Early Australian History.

PART IV.

The Story of the Bushrangers

(Published in Numbers I to VII.)

No. 5.

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CONTENTS.

NUMBER 6 *of "THE STORY OF AUSTRALIAN BUSHRANGING" is now being prepared for the press. It will contain an account of the exploits of—*

DANIEL MORGAN (Incendiary and Murderer),
"THUNDERBOLT" (Frederick Ward),
"CAPTAIN MOONLITE" (The Educated Bank Robber),

AND THE BRAIDWOOD OUTLAWS

TOMMY and JOHN CLARKE.

BEN HALL'S GANG.

—o—

BRIEF SKETCH OF ITS MEMBERS.

MENTION has already been made of Ben Hall's intimate acquaintance with Gardiner, and of his association with that leader of latter-day bush-rangers; but it was not until after Gardiner's sudden disappearance from New South Wales that Hall came into prominence before the public as a leader himself. For some time after the robbery of the Escort at Eugowra Rocks, Hall, Gilbert, and O'Meally kept away from their usual haunts, although they did not, as readers who have closely followed this Story* will have observed, with-draw altogether from the unholy work to which they had set their hands. They were by no means idle during their temporary seclusion, and not a few cases of "sticking-up" in lonely parts of the bush roads in the Lachlan district were, not without reason, charged against one or other of them by the authorities and the public.

* "Story of Australian Bushranging,"—Nos. 2 and 3.

While the fate of their late companions—Mann, Bow, and Fordyce—was hanging in the balance the trio named were arranging fresh plots under the very noses of the police, whose every movement was in some incomprehensible manner conveyed to the bushrangers, although the police were unable to determine even the locality in which they were hidden. As in the case of Gardiner, a perfect system of " bush telegraphy " had been established in every locality where friends of the outlaws resided ; and as they invariably moved with a given object from their hiding places, and either returned direct to the place from which they had started or made for some other friendly shelter in another direction, they were always in touch with their " telegraphs," and were thus kept posted in every movement made by the force whose aim it was to capture one or other of them.

Upon these " telegraphs " the bushrangers depended as absolutely as did the officers of an army upon their scouts when in the presence of an enemy. Flitting on fast-footed horses from station to station in the disturbed districts, or mixing with the people in the nearest town, generally the head-quarters of the police, they would pick up every scrap of information likely to be of interest to the hunted men, sometimes coming into direct contact with the police and learning directly all they desired to know. And having satisfied themselves concerning police intentions, they would suddenly disappear and convey or send their news to the camp where the bushrangers were located. Occasionally one of these " telegraphs " would be arrested, but as nothing could be proved against him, a few days' confinement between the time of his arrest and his discharge by the magistrates formed the worst of his sufferings. And should a suspected " telegraph " find himself too closely watched or be arrested,

others were always ready to take up the work. They were invariably young men, some of them mere boys, intimately acquainted with the bush, and who could cover miles of the roughest country more speedily and quickly than the badly-mounted troopers could ride along good roads. They were fittingly named, for they conveyed their secret messages to their destination with a speed and directness that, compared with ordinary process, was telegraphic. The "bush telegraph" was justice's greatest enemy, as he was the bushranger's greatest friend. Ben Hall, Gilbert and O'Meally had hosts of such friends in the Lachlan district, where they had lived for years, and amongst whom their bushranging instincts had been developed.

Before entering fully into an account of the gang's proceedings it is right that I should place the reader in possession of a few facts bearing upon the early life of the four who worked together after the disappearance of their chief, Frank Gardiner.

And first, with reference to Ben Hall. He was born at at Breeza, Liverpool Plains, in February, 1837, and was consequently but a young man—about 25 years of age—when he assumed the command which Gardiner had renounced. At the time the colony was ringing with the account of his exploits his parents were living at Mnrrurundi, where his father was a freeholder, and well-to-do farmer. It was at Breeza and Murrurunda, where the father of Hall had charge of a station, Duna, that young Hall lived until he was ten years old. While at Murrurundi he attended school for about two years and a half, and learned to read and write, and obtained sufficient knowledge of arithmetic to enable him to conduct his own business. Thus early iu life, and while assisting his father upon the station, it is related that he evinced a

remarkable degree of perception and aptness in regard to stock. If he saw a calf dropped, he could, in a year afterwards, identify the cow and the calf and locate them. When this lad was about ten years old, his father, Benjamin Hall, senior, who was a native of Bedminster, Devonshire, and had resided in New South Wales more than thirty years, removed to the Lachlan district and took charge of a station belonging to Mr. Hamilton. The station was about fifteen miles from Forbes, on the road to the Pinnacle. The son resided with his father upon this station until he was about eighteen years old and was almost exclusively engaged in stock-keeping, looking after the stock of Mr. Hamilton as well as that belonging to himself and father. About the year 1852, the elder Hall returned to Murrurundi and commenced farming on his own account, leaving Ben on the Lachlan. Father and son never again saw each other. It was much against the old man's desire that his son remained behind; but the young man had formed an intimacy with Miss Bridget Walsh, the second daughter of Mr. John Walsh, of Wheogo, and nothing could induce him to leave the locality. The father, intent on separating his son from this connection, not only removed his own, but the cattle belonging to his son, to the other side of the country. A short time previous to his father's departure, Ben surreptiously left home and went into the employment of Mr. Walsh, at Wheogo, as stock-keeper. In about one year after he was married to Miss Bridget Walsh. Two children were born to him by this marriage, but the youngest was only about 12 months old, and still in arms, when Mrs. Hall eloped with a man named Taylor, and went to reside with him somewhere on the Fish River. Shortly after his marriage, Ben Hall, in company with John McGuire (whose name appears in connection with the Eugowra

escort robbery*), obtained the lease of a run adjoining Wheogo, called Sandy Creek, which they stocked with cattle and horses. Up to this period Ben Hall was held in high esteem by the settlers throughout the district, not only for his generous, open-hearted qualities, always shewing a disposition to assist his neighbours, but for the enterprise and energy he displayed in conducting his business affairs.

Very shortly after the elopement of his wife with Taylor which occurred while he was absent attending a muster at the Bland, and after he had taken a most affectionate leave of her, without for one moment entertaining the slightest suspicion of her infidelity, he was arrested by Sir Frederick Pottinger at the Wowingragong racecourse, charged with highway robbery under arms.

The residents of the district were greatly surprised that such a charge should be brought against a man who was held in such good repute. After lying in the lock-up for four or five weeks he was taken to Orange and tried, but the jury acquitted him without leaving their seats. This was towards the end of May, 1862, and immediately upon his release he returned to Sandy Creek station and commenced mustering his horses. He had been engaged several weeks in this work, and the business was still progressing, when Sir Frederick Pottinger and Sub-Inspector Sanderson appeared upon the scene. They had good grounds for suspecting that Hall had been doing something besides mustering horses. The Eugowra escort had been robbed; and instinct and information had led the officers to Sandy Creek station. Hall was arrested on a charge of being in some way implicated in that robbery, and was straightway removed to Forbes. He remained in the Forbes lock-up some six or seven weeks, being brought before

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

the Bench of Magistrates from time to time and remanded, at the instance of the police, for the production of further evidence. He was ultimately admitted to bail, himself in £500, and two sureties of £250 each, to appear when called upon. He was not committed. When he returned to Wheogo and Sandy Creek he found that all the labor in mustering his horses had been in vain, some of the horses having perished in the yards, and the greater portion having dispersed. After looking about to see if he could recover them he found they were hopelessly scattered, and gave up the idea of collecting them that season.

About this time the Police Station at the Pinnacle was stuck up and robbed of firearms and other things by Patsy Daley. The same night this was done, Ben Hall (unfortunately for himself, and by mere chance, he declared,) happened to be stopping at the house of a Mr. Allport, on the Lambing Flat road. It was to this house that Patsy Daley went after robbing the Police Station. It was further unfortunate that Ben Hall left Allport's in company with Daley. The police tracked the one horseman to Allport's, and from that point they tracked two horsemen, Daley and Hall. It may be remarked that when the Police Station at the Pinnacle was stuck up only one constable—Knox—was in charge, and he had gone to Mrs. Fechley's for his breakfast, and was thus engaged when Daley entered the station and took the fire-arms. It should also be remembered that Frank Gardiner, Gilbert and O'Meally were at that time operating rather extensively upon the road between Lambing Flat and Forbes. It is supposed that Daley intended to join Gardiner and company; in fact, he had joined them, but this was unknown to the police; and was making himself acceptable to that fraternity by the preliminary exploit by which he

supplied himself with arms. Hall knew at this time that Daley was compromised with Gardiner and Co., if the police did not; although Hall subsequently declared that he did not know that Daley had just robbed the Police Station. When he discovered that he and Daley were being pursued by the police, knowing that he was in company with one of Gardiner's gang, he fled. The police pursued and fired upon them, but they escaped, and from that time both were lost to all and everything desirable in life. They openly took to the roads, and Hall rejoined Gilbert and O'Meally. Some two or three months afterwards Patsy Daley was captured, having secreted himself in a digger's shaft at the Pinnacle. Upon being tried he was convicted at Bathurst and sentenced to fifteen years' on the roads.

How completely Hall gave himself up to a life of reckless bushranging—how he eluded the grasp of a strong and active police force for three years—and how he was ultimately captured through the treachery of a trusted friend, but not until his body had been fairly riddled with bullets and slugs from his feet to the crown of his head—all this will be told in proper order.

Johnny Gilbert, who was the right-hand man of that arch-villain, Gardiner, before Hall's troubles commenced, was a Canadian by birth, and came out as a boy to Australia with his family in the "Revenue," from New York, landing in Melbourne in October, 1852. Soon after his arrival young Gilbert commenced a "fast" career, and "bolted" from the paternal roof. Shortly after the first rush to the Ovens diggings he was located in Kilmore, where he associated with gamesters, and as he was generally "flush" of money, derived from no one knew where, he became an object of suspicion to the authorities. Subsequently he crossed over to New South Wales, and

next came into notice as a stockman in the neighbourhood of Marengo. Here he made himself a general favorite by a display of good temper and fairly correct living ; but towards the end of 1861 he suddenly left the district, and about three months afterwards re-appeared in company with Johnny O'Meally, flashly dressed and flush of money. It then transpired that he had fallen in with Gardiner, and, lured by the false coloring given to bushranging by the old ticket-of-leave man, had joined his gang. The parts played by him in several road outrages, particularly the Escort robbery, and his escape from the police in the Riverina district, have already been described. As the story proceeds it will be found that he added murder to that of robbery, and himself was shot down in the house of a former confederate who betrayed him for the sake of the reward which had been set upon his head. At the time of his death he was between 22 and 23 years of age.

John O'Meally was little more than a boy when Gardiner commenced operations on the road. His father kept a shanty at the Weddin Mountains, beneath the dark shades of which the " King of the Road " formulated not a few of his schemes for blackmailing travellers on the road to and from the gold-fields. Here it was that he fell in with Gardiner. From being a sympathiser he soon became an active ally, and having joined in the bold exploit at Eugowra, he threw off all restraint, and plunged into the robber business with an energy and daring that would have been meritorious in a better cause. He needed no spurring to induce him to keep up the pace on the bandit's track with Hall and Gilbert after the original leader had left it. He was one of the first of the gang to meet his doom, falling before the fire of Mr. Camp-

bell, of Goimbla, when that gentleman was resisting an attack made by the gang upon his residence.

There was another member of the gang who should be referred to here, for he became a member very shortly after Hall had assumed the command. His name was John Dunn, and he also was a young man. Born in December, 1846, at Yass, he was but 17 years of age when he broke away from the home circle, and chose the life of a bushranger, Gilbert and another member of the gang, yet to be mentioned, having persuaded him to that course. His father was a respectable settler in the district, and, it is said, rode many miles in the effort to find and reclaim his erring son when he was made aware of the ruinous course upon which he had entered. His fall was certainly not the result of bad up-bringing. He outlived all the rest of the gang, but after narrowly escaping death from a policeman's bullet he was captured and ended his life on the gallows, having been convicted of shooting down a policeman in cold blood.

The four men named were the chief members of this gang—one of the most desperate gangs of bushrangers that ever kept the road. Such particulars of the early life of other members as I have been able to collect will be given in the order in which the personages appear upon the scene.

THEIR FIRST UNITED EFFORTS.

In June, 1863, exactly twelve months from the date of Eugowra Escort Robbery, six highway robberies were committed in one day near Lambing Flat, and every succeeding day brought forth its "report" of travellers being "stuck up," by either two or three bushrangers. It was an exciting

time for civilians : it was a more exciting time for the police ; for the latter had reputations at stake, whereas tl e former had only money — and reputation has been from time immemorial estimated at higher value than many gold pieces or bank notes. The work to which the police had been appointed was to protect property and discover and bring to punishment any who might break the law regarding property. Frequent robberies gave the people the impression that they were powerless to protect in the one case, and frequent fruitless efforts to trace and arrest certainly proved that they were powerless to bring to punishment in the other.

Every day, as I have said, brought forth its "report." Now it would be of a solitary traveller "bailed" up and stripped of his possessions ; now it would be of her Majesty's mail stopped on the road and the letters sorted by hands not legally appointed to the work ; now it would be of a store invaded and ransacked, provisions and clothing being carried off in cornsacks and by the hundredweight. It was a serious time, a time of tremulous anxiety to every traveller, every householder, every storekeeper in the Lachlan district ; and a time of ceaseless worry, hard riding and fruitless chasing to the police.

Let me give a few illustrations culled from letters and papers of the period :—

"I was stuck-up about eighteen miles from here (on my way from Tumut) by two armed bushrangers"—writes a resident storekeeper of Young, Lambing Flat, under date 30th June, 1863. "They took my watch and chain, a gold pin, and £2 in money, and a railway wrapper. They did not attempt to molest me, and appeared very jolly and well up to their business. I had a little conversation with them and asked them their names. One told me his name was Gilbert,

but from the description I gave of him I very much doubt whether it was him. The other would not give his name. They ransacked my buggy, not being exactly satisfied with the amount of money they got, and came across a little box containing some cakes and candy, to which they helped themselves, and then rode off, politely telling me they did not want to delay me any longer. One of them asked me my name, which I told him. 'O,' says he, 'I knew you; I had some of your lobsters.' So I told him he forgot to mention that he also had some gin and tobacco. He was one of the men that stuck up my drays some time back, and took those articles from the dray. There were no less than six persons stuck up that day, some within a mile of the township, and others on different parts of the diggings. This place is really in a frightful state, and it is dangerous to ride out of the town. They don't care about the police, and only laugh at them; they always have good horses, and can ride away from the police with the greatest ease."

"There was no small amount of excitement here yesterday," says a letter of the same date, and from the same place. "Yesterday Coupland was stuck up by two bush-rangers, about two miles down the creek. The same two stuck up Howard, Murphy's bookkeeper, and robbed him of five or six pounds, in the afternoon. Emanuel was stuck-up the other side of Wombat, and robbed of his watch and two pounds," and so on.

About the same time the local paper contained the following paragraph:—

On Sunday last a travelling German saddler called on our reporter to state that on the previous Wednesday he was stuck-up on the Bathurst road, near the Gap, by three armed bushrangers, and robbed of a packhorse and property to the amount of £60; likewise 15s, which was all the money he had

about him. He describes one of the bushrangers as a young man, apparently not more than 18 years of age, light hair and fair complexion, riding a dark bay horse; another a tall man, with bushy black whiskers; and the third as a full faced man with foxy whiskers. When about to leave, the youngest of the three robbers turned to the German and handed him 5s. of his own money to help him on the road, observing that he was not so badly off, as he had the horse he rode to sell, if he liked. About four miles from where the robbery took place, the German called at a settler's hut, and on making the people there acquainted with the loss, he was told that Gilbert and O'Meally had been there two days before. In answer to a question from our reporter, he said he gave no information to the police, nor did he intend to do so, as he, in common with everybody else, considered it useless. How long is society to continue thus disorganised, and its present state of insecurity to life and property to exist, and how long will the country bear with the reign of terror before it hurls the present imbecile police before the winds?

The fact is that popular conversation was divided between the daring of the bushrangers and the inefficiency of the force empowered to catch them,. And it was about this time that *Bells's Life in Sydney*, in a jocular sketch of the state of the bushranging news market, published the following *soi disant* telegram :—

Narrow Escape of the Police ! ! ! Last evening three bushrangers espied a large body of troopers, and immediately gave chase. The darkness of the evening favored the escape of the troopers, and baffled the bushrangers. The appetites of Captain McLerie and Sir F. Pottinger continue in undiminished vigor.

The following letter, written by a traveller about this time, will enable the reader to understand the delights of travelling in the disturbed district while the bushrangers held the road, and also the indifference to the presence of the police displayed by Hall and his gang :—"I relate the following incident," wrote this gentleman, "to shew how very little

Hall, Gilbert, and O'Meally cared for the police, and how they kept on good terms with the residents of the parts they frequented. I left Lambing Flat diggings by Greig's coach, which started at four in the morning, to go to the Lachlan goldfield, about 90 miles distant. The coach being full, the agent allowed me to ride on the rack with the mail-bags, with strict injunctions to hold well on to the ropes. It was well he did, for some portions of the road were laid down with logs from 12 to 18 inches thick, and when the coach came on to to these the effect was anything but exhilarating. First a terrible shock, and then a continued bump, bump, bump for perhaps hundreds of yards. These parts were called "corduroys," and were a rough-and-ready way of making a road passable over bogs and swamps, until other improvements could be affected. The stages were from 12 to 15 miles apart, and in the afternoon we reached the last but one before we came to the township, and it being a public house, most of the passengers got down, and so did I, to stretch my legs. And when I did I noticed something unusual going on in the yard adjoining the inn. There were four men on horseback, two standing, seemingly stable men or rouseabouts, and a woman, who I heard was the landlady. I did not know them, but heard after we started that the four men were Ben Hall and his mates, and the reason of their visitation at that time was the following :—The landlady, who was a widow, had a week or so before gone to Forbes to settle some business affairs, and was away for two or three days, during which period it appears that the man she left in charge of the bar had started drinking, with the result that the yardman and groom and neighbours, and in fact all hands who came along, had joined in the spree, and the quantity of liquor consumed as well as provisions was something enormous, especially as

there was very little money to show that any had been paid for. So, at their wits' end for an excuse, the two principals agreed to swear to the landlady on her return that it was the bushrangers who had come and helped themselves. She, who was always friendly to them, happened to tell this to one who informed Ben Hall, who came over and made the real culprits confess their guilt. At that time they stuck up no one on the coach nor any one in the house. But it was a well-known fact that they never did stick up many of the places on this line of road, and it was the general opinion that they were afforded valuable information as to the movements of the police by a very large proportion of the residents in these localities in consequence. As I looked at them over the gate I noticed that the spokesman was a rather tall robust-looking man, with a fine frank-looking face, and wore a high felt hat and cord breeches and top boots—that was Ben Hall. A slight, fair man, looking like a horse trainer, had a slight, fair moustache and cabbage tree hat, breeches and boots, and had one leg crossed over the pummel of the saddle, listening to what was said—that was Gilbert. A young, flash, rowdy-looking young fellow, with keen flashing eyes, who was looking at the two men standing with no pleasant countenance, was O'Meally. At this time there were between 30 and 40 mounted police at Forbes, only a few miles distant, under Sir Frederick Pottinger."

But it was time for the gang to change quarters, and as a few days passed without report of fresh outrages in the Young district people began to look for reports from some other direction. And what everybody anticipated shortly came to pass. The gang had taken across country and quietly entered Carcoar, where they set about diversifying proceedings. Instead of blackmailing travellers on the road

or calling upon the driver of the mail to "chuck out the bags," they proceeded to "stick-up" the bank. This was no midnight descent, after the manner of the ordinary burglar, but a bold and open onslaught in the broad light of day, and it was quite an accident that the designs of the robbers were frustrated.

Under ordinary circumstances the mere fact of two horsemen riding up to the Commercial Bank, which was situated in the main thoroughfare of the town, and after alighting and throwing the bridle reins over the post there placed for the purpose, entering the bank, would not have excited suspicion ; but there was something extraordinary in the appearance of both men and horses on this occasion. The former were dressed, not like ordinary customers of the bank, but as "flash" bushmen, and the latter were animals of a superior class, with suspicious-looking pouches attached to their saddles. The door of the bank was invitingly open and everything favored the transaction of business such as that upon which Hall and Gilbert (for these were the visitors) had come. There were no customers on the public side of the counter, and only one of the bank officials was in his place on the business side. That official was Mr. J. Parker, who, in his capacity as chief clerk, had full control of the institution for the time being. The manager, Mr. McDonald, was not far away, however. He had crossed the street to "see a friend," and happened to look towards the bank just as the two men entered the door. A suspicion at once crossed his mind that his presence at the bank might be required. It was required, as the sequel shews, and it was perhaps fortunate for him and for the bank of which he was manager that he happened to be on the wrong side of the door when he made his presence known.

Having entered the bank Hall and Gilbert strode up to the counter and one of them handed to Mr. Parker a rather dirty-looking piece of paper, in form like a cheque, at the same time asking him to cash it. Mr. Parker took the document, but he had no sooner begun to inspect it than he was startled by having a revolver presented at each side of his head, the action being accompanied by an assurance from the bushrangers that if he made the least noise or resistance he would find his brains on the floor. It was at this moment that McDonald, the manager, made his appearance at the door, and the noise made by him in approaching caused both the bushrangers to turn their heads, although they kept their revolvers presented at Parker's head. One of the men, no doubt thinking that the visitor was one of the customers of the bank at once called out "Come in, mate;" but McDonald had taken in the situation at a glance, and in a moment had turned on his heels and sped down the streets to give the alarm at the police station.

The momentary distraction of the would-be robbers was not lost upon Parker, who although much alarmed at the situation, had not lost his presence of mind. In anticipation of a visit of this kind the bank authorities had sought to make provision for defending their treasure, and loaded revolvers became part of the bank furniture in every country branch. There was a revolver beneath the counter within reach of the startled clerk on this occasion, and as the bushrangers turned their heads to the door Parker dropped behind the counter, seized the revolver and fired—not at the intruders, for the counter intervened, but into the air, for the purpose of at once creating an alarm and scaring the robbers. Both ends were accomplished. A Mr. Harrison and his daughter, living on the opposite side of the street, at once ran over, the latter

calling loudly for assistance and attracting the attention of a number of the townspeople, who also began running towards the bank. At the same time Miss Harrison attempted to let the horses loose from the post to which they were hitched, bnt the bushrangers rushed from the bank, having realised the danger of remaining longer on the spot, and warning those who displayed an inclination to intercept that if they did not keep back they would be shot, they hurriedly remounted and galloped away.

By this time the whole town was astir, and while the majority pressed round the bank to congratulate Mr. Parker on his escape, and the bank upon its safety—the only property in the establishment disturbed was an inkbottle, which had been shattered by the bullet from Mr. Parker's revolver—a few more enterprising spirits ran for horses and firearms, intent upon following the retreating bushrangers with the police. But Hall and Gilbert were miles away before the chase began, and neither police nor civilians were privileged with a sight of them, their tracks even being lost shortly after the well-mounted rangers had left the highway and struck across country. The townsmen returned to Carcoar to talk over the exciting affair, while the police continued the search under the guidance of Inspector Morrissett, from Bathurst, and Sub-inspector Davidson, who happened to be in the locality at the time. It is almost needless to say that their search was unsuccessful; and while they were hunting in one direction an unfortunate wood carter entered Carcoar from the opposite and proceeded to the barracks to report that he had been stopped by two men on horseback and robbed of £2 and a silver watch.

Then suddenly there came a report from another quarter. The gang had gone east, along the old Lachlan Road, and

had made a raid npon Caloola, quietly robbing the local store where Mr. Stephens had been nearly murdered by the Rosses. That store was kept by Mr. S. Hosie, and here also two members of the gang only presented themselves, Gilbert and O'Meally doing the "looting" business. The two men made their appearance at the store in the afternoon, and going to the counter presented revolvers at the heads of Mr. Hosie and his assistant, ordering them to stand in one corner of the shop while they proceeded to ransack the place. It wasn't money they wanted so much as provisions, and of these they found abundance. Nevertheless they were not prepared to overlook money in their search. One of the intruders found £20 in notes and £5 in silver in the till, and this he appropriated with the remark that it might "come in useful." The other bushranger chiefly acted as sentry, keeping one watchful eye upon the "bailed up" proprietor, and the other upon the road; and while thus engaged he passed the most jocular remarks, and issued directions to his mate concerning the best things to take. Each of the robbers wore a belt in which four revolvers found a resting place. Having gathered together all they required, the booty was placed upon two of Mr. Hosie's horses, brought from the stable for that purpose, and then the unwelcome customers said "Good day!" to the proprietor of the store and rode off. Shortly after their departure a messenger was dispatched to Bathurst with information for the police, and before midnight four mounted troopers were clattering along the highway in the direction of Caloola; but before they reached the scene of the robbery the bushrangers had disappeared, and no person in the locality could give information concerning the direction they had taken. Subsequent events proved that they had made back for the Carcoar district, and many days had not

elapsed before they were heard of as would-be murderers as well as robbers near the township whose bank coffers they had tried ineffectually to reach.

Hosie's store had been "stuck up" on the Thursday. On the Sunday the bushrangers paid a visit to Mr. Icely's homestead at Coombing; but in the interval between those dates the gang had been strengthened in numbers, a young man named Johnny Vane having cast in his lot with them. This young man had been living with his parents, most respectable people and reputed to be very well-to-do, in the eastern portion of the Carcoar district. He was a typical Australian youth—well-built, active and fearless, a splendid horseman, and fairly intelligent, having an intimate knowledge of the bush. That he had previously came into contact with one or other of the gang there can be no doubt, and Hall was no doubt pleased enough to receive him into the ranks. Little wonder, therefore, that he should appear as a prominent figure in the gang within a short time after joining.

The attack upon Coombing was made at night, and all the members of the gang appear to have taken part in it. Mr. Icely was a magistrate and one of the wealthiest men in the district. It was one of the most natural things in the world that he should keep a good stable and that in that stable there should be exceptionally good horses. Now, good horses were in their way more valuable to the bushrangers of the sixties than firearms; hence they were always on the look-out for fresh mounts, and those of the swiftest foot and soundest wind. It was not a strange thing, therefore, that they should set longing eyes upon Mr. Icely's possessions, neither was it a strange thing that having the longing they should seize the first favorable opportunity of gratifying it.

The Sunday night following the robbery of Hosie's store

was chosen for "lifting" Mr. Icely's horses, and shortly after dark the venturesome quartette stole quietly to the stables, and while two entered two kept guard outside. The raid was successful, but that success was not achieved without blood-shedding, and the manner in which the robbery was effected proved conclusively that the bushrangers were not disposed to stop even at murder if they could not accomplish their object without committing the greater crime.

On the night of the attack Mr. Icely had a distinguished visitor, in the person of Inspector Morrissett, who had turned in at Coombing for the night, after a day's weary ride through the bush after the bushrangers. It appears that the inspector and his men had come across the tracks of Hall and his mates heading towards Caloola, and they had followed these until they came across fresher tracks of the same horses making back towards Carcoar. These they followed until within three miles of the town, when darkness set in, and the inspector sent his men back to the barracks at Carcoar, himself deciding to accept shelter under the hospitable roof of Squire Icely. Sub-Inspector Davidson had previously called in at Coombing and left his horse to recuperate at the homestead, the animal having been well-ridden about the bush in the search for the bushrangers after the attempted robbery at the Carcoar bank. The stables were about 150 yards from the house and were in charge of a man named Charley the German, one of Mr. Icely's employees. This man happened to observe some movement at the stables while the host was entertaining the inspector and other visitors in the house, and suspecting that something was wrong he went towards the stables, carrying a gun with him. As he neared the building he saw two of the horses being led out and at once discharged his piece, but without doing any

damage. The fire was returned by one of the bushrangers, and with truer aim, for Charley was struck in the mouth. The alarm having been raised Mr. Icely and his visitors rushed out, but only in time to see the robbers making off. A glance at the stalls shewed that a favorite grey horse of Mr. Icely's had been taken and also Sub-Inspector Davidson's animal, which happened to be one of the few good horses bearing the Crown brand. Morrissett then proceeded with others to Cacoar, and set the town in a ferment of excitement by the news of the robbery and shooting. The townsfolk did not know what next to expect, and they determined to make provision for the worst that might happen. It was clearly the duty of the police to follow the bushrangers, and if the town were left unprotected the gang might at any moment suddenly swoop down upon it and make a clean sweep of all its portable treasure. To guard against a surprise, therefore, twenty-two of the residents presented themselves before a Justice of the Peace and were sworn in to serve as special constables to protect the town, taking two hours' watch about in small companies. This arrangement having been perfected, the police were free to take saddle and scour the bush, which they did without delay—and, as usual, without success.

The wounded man was taken in to Carcoar and placed under the care of the local surgeon, Dr. Rowland. It was found that the revolver bullet had lodged in Charley's neck, and some days elapsed before it was considered safe to operate for its extraction. The wounded man slowly recovered, and thus for the present the bushrangers were free from any charge of actual murder.

As a spur to the police and a temptation to any of the friends of the bushrangers who might not have any scruples

concerning the taking of what was called "blood money," Mr. Icely caused the following notice to be published in the district newspapers and posted in conspicuous positions :—

£100 REWARD.

WHEREAS the stables at Coombing Park, Carcoar, were robbed on the night of the 2nd August, instant, by two or more men, unknown, and the man in charge was fired at, and dangerously wounded ; I hereby offer a

REWARD OF £100

to any person who will give such information as will lead to the conviction of the guilty parties.

T. R. ICELY,
Coombing Park.

August 6th, 1863.

The police with Morrissett and Davidson at their head did a good deal of "scouring" during the days following, but they could not get within "cooey" of the men of whom they were in search—a circumstance attributable as much to the perfect system of bush telegraphy which had been established, and by means of which they were apprised of every day or night movement of the police, as to the fleetness of their horses and their thorough knowledge of the bnsh. The police, aided by the black trackers in their employ, were certainly generally on the right scent, but the bushrangers would always know when the track was being followed closely or run fast, and while their pursuers were congratulating themselves that they would soon overtake their quarry, the latter would be doubling back miles away from the point towards which the wearied police were making.

Finding that they could not catch the bushrangers while the telegraphs were allowed to watch them and report, the police decided that the next best thing open for them to do

was to catch the telegraphs; but in carrying this decision into effect they brought themselves into a very serious trouble, which very nearly cost at least one of them his life. After spending a week in the bush, riding hard by day and not infrequently camping out under a tree, almost perished with hunger and cold—for it was Winter, and large quantities of snow had fallen on the ranges among which the chase had been pursued—they succeeded one morning before daylight in arresting three men whom they had good reason to believe had been aiding and abetting the bushrangers. These three men were taken at once into Carcoar and about noon were despatched in the mail coach *en route* to Bathurst. Fearing an attempt might be made to rescue the prisoners, Superintendent Morrissett, Sergeant Grainger and Senior-Constable Merrin accompanied them in the coach, while Trooper Sutton rode the Superintendent's horse behind the coach.

That the Superintendent's fears were not groundless was proved before the escort had proceeded far on the road. When about four miles on the Bathurst side of Carcoar, three mounted men galloped up to the coach calling upon the driver to "pull up." This he immediately did, and the police who were inside the vehicle at once jumped out on to the road prepared to fight, for they knew that fight was intended, and that they would for the time being have to act upon the defensive. No sooner had Morrissett and his companions alighted than the bushrangers fired upon them, although in their haste they did not take good aim, and no damage was done. The police at once returned the fire, and the bushrangers fired again, this time also without doing damage—it is probable that they hesitated in their aim from fear of wounding their friends who were still in the coach—and then drew back. At this moment Constable Sutton, who was the

only member of the force on horseback, came up and rushed his horse towards the attacking party with the view of doing some execution amongst them. He had fired two shots from his revolver as he made the charge, but as he raised his hand to fire a third, one of the men shot him through the arm, which fell to his side powerless, and being unable to do anything further he turned his horse and rode back to the coach, the bushrangers firing at him as he went, evidently with deadly intent, for one of the bullets passed through his hat and knocked it off. Emboldened by this success the bushrangers rode forward and commenced to fire again, the fire being returned by the police, but without other effect than that of causing the bushrangers to again retreat. The firing was kept up on both sides with considerable spirit, the bushrangers being well equipped and armed with double barrelled guns and revolvers, and having discharged the former they continued to fire with the latter, until they found they had no chance of success, and as the police advanced upon them they gradually backed their horses out of reach and then galloped off.

The three men were very stylishly dressed and looked like gentlemen ; but they were soon discovered to be no other than Gilbert, O'Meally, and Johnny Vane. O'Meally was riding Mr. Icely's horse, and Vane was mounted on Mr. Davidson's—the two horses which were on the previous Sunday night stolen from Mr. Icely's stables at Coombing, when the German was shot in the mouth.

The wounded trooper Sutton, who certainly deserved praise for his plucky attempt, and who doubtless would have done some execution had he not been disabled so early in the fight, proceeded with the coach to King's Plains ; but as he was weak from loss of blood, the Superintendent arranged for

him to stay at McNamara's inn, while the coach with the prisoners and their escort proceeded on the journey to Bathurst, which town they reached without further molestation or mishap, and the prisoners were safely lodged in gaol.

On the following morning Dr. Machattie proceeded to King's Plains by the mail coach for the purpose of attending to Sutton's wounds, which he found to be of a serious nature, the ball having entered his arm between the elbow and the shoulder and passing upwards crossed into the body and came out about the centre of the right breast. It will thus be seen that his escape from death at the hands of the bushrangers had been a remarkably narrow one. The same day he was driven into Bathurst by Mr. Major West, jun., and thereafter suffered a tedious recovery. It may interest the reader to know that Sutton is still an active member of the police force in the western district, being stationed in Orange, and during the nearly thirty years that have elapsed since this memorable brush with Ben Hail's gang his name has been constantly before the public as a steady, painstaking, zealous and efficient officer.

The following letter written by a gentleman in Carcoar to a friend in Bathurst shortly after the occurrence here related will indicate how completely the bushrangers were masters of the situation :—

" Carcoar, 9th Aug., 1863.

" . . . We are all here upon our mettle, and in a considerable state of excitement. The attempt to rescue the prisoners from Edric (Morrissett) and the three troopers shows that there are men not many miles from us prepared to do almost anything. You will know full particulars of the affray long before you get this. . . . . Sutton was the only man wounded, and he was shot by O'Meally. O'Meally

rode Comus, John Vane Davidson's grey, and Gilbert a race-horse called Matheroo, stolen some ten days since from Grant —three first-rate horses, and Edric says all in splendid condition. Comus seemed to have been taken great care of and he said looked as well as he ever saw him, but became unmanageable, and almost brought his rider to grief. The attack doubtless was daring, but I don't think the bush-rangers showed much pluck. They each had a double-barrelled gun and a brace of revolvers, but they seem only to have used their guns—the only shot fired from a pistol was the one that wounded Sutton. Pottinger and Morrissett are here with six troopers and a black tracker and are just starting out again. This part of the country really is in a fearful state and will, I am sure, get worse and worse. I am satisfied from what I have seen during the past week when in company with the police that it will be impossible to put bushranging down unless the harborers are punished with the greatest severity. I believe there is scarcely a house between Mount Macquarie and the Abercrombie River that will not afford any criminal shelter when required, and I am satisfied that there are hundreds of lads in that neighborhood under 20 that would give one of their eyes to have the same notoriety as Gilbert and Gardiner. They never work, never have worked, and are without exception the flashest lot I ever did see. Something must be done by the Government or things will become worse and worse, and what will be the end of it no one can tell. At present the police can get no reliable information. Morrissett, as you may fancy, is most anxious and would give anything to take these fellows, but he works as it were with a blindfold, and you may depend on it if the Government do not take the *most stringent* measures to punish most severely all harborers, bushranging and its accompanying evils, not only

never will be suppressed but will get worse and worse, until consequences will follow which, I believe, it would be difficult to overrate."

During the discussion on the condition of the country which took place in Parliament, and which will be referred to shortly, Mr. Cowper, then Premier, quoted from this letter, when defending the Ministry from an attack made by Mr. Martin, and not a little sensation was caused in the district by its publication. One correspondent, writing to the *Bathurst Free Press* from Carcoar, thus made answer to the charge :—

" The writer of this letter must have made a great mistake when he says there is scarcely a house in that neighborhood but would give shelter to the robber, and that there are hundreds of flash youths who never will work ; for there are many highly respectable and industrious families in that part, who would be glad to render any assistance in putting down the present lawless state of things ; and if the writer in the course of his rambles with the police will only look at the large quantity of land that has been cleared for homesteads, the large number of houses that have been erected, and the miles of fencing that has been put up within the last two years, he will find that the native youths have done a good deal of hard work ; there is no doubt but there are many of the class that the writer describes, but he has no right to mix the good and bad together. Find out the harborers, and severely punish them is the wish of every honest man."

When the news of the attempted rescue reached Carcoar, a number of volunteers turned out, but though they "scoured" the bush they didn't catch the bushrangers, who had evidently cut across country in the direction of the Abercrombie Ranges, to appear again ere many days had elapsed in

different parts of the district, plundering stores, "sticking up" travellers, and openly defying the police. It subsequently transpired, however, that some time after the mail and its occupants had left the scene of the encounter, Gilbert and his companions—Hall appears to have been otherwise engaged when this attempted rescue was made—returned and found the revolver that had dropped from Sutton's hand when he received his wounds. About seven o'clock the same evening, Chesher's Inn at Teasdale Park was "stuck up" and about £40 in money and property taken away. Amongst the property that was taken there was a good deal of spirits, on which, it was supposed the bushrangers intended to regale themselves for a few days. Before leaving Chesher's they insisted upon having some hot punch made, and compelled the landlord to partake of a portion of it before they touched it themselves.

