with his companions, after having, with Sergeant Cassin, succeeded in causing the bushrangers' horses to break away, when a shot came from "Moonlite" and one of the dead bushrangers, both of whom were firing at him, and struck his horse, which immediately reared. He jumped off the horse and made for a tree. Just then another bullet came near to his foot. He shortly afterwards made a rush towards the house, and one of the men popped up every now and then from behind the fence and fired at him. About twenty shots came at him altogether, three or four very close. A stump was struck just as he got behind it. Then the bushranger who had been firing at him ran down the bush fence, apparently to a stump, and just as he was making the stump witness fired and the man fell. This was the bushranger Wreneckie, who was said to be son of a publican in Swanston-street, Melbourne. Constable Bowen was directly afterwards shot, and he fell within about fifteen yards of the dead bushranger. On the following day witness found the prisoner Rogan under a bed in McGlede's house, on his hands and knees, with his right hand upon a loaded revolver. This revolver was loaded when produced in court, and "Moonlite"

said "Are you sure that's loaded? Will you let me examine it?" to which Superintendent Singleton hastily replied "No thank you, no, you are too good a shot," a reply that caused a roar of laughter. The rapidity with which the firing took place was indicated by the witness's answer to a question from the magistrate, as to whether the witness heard any firing. "Oh! my word!" said Barry, amidst general laughter, "the firing never stopped, and you could not tell where the bullets were coming from." Just at this point the magistrate began asking questions which did not please "Moonlite," and the bushranger said to him: "You don't know how to conduct yourself on the bench, sir. You are putting leading questions to the witness. Don't sit there as a prosecutor, and not as a judge, or I will disgrace you through the length and breadth of the land. Keep yourself quiet. Conduct yourself with proper decency as a justice of the peace. Don't dare to interfere with my witness, sir. Do you think I fear you? You have no brains or anything else." The magistrate ordered the bushranger to be quiet, and told him he would not help himself by this, and that there had been too much of this bravado all through, to which "Moonlite" answered "Then conduct yourself properly, sir; just conduct yourself properly."

Constable Henry Headley, first-class constable, stationed at Wagga, described the circumstances of meeting the bushrangers at Wantabadgery, and the fight at McGlede's, during which there was continued firing. He and Constable Bowen were together, and they ran to a stump about 150 yards from the house. From there Bowen ran through the slip-rails to where a spring-cart was, and near where a bushranger, who had just fallen, was lying. Witness was just behind him, and he then saw "Moonlite," who was

standing outside the kitchen door, raise a rifle to his shoulder, point it at Bowen, and fire as Bowen was stooping to do something to his rifle. Bowen said "My God, I am shot, Cassin," and fell.

As Constable Headley's evidence pointed so clearly to "Moonlite" being the bushranger who shot Bowen, "Moonlite" endeavoured, with obstinate abuse, and with a great show of contempt, to make it appear that Headley had run away; the proceeding was carried to such an extent that the magistrate spoke to the prisoner about it, and immediately there was an altercation. "If you abuse the witness, and insult the Court, and go on in this offensive manner," said the magistrate, "I shall stop you from cross-examining, and not suffer you to put a question to the witness at all; I will not suffer this to continue." "Your worship," said the bushranger, "I know the law." To this the magistrate exclaimed, "I will have none of your bravado," and "Moonlite" retorting, said sarcastically, "It's going to be exchanged for a little of your bravado, your worship." "I hope," said the magistrate further, "that you will behave properly." "And I hope," answered the bushranger, "that you will behave properly in your position." This went on until the magistrate said, "You shall not bully the witness;" when "Moonlite" answered, "I did not call either him or you a bully; but I may think what I like." The magistrate peremptorily stopped the cross-examination, and it was only after a mock apology on the part of "Moonlite," expressed further on in the case, that the magistrate consented to permit the cross-examination to be subsequently resumed. This apology was to the effect, that as a gentleman, or rather not as a gentleman, but as a bushranger, he asked no favour for himself, but wished, for the sake of the lives of those who were with him, to continue

the cross-examination; and then he spoke about Magna Charta, liberty, and the right to elicit truthful evidence.

Constable Wills, of Bethungra, the constable who was taken prisoner by the bushrangers at the time when he was on his way to arrest them, described his capture by stating that he mistook the bushrangers for a party of volunteers, who he had heard were out after the robbers. He afterwards escaped from them by distracting the attention of the bushranger guarding him, and then galloping away he joined the police and assisted in the capture of the bushrangers, shooting the prisoner Bennett in the arm, and arresting with Constable Barry the prisoner Rogan under the bed in McGlede's house.

Hannah McGlede, wife of Michael McGlede, the farmer at whose house the fight had taken place, stated that there were four rooms in the main dwelling house, and besides these there was a kitchen, all built of slabs and iron: the bushrangers came armed to the house, and the captain asked for a drink of milk, and for some bread, He told her not to be frightened, that he had not come to stick up the house; to which she answered that she was not frightened, and soon afterwards the bushrangers left in the direction of Clarendon, taking with them the prisoners they had bailed up at Wantabadgery. Just as they had got out on the road, the police came up and attacked them, and the bushrangers rushed back to the house and into the kitchen; the firing continued from there, and "Moonlite," coming into the kitchen after firing outside, and discharging some arms which he had loaded in the kitchen, said, "There's one of them —— traps shot;" this was at the time Constable Bowen fell.

This closed the first day's proceedings. When the court resumed on the following morning "Moonlite" commenced by inquiring of Inspector Singleton whether robbery under

arms was a capital offence. Mr. Singleton said he was no lawyer, and the bench were the proper persons to ask, to which "Moonlite" remarked "The bench knows less law than either of us."

Constable Headley was then further cross-examined by "Moonlite" with considerable ability and much determination. The constable described how the risk was greater to the police at Wantabadgery than at McGlede's, because they were largely outnumbered by the bushrangers, and because the bushrangers fired upon the police as they were approaching the house. "Moonlite" endeavored to make it appear that Headley had run away, but though the constable seemed to have gone in a direction opposite from where his companions stationed themselves, the movement was made after the constable's ammunition was expended, and in order to seek cover from the bushrangers. Adopting the same course as he did on the previous day, "Moonlite" endeavored to have it established that only himself and Nesbitt did the firing, but Headley was certain there was firing from more than two of the bushrangers, and he believed from several of them. With regard to the shooting of Bowen, "Moonlite" tried hard to get the witness to admit that it was a carbine with which he saw him fire at Bowen, so that should the bullet in Bowen be found one fired from another weapon, it would be something in the bushranger's favor; but the witness swore that to the best of his belief the shot was fired from a breech-loading Sneider rifle, which he pointed out in court, and that when Bowen was lying wounded "Moonlite" wanted to go to him and see the wound, and Bowen said "Don't let that man come near me; he shot me; the man in the red shirt ('Moonlite') shot me with a rifle."

The cross-examination of Headley lasted two hours, and

then the depositions, as far as they had been taken, were read over. This being concluded, the prisoners were called on severally by the magistrate, who informed them they were all charged, as principals, with wounding Constable Bowen with intent to murder, and inquired of them whether they had anything to say. "Moonlite" wished to have the charge of robbery under arms investigated before closing the case on the other charge, and when told that the second case would not be entered into till the first was decided, he said he had witnesses to call, and drew attention to what he described as the fact that there was not one iota of evidence in reference to shooting against any prisoner but himself. He then said he would reserve his defence for the present, and was committed to take his trial at the next Criminal Court at Darlinghurst. He asked whether any witness he or his companions required would be brought to Darlinghurst, and was told they could have any witness they wished summoned. The other prisoners were then committed for trial, each saying he would reserve his defence.

The charge of robbery under arms was then proceeded with. Senior-Sergeant Carroll, having been examined to prove the apprehension of the prisoners, and the fact that they had committed highway robbery under arms, a Chinaman named Ah Goon, who was one of the persons stuck up at Wantabadgery, was called. He said he was a contractor, and went on the Sunday to see Mr. McDonald. In his possession at the time was an American silver lever watch, chain, and locket, and £2 10s. in money, all of which the bushranger Nesbitt robbed him of. The watch Nesbitt gave to "Moonlite," and it was afterwards taken from him by Constable Headley. The Chinaman recognized "Moonlite," Rogan, and Bennett as being present with guns in their hands when

he was robbed by Nesbitt; but while he was giving his evidence "Moonlite" declared that Nesbitt and he were the only ones concerned in the robbery of the Chinamen, and said "I consider that the Chinamen here are taking the bread out of laboring men's mouths, and I assented to his being robbed, and I am not ashamed of it."

Claude Augustus McDonald, residing at Wantabadgery, recognised the whole of the prisoners as the armed bushrangers who stuck up the station. He and his brother rode up to the station on Saturday evening, at about half-past 8 o'clock. Two men came out, told him to bail up, leave his horse, and go into the dining room; they declared if he did not, he would be shot. He then went into the room, and found a number of persons confined there. No violence was used towards him then, but next day he was robbed of articles of clothing and some jewellery. He recognised a large quantity of clothing produced in court as his, and examining the clothes upon the prisoners, pronounced them nearly all to be clothes that belonged to him.

Cross-examined by "Moonlite," witness stated that the bushrangers were acting under "Moonlite's" orders, and that they dared not disobey him. "Moonlite" ordered him to mount to the roof of the house and act as a sentry to give intelligence of anyone approaching the house. When the police came "Moonlite" went out, challenged the police, and walked down into the paddock alone. Nesbitt went down the paddock afterwards, and subsequently the others followed. "Moonlite" tried hard again to screen the others from blame by getting the witness to say that he "Moonlite," was alone responsible for what had been done. It seemed that the witness, towards the end of the time the bushrangers were at Wantabadgery was ordered by "Moonlite" to hold

guns; and this "Moonlite" endeavored to show was evidence as strong against the witness of aiding and abbetting him as the circumstance of having guns in their hands was against the younger bushrangers. The postmaster of Clarendon was one of those stuck up, and was used by "Moonlite" as a means of inducing to surrender several of those who went after the bushrangers, and referring to this, "Moonlite" said, "I will show that the postmaster actually stuck up a trooper, a public house, a whole station, and six volunteers at once." At the close of Macdonald's evidence, "Moonlite" said to the witness that he did not know whether he should see him again, and he hoped he would forgive him; to which the witness answered, "Yes I do." Sergeant Cassin deposed to finding a scarf pin belonging to Macdonald on the prisoner Bennett, and to finding the clothes produced in court at McGlede's, where the prisoners were arrested. "Moonlite" appeared much concerned to know whether the clothes in which his friend Nesbitt was shot were in court, and was told some of them were there; he then asked if those things would be handed over to Mr. Macdonald, and obtained the consent of the magistrate to an interview in the cell with Macdonald, after the prisoners were removed from the court.

The prisoners were then committed to take their trial on the charges of robbing the Chinaman and Mr. Macdonald, none of the prisoners saying anything in reply to the charge, but "Moonlite," who admitted that he knew nothing of the robbery of the Chinaman at the time, but had assented to it afterwards, and that he pleaded not guilty to the charge of robbing the station, but that the evidence went to show that he was the principal party, and that the others were acting under him and dared not disobey him. He signed the statement "Moonlite." The next charge was the robbery of

two rifles and a pin-fire gun, the property of Mr. C. F. Macdonald. Sergeant Cassin deposed to finding the weapons at McGlede's farm, and to their having been claimed by Macdonald, Chesper, and Fawkner. Macdonald, part owner of Wantabadgery Station, gave evidence similar to that given by his brother. On Sunday morning he and two others were put in the laundry and given rations, one of the bushrangers guarding the laundry with a gun. The bushrangers left the station on Monday morning, taking with them the two rifles and the gun, and also a quantity of ammunition. The rifles and gun, a quantity of ammunition, and a number of other articles, he recognized as his. Three horses were taken from the station by the bushrangers, two being ridden and one being used as a packhorse. This "Moonlite" denied, and explained that they had taken but two horses from the station, as they had five police horses, and that one of the horses taken from the station was ridden back by the groom. Cross-examined, the witness testified to "Moonlite" going down the paddock alone and challenging the police to come on and fight, and afterwards going a second time with Nesbitt. Firing then took place, and after that "Moonlite" came back with the police horses, saying he had had a row with the police. The women were well treated. Witness was ordered with his brother to the roof of the house, and was obliged to obey for fear of being shot. On this point "Moonlite" informed the bench there was not the slightest slur on the witness's personal courage, as he was wholly in the bushrangers' power. "It was rather a compliment," said "Moonlite," "for I picked out the men that were the coolest and could see the best." The leader of the gang was conspicuous at the station by wearing a red scarf.

During the reading of Mr. Macdonald's deposition,

"Moonlite" evinced great anxiety to have it on record that he had treated the women on the station with respect, for he said, "I should not be surprised if when I am dead and gone it is said I insulted women."

The prisoners were then committed for trial on this charge, each one reserving his own defence. The demeanor of the prisoners was throughout the day one of indifference.

Other charges were also preferred against the prisoners, and upon these they were committed also. In due course they were tried in Sydney, convicted, and sentenced to death; but the death sentence passed upon Williams and Bennett was commuted to imprisonment for life on account of their youth. Strong efforts were then made to obtain the reprieve of "Moonlite" and Rogan, public meetings being held in Sydney and petitions being presented to the Governors in that behalf. In Rogan's interest particularly the right of petition was largely exercised, no less than 2961 signatures having been obtained to one petition in a couple of days in Sydney. In the one document of this character in which prayer was made that the lives of both the condemned criminals might be spared, the person who drafted it did not adhere too closely to facts, as will be seen from the text, which is here appended. The document read as follows:—

That your petitioners desire humbly to pray your Excellency to extend to the condemned criminals a similar act of mercy for the following, among other reasons:—(1) That neither of the prisoners fired the fatal shot, as is proved by the evidence taken at their trial; (2) that they were not shown to be more guilty than their confederates, and should not be dealt with less mercifully; (3) that, if it be argued in the case of the prisoner Scott, that he led his companions into the commission of the crime, your petitioners humbly submit that he was not tried upon such charge, that no such charge was proved, and that, therefore, such charge ought not to weigh against him; (4) that in the case of the notorious

bushranger Gardiner, who, beyond all doubt, led numbers of young men into careers of crime, which ended in the death by hanging and shooting of several by the officers of law, no such charge was ever made a reason for hanging that criminal, whose life was not only spared, but, by the advice of some of your Excellency's present advisers, he was set at liberty, and is now living, it is said, in the United States of America; (5) that such a precedent would warrant your Excellency in extending mercy to Scott, whose crime is by no means greater than that of Gardiner, who for a long period kept large portions of the country in a state of terror, and did much to increase the crime known as bushranging; (6) that prisoner Thomas Rogan is very young, and did not take a more prominent part in the commission of the crime than any of his companions who are now living or lately deceased.

Referring to "Moonlite," when speaking at the meeting of Sydney citizens at which this petition was adopted, Rev. J. A. Dowie applauded what he was pleased to call his chivalry. Said he: "Scott damaged his own cause wilfully at the trial, making his own guilt blacker, that he might give his companions a chance for their lives. Another chivalrous act was that he only stayed five years in Victoria after his release, because he was devoted to a noble-hearted lady, who is now working for his release, and who would have married him and supported him, had he allowed it. He worked on, under persecution, hoping to gain a position of independence, and thus be able to marry her. He was not one whit more guilty than his companions, but a great deal more honest." It is not everyone who would have vision keen enough to discern chivalry and honesty in a scoundrel who would burgle a bank, or head a band of robbers and raid a whole settlement, afterwards doing his best to shoot the police who endeavored to arrest him. The lady in this case—as did those who interested themselves so successfully in securing the release

of Frank Gardiner*—doubtless exercised considerable influence; but the authorities were not to be moved. There had been too many escapes already of bushrangers who should have been hanged or kept in prison during the full term of their several sentences; and there is good reason to believe that the leniency extended to some of the fraternity who flourished during the Sixties had encouraged others to risk the heavy sentence following conviction, the hope being strong that the leniency extended to others—Gardiner, for instance, and the score of others who were released with him—would be extended to them should they chance to be caught and cast for imprisonment or death. The Governor firmly, but kindly, refused to act on his own responsibility, and his advisers determined that the law in the case of the two men named must take its course.

Therefore there was an execution within the walls of Darlinghurst Gaol, and the men who had recklessly "shed man's blood" expiated their crime on the scaffold. The dread sentence was carried into effect on January 20th, 1880, in the presence of between twenty and thirty persons, including several members of the Legislature. For several days before that fixed for the execution "Moonlite" was very irritable in his cell, but became more calm when he was informed that only a few persons would be admitted to the gaol to witness the "ceremony." Until a late hour on the night of the 19th he was occupied in writing a long statement concerning the Egerton Bank robbery, a subject that for some days had affected him very much. He desired to say something on the scaffold, but he was strongly advised by the Rev. Charles H. Rich, Church of England chaplain to the gaol, who attended him throughout the time he was lying

* "Story of Australian Bushranging"—Nos. 3 and 4.

under the sentence of death, to say nothing, and he at last consented not to speak when brought out for execution. But up to the last moment he was irritable, and when he came upon the platform and saw the thirty or forty visitors and others present he said to the chaplain "What does this mean? What do these people mean? I must speak." But on the chaplain assuring him there was nobody present but magistrates and officials, even the members of the press having been excluded, he did not insist upon saying anything. Rogan was stolid and indifferent. When the two men were on the scaffold, and the white caps had been drawn over their face, they shook hands. Then the bolt was drawn. Scott died instantaneously. Rogan struggled convulsively for a few minutes, but the gaol doctor considered he was insensible from the time he fell. The Rev. Canon Rich was assisted in his attentions to Scott by the Rev. Mr. Macready, Presbyterian minister, who had known Scott when a boy in the North of Ireland, and had been acquainted with his family. Rogan was attended by the Rev. Father Ryan, Roman Catholic chaplain to the gaol. The visitors were not admitted to the Gaol in the ordinary way. They met in the Courthouse, and, having signed the visiting-book, proceeded by the underground passage into the Gaol at fifteen minutes to nine o'clock. There was, therefore, no disturbance in or near the prison, and everything was conducted quietly.