The three young men who had been brought as prisoners to Bathurst were remanded from time to time by the Bench, but as no definite charge could be brought home to them, they were eventually discharged. Shortly afterwards one of the three became one of Ben Hall's most active allies.

The bushrangers were next heard of at Trunkey Creek, where in one day they "stuck up" three stores, kept respectively by Messrs. Jamison, Dominique and "Alick the Greek," and one hotel, kept by Mr. Stapleton. They plundered each of these places, removing a large quantity of provisions, ammunition and clothing, and then disappeared as suddenly as they came. The police appeared on the scene shortly after they had gone, and when out in the bush searching for them a rather serious accident happened to Sub-Inspector Davidson. He was near Trunkey, camped in the bush after nightfall, when he heard persons approaching,

and thinking they might be bushrangers he arranged to give them a warm reception, and prepared for an attack by raising his rifle and cocking it in readiness for the discharge. The visitors turned out to be friends, however, and upon ascertaining this fact Davidson lowered his piece and turned the muzzle towards the ground. In doing this the trigger caught against one of his uniform straps and the rifle was discharged, the ball passing through one of the toes of his right foot. Although naturally startled by the unexpected discharge of the piece, Davidson did not know that he was wounded until he had returned to his camp, when his attention was directed to the hole made in his boot by the bullet, and the appearance of blood. Upon examination it was found that the bullet had gone through the foot and through the sole of the boot. Such remedies as were at hand were applied and the sub-inspector next morning started to Bathurst for surgical assistance, fears being at first entertained that amputation of the foot would be necessary. Thus for the time being two active members of the police force were laid aside from duty at a time when they were most needed—one from a wound received at his own hands and the other from wounds received at the hands of the bushrangers.

And it was just here that the *canard* of *Bell's Life* resolved itself into utterance truly prophetic. The bushrangers did actually engage in a chase after the police. Among other detachments sent out into the bush near Carcoar was one of three, consisting of Sergeant T—— and two ordinary troopers. Fatigued with riding through the bush and not getting sight or information of those for whom they were supposed to be searching, T—— and his companions turned into a hut occupied by a man named Marsh, not far from Carcoar, in search—not of the bushrangers, but of refreshments. They

had received information from Marsh, who had met them at the Five Islands, that there was a horse with saddle and bridle on running near his place, and they straightway proceeded to Marsh's house, Marsh accompanying them and treating them to dinner. After diinner one of the policemen went out with Marsh for the purpose of catching the horse. But he caught something else, as also did his superior officer and colleague. The bushrangers had followed them to the hut, and being anxious for a little recreation had decided to reverse the usual order, and hunt the hunters. Suddenly they swooped down upon Marsh and his companion and before any resistance could be offered the two men found their hands handcuffed behind them, their arms round a sapling, and tied up their horses at some distance from them. They then went to the hut and before the other troopers had realised the position they too were prisoners. Marsh and his companion were then released and brought down to the hut, and the bushrangers proceeded to appropriate the carbines, revolvers, ammunition, and even the handcuffs which had been intended for use against themselves, and having released the other two police horses—to take them for service doubtless never once occurred to them, for police horses in those days were "queer cattle" at the best—they laughingly took leave of their three victims, advising them to furnish a true and faithful report of the occurrence when they returned to police quarters at Carcoar. It was certainly a bold move on the part of Ben Hall and his companions, and indicated how little they feared the force that had been put in operation to check their outrages and secure their arrest.

About this time the Inspector-General of Police, Captain McLerie, made his appearance in the Carcoar district. So much had been and was being said about the chronic failures

of the police to capture the gang or any of its members—in press and Parliament the subject was prolific of condemnatory articles and speeches—that the head of the force must needs himself pay a visit to the disturbed districts. Needless to say the bushrangers did not get in his way, for the simple reason that the execution of their plans did not necessitate their presence at any particular spot at the time he paid his visit. It follows, therefore, that he had no opportunity to distinguish himself as a bushranger catcher. It was his part to instruct those under him in the police force how to catch them; but for all the good his visit to the district did he might just as well have stopped in his well-regulated quarters in the metropolis. The most the Inspector-General did was to visit the police stations at Cowra and Carcoar and make reports upon their condition.

The frequent outrages and prolonged stay of the bushrangers in this part of the country had the effect of attracting thereto Sir Frederick Pottinger, with all the men under him from the Lachlan district. On the day that the attack was made upon the Carcoar coach, when trooper Sutton was shot, Sir Frederick was swimming his horses and men—ten or a dozen in number—across the swollen Lachlan river at Cowra, a feat not by any means safe or pleasant; and under his directions the bush was shortly afterwards kept alive by the constant forward and backward—generally the latter—movements of small bodies of police.

But still the robberies continued, and every other day cases of "sticking up" would be reported. One rather sensational piece of news was circulated shortly after Sir Frederick's arrival. He had been joined by the Superintendent of the Bathurst police, Mr. Morrisett, and it was said that these two officers at the head of a number of their men

actually caught sight of several members of the gang and chased until they—*lost them*. The story ran that they sighted Gilbert, O'Meally, and Vane and immediately gave chase; that after running them some miles Vane's horse fell with him, when Gilbert, who was riding Mr. Icely's stolen grey, immediately pulled up and Vane vaulted on to the horse behind him, the grey bearing them away in gallant style; that the police still pushed on and were gradually creeping up to the overburdened animal, when the two bushrangers jumped off and plunged on foot into a dense scrub, through which the mounted pursuers could not follow them. But the story fell short in that it did not make the superintendents and their men return with the horses that had been abandoned by the fleeiug bushrangers—the one when it had fallen, and the other when the chase had become too hot for the men who rode it. Close following this a report was circulated that the bushrangers had left the district and crossed the Lachlan for their old haunts; but if anyone experienced satisfaction at this intelligence that satisfaction was very short-lived; for while the story was passing round, the members of the gang, whose numbers had been increased by the addition of a least one other district-bred youngster named Burke, were busily engaged planning and carrying out schemes of plunder, if not under the very noses of the police, immediately behind their backs.

And that the plans formulated by them were on a somewhat larger scale than those which they had been carrying out was soon made evident. One of the first well-organised exploits was carried out between Bathurst and Blayney, when, during one afternoon the gang "bailed up" the Bathurst-Carcoar mail and six or seven other individual travellers, chiefly horsemen, amongst whom was an ex-police

magistrate and a constable. They had chosen a spot convenient for their purpose, on the top of a rather steep hill, and there, as the travellers one by one began to prepare to give their horses breathing space after toiling up the steep, they were suddenly called upon to "stop and throw up your arms." The order having been obeyed the captives were marched into the bush off the road and there ranged together in manner best calculated to give one man full command over them with his revolver. Only three of the bushrangers were engaged in this case—Gilbert, O'Meally and a young man wearing a mask. While one stood guard over the company the other two scientifically "went through" the pockets of the luckless travellers, the while cracking grim jokes, and assuring them that if they behaved themselves properly they need not fear any violence. The constable was on his way back to Bathurst from Carcoar, where he had been doing duty, and from him they took his carbine—not for use but breakage. One of the bushrangers tried to discharge the piece in the air, but the lock proved useless, and he then broke it over a convenient log. The ex-police magistrate, Mr. O. C. Beardmore, submitted to the searching process with a very bad grace, although he had not much money about him. He had his cheque-book, however, and when this was brought to light he proposed to O'Meally to at once draw a cheque for £20 and fight any one of them at twelve paces. O'Meally treated the offer and challenge as a good joke and laughingly replied: "What a fool I should be! And if you shot me you would gain nothing, for my mate would at once shoot you." So what might have proved an interesting duel did not come off.

Having finished searching their prisoners, they apologised for not letting them go, but explained that to do so would be

impolitic, as they were waiting for the Bathurst mail to arrive. Shortly afterwards the mail drove up and was quickly stopped and overhauled. Gilbert and O'Meally assisted to take the horses out of the coach, and then proceeded to open the mail bags, and assort the letters, all of which they opened. Six of the letters happened to be registered ones, and contained in the aggregate £500 in cheques and drafts, which the bushrangers merely looked at and then threw down on the road among the opened letters. There was only one passenger in the coach, and from him they took £5, but returned him 10s for expenses on the road. On one of the highwaymen putting his hand into the mailman's pocket, another of them told him not to take anything from "coachee" as he was a good fellow, having brought them a cheese—alluding to one they found in the coach. If they found only silver on the persons of the men they held in charge, they immediately returned it, and they would not have anything to do with watches. A person named Watson, who was riding a racehorse, on return to his owner at the Lachlan, was among those stuck up. The robbers took the horse, and returned the saddle and bridle, observing that as the man in charge was a native they would not suffer him to go afoot, and they presented him therefore with one of their own horses in exchange. The mail was detained about three hours, and all were then suffered to proceed with the good wishes of Gilbert and Co.

As soon as news of this outrage reached the police centres at Bathurst and Carcoar, men were despatched to the scene to look for and if possible arrest the bushrangers. But there were no bushrangers on or near The Mount when the police got there, and while the latter were looking for tracks or trying

to follow those they had found, Gilbert and his mates were many miles away. Two days after the mail robbery they were reported as having crossed the Lachlan at Cowra on their way back to their old haunts, and that report proved to be correct. They had crossed the river within half a mile of Cudgelong, the residence of Mr. T. H. West, J.P., from whom they had a week previously stolen a racehorse bearing the name "Jonathan Wild."

Then for nearly a month there was comparative quiet in that part of the country, although a general impression prevailed that some of the members of the gang remained, "lying low" until their companions should return.

Writing from Coombing about this time a prominent resident who had been endeavoring to assist the police, thus addressed a friend in Bathurst:—"12th August, 1863. . . . You will I am sure be sorry to hear that we have once again returned without having captured any of the desperadoes—who, I fear, from what I can hear, are increasing in numbers. They have shifted their camp. Pottinger quite accidentally fell in with it the day before yesterday and it appears to have been just deserted. We go out again in the morning. . . . I hope this part of the country may remain quiet for a time. The police force is now considerable—three men at Carcoar —three at Number One and two here. I am now much inclined to think that it was little Mick Burke and young Johnny Vane that came here for the horses and that it was the former who fired the shot that wounded the German. There are at present no fewer than four Burkes in custody and two more wanted. . . . I am sorry to see by the papers that bushranging is still going on, and I really don't know what is to be the end of it. I was, a week or two since, inclined to hope that the scoundrels would soon be taken, but it does not

now seem much like it. It is becoming a knotty question, and what the Government are to do I don't exactly see. The ruffians know the advantage of having good horses and have now many, and while mounted, armed and harboured as they are, added to their able horsemanship and thorough knowledge of the bush, no police under the present or any other system stand the least chance of capturing them. They are daily becoming more and more powerful by the addition of men and arms, and if the thing is not checked by some means but a short time will elapse before the wretches will be sufficiently powerful to place the law at defiance and commit ravages and ravishings sufficient to destroy the peace of mind of all whose business compels them to occupy an isolated position in the interior. After Peisley was hanged, Gardiner, alone, for a time was the dreaded man; his success induced Gilbert, O'Meally, Ben Hall and others to join him, and so they have gone on increasing. The life they lead is no doubt one full of excitement and one they enjoy. They can calculate on harbor and assistance whenever and wherever they require it, and the more they travel, the more their power increases. Many no doubt assist and shelter them feeling that it is policy to do so; they allow their children to act as spies and take messages backwards and fowards until they one and all laugh at the police. . . . Let the Government proclaim a circuit of a single ten miles 'infected.' Let them give the officers of police a power over that 'infected tract' to burn down all houses that are known harbors, and I am sure a very different feeling would then arise—it would be found better policy to favor the police than the outlaws. Harboring would be put an end to and bushranging would die a natural death."

The suggestion here made was certainly as novel as *it*

was fiery; and if it had been acted upon, the unfortunate dwellers in the bush would have been literally exposed to two fires—those suspected of harbouring the bushranging to the fire-raising of the police, and those suspected of assisting the police to the fire-raising of the bushrangers. It was, perhaps, fortunate for the writer of this letter that his suggestion did not reach the ears of either Hall, Gilbert, or O'Meally; for, like the convict bushrangers of the early days, they were rather fond of "paying men out In their own coin," and the first fire raised might have been near Coombing.

When next the gang appeared in the Western district there was the blood of a murdered man upon their hands, and the guilt of actual murder upon their consciences. The gang, or a portion of it, had taken the level ride between Lambing Flat and Cootamundra—then a hamlet of one or two houses, a store, a blacksmith's shop, an inn, and a small police station —and had been replenishing their pockets and their larder from the most convenient and easily tapped sources. One of these sources of supply was the store alluded to, which was owned by Mr. Barnes, of Murrumburrah, another small settlement a few miles distant. This store had been "stuck up" some time previously by bushrangers, and O'Meally and the others who were with him proposed to stick it up again. Evidently they did not make any secret of their intention, for intelligence was conveyed to Mr. Barnes by his son, and that gentleman immediately started from Murrumburrah for Cootamundra with the object of protecting his store. He had reached his destination when he was met and accosted by O'Meally, who demanded his saddle and bridle. These Mr. Barnes refused to give up, however, and putting spurs to his horse, immediately galloped away. But O'Meally was determined not to be baulked so easily, and he followed. The

chase was not a long one, for the bushranger fired at Mr. Barnes as he rode and shot him in the back. The unfortunate gentleman at once fell from his horse and died upon the road. The shocking affair was witnessed by some persons on Mackay's station, near which it took place, but no effort was made to avenge his death or capture the murderer ; and so little was O'Meally moved by what had occurred that he subsequently rode up to the station store and took without hindrance all that he required. The bloodthir sty deed create a great sensation in the neighbourhood, but it did not deter the bushrangers from carrying out their schemes of plunder on that side of the country—in fact, it made their unrighteous work easier, as those who were " stuck up " were intimidated by the knowledge of Mr. Barnes' fate into unresisting compliance with the demands made upon them.

Within a fortnight after this murder, Gilbert and O'Meally were back again in the Carcoar district, and were reported to have crossed the Abercrombie, near Ridley's. Shortly afterwards they resumed operations, but on a somewhat different scale. Even bushrangers, it appears, appreciated the charm of variety, and now they struck out on a new line. They had been enduring the hardships of " camping out " for some time, and had not had many favorable opportunities for enjoying a social evening in the presence of ladies. They would have one now, however, and having made all preparations—doubtless giving attention to such small details as polishing their boots and well oiling their hair—they rode down in a body like five cavaliers—they were all in this " engagement" : Hall, Gilbert, O'Meally, Vane, and Burke—to the homestead of a well-to-do settler named Louden, a short distance from the little town of Canowindra. Arrived at the house about 10 o'clock in the evening they sought

admittance, which was at first refused. "We are police!' cried out the visitors, but the cautious Scotchman whose quiet evening had been disturbed replied through the door that they were more likely to be bushrangers than policemen. "Then," called out O'Meally, "open the door or we'll fire!" and in a moment there was the sound of a volley and the crashing of bullets through the wood of one door, with the sound of another door being broken open. There were four men in the house at the time—Mr. Louden, Mr. D. Wilson, Mr. J. Kirkpatrick and the overseer—and seeing that further resistance without firearms—there were none at hand—would be useless, they yielded to the demand, opened the door and marched out into the verandah. Here they were at once seized by the bushrangers and handcuffed together, and then it was discovered that there were three other men on the premises, in a store-room adjoining the house; but no danger was apprehended from that quarter, for Hall or Gilbert told them to keep quiet, at the same time locking the store-room door on the outside to prevent them from coming out and sharing in any of the "fun" that might be set on foot. The ladies of the house were naturally very much alarmed, but Gilbert assured them that no harm should come to anyone, and ordered chairs to be brought for their accommodation. When Mrs. Louden was asked to "take a chair" she indignantly replied "I'll have none of your chairs!" but Gilbert neatly "turned the tables" upon her by laughingly replying, "I beg your pardon, madam, but it's your own chair."

Having arranged the inmates in the house in order easily commanded by those members told off to do duty as guardians, Gilbert, Hall and O'Meally proceeded to search the house, going through all the rooms and turning out everything upon the floor. From these they selected many articles of value, and

then they ordered food for their horses and supper for themselves. Accepting the situation with the best grace possible, the ladies had supper spread, and the whole party were soon enjoying a hearty meal, each of the bushrangers taking care to have his own particular "pepper box" handy in case of a surprise being attempted. They helped themselves to two bottles of wine and handed a glass all round, meanwhile chatting pleasantly with their prisoner guests. The leaders treated the ladies with the utmost courtesy, taking care that no offence should be offered by word or deed and when Burke proceeded to light his pipe atter the meal, Gilbert called out "For shame! in the presence of ladies!" and ordered him out of the room. After her fear and indignation had evaporated Mrs. Louden talked a good deal with Gilbert, who had rather gained upon her good graces by his somewhat pleasant manner, and boyish look; advising him kindly to try some other way of earning a living than the one he had adopted; when he said he would be most happy to drop it if he would only be allowed, but they would not let him work for an honest living, for he had tried it lately, and even went to New Zealand to be out of the way but there he was hunted like a native dog, and had to fly from that country and *come back to where he was known.* On leaving about 2 o'clock in the morning, O'Meally had a new saddle and bridle of the unwilling host's, and Mr. Louden asked him to leave them as he could not do well without them; he gave back the saddle, but said the bridle was just such an one as he wanted for the present, but that he would return it shortly. At the same time they returned most of the valuables they had at first gathered up, an act which must have been as surprising as it was gratifying to the occupants of the dwelling; of whom the bushrangers shortly

afterwards took their leave, saying as they departed that they would not trouble them again.

From Grubbenbong they went direct to Cliefden, the residence of Mr. Rothery, "stuck-up" the inmates, and took their pick of the station horses, which they rounded up into the yard and spent about three hours in testing them. This was an exercise which appeared to give them great enjoyment, for they were adepts in the art of horse-catching and horse-breaking. They chose three of the best, and also selected two of the best saddles belonging to the place; and having eaten a hearty dinner, served up by the servants under command, they toasted each other in Rothery's champagne and sherry, and then rode off.

From Cliefden they proceeded to the residence of Mr. T. Grant, near the Belubula, and having spent some time in that locality, they made a sudden swoop upon the little township of Canowindra, of which they held complete possession for at least two days, although the police were out in numbers in the bush all around them, no less than ten being in the neighbourhood of Cowra in blissful ignorance of the extraordinary events that were transpiring within a short distance —a few hours' ride—of the place.

To narrate in detail one half of what was subsequently reported to have taken place would unnecessarily extend this account. They entered the town on the Monday, the five men coming down with a rush upon it from as many different directions, in their rush sweeping up every horse within half-a mile of the place, and then rounding them up on a flat in the centre, near the hotel kept by Mr. W. Robinson. No person in the town at the time of their arrival was allowed to leave it, and everyone who entered the town during their stay was quickly placed under orders to remain there. The horses had

been rounded up to a spot within sight with the object of preventing any resident from stealing away with information; and the movement was effective.

Having impounded the solitary constable in the township, they entered Mr. Robinson's public house, making very kind enquiries for the landlord, who happened, together with his wife, to be absent. They then made equally kind enquiries after the "till," examined it, and finding only a small sum, said that as "Billy" was not at home they would not take anything. Next proceeding to Pearce and Hillyar's store, they found some £3 or £4 in the till. This they appropriated, also some goods to the extent of some £27 or £28. From the store they went to the hotels, and bailing up every one who came in their way, caused such of the inhabitants as were likely to offer resistance or go for assistance to keep within sight, making Robinson's house the centre. When all had been secured, the bushrangers prepared to spend the night in innocent revelry, and make themselves as agreeable as possible to their prisoners. It then became evident that their chief object in capturing the town was to create a big sensation, and show how effectively they could set the authorities at defiance. And certainly nothing could have better illustrated the inefficiency of the police to cope with the bushranging evil than did this raid upon Canowindra. The people who had been subjected to this unexpected attack were not long in discovering that the bushrangers did not intend to do them much harm. Only a very few of the prisoners were called upon to hand over their money, and most of the money taken was spent in the township. In this respect Ben Hall and Co. were Protectionists of the first water, although under their rule the policy was reversed, the few being made to minister to the enjoyment of the many. As an eye-witness

subsequently described the proceedings: "All hands were treated to what they would drink, it was then walk up ladies and gentlemen, singing, dancing, negus, punch, instrumental music and all sorts of fun and

> The night was spent in songs and clatter—
> And aye the ale was getting better."

The Bathurst paper of the day thus describes some of the proceedings of the second day and night:—"On Tuesday morning, about 10 o'clock, Messrs. Hibberson and Twaddle, in a buggy, accompanied by Mr. Kirkpatrick, who was riding in a dog-cart, drove up to Mr. Robinson's inn, of which, in the meantime, the desperadoes had taken possession. The three gentlemen were at once ordered to alight, and were bailed up. Mr. Kirkpatrick was commanded to deliver up a revolver which he had in his possession; but he thought the whole affair was a lark, designed for the especial benefit of the visitors. However, that impression was very speedily removed, as the man who made the demand placed a revolver at Mr. Kirkpatrick's head, threatening to shoot him unless he complied without delay. The gentlemen then went into the inn, and found several other persons there who had already been bailed up. The bushrangers treated all hands to grog, but we have not heard of their treating any one of them with violence or taking anything from them. Gilbert went out and purchased a box of cigars, which were placed upon the table for the use of all present; and when one person enquired as to the propriety of using stolen goods, Gilbert said they need not be under any apprehension on that score, as the cigars were bought and paid for. They then induced a young lady present to play the piano for them, two of them dancing to the music inside, while the others were scouting or watching outside. The robbers would not drink anything

themselves excepting bottled ale, and that only when they opened the bottles themselves. Messrs. Hibberson, Twaddle, and Kirkpatrick were anxious to get on their journey towards Cowra, but were not allowed to start forward until about 4 o'clock in the afternoon, when the scouts who had been in the outskirts of the township reconnoitering returned. There were three gentlemen present who were desirous of having dinner, and written passes were given to them authorising them to be absent for an hour. The hour passed over, and the gentlemen not having returned, Hall at once rode after them, and meeting them on the road they returned together. It is said that the bushrangers were in Canowindra at least three full days, during which time they acted the parts of rollicking, good-tempered fellows, treating everybody they met, and paying for all they took; and so far as we can learn, their spoils amounted only to £3 taken from Mr. Robinson, and the revolver (which they promised to return) from Mr. Kirkpatrick. It is also currently reported that ten policemen, with an officer at their head, were at Cowra when information reached that place of the state of affairs at Canowindra; but instead of proceeding, as persons anxious to meet wfth the bushrangers would have done, by the nearest and most direct route, they crossed the Lachlan at Cowra, and whether they got lost in the bush, or, as the river was rising at the time, could not recross it, we are unable to say; but it is pretty certain that up to the period of our informant's leaving they had not arrived at Canowindra. A large party of the police left Bathurst on Thursday morning, and another party yesterday, who, we understand, have orders, if possible to circumvent the bushrangers, or get upon their track and follow them; but not to return to Bathurst without fighting with, or taking them."

But it is one thing to issue orders, and another thing to

have orders executed ; and so the authorities in this instance discovered, as they had discovered in many instances previously, and as they were destined to discover on many subsequent occasions. And here it should be stated that the fault lay in great measure with those who issued the orders—not with those who endeavoured to carry them out. The whole system of police management was rotten, and to this cause more than anything else the long "run" of bushranging in the colony was mainly attributable—as will be shewn as this story unfolds.

A resident of the district when writing on the subject a few days after the raid, thus described the individual members of the gang :—"The whole five are sober youngsters—none of them drink. They all have breech-loading rifles, and each has four revolvers. Gilbert is a very jolly fellow, of slight build and thin—always laughing. O'Meally is said by everyone to be a murderous-looking scoundrel. Ben Hall is a quiet, good-looking fellow, lame, one leg having been broken ; he is the eldest of the party and the leader—I fancy about 28 years of age. Vane is a big, sleepy-looking man, upwards of 12 stone. Mick Burke is small. They seem at all times to be most thoroughly self-possessed and to perfectly understand each other, and being sober men are not likely to quarrel. They appear to be always talking of their exploits and of the different temperaments of the people they 'bail up.'"

The winter of 1863 was prolific of rain, and riding through some parts of the bush, over ground that would scarce bear the weight of a man without "squirting," much less that of a horse going at full speed, was no easy matter. The boggy state of the bush was one of the difficulties militating against police success ; but it did not appear to hamper the move-

ments of Hall and his mates, their knowledge of the country no doubt enabling them to choose the soundest track when hurrying from one locality to another. But they did not always miss the dangers of the road. After leaving Canowindra they essayed to cross the Bulabula river—generally flowing in an inconsiderable stream, but at this time "running strong" with flood water—and one of them nearly came to grief. Vane was nearly drowned in the attempt, his horse, saddle, and bridle being swept away in the current, with all his revolvers and about £17 in money. But the loss was speedily made good, for proceeding direct to Bangaroo, at the junction of the Bulabula and Lachlan rivers, the gang appropriated two fresh horses, and then lost no time in getting away from the neighbourhood, knowing that the places which they had recently visited would soon be swarming with police, charged with the duty of "fighting with or taking them" before they returned to head quarters.

A couple of days after leaving Canowindra they were heard of near Mulgunnia, where they fell in with two young residents of Bathurst, who had been out on survey duty and were returning leisurely homewards. These were Mr. Randolph Machattie and Mr. B. Battye, and the first intimation they received of the presence of the bushrangers was hearing a command to "stand and deliver," and seeing Hall and Vane on the road before them. There was a mutual recognition, for Vane at least knew and was known to the travellers; and putting the best face on the matter Machattie and Battye endeavored to "strike a bargain." They offered to run a footrace or engage in fisticuffs on level terms with their adversaries to decide whether they should give up or retain their horses and money. Hall was much amused at this proposition, but did not "catch on." Vane wanted

to handcuff the couple together—they had handcuffs with them, doubtless those they had taken from the party of police whom they had surprised and robbed at Marsh's hut—but Hall would not sanction such a proceeding. The robbers took from their victims £2 in cash, but Hall gave back to Mr. Machattie a watch he had taken from him, and allowed him to retain a gold ring. Hall had a bottle of port wine with him, of which all hands were invited to partake, and when asked by Mr. Machattie why they did not give up their evil courses, they replied they had nothing better to do, and would not give up unless Government offered them a bonus to leave the county. Eventually, they rode away, taking with them the horses, saddles, and bridles belonging to the intercepted surveyors, saying they would leave the horses where they would be found as soon as they were better suited. Mr. Machattie had to walk several miles before he could procure another horses, after which he rode into Bathurst, and gave information to the police. When in conversation with the bushrangers, Machattie dared them to come to Bathurst at any time. What fruit that challenge produced will shortly be seen.

Meanwhile the gang had arranged another raid upon Caloola, and they were not slow in carrying it out. Their first visit was to the store kept by Mr. Hosie, which, it wil be remembered, had only a short time previously been robbed by Gilbert and O'Meally. Hosie's account of the affair, subsequently given, ran as follows :—About a quarter to five o'clock in the afternoon he was sitting in a small room communicating with the store, and which was also used as the post office, when he observed, through the window, two men approaching. He thought at first they were policemen as they were accoutred exactly as mounted troopers ; but on a nearer

approach he recognised one of them to be one of the robbers who had visited and plundered him just eight weeks previously. One man presented himself at the door of the room in which Mr. Hosie sat, when the latter slammed the door, and the robber immediately rejoined his mate in the verandah. Hosie quickly seized his gun, which was ready loaded, and pointed it through the window at one of them ; the other man then covered Hosie with his gun, and he sprang back to avoid the shot. A third man then appeared at the back door, which was open, and was followed by two others ; and Hosie seeing he was overpowered, surrendered. The robbers then placed handcuffs on their prisoner, took him into the store, and proceeded to ransack the place.

While some members of the gang were engaged with Hosie other members went across the road to the shoemaker's shop kept by Mr. R. Knott, and politely requested him and his assistant to go with them to the store, and in case of accident on the road they brought the handcuffs into requisition, marching the two workers in leather across to Hosie's, with bracelets on their wrists. They also visited the local blacksmith, who was at work in his shop adjoining, and all having assembled in the store, arrangements were made for removing the articles that had been chosen by the self-elected sorters. All the most valuable drapery and other goods taken from the shelves were placed in three-bushel bags, while the articles not considered suitable were thrown on the floor. The horse taken from Mr. Hosie when the previous robbery was committed, and which had returned, was again seized, while several other horses then in a paddock adjoining were driven up, and as some of them refused to stand still, one of the bushrangers fired among them and wounded two. A man passing along the road on foot at the time saw what was

going on and mended his pace, but O'Meally followed hard after him and brought him up standing before he had got very far. O'Meally then asked him if he were not one of the men they had stuck up at the time they stopped the Carcoar mail, when the poor fellow humbly touching his hat, replied "Yes, your honor." The marauder rejoined "You deserve shooting for giving my mare such a sweating;" and the humble captive replied "Don't shoot me, your honor." O'Meally then marched his prisoner to the store, where he was kept and guarded with the rest until the packing part of the business was completed, and during which the band conversed with ease, passing jokes and displaying their arms, and the gold chains with which they were profusely decorated. Mrs. Hosie had courage enough to ask for one of the gold chains, but Gilbert replied that she "might be sent to prison in that case for having stolen property in her possession, and that wouldn't do." Then, having seen that the stores were well packed on the horses, they proceeded leisurely to depart, first cautioning their victims against making too hurried an attempt to convey information to the police. Many of the articles taken from the store were useless to the bushrangers personally, but they had many friends who looked for reward, and these shop goods were no doubt accepted by them as payment for services rendered as telegraphs or harbourers just as readily as money would have been. After the robbery there were gay ribbons and fine feathers available for use in more than one house in that district, which had not been paid for by the occupants of those houses, although they at one time adorned the shelves of the unfortunate Caloola storekeeper.

After leaving the store with their booty the bushrangers called at the public house, which was at no great distance,

and coolly put up for the night, after having laid the landlord under a £3 contribution; although—so keen was their sense of honor and so strong their benevolent instincts—they returned ten shillings of the stolen money, and "paid the score" for the accommodation supplied and refreshments served to the amount of £2 8s. Perhaps they were desirous of giving a practical contradiction to the economic doctrine that one cannot "eat the cake and have it!"

After the bushrangers came the police—as usual, a long way after. As soon as the coast was clear, a messenger was dispatched to Bathurst with information of the robbery. Mr. Morrissett, police superintendent, happened to be at home, and he straightway rode up the hills to Caloola with his men —and rode back again. They might just as well have stayed at home and whistled for the bushrangers to come and be caught. They interviewed the victims at Caloola, inspected the premises through which the bushrangers had so recently passed, and then set off upon the track which they were supposed to have taken, but, as on previous occasions, so on this, they found themselves outwitted and outpaced; although, had they but known it! the full gang of which they were in search were almost within hailing distance, and engaged in arranging for an attack upon the very head quarters of the Western police—the centre from which issued all local orders, to which all reports were sent, and through which those who held the citadel of justice in Sydney were kept in touch with the remotest "station" in the West where the solitary policeman went his rounds, or the "beat" of the constable had been last formed. Like Mohammed, if the mountain would not come to them they would go to the mountain! How they went and what they did the reader will now learn.

THE RAID UPON BATHURST.

HALL, GILBERT, O'MEALLY, BURKE AND VANE MAKE A NIGHT ATTACK.

The feebleness of the horses ridden by the police in their long-continned chase—first in one direction and then in another—and the feebleness of the central head from which issued the commands which the police as individuals and companies had to obey produced a result which was not at all unnatural: it made the bushrangers bold to the verge of open defiance. Surveyor Machattie, when conversing with the members of the gang who robbed him and his companion of their horses on the road from Mulgunnia, had dared them to pay a visit to Bathurst. To men whose whole career had been one uninterrupted series of successes such a challenge came as a suggestion not likely to be allowed to pass unheeded. They would go to Bathurst—not so much to make a "haul" as to create a scare and make a big sensation, although if anything worth taking came near their hands when paying the visit, they would not, of course, pass it by. And with this gang, strong in their consciousness of superiority, to resolve was to do; and they left the police looking for them among the mountains between Caloola and Carcoar, or watching the houses of those suspected of being harbourers, and came quietly towards the headquarters which the police had left. It was a bold, yet not an unexpected movement, for

many a half-earnest jest had been passing among the townspeople for some time concerning such a visit, which would not give the bushrangers much trouble to make, and which certainly was not likely to be attended with more danger than many of the exploits in which they had engaged right under the eyes of the force specially charged with their capture.

Hall and his mates invariably chose a favorable time for their visit, and the visit to Bathurst was made at a time when there was no likelihood of any obstruction being met with. A beautifully calm Saturday night in October, and an hour when the citizens had temporarily ceased from business to partake of the evening meal, was chosen for the sensational raid. Oil lamps and candles were beginning to shed their light in shops and through the windows across the footpaths in the main thoroughfares—there was no gas in those days—when five horsemen were seen by the few persons abroad jogging quietly down William-street in the gloaming. The sight was not by any means an unusual one, for it was the practice then for the country youth to ride into town in companies of four and five to "see the sights o' market nights," and the solitary general market night of the week in Bathurst, as in other places, was that of the last day of the week. Like other youths intent only on "shopping" these five horseman rode straight to business.

Their first place of call was at a gunsmith's shop kept by Mr. Pedrotta, in front of which two of them dismounted and handed the reins of their horses to their companions, who sat on their horses facing the shop. Entering the shop as ordinary customers they said no word and made no sign calculated to awaken the curiosity or suspicion of the proprietor, who at once proceeded to ask "What can I do for you, gentlemen?" They wanted to inspect some of the

revolvers, and politely asked Mr. Pedrotta to shew them one or two of his best. The best goods were exhibited, but these customers appeared hard to please. They had peculiar tastes, and no doubt the gunsmith had discovered during a long business-life that for customers to have peculiar tastes was not an uncommon thing. They wanted "rifle revolvers," but Mr. Pedrotta shook his head as he informed them that he did not keep such articles in stock. "Then shew us some double trigger revolvers," was the request. But this article also was absent; and after critically examining the "six-shooters" that were exhibited to them, they declared that none of them were good enough for their purpose, and shortly afterwards left the shop and quietly remounted their horses.

A few doors lower down the street was a shop kept by Mr. McMinn, watchmaker and jeweller, and it was not to be expected that men who had dealt largely in the watches carried by "stuck-up" travellers could pass a window made attractive by brand new gold and silver watches and jewellery upon which the brightest light procurable was brought to play. Another halt was quietly called, and the same two "customers" whose wants could not be met in the gunsmith's shop again dismounted and crossed this door on business intent, while their companions remained seated in their saddles taking charge and keeping watch. Mr. McMinn and his family were at tea at the time in a room at the rear, having left the shop in charge of a young man assistant. Stepping forward to serve, this young man was startled into terrified silence by the discovery that he was looking straight into the barrel of a shining revolver whose holder threatened to empty its contents into his head if he made the slightest noise, at the same time commanding him to pass into a side room communicating with the shop.

Mechanically obeying, with the glint of the revolver barrel still in his eyes, the shop assistant saw the other "customer" preparing to help himself to the valuables contained in a glass case on the counter. But the case was locked and could not be opened without breaking, and as breaking glass makes noise and noise attracts attention—two things which the men in the shop desired to avoid—they abandon the case and were appropriating some choice articles from another part of the shop, when an interruption occurred. One of the female members of the family opened the door leading into the shop, and taking in the situation at a glance she at once fired a volley—of alarming screams. The bushrangers would doubtless have sooner heard the report of firearms than screams, and at once abandoning their work they hurried from the shop and remounted their horses, warning the lady and the other members of the family who had rushed forward upon hearing the cries of alarm, that they would meet danger if they followed them to the door.

Meanwhile the bushrangers who had remained mounted had summoned the proprietor of a a fruit shop adjoining, and ordered some of the best oranges, and the shopman was in the act of handing up the oranges when the two men emerged from McMinn's. For them to vault into the saddle was the work of a moment, and snatching some of the oranges the five men rode in a bunch down the street at a "jog." They had not gone many paces, however, when Mrs. McMinn came to the door of the shop and raised a public alarm, crying out that the horsemen were bushrangers and that the shop had been robbed by them. This brought all the near neighbours to the street, and as one and another began to run out the bushrangers put spurs to their horses and set off at a hand gallop, heading down the street in the direction of the police

barracks. At the corner where the School of Arts now stands, however, a further cause for commotion arose. Three of the men turned their horses into Howick-street, but the other two going straight ahead, one of the former fired a revolver in the air to attact their attention, and they at once took the hint, checked their horses and wheeled round after their companions. The shot from the revolver rang out upon the night air as a note of "war declared," and the townsfolk who were running after the horsemen dodged into places of safety, imagining that they were being fired at. More than one declared subsequently that the bullet from the revolver had whistled close past their ears, and those who heard the declaration forgave the divided untruth, charitably setting it down as an excusable piece of self-deception.