It may be mentioned here that when Rogan's mother and sister had their first interview with him in the Gaol he behaved in a most brutal manner towards them, using frightful language. Scott denied to the last that he shot Constable Bowen, and declared that he knew nothing concerning the death of Mr. F. M. Bates, the actor, who was believed to have been murdered by being thrown down a

steep bank on the Flemington Road, near Melbourne, and whose death some persons thought Scott had something to do with.

There were some who thought that "Moonlite's" eccentric behaviour during his trial indicated insanity; but the majority of those who had watched his career were not in the least inclined to put that interpretation upon any of his actions, and very few persons experienced any regret at his death or the manner of it.

Reference has been made to the ease with which signatures to petitions for the reprieve or release of prisoners could be obtained, and Gardiner's and Rogan's cases have been cited as instances. As already stated, a number of petitions were presented on behalf of the last-named bushranger, in comparison with whom "Moonlite" might be said to be almost friendless. One rather curious fact was brought to light just before the execution, and that was that the petition from Rogan's relatives and a petition said to be from ninety-five inhabitants of Melbourne were written by the same hand. The Government began to question why a few person in one particular part of Victoria seould have taken so keen an interest in the fate of a capital offender in New South Wales, and with a view of satisfying themselves on the point they communicated with the Melbourne police, requesting them to inquire concerning the signatures attached to the petition. A reply in the shape of a report from the Detective Office in Melbourne shortly afterwards was sent to the Government, and as that report will give the readers a valuable insight into the matter of petition-framing, and at the same time enable them to judge concerning the degree of importance which sensible men were likely to attach to documents of that character, I give the report as it was received by the Government,

only omitting the names mentioned therein. It was signed by the senior first-class detective of the Victorian Police Department, and read as follows :—

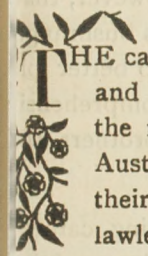
VICTORIA POLICE.
Detective Report.
Re Thomas Rogan, *alias* Brown, *alias* Baker.
Police Department.
Melbourne Detective Office, 16-1-80.

I have the honor to report for your information that I have seen Mr. ——, ——-street, ——. He states that he knew nothing of the abovenamed or his antecedents. He signed it (the petition) because he does not believe in capital punishment. ——, a bailiff of the court, signed it because ——, an agent and assistant bailiff, requested him to do so. He knows nothing of Rogan or his antecedents. I saw —— at the Rainbow. He signed the petition in the hotel, and gave as his reason for doing it that as the two younger prisoners were reprieved he thought Rogan should also be reprieved. ——, and ——, of the —— Hotel, signed it because it was presented by ——, a customer. They knew nothing of Rogan before signing the petition. Some seven or eight persons present signed the petition at the bar; ——, a bailiff, and ——, ditto, and a lot of people who hang about the courts. I have seen Mr. —— ——, who states that he wrote all the letters to the papers for Mrs. Baker, who is stated to be mother of the bushranger Rogan, and that she paid him for his work; that it was he who carried round the petition; and that the petition was made out by Mr. —— (a well-known member of the Victorian Legislature.) Mr. —— knew nothing of Rogan before Mrs. Baker came to see him. She then stated that Thomas Rogan was a son of hers, and asked his assistance. She said that her son had not been in prison, that he used to be employed in a boot factory in Collingwood, and that that was where he met Scott, *alias* "Moonlite." On that statement being made, Mr. —— directed Mrs. Baker how to act, and helped her all through until he sent Mrs. Baker and her daughter to Sydney. I called on Mr. Baker, father of Rogan, at Moray-street, Emerald Hill. He states that his son served his time as a bootmaker with Cooney, Peel-street, West Melbourne, that he served three years, and left there about five years ago, and went from there

upon a station named Boora, or some such name, in New South Wales; returning in six or eight months from there to his father's house, No. 2, Griffin's Cottage, Errol-street, Hotham. That since then he has not worked at his trade, but assisted his father, who is a carpenter, in the erection of two jobs he contracted for. Mr. Baker left Errol-street on the 30th June, 1879, and went to Emerald Hill. I also saw a Mrs. —— who knew the Baker family. She recollects Tom when he had returned to his father's house. That would be two or three months before the family removed from Errol-street. He then stated, or his family did to Mrs. —— that he had been away in Gippsland for the last three years. I see by Thomas Brown's (Rogan's) discharge to freedom that he was discharged to freedom 22-2-79. This would tally with other circumstances. See p. g. list of prisoners discharged to freedom, week ending 24-2-79. Private marks might assist in identifying this man. In looking through an album in Mr. Baker's house this morning I recognised some Beechworth faces. I asked if he ever lived there and he said no, but that his daughter had lived there for some time. I asked that question seeing that Thomas Brown (Rogan) was convicted from there.

Thus by their activity on his behalf, Rogan's relatives and friends were the means of having brought against him evidence of earlier criminality, and doing him harm instead of good. That he was equally guilty with "Moonlite" was abundantly proved at the trial, and it was fitting that if one was made to suffer for his crime the other should be made to suffer also. The Government decided that they could not reprieve Rogan and hang "Moonlite." Hence they hanged both of them.

THE BROTHERS CLARKE.



HE career of the Clarkes, who infested the Braidwood and neighboring district during the Sixties, is one of the most fearful recorded in the annals of crime in Australia. In their own persons and the persons of their relatives they illustrated the awfulness of tribal lawlessness in a civilized land, for they formed a family which, root and trunk and branches, was steeped in iniquitousness. Towards the close of the career of the two members with whose exploits we are chiefly concerned, the late Chief Justice (Sir Alfred Stephen), from his seat on the bench, had occasion to ask for information respecting them, and he gave the public the benefit of that information. Here it is in brief:—John Clarke, the father of the family, died in Goulburn Gaol, while under a charge of having murdered a black tracker. His wife, whose maiden name was Connell, had four brothers. One of them was charged with being accessory to the murder of a party of policemen; another was serving ten years in Darlinghurst Gaol, having previously served five years for highway robbery; and his wife was in the same place for receiving stolen property. A third brother was shot dead by the police; a fourth had sentence of death passed upon him for highway robbery and wounding. Two

of John Clarke's sons—Thomas and John—were executed fc highway robbery and murder, and a third was imprisoned fc three years for receiving bank-notes stolen from the Quear beyan mail by Thomas Clarke, his brother, and a brother c Mrs. John Connell's. Thus the three families connected b marriage had combined in a strong confederacy of violenc robbery and murder, than which a more remarkable has nc been known to exist in any civilized community. It is wit the two Clarke brothers, Thomas and John, however, that purpose here particularly to deal, they having as bushrange been very active in "making history." And no better pla suggests itself of presenting to the reader a comprehensiv view of the extensive operations of the two brothers tha that of a paragraphic list of their exploits.

If the brothers commenced their bushranging career i company they did so in a very quiet way, for only one of the —Thomas—was sought after by the police when publ attention was first directed to the family. Thomas wa caught by the police and "jugged" at Braidwood in th orthodox manner, while awaiting trial on a charge of robber being armed, he having been committed thereupon. But li in the Braidwood Gaol was distasteful to him, and he mad an effort to escape, which effort was successful, and o October 3rd, 1865, he was posted as missing. From tha day he kept the whole police force of that and the neighborin district in full cry after him for a period of eighteen month while he perpetrated outrages which at the last assumed th form horrific. Taking the date of his escape as the startin point, his bushranging exploits may be thus strung togethe in order :—Stole a horse from Dransfield, at Jembaicumbene October 27; stole a horse from Mulligan, at same place December 1 ; stole a horse from Mallon, at Mericumbene

)ecember 13; robbery of Mr. Hosking's, at Foxlow,)ecember 29; of Summer's store, at Jembaicumbene, January 3, 1866; of Frazer and Mathison, on Maojr's Creek Iountain, January 15; of the Post-office at Michelago, 'ebruary 3; of John McElroy, Manar, February 10; of Edward Eaton, of Crown Flat, February 13; of Morris' store t Mudmelong, Feb. 23; of Cullen and Harnett, near Cooma, Iarch 22; of the Nerrigundah mail, when a Mr. Emmett /as seriously wounded, April 9; murder of Miles O'Grady—)r which offence he was outlawed—April 9; robbery of ırmstrong's store at Araluen, May 22.

From this point Thomas Clarke was invariably associated vith his brother John in the devilish work to which he had ompletely given himself up; and the exploits of the pair)f robber-murderers may be thus summarised:—Robbery of Levy and others, at Michelago, June 1st, 1866; of Thomas Wall, at Jindera, June 4; of the Moruya mail (mailboy's ıorse taken) July 16; of King and Morris' stores at Mudme-ong, July 16; fired at the Ballalaba police, July 17; of F. H. Wilson, at Manar Station, July 24; robbery of the Yass nail, July 27; of the Queanbeyan mail, July 30; of Hoskings, at Foxlow, August 22, also September 10; of Myers and Badgery, at Jembaicumbene, August 27; of a Chinaman, on the Araluen Mountain, October 9; of a Chinaman, at Jembaicumbene, November 20; of a number of Chinamen, at Major's Creek, same day; of the Yass mail, at Razorback, December 7; of a Chinaman, at Mudmelong, December 31; of James Hyland, at Crown Flat, same date; suspected of murdering four special constables, at Jindera, January 9, 1867; robbery of John Hornby, on Araluen Mountain, January 13; of Chowry and Lamb, at Mongarlo, January 14; of the Yass mail, January 22; of James Myers, at Jembai-

cumbene, January 26; of the Goulburn mail, February 22; of Frazer's store at Gundaroo, March 7; feloniously wounding Constable Walsh and Sir Watkin, the black tracker, when being captured at Jindera, April 27; tried at Central Criminal Court, Sydney, May 29; executed at Darlinghurst, June 25, 1867.

The list is not quite complete; but it is long enough and black enough, surely, to satisfy anyone reading it of the correctness of the statement previously made that no more remarkably confederacy of robbery, violence and murder has ever been known to exist in any civilised community than that in which the Clarkes engaged. The details of some only of the more serious of the offences above recorded need be given; those of the less serious present features not one particle of a shade different from those of ordinary bush-ranging exploits, of which so many have already been given. And here again I must emphasize what I have already said concerning the object of narrating these gruesome facts of Australian History. This Story is not written for the purpose of satisfying morbid curiosity or pandering to the vitiated tastes of those who delight to hear or read of deeds of violence and blood; but simply in order that the Australian citizen of to-day may know something of the strange vicissitudes through which the settlers of earlier days had to pass—a knowledge to which they could not attain without a record of this kind being placed before them.

Up to April, 1866, the brothers Clarke, heinous though their offences had been, had not spilled human blood; but the time had now arrived for robbery with violence to develope into robbery with murder. They were too deeply involved to easily escape from the next downward step, and the colony soon rang with the news that murder had been committed.

Mention has only been made of the two bushranger brothers, but they were associated with others of the family, Connell being prominent in several of the cases of sticking-up in which they were engaged at the time they began to shed blood, a man named Fletcher being also with them. The four bushrangers were together when the attack was made upon Nerrigundah township in April, 1866. Towards dusk on the evening of the 9th they rode into the town, two abreast, and while two of them stopped at Wallis' hotel, the other two rode on to Pollock's store, and the four commenced simultaneously the work of "sticking-up." The two at Wallis' had made all the persons at the hotel deliver up their cash and valuables, and were standing guard over them when Thomas Clarke brought in Mrs. Pollock and placed her with the other prisoners, at the same time taking from her about £7 in money and the key of the safe. Standing with the key in his hand near the door, Clarke was suddenly surprised at feeling it snatched from him by Mrs. Pollock, and he rather angrily demanded that it should be at once returned, his object being to return to the store and ransack the safe; but the plucky woman threw the key over Clarke's head into the street; and though the bushranger searched for it with a lamp from the hotel, he could not find it. Shortly after this Fletcher brought over Mrs. Pollock's children, servant, and two Chinamen; and other residents of the town were also brought in and placed with the other members of the well-guarded company. Mr. Pollock about this time returned from the upper town, and as he turned the corner at Wallis' he was told to dismount. He at first thought it some practical joking, and refused, but the bushrangers pulled him from the horse and walked him into the bar. As he resisted, one of them put down his gun and struck him on the face, the others

keeping him covered, Clarke threatening to blow his head off. Seeing that resistance was useless, Pollock then became quiet, and joined the others in the hotel, the number of victims having by this time swelled to about forty, as the bushrangers forced every individual that came near to stand with the others in the house, where they were kept under cover of the revolvers.

By this time the news of the bushrangers being in the town had spread among the inhabitants, and they either hid away with their money or ran down to the hotel to see what was there going on, only to find themselves ordered to take up their positions with the other victims. The leading butcher of the town foolishly carried his money with him when he went to the hotel to judge for himself whether the men were bushrangers or not, and he was immediately hailed by Fletcher and commanded to take his place with the others. He moved forward with some reluctance, and hesitated a good deal when he was commanded to "fork out your cash;" and when passing the door of a side room he suddenly threw his roll of notes inside the tap-room through the door. But one of the bushrangers observed his action and at once called for a light in order to ascertain what it was that Drew had thrown away; one of them at the same time cautioning him that further movement on his part would be followed by a little bit of shooting. Before the light was furnished, however, there was an interruption. Constable O'Grady and another constable, who at the time had sole charge of the town, had received word of the bushrangers' presence, and bravely determined to tackle them at the hotel. Poor O'Grady! his temerity cost him his life. Coming to the place he saw the four bushrangers inside, and raising his revolver he took aim and fired. The shot told and Fletcher fell, upon which Thomas

Clarke at once rushed out with the others and commenced firing. The constables retreated down the street, but before they had proceeded far, O'Grady fell, mortally wounded. The bushrangers then mounted their horses and galloped away in the direction of Deep Creek, a village about three miles from the Gulf, threatening to come back and shoot every person in Nerrigundah.

O'Grady's death was followed by a proclamation against Thomas Clarke and Connell under the Felons' Apprehension Act.* A summons was issued against them under the hand of the Chief Justice, calling upon them to surrender to the Governor of Braidwood Gaol by the 4th May, and the period of grace allowed having expired they were formally outlawed. A few days after the outrage the police and some volunteers came across the bushrangers near Boralo Range, leading a pack-horse, and fired upon them, but Clarke and his companions escaped, although "Tommy" was supposed to have been disabled by a spent revolver bullet striking him in the knee.

On several occasions the police had "brushes" with the bushrangers, and came near arresting one or other of them more than once. Shortly after the affair at Nerrigundah, the Clarke's, with Connell and four others, robbed Morris's public-house and store at Mudmelong, taking money, wearing-apparel, and provisions. They refused to drink themselves, but shouted for all hands and paid for the liquor supplied. Tommy Clarke and Connell were not disguised, the former saying there was no necessity for that, as they knew they had been outlawed; but others of the gang had handkerchiefs over their faces. After they had left, information was carried

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*"Story of Australian Bushranging"—No. 5.

to the Araluen police, who immediately started in pursuit, accompanied by the black tracker. Coming upon the tracks of the outlaws they followed them to the Jingera Ranges, the favorite resort of the gang, and about four o'clock in the afternoon came across a hut in which the bushrangers were camped. The police approached very cautiously, but were seen by the bushrangers, who boldly defied them, and at once prepared to fight by planting themselves behind convenient trees, and firing upon the police. The firing was kept up, the police replying for over an hour, when Constable Kelly saw Connell mount his horse as if to ride away. He at once called upon him to surrender, but Connell with an oath declined, and Kelly then fired his revolver and wounded him, bringing him to the ground. The other ruffians kept the police at bay for some time, so that they could not approach the wounded man, and when it was nearly dark they beat a sudden retreat, taking their wounded companion with them. They were soon lost to view in a dense scrub, and the police then entered the hut, where they found quite a store of sugar, tea, bread, pickled pork, grog, police arms that had been lost in a previous encounter, and a complete set of blacksmith's tools, used by the bushrangers in shoeing their horses.

The failure of the local police to capture this desperate and determined band of robber-murderers, as was the case with Hall's gang,* formed the subject of much debate in local and general circles. Those who were unacquainted with the difficulties under which this special class of police duty had to be performed could not understand how it was that a small band of men could so successfully, and for such a length of time, evade capture, when every available man in the police force was engaged in the hunt for them, and power

* "Story of Australian Bushranging"—No. 5.

had been placed in the hands of any person to shoot them down as outlaws. But it was the old story of strong sympathetic aid from numerous friends—harbourers, scouts and "telegraphs," who either succoured and assisted them from choice, eager for reward in the shape of divided stolen spoil, or from fear of themselves receiving injury at the hands of the lawless ruffians, who had proved themselves capable of any outrage to gain their ends. In the case of the Clarke's, it became known to the authorities that they operated from a centre which was filled with sympathisers. Several of the more prominent settlers and squatters in the wild locality in which they chiefly sought refuge were pronounced friends of the outlaws, but although it was known that they harboured the criminals, and in their interests, watched every police movement, from the nature of the country and the confederation that existed, it was not possible to bring home effective proof. The Government had been recommended to cancel the lease of the run upon which these people had settled, and had adopted that recommendation, but in a weal moment had subsequently revoked the order at the request of a Member of Parliament who had suffered himself to be misled. Thus the nest of robbers remained undisturbed, and the State, all unknowingly of course, contributed to the defeat of its own officers, as Ministers were soon to discover in a manner most startling.

Towards the close of 1866 a party of secret police—under the command of a man named Flynn—was organised for the special purpose of breaking up this gang, but after a short period of ineffective service, internal disagreements arose and the party was discharged from duty. But the idea of a secret police was not abandoned, and an effort was made by the authorities in Sydney to form a second party, stronger than

the first and more fitted for the peculiarly difficult and dangerous work. That effort was successful. A senior warder in Darlinghurst gaol, named Carrol, and who had been in the police force, volunteered for the service, and undertook to get certain other reliable men to join him. Carrol was a singularly efficient warder, and was remarkable as a man of great activity and physical strength, of undaunted courage, of wary caution, of determined will, and with an intelligence superior to his station. He had been recommended by the Sheriff for the office of chief warder. That was not given him, but he was offered the position of gaoler at Albury. This he declined on the ground that he wanted to remain where he could get a good education for his children; but he offered to go after Clarke's gang, having some special reason for believing that he could get on the track of the outlaw. The conditions were that if he failed he was to receive no recompense for his trouble, but that if he succeeded he was to have suitable promotion in the public service. His offer was accepted, and he was allowed to choose his own party. Two of the men he chose—Patrick Kennagh and Eneas McDonnell—had been warders, and the other—John Fegan—had been in some connection with Clarke's gang, knew the country, and had served his sentence. They were provided with Tranter's revolvers. They were accredited to the Police Superintendent in the district, and were sworn in by the local Magistrate as special constables for the district.

Thus equipped and authorized, Carrol and his companions disguised themselves as surveyors, and proceeded to measure out a flat near the residence of Clarke's father, near Jingera. While so engaged they were subjected to an unexpected night attack, the principal marvel connected with

which is that that night did not anticipate the murderous deed that was to follow soon after. They had a narrow escape of being shot down round their camp fire and all murdered before they had well entered upon their work. The subjoined report, which was written by Carrol after the event, and transmitted by him to the Colonial Secretary, will shew how dangerous was the work in which these men were engaged :—

" Braidwood, Sunday, 7th October, 1866.

" Sir,—I have the honor to report for your information that, in accordance with an arrangement previously made, I and my party pitched our camp within one mile and a half north-east of Clarke's house, ostensibly for the purpose of surveying. We were delayed in Braidwood a week but in the meantime one of our party (Phegan) had been three times to Mrs. Clarke's and her daughters. At first he was received with a degree of suspicion, which, however, wore away on his second visit. They (the Clarkes) got Phegan to write out a petition for their son James Clarke, now on Cockatoo Island. Since we were camped as above, Phegan, accompanied by Kennagh, made another visit, and were received kindly. Altogether our plans were progressing most favorably. On last Wednesday morning Tommy and Johnny Clarke passed about two hundred yards from our camp, in the direction of their parents' house. They were well mounted, and we were not in a position to pursue, nor could the pieces we had (revolvers) carry that distance with any certainty, so that on that occasion we were compelled to let them proceed unmolested. On the same afternoon two of Clarke's girls rode round our camp, and had a good survey of it and ourselves. You will please remember that until this the Clarkes did not know our position, although they under-

stood that Phegan was employed by a survey party. The girls went past us in the direction of a range in our rear, and shouted as if rounding up a mob of horses. We watched them narrowly, and shortly afterwards they returned towards home, we saw two of their dogs coming down the range near which the girls had approached. On the following morning early we surveyed the range in twos, and came across a bark gunyah constructed in such a way as not to be noticeable until one would be right on it. The gunyah presented the appearance of having been very recently occupied, and we found two empty bottles in it. From the circumstance of the two bushrangers having been seen by us coming from that direction and other collateral evidence, we had no doubt of this being one of their rendezvous, and of being able to secure them in it before long: but we had a better plan in view at the time, and were awaiting its accomplishment or failure before trying their capture as before described.

"I have now to relate a most providential escape we all had of being shot and perhaps riddled to death. We had been surveying a flat near our camp from nine o'clock on Friday morning till about four in the afternoon. At four o'clock we went in a body on a neighbouring range, where we could reconnoitre. Well, we returned to camp about six, and had just finished our teas, and were standing round our fire, which we always allowed to die out, when all at once (it was very dark) we heard the report of a musket or rifle about one hundred yards from us. The ball passed right between us, and entered the tree against which our fire was made, just on a level with our heads. We had our arms out in an instant, but before we could discharge them we were fired upon from two opposite directions. Thank God none of us was touched. We each discharged a shot in the direction of the explosion

by the bushrangers, for we had no other guide in aiming, owing to the night being so very dark, which was rendered denser by the mizzling rain which had been falling all day. Our first object of course was to get out of the glare of the fire, which was still burning sufficiently to afford a good aim at us by the bushrangers. The Clarkes, and whoever were with them, had evidently lain on the ground behind trees. I would suppose there were at least four of them. We kept up random firing for about five minutes, closing by degrees on the first position taken up by the bushrangers, who always retired on our approach, and in opposite directions. I cannot speak too highly of the courage displayed by the party under charge. They acted most zealously; indeed, under the circumstances, I thought rashly, in pursuing under such disadvantages. About 8 o'clock we found that our ammunition had been inadvertently left in the tent, and to return to it from its colour and position so close to the fire, which would throw the shadow of any one passing so clearly as to afford a good mark for the fire of the bushrangers, appeared certain death. Kennagh, however (and I cannot speak to highly of his courage), without a moment's hesitation, made a rush to the tent under cover of our fire, and secured the ammunition. The bushrangers now directed their firing to the tent (which is riddled), but without effect. Kennagh returned to us unharmed. After this the bushrangers ceased firing, and as we had no further clue to their position we remained in ambush the whole of the night, expecting every moment to see the tent attacked or to be passed by some of the bushrangers. No further attack was, however, made; and when daylight came no traces of them could be found, if I except some balls and a flask half full of powder which had been dropped by one of them. How we escaped being at least

wounded, is a mystery. To God we must be thankful, for a narrower escape, or a more dastardly attack, is not within my recollection.

"I am at a loss to know why we should have been so attacked, for on the last visit of two of my party to Clarke's house the remotest suspicion of who we really were was not entertained. I am inclined to believe that we were observed tracking the bushrangers on the mountain and discovering their shelter. However that may be, it has been found necessary to abandon our first plan. . . . . I may here mention that our firing was distinctly heard at Mr. Stewart's station, which is about the same distance from our late camp as the police station at Wallace's. We were nearly a week camped as described, and, with the exception of the Clarke's family, never saw any person. The police ride frequently to and from Braidwood, but we have never met them off the main road. and that the Clarkes should infest that immediate neighborhood with such impunity and so frequently without being captured would require some explanation. I have every hope when we have a supply of rifles to bring in—dead or alive—one or the whole of the gang within a month. Mr. ——, who has been very courteous to us, has already written for the additional pieces of ammunition, which I trust will soon arrive. I hope shortly to be able to report to you our success in the expedition.

"I have the honor to be, sir,

"Your most obedient servant,

"JOHN CARROLL."

This account is intelligent and straightforward. The men acted with bravery, and what further proves their courage and their resolution is, that they stuck to their task after they had thus found that they were marked men, and were liable

to be shot down at any moment without warning. On the face of the account suspicion arose that the party had been betrayed, and information was conveyed to Government tending to confirm this suspicion.

After this murderous attack, disguise, of course, was at an end. Carroll then set himself to work to root out the harborers. Some of Clarke's acquaintances, including two of his sisters, were brought up before the magistrates and committed for trial. When in court in connection with these trials Carroll complained that the police rather hindered than helped him. In a report to the Government he repeated that charge, and even implicated some magistrates in winking at the conduct of the bushrangers from a regard to their own property. Accusations of this sort could not, however, be acted upon by the Government in the absence of more specific information ; and it is possible that Carroll, baffled in his first attempt, may have laid more blame on others than they deserved. So far as the police were concerned, it was clear that Carroll operated among the harborers to an extent that had not been previously practised. Yet it had to be confessed that all the special expeditions sent out against the bushrangers had failed, and that whatever may have been the shortcoming of the police in capturing bushrangers, no other set of men had done what they had left undone. The special force had yet to be organized that would do more than the regular force had done.

Having abandoned the pretence of performing surveying work, Carroll and his men now openly hunted the bushrangers from the same level as the police, whose efforts were not in any degree relaxed, jealous though the subordinate members of the force may have been of the party whose

movements were untrammelled by red-tape regulations or official mandates. But the bushrangers defied alike the police and the "specials," and still pursued their course of open robbery. There was no conclusive evidence, of course, that Clarke and his mates had been the assailaints in the attack recorded; but no one doubted that the shots fired at Carroll and his companions in the darkness had been fired by them, with the double object of removing the men who were so quietly seeking to compass their destruction and striking terror into the hearts of any who might think of assisting the police.

It would have been well for Carroll and his companions if they had taken warning from their narrow escape, and moved more cautiously in the country of an enemy who had had furnished proof so convincing that they were prepared to take the most extreme measures to remove them from their path. For a time they were more cautious in their movements. They decided never more to camp in a tent, which while affording them shelter during the night also favored a surprise by the bushrangers who could approach them unseen and unheard. They also adopted the plan pursued by the bushrangers of rapid movements from one place to another, and they succeeded in keeping the hunted men in a state of suspense and constant watchfulness. Failing by direct pursuit to accomplish their purpose, they tried what bribery could do among some of the many friends of the outlaws, and by this means they learned who were the chief harbourers of the gang and who kept them supplied with the munitions of war. It was in this way that they were enabled to make several arrests, the most important being that of Michael Connell, a relative of the outlaw, and postmaster and storekeeper at Oremmeir, and that of another relative named

Berry. It was during the hearing of the charges against them that Carroll made his complaint against the members of the police force, charging some of them with having actually partaken of the plunder of the Foxlow robberies, and with having been unduly familiar with some of the female members of the bushrangers' families.

Thus matters went on for some time, there being friction between the local police and the "specials," and a deadly feud between the latter and the bushrangers, each party knowing that the other would not grant any quarter should they come into actual collision. At last a climax was reached, and a horrible and bloody climax it was.

On the night of the 5th January, 1867, Carroll and his companions entered upon what proved their last expedition into the enemy's country, starting from Braidwood. After "planting" in Jinden for some time they started on foot from that place at about eight o'clock on the night of the 8th or 9th, intending to visit the house of a man named Guinnes, about four miles distant, the house being believed by them to be a favorite place of resort for the Clarkes and their companions. To reach Guinnes's house they had to pass through a very dense scrub, about half a mile from Smith's place. That scrub proved their grave. The sound of firing was borne on the breeze to Smith's house about half an hour after the party had started; then there was silence, to be again broken some time afterwards by the sound of another volley. Yet no one appears to have thought the occurrence sufficiently serious to call for immediate inquiry, and the inmates of the house of which the four men last rested retired to rest, in blisful ignorance of the fact that four dead bodies lay in the bush stark and stiff—all that was left of Carroll, Macdonald, Phegan, and Kennagh.

It was a most foul murder, and though the exact method of its perpetration was never fully known to the public, the position of the bodies when found on the following day indicated pretty clearly that the men had been taken by surprise and shot down as they walked through an open space in the bush. And it was easy to guess as to the murderers, for there was only one set of men who professed to have cause to interfere with the party, or who could have the slightest possible motive for seeking to "put them out of the road." Some stockmen were the first to learn that any outrage had been committed, and their astonishment and horror when they made the discovery may be imagined. They came across the bodies of Phegan and Macdonald riddled with bullets. The latter had apparently been first shot in the thigh, and his leg was twisted under his body, which was lying in a pool of blood, having several other bullet holes in it also. Phegan's body was fairly riddled with bullets, and the two men had evidently fallen together. The bodies of Carroll and Kennagh were discovered by a party of police shortly afterwards, about half a mile from the spot where those of their two companions lay. The former had been shot through the temple and the latter through the throat; and it was conjectured that they had escaped the first volley and ran for cover, were followed, called on to surrender, and then deliberately shot as they faced their murderers. Carroll was found lying on his back with a handkerchief neatly folded across his breast, with a one-pound note pinned to it. That the object of the murder had been revenge and not robbery was clearly proved by the fact that in the pockets of the leader there was a large sum of money left untouched, as also was the money in the possession of his companions. News of the awful occurrence having been conveyed to Mr. Smith, that gentleman immediately

informed the authorities at the nearest station, and the bodies were subsequently conveyed to Jinden, where an inquiry was held before a magistrate, after which the bodies were hurriedly buried, sheets of bark being made to do the double duty of winding sheets and coffins. Some days afterwards the bodies were exhumed in order that a public funeral might be accorded them, that being the wish of the Government.

To say that the news of the horrible crime that had been committed created a great sensation throughout the whole colony does not adequately express the intense excitement that was occasioned. Never before had there been an outrage like this committed, and never before was such general anxiety manifested to hunt down the wretches who had been guilty of this act of unparalleled atrocity. It was a reproach to the authorities that they had not been arrested before this crowning act of ruffianism had been perpetrated, for despite their intimate knowledge of the bush and their many active sympathisers, they were after all a small band, whose favorite haunts were well known, and if some of the more skilful of the bush police had been allowed to move without being subjected to the restraints of red tape, the bushrangers would in all probability have either been captured or forced to fly the district. Carroll and his companions were undoubtedly brave men, but they were more fitted for guarding prisoners in gaol under strict regulations than hunting experienced bushmen among mountain fastnesses. The opinion was generally expressed that they had been led into this trap by the Clarkes, and that every detail of the murder had been carefully planned by the outlaws before the information upon the strength of which Carroll's last expedition was undertaken had been supplied.

Shortly after the news of the murder reached Sydney

the following proclamation was issued in a *Gazette* Extraordinary :—

To the Magistrates, Freeholders, and other of her Majesty's subjects resident in the Police Districts of Braidwood, Broulee, Queanbeyan, Eden, Bega, and Cooma. Whereas the notorious outlaw, Thomas Clarke, whose life is forfeit to the laws of his country, and certain other lawless men associated with the said outlaw, have committed numerous depredations on the property, and by repeated acts of murder have taken the lives of her Majesty's subjects: And whereas the said outlaw and his lawless associates, from the physical character of the district which they infest, and the facilities which it is believed are afforded them by evilly-disposed persons, possess unusual means of escape and concealment: And whereas the existence of this gang of murderers is incompatible with a settled state of civil society and that security which ought to be everywhere maintained under British law, and cannot be suffered without public disgrace: Now, I, Sir John Young, the Governor aforesaid, do call upon you, the Magistrates, Freeholders, and other of her Majesty's subjects resident in the several Police Districts aforesaid, individually and collectively, by the allegiance which you owe to law and authority, to set aside for the public good all reasons of profit and convenience, and employing every means within your power to support and assist the officers of police, and other servants of her Majesty, in arresting the aforesaid outlaw, Thomas Clarke, and his associates in crime, and in bringing to speedy justice all abettors, harborers, and receivers in anywise unlawfully connected with the said offenders.

Five Thousand Pounds Reward.—Murder.—Whereas the undermentioned persons, John Carroll, Patrick Kennagh, Eneas Macdonald, and John Phegan, whilst engaged in the service of her Majesty the Queen, were murdered near the Jinden Station, in the Police District of Braidwood, on the 9th January instant, by some person or persons unknown, under circumstances of great atrocity: Notice is hereby given that the Government will pay a reward of five thousand pounds for the apprehension of all the parties concerned in

the murder; or a reward of one thousand pounds will be paid for the apprehension of any one of the murderers; or should the capture be effected by information supplied to the police, then one-half the said rewards will be paid to the informant, and the remainder to the person or persons who may effect the capture. It is also further notified that, in addition to the above rewards, the Government will recommend that her Majesty's free pardon be extended to any accessory to the said crime, not being one of the persons who were actually present assisting in the commission of the said murders, who will *first* give such information as will lead to the capture of the murderers, or any of them. And all parties are cautioned that by harboring, assisting, or maintaining the murderers, they will make themselves accessories to the crime of murder, and render themselves liable to prosecution accordingly.

HENRY PARKES.