By this time the bushrangers were going full speed together up Howick-street, and as the noise of firing, horses galloping and men shouting had called out the residents of every dwelling and place of business along the course taken, the streets were soon lined with people, mostly bare-headed and all in a state of excitement. From Howick-street the bushrangers crossed the Square, then mostly open land, into George-street, and headed for the top of the town, and having reached a quarter which had not been disturbed by the noise they slackened their pace and eventually pulled up in a quiet corner, arranging a visit to another citizen well-known to at least one of the gang, their intention being to "lift" something of even greater value than a watch—to wit, a racehorse.

But while they were thus engaged the whole of the business portion of the town was in a great state of perturbation. Information of the raid had been conveyed to the police barracks, and within a very short time every available man at the station belonging to the mounted police was in the saddle

ready to do or die in the effort to capture the men who had so rudely disturbed the peace of the Bathurst community. But all told, the number of mounted pursuers only amounted to five, and these started off at a brisk pace along the course taken by the bushrangers. The reader will be prepared to learn that the five hurriedly equipped and mounted men neither did nor died. They had a brisk night ride for nothing, for while they were plunging along one of the roads leading from the town, believing that the men they wanted to catch had again taken to the bush, satisfied with the "splash" they had made, and were making back towards either Caloola or Carcoar, those men were coolly continuing their depredatory work within the town boundaries. In their haste the police had overlooked the bushrangers, riding past the very spot where their horses were standing and within a stone's throw of the very house the inmates of which they were "overhauling."

Meanwhile the civilians had abandoned business. Several of the storekeepers hurriedly put up their shutters, fearing they knew not what. Those who had no shops to attend to formed in knots at street corners and elsewhere to exchange opinions concerning the probabilities of the chase, leaving their affrighted womenkind to lock the doors from within, and place the family poker convenient for handling in case of a visit from the dreaded "boys" whose exploits had made their names a terror. Then suddenly a fresh turn was given to the conversation in the streets. The word was passed round that the bushrangers were still in the town, and that while they had been pictured as riding at a break-neck speed over the gullies and ranges leading back to their retreat, they had been making merriment for themselves and trouble for others in the house of a popular alderman of the borough.

That report was true. Having placed their horses where they could not be seen from the street they had entered the hotel kept by Alderman DeClouet, in Piper-street, and had "bailed up" the inmates, who had not yet heard of the disturbance in the centre of the town. At once a general movement set in towards the well-known Sportman's Arms, and this is the story the interviewers heard from the lips of the host and his good wife :—The bushrangers rode into the yard and said they might as well stop there a couple of hours as anywhere else. Gilbert, who had formerly been a jockey in the service of Mr. DeClouet, took possession of the bar, revolver in hand, and examined the till, but finding only silver he put it back. He, however, continued in occupation, whilst another of the men walked into Mrs. DeClouet's bedroom, where she was just preparing the children for bed. The robber, showing his revolver, spoke kindly but firmly, remarking that it was not his intention to injure her in any way but that she must find the cash box and shew where the money was. The cash box was produced, and Mrs. DeClouet was obliged to unlock it. He took what notes there were there. Mrs. DeClouet in her confusion let fall a half sovereign which the robber requested she would pick up and deliver to him ; she found the half sovereign and gave it over to the robber, who then made a strict search, tossing the bed clothes, and the contents of drawers into confusion ; the only article which the villain considered worth his while to take, was a silver watch, which, with the money already extracted from the cash box, he pocketed and left the room. Meanwhile two of the other men were engaged with Mr. DeClouet himself, from whom they took a valuable silver watch and a £1 note ; they also took £2 from a young man, a lodger in the house. During their stay they enquired from the landlord

where "Pasha" was. This was a favourite race horse which Gilbert knew was kept by the alderman. Information had been received during the day, however, that the party were near the town and might require a good horse, and to provide against the possibility of losing his favorite, Mr. DeClouet had him removed during the day to a horse box; and as, on search the animal could not be seen, the bushrangers were obliged to leave without having accomplished this part of their purpose.

That the excitement in the town grew to the highest pitch when the news was circulated that the bushrangers had been in town all this time may readily be imagined. The knots of debaters at the street corners grew larger, although not a few of those who had wandered from their shops and dwellings deemed it prudent to return, lest the bushrangers, knowing that the police were beyond recall, should return to the centre and resume operation in the business quarter. For even the foot police had received marching orders and were engaged in "open order" watching the outskirts of the town, armed with such weapons as could be found in the local arsenal. But all fears of this kind proved groundless, and there was no further disturbance from the "boys," who had quietly disappeared, taking the direction of Caloola, while their pursuers were heading for Carcoar.

It subsequently transpired that they had not forgotten the promise made to Mr. Machattie, when parting from him near Mulgunnia, after having robbed him of his horse. They said they would return the animal and send him word where it was to be found. This undertaking they had carried out to the letter, and before leaving the Sportsman's Arms they left a message for Mr. Machattie to the effect that his horse and also the horse taken from Mr. Battye would be found in

Mutton's paddock on the Vale Road, about a mile from town. On the following morning Mr. Machattie's horse was found in the spot indicated, but the other horse had either not been left there or subsequently taken away again by the gang, as they passed the paddock on their way out of town. They also told Mr. DeClouet that if Mr. Machattie had not dared them to come to Bathurst they would never have thought of coming, but they were not disposed to neglect a good chance of "having a lark" when the opportunity offered.

They were next heard of as having visited Mr. W. Mackie's residence, at Bartlett's, near Caloola, where they were reported to have taken one of that gentleman's horses, but finding that the animal was not good enough for their purpose they turned it loose. Shortly afterwards they deprived a young man named Lockhardt of the horse he was riding on the road.

But the excitement in Bathurst did not die out with the disappearance of Hall and his mates. On the following day, Sunday, it formed the topic of conversation for men, women, and children of every denomination, and in church and out of church thought and speech centred in the bushrangers and their doings. During the day the Police Magistrate, Dr. Palmer, issued circular to all the principal inhabitants, requesting them to attend at the court house on the following morning to "consider what course should be taken to protect the town in the present emergency." Many others besides those invited attended at the local Temple of Justice, on Monday morning, and business was partially suspended while the question of the bushrangers and their doings and the best means of protecting the town in case of another raid—which many considered not a remote contingency—was fully discussed. Bathurst was not in a state of seige, but Bathurstians

thought it well to make preparations for the worst that might happen, and it is interesting to note what actually took place under circumstances so peculiar.

Dr. Palmer, the Police Magistrate, having been called to the chair, and after explaining the motives which had prompted him to convene the meeting, said he thought it was not probable that the bushrangers would visit the town during the night; but he hoped that all the residents who could do so would arm themselves and be prepared to meet them if they should visit Bathurst again. The police appointed to town duty were 14 in number, being one senior-constable and six others for day duty, and one senior-constable and five others for night duty, besides the watch-house keeper; these men were all well and fully armed, and were ready and willing at any moment to give every assistance, if required. He was of opinion that it would better at that meeting to deal with the question in a general way rather than to go into minute particulars, for he believed there were some who would convey the intelligence to the bushrangers, and he had no doubt there were some in that room who were prepared to adopt that course. This was rather a reflection upon the loyaltyof the meeting, but none resented the remark, and he proceeded to express the opinion that it would be wise to appoint a committee to deal with the minutiæ of the matter, and by that means arrangements might be made that would not reach the ears of the bushrangers. A great deal had been said about the police, but he knew that they were ready and anxious to do the utmost in their power; and he referred to two or three facts to prove the truth of this statement.

Then followed a discussion during which it was proved that where there are many men there are many minds. The following may be mentioned among the prominent citizens

who spoke on the subject: Messrs. Hawkins, Farrand, McGuigan, Webb, Smith, Stanger, Parker, Rotton, DeClouet and Curtis. It was argued that five policemen were not sufficient for night duty in the town, and that in order to the proper protection of the inhabitants a number of special constables should be sworn in, and they with the town police should be placed under the orders of the Police Magistrate (who resided in town), and not have to wait for instructions from an officer of the force, whose duty might call him 50 or 60 miles from Bathurst. It was also contended that the business would be much better managed if a committee were appointed, as many suggestions might be made and some plans adopted, which, if made publicly known, would most likely be defeated in consequence of the system of bush telegraphy then in operation.

Mr. Smith thought it would be taking too much into their own hands to attempt to place the police under the control of the Police Magistrate, as it would be interfering with the powers conferred upon the Superintendent of Police under the Police Act.

Mr. Rotton coincided with Mr. Smith in his opinion upon that part of the subject and thought that by taking the police from under the control of their own officer and placing them under the control of another, they would be attempting to override an Act of Parliament.

Mr. Farrand had no doubt that upon the question of legal right Mr. Rotton was correct in what he had said, but the present was a time of great emergency, and he thought they were not asking too much by the resolution before the meeting, and in the absence of the Superintendent of Police, he was of opinion that the Government would be justified in acceding to the request of the inhabitants of Bathurst.

Mr. DeClouet argued against the expediency of secrecy; what they had already said would be all known, and if they went into a private room to discuss the matter, it would soon be known outside and discussed at the corner of every street. Plenty of volunteers could be obtained if the Government would pay them, but he did not think it was necessary to swear in special constables.

Eventually the following resolutions were put and carried *nem con.*:—

1. It is the opinion of this meeting that, for the better protection of life and property in this town, a number of special constables should be immediately sworn in and equipped by the Government, and parties willing to volunteer to form a mounted body (and find their own horses) for protection at night, be immediately enrolled, and that they may be placed under the control of the Police Magistrate and Magistrates; and that the Inspector-General be requested to place the police (at present allotted for the protection of the town) under the same authorities.

2. That a committee be appointed to take into consideration the necessary steps for protecting life and property in Bathurst, and also to communicate with the Government as to the schemes to be devised for the capture of bushrangers, and the suppression of bushranging—the committee to consist of the Mayor, the Police Magistrate, Mr. Webb, Dr. Machattie, Mr. Robinson, Mr. Hawkins, Dr. Connell, Mr. W. Lee, sen., Mr. John Dargin, Mr. Stanger, Mr. J. C. White, Dr. McDonagh, Mr. Kinna, Mr. J. DeClouet, and Mr. W. Farrand; five to form a quorum.

Before the meeting closed the chairman said that he had already communicated with the Colonial Secretary in Sydney, informing him of the steps that were being taken, and he had just received a wire from that gentleman to the following effect:—"The Government will most cordially co-operate with the inhabitants of the town of Bathurst in any steps such as you suggest. Keep me apprised of anything you hear. In the absence of the police officer you may do what you think best."

A number of those present then presented themselves to

be sworn in as special constables by the Police Magistrate, and arrangements were perfected for these to patrol the town singly or in batches, during the hours of darkness, fully equipped with such weapons as were deemed necessary to enable them to defend the lives and properties of their fellow townsmen from any attack the bushrangers might make upon their persons and possessions. It has not been left on record whether the town was lulled to sleep by a sense of security born of the knowledge that its guardians were on the watch; but nothing occurred during the night to disturb that sleep, if it did come to the town, and the guardians were doubtless not altogether displeased that the firearms carried by them —in some cases most awkwardly—had not been called into requisition.

During the hours of Sunday, before the "specials" had been sworn in, the police were kept in constant motion. A paragraph in the local paper, referring to the movements of the town constables at the time, ran as follows:—"From the moment of the alarm on Saturday evening last this town has borne the appearance of being in the military occupation of a new power. As many pairs of policemen as can be spared for the duty have been parading the streets night and day, with carbine in hand and regimental—left—right—step. On Sunday morning two of the force were stationed in front of the Courthouse, where a good view of the square, and the several outlets therefrom, could be obtained. In short, every formal precaution necessary to show that the town is under protection has been taken, and people go about their business as usual." It will thus be seen that the inhabitants of Bathurst had no occasion to give themselves wholly over to fear.

Yet the efficiency of the existing police force to cope with the bushrangers was, by this raid on Bathurst, made painfully apparent; and various were the suggestions made by civilians for more effective service. Among other letters

on the subject which found their way into print was the following :—

A WAY TO GET RID OF THE BUSHRANGERS.

To the Editor of the Bathurst Free Press and Mining Journal.

Sir,—Let the Government placard a description of every known bushranger at every post-office and courthouse in the colony, and superadd some such proclamation as this :— "Whereas the persons herein described have been guilty of certain grievous outrages, and whereas the lives and property of her Majesty's loyal subjects are endangered while these persons remain at large. Now, I, Sir John Young, Governor, etc., etc., by and with the advice of the Executive Council, etc., etc., do hereby offer the following reward for the apprehension of each of the persons herein described. Whatsoever person or persons shall capture, or assist in capturing (*dead or alive*), any of the persons herein described shall receive forty (40) acres of good agricultural land, to be chosen by the recipient in the district where the capture may be effected, the deeds to be issued *gratis* within one month from the date of application. And should any of her Majesty's loyal subjects receive fatal or any injury in taking action on this proclamation the Government will, as far as possible, make compensation to the relatives of the sufferers —that is to say, should such loyal subject be shot dead his nearest relative shall receive the above reward and such other compensation as may be thereafter decided upon ; should he be wounded severely the Governor, in addition to the above reward, will give compensation for his loss of time, labor, etc."

The wealthy inhabitants of the various towns might raise a reward fund to supplement the government reward.

The Government of New Zealand found no difficulty in obtaining hundreds of fine young men as recruits for the army of New Zealand. These men have to face a rigorous climate, a rugged mountainous country, and a savage determined foe. The inducements held out to them by the New Zealand Government are of a character somewhat similar to, though not so thoroughly liberal as those mentioned here.

It cannot be said however that these inducements are too liberal.

X.

And in the leading columns of the paper the subject was also dealt with, as being one of greater importance than any other then claiming attention. The following article from the editor's pen was one of several that appeared :—

The audacious visit of Gilbert and his mates to Bathurst, on Saturday evening, when considered in connection with their late career, though sudden and unexpected, is by no means calculated to create surprise, except so far as the manner of it is concerned. The contempt and ridicule in which they hold the police have been shewn in so many instances throughout all parts of the country comprised within the boundary pegs respectively represented by Forbes, Young, Abercrombie, Caloola and Carcoar, that we cannot wonder they should project a journey to where the Western department has its seat, and its chief. The only thing which creates astonishment is, that they should have chosen Saturday evening for the raid ; and at an hour when the bulk of the population were out of doors. Yet even this proves how capable they are of choosing an opportunity to make a "stroke," or of seizing an occasion to create a panic. Their object could not have been to plunder on a scale, though they were loth to depart without leaving some evidence of their craft. They took advantage of every circumstance that could conspire to make their visit unexpected. Just the hour when the working portion of the inhabitants turn out, with their earnings of the expiring week, for the purpose of making household purchases; and when young people make it usual to walk for pleasure. The street chosen in which to commence operations was by many odds the throngest part of the town ; and that section of the street in which is situated the largest number of well-lighted establishments, was certainly the spot where everyone would suppose such a band of marauders would be least likely to come ; yet come they did, and business they essayed to do, at three immediately adjoining places of business. But all this was exceeded by the cool effrontery and dreadless impudence with which they turned into Mr. DeClouett's yard and robbed the inmates of the house, at the very time when the whole town was in a state of alarm ; and the police galloping in their supposed track. Bushranging by this gang is evidently not followed as a mere means of subsistence ; this

could be obtained in the usual way, with little trouble and less risk; but it is their life. Every new success is a source of pleasure; and they are still stimulated to a novelty of action from a desire to create a history. This has become their great ambition; and the spirit of adventure is fed in them by the popularity which attends almost every incident of their career. Every word they say, and every thing they do, is recorded, and they aspire to a name. Individual travellers carry less cash on their persons than once was customary; mails are less profitable and better guarded than they were formerly; and bushranging proper is partially stale. It is a circle which they have often described, and they would rather fly off at a tangent than walk round and round; and hence their late daring and partial pleasure trips to Louden's, Rothery's and Robinson's, and last to Bathurst. Since the attempt on the Carcoar Bank, in open day, we have frequently expressed the opinion that they would certainly visit Bathurst. We regarded that exploit as an index of their general plans, and the result has transpired very much as we expected. Having practically and frequently demonstrated the childishness of the officials employed and paid to capture them; having achieved success with so much ease; having combined the desperado and the gallant each in his own person, the robbers feel on the one hand that they have built up a superiority (though false it be) which defies the power of Government itself; and on the other, that they have secured, to a very great extent, a kind of sympathy in given circles, which, though of little real use to them, is nevertheless adapted to the miserable vanity in which they indulge. None of these things, however, can cover the wretched villany of their proceedings. They may urge that their object is merely to possess a purse; but the alternative is death to him who refuses it. Murder is in their schemes; and every man ought, therefore, to think of them, and to act towards them, and pursue them, as enemies of the human race. From the tone of last Monday's meeting, Bathurst is worthy of rising in the estimation of every man who cares for his children, or who loves his country; and we trust that the movement will issue in means to be practically applied for the purpose of sweeping bushrangers and bushranging from the face of the land. The meeting might have been felt to be objectionable to some, if it had not been

assured of the co-operation of the Government. The telegram received by Dr. Palmer while filling the chair set that matter at rest; and the inhabitants will therefore be warranted in any vigorous measures they may choose to adopt for the capture of the villains infesting these districts. Let us strengthen the hands of the Police Magistrate and the gentlemen acting with him, in order to restore confidence in the people, and carry out the protective measures contemplated. A little sacrifice made now may secure many benefits in the future. It may establish peace. It may prove a blessing to posterity.

But the "sweeping" was not to be accomplished yet awhile, and although the protective measures adopted had the effect of in a measure restoring the confidence of the people, the peace desired was not established and the blessing sought was not obtained for many days. And when the "sweeping" resulting in peace in the district was accomplished, the credit of the work had to be given, not to the police as a body, or to civilians as a body, but to isolated individuals, as the reader will shortly see. Nevertheless, the precautions taken to guard the town had the effect of preventing the bushrangers from re-entering it, although they were not deterred from committing depredations on its outskirts.

As already stated, the Sunday and Monday passed quietly, but on Tuesday evening the Bathurstians were again thrown into a state of great excitement by the announcement that the gang had committed a series of robberies on the Vale Road, within a mile of the town. They had evidently found a safe shelter during the intervening time in some spot convenient to the town—in all probability with some friend and sympathiser, who kept them posted in every movement of the police; and when the latter had returned to head-

quarters on Tuesday evening, they were ready to commence their work afresh.

Their first visit was to the store of Mr. Edward Mutton, which was situated on the Vale Road, about a mile from the police barracks, and the nearest store to the town; but the store happened to be closed, and all the doors fastened, so that they could not obtain an entrance without resorting to force. Foiled for the moment here, the bushrangers paid a visit to Mrs. Mutton, senr., who resided near the store. Mrs. Mutton had heard them trying to get in at the store door, and as she had been anticipating a visit from them she was not surprised to hear them at her own door. She admitted them to the house, and they wanted to obtain possession of the key of the store; but as Mr. Edward Mutton was not at hand the key was not forthcoming, and Mrs. Mutton told them they might take any thing she had, but certainly she would not allow them to rob her children. They then searched the house but could nor succeed in finding anything of value to take with them except a small brooch; two shillings Mrs. Mutton had in her pocket they allowed her to keep. They went into the bedroom and whilst turning over the bedclothes one of them who was holding a candle accidentally set fire to the bed curtains; they expressed their regret at the accident and exerted themselves to the utmost in endeavoring to extinguish the flames, in doing which one of them burnt one of his hands severely, and Mrs. Mutton gave him some Holloway's ointment with which to dress it, meanwhile talking seriously to the misguided young men concerning the evil of the course they were pursuing, and urging them to abandon it before every avenue of escape from the dread end thereof was closed. They listened in patience for a time, but were not disposed to accept the kindly advice thus given, and quickly mounting

their horses rode away along the main road leading to Caloola. As soon as they had left, Mrs. Mutton sent word to her son, Mr. John Mutton, who resided near, and that gentleman immediately rode into Bathurst for the police, who went out at once, arriving at Mrs. Mutton's residence about half-an-hour after the bushrangers had left.

Meanwhile the gang had reached the hotel on the Vale Road kept by Mr. Walker, about a mile and a half from Mrs. Mutton's, and adjoining Orton Park homestead, the residence of Mr. C. McPhillamy. Here the police missed a good opportunity of coming up with them, which they must have done had they kept on the road; but in his wisdom their leader decided to take a branch road—a lane leading to Gorman's Hill—and thus succeeded in keeping his men beyond the range of the bushrangers' revolvers. When the marauders entered Walker's there were in the house only five persons, Mr. Walker, his brother, a woman servant and two children. The former were engaged at the time of the visit in practising on flute and violin. Three of the gang, armed with rifles and revolvers, entered the house, the other two remaining outside on the horses. They searched Mr. Walker and his brother, and told the servant and children to be quiet and they would not hurt them. They then demanded firearms, but Mr. Walker replied they had none excepting the fiddle and flute with which he and his brother had been amusing themselves. The drawers were then searched, and the key of one that was locked enquired for; from this they abstracted three notes, and took some silver from Mr. Walker himself. Proceeding quietly through the house, not speaking an angry word, they took an old revolver, which had been left at the house to be raffled for, and of which Mr. Walker had not

thought when replying to their demand for firearms. While they were at the house, one of the gang went ovnr the road to a hut in which the local blacksmith was residing and quietly marched him over, although they were relieved of the trouble of robbing the son of Vulcan, seeing that he had nothing for them to take. Twenty minutes from the time of entering the house saw them again on the road, making for the next place likely to contain anything of use to them, and that place happened to be the roadside store kept by Mr. McDairmid, about half-a-mile from Walker's public house.

While Hall and his mates were at McDairmid's, Walker was honored with a call from another distinguished set of visitors in the persons of Captain McLerie and his men. These visitors arrived on foot, having left their horses—for some reason best known to themselves—at some distance. Entering the inn the gallant captain found Walker calmly smoking, with the view no doubt of soothing his nerves after the shock to which they had been subjected. He at once ordered Boniface to take the pipe out of his mouth, and then proceeded to search the rooms for bushrangers, although Mr. Walker informed him that they had onfy a few minutes previously left the house. Having satisfied himself that the men of whom he was in search were not hidden about the premises, the captain of police braced up his nerves, and proceeded—back to Bathurst! hearing along the road that the bushrangers had been before him, and that another party of police had been taken out by Superintendent Morrissett to look for them.

At McDairmid's, Hall and party made quite a large hau in the shape of tobacco, tea, sugar, sardines, flannel and draperies, spending fully three-quarters of an hour upon the premises. The goods—amounting to about £50 in value—they packed in pillow slips taken from the bedrooms, and

regaled themselves upon tinned fish and sauce while engaged in the new-fashioned work of "stock-taking." They emptied the till of its contents, some twenty-five shillings, and took one shilling and sixpence from one of the children's boxes. The mother requested them not to take the child's money, but they answered they intended to take all they could get, and having fully carried out their intention they remounted their horses with the stolen goods and proceeded to make other calls along the road.

And now the party of police under Superintendent Morrissett appeared to have get upon their track. They came up to Mrs. Boyd's house, next on the road, and a few hundred yards distant from McDairmid's, about ten minutes after the bushrangers had left; but, strange fatality! like the members of the other contingent, they also appeared on foot. We must give the leaders credit for good intentions in thus abandoning their horses to chase mounted bushrangers—they wanted to sneak upon them unawares when engaged with their victims within four walls, which they could not do if they clattered up to the place on horseback. Whatever their motive might have been in approaching the place in this manner, however, approach it thus they did, to the no small wonderment of the people who then greeted them and who afterwards heard or read about the affair. It was said by some unsympathetic mortals that the leader of the little band did not wish to bring his men into collision with the bushrangers, fearing that something serious might happen to him or them, or, perchance, to the bushrangers; and certainly the funny way by which he sought to catch those of whom he professed to be in search might be taken as indicative of a disinclination to either meet or overtake them. Turning back from Mrs. Boyd's to McDairmid's they sent

for their horses, and by this "flank" movement gave the bushrangers a very good opportunity to get clean away. But the latter were in no greater hurry than their pursuers, and instead of disappearing into the bush or pushing at full speed along the road, they quietly cantered along with their booty until they came to Mr. Butler's hotel, about a mile farther on the road leading to Caloola. It was about 10 o'clock at night when they reached the place and they at once began operations, which may be briefly described. There were eight men in the house and Mrs. Butler was attending to them. Four of the bushrangers entered, armed like the police. They rummaged a side room and the drawers, but took nothing excepting a chain; a watch which they were told belonged to a widow woman, which had been left there to be raffled for, they allowed to remain where it was. One of the gang asked his mate to drink, but he refused, saying he was on duty. They demanded Mrs. Butler's money; she emptied her pocket, but as there was nothing but silver they returned it. They enquired from the men in the house what money they had. It was produced; there was only silver, and they suffered them to retain it. One man asleep on the sofa they awoke and asked him for his money; he said he had only silver; they searched him and finding some notes they took them and the silver too, as a punishment for telling them a lie. This man had a draught horse in the stable; they took that, but left those of Mr. Butler. In their search through the house they came to the door of the bedroom occupied by Mrs. Butler's mother. A girl who was there said "If you are gentlemen you will not go into the old lady's room, she is nervous and you would frighten her," and they then turned away. They called for six nobblers for people in the house and paid for them, them-

selves drinking nothing stronger than lemonade ; and having re-arranged their plunder on the spare horse thep took their departure, just as the sound of the police horses' hoofs were heard along the highway, the sound indicating that they were proceeding very leisurely. This was explained five minutes afterwards, when the police made their appearance, two of them walking ahead of the others to reconnoitre ! It was, doubtless, with a sigh of disappointment that Superintendent Morrissett learned that the bushrangers had gone. But there was glory still ahead. The sound of the horses that had just been ridden from the hotel door could be heard in the distance, and Mrs. Butler informed the newcomers that the men had only just left the house, that they had heavy swags with them, and had taken a draught horse out of the stable to carry some of the goods ; that they were still in the fenced-in road, and must be taken if pursued quickly. But the brave Superintendent wasn't to be hurried. He held a short conversation with a person living opposite the hotel, and then started along the road. Shortly afterwards, however, he returned to ask the person he had been conversing with to go with them ! Seeing that precious time was being lost, Mrs. Butler asked one of the police what they were waiting for ; and the reply came growlingly (for the " men " had no sympathy with their superior in this delay) " For orders !" The order to proceed again was shortly afterwards given, but it is almost needless to say no good result followed the proceeding. The police returned as they had started, the men to unfairly share in the reproach and ridicule which their timorous and hesitating leader had earned.

When the news of the strategic chase reached Bathurst, public feeling was divided between shame, disgust, and indignation. The action of the Superintendent formed the

subject of adverse comment in almost every circle. Through his want of generalship—to say nothing more—the gang had been allowed to come and go almost as it pleased them, and the people began to openly debate whether they would not be better off without any police at all, than with police led after the fashion above described. In this case the inefficiency of the force had been so marked that reports other than those sent from the Superintendent's office found their way into the hands of the Colonial Secretary, and the head of the department in Sydney wrote some remarkably strong minutes to the responsible officers. The whole colony was aroused to indignation by the oft-repeated tale of ineffectual pursuits, and the subject was brought before Parliament and debated on more than one occasion. The raid upon Bathurst and the subsequent robbery of the people living along one of the principal approaches to the town, was referred to as an exploit intended by the bushrangers to shew that they held the law and its administrators in the supremest contempt; and it was urged that unless more effective means were adopted to at least intimidate them they would go to lengths never before heard of in the history of bushranging. But Hall and his mates, whether out of pity for the authorities or from sheer weariness of their repeated successes, I do not venture to say, after this sensational swoop upon the City of the Plains and its environs, lay quiet for some time; and those who watched for their re-appearance in those localities watched in vain. Nothing more was heard of them for some time, although reports were circulated to the effect that they had made across country back to the old haunts on the Southern side. And while the police in the west were undisturbed by fresh surprises, the whole question of the management of the force was being vigorously dealt with by the

authorities in Sydney, who were themselves being charged with the responsibility of the failures which were being daily recorded.

In order that the reader may better understand how it was that police efforts were so persistently futile, it is necessary that I should supply a few particulars concerning the system—for it was the system that was at fault, more than the individuals employed under it. Frank Gardiner had only just set the ball of latter-day bushranging rolling when the late Sir Charles Cowper, who was then Premier of the colony and leader of the Government—for it must be remarked that in Australian Governments the Premier is not always the leader—succeeded in passing through the Legislature a new Police Act. Formerly the police in country districts were under the supervision and control of local police magistrates; but this act brought the whole of the police in the colony under one central head, resident in Sydney; and that head at the time the events narrated were taking place was Captain McLerie, who enjoyed the power and pay as well as the place of Inspector-General of Police. Mr. Cowper was very proud of his legislative offspring, but he had chosen a most unfortunate time for bringing it to the birth. Bushranging, to the suppression of which the first efforts of the system were destined to be called into requisitioh, had already assumed a vigorous growth while the system was still sucking the pap of babyhood. It was a theory simply: bushranging was a practical thing of active life. Coming, therefore, into collision as it they did, was not a circumstance likely to evoke much surprise that the system was worsted in the conflict. It may have answered very well in the streets of the Metropolis, where the daily round of police duty was circumscribed, and covered only the area within which city rogues and vagabonds

operated; but in the country the nepotism which flourished under it, and the restrictions placed upon the men by officers who knew absolutely nothing of bush duty, and who if they had known would not have been qualified to engage in it from lack of the experience born of active exercise, opened the way for wrong-doers to run a free and easy course. The men were harrassed by contradictory orders, or rendered fretful by enforced inactivity pending the arrival of instructions which their inexperienced officers had sought from the head centre, hundreds of miles away. The system looked well on paper, but the diagram, officially demonstrable, was laid down within barrack walls. It represented a petty regiment nicely accoutred, and prepared for parade, and perhaps for review, yet it proved only, to the positive requirements of the infested districts, what a sham fight is to a real battle. The "men" were well enough, if they were permitted to *know* anything; but this was denied them, and every single movement was nothing but the clockwork of graduated office. All was reference upward, and the officer in command was the oracle. It was a secret society, and all the actual knowledge of an inferior became ignorance the moment he had communicated the information he had received to his superior.

The only value of system is adaptation. A fire brigade is generally composed of fine men - active and personally brave; but that does not argue that they would be the most efficient servants the "Humane Society" could employ to save persons from drowning. The Horse Guards were fine fellows, but they would have felt very awkward if sent aloft in a storm at sea; and the police could march very well, and perhaps ride very well; but the public soon concluded that they were, under the Cowperian system, in the then condition of the country districts, little adapted to steal a march

upon an Australian highwayman, or tc come "neck and neck," or within pistol shot, of the men they pursued; for they were horsed as badly as they were led. Official grade stood in the way. The pride of stripes was an impediment. There was too much rank and file and commission in the system; and although the Government went out of its way to make the system more effective, actually giving more liberty than could be taken without putting the machinery out of gear, internal friction continued, and external disgust and dissatisfaction kept pace with it.

Even before the ridiculous exhibition on the Vale Road, the outcry against the system had become general. The House of Assembly badgered the Premier and Colonial Secretary, in whom the control of the police force was vested. The Colonial Secretary importuned the Inspector-General, and even went so far as to reprimand and threaten him. The Inspector-General passed the trouble on to those immediately under him in command, who in turn worried the rank and file to the verge of resignation. Disorganisation reigned supreme, and while officers fought with each other, and Parliament and people raved and stormed and bemoaned the powerlessness of the system to cope with the first evil that confronted it, the bushrangers and their friends laughed consumedly and sought every opportunity of openly defying the police and intensifying the confusion.

The Inspector-General at last determined to leave his comfortable quarters in Sydney and visit the disturbed districts, with the view of rallying his officers and shewing them how to do bush duty. He went to the central stations in the south and west, and himself led small companies in pursuit; but it was all so much wasted energy. Outrages multiplied,

and while Hall's gang ran riot over the wide area in the south and west, other bushrangers sprang up in other districts, to the dismay of the residents and the further annoyance of the authorities.

It was during Inspector-General McLerie's absence from Sydney that the full force of the condemnatory blast was felt in Parliament, and the Government were at their wits' end to stand against it. They could not defend a force as inefficient as that under McLerie's command had proved itself to be, but Mr. Cowper would not admit that it was the system that was in fault. He was loyal to his offspring, but terribly indignant at the manner in which those in whose charge he had placed it were acting. A few extracts from one of the debates which took place in the Assembly will shew the tone of the discussions. On a motion for adjournment Dr. Wilson attacked the Government from the Opposition benches on the state of the country, denouncing the police system and describing it as only useful to place hunters, and not only inefficient, but actually lawless in its operations. Among other things he said :—

The personal liberties of the most law-loving and orderly subject were no longer safe with these police, whilst they were utterly incapable of detecting criminals or bringing the worst offenders to justice. Lives had been sacrificed and murders had been perpetrated under the names of executions. And all to hide the inefficiency of the police. Yes, murders had been committed by the Government that made one's blood run cold to think of, and all to hide the inefficiency of the police. He need not say that he alluded to the case of Manns, who had been executed on the perjured evidence of an accomplice who was entirely uncorroborated, and when the inhabitants of Sydney had come down in one mass to ask for his life to be spared. This the Government would not do, for they were determined that something should be done, and that although the boy, for he was not much more,

had been guilty of no very heavy crimes, although he had taken no life, yet for the sake of deterring others he must perish, in order to make the people think that the police were doing their duty. They had got him convicted, and his life must be had by some means or other, in order to blind the people of the colony to the real facts of the case. If ever there was a cold-blooded murder perpetrated in the colony, it was that of Manns, and was worse by a great deal than the murder of the soldiers committed by the Maories, for the latter were only savages. But it was not only this ; for the police were also in the habit of apprehending men and putting them into the lock-up upon the testimony, and if the sworn, the perjured testimony, of the police, there to be held on remand, from month to month, until at last they die the death of dogs. (Hear). He need hardly call the attention of hon. members to the case of the boy Walsh, who was not more than seventeen years of age, and who was apprehended because he had happened to hold Gardiner's horse. No charge whatever was brought against him, and yet he had been kept confined until he had died miserably. A man named Gibson had been apprehended by the police merely because he had beeu at one time on the same flat as Gardiner, and he been kept from month to month, until the magistrates for very shame's sake could keep him no longer, and he was discharged. He was, however, immediately afterwards apprehended on a fictitious charge ot harbouring bushrangers, and although no name or date was given, or evidence adduced, he was still retained in custody. It was only because he had no influential friends that he was thus imprisoned, for no man in the colony who had not powerful friends was perfectly secure. (Hear). The fact was the whole police system was a false and an inefficient one.

This brought the Colonial Secretary to his feet, and after expressing sorrow at hearing such a speech, he proceeded to make what the House accepted as a confession of failing confidence in the police. Speaking of the outrages of Gilbert and his mates within a short distance of the police camp at Burrangong, Mr. Cowper said :—

The Inspector-General had heard nothing of the matter, although the officer in charge of the district, Mr. Zouch, was

admittedly a most efficient officer. He had, consequently, called for explanations from this officer, but such as had been given were so unsatisfactory that he had been compelled to telegraph, in reply to a somewhat hasty message of Mr. Zouch, that unless his conduct in regard to that matter could be satisfactorily explained he should feel bound to dismiss him. Shortly before this, owing to the disturbed state of the south, Mr. Zouch, whose head-quarters were at Goulburn, was directed to shift them to Burrangong. He had done so, and at the time of this outrage was at Burrangong, with twenty-three men under him, so that there could be no excuse of an insufficient force. So far from such being the case, when first the proceedings of these desperadoes drew attention, the Inspector-General had dispatched from Sydney every mounted policeman he had. After the Inspector-General had communicated to Mr. Zouch, that officer's reply was that the telegram in the newspaper was false, and that if the Government had not confidence in him they had better send another officer up to take his place. He did not say where, or in what the newspaper telegram was incorrect, and he (Mr. C.) had informed that officer that it was necessary that he should do so, that he should give a full account of the matter, and state how it was that he had neglected to take some steps or to communicate with the Inspector-General, and that if this were not done the case would not be one of removal, but of dismissal. He had also intimated that unless he were more satisfied than he had been with the police, he was not the person who would stand up to defend them in that House.

Then Mr. Martin, the strongest man on the Opposition, opened fire. He said:

There were two matters of great importance to which the Colonial Secretary had not alluded in his explanation. He referred to the boy Walsh, who had been kept in close confinement for several weeks, and even months, (a member: "Five months") without any evidence of any crime committed by him (hear, hear), without even a surmise against him, until he died of gaol fever. He (Mr. Martin) would have thought that the bare mention of such treatment would have aroused their liberal Government to be up in arms when the liberty of the subject was concerned, and when life had

been lost by the illegal conduct of an officer in a department. He believed that there was another person at this moment in custody—(Mr Wilson : Gibson)—against whom there was no charge. About a week ago, he (Mr. Martin) received at night a telegram from a man patronised by the Government, stating that this man (Gibson) was to be brought up the following morning at Forbes on remand. Tl is man had been confined six months without any charge against him. He (Mr. Martin) was asked to give his opinion, that he might inform the ignorant magistrates on the bench as to what they ought to do. He would have thought the most ignorant magistrates of all the ignorant magistrates with whom the commission of the peace was packed, would have seen that the imprisonment of this man was an act that ought not to be tolerated. He (Mr. Martin) took no notice of the telegram, and he believed the man was still in custody. He would have thought the advanced Liberals on the opposite benches would have instituted an inquiry into this gross act of oppression. But the Government were silent. He hoped his honorable friend (Mr. Wilson) would push the matter further and move for a select committee to inquire into this case.

Much more followed to the same effect, and magistrates as well as police came in for some rough handling. Subsequently resolutions were submitted in effect as follow :— "1. That the present insecurity of life and property, especially in the Southern and Western districts of this colony requires the immediate attention of this House." "2. That the present police system is both expensive and unsuitable, and had better be abolished." "3. That the centralization of the police force under an Inspector-General of Police, fetters the freedom of action of the police and is viewed with distrust." "4. That the resolutions be presented by way of address to his Excellency the Governor, praying that a bill may be introduced into Parliament this session so as to carry out the principles embodied in the resolutions."

It would weary the reader to follow the wrangling course

pursued by the Parliamentary Ins and Outs of that period. There was abundance of talk, but no effective action, although Mr. Cowper continued to stir up the Inspector-General, and the Inspector-General to stir up his officers, and the officers to worry the men; but all combined could not succeed in checking the outrages or capturing the bushrangers.

At one time, during the absence from Sydney of the Inspector-General, the relationship between him and the Colonial Secretary became strained almost to the verge of severance. Voluminous correspondence passed between them, a portion of which I here append, as it throws light upon the working of the system which had been denounced in Parliament as "not only inefficient, but lawless in its operations":—

COLONIAL SECRETARY TO INSPECTOR-GENERAL OF POLICE.

The outrageous proceedings of the bushrangers in the neighbourhood of Carcoar, and the unaccountable conduct of the police, are the theme of general conversation and condemnation. I cannot avoid expressing my opinion that your presence is required in that part of the colony more than any other just now. I conclude that you hear by telegram of what has been done there during the last few days. The police surrendered their arms to Gilbert and party without a struggle. Another robbery, of a serious kind, has since taken place at Hosie's. The police seem helpless, and Mr. Morrissett says unless they are determined to sacrifice their lives, he does not see what more they could do. I feel bound to say that I am extremely dissatisfied with the conduct of the police, and of Mr. Morrissett himself. I wish you would go to Carcoar and its neighbourhood, towards Bathurst, and remain there, that I may have some opportunity of communicating with you. The robberies at Young, which Mr. Zouch has never yet explained to me; that subsequently at Burrowa, where the behaviour of the police was, so far as I can judge, disgraceful; and lately at Carcoar, to which I have alluded, are doing infinite damage to the reputation of the police force.

If some success does not quickly interrupt the current now setting in, almost at a furious rate, against them, I shall be compelled to set the regular police aside and organise another band, under an entirely separate arrangement, to accomplish what the police seem unequal to. I have never suffered so much anxiety on any public matter as upon this police question. To defend a force which is continually making so many blunders is impossible. The Bathurst and Carcoar public are becoming so impatient, that I cannot longer refrain from shewing that the Government sympathises with them, and is resolved, at all hazards, to put down the lawlessness and ruffianism which is destroying the peace of many families, and which is increasing, apparently unchecked, notwithstanding the enormous cost of the police.

CHARLES COWPER.

25th September, 1863.

Ascertain whether Captain McLerie is at Young or Wagga Wagga, and send this to him wherever he is.

CHARLES COWPER.

INSPECTOR-GENERAL TO CHIEF SECRETARY.

Wagga Wagga.

Before the receipt of your message, I had telegraphed to the police secretary my object in coming here, and my intended further proceedings, which are quite in accordance with your opinion as to the necessity of my presence in the Western districts. I will not offer any opinion as to the conduct of the police who are charged with surrendering their arms *without a struggle*, until an inquiry has been made into the matter, as the members of the police of all ranks who have been acting under my immediate superintendence have conducted themselves in a manner that entitles them to the approval of the Government. The robberies at Young can be satisfactorily explained; and the recent one at Burrowa, where the police are considered by you to have acted disgracefully, was fully inquired into by the bench of magistrates; and I can only say that the result does not jnstify the opinion you have formed of the conduct of the police on that occasion. I have done everything in my power since I received your instructions to leave Sydney to attend to the object you had

in view in making my services useful to the Government in the interior of the colony ; and if I have not yet been successful, that want of success has resulted from no want of bodily or mental exertion on my part, but from causes that I yet hope to be able to explain satisfactorily, personally, to yourself. Should you, however, feel compelled to the necessity of setting the services of the regular police aside, and organising a band under an entirely separate arrangement, I feel bound to warn you, as one of your officers, in whom you have up to the present time placed implicit confidence, that such a change will not fail to be most disastrous to the Government and the public.

COLONIAL SECRETARY TO INSPECTOR-GENERAL OF POLICE.

28th September, 1863.

The Colonial Secretary considers the tone of the last telegram from the Inspector-General of Police highly reprehensible.

The law having invested the Colonial Secretary with the control of the police. Parliament will not relieve him from responsibility for acting upon opinions of Inspector-General, who appears desirous of assuming a position entirely unwarranted. The Minister is expected to give instructions, and to require that they be obeyed.

The Colonial Secretary sees no reason for altering the purport of his former telegram. If drunkenness or cowardice or inefficiency in the police are to be glossed over or excused under present circumstances, it cannot be expected that the notorious characters, now desperate and daring in consequence of repeated success, will be apprehended.

The Inspector-General has now been absent from Sydney since the first of July last, and has had at his absolute disposal the following police force, viz :—

	Officers	Sergeants	Sen.-Constables	Constables.
Lachlan ...	5	9	9	55
Western ...	4	11	19	82
South Eastern	7	12	20	80
	16	32	48	217

Making, exclusive of black trackers and the police in the Murray district, upwards of three hundred effectives. For

three months this body of police has been entirely at the disposal of the Inspector-General, with unlimited pecuniary resources, for the purpose of rendering other means also available. The gang, which is now five in number, set them at defiance, nor does there appear at present any prospect of capturing them, for the police permit them to escape when even within their grasp. This applies peculiarly to the Western and Lachlan districts. The Colonial Secretary is, however, unwilling suddenly to withdraw the Inspector-General, but intimates his intention of doing so, if within one month, Gilbert and party are not apprehended. It will then become a question for immediate determination what modification of the police system shall be made to remedy the defects so loudly complained of.

The last appointed acting sub-inspectors taken into the force should receive notice at once that their services will not be required after the end of this year.

(Signed) CHARLES COWPER.

INSPECTOR-GENERAL OF POLICE TO COLONIAL SECRETARY, SYDNEY :—

Young, 29th September, 1863.

I much regret that the tone of my last telegram should be considered by the Colonial Secretary so highly reprehensible. I never intended to arrogate to myself the responsibility which the Colonial Secretary is vested with by Parliament over the control of the police, and every instruction received from him I have, to the best of my ability, complied with. So far from glossing over and excusing drunkenness, cowardice, and inefficiency, the records of my office will show that these offences have always been visited with the severest punishments. It is true, I have now been absent three months from Sydney, and the strength of the three divisions named may be quoted at the number given, but it should at the same time be borne in mind, that the whole three hundred men referred to have not been available for the sole purpose of pursuing the five scoundrels who are infesting the district ; for with gold escorts and sufficient men left for the protection of townships and police stations, no party sent out has, in any case, ever exceeded eight men. I have, after three months observation, come to the conclusion that if the whole British

cavalry, trained as police, were distributed throughout these districts they would not have been more successful than we have been under the combined difficulties we meet with in this part of the colony. Every possible exertion will be made by myself and the officers and men acting under me, to capture Gilbert and his gang; and I have reason to hope, with the approaching fine weather and the ground in better order for riding on, we will not fail in putting a speedy end to a state of things so injurious to the public welfare. Notice will at once be given to the three last appointed acting sub-inspectors taken into the force, viz., Gordon, McLerie, and Tipping, that their services will not be required after the end of the present year.

And thus the trouble grew. As will be seen from the headings of the replies sent by the Inspector-General to Mr. Cowper, that gentleman had gone from Wagga to Young while the correspondence was being carried on. From Young he went to Cowra and Carcoar, as already mentioned; and from Carcoar he went to Bathurst, where he was when the outrages on the Vale Road were committed. Whether "the whole of the British cavalry, trained as police," would have done more effective work on that road than did the bands of police led by the Inspector-General and Superintendent Morrissett, when the clatter of the horses' hoofs of the retreating gang could be heard from Mr. Butler's inn, I cannot say; but I dare affirm that they would not—if either of the commanders named had been at their head.

The raids made upon Bathurst and along the Vale Road appear to have forced the hand of the Government in introducing a change of tactics. They resolved upon a new course of procedure. One portion of the plan to be pursued was to offer a reward of £500 each for the capture of Gilbert, Hall, O'Meally, Vane and Burke. These rewards were to be paid, not into the police reward fund, but directly to those persons who either captured these bushrangers themselves or gave

such information as should lead to their capture by others.

The strictest secrecy was to be observed relative to the parties giving information; and to prevent publicity the money was to be paid from the Treasury direct to the parties entitled to it without passing through any second hand. In the next place, private persons were to be employed in a way and under circumstances which the Government deemed prudent not to make public. It was stated that various offers had been made by parties desirous of undertaking the ridding of the country of the dangerous and troublesome pest, which had so effectively defied the utmost efforts of the 300 "officers sergeants, senior-constables, and constables" referred to in the Colonial Secretary's minute. But they wanted to be well paid for their trouble, and one of the would-be contractors stipulated that no less a sum than £6000 should be paid as the price of his efforts if successful. Others, however, were much more moderate in their proposals. A further measure resolved upon by the Government was to send six special parties of six or eight men each into the disturbed districts. These constables were not to be clothed in uniform, or to be accoutred in the heavy dragoon style, but in the usual bush costume, armed with rifles and revolvers, and each party was to have a black tracker. The horses were to be of a first-class character, and the officers in command were to choose their own men. They were to take pack horses, with tents and provisions, so that they might be able to keep the bush for a considerable period, and they were to have no other duty to perform than to follow up the bushrangers until they captured them. Each of these parties were to be placed under the command of officers who had distinguished themselves by their courage and activity—from which statement the reader will gather that all were not McLeries or Morrissetts.

Referring to these proposals, one of the Sydney dailies remarked: "The success of any reasonably intelligent and energetic measures for the capture of the scoundrels cannot for a moment be doubtful their impunity hitherto has been owing to the absurd redtapeism and preposterous military organisation of the so-called police. It appears that in these matters an alteration is to be made, and it is certain that any alteratton must be an improvement. It is to be hoped that the new Ministry will not stop short in their reform of the police when the Western bushrangers are taken; but that they will do away with the centralisation system altogether, and frame a Police Act suitable to the requirements of the conntry and in consonance with the habits and opinions of people of British origin."

But as the sequel will shew, the gang in the west was broken, bit by bit, not by any newly infused energy on the part of the police under better leaders, but by the courage of private individuals; who instead of yielding, fought, at the risk of losing life as well as money: and whose steady hand and correct aim rendered their fighting—in each instance against "long odds"—successful.

THE DUNN'S PLAINS TRAGEDY.

Death of Burke.

For about a fortnight after the raid on Bathurst very little was heard of the gang, and it was thought that they had quietly stolen away back across the Lachlan, near Cowra, knowing that as soon as their exploits in the vicinity of the City of the Plains were officially "reported' the main body of police would hasten thither, and give them opportunity of prosecuting their calling near their old haunts without

much molestation. But the fact was they had not left the district, and, watching their opportunity, they suddenly re-appeared, making an attack on the residence of Mr. Keightley, Gold Commissioner, at Dunn's Plains, near Rock ley, and about 20 miles from Bathurst. They made no secret of the reason of their visit to this homestead. Mr. Keightley, who was a man of splendid physique and undoubted courage, had openly assisted the police in their search for the bush-rangers, and had declared that he would shew them no mercy if he should happen to come across them. Like every other word or movement of those who sought to break up the gang, Mr. Keightley's sayings and doings reached their ears; and they determined to put his courage to the test in a way peculiarly their own, by surprising him at home and "sticking up" his household.

Those who have closely followed the course of this Story will have observed that from the beginning of Peisley's career bushranging in New South Wales had been the exhibition of a progressive policy. The gradations were from idleness and petty stealing to cattle stealing; from cattle stealing to robbery from the person; then to robbery (under arms) of mails and escorts; followed by the ruin and extermination of honest storekeepers, attacks on the officers of justice, raids on banks, country towns, and private establishments. The time had now arrived for a further advance—to the Neapolitan system of ransom. This made, the question was seriously discussed in certain quarters whether the next successive movements would be camps, stations, regiments, batteries, and open attack upon the united Government forces. But everything in proper order. Let us see how this last new departure succeeded.

At about sunset on Saturday evening, 24th October,

1863, Mr. Commissioner Keightley stood in the doorway of his house when he observed five men riding along the fence at some disance from the dwelling. At first he thought they were a party of police who he knew were in the neighborhood they having been in his paddock on the previous evening; but as he desired to give a friend, who was his guest, Dr. Pechey, a shock, he called out to him, "Here are the bushrangers!" Mr. Keightley and the doctor then watched the men in their approach to within twenty-five yards of the house, when they saw them simultaneously leap from their horses and make a sudden rush into the yard, at the same time presenting fire-arms and calling out, "Stand! if you run into the house we'll shoot you!" Before the last word had sounded, however, Mr. Keightley and his companion had turned and made for the open door, which was fortunately near at hand. The men fired at them as they ran, but the bullets did not find the mark intended, and the door having been made secure prompt measures were taken to repel the attack which it was evident would be made without delay. A plan of procedure had been previously arranged in the event of a visit from the bushrangers, and that plan was now followed. Dr. Pechey hastened in the direction of a room occupied by the man servant, who was at the time absent, having gone to Rockley for the letters, his intention being to secure some firearms and ammunition there stored; but finding that he could not reach the room without exposing himself to the fire of the bushrangers he returned, to find Mr. Keightley armed with a double-barrel gun and a revolver, which he had obtained from his bedroom, after having told Mrs. Keightley that the dreaded gang had made its appearance—a fact of which she had already been made aware by the firing that had taken place. Taking up their station at the door nearest to

the yard where the bushrangers had congregated, Keightley and his companion prepared themselves to make a stubborn resistance. But the failure to reach the other arms and ammunition somewhat disconcerted them, although the assailants were not aware that the occupants of the house were so poorly provided with the means of defence. Knowing something of Keightley's determination and his skill with the "shooting irons," the bushrangers kept themselves religiously under cover, having taken up their positions in the form of a semi-circle so that they could command the doorway from all points. As the two men came to the door—which was not the one by which they had gained entrance to the house, but which was open—the bushrangers fired, but none of the bullets did any harm, Keightley and his companion taking care not to expose themselves, although closely watching the movements of their assailants. What followed is best told in Mr. Keightley's own words.

And this is his story :—As I appeared at the door several shots were fired ; the men were in a semi-circle around me, at varied distances ; at the time I took up my gun I fancied it was loaded in both barrels—one with snipe shot, and the other with buck shot ; when I went to the door I noticed a man near me on my left, who was firing very rapidly ; he fired several shots ; he appeared to draw out from a cask, behind which he was concealed, with the view of firing at the door ; the last time he came out I slung up my gun and fired the right barrel, which, I thought, had the small shot in it ; I could not see the effect of the shot otherwise than the man put his hand on his stomach and fell back ; I then said to Dr. Pechey, "Now for the roof!" which I had had barricaded for some time ; when on the roof I saw Vane for the first time ; he was going across the yard, and when the party saw me on

the roof they commenced firing at me again, but I cannot say how many shots; when I had fired I looked for my powder horn but could not find it; I concluded that Dr. Pechey had got the arms and ammunition I had sent him for previously I left the house open when I went on to the roof and Mrs Keightley and child were below; when on the roof I asked the doctor for the other gun and loading materials, and he said he had been intercepted and could not get at the arms I then looked at my own gun and found that the other barrel was discharged; the shooting at this time was very close one ball went clase to my face, I think it was Hall's, and another through my hat; they called upon me to surrender or they would burn the house down; and as I had no arms I thought it best to do so as we had no ammunition; two of the voices called out "If you lay down your arms and come down we'll not touch you;" I said "honor bright?" and they replied "honor bright;" I said "Very well, we will come down," and I came down the ladder into the garden in front of the house; I concluded that the party knew at the time that one of their party was hit; when we came down they made a rush at us; Vane struck Dr. Pechey with a revolver and knocked him down; I said "What did you do that for? he has done nothing;" one of them said "Is not that Keightley?" and I said "No, I'm Keightley;" Vane then said "You b——y wretch, you have shot my mate;" I denied it, saying "I never killed your mate; I did not know then the result of my shot; he said I had and that they would shoot me for it; they then brought me to the spot where Burke was lying, and they held a consultation, the result of which was that I was to be shot; I was told to go into the paddock; from their statement I learnt that Burke had, after he was shot, fired at himself and shot himself through the

head; I was then told that I should be shot, and to say good-bye to my wife and come up the hill; as I had been ensnared in my position and and had no means of defence, I begged them for God's sake not to shoot me and commit murder; it was then arranged that Dr. Pechey should proceed to Rockley for his instruments with the view of affording assistance to Burke, and while he was away Gilbert came to the foot of the hill and called out "Mickey is dead," or words to that effect; one of the party remarked "He (meaning me) had better be shot at once and waste no more time."

It will thus be seen that Mr. Keightley's position was a very critical one. The wretches with whom he had to deal had been reckless before; but now the fires of wrath and revenge burned hot within them, and the only wonder is that they condescended to parley at all, as the ghastly form of their lifeless comrade lay before them. That they fully intended to kill Keightley when they found that Burke was dead was proved by their efforts to shoot him when he appeared on the barricaded roof, and their threat that if he did not descend from the roof and surrender they would burn the house down.

The feelings of Mrs. Keightley and the servant woman, who was also on the premises, as they saw Dr. Pechey knocked down and witnessed the preparations which the bushrangers were making to shoot Mr. Keightley in cold blood, may be better imagined than described; and it goes without saying that they made strong and tearful intercession on his behalf. It is said that the servant actually threw herself between her employer and one of the bushrangers who had raised his piece to fire at him, and that she divided honors with her mistress in the salvation of Mr. Keightley's life. For his life was spared. Vane may have meant a good

deal by his threat to shoot ; but Vane was not the leader, and had to swallow his resentment at the command of Hall and Gilbert, neither of whom were more bloodthirsty than the average run of bushrangers. To them the appeals of the womankind were made, and from them issued the dictum that at any rate the man who had shot their companion should not be shot down in cold blood before the eyes of his wife. After Keightley had been removed into the bnsh and the leaders remained at the house, further parleying took place, and the bushrangers agreed with Mrs. Keightley to spare his life on condition that the sum of £500 were paid to them. For over an hour the captive Commissioner remained under guard with the sentence of death over him, and was ignorant of the negotiations that were being entered into at the house. When Dr. Pechey returned from Rockley, he was made aware of the "bargain," and informed that the duty of obtaining the money had been cast upon him, it having been arranged that he should ride into Bathurst and get the money from Mrs. Keightley's father, the late Mr. Henry Rotton, of Blackdown. Gilbert informed him that if the money was not handed to them between 10 and 12 o'clock on the following (Sunday) morning, Mr. Keightley would assuredly be shot ; and, further, that the shooting would take place if during his visit to Bathurst the messenger gave any information to the police. In reply to a question from Dr. Pechey, Hall said they would have the money in £5 notes, and that they had fixed upon £500 as the ransom because that was the sum which Keightley would get for shooting Burke, there being at that time a reward of £500 upon each of their heads. It was then arranged that Mrs. Keightley should go to Bathurst with Dr. Pechey, and the horse having been caught and harnessed the pair started on their urgent

mission to Bathurst in a buggy. Before leaving, however, Mrs. Keightley was allowed to have a brief interview with her husband, he having been brought down to the house for the purpose.

The journey to Bathurst was accomplished in smart time, the reader may be sure, the horse being kept at top speed covering the distance. But it was two o'clock on the Sunday morning before Blackdown was reached. There was excitement bordering upon consternation in the household when the anxious daughter made known her errand to her father, and then the question arose—How was the money to be obtained? The large sum required was not in the house, and innumerable difficulties might arise to prevent it being obtained in time. The Blackdown squire was known to be a wealthy man, hence, no doubt, the demand made by the bushrangers; but even wealthy men cannot always lay their hands upon a large sum of money at a moment's notice. This was the difficulty with Mr. Rotton. An appeal must be made to the bank in Bathurst, and the time spent in awaking the bank manager, making explanations, and counting the money would considerably shorten the few hours of grace allowed for the ransom to be paid. And another difficulty presented itself. The object for which the money was required must be kept secret; yet the bank manager must be told, and he might consider it his duty to inform the police before the messenger had got well away with the price of the ransom. There were difficulties and risks on every side, but they were boldly faced and overcome. Fresh horses soon covered the distance between Blackdown and Bathurst, and very shortly after the visitors had poured their tale into his astonished ears notes to the amount required were counted out by the bank manager, and Mr. Rotton and Dr. Pechey were

"making the pace" towards Dunn's Plains.

Meanwhile Mr. Keightley was kept a close prisoner by the bushrangers on a rocky hill (known to this day as the Dog Rocks) about a quarter of a mile from his homestead, that eminence having been chosen by Hall and his mates as it commanded a view of the road along which the party returning from Bathurst must pass before arriving at the house. As a prisoner under sentence of death, the hours of the night, which under other circumstances would have appeared long, must have seemed to him to pass all too quickly, knowing that any accident on the road to or from Bathurst—and the chances were all in favor of accident, driving at top speed during hours of darkness—might prevent the ransom arriving in time. As soon as Mrs. Keightley and Dr. Pechey had started on their mission to Bathurst, the bushrangers brought their prisoner down to the house and all had supper together, after which O'Meally made a tour of inspection through the various rooms, taking some clothes, jewellery, and arms and packing them conveniently for carrying. After spending some time in the house they returned to their camp at the Dog Rocks, and while some members of the gang made themselves comfortable for the night, the others took turns about as sentries, keeping a close watch upon Keightley, who had voluntarily pledged his honor not to make any attempt to escape. When morning dawned the party had breakfast, and then settled down to await events—the bushrangers ever on the alert and prepared to shoot their prisoner if they saw anything to indicate that the messengers to Bathurst had not kept faith with them, and Keightley watchful and anxious, schooling himself to meet his fate bravely, fully convinced that the bushrangers would carry out their threat and shoot him if the money was not forth-

coming within the stipulated time.

Seven, eight, nine o'clock passed, and still there were no signs of the messengers returning. Ten o'clock found the waiting party painfully impatient; but the anxiety of captors and captive alike was soon to be brought to an end. Shortly after ten o'clock Mr. Rotton and the Doctor drove up to the house, and learned from the inmates that Keightley was with the bushrangers at the Dog Rocks. Alighting from the vehicle they entered the house and Mr. Rotton proposed to take the money to the bushrangers, but this was deemed inadvisable, as the appearance of a stranger on the scene might lead to trouble. As quickly as possible, therefore, the notes were re-counted in the house, Mr. Rotton hastily taking their numbers with a view of tracing them in the future should they pass into circulation in the district, and then handing them to Dr. Pechey, who mounted his horse and rode to the bushrangers' camp. As he came forward Gilbert met him and asked "Have you brought the money?" "Yes," replied Dr, Pechey, "will you set Mr. Keightly at liberty?" "Come along," Gilbert responded, "he's all safe;" and he then conducted Pechey to where his friend was standing under close guard. As soon as Keightley saw him he anxiously repeated the question first put by Gilbert, "Have you the notes?" and for answer Pechey threw the notes to Gilbert, who counted them and finding that they were all right he told Keightley he was at liberty, and while the bushrangers were busily engaged in packing up their traps preparatory to leaving the camp, the ransomed man and the friend who had spent the night to such good purpose returned to the house, where they were welcomed with demonstrations of joy. And while Mr. Keightley was receiving congratulations on his escape from death at the

hands of the gang, the latter had started off through the bush, and were hasting away from the locality the visit to which had proved so disastrous to one of their number, and which they knew would soon be visited by a strong force of police.

After Burke's death, the remaining members of the gang did not concern themselves very much about his body. Doubtless they knew that the authorities would take care of that, and be only too glad of the opportunity afforded of superintending the funeral of one who had given them so much trouble. They saw, however, before they left Dunn's Plains that arrangements had been made to convey the remains to Carcoar, that task being entrusted to one of Mr. Keightley's servant men and another. Concerning the exact manner of his death, it may be here remarked that in certain circles there was constant and heated debate upon the subject, many persons stoutly contending that as the wounds in his stomach had been made by a charge of slugs they could not have been inflicted by Mr. Keightley's fire, seeing that his gun was loaded with shot and not slugs. It was contended that he had been accidentally shot by one of his mates during the firing at the door where Mr. Keightley was stationed, the attacking party being in a semi-circle. One gentleman who knew the house well and was shewn where each of the bushrangers was stationed during the attack, was very emphatic in declaring that it was impossible for Mr. Keightley to have shot Burke from within the door, as he was at an angle to sight which would have necessitated a step or two being taken outside the door, and Mr. Keightley did not thus expose himself during the firing, before he ascended to the barricaded roof. Dr. Pechey's description of the wounds proved conclusively that the charge which Burke had received in the stomach was

a very heavy one, and that he had also been wounded in the head, which latter fact bore out the statement made by Hall or Gilbert that after being wounded he finished the work by firing into his own head. The doctor's statement was as follows :—" When I came down from the roof I went to look at Burke, and saw that the bowels were protruding from the abdomen. I also saw blood coming from his mouth and nostrils. There was a wound in the head, and one of the bushrangers said Burke had shot his own brains out. After I had examined Burke I obtained permission to go to Rockley to get my instruments, and when I came back Burke was dead. I afterwards assisted to put the body in a cart, and it was taken away: I heard it was to go towards Carcoar. A German and one of Mr. McDonald's men went with it. About two feet of the bowels were out. That would have ultimately caused death. I think the wound was of that character that it must have caused death. A portion of the shirt was driven into the wound. The shot must have been fired at a very close range to the body—I should think within a yard or so. On the way to Carcoar the party conveying the body to that town was met by the police, who had received word at Cowra of the attack upon Keightley's house and were making for that locality. There were twelve policemen in the party, and two of these were told off to accompany the men with the body to Carcoar, the other ten proceeding to Rockley, the nearest station to the scene of the outrage. Arrived at Carcoar an inquest was held upon the body, which was the subject of as much curiosity as would have been that of the highest earthly potentate lying in state. Everyone pressed to see, and even those who rejoiced over the fact that one at least of the defiant, daring, and apparently ubiquitous band had been effectually removed expressed pity for the misguided

youth. The circumstances of his death were narrated, and the local medical man certified that death was the result of a gunshot wound. No less than nine slugs—not buck shot—were taken from the stomach, but it was shewn that the shot which killed him was one of three, said by his mates to have been fired by himself after finding that he had been wounded. After the inquest the body was handed over for interment to Burke's friends, some of whom made no secret of the fact that they considered that the remains they were committing to the grave were those of a hero and a martyr.

Turning now back to Dunn's Plains. After the return of Mr. Keightley and the disappearance of the bushrangers, the question was raised—Who will convey information to the police? Mr. Rotton tried to induce one or other of the employees at the homestead to undertake the journey to Rockley, but none of them would venture upon a mission which appeared to be so dangerous. They did not know but that the bushrangers would intercept them on the road, and put the giving of information altogether beyond their power, by shooting them as they rode. Then Mr. Rotton decided to go himself, and a horse having been brought up from the paddock he rode into Rockley and made known at the police station there what had occurred. Then returning he started for Bathurst to give information to the authorities there. But the news had already reached Bathurst, and when within three or four miles of the town the hasting messenger met a party of mounted troopers pushing forward at full speed for the scene of the outrage. It appeared that the fact that Mr. Keightley had been taken prisoner and that Burke had been shot had by some means reached Carcoar shortly after the breakfast hour on the Sunday morning. A magistrate of that town at once procured a horse and enlisted the services of a

lad to ride post haste to Bathurst, giving him a sealed letter to the police and a written communication to all whom it might concern, requesting that if the bearer should require a fresh horse on the road he might be immediately supplied. Young Bonnor — that was the lad's name— covered the distance between Carcoar and Blayney in very short time, and finding that his horse was fagged he sought another, which after some difficulty he obtained, and made a fresh start on the road. The horse proved a good one, and within two hours from leaving Carcoar the lad was in Bathurst and the letter delivered to the police, the distance covered being about 35 miles. A party of troopers was at once formed and sent off, some of them half inclined to disbelieve the report which had come to them in such a round-about way; but the meeting with Mr. Rotton dispelled all doubts, and they pushed along the road at a faster pace, while Mr. Rotton continued his journey to Blackdown to assure Mrs. Keightley of the safety of her husband and the faithfulness of the bushrangers to their pledges.

During the same afternoon Mr. Keightley and Dr. Pechey drove into Bathurst, where they received many congratulations on their escape from death at the hands of the bushrangers, and their courage and heroism under one of the severest tests that could be applied to anyone who valued life. In the praise bestowed Mrs. Keightley received a full share, for none but a stout-hearted woman could have maintained her presence of mind sufficiently to assist even her husband under such trying circumstances. It is only right to mention here that the servant woman subsequently shared in the public praise bestowed, for the part which she had sustained in the affair— some of the situations of which were as sensational as any that have been conjured up by the most imaginative of novelists

in the school of tragedy. Indeed, there was at one time quite a heated public discussion as to which of the ladies was entitled to share most largely in the honors due.

The reader will remember that there was a reward of £500 upon the head of each of the members of the gang of five. The £500 offered in respect of Burke was paid by the Government to Mr. Keightley, and a pretty good guess may be given as to its final destination. It no doubt went to replace the £500 withdrawn from the bank by his father-in-law, and handed over to Gilbert as ransom money. Had the shooting of Burke happened two days later however, Mr. Keightley would have been entitled to just double the amount, the reward having been increased by the Government as per the following announcement in the *Police Gazette*, and the newspapers of the day :—

£4000 REWARD,

For the apprehension of JOHN GILBERT, JOHN VANE, JOHN O'MEALLY, and BENJAMIN HALL,

AND

£100 Reward

FOR ACCOMPLICES.

WHEREAS the abovenamed persons are charged with the commission of numerous and serious offences, and have hitherto eluded the efforts to apprehend them : It is hereby notified that the Government will pay a reward of One Thousand Pounds for such information as will lead to the apprehension of each of the offenders named.

The Government will also pay a reward of One Hundred Pounds for such information as will lead to the conviction of any person or persons for harboring, assisting, or maintaining either of the abovenamed offenders.

All such information communicated by any person charged with the commission of an offence will entitle his case to favourable consideration by the Crown, and will in all cases be regarded by the police authorities as strictly confidential; and in the event of payment of any of the rewards above offered, the name of the recipient will not be disclosed.

The above rewards are offered in lieu of all others previously payable by Government for the apprehension or conviction of the offenders abovenamed.

WILLIAM FORSTER.

Colonial Secretary's Office, October 26, 1863.

In addition to the pecuniary reward, however, Mr. Keightley's services were recognised by the Government by an appointment in the public services, the post offered to and accepted by him being that of Police Magistrate. He was fitted for the post and the post suited him, and faithful and efficient service in that capacity proved that the confidence of the authorities had not been misplaced. He died in the Eighties respected by all who knew kim, and some time after his death his widow took to the stage—her chief *role* being that of heroine in a drama, entitled "Bail Up!" written specially for her, and in which the more striking situations during the attack upon the homestead at Dunn's Plains were attempted to be pourtrayed. In this capacity she visited Bathurst in 1892, at the very time this very portion of the Story was being written; but, for reasons which need not be given here the play did not prove a success.

While Mr. and Mrs. Keightley were yet in the Bathurst district, the latter was made the recipient of a handsome present from the ladies of a distant part of the colony, in recognition of her bravery when Hall and his gang visited Dunn's Plains. The present took the form of a handsome silver tea service, upon the chief piece of which were engraved the following words:—"Presented to Mrs. Keightley, by the

ladies of Maitland, through Mrs. Mullen, as an appreciation of her heroic conduct in defence of her husband against bush-rangers, at Rockley, on Saturday, October 24th, 1863." The presentation took place at Blackdown, the residence of the lady's father, Mr. Rotton, in the presence of a number of Bathurst residents, a prominent barrister, Mr. E. Lee, acting as deputy from the Maitland ladies. The brief address delivered by that gentleman and Mr. Keightley's acknowledgment of the gift, on behalf of his wife, are sufficiently interesting to find a place here. Mr. Lee said :—

Dear Madam,—I have been honored by the ladies of Maitland and its vicinity, with directions to present to you the accompanying service of plate. It affords me great pleasure now to do so. The inscription on the plate refers to the late occasion when your husband and others were attacked by bushrangers, on which occasion your conduct was in the estimation of those ladies, such as to merit their warmest praise, and in testimony of this feeling, they beg, through me, your acceptance of the same.

Mr. Keightley replied: Mr. Lee, and ladies and gentlemen,—On behalf of Mrs. Keightley may I request you will convey to Mrs. Mullen and the other ladies who have so kindly combined for the purpose of forming this testimonial, her sincere and heartfelt thanks for so valued and handsome a memento. Rarely, if ever, in the annals of this colony has so distinguished an honor been conferred upon one of her countrywomen, an honor that she feels as scarcely deserved, being but for the duty of a wife to her husband. The delicacy of feeling that has prompted this token of sympathy to one who has suffered, is the more valued as it emanated from the ladies of a distant community, to one who to them is unknown. The ladies of Maitland have this day truly cast a laurel of honor on the recipient of their testimonial; but in so doing have gathered to themselves far greater laurels, by showing that the tender chord of sympathy needs but the slightest touch to awaken its respondent echoes in their hearts. I will now conclude by again thanking you for the honor conferred.

Evidently the ladies of Maitland were more impres-

sionable and appreciative than those of the City of the Plains, through whose streets Mrs. Keightley had driven during the early morning hours when on the way to her father's residence to beg the ransom for her husband's life. But there had been previously sent over to Bathurst something which attracted more public attention than the silver service for Mrs. Keightley, and that something arrived on the very day of Keightley's release. It was a large body of mounted police under the command of Superintendent Lydiard, who subsequently replaced Superintendent Morrisett at that important station, and who, after many years ot active duty, died when bushranging was a thing of the past. Two days after their arrival, this fresh body of police started for Rockley, hoping to catch the bushrangers, but the most they did was to gain a little knowledge concerning the character of the main roads and bush tracks in that locality. They were not afforded an opportunity of proving their mettle in any conflict with Hall and his mates, for three of the bushrangers had cleared out from the district before the new men had started on the hunt, while the fourth had abandoned the road, and was then hiding among his friends near Carcoar.

But here it is necessary that I should diverge somewhat from the straight course of the narrative, and show how some of the ransom money was traced after it had left the hands of the bushrangers.

THE NUMBERED NOTES, AND HOW THEY WERE FOUND.

It will be remembered that before Mr. Rotton handed over the notes that were given to Gilbert he hurriedly copied

their numbers. That was a wise precaution, and the design and hope which moved the squire of Blackdown to adopt it found at last partial fruition after many days. From the list of the numbers taken at Dunn's Plains, copies were subsequently made and handed to the various shopkeepers and tradesmen in Bathurst and the neighbourhood, and it was arranged that immediate information should be given to the police on presentation of any of the notes at their respective establishments.

Within a week after this had been done a young man who was known to be a resident of that portion of the district where friends of the bushrangers resided, entered Bathurst, and purchased at different shops a revolver, several boxes of percussion caps, a quantity of black crape, seven gold rings, and some articles of clothing. While he was still in the town it was discovered that some of the notes paid away by him corresponded with those on Mr. Rotton's list, and before he had completed his purchase the young man was apprehended and safety lodged in the lock-up. Upon being searched there were found upon his person the sum of £11, a piece of paper, the seven gold rings, and five invoices of the goods he had purchased at the stores. In his valise were found the revolver, caps, crape, etc., and it was ascertained that out of £35 which the articles had cost, the prisoner had paid away five of the £5 notes given to the bushrangers. Upon the piece of paper was written a memorandum of what the prisoner was to purchase for six different persons, but whose names were left blank. The singular and incriminating document ran thus: "For mother, bottle of medicine; for ———, pair of pistols, box of caps, gold ring; for ———, revolver, box of caps, gold ring," and so on. One other article was found in his possession—a piece of used blotting paper, upon

which was written, or had been "taken off" from writing, the words "Patrick Burke"—the name of the father of the bushranger who had met his death at Keightley's hands. The arresting constable charged him with receiving the notes, "knowing them to have been stolen," and prisoner made no reply to the charge. A further fact was afterwards elicited, namely, that the young fellow was a cousin of Vane's, and it was publicly stated that the father of the dead bushranger, Burke, was connected in some way with his family.

As may be supposed, the news of the arrest caused great excitement in Bathurst and its immediate neighbourhood, and for a time even the bushrangers and their doings were forgotten. In due course the prisoner was brought up at the police court charged with receiving stolen property, and was committed to stand his trial at the following Bathurst Circuit Court.