The Government also decided to equip a special force, composed of picked men and under the command of a selected officer, and despatch it without delay to scour the district; and a hope was expressed that, with the law-abiding residents of the district roused to activity, the career of the lawless gang would be speedily brought to a close. But from this point the gang appears to have assumed a more generally aggressive character. Within a week after the murders they were out again on the road, "bailing up" all the mails and robbing every traveller that passed along the highways; and from the fact that such robberies occurred in different places in the district simultaneously the authorities rightly concluded that the party had divided, each section "holding" particular portions of the district. On January 15th, the two Clarkes and another stuck up the coaches between Braidwood and Araluen, and robbed the passengers of every penny they possessed. On the following Tuesday morning they robbed the Araluen coach at Reidsdale, and secured about £40 from the passengers; and simultaneously another coach was robbed on another road and between £70 and £80 taken

from the passengers; while the people of Braidwood were startled by the circulatien of a rumour that ten armed men were on the Major's Creek mountain on the look out for the Araluen escort, but the escort subsequently passed without molestation and the report was then believed to have been spread by some of the bushrangers' friends for the purpose of drawing the whole of the police away from the town.

Meanwhile the local police were not inactive, although, do their utmost, they could not catch sight of the outlaws or their companions. But they gained information which led them to arrest Michael Connell, James Griffin, and a man named Guinness, family connections, on a charge of being concerned in the murderer of the special constables. They were brought before the court and not a little sensation was created by the former being admitted by the magistrate to bail. The public of Araluen rose in a body in protest, and a monster public meeting was held at which the conduct of the magistrate was condemned and resolutions praying the Government to protect them from judicial acts of wrong as well as from the bushrangers were passed. Shortly after this a commission was appointed and sent up from Sydney to inquire into the condition of affairs in the district; and on the very day they arrived in Braidwood other distinguished gentlemen visited the place, in the persons of Sub-inspector Stephenson and a company of picked men, and Sub-inspector Brennan and a black tracker of high repute in the police force. A third party of police from Sydney also arrived on the following day. The Commission had gone to look after the magistrates, who had been openly charged by the public with favoring the bushrangers' friends in order to curry favor with the bushrangers, and thus save their own persons and property from injury. The police had gone to look after the outlaws.

At this time there were about 40 mounted troopers scouring the bush in the Braidwood district, and one would have thought that with such a force menacing them day and night the outlaws would have experienced great difficulty, even in hiding. But they did not attempt to hide, and, in fact, appeared to grow bolder in open movements, although they were always on the watch against a surprise, and always prepared for a fight. Evidently they had no thought of seeking safety in flight, and were determined to fill their cup of guilt to overflowing. While the police were hunting for them on the mountains they would visit the plains and seek victims on the roads, or at the wayside inns.

On one occasion it was reported that they had actually been seen drinking publicly at a bar in the heart of Araluen, passing right before the noses of the town constables when making their exit. And one evening they made a raid upon Mr. Myers' store at Jembaicumbene, and replenished their provision bags and stock of clothing, besides lifting a large amount of money. There were at the store at the time of the visit the shopman, his wife and Mr. Myers' son. The bush-rangers took off their boots some distance from the dwelling, and approaching silently made a sudden rush through the back door, "bailing up" the inmates, who were at tea. They said there was no occasion for them to present their cards, and the inmates could inform Mr. Myers, when he returned from Araluen, that they were the Clarkes and Bill Scott who had bestowed their "custom" upon the place. Myers had been a gold buyer, and the outlaws evidently expected to make a good haul, but they were disappointed, as there was not much gold in the place, and what little there was had been planted by young Myers in a pillow on the bed. They demanded to know where the gold was hidden, but

although they threatened to shoot the owner's son if he did not tell them, he persistently refused. They discovered it at last, however, and also the money that was in the house ; but did not leave the place until two hours had elapsed. They filled several three bushel bags with drapery and provisions, one of the party standing at the door, having instructions to shoot any one that came up and did not stand when called upon while they were filling the bags and fixing them upon the horses which they had brought with them. Two of them had each a Tranter revolving rifle, and Thomas Clarke fairly bristled with revolvers.

Shortly after this one member of the gang lost the number of his mess. His name has not hitherto appeared here, for the simple reason that the man was not one of the principals, and reference is only made to him now in order to show that even a bushranger was not exempt from the accidents which may happen to ordinary mortals in the bush. James Doran was this man's proper name, although he was known to the authorities by the nickname of "The Long Tailor." Doran had served a sentence in Braidwood Gaol for robbing a blackfellow before he joined the Clarkes, and a warrant was out for him at the time the accident which caused his death happened. He had broken away from the Clarkes either from choice or necessity, and was making his way into Gippsland from Maneroo, when the police stationed at the latter place got upon his tracks. They followed him closely, and were rather startled one afternoon at finding his dead body lying alongside the road. It was supposed that his horse had run him against a tree, he being drunk at the time, and that his skull had been fractured in the collision. His death by this means saved him from a more formal death, if not a more painful one, at the hands of the hangman, for he

had taken part in the outrages in which the Clarke's engaged while he was associated with them, and was present when Sergeant Stafford and Constable Riley were made the targets for their fire.

The gang was further reduced about the same time by the capture and conviction of Thomas Connell for wounding one Thomas Emmett and stealing from him twenty five ounces of gold-dust and some money. Emmett had been stopped on the Moruya Road, and on attempting to gallop off was fired at and shot in the thigh, his horse being killed under him by a rifle bullet at the same time. In this attack five bushrangers were engaged, the Clarkes leading the party, and Connell forming one of them. Found guilty by the jury, sentence of death was pronounced upon him ; but the death sentence was not carried out, it being subsequently commuted to imprisonment for life, " without mitigation," the first three years in irons.

Meanwhile the Braidwood district was being kept in a state of constant agitation by the bushrangers or events connected with them. The Commission of Inquiry exhausted all evidence procurable in the district concerning the relation of the magistracy to bushranging, sitting for several days and furnishing a most voluminous report, based upon the evidence given, no less than 40 witnesses having been examined. Shortly after that report was handed in to the Government, an official announcement was made that a certain prominent magistrate of the district had been superseded—or, in other words, dismissed. The charges brought against him were such as no magistrate who estimated the honors and obligations of his office at their proper value would care to have preferred in his own case ; but it was no time for a display of sentimentalism, and the authorities didn't even ask him to

resign. It was a clear case of peremptory dismissal, the times and the seasons not admitting of even small consideration for any individual, much less a magistrate of the territory, openly expressing, by either words or actions, sympathy with the outlaws for whose capture the Government were putting forth all their energies and lavishly spending money. Beyond securing the removal from the Bench of an occupant adjudged to have been unfaithful to the trust reposed in him, the labors of the Commission were not fruitful of much good, but its presence in the disturbed district served as an assurance to the people that some regard was being paid to their complaints, and that there was a disposition to correct the evils to which they were so frequently calling attention.

But still the Clarkes held the road, the army of visiting police being as powerless to arrest them or to check their outrages as the few who resided in the district had been. Cases of "sticking up" were still of weekly, if not daily, occurrence, and it really seemed as if the outlaws were possessed of charmed lives, so easily and often did they appear and disappear without leaving their pursuers a trace that they could follow with any good results.

Just at this time attention was attracted to another quarter, and the manner and matter of the attraction may be told in the words of a writer to the press, whose identity need not here be made known. Here is what that writer said, the date of the occurrence chronicled by him being April, 1867, and the place Goulburn:—"It was to be expected that with so many important criminals, some of whom had been closely mixed up with bushrangers, we should have a dilution of the Braidwood notorieties. We have had no male Clarkes nor Connells, and I should be very sorry to refer to any of their relatives, had there not been a

conspicuousness that rendered it almost impossible for me to shut my eyes or leave my pen still. I daresay that you have not forgotten what has been reported about Annie Clarke, sister of the outlaws, and one of the police, who, if I recollect rightly, got into bad bread on the occasion referred to. Well, Annie Clarke is in Goulburn, and it is supposed that her presence here is one of sympathy. I can't say about that. She is, however, here, and would no doubt have passed without notice, had she not apparently coveted distinction. Let me afford her vanity scope. She is really not a bad-looking girl, about twenty years of age, fully the proper height for a woman, with a figure that would pass anywhere. But she strives for observation. I only saw her during one day, and then—mimicking the ladies of the land—she changed her dress four times—possibly more than that, because I did no see her 'full-dressed for the evening.' There was something quiet in the first two costumes, but in the afternoon she came out in a 'blood-red' one, with hat and feather, and nether pendants well ankled; presently, out she appeared in blue silk, with white shawl, ankled as before, but without that finish as to hose that lends its particular charms to criticising eyes. I would not have dwelt on the subject had it not been my impression that the Protean change of costume appeared to be as if in bravado—as if to show the less aspiring of her sex how much value there was in being connected with the most worthless of the 'manly' sex. Such an example does more harm than fifty revolvers. I have nothing to say against the girl herself, except to condemn her want of judgment and womanly taste."

It was natural that a member of a family with such a record should attract attention, even under ordinary circum-

stances, but it is not every girl who would care to parade as Miss Clarke had done, and not a little speculation was indulged in concerning the motive of her sudden appearance in Goulburn, and her eccentric behaviour while there, while the brothers whose company she had been up to that time keeping were being hunted like wild beats, every effort being made to compass their destruction.

And at this very moment the end of their lawless career was drawing very near. The police were working with a diligence that indicated their anxiety to come to close quarters with the desperadoes, who within the past few months had been apparently confined to three—Thomas Clarke, John Clarke, and Scott. On one occasion they pressed the trio very closely, having tracked and come upon them when making a visit to the maternal home. There was a short and sharp engagement, but no damage was done on either side, and the bushrangers managed to get away. It was something, however, for the police to get within touch of the bushrangers, and having done so they strained every nerve to hedge them round for the purpose of getting to closer quarters with them. And just here the value of an experienced bush policeman in such a place and under such circumstances was made very apparent. Senior-constable Wright, whose character for efficiency in such service stood very high with his superior officers, had been sent to the district specially to hunt down the outlaws, and with four men and a skilful black tracker, he at last succeeded in doing what forty men had been trying unsuccessfully very hard to do for some six months. Working quietly but determinedly and surely with the one end in view, he at last succeeded in catching the Clarkes "at home," and, by a well-arranged plan of seige, in keeping them there until their surrender at once put an end to bush-

ranging exploits and police unrest and toil. It was an exciting chase, and a still more exciting engagement, as the following detailed account will shew :—

It was on Saturday, April 27th, 1867, that the "running down" took place. The party of police who so distinguished themselves had been camped at Fairfield, a place distant about twenty miles from Ballalaba, on the road from Jinden and Cooma, and lying on one side of the tract of country known as the Jingeras, in the fastness of which the bushrangers had for such a length of time defied all efforts to capture them.

The police, consisting of Senior-constable William Wright, the officer in charge, and Constables Walsh, Egan, Lenehan, James Wright, and a black tracker, picked up the tracks of the bushrangers on the Friday at about 1 o'clock in the afternoon, and followed them till dusk, when all further attempts to do so were useless. The party were all on foot. The tracks had taken a very zigzag course and tended across those parts of the country which the bushrangers considered offered the least facilities for tracking their horses' steps. Their tracks were, however, more distinct from the softness of the ground, it having been a mizzling rain all the morning, which, with the rains which had fallen during the previous six weeks, had rendered every part of the bush, even to the most stony ridges, peculiarly fitted for retaining any impression made upon it. The police being thus brought to a halt by the setting in of night, proceeded to consider what would be the best course to take. The rain had increased very much, and was then coming down at a rattling pace, and they felt convinced that the bushrangers would make for shelter that night. From the direction of the tracks, they had their suspicions as to the place where they would be found—a settler's

residence about two miles away—and these suspicions were formed as much as anything from the knowledge of this place offering the best accommodation about the locality for the bushrangers' horses. The police, therefore, proceeded to the spot, where they arrived about 8 o'clock. On nearing the place they heard the dogs barking, and could also hear some one beating them in order to make them be quiet. This circumstance convinced them they were on the right scent. They thereupon held a brief consultation as to the best plan of operations to be adopted, and they determined to proceed to a haystack that was in a paddock in front of the house, between it and Jinden Creek, to which the house faced, and wait there till the moon rose, in order to learn whether the horses were in the paddock as they suspected, the night being so dark that they could not see a yard before them. After they got to the stack they could hear the sound of horses moving in hobbles, and at about 1 o'clock when the moon rose, the officer in charge left the haystack and proceeded quietly round the paddock to reconnoitre the position of the place, and to look for the horses which they had heard. The remainder of the party while he was away remained protected from observation on the shady side of the haystack. The senior officer found two horses close by the slip rails at the top end of the paddock near the hut. One was in hobbles and the other was not. He drove them down to the haystack, when upon examination they were found to correspond with the description of the animals which the bushrangers were in the habit of riding. The police now felt quite certain as to the correctness of their surmises, and had not the least doubt of those whom they sought being in the hut. After a consultation on the matter, they decided that it would be the most prudent course not to attack the hut at night, and run

the risk of allowing one or both of them to escape, should they happen to alarm them before getting sufficiently near to arrest their flight. They were further induced also to postpone the attack till the morning because of the opportunity they had by placing the horses in a favourable position for the purpose of getting a close shot at them when they came out to secure them. The horses were therefore led to a part of the paddock at which the bushrangers would be necessitated when they came out to catch them, to pass close to the haystack, behind which the police could surprise them at close range. Some of the party were appointed in positions behind the stack, and others were placed in favouring positions for arresting their flight. The leader of the party and Constable Walsh carefully chose the positions, the two Wrights taking one, Walsh and Egan another, and Lenehan and the tracker kept to the stack. They all kept the places given to them, the greater part of the night in the pouring rain, till the much longed for opening of daylight in the morning.

When the momentous time arrived, and when the gloom of the rising dawn gradually cleared away, the parties who had been appointed to the look-out, watched the hut as it slowly revealed itself to view with an intentness which words fail to describe. The party were kept in keen suspense for some short time after daylight before anyone was observed stirring about the hut. The watchful eyes of the outlooks were not long in being gratified, however, with the sight of both bushrangers, as they came out to the front of the hut, and before which one of them remained to wash himself. Just at this time, however, the horses, which had remained in the position they had been left during the night, as is their custom, began to move away in another direction after

daylight had fairly opened, and this change rendered it expedient for the two Wrights to abandon their position, and they joined the tracker and Lenehan at the stack, Walsh and his companion remaining where they were behind the fence, at the opposite side of the paddock, which was constructed of saplings. A few minutes after this occurrence both the bushrangers were observed coming with bridles on their arms out of the hut and across the intervening space to the sliprails of the paddock. The sliprails were not observable, however, to Wright and his party, and it so happened that the bushrangers came down by the far side of the paddock, in place of the side on which the stack was situated, by which route it was supposed they would come, they being necessitated to take one side or the other, as the ground along the centre of the paddock was low and boggy. The horses having, as previously stated, moved a little higher up the paddock than was desirable, and the bushrangers having wider view of the stack by taking the opposite side to that which it was anticipated they would take, the police party at the stack were observed sooner than they thought they would be, and in fact their prey had sniffed the trap before the police were aware of it themselves. When they had come within about one hundred yards of the stack and fifty yards of the horses, one of them was heard to tell the other to look out, as there was a man behind the stack, whereupon they both turned immediately to run away, and the police leader (Wright), as quick as thought, stepped out, the rest of his party with him, and summoned them to stand, the whole party at one word levelling their rifles at them and firing. Both the bushrangers had revolvers upon them, and at the summons to stand they both instantly pulled them out from their belts, but, without using them, ran away in the direction

they had come. It was observed that Tommy turned round for an instant before he ran, seemingly expecting that their assailants would retire to their cover; but seeing them advancing, he fled like his brother, and never again turned his head upon them till he reached the rails, where they were both fired upon by Constable Walsh, as will be hereafter shown. Not so with Johnny, however, who probably, more confident in the wider distance betwixt him and his pursuers, turned round several times and fired upon them in the course of his retreat to the rails of the paddock, none of his shots, however, taking effect. Upon getting through the rails they were confronted with the firing of Constable Walsh, who had ran along the fence of the paddock from the position which he had occupied with Egan. They both returned Walsh's fire, and another shot or two was exchanged between them and their new assailants, when they succeeded in regaining the hut, only one of them, Johnny, having sustained any injury, having been hit just above the right breast, the ball, as was subsequently ascertained, having entered just by the socket of the arm, and in the most remarkable manner went right through his body, just brushing the shoulder-blade in making its exit from his back, and passing through his coat, without, in its course through his body, having touched a single bone. It was not correctly ascertained from whose rifle this wound was sustained—whether it was in his flight in the paddock, when, it was said, he was observed momentarily to stumble after a shot from Senior-constable Walsh or Constable Lenehan, or in the brush with Walsh between the sliprails and the hut, where a distance of from twenty to twenty-five yards was said to intervene; but it is more probable to have been from one of the former, as the bullet corresponded more with the rifles with which they

were armed than Walsh's. In this brush with Walsh the were wholly out of range of the other police. Walsh receive some slight graze on the hip from a shot from one of the revolvers, but nothing to inconvenience him even, and he als bruised his lip in a fall which he sustained while runnin along the fence to the top of the paddock to intercept th fugitives.