That court was held before Chief Justice Stephen in April, 1864—nearly six months after the prisoner's arrest, and the facts which I have briefly stated were brought out in evidence. Concerning the passing of the notes and their identification testimony was given to the following effect:

The prisoner had gone to Mr. E. Webb's store on 30th October and purchased a revolver for £9 9s in one department, for which he tendered two £5 notes in payment, receiving the change. He then went to the drapery department and purchased a coat, a packet of scarfs and some collars, and paid for them with another £5-note, receiving the change. Suspicion having been aroused, the notes were marked by the shopmen for identification and deposited in the bank, where the accountant compared them with the list on hand and found the numbers to correspond with the numbers there

appearing. Mr. D. W. Craig, saddler, had also sold prisoner some article from his shop and received a £5-note in payment. which note was also found to correspond with one of those on the list. Mr. T. J. Curtis, jeweller, had sold the prisoner the gold rings and received payment therefor in a similar manner, the note passed to him also corresponding with one of those on the list. Evidence was given by Mr. Henry Rotton, proving the withdrawal of the £500 in £5-notes from the bank, and the handing over of the notes by Dr. Pechey to the bushrangers at Dunn's Plains.

The Crown Prosecutor proposed to ask Mr. Rotton if he parted with the notes voluntarily to Dr. Pechey, or in the belief that if he did not his son-in-law would be killed; when prisoner's counsel, Mr. Innes (now Sir George Innes, who at the time this is being written serves as one of the Supreme Court judges of New South Wales,) interposed. He objected to any conversation which took place being admitted as evidence if such conversation took place in the absence of the persons who were the subjects of it. No doubt the court would have been delighted if those persons could have been produced to listen to the arguments which ensued upon the point raised, but as they had been absent when Mr. Rotton handed the notes to Dr. Pechey to give to them, so they were absent when the man who had placed some of those notes in circulation was being tried for being a receiver of stolen property. From this controversy the legal gentlemen engaged in the case branched off into a rather more important discussion. In the indictment the money paid over was said to belong to Mr. Keightley, and now the point was argued whether it was not vested in law in Dr. Pechey at the time it was handed over to the bushrangers. After a lengthy discussion his Honor allowed a second count to be added to

the indictment laying the property in Dr. Pechey, so that if the jury thought that the property at the time was not in Keightley, the case should go to the jury as laying the property in Dr. Pechey.

After the evidence had closed Mr. Innes rose and submitted that there was no case to go to the jury. First, he contended, there was no proof of larceny; and, secondly, there was no proof that the prisoner had received the money with guilty knowledge. No evidence whatever, he submitted, had been produced by the Crown on this latter point, and it was necessary that they should prove affirmatively that prisoner knew the notes were stolen at the time he received them.

His Honor ruled that there was a case to go to the jury, but consented to take a note of the learned counsel's objections, and Mr. Innes then addressed the jury, contending that no evidence had been adduced establishing any commission of the offence the prisoner was charged with, and animadverting in strong terms upon the conduct of the Crown in withholding from them the evidence of Mr. and Mrs. Keightley, who would, he said, have established the fact that the money that was paid by Mr. Rotton was not demanded by the bush-rangers as ransom money for the release of Mr. Keightley. With reference to the particular goods which were purchased by the prisoner, it was contended by the learned counsel that the articles were of such a description as to warrant the presumption that they were purchased for legitimate domestic purpose, and the fact of the prisoner giving to Mr. Curtis and others at the time of his making his purchases his real name and address, was strong corroborative proof that he was actuated at the time with no felonious intent, and was entirely

ignorant that the notes, which in all probability he had received in the ordinary course of business, were stolen notes.

Evidence as to character was then called and it was shewn that up to this time prisoner had borne a good reputation, and had conducted himself without reproach.

His Honor then summed up, saying that the case was one of importance, as it respected the question whether upon fairly reasonable evidence a jury would bring home guilt to the prisoner. He had so great a confidence in the discretion of Bathurst juries that he might leave this case in their hands almost without remark. The prisoner was charged simply with receiving stolen goods. There was a statute of which he imagined the public were not aware, the thirteenth section of the Act 13, William IV, No. 3, which had not been repealed, and which it was important the public should know. Though the law was not applicable to the present case it was important that the public should be made aware of the penalties to which accessories in crime were liable. His Honor then read the following section of the Act referred to :—"Penalties for harbouring. Section 13, 3 Gul. IV., No. 3. And whereas robbers and housebreakers are greatly encouraged to commit felonies by persons who make it their business to receive harbour and conceal such offenders and their spoils Be it therefore enacted that if any person shall conceal or receive any goods, chattels, money, bill, note or effects whatsoever, that shall have been feloniously stolen by force or putting in bodily fear from the person or from the dwelling house of another person knowing the same to have been so stolen every such person shall be transported for the term of his or her natural life, and if any person who shall receive harbour or conceal any such robber or housebreaker knowing him to

have committed any such felony shall be taken to be an accessory to such felony and being thereof lawfully convicted shall suffer death." His Honor then said he should direct the jury in this case as follows—if the bushrangers or any of them stipulated with Mr. Keightley for £500 as the consideration for the ransom of his life or any arrangement of that character was made between them and him or his wife, and if Mr. Rotton being her father gave to Dr. Pechey's charge the money in order to carry out the arrangement and thereby save Mr. Keightley from assassination, the receipt of the £500 by the bushrangers at the time and under the circumstances stated by Dr. Pechey was a larceny, and it was immaterial to consider whether it was a robbery or a stealing from the person. As to the knowledge possessed by the prisoner of this transaction, that was the matter for the jury, having regard to the time at which the notes were passed, their number and the probable purposes of the application of the money, the notoriety (if notorious) of the transaction, the neighbourhood in which the prisoner lived and the like, as well as the circumstance of no explanation being offered as to where the prisoner got the money. His Honor allowed the second count in the indictment to be amended by laying the property in Dr. Pechey in lieu of Mr. Keightley.

The jury retired and after an absence of half an hour, returned into court with a verdict of Guilty.

His Honor, after making some impressive remarks upon the enormity of the offence, and expressing an earnest hope that the crime of bushranging would now effectually cease, sentenced the prisoner to five years' hard labor on the roads, or other public works of the colony.

With a view to an appeal to the Full Court, Mr. Innes

desired the Chief Justice to reserve the following points :— First : That the possession of the notes was no evidence to go to the jury of guilty knowledge as receiver ; that possession only justified the legal presumption that the prisoner was the thief ; but as it was proved incontestibly that he was not one of the bushrangers, the learned counsel contended that the matter ended there. Secondly : That the circumstances under which the bushrangers became possessed of the notes were not sufficient to constitute a larceny, and therefore there could be no guilty receiving.

Some time after the trial the appeal was heard before his Honor the Chief Justice and Mr. Justice Wise in Sydney, Mr. Innes appearing in support of the setting aside of the verdict, and the Attorney-General opposing. After Mr. Innes had addressed the court at considerable length, the Attorney-General said he should decline to argue the first point, as he was quite satisfied their Honors would see there was no necessity for him to do so. There were, however, two or three arguments that he should advance in opposition to the second point raised. It was either larceny or robbery, and if it was robbery it was both. It was well known that if a person picked up a bank note, and it was so marked that it could be fairly presumed the finder knew the owner, it would be larceny if the person so picking up the note did not restore it, in fact, the note would be stolen. Another species of larceny was where one person obtained, by trick or contrivance, the property of another. Well, he would ask, was not the £500 obtained from Pechey by less than a contrivance ? Was not the threat the bushrangers had used the contrivance by which they had deprived the owner of his money And was it less a larceny than the picking up of a note, and which was taken from no person ? The money had

been lawfully in the possession of Mr. Pechey, and he had a right to dispose of it as he thought proper, and he was induced to give up possession through a threat that the life of his friend would be taken. Then, again, if the property was Rotton's he was induced to part with the possession of it from the threat that unless he did so his son-in-law would be shot. It was quite clear that the bushrangers did not become legally the owners of the money; the property never changed; and therefore, the contrivance by which they became possessed of the money, was clearly a larceny. The law was undisputed as to the picking up of the notes—at the same time knowing the proper owner, and detaining them—being larceny, and he would ask if it were less a larceny that Mr. Pechey did not put them on the ground for one of the bushrangers to pick up, but that they received the money from his hands, having previously threatened to put his friend to death unless he produced the money and handed it over to them? The learned Attorney-General quoted many authorities as to what constituted larceny, and in support of the conviction.

Their Honors were of opinion that the conviction should be sustained. There had been a clear case of robbery as against Mr. Pechey, and of larceny as against Mr. Rotton. There could be no doubt that Mr. Pechey had been induced to part with the possession of the money under the influence of fear, or under such circumstances as were calculated to produce fear, and that was quite sufficient to constitute a robbery as against him; while as against Mr. Rotton there had been a larceny. Their Honors were impressed with the argument of the Attorney-General as to the contrivance, and ruled that the conviction must be sustained.

The news of the ruling was received with joy in Bathurst, as it tended to intimidate the already too bold friends of the

gang, who had their doors ever open to receive the bushrangers and their hands ever open to receive the bushrangers' ill-gotten gains. And thus the young man who came to Bathurst to seek "For mother, a bottle of medicine," and "for —— and — — and —— revolvers, caps and black crape," found food and lodging not at all to his liking for five years in a place, where, if he could meet the bushrangers, the privilege of passing their stolen money and buying weapons and disguises for them was not extended to him.

THE SURRENDER OF JOHNNY VANE.

After leaving Dunn's Plains, Hall, Gilbert, O'Meally and Vane rode across the bush in the direction of Carcoar, calling in to see some of their friends on the way. It was when they were taking a temporary rest between the two places that the notes which proved so disastrous to the would-be passer changed hands. They stayed long enough in this locality to quarrel amongst themselves; but the cause of the quarrel has never been made known, although its results were most startling to the public. In a letter from a gentleman at Carcoar which now lies before me, and which is dated 27th October, 1863, I find the following sentences: "I have heard that Vane was seen alone at the back of Mount Macquarie (a prominent district landmark near the town), and again at the foot of Mount Fitzgerald, on both occasions well armed. . . . . Gilbert, Hall and O'Meally supposed to have cleared out. Vane still at the back of the Mount—was at Number One school yesterday and had a black eye given him by Gilbert—says he got not a sixpence of Keightley's ransom money."

The first break in the gang was made by slugs at Dunn's Plains, and two sums of £500 each changed hands as a near consequence. The second break was caused by disruption from within, and the near consequence of that disruption was the surrender of Vane, who was one of the most reckless as he was one of the youngest of the daring five. Burke's career as a bushranger was brought to a close by his surrender to death ; Vane's by his surrender to those who hitherto had tracked and hunted him in vain. How the quarrel between Vane and his mates originated was never clearly explained, but the probabilities are that the solution of the problem is to be found in the complaint made by Vane when at Number One—that although he had got a black eye he had not received a sixpence of the Keightley ransom money. There were those, however, who knowing the young fellow, declared that his abandonment of the unlawful course he was following was the fruit of genuine repentance, the death of one of his mates and his own narrow escape from being driven by the passion of revenge to become an actual murderer—Keightley would certainly have been shot by him after he surrendered if Gilbert and Hall had not interposed between them—having brought him to his senses. But whatever the reason, certain it is that within three weeks from the time of Burke's violent death, Vane yielded himself up to the authorities.

And this is how the surrender was made. When riding through the bush in the direction of the Abercrombie Ranges, the Rev. Father McCarthy—one of the pioneer priests of the Bathurst and Carcoar districts, and whose genial good nature and zealous labors made him most popular with the residents, particularly those scattered through the isolated parts which seldom or ever saw the face of priest or parson, other than his—happened to fall in with Vane. There was mutual

recognition, for the good priest was well acquainted with the bushranger's family—although not of his flock, for they were Presbyterians—and a long conversation ensued. The substance of that conversation never transpired, but the reader can imagine how earnestly Father McCarthy pleaded with Vane to forsake the course which was keeping the community in a state of terror, breaking the heart of his mother, and leading him to certain death. They parted, and before the day closed Father McCarthy had communicated to Mrs. Vane the fact that he had met her son and given her information as to his whereabouts and condition. The poor woman wept bitterly, pouring out her troubles in the presence of her sympathetic listener, and bemoaning the dreadful circumstances in which her boy had placed himself and her. Before leaving, Father McCarthy advised the disconsolate mother to seek an interview with her son in the bush and beseech him to surrender, pointing out that by so doing he would be likely to win favor which could not otherwise be extended. Mrs. Vane promised to do this, and without delay she sought her son in his retreat and pleaded with him only as a mother could. Her prayers and tears were effectual, and in sorrowful joy she returned to send a message to Father McCarthy, to the effect that her erring son desired another interview in order to make arrangements for his surrender. Within a few hours the priest and the bushranger were again together, and in the latter's hiding place these arrangements were completed, Vane agreeing to meet his newly-found friend at a certain spot before midnight, and accompany him to the head-quarters of the police at Bathurst.

At 11 o'clock that night the bushranger faithfully presented himself at the place appointed, where Father McCarthy was already in waiting, and fresh horses having

been obtained, a start was made for Bathurst. Through the bush they rode, covering a distance of 40 miles before five o'clock next morning, the chief anxiety being to enter the town unobserved. A brief rest at the Fitzroy Arms in George-street; a short consultation between Father McCarthy and his venerable superior, Dean Grant; a message to Dr. Palmer, the Police Magistrate, and another message to Superintendent Morrissett; the formal surrender of Vane to the latter; a quiet walk to the gaol gates—and then the Bathurst residents woke up to learn that there had been another break in the gang which had wrought such mischief and caused so much trouble. The news that Vane had voluntarily surrendered and was safely domiciled in the gaol on the central Square quickly spread, and business was neglected while the townsfolk stood to talk together of Father McCarthy's good day's work, and the probable fate of the robber who had given himself up and of his late companions in crime, who were still defying the united efforts of the police to catch them. As will shortly be seen a fresh turn was given to the conversation by the receipt of the news that the gang had been further broken by the tragic death by shooting of another of its members.

VANE'S TRIAL, CONVICTION, AND SENTENCE.

In due course Vane wns brought before the local bench of magistrates, when three charges of robbery under arms were preferred against him, and two charges of shooting with intent to kill. Evidence in each case was given, and the prisoner, who made no defence, was fully committed on each separate charge to take his trial at the next Bathurst Circuit Court, to be held in April of the following year.

Vane had been five months in gaol—bail had not been

sought, and it would not have been granted had application for it been made—when the Assize Court to which he had been committed opened. Sir Alfred Stephen, Chief Justice, presided, and as several very important cases besides those against Vane were set down for trial, nearly all the leading members of the bar attended, the circuit work of prominent barristers in those days being quite as heavy aud quite as remunerative as that of the Judges. Mr. Edward Butler acted as Crown Prosecutor. Bathurst was full of people and the people were full of excitement, and for more than a week that fullness prevailed, to the no small benefit of the hotel keepers who furnished accommodation for the visitors.

When Vane was placed in the dock his personal appearance was made the subject of general remark. He was a good-looking young fellow, and in the slimness of his build was a typical Western "native." Those who expected to see a repulsive-looking desperado of the Bill Sykes type were disappointed—no doubt pleasingly—for there was nothing repulsive-looking about him, and the court visitors could scarcely believe that the youth before them was the daring bushranger who had assisted in keeping the country-side in terror and for so long set the law and its officers at defiance.

It was known to the authorities that to four of the charges Vane would plead guilty, but that evidence in one case would be called. Mr. Dalley had been retained for the defence, and it was no doubt under his advice that the plea of guilty was made by the prisoner.

The indictments against Vane to which he pleaded guilty were—1. That he, together with certain other persons, on the 23rd September, 1863, at Caloola, being armed with guns and pistols feloniously did assault one Stanley Hosie, and then feloniously and violently did steal from him the sum of

thirty shillings, one box, one gun, six rings, six brooches, one horse, saddle, bridle, pair of saddle bags, pair of spurs, and one whip, his property. 2. That he, on 26th September, 1863, at Grubbenbong, being armed with guns and pistols, did assault one John Loudon, and then feloniously did put him the said John Loudon in bodily fear and danger of his life, and then feloniously and violently did steal from the person and against the will of the said John Loudon, one watch, one pair of studs, 6 nuggets of gold, and one bridle the property of the said John Loudon. 3, That he, being armed, did, on 26th September, 1863, at Canowindra, feloniously assault one John Pierce, and steal from him boots, waistcoats, 4lb. weight of tobacco and £8 in money. 4. That he, on 24th October, 1863, at Dunn's Plains, did feloniously and unlawfully shoot a certain pistol loaded with gunpowder and leaden shot, which he the said John Vane then had and held in his hands, at and against one Henry McCrimmens Keightley with intent thereby then feloniously, wilfully and of malice aforethought to kill and murder the said H. M. Keightley.

After the pleas in these cases had been recorded, the prisoner was indicted for having, on the 6th August, 1863, at Five Mile Water Holes, near Carcoar, in company with certain persons unknown, feloniously and of his malice aforethought, fired at and wounded with intent to kill Constable William Sutton. To this charge he pleaded not guilty, and was straightway placed upon his trial, Mr. Dalley, as already stated, appearing for the defence.

In opening the case to the jury, the Crown Prosecutor explained that an attempt to murder was, in law, equivalent to the deed of murder itself having been committed, and that if the prisoner's actions in participating in an attempt to take life fell short of the immediate cause and wounding only ensued,

in the eyes of the law the capital crime itself would be accomplished. The evidence he should bring before them he said would prove that the prisoner was engaged with others in a purpose in pursuance of which the crime of murder might have been committed, and although the prisoner's hand might not immediately have caused death, yet, if he participated in the design, he was equally as guilty as though he had himself accomplished it. Having given an outline of the facts of the case, the learned counsel alluded in eulogistic terms to the general bravery of the police, who, invariably, when they had a hand-to-hand encounter with the robbers, came off victorous !

The first witness called was a man named John McGeorge, a bullock driver, and as he narrated some particulars which were not given in the account appearing in a pevious chapter, I will give his story in his own words. He said :—

I remember 6th August last when the coach was attacked at Five Mile Water Holes near Carcoar ; I was driving a team; I saw one armed man on the road between 1 and 2 o'clock in the afternoon ; I had seen him once before ; he came up to me and asked me if the coach had passed ; he was mounted on one of Mr. Icely's horses ; I saw this man in company with the prisoner (Vane) and another man shortly afterwards, making three men in all ; in about ffve minutes after the first man had spoken the coach came up, and the three men armed went up to it ; two of them had double-barrelled guns, the third man a revolver ; prisoner had a double-barrelled gun and was riding a grey horse ; the second man was also riding a grey horse ; the third man was mounted on a bay horse which I have seen running at Carcoar ; I did not observe the particular color of their belts ; I think it was yellowish ; I saw the coach come up and the man who had first spoken to me galloped up to the coach, the two other men being close to him ; the coach did not immediately stop, and I heard shots fired ; the man had previously ordered the driver to stop ; I observed the police get off the coach after several shots had been fired ; two of the men stopped about the coach, the

third man went away into the bush ; I observed the constable (Sutton) go after one of the bushrangers for about one hundred yards, and saw some shots fired both by the bushranger and by the constable ; the man fired several shots at the constable and told him to roll up ; the constable then made for the coach ; the man who first went away was not followed by the constable, but by the second man, and it was between these two that the firing took place ; the constable was afterwards followed by the third man who had remained with the coach and who was fired at ; the man was within ten yards of the constable and fifty of the coach when he fired ; I saw the prisoner galloping away ; when the coach was stopped the three bushrangers were not immediately together ; directly the coach was ordered to stop I heard shots fired ; two of the bushrangers were within 100 yards of the coach when it was driven off ; I saw the three other men after the coach drove off ride up to the spot from which it had been driven ; two of them came first ; the prisoner was not then present ; he came up about ten minutes after the other two ; one of the two men asked prisoner where he had gone to, and he replied into the bush ; they asked him how many shots he had fired, and he said two ; the bushrangers looked at a revolver which had been dropped, and said it was a pretty thing to ride 40 miles for ; I distinctly saw the prisoner in compnny with the two other men : one was called " Lachlan Jack " and the other was O'Meally ; I had known Vane six or seven years before this occurence ; I don't know whether he was present when something was said about one of the troopers being shot ; I remember the revolver being taken up in the prisoner's presence ; to the best of my belief it was the bushrangers who fired when the coach was stopped.

In cross-examination by Mr. Dalley witness said :—

The prisoner galloped away immediately the coach was stopped ; I had spoken to Vane before this ; I do not think he recognised me ; I had known prisoner at Cheshire's ; he was living with his father ; I had seen him some three months previously ; I swear positively prisoner was one of the three men who stuck up the coach ; I cannot say how many times I have seen prisoner ; I have never lived more than 12 miles from prisoner ; I have never been engaged in similar employment as the prisoner except in horsebreaking ; I have never had

any business transactions with him ; I have met him at races, and remember seeing him there; he has grown within the last 12 years ; he was much altered when I saw him at the time of the coach being stopped ; I believe the prisoner had been away some time at the Lachlan, some three years ; I have seen him at Mr. Flood's house since his return from the Lachlan ; I hand no conversation with him, but some about him; he had considerably grown then from what he was when I had last seen him ; I saw him several times during that day ; I did not return to Carcoar immediately after the coach was stuck up, but I went back the same day.

Then Superintendent Morrissett gave his version of the occurrence. He said :

On 6th August, in company with some of my men, I was bringing prisoners to Bathurst from Carcoar ; I was on the box of the coach, on which was also a female passenger, and there were two constables inside the vehicle, while Senior-Constable Sutton rode my horse following ; when about four miles from Carcoar, I heard a voice call out to the coachman "pull up," and on looking up I saw three armed men riding down full upon us ; one man rode up to the front of the coach riding Mr. Icely's horse ; he was covering me with a double barrelled carbine levelled at me ; I had a rifle with me ; at the same time one of the other men rode up to the body of the coach and the other man went behind it ; when I saw I was covered I leapt from the box with my rifle, and immediately one of the men shot at me ; I tried to shoot them but I found I was covered by the second man, who also fired at me ; I ordered my men to jump out, and I saw Sergeant Grainger go up to the leader's head and fire at the man who was standing in advance there ; the man that I fired at last was riding a bay horse ; two of the men were riding grey horses ; I next saw one of my men in pursuit of the man who was behind the coach : he ran down towards a paddock on the left hand side of the road ; the bushranger Sutton was following was riding a grey horse ; I went back to the coach and got my revolver, which I had left on the seat ; I saw Sutton being pursued by the two bushrangers, one riding a grey and the other a bay horse ; my horse ran away with Sutton and brought him almost up to the coach ; he was then being followed by the bushranger on the grey horse ; Sutton told me he had been

wounded; after Sutton fired the bushrangers rode up the hill and when he attempted to fire they went down to the brow of the hill; the man whom Sutton pursued was not riding Icely's horse; the two other bushrangers temained by or near the coach until they saw Sutton pursuing their comrade, when they went after him. In cross-examination witness said he could not identify Vane as being one of the men making the attack.

Senior-Sergeant Grainger and Sergeant Merrin, the two constables who were in the coach, gave corroborative evidence. The former said that from what Sutton had told him he was under the impression that he could not identify Vane, although when he saw him in custody he recognised him at once.

Senior-Constable Sutton then deposed: I was with the coach when it was stopped near Carcoar; I was riding Mr. Morrissett's horse; about four miles on the road there were two men who came up from the bush calling out "pull up," and they fired at the coach; afterwards I saw a third man coming up from the hill; one of the men was riding a bay and the other a grey horse; I saw one of the men fire at Superintendent Morrissett; after the bushrangers fired I followed the man on the brown horse into the bush; he fired six shots and as I was about covering one of the other bushrangers, the third bushranger came up to me and fired at me, wounding me in the breast, the ball lodging in my arm; he was mounted on a grey horse; I recognised Vane as being one of the bushrangers; the man on Icely's horse fired at me twice; there were altogether about nine shots fired at me and I heard them say that if they had any ammunition they would follow me to hell; Vane was riding Inspector Davidson's horse, and said to me "Now you b—— I've got you;" I said "you'll have to catch me first;" the prisoner did not fire at me although he had a revolver in his hand; the wound I received caused me to be laid up for four months.

Cross-examined: I did not see a double-barrelled gun in Vane's hand; I remember seeing Superintendent Morrissett going up the hill; there were then three men on the brow of the hill; if all of the witnesses have said that there were only two men on the brow of the hill when Mr. Morrisset was going up it, my conviction is still the same that there were

three of them; I was subpœnaed to give evidence against the prisoner at the petty sessions; I do not recollect having any talk with Sergeant Merrin; I never asked Merrin on any occasion whether he knew Vane; I never said to Merrin "Who is this they are bringing to the gaol?" nothing of the kind ever passed between us; I know Mullens, the turnkey; I have been shown Vane in the gaol; he was brought for me to see; I had to look through a window to see him; I went to the gaol for the purpose of seeing O'Meally when Vane was brought up; there were two priests going up to the gaol, who, when they came out, asked me if I had seen O'Meally; I said I thought they must be chaffing me; Dr. Palmer (Police Magistrate) shortly afterwards came up and asked me if I thought I could recognise O'Meally, and he took me into the gaol and ordered Vane to be brought out and placed before me; he asked me if it was O'Meally; I said it was not, and the doctor then said "That is enough—stop," and I went away: as Vane was entering the gaol gate I was within forty yards of him; I had no idea he had been apprehended; Mr. Morrissett never told me at that time; as soon as I returned from Mudgee I told Dr. Palmer I recognised Vane; I left for Mudgee a quarter of an hour after I had seen Vane; Mr. Morrissett was in town; I told all the police that I could identify Vane.

Re-examined: I was under immediate orders to proceed to Mudgee the same day that Vane was brought to the gaol; the first place I saw Vane was within 16 miles of his father's residence; I asked Burke where his party had been, and he said, "Over to the Caves for a spree"; I knew Vane to belong to Burke's party; I saw two bushrangers mounted on grey horses and one on a bay horse.

By his Honor: I told several parties that Vane was one of the men who had stuck us up; Vane was always supposed to have been one of the men.

By Mr. Dalley: I never remember telling Sergeant Grainger that I could not identify Vane; as I went to Mudgee I mentioned to persons that Vane was in gaol.

After Dr. Rowland, of Carcoar, had described the nature of the wound from which Sutton was suffering when he was

called upon to attend him, Mr. Butler announced that the case for the Crown had closed.

There was no evidence for the defence, but Mr. Dalley made on Vane's behalf one of those impassioned and powerfully eloquent speeches for which he was even then famous. He reminded the jury of the awful responsibility which rested upon them whilst considering the guilt or innocence of his unhappy client, who had, as they were aware, already pleaded guilty to a series of crimes the punishment of which must embitter the whole of his remaining years. It was only when he was charged with having his hands stained with the blood of his fellow creature that he had pleaded Not Guilty. It would be for them to say whether the evidence adduced connecting him with such atrocity as the present crime was such as would carry conviction to their minds of his guilt, the punishment of which might terminate his career upon the scaffold. He entreated the jury while they waded through the discrepancies and contradictions of the evidence to apply to their hearts the great principle and maxim of law "to judge of men's intentions by their actions." The identity of his client had in no way been satisfactorily proved by the evidence of McGeorge, and assuredly the evidence of Sutton was so totally irreconcilable with the facts as detailed by the other witnesses that it ought to be rejected by them. And here the learned gentleman somewhat overshot his mark, for when referring to Superintendent Morrissett's statement that he could not identify Vane as one of the men, he described him as an officer of whose courage and intelligence no man could speak too highly. The crowded court, consisting as it did chiefly of the residents of Bathurst and the district, remembered the Vale Road episode and broadly smiled. It would have laughed outright had the dignity that hedged the

judge's throne permitted a loud exhibition of merriment. In conclusion he implored the jury to discredit Sutton's evidence and acquit the prisoner.

The Chief Justice summed up with great care. He urged the jury to divest themselves of all prejudices, and to base their verdict entirely upon the evidence adduced. Their duty was very simple. If they considered that the evidence satisfactorily proved that the prisoner was one of the three men who attacked the coach, and that his intent was to kill they must find him guilty; but if they did not consider the evidence conclusive, they must acquit him.

And acquit him the jury did—the more readily, perhaps, because they knew that for other offences he would receive punishment commensurate with his crimes.

As the hour was late, his Honor ordered the prisoner to be removed and brought up for sentence on the following day; but knowing that many of his relatives were in the court, in order to ease their minds, he announced that the sentence he should pass would not be death.

On the following day the Court was again crowded, and shortly after the Chief Justice had taken his seat Vane was called up to receive sentence. Before judgement was pronounced Mr. Dalley pleaded with the judge for leniency, urging prisoner's youth in extenuation, and referring to the fact that he had borne a good character before abandoning himself to lawless pursuits and that he had given himself up and shewn true contrition for his crimes. He then called several prominent public men to bear testimony to the fact that Vane prior to becoming a bushranger had been a most exemplary young man.

His Honor then addressed the prisoner. It had been intimated, he said, that some individual had by some means

induced Vane to leave his father's house and become a lawless character. There was no evidence to prove that, or to show who that individual was; but whoever it might be who had contributed to his downfall and ruin he had very much to answer for. It was shocking to contemplate a young man becoming a bushranger at eighteen years of age, arming himself to the teeth, robbing the rich and poor alike, and carrying on a most determined system of plundering. He (the judge) could not discover any thing in such a life that should render it attractive to a young man. If excitement was the object sought, the army was open to young men, in which they might honorably engage in fighting the battles of their country, and gain for themselves a great name, which, handed down to posterity in the annals of history, would be received with pride. He could have had but little happiness when pursuing his career of crime, he could have had but few hours of repose and quiet when he lay down to rest, as he knew he was constantly being hunted and was never sure that he would not awake to find a pistol at his head, threatening him with instant death if he did not surrender. He thought that the prisoner as a native of New South Wales must feel some compunction and sorrow at the dishonor and disgrace he had been instrumental in bringing upon the land. His Honor said that he himself, when he heard of these depredations, committed by natives of the colony, felt his pride wounded to think that such men so disgraced themselves in the land where all his affections were centred, where he had lived so long, and where he hoped to die. He had looked through the depositions in the cases in which prisoner had pleaded guilty, and as he was about to pass upon him a heavy sentence, it was due to the public that they should be aware of the grounds upon which that sentence was passed. He

then read from his note book the following epitome of the evidence given before the magistrates:—

At the robbery at Mr. Loudon's of Grubbenbong it appeared that between 10 and 11 o'clock at night Vane, in company with four other men, all armed with revolvers (two or three each) came to Mr. Loudon's house and insisted on being admitted; this he refused and they threatened to burn the house down, and fired through one of the doors into the bedroom. Six balls penetrated the door; Mrs. Loudon was at that moment fortunately in the parlour. The robbers then burst in the outer door and handcuffed all the inmates—the females excepted, they were secured in the verandah. The gang then proceeded to rifle the house, taking whatever they wanted. After that they sat down to supper in the house, the inhabitants in the mean time (about four hours) being kept prisoners, for although their handcuffs were removed, one of the bush-rangers remained to guard them through the period of their stay. The men then went off with their booty a few hours before daybreak. In the case of Hosie's robbery at Caloola it appeared that Vane, with Hall, Gilbert, O'Meally, and Burke went to Hosie's store, when one of the gang presenting a revolver at Hosie's breast threatened him with death if he resisted; they then fastened Hosie and three or four of his neighbours together with handcuffs, and rifled the shop of a great number of articles; they also searched Mrs. Hosie bed-room and carried away her trinkets; they searched Mr. Hosie and took what money he had; finally they stole two horses, which Vane was the most active in catching, also taking some saddles and bridles. Two of the same party had on a previous occasion robbed this store, and one of them at this time said that he would be revenged on Hosie for informing the police. In the case of the robbery of Mr. Pierce at Canowindra, the depositions disclosed a series of robberies by the same gang; some of the outrages had been committed in September and some, apparently, in October; they were then fully armed and mounted on stolen horses. The party robbed a publican named Robinson of money and a horse, and made him supply them with liquor; then, during a period of 24 hours, they confined, robbing and rifling, every person in the neighbourhood or who passed by; storekeepers, publicans, bullock drivers and their teams and so on, until they had at one time about twenty

persons in custody upon whom successive outrages were committed. From Pierce's store on two of these occasions the gang took away about £50 worth of property besides £10 in money. The men were armed each with a revolver and a carbine. In the case of the outrage at Mr. Keightley's, the prisoner and four others rode up to Keightley's, where he resided with his wife and child; they ordered Mr. Keightley and a friend, Dr. Pechey, who was with him to stand; they both ran into the house; Keightley seized a double-barrelled gun, but Pechey was intercepted in an attempt to get one; shots were fired at them both; several shots were fired at Keightley as he was rushing to the house; Keightley stood at or near the door, Dr. Pechey being rather behind him, when several more shots were fired, the bushrangers keeping under cover of posts or the like; Keightley fired at one of the men (Burke) near a cask and shot him in the bowels. Both Keightley and Pechey then got on the roof of the house, where several more shots were fired at them, two touching Mr. Keightley's person, or, rather, one passing through his beard and another through his hat. Finding that their own ammunition was spent, and the bushrangers threatening to burn down the house. in which Mrs. Keightley and the child with its nurse were, Keightley and Pechey came down and surrendered. Vane then knocked Dr. Pechey down, mistaking him for Mr. Keightley, and said he would kill him for having killed his mate; being informed that it was Mr. Keightley, they said then he must be shot; the surviving four then loaded their guns, apparently for that purpose, Vane saying, "I'll stop your shooting; you have killed my mate." There can, therefore, be no doubt that Keightley, and indeed Dr. Pechey also, were repeatedly shot at by Vane or his comrades, both before and after the shooting of Burke, and consequently before resistance was offered by either; and there seems every reason to believe that Keightley would have been shot by them had it not been for his wife, to whom one of the men had the cruelty to say, "Madam, you will be a widow in five minutes!" At that time Keightley was under the death sentence passed upon him. Mrs. Keightley however bargained with the men for the ransom of her husband for £500 which the gang agreed to accept, and which sum was brought to them by her within 18 hours and paid to Gilbert in Vane's presence, and upon receipt of the money Mr.

Keightley was released.

"Can any person after hearing such facts," continued the judge, "no matter how much they may desire to sympathise with the prisoner, make any excuse for such outrages —outrages which could never have been perpetrated in any British colony except New South Wales. [Parenthetically, it may here be remarked, that the colony of Victoria some ten years later proved that she had possibilities in this respect equal to New South Wales—but the Chief Justice could not foresee what the Kelly gang would do.] I for one cannot hear of such proceedings on the part of natives of the soil without feelings of shame and indignation; and no judge while mindful of his oath and his duty can refrain from awarding heavy punishment to those who are guilty of such outrages. I do not overlook the fact that the prisoner voluntarily surrendered himself, but at the same time I must say that his repentance comes very late."

After a few more remarks bearing upon the motives which actuated prisoner in giving himself up, his Honor proceeded to pass sentence upon Vane, as follows:—For the outrage at Dunn's Plains, 15 years' hard labor on the roads or other public works of the colony, and for each of the other three offences 10 years hard labor—the sentences to be concurrent.

Thus Vane passed away from kinsmen and friends and from a life of freedom in the bush, to take his place among the convicted criminals who for offences of various kinds were condemned to the irksomeness of laborious life within prison walls. He lived to taste freedom again and to again experience the pains and penalties of wrong doing; but as his career as a bushranger closed with his surrender to Father McCarthy he must now necessarily drop out of this story.

Before closing this chapter, however, it is right that a

word or tvo should be said concerning the subsequent action of the good priest through whose instrumentality the district was freed from the presence of this member of the notorious gang. Father McCarthy was entitled to the reward of £1000 which the Government had offered for the capture of Vane. It is almost needless to say that he did not accept that reward. In his ministerial capacity he had effectively preached repentance to the sinner, and the consciousness of having done his duty was counted by him as reward sufficient. In another case, yet to be recorded, in which a bushranger not connected with Hall's gang was concerned, he was instrumental in recovering for one of the banks some £2000 in notes which had been stolen from one of the Western mails. The bank had offered £100 reward for the recovery of the notes, but Father McCarthy refused to accept that reward also. The act was characteristic of the man, who in his priestly office labored for something more pcecious and more enduring than earthly treasure.

THE ATTACK ON GOIMBLA STATION.

DEATH OF O'MEALLY.

After Vane's severance from the gang, Hall, Gilbert and O'Meally did not remain long in the Carcoar district, but hurriedly pushed on for their old quarters in the Weddin Mountains, doubtless anticipating that the efforts of the police for their capture would concentrate in the quarter where the last sensational raid had been made. It goes without saying that they knew of the movements towards Dunn's Plains of the Bathurst police and the men who had

recently arrived from Maitland under command of Superintendent Lydiard, and that they also knew that the Carcoar and Cowra police had hurried down to the same spot; and it was the most natural thing in the world for them to push out of a locality holding so many members of the force. Thus it was while the police were still hunting up their tracks in the country about Caloola, Rockley and Trunkey, the news was spread that the gang of three—Hall, Gilbert and O'Meally—were again creating a sensation in the neighbourhood of Canowindra, which township, the reader will remember, was held by them for a couple of days before the raid on Dunn's Plains was made.

They had entered the town just as daylight was creeping over the eastern hills, a morning or two after the quarrel between Vane and Gilbert, and riding quietly up to the door of the local inn, which was still kept by Mr. W. Robinson, they proceeded to make their presence known. The landlord was deep in the sleep of the early hours when he was aroused by a peremptory knock at the door, and in answer to his call, "Who is there?" a voice answered "The police." Robinson at once got up and opened the door, and was both startled and surprised at seeing Ben Hall standing before it with a revolver in each hand, the weapons being pointed towards the doorway. Gilbert and O'Meally stood beside him, each with firearms ready, and Robinson then knew that there was nothing for it but to submit to any demands they might make. The bushrangers asked if there were any policemen in the house, and on receiving a reply in the negative, they enquired if there were any in the neighbourhood. Mr. Robinson said he could not tell as he had only just returned from Forbes. Hall then said to his mates, "All right—come on," and they went into the house and had some

grog; they stayed about a quarter of an hour, and on going away asked tor two bottles of wine and two bottles of Old Tom, in payment for which they offered a £5 note—doubtless one of the number paid for Keightley's ransom. Mr. Robinson said he could not change the note, and they replied that he must do without the payment in that case, as they had no other money; they then rode away.

Mr. Robinson then informed Mr. K. Cummings, a magistrate, who was stopping in the house, of what had occurred, and he was of opinion that it would be dangerous to go and look for the police in the night, and thought they had better stop till daylight. At daylight a messenger was sent for the solitary policeman who lived about half a mile from Robinson's; and on his arrival he was asked if he knew where to find Mr. Chatfield, and while they were conversing about the affair Mr. Superintendent Chatfield and a party of policemen rode up to the house. Information was at once given to them of the occurrence, and the direction the bushrangers had taken pointed out, after which they started in pursuit, taking a black tracker with them. What followed is thus narrated in one of the Bathurst papers of the day:—"They very soon got upon the bushrangers' tracks, and after riding six or seven miles the tracker sighted them and cried out 'There they are, sir.' The command was given to follow and the chase commenced. When the bushrangers were first seen a young man named Hurkett was with them; he afterwards said they had stuck him up and taken £2 12s 6d from him. As soon as the bushrangers saw the police they galloped off and Hurkett says his horse ran away with him so that he could not stop for some time; however as soon as he possibly could he pulled up and the others went on by themselves; the police galloped up and dismounting fired at

Hurkett, whose horse, we believe, was shot. The tracker called out 'That's Hurkett,' and one of the police then struck him with a revolver and another made at him with the butt-end of his rifle and some one called out 'kill the —— wretch. The bushrangers were at this time at no great distance from the police. The police handcuffed Hurkett and telling him to stay there until some one came for him, they rode after the bushrangers. Hurkett waited two or three hours for their return but as they did not again make their appearance he walked back to Canowindra, carrying with him a loaded revolver which one of the police had left on the ground where he was handcuffed. Shortly after Hurkett's return to Canowindra Sir F. Pottinger with a party of police came in from Cowra. Hurkett told him what had happened, stating that he had been robbed. Sir F. called him a liar and said he had had a good mind to take him up three weeks before but he would now give him three chances, either to put the police on the tracks of Gilbert and party, or to stand his trial, or ——. He said he would put the police on the tracks, which he did, and then Sir Frederick let him go. He returned to Canowindra and stopped there until 2 or 3 o'clock the next day, when Mr. Chatfield came back Hurkett was arrested again, handcuffed, and kept in Canowindra all night, and the next day was sent to the lock-up at Cowra. We understand that Mr. Chatfield and party followed the bushrangers in a circuitous route about 40 miles, when they made in the direction of Bangaroo, and then as the darkness came on they could no longer follow the tracks; however they went on to Bangaroo and on riding up to the hut a little half caste girl called out 'There some men coming.' O'Meally and Hall were then in the hut at tea; O'Meally went to the door and said 'It's them blasted peelers coming to hunt us again.'

They were resting themselves in the hut when the police appeared in sight and had to get out in a hurry and on to their horses and off again. Hall not having time to put on his boots carried them under his arm. In the meantime Gilbert had been in an adjoining paddock it is supposed looking for some horses, and when he rode back for his mates he found the police in the hut ; one of the policemen called out ' Who's there ?' and Gilbert turning his horse round rode away ; the policeman fired at him but the result was *nil*. The bush-rangers were not seen by the police any more, but we have heard that on Thursday morning they breakfastsd at a station of Mr. Icely's, three miles below Canowindra, and that on Friday morning they were at a station of Mr. Grant's, not far from Carcoar. So sudden was the departure of Hall and O'Meally that they had no time to take all their things with them, but left a coat belonging to Gilbert, which is now in the possession of the police, and in the pocket of which was found with other things a bag containing a quantity of revolver bullets and a bullet mould."

On the following day they stuck up several teamsters between Canowindra and Toogong, but took nothing but some horse feed for their own animals, which they proceeded at once to feed. And here again the police appeared upon the scene, and this is the story of what happened, as subsequently told by one of the draymen : " While the horses were feeding the police were observed coming up, and the bush-rangers at once mounted and rode off. The were pursued by the police and several shots were exchanged. In crossing a swampy flat Hall's horse got bogged, and the police, had they pushed on, might have made Hall prisoner. O'Meally and Gilbert pulled up and came to his assistance, and the police observing this pulled up and commenced re-loading. This

proved so tedious an operation that before it was concluded the horse was got out of his difficulty, and the three bushrangers cleared off, pursued at a respectful distance by the police." It was also reported at this time that there had been a further disagreement among the members of the gang, and that Hall and Gilbert very nearly came to pistol shots, but that the disagreement was patched up before it had reached the "popping" point. As will now be seen the two leaders were shortly afterwards forced into friendliness by another sudden and unexpected shortening of the number of the gang, the last remaining follower having his career brought to a close in a manner even more tragic than that which resulted in the death of Burke. The third man of the party, O'Meally, was shot dead by Mr. D. H. Campbell, of Goimbla Station, when defending his homestead from an attack by the gang, made under circumstances now to be described.

On the night of Thursday, 19th November, at about a quarter to nine o'clock, the three bushrangers rode up to Goimbla, which was about 32 miles from the town of Forbes, and from their actions during the two hours succeeding they made plain the fact that they were actuated by a thirst for vengeance as much as by motives of spoliation. Mr. Campbell, who as a magistrate of the territory had made no secret of his abhorrence of the lawless freebooters, and on one occasion he had started out in pursuit of them, accompanied by a few of his immediate friends. This was a sufficient cause of offence to the "gentlemen of the road," and their fiendish resentment had been on more than one occasion openly expressed. True to their promise, as they generally proved themselves to be, "they came, they saw," but they did not conquer.

The first notification Mr. Campbell had of the presence

of the unwelcome visitors, was the sound of footsteps under the front verandah of the house, and suspecting the true cause of the sound, he sprang towards the chimney corner, where two double-barrelled fowling pieces were ranged, ready loaded, and seized one of them, with which he quickly retreated into an adjoining room, Mrs. Campbell, at the same moment rushing into her bedroom, and Mr. Campbell's brother, Mr. William Campbell, retiring through the back door. When Mr. Campbell presented himself at the inside door of the room above referred to, he found himself confronted by one of the bushrangers, who stood at an outer door of the same room, entering upon the verandah. This fellow at once presented his piece and fired twice, one bal entering the wall on the right of where Mr. Campbell stood, and the other on the left. Mr. Campbell replied by a shot from his piece, but on this occasion ineffectually. The villain then hastily retreated round the end to the front of the house, and rejoined his comrades, who, after repeated volleys and demands to surrender, to one of which Mr. Campbell replied that he was ready, and challenged the miscreants to come on, they proceeded deliberately to set fire to the barn and stabling, which formed two sides of a quadrangle. As the barn contained a large quantity of hay, the whole structure was quickly in flames, which raged so fiercely that the premises in the immediate vicinity were brilliantly illuminated; and here occurred an incident which, for heartlessness and revolting cruelty, beggars description. Inside the blazing enclosure was a favorite horse of Mr. Campbell's, which speedily began to suffer from the heat. As its agonies increased with the increasing flames the suffering brute sent forth piteous and imploring cries for release and galloped furiously to every accustomed outlet in vain. All expostula-

tions and entreaties on behalf of the suffering animal were fruitless and he was literally roasted alive beneath the taunts and jeers of the brutal trio.

The highly courageous conduct of Mrs. Campbell during the most trying ordeal to which woman's courage could be subjected is worthy of special notice. In the early stage of the drama, whose incidents I am faintly endeavoring to describe, it was indispensable to Mr. Campbell's chances of a prolongation of the contest that the second fowling-piece which was left in the chimney corner, together with a powder flask and balls which lay upon the end of the mantel piece, in contiguity with the corner should be procured. To obtain possession of them involved great personal danger, inasmuch as the window opposite was in possession of the bushrangers. But this Mrs. Campbell ventured to incur, whilst her husband remained at his post. Rushing into the apartment, which was lit up by a kerosene lamp, she hurriedly snatched up the gun and powder flask, and as hurriedly retraced her steps. But she was not permitted to return unmolested. As if to give the lie to such lauded forbearance and boasted chivalry of this band in all cases in which females had been concerned, the ruffians fired a volley through the window upon her retreating figure, and the evidences of their murderous intentions were written upon the opposite walls in bullet marks. Fortunately, however, Mrs. Campbell escaped unhurt and rejoined her husband, by whose side, except at brief intervals, she patiently awaited the issue of the contest which bore promise of a fearful tragedy.

The finish at length approached. The flames continued to rage, and firing had been suspended for half an hour, the house meanwhile remaining in solemn silence. During this period Mr. and Mrs. Campbell had ensconced themselves

between two parallel walls which formed a passage from the house into the kitchen, when becoming anxious as to the whereabouts of the beseigers, Mr. Campbell suggested that Mrs. Campbell should proceed stealthily into the front apartment and reconnoitre ; she did so, and observed the three men standing behind a paling fence fronting the house, apparently intent in noticing the progress of the conflagration. Seizing the opportunity which the information supplied, Mr. Campbell sped quietly round the end of the house to the opposite angle, which, fortunately, was cast into the shade by the blazing building at the opposite end. There he saw the three men standing as described by Mrs. Campbell, and, steadily raising his piece to the level of the neck of the nearest, he pulled the trigger, and, as the sequel showed, ridded the neighbourhood and the country of one of the most remorseless and bloodthirsty ruffians the colony ever produced.

Mr. Campbell's account of the occurrence, given before the coroner subsequently, was very clear, and may fittingly be repeated here. He said :—" While seated in my drawing room I was startled by footsteps on the front verandah. I grasped my double barrel gun, and first passed through the bedroom to the back door of my dressing room. I was intercepted by a man who fired two barrels at my face. I retired by firing my gun at him, whereupon he retreated. I followed him to the corner of the house, and then saw the others at the front door, well armed. I rushed to my bedroom for arms and ammunition which were in the drawing-room, which was lighted, and the blinds were raised. My wife rushed to secure them under a volley from the bushrangers. She was unarmed. I re-loaded ; and, together, we rushed along the room to a back outlet, and took up our position between two slab walls leading to the kitchen, and thus commanded every corner in

safety. In about a quarter of an hour several shots were fired simultaneously from different directions when one of the men called out, 'If you don't surrender, we will burn the place down.' I replied, 'Come on, I am ready for you.' One replied, 'Oh, that is it!' In a few moments the fire was kindled at the barn, and, driven by the increasing light and heat, the bushrangers retired into the out-paddock and remained behind the fence, forty yards from the front verandah. The lamp had been removed, and the blinds dropped. My wife watched their proceedings, and informed me that a man with a cabbage-tree hat stood watching the flames. I rushed round the house to the front corner, and taking a calm, deliberate aim at the fellow's throat, I fired, and returned to load my gun. Just before this several shots were fired at the drawing room, and I was called upon to surrender. I did not reply. At half past 11 o'clock I cautiously approached the spot where the man had stood, and on the opposite side of the fence, found a carbine and cabbage-tree hat, which I secured. At daylight I visited the spot with the constable, and saw two yards from the fence a pool of blood We followed a track into the oaks, and discovered the body of the man, who was wounded in the neck. Immediately on firing the man disappeared—no sound was uttered. The deceased's pockets had been rifled, and his ring removed from his right little finger."

Early on the following morning word of the tragic affair was sent to the Police Magistrate at Forbes, who at once started for the spot to hold a magisterial inquiry over the body of the dead bushranger, whose identity was not at that time fully established, for Mr. Campbell was not quite certain whether it was O'Meally who had fallen before his fire. At about 9 o'clock on the evening of Friday Mr. Farrand, the

coroner, reached Goimbla, and at once commenced his work of investigation, in which work he was engaged for several hours. It goes without saying that the coroner's verdict was one of justifiable homicide, and that the conduct of Mr. and Mrs. Campbell received, as it merited, the highest commendation.

As Saturday dawned upon the smoking ruins, the place presented a melancholy spectacle. Everything combustible inside and around the tottering walls and barns and stables had disappeared, and the charred remains of the dead horse, swollen to nearly double its natural size, lay inside the inclosure. No vestige of nearly £1100 worth of property remained save the crumbling shells of the two buildings. Under the verandah of an out-building hard by lay the disfigured corpse of the dead bushranger, the body covered by part of a wool pack and the face by a towel. It was clad in a corduroy, buckskin, high boots with spurs, and three Crimean shirts, and underneath the neck lay a white comforter. Beneath the ear on the right side of the neck was a gaping wound extending through the vertebræ, which was completely shattered by the ball. Decomposition had set in, and the wound was discharging freely. The hair, which was dark auburn, was saturated with blood, as was also the beard under the chin. The features wore a scowl, and the mouth an expression as if the man had died uttering curses and imprecations. As he had been detestable in life his figure was hideous in death, and his feats have added a fearful chapter to the criminal history of New South Wales. At twenty-two years of age he died a robber and murderer of the worst type. By the bullet he had chosen to earn his bread, and by the bullet he met his death. His features were small but coarse, and betokened habitual indulgence in the

brutal passions. His frame was athletic, his arms muscular, his hands as small and delicate as a lady's. His lower limbs were light and apparently well knit, and his figure as a whole gave the impression of activity and strength combined in more than an ordinary degree. Such was O'Meally as presented in the ghastliness of death on the ground which was stained with his blood when the official inquiry into the cause of death was held.

It was at first intended to remove his remains to Forbes for interment, but the rapid progress of decomposition, owing to the heat of the weather, rendered this impossible. They were interred at Goimbla, on the near bank of the Eugowra Creek. Subsequently, however, they were removed by relatives and friends to Forbes and there interred amidst much ceremony, as though they were those of a hero who had lost his life in the performance of a noble duty.

For some time before the attack was made Mr. Campbell was aware that the bushrangers would visit him on the first favorable opportunity, and he was not therefore altogether unprepared; but had he been a less courageous man or less skilful in the use of firearms there can be no doubt that he would have suffered in person as well as in estate from the now reckless and bloodthirsty gang. His station afforded every facility for the bushrangers. The buildings gave them cover; and they were able to cut off communication between the proprietor and his men, the very fences put up for security acting in favor of the attacking party.

The following letter from Mrs. Campbell to her mother after the occurrence will further illustrate the fact that the danger which threatened her and her husband on that awful night was exceptionally great; and it will also shew how

empty was the boast made by the bushrangers and their friends that in all their raids Hall's gang were careful to treat females with the utmost consideration and respect. Writing on the 21st November Mrs. Campbell said :—" You will be anxious till you hear direct of our safety. It is indeed owing to the great mercy of God that the lives of David and William are spared. So many people have been here taking notes, that I doubt not you will read a most truthful account of all in the papers. I need not therefore weary you with another. We had no time for fear. The most dreadful part was the burning of the barn and stable. They are not much farther from the house than your stable; and at one part an outhouse, which is connected with the main building, is only divided by a road. You cannot imagine my agony while the flames were towering above us. Had the wind only blown towards the house all must have gone. The ground between the stable and outhouse was strewn with straw from the haymaking; there was also a large heap of woolpacks and a cart, all of which were set on fire. I was in such deadly fear of its catching at this point, that I rushed out and succeeded in getting the road cleared with the assistance of the cook. By this time the roofs had fallen in, so that the danger was passed. I imagine the ruffians had also retreated. Mr. Campbell had ventured out to the spot where he had aimed at the man. He found his gun and hat, but not the body, for his mates had dragged it some distance away, and his idea at the time was that the man had merely been wounded, and would return for his things. A short while after we heard a rustling as of some one creeping stealthily through the oats, and were afraid to go out again lest the bushrangers should be lying in ambush. The men in the huts had now recovered from their panic, and came up to see what was going on. David stationed them at

various posts, and they watched till morning. It was by this time 3 o'clock. I was very tired, went to bed and managed to sleep a little; but was awoke before dawn by the arrival of the police. They found the body, and I cannot describe to you the state of my feelings when I heard of it—heard that the unhappy man had been shot by the light of the fire which he had helped to raise—for at the moment he fell the country round was as light as day. It appears the ruffians retreated to one of the huts, where they were cursing and swearing in a most fearful manner that they would yet have revenge; and I am grieved to add that a female servant heard one of them regretting not having shot the woman—meaning, I suppose, myself - but his comrade called out to him to hold his tongue, and mind what he was about. When the alarm took place, William rushed to the back door, not knowing that Mr. Campbell was in the house, and that the shots had been fired at him. William there received a charge of slugs in his breast, four wounds in all, but fortunately not deep. Startled, he staggered on, got outside of the place, and could not find his way back. He is now all right."

As soon as the excitement into which the colony had been thrown by the Goimbla incident had somewhat subsided, the public began to discuss how best Mr. and Mrs. Campbell's bravery could be rewarded, and his losses made good. Public meetings were held, laudatory speeches were made and subscriptions were raised. The reward of £1000 offered by the Government was, of course, handed over to Mr. Campbell, but the value of the property destroyed by the fire raised by the bushrangers was estimated at nearly double that amount, and although a goodly sum was raised, and every reputable person in the colony applauded to the echo the conduct of Mr. Campbell and his wife, the monetary offering from the public

was not at all what it ought to have been; and although Mr. Campbell had the satisfaction of knowing that he had done a great service to the community, the knowledge was also ever present with him that that service which he had so manfully carried out had been performed only at great cost to himself. He did not count the cost to himself, however, when single-handed he defied the common enemy, and he earned the gratitude, poorly expressed though it may have been, of every reputable man and woman in New South Wales.

THE "OLD MAN" AND YOUNG DUNLEAVY.

When O'Meally fell before Mr. Campbell's fire, the marvel is that Hall and Gilbert did not seek there and then to wreak vengeance upon the Goimbla household by a further act of incendiarism, for the dwelling could have been fired as well as the stables, although some difficulty would doubtless have been experienced in applying the fire-stick to the proper place. As we have seen, however, the two remaining members of the gang made no attempt to avenge the death of their comrade, and having stripped the body of its valuables they disappeared in the darkness, and made haste to reach a place where the police would not be likely to look for them for a day or two. Thus it happened that while the bush in the locality of which the Goimbla was the centre was being scoured by the authorities, Hall and Gilbert were many miles away laying their plans for future operations. They had gone too far on the course of crime to now turn back, and knowing that no mercy would be extended to them they appear to have determined upon shewing no mercy to others. They, therefore, after a few days' quiet resumed operations

on the road near Burrowa in the Southern district, and some twenty cases of sticking-up were reported in one day.

And about this time the decimated gang was reinforced, being joined by a young fellow named Dunleavy, and a man named Gordon, who became generally known as the "Old Man." Of the latter's history previous to his association with Hall very little was known, and as he was captured soon after joining the gang he did not have many opportunities of distinguishing himself as a freebooter. Dunleavy was a smart young fellow, about 20 years of age, and up to the time of joining the gang had lived with his mother on a station in the Forbes district. He was well known about Bathurst, where in his youth he had attended one of the public schools, and those who knew him were greatly surprised when they heard that he had cast in his lot with the gang.

They were engaged with Hall in six highway robberies, but the details of one only need be given here. A few months after they had joined Hall they made their appearance with him on the road between Bathurst and Blayney, near the Halfway House, and there "bailed up" the mail coach, a number of travellers, amongst whom was a disguised policeman, and Cobb and Co.'s day coach. The first victim on that occasion was the trooper Lewis, who had been dispatched from Bathurst to Carcoar by the Superintendent with important dispatches relating to the bushrangers' movements, and in order that the bush telegraphs should not learn that there had been special communication between Carcoar and Bathurst he went disguised as an ordinary swagsman. When on the Mount near the Halfway House he heard someone shouting "pull up," and turning round he saw three men galloping towards him. He at once stopped, and one of the men riding in front of him asked if he were not a blank "trap."

Lewis denied the soft impeachment, but the man persisted that he was blanker trooper, and peremptorily ordered him to come off the road into the bush, where he was made to dismount. As soon as he had got oft his horse the bushrangers demanded his firearms, but Lewis had none to give up and told them so. Upon this they made him disrobe and proceeded to search his pockets, but finding nothing they again appealed to him, asking if he had not got a letter. Then Lewis realised that, despite the efforts that had been made to keep the secret, the bushrangers had received information that a messenger had been sent. He denied that he was the bearer of any letter, and as they could not discover one upon him they were obliged to accept his disclaimer. They then ordered him further into the bush, and here he learned that they were lying in wait for the mail. After some time the leader of the gang began to grow impatient and frequently consulted his watch, saying it was nearly time for the coach to come. At last the sound of wheels was heard and Hall and Dunleavy mounted their horses and rode off to meet it, leaving Gordon to keep guard over Lewis, which he did by keeping him covered with his revolver. Having met the coach, Hall and Dunleavy compelled the driver to turn off the road and conducted him to the spot to which they had brought the disguised trooper, and having learned from him that the mail was at the half-way house changing horses they again proceeded to the road to wait for it. In due course the mail arrived, and having been stopped was also brought over to the favored spot, a horseman who arrived at the same time being made to accompany it. There was a female passenger on the coach, but the bushrangers assured her that they would do her no harm, and at once proceeded to overhaul the contents of the mail bags, from which the selected

a number of letters containing cheques and notes. Having secured all they wanted they told the mailman that he could replace the letters in the bags, and while this was being done they proceeded to ransack the day coach, but here they only found a parcel of goloshes, which they said were of no use to them, although Hall appropriated the paper in which they were wrapped, saying it would answer for gun wadding. The three bushrangers then got upon their horses, and informed their victims that they were at liberty to resume their journey. They waited until they saw the travellers well on their road towards Bathurst, and then turned in the opposite direction. Hall carried a double-barrel rifle, and had several revolvers in his belt ; the "Old Man" had a breech-loading rifle, and was also armed with revolvers; and Dunleavy carried an old brass-mounted carbine.

After wishing their late unwilling companions a safe journey to Bathurst, the bushrangers cantered along the bush, skirting the road, until they came to the Half-way House, which was then kept by Mr. George Asmuth. The inkeeper was in the yard when they arrived, endeavoring to drive his cow into the bail, when he was startled by a stern command to "stand!" He at once looked up and saw Dunleavy with his carbine on his arm ready to fire if he resisted or ran. Dunleavy ordered him into the house, and when he got there he found the "Old Man" standing sentry in the verandah, and Ben Hall inside ransacking the place. Having appropriated about £14 in money, a couple of watches, a bottle of Old Tom, and some food for the road, Hall went outside, and the trio were preparing to leave, when Dunleavy remarked that he had been very cold on the previous night, and Hall told him to go inside and get a

couple of blankets, which he did. The booty having been properly packed on the horses, the three robbers mounted, and were about leaving, when Hall got off his horse and re-entered the house. Handing six or seven cheques which he had taken from the mail to Asmuth, he said "Here old man, you're not a bad sort—you can ride into Bathurst quick and get some of these cheques cashed." Asmuth took the cheques saying, "I suppose you have done a good day's work sticking up the mail?" but Hall replied, "No!" at the same time exhibiting the bundle of notes and cheques to shew that it was not a very large one. A young man named Davis, Asmuth's brother-in-law, rode up while the bushrangers were at the house, and the "Old Man" demanded his money. Davis handed him £3, at the same time asking whether Hall was dead or alive, and where he was, as he knew his sister, and had travelled down the Darling in her company a short time previously. The "Old Man" informed Hall of this and he then had a conversation with Davis, after which the notes were returned to him, and the bushrangers mounted their horses and rode away. Asmuth subsequently handed the cheques to Inspector Roberts.

On the following day other persons were robbed in the same neighborhood. A young man named Paterson was on his way to Bathurst on horseback, and was leading a horse with a side-saddle. The party met him and ordered him to dismount; the side-saddle was taken from the led horse and the animal was taken possession of by the bushrangers. Paterson wished to return to Blayney as they had taken the horse from him, but they would not allow him to do so, and he brought the side-saddle as far as Evans' Plains. They went to the house of a person in the neighbourhood and ordered her to get them some tea. They then went to a hut

belonging to Mr. William Smith at Fitzgerald's Swamp, and compelled the man to put up a sack of corn for their horses. They appear to have gone afterwards to the paddock, and, cutting down the fence, to have taken three horses; one of them a fine, spirited animal, the property of Mr. T. G. Weavers. This horse subsequently made his escape from his captors and returned, and lest he should be again taken, was brought into Bathurst. They also took a black mare, the property of the Rev. T. Sharpe. They then went to their camping ground, and must have stayed there for the night within a mile of the Half-Way House, as on the next morning the police in their search came upon the camping ground and found a sack on the earth, from which the horses had evidently been fed. They also found the bottle containing Old Tom which had been taken from the inn.

Next day Hall and his mates pushed on towards Cowra, and stopped five drays which were on their way to Forbes, and one of which they compelled the driver to unload, so that they might examine the property. The first thing they opened was a case of gin, out of which they took several bottles, and compelled the drivers to drink with them; they then opened a large case containing clothing, from which they took five or six pairs of cloth trousers; they also took eight shillings from one of the drivers. When they were about leaving the man who was in charge of the team remarked that it would be useless for him to proceed to Forbes as he should not get paid for his loading on account of losing a portion of the property. Hearing this Hall enquired how much the carriage would amount to, and was informed it would be £12; upon which he produced a large bundle of cheques, and selecting two, which together made up the amount of £12 10s, he handed them to the driver. The latter, however, told Hall that they

were useless to him, as no person would cash them, Hall then took them back remarking that *he* could get them cashed and the bushrangers rode off, to next make their appearance at the residence of Mr. T. P. Grant, J.P. On finding that Mr. Grant was from home, they entered the house, broke open all the boxes, and ransacked the place from end to end taking all Mr. Grant's clothing, and destroying a number of papers and some other property. They then went to the stable and took a valuable horse, with a saddle and bridle. Returning to the house they directed the servant to get supper ready for them, of which they partook, and shortly afterwards left the Carcoar district for the Lachlan.

Shortly after this the gang came into collision with a party of police under Sir Frederick Pottinger, near Forbes, and shots were exchanged, when both Hall and Dunleavy were wounded, the latter severely, having his wrist shattered by a bullet, but the former not very seriously. The bushrangers lost their horses, but managed to escape. Two months afterwards the "Old Man" was pressed very closely and escaped from Wheogo to the Murrumbidgee, and was cleverly tracked by two policemen and Billy, the black tracker, and arrested in a public house. He was brought back to Forbes, and it is said that Hall watched him being taken into town by the police. He was subsequently sent down to Bathurst, where he was tried and convicted and sentenced on three separate charges—for the first offence, 10 years' hard labor on the roads, the first three in irons; for the second offence 10 years; and for the third offence five years, the sentences to be cumulative.

The brush with the police appears to have intimidated Dunleavy, and a report was circulated that he had asked Hall's permission to give himself up, as Vane had done, but

that Hall had refused to consent. But whether this was a fact or no, certain it is that Dunleavy did follow Vane's example, and voluntarily surrendered himself to Rev. Father McGuinn, who was at that time laboring in the Carcoar district. He sent a message to the priest saying that he desired to see him, and the priest answered the call, when Dunleavy said he was sick of bushranging life and wanted him to go with him to Bathurst and deliver him over to the authorities. The two then rode into Bathurst and the bushranger was accommodated with a cell in the gaol, where the "Old Man" already had free quarters.

The two men were called up together at the Circuit Court in April, 1865, at which Judge Wise presided, and each of them pleaded guilty—the "Old Man" to six and Dunleavy to five charges of robbery under arms.

After Dunleavy had pleaded, Mr. Dalley informed the court that he had been instructed to appear in his behalf, and desired to say a few words in mitigation of sentence, although after such a long catalogue of offences it might appear useless to make the attempt. He pointed out that the prisoner was very young, being barely 21 years of age, and urged that he had been tempted by older men who were lawless scoundrels to engage in bushranging. His career of crime had been a very short one, and he had not engaged in any act of violence; and as he had voluntarily abandoned that career and given himself up to justice merciful consideration might reasonably be extended to him.

Mr. Dalley's advocacy does not appear to have influenced the judge to any great extent, although the sentence he passed upon the young bushranger was not so heavy as that passed upon the old one. The sentence was—for one offence 10 years', and for a second offence five years' hard labor on the

roads, no sentences being passed for the offences to which the prisoner had pleaded guilty. And before the prisoner left the dock he heard a caution administered to "all whom it might concern," on the subject of bushranging generally, and a reprimand to Father McGuinn, for what his Honor considered an attempt to influence the administration of justice. Here is what Judge Wise is reported to have said when sentencing Dunleavy:

He desired that it should be widely known that all persons engaged in the commission of acts of felony were liable to be shot or otherwise killed, either in self defence or for the protection of property. Some persons were under the impression that none but the owners of the property had the right to interfere to such an extent; but that was a mistake; as while the robbers were engaged in the felonious act, the owner or any other person would be justified in shooting them or taking away their lives. Persons who were guilty of highway robbery and similar crimes, together with those who aided or assisted them in any way, were a curse to the country in which they lived, and prevented many, who would help to elevate the country to a respectable position, from taking up their abode in our midst. With reference to the cases of James Burke and Dunleavy, it was his duty to make a few remarks upon what had recently occurred. He had before him a letter which had been sent to the Colonial Secretary by the Rev. Mr. McGuinn, and he regretted exceedingly that a person filling so responsible a position as that of a minister of any church should be so ignorant as to suppose that he could by anything he could write or say, induce him, the judge, to forget his duty to the country; or that the Colonial Secretary could, or would interfere with him in any way in the discharge of his duty as an administrator of justice. The rev. gentleman had written saying, that as he had induced the prisoners to surrender themselves to justice, he hoped their sentences would be lenient, for he gave them to understand that if they gave themselves up they would no doubt be more leniently dealt with than if they continued their course until apprehended by the police. It should also be generally known that any person aiding or abetting such

men as the prisoners, or keeping secret any of their movements was liable to very severe punishment. He did not make these remarks with the view of severely condemning the reverend gentleman, because he believed it was an error of judgment on his part; but it was a very grievous error, and he mentioned the fact now in order to show that a priest had no right to interfere in the way he had done, and his Honor regretted exceedingly that such a course had been pursued in this case. It should be borne in mind that Burke was very closely pursued by the police, so closely indeed, that if he had not given himself up as he did, he must very soon have fallen into the hands of justice. The hon. the Colonial Secretary had forwarded the letter to him, and left him to deal with the case according to its merits; and he must once more say that he very much regretted that the rev. gentleman should have imagined that he could in any manner influence the Colonial Secretary or himself in reference to this case, for it should be known to everybody that no influence could be brought to bear upon the administration of justice.

The man Burke in whose interests Father McGuinn had written, was a cousin of Michael Burke, who had been shot by Mr. Keightley at Dunn's Plains, and who had been convicted, in company with another man named Mitchell, *alias* "Red Jack," of stealing two race-horses, the property of Mr. John Burton, of King's Plains, and of bushranging at Felltimber Creek. Burke and Red Jack had stolen the horses "Escape" and "Vixen" when they were being ridden home by young Joseph Burton and another lad. Subsequently they stuck up a farmer at Felltimber Creek and robbed him of a saddle and £14 in money; but a few days afterwards "Red Jack" was chased by the police when riding "Escape," and being hotly pressed, abandoned the horse and plunged into the scrub. The horse was secured and Red Jack was apprehended subsequently. Burke gave himself up to Father McGuinn at the Long Swamp, and was by him conducted to Bathurst. The two men pleaded guilty to

stealing the horses, and after trial were found guilty of robbing the farmer. Burke and Red Jack were each sentenced to 15 years' hard labor on the roads, and entered Darlinghurst at the same time as Gordon and Dunleavy.

These rather rapid developments from the choice of a bushranging life to a surrender, a trial, a sentence, and the entrance upon an almost life-long term of imprisonment, formed a powerful deterrent to other young men who may have been enamoured of the lawless life in the bush. Bushranging lost its poetry when viewed in the light of Michael Burke aad O'Meally's tragic end, or the penal servitude to which Vanv, Dunleavy, Gordon, James Burke and Red Jack had been introduced. Henceforth there were to be no more fresh recruits in the Western District Banditti, and one by one the remaining members of the gang established by Frank Gardiner were to come to the inevitable goal—the grave or the gaol for long-sentenced prisoners. But that time was not yet, as the dark chapters of this Story which follow will shew.

BEN HALL IN EXTREMITY.

Shortly after the shooting of O'Meally, Gilbert disappeared from public view, and rumour gained currency that he and Hall had quarrelled and separated. That they had separated soon became evident, as Hall committed several robberies single-handed, and was known to be acting alone. This was before Gordon and Dunleavy joined him; and Gilbert was not present at any of the robberies in which Hall and the two men named engaged.

Hall had one very narrow escape from arrest while acting

alone. He had returned to his old quarters at Wheogo, and had apparently been hard pressed, for he was almost famished with hunger, had only one boot on, and could scarcely walk when he alighted from his horse, his lameness being caused, so he said, by a bite from some insect in the bush. The man who had the station (Sandy Creek) at which Ben Hall called in this condition was named John Wilson, and was suspected by the police of harbouring Hall; and his conduct on this occasion certainly proved that he was no enemy of the bush-rangers. On the afternoon of the day in question Wilson was in the stockyard with his stockman, named Driver, preparing to brand some horses when he saw (I quote from the story subsequently told by him) a man on a grey horse approaching the yard. He told Driver he thought it was Hall, but the stockman did not agree with him, and Wilson then sent him to the dairy to make sure. He still denied that the man was Hall, and Wilson himself went to see, and at once recognised and spoke to the bushranger, who had dismounted and was talking to the dairyman. Wilson then went up to the house and Hall followed him with difficulty, owing to his injured foot, having first hitched his horse up to the garden fence. After resting some time Hall demanded tea, which was prepared for him, and having eaten a hearty meal he remounted his horse saying he must go, and telling Wilson that it would be some time before he saw him again.

On the following morning early, however, the bushranger again made his appearance and asked for breakfast, which was supplied, and while Hall was having it Wilson went out and told his stockman to get his horse ready to go to a muster on a neighbouring station. In about half an hour the man came up with his horse, but when putting on the saddle Hall asked him where he was going. The man told him "to the

muster," when Hall ordered him to take off the saddle again and threatened to "track him up" if he found that he was absent on his return. Shortly afterwards a man who had been thrown from his horse and had his collar bone broken came up and asked Wilson to send his blackfellow to catch his horse in order that he might ride in to the doctor at Forbes. Hall commanded him also to stay where he was, threatening to run him down if he left the place before he had got away. Subsequently Hall went away, but suddenly re-appeared at the dinner hour, and at once asked Wilson where the men were. Having satisfied himself that all the men were on the premises he ordered dinner, and again rode away, but only to return to take tea just before dusk. The men were all in the kitchen and Hall looked in and praised them for being good boys and not disobeying his order. After nightfall he left again, but returned next morning for the fourth time. Wilson and his men were all asleep when he came to the house, and he roused them up saying he wanted the shoeing tackle to shoe his mare. This was brought, and after he had put one shoe on the animal he returned to the kitchen and ordered Wilson to cook him some eggs for breakfast, saying he would finish the shoeing after he had had something to eat. While the breakfast was being cooked by Wilson, however, one of the dogs raised an alarm, and Hall looked out and saw two troopers and a black tracker entering the yard. Hall at once ran out of the kitchen, leaped on his mare and set off at a gallop towards the slip-rails in another direction from that where the police were coming from; but to reach this place of exit he was compelled to ride within ten yards of where the black tracker and one policman were riding. Before the latter had realised the situation, Hall had nearly passed them, but then they saw who he was, and the

trooper fired, calling upon the black boy to do likewise. The shots did not tell, however, neither did the fire which Hall returned from his revolver, he having no larger firearm about him. There was a short and fruitless chase, for Hall was on a horse that was a splendid goer, and he soon out-distanced his pursuers, who returned to the station and demanded Hall's rifle, which they said he must have left behind. Wilson denied that Hall had any rifle when he came there. The troopers then searched the place, but no rifle was to be found, and disappointed at losing Hall they arrested Wilson for harbouring him, at the same time telling him to get his horse and go with them. This he did, and very shortly thereafter was being escorted to Forbes in custody.

Meanwhile Hall was not far off. He had doubled back, and was watching the movements of the troopers from a convenient "rise" in the ground, no greater distance than 150 yards away. The police did not see him, but Wilson did, and in reply to a statement from one of the troopers, when some distance along the road, to the effect that they had at any rate sent Hall some distance for his breakfast, Wilson informed them that if they sent the tracker back he would find the hoof marks of a horse with only one shoe on at the spot indicated. But the police would not believe him, and pushed along the road with their prisoner.

In less than an hour after the troopers had left the place Hall re-appeared, much to the surprise of the man who remained in charge. He led his horse up to the kitchen and said to the man "Good morning, old fellow. I have been watching them take my cook, and must now finish cooking my breakfast myself." He then breakfasted on five eggs with bread and butter, and two pints of coffee, and then finally departed, leaving a message for the police that he had

been back to secure the meal of which they thought they had deprived him.

A few days afterwards Hall visited Elliott's residence at Wowingragong pound, and threatened to burn the place down; but after staying there for two or three hours and having refreshment he took his departure.