It was noticed that immediately after the bushranger reached the hut, a female, said to be the wife of the part residing in it, fled away in her nightdress. The hut was c slabs, which was very close and formed an impenetrabl fortress, the only openings in it being the door, two window and a hole about a foot square at one of the gable ends. Th police now formed together and consulted as to what woul be the best plan of procedure, the result of which was tha they took up positions round the hut, Senior-constable Wrigh placing half of his men at the rear of the hut, where ther were one or two trees in a convenient position to afford shelte from behind which to fire, and the others, consisting of Con stable Walsh, Lenehan, and another, at the front, where they could ensconce themselves behind the paddock fence. Th bushrangers were now, it was apparent from the shots whicl they fired, in possession of the revolving rifles which they were known to have. Thus armed and fortified, therefore their position was a splendid one for defensive operations, anc it was deemed inadvisable to attempt to dislodge them there from, particularly as the police had no certain knowledge that there was not another bushranger in the hut, as well as it being just possible that there might be others inside whc would aid them in the event of a hand-to-hand struggle for the possession of the place It was useless also to think of dislodging them by firing on them from around the hut, and

the police rested content with preventing their escape from the rat hole in which they had cooped themselves up, merely returning their fire whenever they thought it possible to touch them before they receded from their portholes. After about twenty minutes of desolutory warfare, Senior-constable Wright deemed it advisable to send for reinforcements to the Ballalaba Station, and selected Constable Walsh to proceed there with one of the bushrangers' horses, a task of no inconsiderable difficulty and of not a little risk, considering the distance he had to go and the flooded state of the country, with all the rivers and creeks so dangerously swollen, and the shocking condition of the roads in these little inhabited part, together with the circumstance that he had neither saddle nor bridle to ride with, but had to depend upon his good luck in being able to borrow those articles on the way. He ingeniously contrived to make a headstall out of some straps and started upon his journey. This was about 7 a.m., or a little after.

During the time that Walsh was away the police remained at their posts, never for a moment relaxing their watchfulness in their guard upon the hut. A great deal of firing took place throughout the whole time, the bushrangers continuously discharging their pieces upon their besiegers, apparently totally unmindful of running short of ammunition, and determined to hold their position—so admirably secure—in preference to making a rush for it, and risking their fate upon the hazard, a course which the police continually kept taunting them for their want of pluck in not daring to adopt. The police seeing the uselessness of attempting to penetrate such a secure position by any amount of firing, only occasionally let fly at them when they would more than usually expose themselves, which was very rarely.

Sergeant Byrne, the officer in charge of Ballalaba Station, accompanied by six or eight troopers, returned with Walsh, the latter parting with them on the road to procure a fresh horse at some place convenient. Byrne and party, on arriving about twelve or half-past twelve o'clock, made to the rear of the hut and joined Senior-constable Wright, when a short consultation took place between them. Walsh, having obtained a fresh horse, arrived also in the course of a few minutes. He made to his mates in the position in which he had left them in front of the house. Immediately upon his arrival he called out "Tommy, you had better surrender, or you will get stormed out of the house!" The bushranger thus summoned, the most incorrigible and defiant of all the men that have taken to the roads of this colony, came out and said he would surrender. In obedience to Walsh's command he threw up his arms in token of submission, and called out his brother Johnny, who did the same. Both of them came outside and gave themselves up, unarmed, to the party in front, consisting of Senior-constable Wright, who had in the interim joined the others—Walsh, Lenehan, and Egan. The bushrangers, seeing the remainder of the police rushing up, appeared afraid of them, and appealed, as surrendered men, to be protected, when the commandant assured them they had no occasion to fear.

The bushrangers were then secured and taken to the station at Fairfield, where the police party and their prisoners had dinner, Sub-inspector Stephenson and his company of eight men having joined them on the way. The whole cavalcade then started for Ballalaba, and reached Stony Creek about seven o'clock. Here they met Superintendent Orridge and a number of police, with Dr. Pattison, who had left Braidwood for the scene of action immediately a

messenger dispatched by Mr. Wallace from Ballalaba reached town with the news. Dr. Pattison attended to the wounded men—Johnny Clarke and the black tracker, the latter having a ball in his wrist—and the whole party took up their quarters for the night at the public-house of Mr. N. O'Connell, of Stony Creek. The bushrangers conducted themselves with a stoicism and total forgetfulness of their awful position which it is almost difficult to understand. They both laughed and joked about the affair as though they had been participants merely in some honorable encounter against whom the fortune of war had been unfavorable. Johnny, notwitstanding that a ball had passed right through him in one of the most vital regions of the body, seemed wholly indifferent to any pain, and entertained the company for several hours with his pleasant and humorous chat. They were both that night full of interesting anecdotes of their exploits on the road. In regard to the amenities which they appeared to plume themselves upon having observed in their lawless proceedings, and in which all bushrangers alike appeared to be solicitous of distinguishing themselves, no better illustration can be adduced of the length to which these amenities could be carried than was instanced upon their surrender, when, after five hours' continuous firing upon their besiegers, they came out of the hut and shook hands with the constable, in answer to whose challenge they threw up their arms in token of submission.

It was the outlaw Tom who first discovered one of the police at the corner of the stack. After his arrest he informed some of his captors that he had all the previous night been possessed of a strong presentiment, which he could not shake off, as to coming danger. So apprehensive was he that he got up out of bed twice during the night, being disturbed by

the low growling of the dogs, went outside to look about for the cause of it, and discovering nothing, returned to bed again, but not to rest. In the morning, when sleep at length visited him, he did nothing but dream of the police being upon him and was awoke with the start occasioned by fancying that Sergeant Byrne was laying his hands upon him to arrest him. After he got up he could not shake off the superstitious fear which this dream had left upon his mind, and he viewed the haystack behind which the police were posted from the moment of his entering the sliprails of the paddock with suspicion. Hence the reason of the bushrangers sniffing the trap so much sooner than the police had anticipated. The scheme for the arrest was, however, an admirably planned one, and the way in which it was carried out reflected the highest credit upon the whole of the party.

On Sunday afternoon about half past two the police and their prisoners arrived in Braidwood. There were upwards of five hundred persons following the procession after it passed the courthouse, a great number on horseback. Johnny Clarke rode first, with a constable on each side, and Tommy next, similarly guarded, a large body of police riding two and two following. Both prisoners were handcuffed, and Johnny, who notwithstanding the wound in his shoulder sat his horse firm and erect, had his coat merely buttoned over his shoulders with the sleeves dangling about minus his arms. His appearance was very youthful, but although there was no sign of despondency in his manner in any way, or of regret or remorse for his guilty and terrible young life, his face was deadly pale, and the smiling observations which he would occasionally address to the constables on each side of him, failed to impress a close observer that he felt that unconcern and indifference for his position which his rigid and prema-

turely aged features so unmistakeably gave the lie to. Tommy's demeanor appeared less made up. He looked straight before him with an absent, abstracted gaze, and his complexion, so remarkable fair and delicate, with an expression as soft as a woman's, was flushed as with ill-concealed nervousness; and it was observed that he just cast his eyes for a moment at the nook at the corner of the street nearly opposite the gaol, where he found the trusty steed that bore him so faithfully away from the gaol on his last visit to it; but the smile, which was just visible at the corner of his lips, was a very sickly one, and did not appear to pourtray any very pleasureable reminiscences. He looked, however, very well in bodily health, and bore little traces of the hard and reckless career which he had gone through in a few short years. His age was about twenty-five years and Johnny's age not more than twenty-one. Upon their reaching the gaol they both dismounted, and their imperturbable demeanor was never apparently agitated in the slightest degree even when they were going in at the gate, and when they could not help seeing the eyes of the large crowd fixed upon them from all sides. Johnny, who went in first, stood within the gate waiting for his brother, and in place of retiring from observation as he easily could have done had he liked, he faced the crowd and ran his eyes over them without the slightest trace of either boldness or effrontery, or on the other hand of dejectedness or of concern for his position. The gate closed upon them and the crowd dispersed to their homes with mingled feelings, some with a deep loathing for such desperately hardened wicked natures, and others probably with a feeling of admiration for such "plucky fellows."

The fact that an increased reward for the capture

of the bushrangers was offered by the Government on the very day of the capture was looked upon as a peculiar coincidence, although the police at Braidwood did not know what had been done.

In the hut, after the prisoners surrendered, were found a Colt's and Tranter's revolving rifle, the latter of which exactly corresponded with the description of the two that were in the possession of Carroll's party when they were on that fatal expedition which ended in their murder. Besides these, there were the two revolvers with which the prisoners fired upon the police when first assailed outside the hut. These were government revolvers, and were identified as those which were stolen from Constable Dee near Collector.

The fact that Scott was not with the two brothers formed the subject of much comment and not a little speculation: and not a few persons expressed the belief that his were the remains found on the road near Namar some time before, although at the time it was taken for granted that they were those of another member of the gang. If they were not all dead, however, Clarkes' mates had disappeared, and there was general rejoicing at the prospect of peace on the road and in dwellings in that district once more. Subsequent inquiry established the fact that the remains were really those of Scott, and the manner of his death was not considered much of a mystery when it became known that he and the Clarkes were quarrelling on the last occasion they were seen together.

The occupant of the hut from which the Clarkes were taken was a man named Berry, and he was arrested by Senior-constable Wright immediately the bushrangers had been secured. The charge against him was harboring the outlaws, and upon being brought before the Braidwood

bench he was committed for trial. The hut was situated about two miles from the spot where Detective Carroll and his mates were murdered, and one of the rifles found in the possession of the captured bushrangers was declared to have been Carroll's.

The value of the services rendered by the black trackers connected with the police force was greater than many persons imagined, and in the pursuit of the Clarkes those services were brought into great request. As has been seen, Sir Watkin, who was looked upon as one of the best of trackers, not only conducted the party under Senior-constable Wright to the retreat of the bushrangers, but took an active part in the assault upon the hut, and was, during the encounter, more seriously wounded than any of the party. From the first it was seen that his arm had been wounded so severely by the bullet from Tommy Clarke's Tranter rifle that amputation would be necessary; and shortly after his arrival in Braidwood he was admitted as a patient in the local hospital. A few days after his admission Dr. Pattison performed the operation, taking off the arm above the elbow. With the stoical indifference to bodily pain for which the aborigines—equally with the Red Indians of America—were celebrated, Sir Watkin bore the painful operation without a murmur. He coolly walked from the upstairs' ward down to the dissecting room below, and after the operation unconcernedly walked back again, as if he merely had had a finger punctured. The old fellow—he had seen fifty-one summers—was not inclined to bear his honors meekly, and with pardonable pride strutted about exhibiting the stripes which had been attached to his ordinary uniform by the Superintendent of Police, declaring that he had been promoted to the rank of "sergeant-major." It may be remarked here that

Sir Watkin did service as a tracker on many subsequent occasions, and was always treated by his comrades as an "officer" who had "won his spurs."

The prisoners underwent a private examination in Braidwood Gaol on the Thursday after their capture before the Visiting Justice and one or two other magistrates; but prior to its commencement the mother and sister of the bushrangers were permitted an interview. In due course, the brothers in crime were committed for trial at Sydney, and were sent thither by one of the Clyde River boats, the escort consisting of Superintendent Orridge, Sub-inspector Wright (he had been promoted from senior-constable after the capture), and Constable Walsh. When it became known in Sydney that the notorious bushrangers of Braidwood were in the harbor, crowds of people assembled at the different wharfs in expecsation that the landing would be effected at one or other of them. But in order to avoid the mob the police authorities sent out the official boat and intercepted the steamer as she was coming up the harbor, received the prisoners, and conveyed them to the Circular Wharf, which was bare of spectators. An expectant crowd which had assembled at Lady Macquarie's Chair caught sight of them, however, and at once rushed down to the wharf, and had the satisfaction of witnessing the landing. A good deal of disappointment was expressed at the appearance of the two men. Instead of seeing two strong-bearded, villainous-looking desperadoes, they saw two sheepish-looking, overgrown native youths, and they could scarcely bring themselves to think that these were the ferocious, bloodthirsty bushrangers who had robbed and murdered people in the Braidwood district, and frustrated every effort of the police to capture them for such a long period. Both men were heavily ironed,

and immediately upon landing were conveyed in a cart to Darlinghurst Gaol, where the last of the series of tragedies in which they were to be the principals was to be enacted. In gaol the two Clarkes were kept entirely separate from the other prisoners, pending the enquiry preliminary to their trial in public, and for obvious reasons that preliminary enquiry was conducted privately. A committal followed, of course, and the public looked forward somewhat anxiously to the opening of the Central Criminal Court, at which the fate of the two bushrangers was to be decided.

That court opened on May 28th, 1867, before his Honor, Sir Alfred Stephen, Chief Justice, and the two prisoners were jointly charged with having wounded Constable William Walsh with intent to murder him. Mr. Isaacs, Solicitor-General, prosecuted for the Crown, and Messrs. Dalley and Blake appeared for the defence. His Honor, at the commencement of the proceedings, directed the strictest order to be maintained in Court, and announced that the constables had been ordered to arrest onyone attempting to contravene that command. Those who have followed this Story will no doubt anticipate his Honor's reason for giving this order. He was determined that a repetition of the display of public sympathy which had taken place on the occasion when the notorious Eugowra Escort and the still more notorious Gardiner were tried in Sydney * should not occur.

In opening the proceedings Mr. Isaacs remarked that no case had ever come before a jury in which they would require to exercise more caution in weighing the evidence, and separating it from those circumstances which, in point of law, could form no subject for their consideration. He pointed

* "Story of Australian Bushranging"—No. 3 and 4.

out that it would be necessary for certain purposes of the case to prove that one of the prisoners was an outlaw under the Outlawry Act, passed two years before; and that the police were endeavoring to apprehend the prisoner in consequence of a felony or felonies they had committed. With respect to the prisoner John Clarke, it would be shown that he was aiding and abetting the outlaw in resisting the police. He (Mr. Isaacs) said he felt it his duty to caution the jury to exclude from their minds all that they might have heard or read about the prisoners, and to consider the evidence alone which was about to be adduced against them. The evidence which went to substantiate the specific charge would be given by several persons who had been actively engaged on the occasion, and that evidence would, he thought, leave no doubt on the jury's minds of the prioners' guilt.

The evidence given by Sub-inspector Wright was as follows:—

I have been stationed in the Braidwood district for the last four months; I went there in February; I was at a place called Jinden on the 26th April last; it is about fifty miles from Braidwood; the nearest police station to it is Fairfield. There is a place called Ballalaby about thirty miles from Jinden; I arrived there about 3 o'clock in the afternoon, and with my party crossed the Jinden Creek, and went into a paddock in which there was a haystack; I was in search of the prisoners—Thomas and John Clarke; there were six in my party—Lenehan, Walsh, Fegan, another constable named Wright, the black tracker, and myself; we concealed ourselves behind the haystack in the paddock; the noise of horses attracted my attention about nine o'clock at night, and previous to that we heard the sound of horses' feet as if some persons were riding by; there was a hut about 250 yards

away from the stack; about one o'clock in the morning I left my party behind the stack and walked about the paddock; after some time I found two horses near the sliprails, about forty yards from the hut; one was hobbled and the other was not; I took them with me up to within a short distance from the stack, and then returned to my party; I then (about two o'clock in the morning) took Constable Walsh with me, and proceeded to reconnoitre the paddock; I then arranged my party in three companies, and placed the horses on a plot of grass close by; the three parties formed a triangle, with the horses in the centre; one party was on my right, outside the paddock fence, another was on my left, at the haystack; I was behind a log, and was opposite the hut; at about six o'clock in the morning I saw smoke rising from the chimney of the hut, and shortly afterwards I saw the prisoners Thomas and John Clarke come out of the hut; Thomas Clarke is the shorter of the two; I was facing the hut, and Constable James Wright was with me; we were concealed behind a log; the party on my left consisted of Lenehan and the black tracker; the party on my right consisted of Fegan and Walsh; we were all concealed; about five minutes before the prisoners came out the horses moved to the left towards Lenehan and the black tracker, who were outside of the paddock fence; I and Wright shifted our position when the horses moved; the prisoners came towards the horses, but all of a sudden I saw John Clarke turn; I rushed out and cried "Stand and surrender!" then I saw the prisoners draw their revolvers, and as they did so I fired; the fire was not returned just at the moment, but they retreated, and after running about twenty yards the prisoners halted, and John Clarke fired; the firing was kept up from that time until the prisoners ran to the hut; I called out to them again to surrender, and added

that we were police; I was about 120 yards from them at the time; I cannot say whether the prisoners heard me, as there were shots being fired in every direction: the prisoners were firing at us, and we were firing at them, and the prisoners kept advancing and retreating until they got to the hut; Walsh was on my right, and advanced towards the end of the hut; I found he was wounded after the prisoners reached the hut.

Mr. BLAKE: Your Honor, I appear for Thomas Clarke, and he is charged with feloniously wounding Constable Walsh. There is a great deal of matter that comes after the wounding. I think that everything that takes place after that is irrelevant to the case. The offence he is charged with is the wounding of Walsh, and evidence as to everything that occurred after that is irrelevant.

His HONOR: Why is it irrelevant? Does it not tend to throw light on what preceded? The whole was one transaction. You are not to stop short at the time that the shot was fired, but you must take the circumstances surrounding the act into consideration. All the facts will be material as showing the character of the crime. As yet the time of the wounding has not been fixed.