Hall next made his appearance at the Bland, where, still single-handed, he stuck up Mr. Chisholm. Riding up to the house he dismounted, and having fastened his horse to the fence enquired for "the master," who being within came out to interview the caller. Hall at once commenced operations. He told a female who was present to bring him some saddle straps, and they being furnished he, with a revolver in one hand, fastened Mr. Chisholm's hands behind his back. The bushranger then drove the two (Mr. Chisholm and the woman) before him to the stable, where the racehorse Troubadour was quietly feeding. Hall told Mr. Chisholm he wanted it, as his own had gone lame, and he must have it. Mr. Chisholm begged Hall not to take the horse, and he would not object to his having anything else he might fancy, but the bushranger was obdurate, and took a couple of pack horses also, for the purpose of carrying some clothes, horse furniture, &c., which he had stolen from the store. He rode away on the racer, leading the other horses. Mr. Chisholm gave information to the police stationed at Young as early as possible and they proceeded in chase with the usual result.

A RAID UPON RACEHORSES.

A month had not elapsed before the western world was startled by the news of another sensational attack, which disclosed the fact that Hall and Gilbert had again come together, and that Johnny Dunn had fully cast in his lot with them. As

previously stated, the bushrangers were as anxious to obtain good horses as they were to secure good firearms, and several well-known racehorses had been stolen from their owners during the months preceding the stealing of Mr. Chisholm's Troubadour. They were invariably well mounted, and the speed and endurance of their steeds were frequently put to the test by the hurried journeys from one place to another, the gang not infrequently covering 80 or 90, and on one or two occasion fully 100, miles in the twenty-four hours. None but good horses would suit them and none but good horses would they have ; and these they were repeatedly changing, having fresh mounts always available in favored spots. Race horses were the game they sought when Gilbert and Dunn sallied out with Hall on the road between Cowra and Young.

Races had been fixed to take place at Young, and no less than five race horses had been despatched from Cowra to take part therein, the five being noted horses of their day, and the names of which—Dick Turpin, Jemmy Martin, Duke of Athol, Hollyhock, and Bergamot—will no doubt be familiar to many in the western and southern districts even at the present day. The knowledge that the bushrangers were somewhere in the Lambing Flat neighbourhood had made the owners of these horses more than ordinarily careful ; hence they travelled together, and as Troopers McNamara and Scott, of the Bathurst mounted police, had, on the day of their starting, arrived from Bathurst, they accompanied the racing contingent. As the sequel shewed, it was well for all parties that the troopers were with the party, they having donned plain clothes for the journey.

Arrived at the Koorawatha Inn, Bang Bang, a temporary halt was called, and the horses having been properly stabled the party proceeded to take their ease in the verandah of the

inn. While sitting here in peaceful enjoyment and doubtless indulging in horsey talk, they were suddenly startled by the appearance of three splendidly-mounted men, who without ceremony rode up to the verandah, and covering them with their revolvers called upon them to throw up their hands. This they did as a matter of course, and while Hall, who was well-known to one or two of the party, stood guard over them, his two companions, Gilbert and Dunn—although the latter's identity was doubtful, and he was thought to be a ticket-of-leaver named Long White—rode to the gateway leading into the yard. Here the two troopers were busily engaged grooming their horses, which were standing in the yard unbridled and feeding. They were startled by hearing a voice commanding them to "leave them horses," and to find themselves covered by a carbine and revolver.

The troopers not immediately complying with the request, one of the bushrangers, flourishing his revolver, again exclaimed "I say once more, leave them horses!" On this Scott and McNamara put their hands to their belts to draw their revolvers, when Gilbert said "Take your hands out of that you —— wretches, or I'll blow your brains out;" and immediately fired three shots, but without effect. The troopers, who were only armed with revolvers, returned the fire; and after receiving seven shots in this manner at a distance of thirty yards they advanced towards the bushrangers (who had not dismounted from their horses) two of whom, Hall and Dunn, slowly retreated, while Gilbert continued a cross-fire from the fence. On the police reaching the fence, however, Gilbert joined Dunn, and while McNamara kept these two at bay by standing at the gateway leading into the yard where the horses were, Scott pursued Hall up the road, both parties firing at each other at intervals, Hall

firing shot after shot from his revolver, resting it on his thigh after each fire, and the trooper deliberately aiming at the bushranger by resting his weapon on his left arm. One of Scott's shots appeared to have taken effect; at least the hat of the bushranger was knocked off, and at the same instant he put his hand to his head giving expression at the moment to an execration. Hall having now got out of reach, Scott returned to the house, when Gilbert and his mate, who had been hovering round, dismounted at the back ot a fence at a distance of about 350 yards, and with the greatest coolness imaginable the former pointed his carbine at Scott and fired, saying as loud as he could speak "Take that you wretch." The ball struck the ground close to where the constable was standing and richocheted into the public house, but without doing any injury. The bushrangers now retreated to a distance, and after firing a final shot, left altogether. They had fired between 25 and 30 shots during the action, and the troopers, who had reserved their ammunition for closer quarters, only nine. On leaving, Hall called out that they would come again directly, and this the police fully expected they would do after reloading their pieces. They therefore made every preparation for giving them a warm reception, barricading the doors and loading with slugs the only available weapon in the house—an old double-barrelled gun—and as early as possible despatching a message to Cowra for assistance. The encounter occupied about fifteen minutes.

A vigilant watch was kept until midnight, when Sir Frederick Pottinger arrived with four troopers from Cowra; but as nothing further occurred during the night two of these were sent back in the morning. Shortly after daybreak the two troopers, Scott and Macnamara, proceeded to Young with the race horses, where they arrived in safety at 5 o'clock in

the evening, while Sir Frederick scoured the bush in the neighbourhood in the hope of meeting with the gang; but, as a matter of course, without succeeding.

On the news reaching Young police station Inspector Singleton at once dispatched a party in the direction of the scene of action, and an intimation having been received that a visitation from Messrs. Hall and Company might be expected any hour at the racecourse, for the purpose of seizing some of the crack horses while taking their "breathings," a detachment of police was "told off" to do duty on the course up to the termination of the race meeting, and a police escort accompanied the horses on their departure from this very "disaffected" district. Such was actually the state of the southern district at this time that a race horse could not be removed from one township to another a few miles distant without an armed escort!

The bushrangers each rode splendid horses and were each armed with several revolvers and a carbine or rifle. That their object in making the attack was to secure possession of the race horses there could be no doubt, but they had evidently not counted upon meeting the police, the travelling costume of the latter not being of the regulation pattern having doubtless deceived them. To the plucky conduct of troopers Scott and McNamara was owing the frustration of the bushrangers' designs, and had they been able to utilise their horses at the time the probabilities are that one or other of the daring trio would have been captured.

AN UNINTERRUPTED RUN.

So many outrages were committed by the gang during the six months following, despite the efforts of the police to

check them that the residents of the infested parts began to despair of the gang ever being broken up. The bushrangers laid their plans and carried them out with remarkable skill, circumventing the efforts of the police at every turn, and leading them a dance which must have been most irritating and exhausting.

Shortly after the unsuccessful raid at Bang Bang, Hall and his mates re-appeared at Canowindra. They entered Messrs. Pierce and Hilliar's store, and as they could only find a few pounds in money and Mr. Pierce persisted in saying that there was no more in the place, they became enraged and threatened to shoot him. After packing up a large quantity of the goods they treated their victim roughly, and before leaving burned the ledger in which was a great number of unpaid accounts. On leaving with the stolen property they compelled Pierce to go with them for some distance into the bush, and having strapped him to a tree, left him to liberate himself as best he could, and then rode off. The unfortunate storekeeper remained tied in the bush for some hours, but eventually freed himself and returned to take stock of the property that had been stolen. He and his partner then began to consider whether it was not time for them to leave Canowindra, as the bushrangers seemed to have a decided preference for their store, and the chances were that they would return again and again.

On the following night Hall and his mates revisited the homestead of Mr. Rothery; but they found the house so well prepared for them that they were afraid to attack it. They, however, secured three or four of Mr. Rothery's horses, and then set fire to a stack of hay, containing about fourteen tons, which, with a large shed, was entire consumed. The gang took nothing but the horses. After they had left Mr. Rothery

sent a messenger to Carcoar, a distance of fourteen miles, with intelligence of this attack, when a number of police started at twelve o'clock at night ; only to return again after an unsuccessful search for the iniquitous marauders.

Then for a space that locality had rest. The bushrangers had operated sufficiently long in the Young and Carcoar districts to draw the main body of Western and Southern police thither, and this done they suddenly shifted ground, making their appearance near Yass, about three days' ordinary journey distant. One of their first exploits in the locality was sticking up the coach that ran between Young and Yass. There were only two passengers on the vehicle—Mr. Abraham Cohen, of Yass, and Mr. Michael Curran, of Goulburn. Catching sight of three horsemen bearing down upon them from the bush skirting the road, the passengers called upon the driver to put his horses to speed, in the hope that they would be able to secret their money and valuables before the horsemen caught up to the coach. But Hall and his mates followed close up and commanded the passengers to sit quite still and not move their hands, at the same time calling upon the driver to pull up. The coach having stopped, the passengers were ordered to alight, which order they obeyed with alacrity. From the driver they took twenty-one pounds in notes, a nugget pin and a ring, but his watch, being an old one, was returned to him. From Cohen they took between £3 and £4, but could find nothing upon his companion. For two hours the coach was detained, as Hall said he expected other travellers to pass, and that expectation was realised. A horseman and a carrier coming along the road were stopped and overhauled, each of the bushrangers taking from the loading on the latter's dray an assortment of clothing and other things. During a conversation with the driver of the

coach Hall said that he had been ill from fever and quite laid aside for a time, and that Gilbert also had been unwell, but that both of them were now prepared to do roadwork of any kind, from stripping a solitary traveller to a brush with a party of police.

Shortly after the coach had been permitted to resume its journey a man named Barnes, who appears to have had some previous acquaintance with the bushrangers, met with a peculiar experience at their hands. He was driving a carriage along the road when Hall and his mates intercepted and at the same time recognised him. Telling him to get out of the vehicle they reminded him that he had made himself remarkably officious as a special constable at Goimbla after O'Meally had been shot, and threatened to burn the carriage and it contents; but upon Barnes telling them the vehicle belonged to a Mr. Patterson, against whom they had no cause of complaint, they abandoned that intention. Gilbert then proposed to lynch Barnes on the spot and for that purpose procured a rope from the carriage and made a noose at the end: but Hall intereeded and suggestsd that they should use the end of the rope as a "cat," and give their victim "two dozen on the back." Barnes was accordingly flogged as he stood, the rope-end being lald on so vigorously as to raise large wales on his flesh; and after receiving his "gruel" he was allowed to depart.

After leaving this part of the road the bushrangers proceeded to lay in wait for the mail from Binalong to Yass; but a party of police happened to be on the road in advance of the mail, and seeing a camp fire near the road, they turned off to inspect. A surprise awaited them, for as they rode forward they were challenged, and on their replying "The police," a volley was discharged at them, and before they could recover

from their surprise, the bushrangers—for the campers were Hall and his mates—had mounted their horses and were galloping off. The police at once fired and gave chase, but the darkness and the superiority of their horses favored the bushrangers, and they escaped. Each of them was mounted on a stolen racehorse, three of the animals being recognised by the police as Harkaway, Teddington, and Troubadour, the latter being used as a pack horse.

The police reported that one of the number was very close to Hall when he fired his revolver, and that the flash covered the bandit's face, and it was believed that he had been seriously wounded. It was subsequently reported that when galloping through the bush in the endeavour to escape Hall came into collision with the branch of a tree, and was injured and thrown, his horse getting away, and his mates not staying to assist him, believing that he had been shot. Some color was given to the report by the discovery, on the following day, of a horse, saddle, and bridle, a gun, and hat, there being in the crown of the hat a likeness of one of Hall's former companions. It was also reported that the leader of the gang was seen riding by himself on the day after the encounter, mounted on a draught horse, and with a handkerchief bound round his head; and that the Yass police subsequently followed the tracks—far behind them, as may be supposed—to within a few miles of Burrowa. A report was widely circulated about this time to the effect that Hall was dead, but he soon proved that he was still very much alive by assisting his mates in the perpetration of further outrages in the same district.

Among other travellers stopped on the road were two gentlemen—Messrs. Chisholm and Jones—who were on their way from Wagga to Goulburn, on business connected with

the Assizes which were then being held in the last-named town. After taking the few pounds they had upon them the bushrangers allowed the travellers to proceed on their journey, intimating that they were on the look-out for larger game, in the shape of the Yass mail, which they expected to arrive at any moment. But the floods had delayed the mail and the bushrangers went to meet it. Three were three passengers, Germans, from whom they took about £10, but a gun which one of the Teutons carried they refused to appropriate, finding that it was a very indifferent weapon. They were disappointed about the mail, none of the bags from beyond Yass having been brought down owing to the flooded state of the rivers. They opened all the letters in the few bags *en route*, however, but only found one with anything of value in it, and that one contained only half a £5 note. This they appropriated, remarking that they might find another half to match it in some of the mail bags which they intended to manipulate in the future. Having returned the bags with the opened letters to the coachman they allowed him to depart; but upon his intimating that he might drive back to Gundagai Hall told him that if he attempted to turn he would cut the reins. A few days later they stopped the same mail when some eighteen miles from Goulburn, and after emptying the bags they accompanied the coach to a roadside inn and treated the mailman and passengers to drinks. They complained that all travellers on the roads appeared to be poor men, and that they had not made one good "haul" on the road for some time.

The traveller who carried much money about him during this reign of terror invited loss, and all manner of dodges were resorted to by those whom business called to travel to secrete money and valuables about their persons, their

horses or their vehicles, in order that the bushrangers might not find it, should they happen to be stopped on the road. I was acquainted with one carrier who proved a man of ready resource in this direction. He had delivered a load of goods to a storekeeper in one of the larger towns and had received a large sum in payment, carriage at that time being high. He was afraid to trust his treasure to the mail, and equally afraid to carry it about his own person; and having obtained some back loading, the night before starting on the return journey he unhooked the grease-horn which swung under his dray, and having emptied it deposited the money in the bottom and then replaced the fat. It proved a safe bank, and when he reached home his "plant" of sovereigns was sound, though greasy. Had the bushrangers molested him on the road—which they didn't—they would not have thought of looking in the dirty grease-pot for booty.

THE SHOOTING OF SERGEANT PARRY.

So rapidly did mail robberies follow each other on the Southern road that the authorities determined upon sending police guards with the coaches carrying the principal mails through the infested districts, the object of establishing such escorts being, no doubt, two-fold: to protect the mails, and to secure a meeting between the police and the bushrangers. The last-named object was accomplished, and with fatal results to at least one member of the defending force.

Early on the morning of 17th November, 1864, Hall, Gilbert and Dunn appear to have resolved upon "making a day of it" on the main road near Jugiong, and they accordingly took up their station and prepared to stop all and sundry who passed along. Before many hours had passed

they were standing guard over a motley group of scared mortals, many of them residents of the immediate locality, in a spot just off the main thoroughfare. They bailed up people in buggies, drays and carts, horsemen and pedestrians, "without respect of persons," and for the time being well-dressed men of means were compelled to rub shoulders with dust-begrimed carriers and unkempt swagsmen, while ladies —to be very correct, there was only one—had to stand cheek by jowl with loose-robed Chinamen, the whole number of "stuck-up" people—the term is used in its then popular, if not proper sense—bordering upon three score. And over this little army sometimes three and sometimes only one of the bushrangers stood guard. Each individual as he was brought on to the camp—there is no record of the lady having been subjected to any other indignity than that of being compelled to herd temporarily with Chinamen—was called upon to give up everything in the shape of treasure, a call to which each responded without open or audible demur. The reason of their being kept thus together was obvious. If any of them had been permitted to enter the town the presence of the gang on the road would have been made known before they had accomplished their primary object, which was to intercept the mail from Albury to Sydney. Hence all must wait until the mail arrived. But while thus waiting the prisoners were treated to a rather sensational diversion. Constable McLaughlin, of the Gundagai police, was seen approaching riding one horse and leading another, and Gilbert at once rode out to him and called upon him to surrender. The constable was taken by surprise, but he was not altogether dismayed, for instead of yielding he dropped the reins of the led horse, seized his revolver, and fired at Gilbert. The latter returned the fire and then sud-

denly wheeled and rode back a short distance, upon which Hall pressed forward and fired, McLaughlin replying with another shot from his revolver. In the rush forward Hall's horse stumbled and Dunn then rode up and fired at McLaughlin, who having discharged the six barrels of his revolver was unable to continue the fight any longer, and was compelled to surrender. The bushrangers had fired nine shots at him, but none of them took effect. Having disarmed their uniformed prisoner, who had certainly displayed a considerable amount of pluck in keeping up the fight against the three members of the gang, they added him to the congregation of now trembling victims on the roadside, and ordered quiet, as they expected the mail coach.

Shortly after this the Gundagai mail was seen approaching, and the bushrangers prepared to make an attack. But as it happened, there was an escort with the coach, and the first shot was fired at the bushrangers, and not by them. There were on the coach at the time Constable Roach, of the Yass police, who had gone as guard of the mail on the previous day to Gundagai and was now returning to his station, and Mr. Rose, Police Magistrate of Gundagai; while two mounted troopers, Sub-inspector O'Neil and Sergeant Parry, of the Gundagai police, acted as the escort. When the bushrangers were first sighted the two troopers were riding together behind the coach, a short distance from it, but on a pre-concerted signal being given they galloped forward to the front and at once engaged the bushrangers, O'Neil confronting Hall and Dunn, and Parry exchanging shots with Gilbert. When the mail first came into view Hall said to his mates, "There's a —— lot of traps with it," but Gilbert said, "No, there's only two, let's mob them," and Hall replied, "Let's us have down hill for it." The bushrangers were on a rise and they at once

charged down hill, meeting the two troopers before coming to the coach, as already described. As soon as they came within shooting distance, firing commenced. Gilbert called upon Sergeant Parry to surrender, after the latter had fired two or three shots from his revolver, but as the latter still continued to blaze away, the bushranger took more deliberate aim at him with his gun, and firing, shot his opponent clean through the breast. Parry fell dead from his saddle. By this time O'Neil had pretty well expended his stock of ammunition, and seeing his companion fall before Gilbert's fire he surrendered and was conductrd to the "camp," where the other prisoners still stood watching the proceedings and afraid to move.

On the termination of the fight Gilbert looked at the dead body of Parry and said to one of the by-standers "I am sorry for him, for he was a brave fellow; I don't like to shoot a man, and he's the first man I ever shot, but I can't help the unfortunate fellow now." Then turning to Constable McLaughlin he said "How would you like a cove like me after you? See what that —— fool has got for not standing."

Meanwhile the coachman had retained his seat, as also had the Police Magistrate; but Constable Roche had slipped out behind and disappeared in the bush, acting upon the maxim that discretion was the better part of valour. It subsequently transpired that the Police Magistrate had commanded him not to fire from the coach and had advised him to get behind a tree within firing range of the bushrangers; but finding that one of his comrades had baen shot and that the other had surrendered he disdained to fire upon the victors and took to his heels when they were too busily engaged to observe his actions. And after all his conduct was only on a par with that of the Police Magistrate, whose orders for the time being he was bound to obey. Both

magistrate and constable were afterwards called to account for having shewn the white feather.

As soon as O'Neil had been disarmed one of the bush-rangers rode up to the coach and ordered Mr. Rose to throw out the bags, an order which he obeyed with alacrity; and after they had been cut open and all the money letters extracted, Gilbert permitted the fragments to be gathered up and replaced in the coach. The mail was a heavy one, and the gang made a good "haul" from the bags, in addition to about £100 gathered from the parties whom they had previously bailed up on the ground. McLaughlin begged to be allowed to go down the road and see if he could do anything for Sergeant Parry, and Gilbert said "Yes, you can go and see what you can do for the unfortunate man." When McLaughlin reached the spot where the sergeant had fallen be found that his late superior officer was quite dead, the ball which killed him having entered at the left shoulder and passed clean through the right breast.

Shortly afterwards the bushrangers left, but befoe gallop-ing off they informed O'Neil that they intended to rob the mail next day also, and told him to send as many police as could be got together and they would fight them all.

Parry's body was placed upon one of the drays and taken to Jugiong, where a magisterial investigation was held by Mr. Rose, and a verdict of wilful murder was returned against Hall, Gilbert, and Dunn, for whose apprehension warrants were there and then issued. The driver of the coach from Jugiong met Sub-Inspector Brennan and two mounted men about four miles on the Yass side of Jugiong, and informed him of what had occurred. The police rode on to Jugiong and endeavoured to find the tracks of the bushrangers. Dark-ness prevented much being done, and the sub-inspector and

his men, most unaccountably to those unacquainted with the secret causes which influenced police movements, returned to Yass, where they arrived at nine o'clock on the following (Thursday) morning.

On the mail reaching Yass on Wednesday night, Sergeant Scully, who was in charge of the force in the absence of Sub-Inspecter Brennan, at once despatched five mounted men, four of whom were connected with the Goulburn force and had reacked Yass the previous day after an eight days' unsuccessful search for the whereabouts of the bnshrangers; but the gang had disappeared and no traces of them could be found.

The shedding of Sergeant Parry's blood appears to have made the gang more determined than ever in their attacks. They knew that they could not expect any mercy if they fell into the hands of the authorities, and yet they were careful not to unnecessarily expose themselves to danger from the bullets of their adversaries. If they had any choice in the matter they would have no doubt preferred death in the manner in which Burke and O'Meally had met theirs—at the hands of persons outside the police force; but evidence was not wanting to prove that they would gladly have escaped altogether if escape had been possible. During a conversation which Hall had with Mr. Hayes, a Wagga resident, whom they had stopped on the road, the bushranger asked if he had seen anything of the Bishop of Goulburn, who was then travelling across the country. Hayes said he was ignorant of the prelate's movements, but believed he was at Gundagai. Then Hall inquired whether Mr. (afterwards Sir) James Martin, Attorney-General, had gone up to Tumut, and upon Hayes saying that he did not know, Hall said he

intended to bail up both the Bishop and Mr. Martin and hold them in custody until the Government granted him and Gilbert their liberty. He said it was not his nor Johnny's intention to hurt a hair of either the Bishop's or Martin's head, unless they were compelled to act on the defensive, and that would only be should the Government prove so obstinate as to refuse the terms proposed and attempt a rescue. He thought it was a capital idea to have the head of one of the churches and the Attorney-General prisoners, and if he had the chance he would act in the same way towards the Governor. Mr. Hayes remonstrated with him upon the cruelty of his proposal, begging him not to interfere with the Bishop, who was a messenger of peace, whatever he might do with Mr. Martin. Hall said his mind was made up on the matter, and he and Gilbert were living, night and day, in jeopardy of their lives, and they knew not how soon they might be shot down openly, or betrayed by those who showed them friendship, and whom they had served better than they had served themselves. He urged in defence of what he intended to do, that it was no more than what any man under equally trying circumstances would resort to. It was the toss up between hanging and liberty; and he jocosely said he much preferred the latter, and therefore had made up his mind to work on the Government by capturing some "nob" who had interest enough to regain his freedom at the cost of a pardon to him and Gilbert. During the couversation Dunn's name was not mentioned, and therefore it is probable that the two great captains of "brigade" had not taken him into their full confidence. Hall spoke quite calmly, and seemed as if he was thoroughly acquainted with the movements of the Bishop of Goulburn, as he said that he understood he would soon be at Wagga Wagga. He knew Mr. Martin was to go to Tumut

for re-election, and was quite amused at the idea of holding the Attorney-General as a hostage.

MACLEAY TO THE RESCUE.

After the shooting of Parry, however, Hall and his mates deemed it prudent to get right away from the district and to keep away, for a time, at least; and they were next heard of as having crossed the Lachlan, making for their old quarters near Canowindra, and subscribing towards some races that were to be held at Bandon. They kept very quiet, however, and did not engage in any sensational exploits; and while the police were making efforts to discover their hiding place in this locality, they suddenly re-appeared on the Goulburn and Braidwood side.

And in one of the first attempts made by them on this return visit to hold the road the proceedings were rendered remarkable by the bravery of Mr. William Macleay, who proved that even one determined man was a match for the bloodthirsty trio who managed generally to hold the road against scores. Here is the story :—

Mr. Macleay had been to Wagga Wagga and had reached Goulburn on his return journey to Sydney, when he heard that Hall, Gilbert and Dunn were on the road in advance of him, and that they had held the road for several hours that morning near Towrang, successfully sticking-up a large number of people. But he was not to be deterred from prosecuting his journey, and proceeded along the road in his buggy, a boy being his driver. On reaching Towrang, and at different places on the road, between that place and Shelly's Flats, he was told that the bushrangers were riding leisurely along the road ahead of him, but he saw nothing of them

until he sighted the hill which looks down upon Plum's inn, at the Flats just mentioned. Some half mile or so from the top of the hill he met the up-coach, and was informed by the passengers that they had just been stuck up and then allowed to proceed on towards Goulburn. They pointed out to Mr. Macleay the bushrangers on the hill, where there were some teams and a number of people stuck up, and endeavored to persuade him either to return, or at all events to send his arms (a Tranter revolver and a Tranter revolving rifle) back in the coach to Goulburn, as he could scarcely contend one against three. Mr. Macleay, however, preferred to go on and keep his arms. When he approached within three or four hundred yards of the bushrangers, who were dismounted and apparently engaged in ransacking some cases taken from the drays, he got out othis buggy and told the boy who was driving to drive the horses slowly along the middle of the road, while he, with rifle in hand, walked on the right hand side. The bushrangers appeared to take no notice (although they must have seen him before this) until he got out of the buggy and walked towards them in the manner described. They then immediately discontinued what they were engaged in, mounted their horses, and cantered into the bush on the left hand side of the road. Mr. Macleay walked on to where the persons were stuck up, and inquired whether they had not been stuck-up. To this question he was unable to obtain any answer, as the people appeared afraid to give him any information. He then proceeded down the hill towards Plum's (half a mile off), still walking, and the boy driving the buggy, and reached the bottom of the hill without seeing anything more of the bushrangers. At that point the land was cleared on both sides and fenced in. Mr. Macleay then got into his buggy, about 300 yards from Plum's, and

told his boy to drive on rapidly to the inn. He had scarcely entered the buggy, when two of the bushrangers rode after him from the left hand side of the road, and one of them fired at him, without effect. On his reaching Plums, he found a number of persons collected there, on the occasion of a wedding, and while he was speaking to them, the bushrangers dismounted at the corner of a paddock on the road side, near the spot where he was when they fired at him, and remained there for a few moments, apparently in consultation. Mr. Macleay was anxious to get Plum's verandah cleared of the people, most of whom were females, before he commenced any encounter ; and as soon as this could be done, he went to the corner of the verandah to fire at the bushrangers, who, as soon as they saw what he was about, mounted their horses and rode off. Mr. Macleay fired one shot at them, apparently without effect. He saw them no more ; but ten minutes after they had ridden off two troopers from Marulan came up and shortly after them four more from Goulburn, and these immediately set out in the direction taken by Hall and his mates, but they did not happen to come up with them.

The news of Mr. Macleay's daring movement reached Sydney before him, and he arrived at home to find his praises being loudly sung in public. This is what the leading metropolitan paper said about him and his action :—" The courageous conduct of Mr. Macleay in deliberately seeking an encounter alone with these three most desperate ruffians, one of whom has so recently murdered one of the police, is deserving of all praise. When we read of their sticking-up parties of thirty, forty, and fifty persons with impunity, and without any attempt at capture or resistance, it is refreshing to find one man refusing to allow them to bar the highway, and marching past them with a determination to fight rather than

yield. Mr. Macleay has set a great example to the people of this country, and we trust before long we shall find that many will be found who will have the pluck to follow it. Should that be so, the reign of Hall and his gang will soon be over. So long as the public will allow themselves to be penned up like sheep by these marauders, so long will sticking-up be the order of the day; but when they find they are liable to be met by armed travellers, possessed of sufficient determination to defend themselves, they will soon discover that highway robbery is not the pleasant pastime which it has hitherto proved." There was a good deal of truth in the sentiment expressed by the Sydney scribe; but he had evidently never met the bushrangers, and did not understand how keen a watch the latter kept upon the movements of the few or many who were "penned up" by them. It was a most risky thing for a man or a company of men to make even a show of resisting the three ruffians who had more than once proved that they had no scruple about taking life upon the slightest provocation. It was not remarkably strange that every person bailed-up submitted quietly to the "penning" process as soon as they found themselves looking down the barrel of a revolver or a rifle, the butt end of which was held by a man whose hands were still red with the blood of his fellows.

THE MURDER OF CONSTABLE NELSON BY DUNN.

Another month of unsuccessful activity by the police passed away, and still the bushrangers were working in the Southern district. Mail robberies again became frequent, and every day brought forth some fresh case of highway

robbery. Towards the end of February, the Goulburn police came into actual collision with them and very nearly succeeded in effecting a capture. It was in this way :—A party of police from that station, accompanied by a local justice of the peace, Mr. Huthwaite, had been following the gang from place to place in hopes of coming up with them, and early one morning they arrived at Lodge's Inn, near the second Bredalbane Plains—the landlord of the house being at the time in custody at Goulburn, charged with being an accomplice of the bushrangers. They found some twenty-six persons at the inn, including several well-known bush telegraphs. These were detained ; and upon what was subsequently learned the police determined to rush a place in the neighbourhood known as Burns', and arrangements were made accordingly. Two constables were left with the horses, and Mr. Huthwaite and five of the police surrounded the house and barn, the two buildings being fifty yards apart. Two policemen got to the barn door, which was open. Detective Pye, advancing some few paces, cautiously looked in, and three shots were instantly fired at him. He and trooper Wiles stood at the opening and fired ; the flashes enabling them to see four men inside the barn. When the firing was heard Mr. Huthwaite and the police with him at the house rushed up ; but the bushrangers were at that time making their escape through an opening over the slabs at the end of the barn not known to the police. When the offenders got out they dispersed, and it being then dark, they were soon lost sight of in a field of maize and log fences, which facilitated their concealment. The police kept firing as long as they could see the bushrangers ; and the horses being brought up, some of the men mounted and made search in every direction, but without success. Hall and Dunn were supposed to have

been wounded. Trooper Wiles was shot through the leg and hand almost at the commencement, and a vehicle was subsequently sent out to bring him to Goulburn. The police recovered, in a small yard adjoining, two saddles, a double barrelled gun, and a poncho. Burns, the owner of the place, was in bed drunk, and resisted the police when they entered, and he and his two sons were arrested, and afterwards punished for harbouring the bushrangers.

It was afterward reported that Gilbert and Dunn, after making their escape, called at the house of a farmer named Purcell, about a mile and a half from Burns' house, and took two horses, saying that they were chased for their lives and must have them. Hall was not with them—a fact which tended to confirm the opinion of the police that he was wounded in the encounter. It was reported that the bushrangers were seen at Tarlo on the following morning; but this was not confirmed. A day or two afterwards a man in the employ of Mr. Lodge, while out looking for a horse came across a number of letters in the bush. He gave information and Captain Zouch proceeded to the spot, where he recovered as many letters as were sufficient to half fill a three bushel bag, and drafts and cheques to the value of about £7600. The place where these were found was about a mile and a half from Burns' house.

Passing over other smaller occurrences, we next find the three bushrangers at Collector, at which place Dunn committed a murder of the most atrocious kind and in such a cold-blooded and diabolical manner as stamped him as the worst of the three men who had abandoned themselves to a studied course of robbery and murder. The crime of which Dunn was now guilty was the shooting of Constable Nelson, not in fair fight, but before the unfortunate man had any opportunity

of raising a weapon in self defence. This part of the story may be told in a few words.

On the day in question the gang took complete possession of the road near Collector, and stopped no less than twelve carriers with their drays, keeping them together in a crowd while they overhauled the loading, one or the other of the bushrangers keeping a look-out for other travellers, and bringing such as chanced to come near up to the "camp," until there were about 30 under their charge. From these they took various amounts ranging from 2s 6d up to £11 12s, together with such watches and other valuables as pleased their taste. They broke open several of the cases and helped themselves to bottled porter, biscuits, &c., and added to their arms a good double-barrel gun that was among the goods. While the bushrangers were thus engaged Judge Meymot passed the spot on his regular [circuit work, attended by the regulation escort—two troopers on horseback. He saw one of the bushrangers, and so did the troopers, for Gilbert rode out from the bush and one of the troopers immediately started in pursuit. But the judge wouldn't have it so and called him back, and as the bushrangers did not appear to think it worth while to attack the judge, he with his escort reached Collector without molestation. The local police were at once apprised of the nearness of the bushrangers and at once started out in search, attended by the two troopers who had acted as escort to the judge, and by a magistrate and a civilian. But the bushrangers had in the meantime shifted ground, and shortly after the search party had left the town they entered it and proceeded to stick up Kimberley's inn. Among the persons who had previously been herded and robbed in the bush was a boy named Nelson, son of a constable in Collector, and this lad they took with them when going into town, also four men,

farmers, whom they met near the outskirts. Before reaching the hotel Gilbert said to Hall, "Ben, you had better go on;" and having reached the inn the three dismounted and ordered the boy to hold their horses, telling him if he let one of them go they would blow his brains out.

Thomas Kimberley, the landlord, who was at this time sitting in a room a little off the bar, hearing a disturbance outside, rose and proceeded towards the door, when he was met by one of the armed men who presented a "pepper-box" revolver at his breast. At this man's order Kimberley was directed to come outside, he obeyed, was searched, and with the other persons, was commanded to range up by the wall at the front of the house. Ben Hall and Gilbert then entered the house, one going up stairs, and the other into the store, Dunn being left outside. Mr. Edwards, the Clerk of Petty Sessions, was coming up on horseback, when Dunn, perceiving him, mounted his horse and pursued and fired upon him. When Dunn returned, he said there were constables coming, and exclaimed "Call Ben Hall down stairs." Hall came down with two guns in his hand, one of which he gave to Dunn, saying "You go outside; you can manage them, Jack." Dunn went away a second time on horseback, but returned and warned the boy not to let the horses go.

The statement made by Dunn that there were constables coming was not absolutely correct, for one had been magnified into many. A solitary constable—Samuel Nelson, the one man of the force who had been left in the town—had heard the firing, and rightly concluded that the bushrangers were near at hand. Seizing his carbine and fixing his bayonet he at once proceeded in the direction of Kimberley's hotel, walking smartly along the road by the fence. Had he but known the danger that threatened he might have endeavoured

to approach the place less openly, but, ready for duty and anxious to do it, the brave but unfortunate man did not think of danger; and thus he walked right into the jaws of death.

Taking the gun which Hall had handed to him, Dunn sallied forth, anxious, no doubt, to shew that he could "manage them." Passing hurriedly down to the corner of the fence, about ten yards from the house, he stooped behind the fence, and in a crouching position, with gun at the "ready," awaited the nearer approach of the hurrying constable. Almost out of breath with the haste which he had been making, Nelson approached within ten yards of the place where Dunn had taken up his position, and as he drew near the bushranger pulled out his revolver and suddenly jumping up cried out "Stand! Go back!" at the instant firing his revolver. The shot took effect and poor Nelson staggered, still intent on duty, towards his assailant, at the same moment calling out "Stop!" But before he could recover himself, Dunn had raised his rifle and fired, and Nelson fell to rise no more, shot through the heart. Another of the constable's sons, who had followed his father from the lock-up, here made his appearance on the road, and was at once pursued by Dunn, but he managed to make his escape; and then the murderer, without even looking at his victim, returned to his companions at the inn. He had indeed "managed them," and perhaps exactly after the manner intended by Hall when he handed him the rifle and gave him the commission.

Having finished his bloody work, Dunn returned to the front of the house, saying, "I've shot one of the b—— traps, the other has bolted." Upon this Hall and Gilbert came out of the inn, and the former said they had better go and see who it was. They did go, and after inspecting the still warm

corpse, Gilbert took the police belt from it, saying as he did so, "It's just what I want, I've burst mine;" and Dunn then took his carbine. They then brought a lot of things out of the house—boots, clothes, &c., packed them upon the horses and rode off.

Subsequently the police who had gone out sighted them on the brow of a hill and immediately gave chase; but the bushrangers leaped their horses over logs and plunged into the bush, and the night being very dark their pursuers lost sight of them, and returned to Collector, where they learned what had transpired during their absence.

On the following day an inquest was held upon the body of the unfortunate Constable Nelson, and a verdict of wilful murder was returned against Dunn, and against Hall and Gilbert for aiding and abetting. How terribly effective Dunn's two shots had been was proved by the evidence of the doctor who made the *post mortem* examination, and who said that he found a wound on the left side of the face, a ball having entered there and penetrated to the thick muscles of the back of the neck, and another wound which entered the left side of chest, broke several ribs, lacerated the heart, the wire cartridge turned from its course eventually embedding itself in the liver. The immediate cause of death, the doctor said, was laceration of the heart. The murdered man had been in the police force for some years and was greatly respected. He left a widow and eight children, and it is satisfactory to know that these received consideration at the hands of the Government and the public at a later date, although no monetary allowance could compensate them for the bread winner who had laid down his life on the altar of duty.

FURTHER EXPLOITS IN THE SOUTH.

After leaving Collector the bushrangers took the direction of Goulburn, and although every road was swarming with police they, unhindered, robbed many people on the different highways.

When engaged on the Goulburn to Braidwood road they stuck up the mail coach, and overhauled the letters, but did not get much for their trouble, as there was nothing of value in the bags; but the unfortunate coachman was compelled to hand over about £9, which he had in his pockets.