Mr. BLAKE: I submit what takes place after the wounding is not evidence as to the intention of the prisoner in firing the shot. The prisoner is said to have fired a shot and wounded Walsh, and what subsequently took place can have no bearing on the intention which dictated that particular action. Suppose that the shot was accidental, and that after it was fired a collision took place between the police and the prisoners which lasted a considerable time—what could that have to do with the intention which had led to the firing of

the previous shot? What can the circumstances of the collision have to do with what took place before any collision occurred at all?

His Honor: You should have urged all you intended to urge at first. I have given my decision on the point, and see no reason to alter it. Of course, I shall make no confusion between the two points. The point for the jury to address themselves to will be the intention of prisoner at the moment of firing. Still light is thrown upon that by the subsequent transactions.

William Walsh continued: I saw Thomas Clarke fire at Walsh before the prisoners reached the hut; they got inside about half a minute afterwards.

His Honor: How do you know he fired at Walsh? What makes you think he aimed at him?

Witness: He fired in the direction in which Walsh was coming; certainly Walsh fired first; I saw Thomas Clarke fire in the direction in which Walsh was coming; I was about fifty yards from them; I afterwards saw that Walsh was wounded in the thigh; a great many shots were fired from the hut, and from all parts of the premises; I think the shots must have been fired by two persons at first, because they were fired from different parts of the hut in rapid succession. There was a verandah to the hut, and there were two verandah rooms in it; there was a porthole in the end verandah room on the right as you went towards the hut; shots were fired from that porthole, which was about six inches by nine; I afterwards sent Constable Walsh away; the firing was kept up from about six o'clock to half-past eleven, and a reinforcement of police, under the command of Sergeant Byrne, arrived at half-past twelve; a few minutes afterwards the prisoners came out of the hut, and Thomas Clarke said

"We surrender!" They threw up their arms; when I went up to them Thomas Clarke said "Don't blame me; I've done my best to get away, and you've done your best to take me; you've done so, and now treat me as I ought to be treated"; I said "All right, old boy!" I then said "Where are your arms?" Thomas Clarke said "They are in the hut"; I did not see any persons come out of the hut after the prisoners surrendered; early in the morning a man named Thomas Berry, a woman, and a child ran out of the hut; the woman and child ran away; the man remained with us till we captured the prisoners; I asked Thomas Clarke what their weapons consisted of, and he said they had two revolvers and two revolving rifles; I searched the hut, and found therein two revolvers, two revolving rifles, two double-barrelled guns, a single-barrelled gun, and a pistol; I took the two revolvers and the two revolving rifles to Thomas Clarke, and I said "Are you sure these are yours?" He said "Yes, that's mine," pointing to one of the rifles, "and that's Johnny's"; I asked him which of the revolvers was his; he said there was no difference between them; I did not show the other weapons to Thomas Clarke; he said that they were not his, but that the double-barrelled guns were in the hut and he had used them; I think it is very probable that at the time I called to the prisoners to surrender they did not hear me.

The witness was subjected to a severe cross-examination by Mr. Blake, but his testimony was not in the least shaken. The chief object of the learned counsel appeared to be to show that the bushrangers could have shot their assailants from the hut if they had been so inclined, as on several occasions one or other of them stood exposed within 30 or 40 yards from the hut.

Constable Egan was the next witness called, and his

version of the affray corresponded in the main with that given by his superior officer.

Then the wounded constable, William Walsh, was called. He deposed that he had known the prisoners pretty intimately during four years, and, after describing the movements of the police party up to the time they took up their respective positions shortly after daylight, he proceeded to narrate the part he took in the affair. He said: At daylight I saw Thomas Clarke come out of the hut followed by John Clarke; they each had a bridle; there was light enough for me to recognise them at this time; they went towards a slip rail in front of the hut, and the stack was rather in front of them; they came towards the horses and within about fifty yards of the stack when I heard firing, and the first thing I saw was the Clarkes retiring towards the hut; I got within about twenty-five yards of the hut and was near enough for Thomas Clarke to recognise me; I fired on him, and he returned the fire; he turned round and took aim at me, and the bullet bounded from the ground and struck me on the leg, and inflicted merely a flesh wound; he was then within about twenty yards of me: John Clarke fired directly afterwards, and he also injured me; they then effected their retreat to the hut; I afterwards went to a position at the back of the house, about 100 yards from it, and within view of it; there was a window facing the direction in which I was placed, and persons looking through it could recognise me; I afterwards went away to Ballallaba riding, and when I returned I went in front of the house, and called upon prisoners to surrender; I said "Tommy, you had better surrender or we will storm the house over you;" I was then standing about fifty yards from them; one of them, whose voice I recognised to be that of Thomas Clarke, said, "I will surrender to you, and if you

had been here I would have surrendered to you long before ;" he said he had called upon me several times ; that was after he came outside the door ; I asked him to throw up his arms to see that he had no firearms about him ; he did so ; Thomas Clarke came out first, and John came out after him, and also held up one hand, being wounded in one arm ; they were arrested, and then they asked me to shake hands with them ; I did so ; they also said they hoped I would forgive them for trying to escape—that they had done their best to do so, and that I had done my best to take them ; it was in consequence of a proclamation in the *Government Gazette*, in which Thomas Clarke was named, that I went in search of him and arrested him ; I knew they were charges of felony against John Clarke ; I am sure John Clarke fired at me after Thomas Clarke.

The cross-examination of this witness was very lengthy, and I may be pardoned for quoting somewhat extensively from this portion of the report of the case, giving the questions and the answers thereto in their order :—

By Mr. BLAKE : When the men came out of the hut, where were you ? I was between the hut and the slip-rails of the paddock fence.

What is the distance ? Two hundred yards.

Was not Egan along with you ? Yes.

Where did you see him last after the men came out of the hut ? When we started from our position he was behind me.

What description of ground was it ? It was good ground ; rather down hill, but not rough.

Were there any stumps there ? Not in the direction in which I was.

Was it wet ? No.

Was it dry ? No ; it was not dry.

Well, describe what sort of ground it was. It was rather heavy ground.

Was the incline of the hill towards the hut or from it ? Towards the hut.

Was it grass land? Yes.

Where there any stumps there? There were no stumps on the ground that I ran over.

Now, if Egan swore that it was full of stumps and that there was great difficulty in running there, did he speak truly or falsely? There might have been stumps where he ran. The ground was clear in the way I ran.

And you ran a distance of 200 yards? About that.

Did Egan take the same way as you went? I don't know.

Not at the start? I don't know.

Do you think he would have run through a place that was full of stumps when by following you he might have escaped them? When we started he took the opposite direction to me; he went round the top of a large tree that was lying on the ground.

But you were both running towards the hut? I was; I don't know whether he was.

Where was Thomas Clarke when he fired the shot at you? About thirty yards from the door of the hut.

Was he running? Yes, but going slowly.

There was a great deal of firing going on at the time? Yes.

When you fired at Tommy Clarke were you walking or running? I stood still.

But had you been running from the station where you were placed? I was running until I came within twenty yards of Tommy Clarke; then I stopped.

Did you fire before Clarke fired? I did.

When he fired at you, he took aim at you? Yes.

Will you state how he did it? Directly I fired at him, he fired at me?

Describe what he did. He took his revolver out like this [showing how it was done] and fired.

By his HONOR: He turned round and faced you? Yes, your Honor.

By Mr. BLAKE: You saw the shot strike the ground? I did.

Where did it strike the ground? About four yards from me.

What sort of ground was it? It was stony ground—hard sort of ground—gravelly.

Was there any water there, or soft mud? I did not notice; there might have been soft mud.

If Egan was close to you, and has sworn that the ground between you and Clarke was all soft mud, is that true or false? Egan was not with me.

But he has sworn he was three or four yards behind you? I don't know where he was.

He has sworn that there was soft mud between you and Clarke—is that true or false? I don't know; he was behind me.

Do you know where he was? No.

Then how can you say he was behind you? I don't know where he was.

You have sworn he was behind you, how then can you say you don't know where he was?

Mr. Isaacs: It was because he was behind him that he didn't know where he was. He didn't see him.

Mr. Blake: But he has sworn that Egan was behind him.

Mr. Isaacs: That's just the reason why he did not see him.

Mr. Blake: How do you know that the bullet struck the ground? Because I saw it. I saw the dirt rise up.

Did the other prisoner fire? Yes, he fired a few seconds afterwards.

What did Thomas Clarke do when as you say he fired at you? He stood still for about a second and took aim at me.

If Egan has sworn that he fired as he was running; is that true or false? I can't say; I can't say what he saw; I can only speak of what I saw myself.

How high did he raise the pistol? About as high as his chest.

And at a distance of about four yards from you the bullet struck the ground? Yes.

Although the pistol was raised as high as that? Yes.

How long did he stop? About half a second.

Could he, if he was running very fast, stop, and in a second raise his arm as high as that to take aim and fire? I was closer to him than Egan, and saw that he did so.

Mr. Dalley: How far were you stationed from the hut? About 300 yards,

Were you and Egan placed together? Yes.

By the leader of your party? Yes.

To act together and co-operate with the others? Yes.

Did you commence with Egan to leave that point when you saw the bushrangers? Yes.

How far did you go with Egan? I don't know. I never saw Egan from the time we started until I took up my position at the rear of the house.

You say that you stopped within twenty yards of Clarke, and that for the whole of the previous distance your course was uninterrupted? Yes.

There were no stumps or any difficulties of that kind in your way? No, there might have been on my right or left but not where I went.

Oh, so the space along which you ran was clear? Yes, there might have been a stump or so perhaps.

Was the descent to the hut continuous from the place where you were stationed? It was.

Was it steep? No; it was very slight.

Was it steeper as you approached the hut? Yes; a little.

Was there a pretty steep descent at the spot where Thomas Clarke fired at you? No.

Was there a descent? Very slight. Tommy Clarke might have been a little higher than I was when he fired.

Then, in point of fact, there was an ascent? Yes.

There was no descent at all? Yes, there was.

Understand me, was there an ascent—were you lower than him? Yes, I think so.

How much? About three or four feet lower.

About three or four feet lower? Yes, about three feet lower, or perhaps less.

And he was twenty yards off; and when he fired he held the pistol straight out from his shoulder—so? [extending his arm]. Yes.

Without dropping the point of the pistol? No.

Why did you say that there was a descent from you towards Clarke, when it appears that the positions were actually the reverse? I forgot it.

Well, but you asked about the nature of the ground, and why did you not then say that there was a descent from Clarke to you? It was very slight.

Well, but why did you not say that? I forgot it.

You forgot it? Yes.

How far where you from Clarke when he fired? Twenty yards.

The bullet struck the ground four yards from you? Yes.

Did you see it? I saw the gravel rise, and just then the bullet struck me on the thigh.

Was the ground level between you and the place where the bullet struck? I cannot say; there might be a slight fall, but it could not be much in four yards.

Was John Clarke running when he fired? Yes.

He never stopped at all? No.

Not even for a second? No.

By his HONOR: Could he run backwards then? Yes, your Honor, he could.

Did he turn round when he fired? Yes.

And did he turn his whole body? Yes, your Honor.

And still retreated? Yes, towards the house.

By Mr. DALLEY: Is it a fact that everybody present was firing as rapidly as possible from the time the bushrangers retreated towards the hut? There was firing but it was not very quick.

Did you hear Egan firing? I can't say I did; he was in rear of me?

Did you see Wright firing? No.

Did you see Sir Watkin firing? No; I don't know whether he fired.

Did you see Lenehan? No; I don't know; I never looked to see who fired; I was watching Tommy Clarke.

Where were Wright and Lenehan at the time? In the paddock.

Where was Sir Watkin? He was in the paddock at the time.

As you were advancing had you not a view of the paddock? Yes.

And could you not see the flashes of the pistols fired by the others? No; I was watching Tommy Clarke; I heard the firing but did not know who it was that fired the shots.

I understand you to say that between the place where you were stationed and the hut there were stumps and rough ground, but that your course was all the time over good

ground? There might have been stumps, but I did not see them.

Did you fall? No.

Did you bound over any logs or stumps? No.

Did Egan fall? I don't know; the men told me he did.

Did you hear him? No, I never saw Egan from the time I started until I reached the rear of the hut.

By Mr. BLAKE: You left after that to go for some more police, did you not? Yes, a short time afterwards.

How far did you ride? Forty-four miles, twenty-two each way.

What was the length of the wound you received? It was about four inches long, but very slight.

Point out where it is? About half way up the thigh. The bullet grazed my thigh, taking some flesh away.

By his HONOR: Was there any blood? Oh, yes, your Honor.

By Mr. ISAACS: Did the bullet go upwards or downwards? Upwards.

By his HONOR: How can you tell whether it went upwards or not? By the wound, sir.

How long is it? About two inches, your Honor.

You have said it was only a flesh wound? Yes, but there was a good deal of blood, sir.

When you stopped at the time you were shot, you were within twenty-five yards of the hut? The house was on my right, and Clarke was on one side of me; we were going round the end of the house towards the front.

He was making for the front of the house? Yes, and I was going to the end of the house.

You were not behind him? No, I was at the side.

Then he would have to make a three-quarter face to gain the house? He would only have to make a quarter face; he did not see me until just before he fired.

The house is on a descent? Yes, your Honor.

The ground descends through the house from the back? Yes.

The descent is towards the house at the back, and from the house in the front? Yes; it stands on a slight ridge.

There are inequalities in the ground? Yes.

So that at one time you may have been ascending and at another descending? Yes, sir.

Did the blood from the wound come through your trousers? Yes, your Honor.

Did the bullet make more than one hole in them? No, it cut a slit through them; they were a loose pair—not tights.

Dr. Pattison then gave evidence as follows:—I examined a wound on the thigh of Constable Walsh; it was a slight flesh wound, downwards from the front, about half an inch long; the skin was entirely removed from that portion; the muscular tissues were exposed, and blood was oozing from the wound; the bleeding was very slight; I cannot fix the date on which I examined the wound; I think it was on a Saturday; I saw it at Stony Creek, near Jinden, about six o'clock in the evening; it was a very trifling wound, and seemed to have been caused by a bullet grazing the thigh; it was an inch or an inch and a half from the femoral artery; penetration of the femoral artery would be fatal, and even if immediate assistance were rendered I question whether a person wounded there could recover; the person who fired the shot must have been slightly above the person struck; I heard the constable say something about the bullet striking the ground first; I think that is very questionable; from the form of the wound I think the bullet must have come direct, although I will not undertake to swear positively that it must have come so.

At this stage a question was raised by prisoners' counsel concerning the legality of the proclamation by which Thomas Clarke was made an outlaw, it having transpired that the first summons calling upon him to surrender before a given date, having been discovered to be faulty, had been supplemented by a second summons. The point was argued at great length before the evidence closed, but it did not affect the issue.

Both Mr. Blake and Mr. Dalley delivered powerful addresses to the jury. Their contention was that it had not been satisfactorily proved that the shot that wounded Walsh was fired by either of the prisoners, and that even if it had been, no felonious intent had been shown in the firing, the men having simply sought to defend themselves from a sudden attack, at the time not knowing that their assailants were police.

The Crown Solicitor addressed the jury in reply, and the Chief Justice having summed up, the jury returned a verdict of guilty.

Asked if they had anything to say why sentence of death should not be passed upon them, the brothers simply replied "No," and then his Honor addressed them thus:—

Prisoners Thomas and John Clarke, if in the opinion of most of those who hear me, and of a large portion of the community, it should be thought that you are about to receive a just retribution for your crimes, it will be proper for me to say that no such feeling influences this court, or is known to our laws. You are not to receive sentence of death as retribution—which belongs not to mortals—but the taking of your life is believed to be necessary for the peace and good order, for the safety as well as the welfare of the community; because of the example and warning that a capital execution may hold out to others to restrain them from committing similar crimes to those for which you stand convicted. This is the principle upon which all our punishment—certainly the punishment of death—rests, or it has no justification whatever. Now, I told the jury that they were to believe you innocent of those various crimes in respect to which the effort was made to apprehend you, and for which you were finally apprehended; and of course the jury took it for granted that you were innocent. But now I am not restricted by any such necessity or duty; on the contrary, without wishing to wound your feelings or add any sense of shame or humiliation, I must address you for the good of the community, and also to show what really is the extent of the crime committed by, or

reasonably supposed to be committed by you, in respect to which the Executive will have to pronounce whether they can with propriety, or with any sense of decency, commute the sentence about to be passed upon you. Thomas Clarke, I hold in my hand a list of the offences on which you stand charged within the last two years. They amount in the whole, exclusive of the murders of which you are suspected, to nine robberies of mails and thirty-six robberies of individuals. Among those individuals robbed were all classes of persons—Chinamen, laboring men, publicans, storekeepers, tradesmen, and settlers. With respect to you, John Clarke, I find that offences are charged upon you, committed within the last year, most of them in company with your brother, numbering twenty-six. Now this is the result, you see, of a long career of bushranging. You have had many abettors; you must have had a large number of them in the district from which you have come. I believe that not only those but others—violent and infamous as they are—sympathise with you in your crimes,—I hope not in the murders of which you are suspected. I shall not waste words in respect to such people. The community is disgraced by such crimes, but I would ask others,—not you—and possibly it will be well for you to reflect before you die,—what is the value of this course of violence and outrage that you have been pursuing for so long a time? In all cases—and I have tried many—of robbery, it has been a question with me, as with others, where is the money they have gained—where are the results? You have not one shilling in the world to call your own, and therefore you have not profited by it in the way of money. I never knew a bushranger, except one, who is now suffering a sentence of thirty-two years' hard labor, who made any money by it. Well, if you have not made anything by it, what could have induced you to pursue it? Crimes must end eventually in murder. Human life taken, life imperilled, misery inflicted upon hard-working men, and all this for no earthly good to any one of you! And yet you, young men, might have been happy—happy fathers of families, living happily with your wives—happy, because happiness is confined to the virtuous. Instead of which you are to die a dishonored death on the gallows. Another consideration; all along from the beginning you must have had the idea of the gallows hanging over you. You must have known that the result of all this must be

death, shocking and infamous to think of. I hope all those who ever think of pursuing such a course will only reflect that there is this horrible feeling of a public execution hanging over you for years or months that they can never escape from. You must have been constantly in terror; always in a state of alarm lest the police should track you out in your haunts. I have no wish to harrow your feelings—God forbid; I am saying this that it may sink into the hearts of others, and that it may restrain them from entering on a career so fatal. I say that during all this time men like you must have been dreading the intrusion of the police in your hiding places. Hunted about like wild beasts, you must actually have undergone an amount of labor and fatigue greater than you would had you been working on the roads—an amount of fatigue which, through honest labor, might have resulted in happiness, with a consciousness of virtue, and finally competence and honor. I say the amount of fatigue and want of comforts of all kinds surrounding you must be taken into consideration. The balance is all against you. I have said I never knew a man, or heard of one, who through a course of bushranging, gained a shilling's worth of property that he could call his own, or could gain it if let loose to-morrow morning. Where is there one flourishing in any single respect? I will read you a list of bushrangers, many of whom have come to the gallows within the last four and a half years. I believe they are all caught but one. Many of these were young men, capable of better things; but died violent deaths:—Peisley, executed; Davis, sentenced to death; Gardiner, sentenced to thirty-two years' hard labor; Gilbert, shot dead; Hall, shot dead; Bew and Fordyce, sentenced to death, but sentences commuted to imprisonment for life; Manns, executed; O'Meally, shot dead; Burke, shot dead; Gordon, sentenced to death; Dunleavy, sentenced to death; Dunn, executed; Lowrie, shot dead; Vane, a long sentence; Foley, a long sentence; Morgan, shot dead; yourselves, Thomas and John Clarke, about to be sentenced to death; Fletcher, shot dead; Patrick Connell, shot dead; Tom Connell, sentenced to death but sentence commuted to imprisonment for life; Bill Scot, a companion of your own, believed to be murdered—by you. There is a list! The murders believed to have been committed by you bushrangers are appalling to think of. How many wives made widows, and children made orphans!

What loss of property, what sorrow have you bushrangers caused! I have a list here of persons killed or wounded in the perpetration of robberies since August, 1863—six killed and ten wounded. Unfortunately, of the police seven have been killed and sixteen wounded in three years. I say this is horrible. Much as I dread crime, and much as I have had to do with the punishment of criminals, I don't know anything in the world that could furnish such a long list of horrors as that which I have laid before this crowded court to-night. And yet these bushrangers, the scum of the earth, the lowest of the low, the most wicked of the wicked, are occasionally held up for our admiration! But better days are coming. It is the old leaven of convictism not yet worked out, but brighter days are coming. You will not live to see them, but others will. Others who may think of commencing a course of crime like yours may rely on it that better days are coming, and that there will be no longer that expression of sympathy with crime which sometime since disgraced the country, and sunk it so low in the estimation of the world. Though the people among whom I move are much above those who sympathise with crime, it humiliates me to think that in this very court in which I am now sitting, one of the greatest ruffians of bushrangers, who was the very head and front of offenders, stood in the dock and was acquitted—and, I say it, acquitted wrongly—and when that verdict was announced there were expressions of rejoicing in the court, such as would disgrace any community on earth. I am happy to think that those days are gone at last. There may be some here who were guilty of participation in that most abominable and most scandalous exhibition. You, young men, have now to receive the last sentence of the law. You will pass from the country which you might have helped to raise in the estimation of the world. You will pass out of the world felons, convicts, bushrangers, and, I very much fear, murderers.

Sentence of death was then passed on the prisoners in the usual form, and in the most solemn manner, and immediately afterwards they were removed from the dock. Both prisoners fixed their eyes on the Chief Justice while he was addressing them, and they appeared to be listening

attentively, but there was scarcely any emotion perceptible from their manner. As soon as his Honor had ceased speaking, John Clarke turned to his brother and made some remark with a smile on his countenance. The police removed the prisoners from the dock, and the immense crowd of persons who had thronged the court, and who had preserved the utmost silence, began slowly to disperse.

The condemned criminals were then removed to Darlinghurst Gaol, and after a week of suspense in their cells—although neither of them expressed any hope of the sentence being commuted—they were officially informed that the Executive had fixed the day for their execution, and that they would be hanged on the 25th June. On the Friday following their condemnation they were allowed to receive as visitors their mother and sister, and a very affecting scene took place as they parted from each other, never again, in this world, to look upon each others' faces. The brother, who was then serving a sentence on Cockatoo Island, was also permitted to visit them, and they strongly advised him to pursue an honest calling upon his release from custody. The two men appeared to be very attentive to the ministrations of Rev. Father Dwyer, Roman Catholic chaplain of the gaol, and the Sisters of Mercy, who were constant in their attendance at the gaol.

But if they were reconciled to their fate the lawyers who had defended them at the trial were not. They moved the Full Court for an arrest of judgment, and a new trial in the case, on the ground that there had been a non-direction of the jury upon a point of law. The alleged omission was that the jury were not directed by the Chief Justice as to their right to acquit the prisoners of the capital offence (wounding Constable Walsh with intent to murder him) and to convict them only of the minor offence of unlawfully wounding, if they thought

that the evidence warranted and necessitated such a course. The answer given to this objection was in effect that as the jury had already on their oaths pronounced both prisoners guilty of the capital offence, the prisoners had no right to complain of the omission referred to; for assuming the finding of the jury to be correct, no question arose or could have arisen as to the prisoners' guilt of any minor offence. Their Honors upheld this view of the case and ruled that the judgment should stand.

At seven o'clock in the morning of the day which was to see written out by the public executioner another page in the history of colonial crime, the Revs. Fathers Dwyer and O'Farrell entered the cells of the wretched men to prepare them for the final scene. Both prisoners appeared calm and self-possessed, and seemed to derive consolation from the prayers offered on their behalf. Precisely at nine o'clock the executioner proceeded to the wing of the gaol in which they were confined, pinioned the arms of both men, and immediately afterwards the solemn procession began to move towards the scaffold, Thomas Clarke being attended by Rev. Father Dwyer, and John Clarke by Rev. Father O'Farrell. As they proceeded through the yard of the gaol, Thomas Clarke appeared to be quite firm, as though he was fully prepared to meet his fate, but the appearance of the younger man indicated that he was suffering from great mental agitation, if not fear. Arrived at the foot of the gallows they knelt in prayer, and then rose and ascended the steps of the scaffold, the two priests and the executioner following. On the scaffold the two unhappy men again engaged in prayer and then, having kissed the cross and shaken hands with their reverend attendants, were left in the hands of the executioner. That functionary speedily adjusted the

noose over the neck of Thomas Clarke, who seemed to nerve himself again for the fate which awaited him; and then he performed the same office for the younger and taller brother, who was deathly pale and tremulous. The white cap was now pulled over the head of each, and a moment after the bolt was withdrawn. There was no indication of the slightest sensation in either after the fall of the drop, and subsequent examination proved that the necks of both were dislocated by the sudden jerk.

After hanging the prescribed time, the bodies were cut down, placed in rude shells, and shortly afterwards removed in a cart to their dishonored graves. No application was made by friends for the bodies, and hence they were buried by the undertaker who had contracted with the Government for the burial of paupers and prisoners. There were upwards of 100 persons, including Justices of the Peace and some of the jurors who tried the prisoners, admitted by order to witness the execution. There was also a considerable crowd of persons round the doors of the gaol outside, although no sight of the proceedings could be there obtained.

There were some persons—prominent public men amongst the number—who considered that the Government did not exercise a wise discretion in putting the two Clarkes upon trial for their last offence, seeing that no life had actually been taken, and that many even more serious offences were understood to have been committed by the prisoners. But although they were suspected of having murdered the four constables and several other persons, including one of their own mates, it must be remembered that the Crown could not hope for conviction in any one case or a number of cases upon mere suspicion, and they had nothing but suspicion to go upon in any of those cases. The shooting at Constable

Walsh with intent was, on the other hand, very easily proved; and perhaps it was just as well that the bushranging fraternity and those who sympathised with them should learn that there was danger in firing at a policeman even in resisting arrest. To hear some persons speak during the bushranging era, one might imagine that the members of the police force were under a social ban—that they were engaged in a conspiracy against the happiness of mankind—and that whatever happened to them "served them right." To give confidence to the police, and to intimidate those who were arrayed against their lawful authority, was, therefore, a matter of great moment at that period; and in enforcing upon the Clarkes so awful a penalty, the administrators of Justice gave everyone to understand that a policeman's life was just as valuable as that of any other man. And judging from the fact that bushranging received about this time a temporary check—only a few cases of lawlessness occurring—the lesson inculcated by the conviction and hanging of the Clarkes was not altogether thrown away upon those for whom it was chiefly intended.

The remarks made by the Chief Justice when sentencing the two brothers had one good result—it secured for the services of the police a fairer and higher appreciation than that generally accorded. The public had simply expected marvels of them. It complained of them not being good marksmen when it had not taken the trouble to teach them to shoot; of their not riding down lighter men better mounted; of their not knowing by instinct the entire topography of a district they had never so much as ridden over. The public had continually ignored what they had done, while taunting them with what they had failed to do. And yet, to take the annals of one crime alone, the number of bushrangers

whom they had taken or slain formed a very respectable list, attesting their efficiency, while the number of those who had lost their lives in defence of the law afforded melancholy proof of their zeal and courage. So much it is right that I should say concerning a body of men who, under many disadvantages—some of which have already been touched upon in this Story*—efficiently performed a public duty that was both difficult and dangerous.

And this brings me back to the murder of the four special constables—Carroll, Phegan, Kennagh, and McDonnell—concerning which something more remains to be said before this division of the Story closes. Although the impression prevailed generally that Thomas and John Clarke had committed those murders, it was known that they must have been assisted by others, the few facts connected with the mysterious affair that the police were able to gather up pointing to the conclusion that at least four men had engaged together in the bloody deed. The reader has seen that the Clarkes were not charged with this murder—there was no necessity for that; but the police had arrested one man, a connection of the Clarke family, and against him they preferred the charge of murdering Carroll. The name of the accused was James Griffin, a young man of about 21 years of age, and who resided on a farm about 25 miles from Jinden, near which place the murder was committed.

Griffin was placed upon his trial at the same sittings of the court in Sydney as that at which the charge against the Clarkes had been heard, and he also was defended by Mr. Dalley. The case occupied a very long time, and created

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"Story of Australian Bushranging"—No. 5.

quite as much sensation as the trial of the Clarkes, the court being inconveniently crowded during the hearing.

After evidence had been produced supporting the account of the murder already given, and showing how the bodies of the four men had been found lying dead in the bush—two in one place and two in another, with gunshot wounds in different parts of their bodies—witnesses were called to connect the prisoner with the crime. Their evidence was of a character so extraordinary that I make no excuse for the extensive quotations, taken from the published report of the trial, which follow:—

Edward Smith deposed: On the 8th January last I was managing the Jinden station, about forty miles from Braidwood; I remember some dead bodies being found about a mile and a half from Jinden House; the dead bodies were those of Carroll, Phegan, MacDonnell, and Kennagh; I saw the prisoner at my place on the evening of the 8th of January last. He did not remain there more than a quarter or half an hour; he came to me and said that Carroll and his party were on the road—that they were at the Dirty Swamp as he passed them; prisoner was riding a bay horse, and when he left my house he rode away towards Braidwood in the direction in which he had said Carroll and his party were coming; on the same night a young man named Dempsey—who was subsequently arrested—came to my house and stayed about half an hour, and about sundown Carroll and his party arrived and remained at my house all night; they left on the following morning about seven o'clock, going towards the farm of a man named Guinea, a free selector; the prisoner came to my house on that morning, about half an hour after Carroll's party left; prisoner told me that he had seen Carroll and his party going towards Guinea's place; Carroll and his party left my place on foot, having left their horses with me; prisoner stayed about half an hour, and when he left he went as if he were going to Guinea's place; he was riding a grey horse; he asked me to lend him my breech-loading rifle; I refused to do so; I told him he should not have it; he told me not to give it to Sergeant Byrnes or Carroll; I did not see any other

strangers about my place on the 8th January; I know McEneny's place; it is about three-quarters of a mile beyond Guinea's; I was there about three days before; I did not see any strangers about there or about Guinea's; I next saw the prisoner on the following Sunday at the house of Michael O'Connell, a publican at Stoney Creek; some people call him Connell; Stoney Creek is sixteen miles from my place; I had some conversation there with the prisoner alone; I saw him there on the following Sunday, the 13th; he said, "After leaving your place last night, I went towards Clarke's place;" Clarke's place is between 20 and 25 miles from Jinden House; prisoner said, "I brought the bushrangers up that night;" he did not mention any name; he said, "Bill Scott and John Clarke stood behind one tree, and Tommy Clarke stood behind the other;" he did not mention any place; he said, "Carroll and his party advanced, and Tommy Clarke went out from behind the tree and called upon them to surrender;" those are the exact words; "Phegan and Macdonnell fell; Macdonnell fired one shot out of his revolving rifle and his leg was broken; they fired into the detectives; Kennagh and Carroll retreated down the flat; Kennagh took two balls from the tree behind which Bill Scott and Johnny Clarke were; Tommy Clarke ran round at the back of Kennagh and fired a shot at Kennagh, and the ball went into a sapling close alongside of him; Clarke called for a horse, and a horse was brought down." He did not tell me by whom the horse was brought down; that was after he told me Tommy Clarke got behind Kennagh; he did not tell me which took place first; Tommy Clarke fired a shot at Kennagh, and called upon Kennagh to surrender; Kennagh looked round and threw his rifle on his arm and surrendered; there was one shot in the revolving rifle when Kennagh surrendered; Tommy Clarke said to Carroll, "You are Carroll;" Carroll said that he was not Carroll, that Carroll was lying dead on the road; Tommy Clarke said "Make up your mind, you have not got many more minutes to live;" Carroll then said, "Mercy!" Tommy Clarke said "You can't expect mercy, you did not show mercy to my sister;" that is all prisoner said; he said that Tommy Clarke shot Carroll, and that Bill Scott shot Kennagh; John Clarke did not shoot any of them; Tommy Clarke shot three out of the four; he did not tell me whereabouts the wounds were; he did not tell me

what Tommy Clarke shot Carroll with, or what Bill Scott shot Kennagh with; he said all the money on them was only £1 2s 6d; that is all the prisoner said; he said nothing at all about Kennagh; he did not say on whom the money was found; he made some remark about Kennagh, but I do not remember what it was; prisoner said he held the horses; I remember that now; I don't remember anything more as to where he held them, how he held them, or anything else; he said that he held the horses; he did not tell me who took the horse down on the flat; he said Clarke called for a horse; prisoner expressed a wish to go with me to Gippsland; I told him that it looked very suspicious, and that he had better not go; he said Tommy Clarke had his boots off and was barefooted; Mick Connell, the landlord, was present, and asked Griffin if the gin had taken effect, and Griffin replied, "Only for the gin I could not have got 'em up to the pinch;" when prisoner came to the house on the 9th he had some gin in a square bottle; I was in the parlour when I heard the two talking, and Connell said, "Then you brought the horses there?" Griffin said that Tommy Clarke could not catch Carroll running down the hill barefooted.

Mr. Dalley subjected the witness to a rigorous cross-examination, and elicited the fact that Connell was drunk, that prisoner had taken several glasses, but was sober, and that witness himself was sober, although he had taken six glasses of brandy within three hours. Mr. Dalley then continued:—

Do you recollect having, in evidence at the Police Court, sworn that you did not recollect prisoner telling you that Tommy Clarke got behind a tree? Yes, I remember that. When I went to the court I was cautioned that if I said anything against certain parties I would be shot down.

You were giving evidence in a public court with lots of police about? Yes.

The only parties referred to were the criminals who were before the court? Yes, Guinea, Connell, and Griffin.

You were in the witness-box upon oath? Yes.

Did you not say you did not recollect prisoner saying that Tommy Clarke and Scott fired together? or did you recollect that on that occasion you stated that Connell said

"I believe there were two shots fired, and Griffin said he supposed that was it?" I do not remember saying it.

No such thing took place at the conversation? Yes, I remember what took place.

Did you swear at the police office that Connell said he supposed that Clarke shot three out of the four? I might have done that; I think I did.

Did you swear at the police office that you heard Connell say "No doubt they had other horses to pursue them?" I do not remember.

Do you think you said it? I do not remember saying anything of the sort.

Do you remember saying that either Connell or Griffin said that? I do not remember.

Do you remember saying anything about your not remembering telling Connell and Griffin that Mrs. McEneny told you that she saw three men going away from the place of the murder? Yes.

Is it a fact that you told them what Mrs. McEneny told you? or did she tell you? She told me she saw some men going away. I cannot remember whether she said three or four.

Did you communicate this to Griffin and Connell? I was talking to Connell about it. I said Mrs. McEneny saw three or four men going away.

Is it a fact that you swore at the police office that, on your return from Ballalaba, you were drinking all the afternoon, saying "I was very sick when I got back. I had been drinking all the afternoon?" Yes.

Were you so drunk that day that you had to leave your house and go to bed? I was unwell in the evening, and had to go to bed.

Through intoxication? No.

Were you drinking all the afternoon? Yes.

Did you allege drunkenness as an excuse that you could not give an account of the conversation? Yes, I said I was drinking all the afternoon.

Did you allege that as an excuse? No.

Did you say you had to leave your house about 8 o'clock and go to bed? Yes; I was very unwell.

Did any portion of the conversation you have detailed to the jury take place on the afternoon after your return from

Ballalaba? Not the conversation with Griffin. I do not recollect any portion of the conversation after my returnt

Between whom was the conversation? Between Connell, Griffin, and myself.

Then there was a conversation between prisoner and yourself, of which you have not told the jury anything? We talked the same matter over again.

Where were they talking the matter over? Sometimes in the parlor, sometimes in the bar.

How long did it last? It was at different times.

Then there were several conversations? Yes.

What took you to Connell's house the Sunday after the murder? I went there with Orridge and Griffin, and remained there.

Had you slept at Connell's before? On several occasions.

Did you ever say before that on the occasion of Griffin coming to your house he asked you to lend him your breech-loading rifle? Not before to-day.

Did you ever say before that he asked you not to give it to Sergeant Byrnes or to Carroll before to-day? Yes, I remember saying that before.

When did you say that before? I do not remember when.

When you were on your oath at the police office did you say one word about his asking you to lend him the rifle, or refuse it to Byrnes and Carroll? I do not remember.

When did Griffin first commence to make this communication to you—at what hour on the Sunday? Between ten and eleven.

Where were you standing? At the corner of the fence, a little way from the public-house.

Did he take you from the public-house to make it? Yes.

How far? About twenty yards.

Did he impose any secrecy upon you with regard to it? No; he had heard Connell and myself talking about it.

Why did you pick out certain portions of the conversation, and not state what took place after your return from Bellalaba? I do not understand the question.

You told us there was a conversation before Griffin said anything to you—between you and Carroll. Why did you not tell us the nature of the conversation which followed and also that which preceded the conversation you have spoken

of? It was something of the same kind, and I did not think it necessary to state it.

When did you see the murdered men before you saw them at your house? It might be about a month before.

Will you swear that you did not see them a fortnight before? I will not say positively; it may be three weeks or a month?

You swear you did not see the detectives within ten days at your house? I am certain it was more than ten days or a fortnight.

Did you never see the detectives who were murdered before you saw them at your place? No.

Did you never invite them to come up to your place? Never.

Did you ever, in conversation with them, ask them to come up to your place? Never.

You never offered them any inducement to come to your house? No.

You are perfectly certain of that? Yes.

Did their coming up surprise you? No.

How did they come to leave their horses at your place? The night they came it was first thought of putting them in the paddock, but as it was feared they might lose them, they preferred to have them put in the stables.

The horses were left at your place when the detectives left? Yes; they asked me to take care of them until they returned.

Did you suggest that they should go on foot? No.

Did you direct them where to go? No.

Did they tell you where they were going? No; but they imagined the road to Guinea's.

That was the road by which you sent your boy the following morning? Yes; that is the road to Bell's Creek.

His Honor: You received some information on the subject of a threat against you? Yes. I had this Guinea, that was in the dock, up for cattle-stealing some time before —for having beef on his premises that he couldn't account for.

Who threatened you? I was threatened by the prisoner's brother, who said that if I injured a hair of his brother's head he would shoot me down and all belonging to me.

Mr. Dalley: Of course, your Honor, that is not evidence.

His Honor: He has already said it. I only wanted to

hear the name of the person who said it. I don't think he has added anything to what he has said before. [To witness] : The person who told you that was the prisoner's brother ? Yes, your Honor.

Why did that lead you to say what was untrue ? When I was living there before there were five or six shots fired at me, and my place was burned down ; I left the neighborhood before, and went back again

There are parts of your evidence quite irreconcilable with what you have said to-day—were those parts given in answer to Mr. Gannon ? Yes, Sir ; I was frightened, not for myself, but my family ; we have since sold out, and left the place altogether.

By the SOLICITOR-GENERAL : What did you mean by saying that you were compelled to say some things that you did not wish to say ? I was frightened that Guinea would tell what I said.

Did you give evidence under apprehension of violence to yourself or injury to your family ? Yes.

You say that since you have removed from the district ? Yes, sold out.

Catherine McEneny was the next witness, and she deposed : My husband is a laborer ; we reside at Jinden, about three-quarters of a mile from Jinden House, and three miles from Guinea's ; Jinden House is on one side and Guinea's on the other ; on Wednesday morning, the 9th of January, four men came near where I was living ; three of them sat on the ground, and the other man came into the yard ; I did not, at the time, know who that man was ; he had firearms folded under his coat ; they were in front, and they came between eight and nine o'clock in the morning. I saw their dead bodies the day afterwards ; they remained about ten minutes, and asked me to show them the road to Guinea's ; I did so, and they went that road ; afterwards on that day, an hour before sunrise, I heard the report of several guns go off ; there must have been nine or ten reports at the same time ; about ten minutes afterwards I heard several shots, but I could not say how many ; the second lot of shots seemed further away ; I afterwards heard two more, which sounded as if they were nearer ; they were the last I heard ; on that afternoon I heard a noise which I thought was made by cattle running through the bush, and on looking up I saw

four men crossing a small creek eight or nine acres distant; that might have been five or ten minutes after I heard the shots; I recognized the prisoner among these four men; I have known prisoner about twelve months, and I have no doubt that he was one of the four men; they were not riding, but were all on foot, and all armed; it was quite light enough for me to see; they were going towards Jinden; I went into the house; the firing of shots near my house was a very unusual occurrence; I was a little alarmed; I saw nothing else that happened on that occasion; I had not seen any strangers that day; my husband was away from home; I saw no one else on that day but Lynn, Mr. Smith's man.

Cross-examined by Mr. DALLEY:

Were you examined at the police office at Braidwood? Yes.

Did you then swear that you saw no person whom you recognized that day but John Lynn, Smith's servant? I did swear it, but I was afraid.

Did you on that day swear "I am quite certain that I did not see James Griffin on that day?" I did, sir, but I was afraid.

Did you on that day swear "No person has threatened me about my action?" I cannot recollect.

Did you on that day swear that besides the four persons who came to your house—the constables—you only saw one other person? I did not.

Did you on that day swear that you never told anybody—neither Sergeant Byrne or anybody else—that you saw James Griffin near your place on that day (9th January), and that he was not at your place on that day? I did not.

Did you swear that on that day you did not tell Sergeant Byrne about the middle of the day that Carroll was shot, that you saw Griffin riding close to the road where Macdonnell was found? Yes, I did.

Did you on that day swear that if you saw Griffin you did not think you would know him? I did, I believe.

Did you tell Sergeant Byrne, or did you swear on that day, with reference to the only other man that you saw, excepting the four murdered men, that that man was John Lynn? I did not.

Did you say this—"I am positive the man I saw was

John Lynn?" Yes; the man that came to my house was John Lynn.

Were a very great number of questions put to you, in which Griffin's name was mentioned as the person who was at your house on that day? Yes.

Did you on all occasions deny that you saw him on that day? I denied that he was at my place, and I denied that I saw him riding past.

Did you uniformly deny that you saw Griffin at your place at all on that day? Yes.

Before you gave your evidence in Braidwood did Sergeant Byrne call upon you? Yes.

At your house? Yes.

Your husband was at home when you gave evidence at Braidwood? Yes.

Did you deny to Sergeant Byrne that you had seen Griffin at your house? Yes; and I have not seen him at my house.

Or any place where you could see him from the house? Yes, I did.

The SOLICITOR-GENERAL: Is it the case that Griffin did ride past your house? He did not ride past that I saw.

He was at your place? Not that I saw.

You saw him with others walk past? Yes.

At the time you spoke to Byrne did you know that you were to be examined. No?

Your husband was away from home, and your children there with you? Yes.

At the time you gave your evidence at the police office were you still residing there? I was.

Have you ever heard the names Thomas Clarke, John Clarke, Bill Scott, or Griffin? Yes, I have. I could not properly recognise either of the Clarkes at the time; but I saw them here the other day, and I now believe that the two Clarkes were two of the persons whom I saw with the prisoner on that day. I had seen Bill Scott before, and I believe he was the fourth man.

Have you been threatened? Yes, both since I went to Braidwood and before.

Have you had any visit from Mr. Guinea? No.

Where are you residing now? I am stopping at Sydney for the present.

Have you left the Braidwood district? No, I intend to return.

Did you bring your children away? Yes.

Do you remember hearing of the two Clarkes being taken prisoners? Yes.

Was that before or after you gave evidence at the police office? After.

Were you bound over by the magistrates to come and give evidence? Yes.

Did Lynn come to your place on foot or on horseback? On horseback.

Did you see any other person riding towards your house on that day? No.

In what direction did Lynn come from? As if from Mr. Smith's.

His Honor: What did you mean by saying that you had been threatened? I was told it was better for me to have nothing at all to say.

Do you call that being threatened? Yes. After my return from Braidwood I found that my pigs had all been destroyed. Some were killed, and all were torn by dogs.

Were you examined in private before the magistrates? Yes.

Who were then in the dock? Griffin, Connell, and Dan Keeney.

No other threat was ever used towards you? No.

Did you understand that to be a threat? Living in the same locality, I did not like to have anything to say to it.

Why not? I was frightened I might be shot.

Nobody threatened to shoot you. All that you were told was that you had better not have anything to say to it—Did you consider that a sufficient justification for telling a falsehood on your oath? Not that alone; I did not want to have anything to say to it.

You either perjured yourself then, or else you have perjured yourself now? Since I came away my geese have all been shot.

The Solicitor-General: Where were you when you were threatened? I was coming into Braidwood.

You told his Honor that you did not want to have anything to say to it. Was that feeling after you were threatened? Yes; I was told I should be shot if I gave evidence.

you may in your consciences feel justified in believing their testimony. If, however, Smith's evidence be rejected, there is nothing in Mrs. McEneny's to convict the prisoner. All that she said apart from the corroboration of Smith was that she had seen the two Clarkes, and was satisfied that they were two of the four she saw, prisoner being one. If you are disposed to believe the testimony of Smith, notwithstanding previous perjury, you will have to consider McEneny's testimony, and say how far it tends to corroborate his. Then there is the testimony of Donoghoe, which struck me as remarkable, as you will recollect that after being repeatedly asked if he could recollect no more, he began to say in a way that was noticeable—and you must consider the impression it made upon your minds—that the prisoner told him that he only held the horses. If that is to be believed, it is of great significance in his case. With respect to the evidence of Captain Zouch, the deposition he took may be of no importance at all, or it may seriously prejudice the prisoner, or it may tend to throw light on suspicious circumstances. I cannot tell, and you may throw it out of consideration entirely. I feel bound to say that it struck me the instant I heard the deposition of Smith read that he was answering questions put to him by some one, and the same struck me with regard to the woman. Smith answered most of the questions directly the reverse of what he said to-day. He says he did so because he was then under the influence of fear; but a man of strong mind would rather suffer death than perjure himself. Then you are not to suppose that because the Crown did not call Byrne he might not have corroborative evidence, they could not ask him the only question of any essential importance. The jury must also consider that the bodies of the men, having been found at that spot, arranged as they were, it was easy to dovetail these things together and invent a story; but you will have to judge of prisoner's capacity for that. There may be some truth in the statement that this man was dogging the steps of the detectives, and was therefore in a position to give information to the police. If, looking at the evidence, he was, in your opinion, assisting them in any way whatever, he was in law equally guilty with those who actually took the life.

The jury retired, and after twenty minutes' deliberation

returned into court with a verdict of not guilty. There was some manifestation of feeling on the part of the crowd in the court; but the applause was almost instantly suppressed by the police.

The prisoner was then remanded to gaol to be subsequently tried with a brother for complicity with the bushrangers in other matters. In the charge preferred against them, however, the Crown failed to make good its case—in fact, circumstances redounding to the credit of one of the accused were brought to light in the court. He had frequently given information to the police regarding the movements of the bushrangers, and it was upon his information and by his guidance that the party of police under Wright surrounded the hut where the two Clarkes were staying the night preceding their capture. When discharging the two men—the jury having returned a verdict of not guilty—the Chief Justice said he thought the authorities might have shown them a little more consideration, in view of the services which they had rendered to the police.

But James Griffin was not yet out of the toils. In September following he was again placed upon his trial on the charge of being concerned in the Jinden murders, Special Constable Kennagh being specifically named as the victim. He was ably defended by Mr. Dalley, but additional evidence was forthcoming which clearly established his complicity in the cowardly and bloodthirsty deed. One witness was called who declared that on the day preceding the murder the prisoner had asked him to join in the murder, while Smith repeated the evidence, given by him on the former trial, concerning the conversation he had heard between the prisoner and Connell. Griffin was, on this occasion, found guilty and sentenced to death; but that sentence was subse-

quently commuted to imprisonment for life, the first three years in irons.

One more event in connection with the reign of the Clarkes remains to be recorded. At least one man of the many who had by sheltering and assisting them enabled the outlaws to successfully evade arrest for such a length of time, was brought to account. Shortly after the Griffins had been discharged, Michael Connell, brother of the bushranger of hat name who was a member of Clarke's gang, and who had been shot by the police during one of their earliest encounters with the gang, was charged under the Outlawry Act with having harboured and assisted the Clarkes. Connell at the time of his arrest was postmaster and publican in that part of the district forming the favorite resort of the Clarkes, and it was proved that he had repeatedly furnished the bushrangers with provisions and spirits, and even with ammunition. The principal witness against him was a man who was serving a long sentence for highway robbery, he having been captured when engaged with the Clarkes in "sticking up" a store. This man declared that his principal duty was to obtain provisions for the gang, and that he repeatedly visited Connell's house, sometimes with another member of the gang, and obtained supplies, Connell knowing at the time that they were for the outlaws.

Upon this evidence Connell was convicted and sentenced to a long term of imprisonment, his land and goods being confiscated at the same time to the Crown. His was the first case brought before the court under the provisions of the Felons' Apprehension Act bearing upou secondary offenders —aiders and abettors of the criminals outlawed, and it goes without saying that Connell's fate served as a salutary warning to others who had been guilty of similar offences, or who

may have felt inclined to commit them. It will be readily understood that the complete break up of the Clarkes' gang and its large cordon of accomplices and active sympathisers, gave satisfaction to the people of Braidwood. The beginning of the end of bushranging had already been seen in that district, and henceforth, bushranging in gangs, either in this or other districts of the colony was to be looked upon as a thing of the past, for although the crime of bushranging in New South Wales was not completely stamped out, it was narrowed down until it became confined to individual cases, one man preying upon his fellows, generally for only a short time, until the now better-managed police force succeeded in arresting the offender.

It must not be imagined that the "old leaven" of which the Chief Justice spoke in his address to the Clarkes, had worked out of the social system of what were known as the infested districts. The youth who were inclined to bushranging had not been suddenly made virtuous by any moral awakening to the sinfulness of that sin. But fear kept them from indulgence—the fear of treachery on the part of trusted friends, or the fear of the better police service which had developed—very slowly, certainly—out of a system which had more than once, in Parliament and in the press, been frequently characterized as "rotten." These were the causes operating to the greater peace and safety of the dwellers in the bush who hitherto had been the victims of the lawlessness that had prevailed; and the reign of long-lived, daring bushranging gangs was, as far as New South Wales was concerned, brought to an end by the execution of the Clarkes and the death or imprisonment of their confederates and their principal aiders and abettors.

It was reserved for the neighboring colony of Victoria, whose constant boast it had been that bushrangers could not live in her territory for as many days as they had reigned years in New South Wales, to furnish, some ten years afterwards, one of the most notorious of all notorious bushranging gangs that ever cursed Australian soil—more daring, more cool and determined, more skilled in bushcraft, more bloodthirsty than any that had preceded it, and whose capture cost the State no less a sum than £115,000. The story of bushranging in Australia would not be complete if the extraordinary exploits of the Kelly Gang were not given; and although they relate to a period not at all early in the history of the colonies, their narration here will not, I trust, be considered out of place. The next, and concluding, chapters of this story will, therefore, be devoted exclusively to a description of the characters and crimes of the different members of that gang of whom Ned Kelly was the leader.

(End of No. 6.)

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THE CALOOLA ROBBERS—
ALEXANDER ROSS, CHARLES ROSS, AND WILLIAM O'CONNOR.
SHOT DOWN ON THE HIGHWAY.