On the same day they stopped three brothers named Faithfull, when driving in a buggy, but the young men were armed and at once opened fire. They did no damage, however, and after expending most of their ammunition they left the vehicle and retreated on foot to their home, the gang following and firing on them. During the encounter Gilbert by accident shot the horse he was riding—a stolen racer—and while under fire coolly removed the saddle from the back of the fallen steed and placed it on a reserve horse which the gang had with them. One of the horses in the vehicle received a shot and the pair then bolted, galloping about until winded, when Gilbert brought them up and ransacked the vehicle, appropriating some clothing that lay therein.

The next event recorded officially was that a party of police had surprised the gang at Mutbilly, about fifteen miles

from Goulburn, and that a "desperate fight" ensued, in which Hall was wounded. It was also reported that the bushrangers escaped half-naked, leaving horses and arms behind them. Another rather sensational item of news followed this, to the effect that the police had discovered at Mutbilly a "plant" of the bushrangers, consisting of cheques and drafts, the proceeds of mail robberies, to the amount of £1000.

In the same locality the bushrangers sought to give a little variety to their proceedings shortly before the events just recorded by raising a fire. They had visited the store and public house kept by a man named Morris, and being in the neighbourhood of friends, they had called some of them together to share with them the pleasures of a night's spree. Amongst these were two young women named Morris and Monks, who appear to have entered most heartily into the "fun." After dancing with the storekeeper's wife and these young women, making themselves agreeable to every one, the bushrangers became excited by drink, wine, and love, and grew disagreeable and noisy. They adjourned from the hotel to the yard, and went lounging through the premises—no one interfering with them. At last an intimation was given that the storekeeper intended, if he could, to lay hands on the bushrangers. At this the cry was raised, "Burn his house," and the women joined in the cry. They robbed the place, set fire to it, and for an hour or so Hall and his mates, being within reach of a whole township, were amusing themselves in dalliance with the women, and setting fire to the store and house, in perfect reliance on the desire of the people to conciliate them by all possible means. Either from fear, or from a desire to obtain advantage by the presents they distributed through the district, many assisted and countenanced them.

The place was destroyed before the owner's eyes. Subsequently the two young women were arrested, taken to Goulburn and tried for aiding and abetting the gang in the incendiary work; but the jury were unable to agree, and the fair fire-raisers were discharged on their own recognisances "to appear when called upon."

Within a few days after the encounter at Mutbilly, the police and the bushrangers again came into collision, and, as usual, the latter again "came off best." The attack was made by the gang upon the police, who were acting as an escort to the conveyance in which some fifteen hundred ounces of gold were being carried from Araluen to Braidwood. The escort consisted of four troopers—Kelly, Stapleton, Byrnes and Kinnerley, and the gold was being carried in the ordinary mail, which on this occasion happened to be a spring cart drawn by two horses, and driven by Mr. Blatchford, a storekeeper. The gold was deposited in a small iron safe, securely enclosed in a wooden case. The mail had got within half a mile of the top of the mountain on the Major's Creek track when Constable Kelly, who was in advance of the others, was fired at by the bushrangers from the range, and wounded. He immediately fell from his horse, the ball having entered his breast, passing into his shoulder. Byrnes, who was alongside the vehicle jumped off his horse, and got under a cutting, where he challenged the four bushrangers to fight. Stapleton also dismounted and went up the range, and fired at the assailants, the ball passed close to Gilbert's head. Gilbert said, "You are a good shot—take that," firing and wounding Stapleton's horse. The fourth man with the ruffians was supposed to be a new hand, as he had crape over his face. Gilbert shot at Blatchford, the ball striking the wheel of the mail cart, and rebounded, striking Mr. Blatchford

on the leg; Mr. Blatchford then got off and ran down the mountain, and on arriving at Redbank, sent a telegram to the town. Superintendent Orridge and about twelve policemen went at once in pursuit. Doctor Patterson and Father O'Brien also started to render assistance to the wounded policeman. The bushrangers fired twelve shots, three each, at Byrnes. The escort arrived at the bank at Braidwood, at 2 2 o'clock. A sledge-hammer, chisel, and other implements, packed up, were subsequently found, showing that the bushrangers were prepared to break open the iron safe. As soon as it was known that an attempt to stick-up the mail had been made, all the people at Major's Creek were up in arms in pursuit of the scoundrels. They might just as well have stayed at home, for they never even caught sight of the men in search of whom they had set out. On two or three other occasions the fourth man accompanied Hall and his mates, but he did not engage with them regularly, and after a short run dropped out, nothing having been learned by the authorities concerning his identity.

While on the Southern side the gang paid a visit to Mr. Mackay's station, Wallanbeen. Gilbert walked into the drawing-room, where Mr. Harris, of Goulburn, was engaged in tuning a pianoforte, and was followed by the others of the gang. He remarked to Mr. Harris, who was striking the notes, that the tune was a very nice one, and on being told that the instrument was only undergoing the process of tuning, the conversation was turned to Mr. Mackay, whom they asked for horses. Mr. Mackay told them his horses were in the paddock in the bush, and if they wanted any they would find them there. They had two bottles of gin with them, with which they treated all the farm servants they came across. Gilbert said to Mr. Mackay "That's a —— ugly

cook you have in the kitchen, and if I were you I would get something better looking ; I would be ashamed to eat anything where he is." They afterwards drank some tea in the kitchen, but during their stay they did not use any threats or present their fireams to anyone. Gilbert was well dressed, and his spirits were buoyant. Hall, on the other hand, looked fagged and care-worn. They remained at Wallanbeen for about three hours, during which time Dunn was engaged in galloping through the paddocks in search of horses. Meanwhile, Mr. Mackay had a somewhat lengthened conversation with Gilbert under the verandah, during which he remonstrated with him on the life he was leading, and pointed out that sooner or later he would fall into the hands of justice. Gilbert laughed at the idea, and calling to Hall, who was walking up and down, said, "Ben, he (meaning Mr. Mackay) wants me to give myself up to the police." Then turning to Mr. Mackay, he said, "There's no fear as long as I've a bullet." He also expressed as much as that it was their intention never to be taken alive. While they were in the drawing-room, Hall drew out a gold watch and asked Mr. Mackay the time, and on being told, wound it up and set it correctly. He was asked if that was the one he took from Mr. Davis ; he said it was, and then quickly enquired of his interrogator, Mr. Harris, whether he carried a watch. Mr. Harris said there was no fear of his doing so while he was travelling in that neighbourhood, at which observation Hall and Gilbert laughed. Both of them wore a number of gold chains. Hall's belt was studded with revolvers, but they could not be seen unless he threw back the folds of his poncho, which reached nearly to his heels. Gilbert, who was also furnished with similar fire-arms, appeared more at ease than Hall while Dunn was away. From the way in which he moved about there appears to have

been plenty of chances of firing at him, but Hall, while in conversation, kept his eyes shifting from one side to the other, apprehensive of being taken treacherously. For some time they amused themselves in the yard with an old farm servant who had gone to Murrumburrah, a distance of 12 miles, to get, as he said, a single glass of grog for himself. They quite enjoyed the idea of a man riding twenty-four miles for "a ball," but soon found out that the old fellow had brought home a bottle of rum. This they succeeded in getting from him for the purpose of having what they called "a bit of sport," the old chap believing all the while that the bushrangers were constables. His temper getting up he began amusing them in no measured terms, telling them that he got his bread by the sweat of his brow, and not by loafiing about like them from one hut to another, pretending to be in search of Hall and his party; he said he didn't care a blank for either the police or the Government. The bottle of grog was ultimately returned to him, and soon after he left in happy ignorance that he had all along been talking to the desperadoes. Next morning, on his coming to the house, he was much surprised at hearing who were his tantalisers of the previous day. The revolving rifle belonging to Mr. Davis was handed both to Mr. Mackay and Mr. Harris, neither of whom could discover the mode by which the hammer was forced down. There was evidently a "stop,' his host's ignorance of which much amused the leader of the gang.

The above are only a few of the exploits in which the bushrangers engaged after the murder of Constable Nelson, and the manner in which these were carried out clearly indicate that the fact of there being blood upon their hands did not in any degree disturb them. As Gilbert had intimated, they had made up their minds to a violent death, even if they

should have to fire the death-dealing shot with their own hands.

Before the end of March the gang had forsaken this field of prolific adventure and returned to their old haunts on the Lachlan, where they resumed operations, visiting several stations for choice horses which they knew to be there, and appropriating such as they deemed best suited for their purpose, generally leaving in exchange those they had ridden almost to breaking-down point in the service. Thus it was that sooner or later the owners of the "bloods" that were taken in different parts of the country regained their valuable steeds, but all considerable "the worse for wear." Among other places visited about this time were Strickland's Bundaburra Station, Bowler's Gumbidgiwa Station, and Atkins', at the Billabong. But the one exploit which again directed all eyes to that quarter was the raid upon one of the principal stores in the town of Forbes, kept by Mr. W. Jones.

The visit to this store was paid at a late hour one Saturday night in March, the time being chosen as that most likely to furnish a good supply of cash. The front door had been closed, but a side door had been left open in order that a late customer, a digger, might pass out when he had finished his purchases. This man was in the act of leaving when he was ordered to stand and then to turn back into the shop, Gilbert and Dunn accompanying him, and Hall remaining outside on guard. There were in the store at the time two shopmen named Gilbody and James, the bookkeeper and the manager of the drapery department having left for their homes about ten minutes previously. After Gilbody, James and the digger had been bailed up, they were left in charge of Dunn, and then Gilbert set to work.

The first thing Gilbert opened was a drawer where there

was a quantity of silver, about £3 10s worth, which he took. The next drawer that he opened contained about eighty-one pounds in notes, and several cheques. He took the notes and left the cheques. He then proceeded to the drapery department, and, as he was fitting himself with some hats near the front door, which was closed, Mrs. Jones came out of the parlour to see what was keeping the young men, when she espied Gilbert, who looked like one of the young men at that distance. She was about passing on, but coming closer, it occurred to her that he was some paltry thief as he appeared to be sneaking away. As he was getting between Mrs. Jones and the parlour door; she asked him what he was doing there. He replled that the men wanted her at the other end of the shop. She said "What do they want me for?" and then Gilbert accompanied her to the angle where the men were in charge of Dunn. When she got to the angle of the counter and saw Gilbody and James sitting down, not particularly observing Dunn, she called out, "Gilbody what keeps you there?" He replied, "Don't you see what keeps me here? look at that fellow," pointing to Duun, "and see what he has in his hands."

Mrs. Jones then for the first time understood the position of affairs, and as she turned and saw Dunn standing near the door covering the two shopmen with two revolvers, Gilbody told her that Gilbert had taken all the money out of the till. She then went back to the drapery department after Gilbert, and taking him by the arm, said "Come, you have taken all the gold, notes, and cheques out of the till, give them to me this moment." Gilbert replied, "Well, you are a funny woman!" Mrs. Jones then said, "Give me the cheques, they are of no use fo you." He said, "You needn't grumble, I have not taken the gold, and I know you have £200 worth in

the house." She then said, "I thought you were never so mean as to take silver; out with it at once." Gilbert replied, "We never take silver, the only time we ever did so was from DeClouet, in Bathurst, because he was so saucy." He then gave up the silver to her, and said, "Come over here and pick me out some clothing." They walked to the shelf the clothing was on. Mrs. Jones said, "If you want clothing I suppose you had better have it, but put that pistol out of your hand," which he did. He then helped himself to coats and vests, which he fitted on, and also selected trousers of the size he required. He took Crimean shirts, collars, pocket handkerchiefs, socks, boots, fitting the latter on one foot, and saying he could not fit the other, for his leg was bad. During the time Gilbert was helping himself to drapery, two of the other young men—Alfred Hughes and Christopher Moore—came in from the room where they had retired, the back way, to see what was keeping their brother clerks, when they were confronted by Dunn. They did not seem inclined to obey orders until they saw Dunn's pistols, when one of them, quite horror stricken, jumped over the counter and took his place with the other captives.

After Gilbert had helped himself to such articles from the shelves as took his fancy, he relieved Dunn, who likewise adorned himself with ready-made clothing and appropriated quite an assortment of hair-oil, perfumery, etc.; the goods taken by each of the bushrangers amounting in value to about £30. The articles they had selected they packed in two new valises, also taken from the store.

As they were passing out they espied some riding-whips, and while they were appropriating some of them Gilbody observed "You ought to have enough of those after sticking up Jones's drays about six months ago." Gilbert replied, "We didn't

do anything of the kind." During the conversation with Mrs. Jones, she said to Gilbert, "I didn't expect this from you, as Mr. Jones has been so kind to Ben Hall's brother." "That's nothing to me; I have not seen Ben Hall for three days." But during Dunn's conversation with his captives he said that Hall was outside, which statement Gilbody believed, as the dogs were excited and barking in the yard. Mrs. Jones, who had been very cool from the beginning, told the bushrangers that if ever they came again they would get smothered, when Gilbert gave his word that they would not repeat the visit, and said they would not have come at all only they were "hard up!" Before leaving they called for a glass of wine each, but they would not drink the liquor until they had made Gilbody taste it as a guarantee that there was not poison in the cup.

As may be imagined, there was great excitement in the town when news of this last exploit had spread. The police were informed of the visit shortly after the men had left the store; but, as it happened, there were no men available for immediate pursuit, and the members of the gang were far enough away, or safely enough hidden, before their tracks through the town had been picked up. And once more an unsuccessful hunt was recorded.

THE ACT OF OUTLAWRY,

The continued outrages of the bushrangers, and the powerless of the police to capture or shoot them, as may be readily imagined, gave the Government great concern, and at last they determined to resort to extreme measures. At every sitting of Parliament the subject was referred to, and every

individual representative of the people was prepared to propound a scheme for the capture of the gang which should prove more effective than any that had yet been tried. Volunteers had more than once been engaged in the infested districts, to work independently of the police ; and the police force had been strengthened to the fullest limit possible, the cream of the force being sent into the bush with almost unlimited powers at their command. But the bushrangers had laughed at both alike, and defied both alike, and outwitted both alike. It was then decided to pass an Act which should make the bushrangers outlaws, and place it within the power of anyone who might come across them or either of them to shoot them down like dogs.

This Felons' Apprehension Act was intended to operate not only against Hall, Gilbert and Dunn, but against other notorious bushrangers who were at that time, or should be at any future time at large, a warrant having been issued for their apprehension. And as will be shewn in succeeding chapters, * there were bushrangers other than those named against whom the Act operated most effectively. How stringent the provisions of this Act were may be seen from the following summary of its provisions :—

The first section was to the effect that against any person charged on oath made before a justice of the peace with the commission of a felony punishable by law with death, and who might be at large, a warrant might be issued. Any judge of the Supreme Court, being satisfied by affidavit of these facts, was empowered to issue a bench warrant for the apprehension of the person so charged, and to order the insertion of a summons in the *Government Gazette*

* "Story of Australian Bushranging,"—Nos. 6 and 7.

requiring the accused person to surrender himself on or before a given day and at a place specified to abide his trial for the crime of which he stood accused. The judge might also direct the publication of such summons in such manner and form as should appear to him to be best calculated to bring such summons to the knowledge of the accused.

Section two ran as follows :—

If the person so charged shall not surrender himself for trial pursuant to such summons or shall not be apprehended or being apprehended or having surrendered shall escape so that he shall not be in custody on the day specified in such summons he shall upon proof thereof by affidavit to the Judge of the Supreme Court and of the due publication of the summons be deemed outlawed, and shall and may thereupon be adjudged and declared to be an outlaw accordingly by such Judge by a declaration to that effect under his hand filed in the said Court of Record. And if after Proclamation by the Governor with the advice of the Executive Council of the fact of such adjudication shall have been published in the *Gazette* and in one or more Sydney and one or more country newspapers such outlaw shall afterwards be found at large armed or there being reasonable grounds to believe that he is armed it shall be lawful for any of Her Majesty's subjects whether a constable or not and without being accountable for using of any deadly weapon in aid of such apprehension whether its use be preceded by a demand of surrender or not to apprehend or take such outlaw alive or dead.

Section three enacted that proclamation should be evidence of outlawry; and Section four read as follows :—

If after such proclamation any person shall voluntarily and knowingly harbour conceal or receive or give any aid shelter or sustenance to such outlaw or provide him with firearms or any other weapon or with ammunition or any horse equipment or other assistance or directly or indirectly give or cause to be given to him or any of his accomplices information tending or with intent to facilitate the commission by him of further crime or to enable him to escape from

justice or shall withhold information or give false information concerning such outlaw from or to any Officer of Police or Constable in quest of such outlaw—the person so offending shall be guilty of felony and being thereof convicted shall forfeit all his lands as well as goods and shall be liable to imprisonment with or without hard labour for such period not exceeding fifteen years as the Court shall determine and no allegation or proof by the party so offending that he was at the time under compulsion shall be deemed a defence unless he shall as soon as possible afterwards have gone before a Justice of the Peace or some officer of the Police Force and then to the best of his ability given full information respecting such outlaw and make a declaration on oath voluntarily and fully of the facts connected with such compulsion.

The fifth Section had reference to the form of indictment under the previous section, and the sixth enacted that—

Any justice or officer of the police force having reasonable cause to suspect that an outlaw or accused person summoned under the provisions of this Act is concealed or harboured in or on any dwelling house or premises may alone or accompanied by any persons acting in his aid and either by day or by night demand admission into and if refused admission may break and enter such dwelling house or premises and therein apprehend every person whom he shall have reasonable ground for believing to be such outlaw or accused person and may thereupon seize all arms found in or on such house or premises and also apprehend all persons found in or about the same whom such justice or officer shall have reasonable ground for believing to have concealed harboured or otherwise succoured or assisted such outlaw or accused person And all persons and arms so apprehended and seized shall be forthwith taken before some convenient justice of the peace to be further dealt with and disposed of according to law.

The seventh section made it lawful for any police officer or constable in the pursuit of any outlaw to demand and take and use any horses not being in actual employment on the road ; and also arms, saddles, forage, sustenance, equipments, or ammunition required for the purposes of the pursuit. The

eighth section fixed the duration of the Act—which was to continue in force for the period of one year from the date of its passing; and the last remaining section enacted that transfer or conveyance of the property of harbourers should be voided on their committal.

A more drastic measure could not well be conceived, and there can be found in it a very fair reflection of the feeling of unrest which stirred the breasts of the people's representatives and moved them to its passing. When it is remembered, however, that it was directed, not against a large and powerful force, but against less than half a dozen young men, it will be seen that it was also a lamentable confession of the inoperativeness of British law, and of the weakness of the peace-preserving machinery of the country. Nevertheless, it, or something like it, appeared to be necessary; and it had the merit of inspiring the police, who had hitherto proved inefficient all along the line, with the hope of reward; although at the same time it might terrify settlers in the infested districts with the fear of undeserved punishment.

In due course of time after the passing of the Act, Hall Gilbert and Dunn were formally commanded through the *Gazette* and newspapers, by summons under the hand of the Chief Justice, to surrender, the affidavit and information necessary thereto having been judicially made and laid. Whether the criminals saw the summons before the date upon which they were cited to appear had expired is not quite certain; but their ignorance of the summons was not the fault of the law. Had a policeman been able to serve each of them personally not a few members of the force would have undertaken the duty gladly, and would have served them with something more solid than the summons. They did not surrender during the period of grace allowed to

them, and they were straightway duly adjudged and declared to be outlaws, notice of the same being given by proclamation in the form following :—

PROCLAMATION.

By His Excellency the Right Honorable SIR JOHN YOUNG, Baronet, Knight Commander of the Most Honorable Order of the Bath, Knight Grand Cross of St. Michael and St. George, Captain General and Governor-in-Chief of the Colony of New South Wales, and Vice-Admiral of the same.

WHEREAS on the 12th day of April last, an information was duly filed in the Supreme Court of New South Wales, by the Honorable John Bayley Darvall, Esquire, Her Majesty's Attorney General for the said Colony, charging John Gilbert, Benjamin Hall, and John Dunn with the crime of Murder: And whereas by writ of Summons, bearing date the seventeenth day of April last, under the hand and seal of Sir Alfred Stephen, Knight Commander of the Bath, Chief Justice of the said Colony, the said John Gilbert, Benjamin Hall, and John Dunn were, under and in pursuance of "The Felons' Apprehension Act," duly summoned to surrender themselves into the custody of the Gaoler of Her Majesty's Gaol at Goulburn, on or before Saturday, the twenty-ninth day of April last, to abide their trial severally for that crime: And whereas the said John Gilbert, Benjamin Hall, and John Dunn did not, nor did any one or more of them surrender themselves or himself as required by the said summons: And whereas the said Sir Alfred Stephen, Knight, as such Chief Justice as aforesaid, hath, by a declaration to that effect under his hand bearing date the eighth day of May instant, duly adjudged and declared each of them the said John Gilbert, and John Dunn to be an Outlaw: Now I, the Governor aforesaid, by and with the advice of the Executive Council of the said Colony, in pursuance of the authority in me vested under and by virtue of the said Act, do hereby notify and declare that each of them, the said John Gilbert and John Dunn, was on the eighth day of May instant, duly adjudged and declared to be an Outlaw by the said Sir Alfred Stephen as such Chief Justice as aforesaid, by a declaration to that effect under his hand, and that the said declaration was, on the said eight eighth day of May filed in the said Court of Record.

Given under my Hand and Seal, at Government House, Sydney, this tenth day of May, in the year of our Lord one thousand

eight hundred and sixty-five, and in the twenty-eighth year of Her Majesty Reign.

(L.S.) JOHN YOUNG.

By His Excellency's Command,

CHARLES COWPER,

GOD SAVE THE QUEEN!

Thus the clouds of doom gathered thick around the heads of the denounced murderers; and those who aided them in any way were also threatened with penalties of the heaviest kind. Although until the actual proclamation of the outlawry the severest penalties of the new law were not incurred, yet, as was set out in the Chief Justice's summons, the ordinary criminal law provided for the punishment of all who gave assistance in any manner to the accused criminals, for the purpose of enabling them or either of them to elude justice, and such persons were warned that they might "become thereby accessories to the murders with which those parties stand accused." After the proclamation of outlawry on 10th May the penalties against harbourers, "telegraphs," and others were made still more stringent, and any persons giving the slightest aid to the outlaws rendered themselves liable to the punishment of fifteen years' hard labor on the roads, with forfeiture of all real and personal property, without any reference whatever to the crimes with which the outlaws stood charged. As to the outlaws themselves, as has been stated, anyone could kill them. Thus were they legally cast for death before the officer of justice had laid hands upon them. No other authorisation than this proclamation was needed by anyone who chose to track them or lie in wait for them, run them down or trap them, poison them, shoot them, or strangle them. The awful fiat had gone forth. Hall, Gilbert and Dunn were doomed to death while yet at liberty; and how death came to them—for come it did—yet remains to be told.

TRAGIC DEATH OF BEN HALL.

Exactly six days after the expiry of the time allowed to him in the Chief Justice's summons to surrender, and actually five days before the proclamation of outlawry was signed and sealed by Governor Young, Ben Hall was done to death by bullets fired from rifles, guns and pistols by a party of police, he not having a chance to fire a single shot in return.

His was an awful death, and it was compassed in a manner which even many of those who wished for his death could not but declare fully displayed police vindictiveness. Undoubtedly, Hall deserved no mercy. He received none at the hands of the police who were conducted to his last voluntary camping ground; but the reader will judge whether an unnecessary number of bullets were not poured into his body before his last breath had been drawn.

After the robbery of Jones' store at Forbes the three bushrangers appear to have lived, literally, the lives of hunted dogs. They had no rest night or day. The police by this time had become well acquainted with their haunts, and were always watching the dwellings of those who were known to be sympathisers, so that Hall and his two mates were compelled to move with the utmost caution when near those places; in addition to which the bush was, to use the words

of one who moved with them, "literally alive with police." With every avenue of escape closely watched and every place of shelter as carefully guarded, the wretched men were driven to seek temporary rest among the fastnesses of the mountains; but even here they were not safe; and they appear to have realised that their race was nearly run. Only one or two stations were visited after they left Forbes on the night of Jones' robbery, and before a month had elapsed, the meshes closed around the leader of the gang, and he was caught, and held, and killed.

For some reason which has never been disclosed, Hall had separated from Gilbert and Dunn for the time being, and had visited a house which he had previously been in the habit of frequenting, with the occupants of which he was reported to have held a somewhat close connection—so close in fact that Dame Rumour had it that certain moneys banked in Forbes by the head of the household had really been placed there for Ben Hall, from whose hands he had received it. And the same all-knowing dame afterwards positively declared that he had gone to the house on this occasion in order to "lift" his deposits—that the head of the household had gone at his request to obtain the same from the bank in Forbes, the bushranger arranging to wait until his return in the bush near the house—that the messenger had gone to the police camp instead of the bank—and that the police had gone straight to the spot where Hall was camped, thereafter dealing out to him leaden bullets instead of golden coin.

The last-mentioned fact was true, anyhow. The police found the bushranger in his camp and shot him there in manner *partially* revealed afterwards at the inquest held upon his remains. That the revelation was only a partial one, I have every reason to believe; and although one of the stories

set afloat concerning the manner of Hall's death, in contradiction of that told by the men who shot him, may itself not have been altogether in accordance with fact, it was generally believed at the time that the whole of the facts connected with the shooting were not officially recorded. Let me give the story as told by the police; and I cannot do better than allow the leader of the shooting party to speak for himself. Giving evidence before the Coroner at Forbes, James Henry Davidson, Sub-Inspector of Police, stationed at that town, on oath, declared as follows :—

On last Saturday morning 29th April, I left the police camp Forbes, and started with five men aad two trackers in pursuit of the bushrangers, Hall, Gilbert and Dunn. On the evening of the fifth day from leaving Forbes we came upon two horses hobbled in the scrub, about 12 miles from Forbes, near the Billybong Creek. We watched the horses for about half an hour when we saw a man approach, who caught the horses; he passed close by where we were standing; he caught the horses and led them away about 100 yards. This was about 10 o'clock in the evening. We did not recognise the man, he took the horses about 100 yards and hobbled them again. Shortly afterwards the tracker, Billy Dargin, informed me that he heard the man he saw lead away and hobble the horses making a noise among the dead leaves, as though he was preparing a bed for himself. I then placed five of the men in my charge where we were standing and went with Sergeant Condell and Billy Dargin on the other side of the man, with the intention of attacking him in his camp, should we discover that he was Ben Hall. We could not get within 100 yards of the man, in consequence of his horses snorting at our approach. I then determined to wait until daybreak. About half past six in the morning I saw a man with a bridle in his hand about 150 yards from where I was, approaching the horses. By this time the horses were feeding on a plain, bordering the scrub, and when the man was about half way from the border of the scrub to the horses, myself, Serjeant Condell and Billy Dargin ran after him. After running about 50 yards, the man became aware of our presence, and ran in the direction where the

five men were posted. By this time I had identified the man as Ben Hall. I several times called on him to stand. After running about 100 yards, I got within 40 yards of Hall and fired at him with a double barrelled gun. Hall after my firing jumped a little and looked back, and from his movements I have reason to believe that I hit him. Sergeant Condell, and Dargin the tracker fired immediately afterwards; they were running a little to the left of me and not far away. From the manner of Hall I have every reason to believe that Condell's and Dargin's shots took effect. From that time he ran more slowly towards a few saplings. The five police, who were stationed beyond him, immediately ran towards him and fired. I noticed trooper Hipkiss firing at Hall with a rifle and immediately afterwards the belt holding his revolvers fell off him. At this time he held himself up by a sapling, and upon receiving Hipkiss' fire he gradually fell backwards. Several other shots were fired afterwards. There were about 30 shots in all. Hall then cried out, "I am wounded, shoot me dead!" I then went up to the body, and noticed that life was extinct. I also observed that the bullet fired by Hipkiss passed through his body. I searched the body; there was £74 in notes in two chamois leather bags—one in his trousers pocket, the other in his coat breast pocket—three gold chains and a gold watch, a portrait of a female, three revolvers, and a number of bullets in his pockets, and a gold ring keeper on his fingers. Along with his saddle was a quantity of wearing apparel; there were also two single blankets. I know the body to be that of Ben Hall. His clothing I observed to be perforated with bullets. We caught the horse, and fixed the body of deceased on the saddle, and in this manner brought him to Forbes.

Sergeant Condell's story was corroborative of that told by Davidson. He said that when he fired at Hall he aimed at his back between the shoulders, and believed he hit him. He also stated that when he had hold of the sapling he cried out twice, "I am dying! I am dying!" and then it was that the full volley from the other men was poured into him, after which he threw out his feet convulsively, and rolled over dead. He said that he knew Hall well, having escorted him about

three years previously to Orange, when he was tried in that town for horse-stealing.

Of the thirty shots fired at Hall, fifteen took effect, and when examined subsequently the body was found literally perforated with bullets—one of the bullets having passed through between the shoulders, another having gone through the body lower down, and two having lodged in the brain. According to the doctor who made the *post mortem* examination at the inquest, these four shots were severally sufficient to cause death. It may be taken for granted that Hall would never have surrendered under any circumstances; but it is questionable whether he counted upon having to pass through such a riddling process as that above described, and one is only surprised his slayers stopped where they did. Having a little more ammunition left they might have fastened the already perforated body to a convenient tree, and used it as a target upon which to practice. But in that case they might have experienced some trouble in carrying the remains into Forbes. As it was there were three holes in the head, four in the left shoulder, two in the right side, and others in other parts of the body.

During the day the body was tied up and packed on the saddle which was found in the bushranger's camp, and brought into Forbes on one of the horses which he had ridden to the spot—a favorite animal of Mr. Bowler's, named Tomboy, which had been stolen from Gumbidgewa station about a fortnight before. As may be supposed, there was great excitement in Forbes when word reached the town that the outlaw had been shot, and after the body had been brought in people flocked to the barracks to view the remains of the man whose name for so long a time had been a terror to the residents in different parts of the western and southern

districts. At the inquest which followed the police told their story, as I have given it here. Billy Dargin, the black tracker—a most intelligent aboriginal—subsequently told a different story when wandering about the country, which indicated that the bushranger received most of his wounds when lying on the ground. But blackfellows did not always speak the truth ; and Billy did not live any great length of time after this. Before he died, however, he did other effective police duty as a tracker. On one occasion, when out with Sub-Inspector Davidson, he discovered a bushranger's "plant," consisting of a bundle of bank notes to the value of £400. Mr. Davidson had gone out for the purpose of searching for a revolver which had been lost during the chase by his party after bushrangers some time previously in the direction of the Talibung Mountain. When nearing the end of Boyd Creek, about four miles from Uah Station, Billy saw what he at first thought was a bone wedged under a log. He dismounted, and found the object to consist of an oil-skin wrapper, inside of which was a mail bag containing 800 half notes. From appearances, it was evident that the parcel had been put where it was found when the grass was high, and that cattle, by feeding, had disturbed it, and so exposed it to view.

The body of the bushranger was buried in Forbes on the Sunday following, relatives and friends attending the funeral as genuine mourners.

It is said that the miniature found upon his person after death by the police was that of a favorite sister—then living near Maitland—and that he had constantly carried it about with him during his three years of bushranging.

The reward of £1000 offered for Hall's capture was duly paid over—£500 going to his betrayer and £500 to the police

who were present at his death and took part in the fusilade by which it was compassed.

THE SHOOTING OF JOHNNY GILBERT.

How near to Hall when he was shot Gilbert and Dunn were has never been ascertained, but that they were somewhere in the locality is pretty certain. It goes without saying that after the leader had been shot they did not remain long in that quarter; and a few days afterwards they were seen near Marengo, making their way in the direction of Yass. At this time they presented a very jaded appearance, while their horses were much blown and nearly knocked-up having evidently been ridden very hard. A few days after this they appeared at the Rocky Ponds, near Binalong, where they stole fresh horses, leaving those they had been riding in exchange; but they do not appear to have committed any other robberies, their object in visiting that part being to obtain temporary shelter and rest at the house of a farmer named Kelly. Kelly was Dunn's grandfather, and had on previous occasions harboured the bushrangers when, in the full pursuit of their road work, they had visited that locality. But this visit was destined to be a fatal one to at least one of the hunted pair.

Whether the penal clauses of the Felons' Apprehension Act bearing upon harbourers had intimidated the old man, or the large reward offered for the apprehension of the bushrangers tempted him, I cannot say; but that he received them only to betray them does not admit of any question. Gilbert and Dunn reached his house on Friday, 12th May. On the evening of the same day the Binalong police were watching the house, a watch which they preserved during the

whole night, themselves being hidden. But as nothing occurred to warrant any further forward movement, at daylight they returned to the police station. An hour after their return, however, fresh information was conveyed to them, and they at once retraced their steps to Kelly's, where they arrived at about 9 o'clock. After they had been waiting and watching for about an hour, they saw Kelly come out and walk up and down in front of the door, and then re-enter the house with his wife. The police then quietly approached the dwelling, and as they did so Kelly exclaimed in a loud voice, "The house is surrounded by troopers." What followed next is best told by the troopers, who narrated the whole of the circumstances subsequently, and whose story was a simple though sensational one.

Senior-Constable Hales stated: On Saturday morning, about 8 o'clock, (May 13th), I received information that Gilbert and Dunn were at John Kelly's, on the Binalong Creek; I then told off Constables Bright, King, and Hall to be ready, as we could not approach the hut on horseback without being seen before reaching it, we went on foot, in different directions, so that we should arrive simultaneously at the back and front of the hut; when we got about 100 yards from the hut we were concealed behind a bush fence and watched until we saw John Kelly come out of the house and walk in the front of the hut for a little; after he went ig Mrs. Kelly came out and stood out for about five minutes; immediately afterwards a boy (Thomas Kelly, son of John Kelly) came out and yoked up some bullocks; I beckoned to him and when he came to me I asked him if there were any strangers in his father's house; he said there was not; I cautioned him about telling a falsehood; I asked him if there were any the night before; this also he denied; I then went to the hut accompanied by Constable King; the dogs began to bark, and immediately afterwards John Kelly came out and saw us approaching; we were then about twenty or thirty yards off; Mrs. Kelly then came out; Kelly went a few yards from the door and called out, "Look out, the house is surrounded with b—— troopers"; I then made a rush for the

door, Constable King followed close after me; I did not see the other constables at this time; when I entered the hut, the door at another end of the room was shut very quickly, and I could see under the doorway men's boots; immediately after the door was shut, there was a shot fired into the room where I was, from the adjoining room; I returned the fire at once through the closed door; I then turned and ordered the men to retire and surround the place; as I went out I met Bright and Hall; we surrounded the place, and called to those inside, "Come out, or I'll burn the house over your head —I'll have you"; I shortly after saw King running, and heard a shot fired: on looking I saw two men running in front of him; they went off through a paddock, turning occasionally and firing until they got to the fence of the paddock through which they went; the constables had been firing at the men during this time, we were gaining on them, and we all got through the fence; when the men got near the creek Gilbert took up a position behind a tree and aimed at me or some one of the constables with his revolving rifle, but it missed fire; we were then under fifty yards from him; he then went down the bank of the creek, and Constable Bright and I almost simultaneously fired at him; at this time he was running along the bed of the creek, which was dry; he fell immediately after the two shots were fired and never got up again; the other man (Dunn) ran off; we pursued him, each party firing at the other, until we lost him in the scrub; on returning I found Constable King in charge of Gilbert's body; deceased was quite dead then; on examining him I found four £5-notes of the Bank of New South Wales; attached to his vest was a gold albert and sundry trinkets, two gold rings, two boxes of caps and a great number of bullets; also a flask of powder; in his belt were two Colt's revolvers, each chamber of which was loaded and capped—one of them branded "New South Wales Police, No. 425"; there are five chambers in the revolving rifle, and four were loaded when picked up by Gilbert's body; previous to the time when the rifle missed fire the deceased had discharged one chamber in the direction of where I and the other constables were; I had the deceased's body brought to the Courthouse in Binalong; from description I believe that it is the body of John Gilbert, but I had no personal knowledge of him; the deceased's mate fired a great number of

shots, many more than the deceased did; when I saw the deceased and his mate running I called out, "Gilbert, stand, and I'll spare your life"; I believed the parties to be Gilbert and Dunn; I did not see deceased throw away pistols or revolvers, but he might have done this without my observing; so far as I know there is only one door to Kelly's house, but there was an open window in the room at the end of the hut, from which I believe the men escaped; this window was sufficiently large to allow a man to pass through; when I came to the deceased in the creek, I found his breast and shirt covered with blood, and on examining I found a bullet-mark in the left breast and a similar mark in the back of his coat; when Constable Bright and I fired at deceased before he fell, we fired from rifles loaded with ball cartridges.

Constable Bright, who was a native of Bathurst, but had not before come into contact with the bushrangers, corroborated Hale's story. In describing the chase after Dunn after Gilbert had fallen, he said that Constable King was badly wounded in the ankle by a shot fired by the bushranger as he ran. He further said that he believed Gilbert had been killed by his (Bright's) fire, as he had fired after Hales had discharged his piece, and when Gilbert was in the act of turning round he was shot through the chest and Bright was about fifteen yards from him when he fired.

The wounded constable (King) was the man to whom the information of the bushrangers being at Kelly's house was first conveyed, and he, of course, told his superior officer Even after he was wounded he followed Dunn, but had to abandon the chase from weakness through loss of blood. He declared that he had recognised Dunn before Gilbert was shot.

On the day following the shooting an inquest was held at Binalong upon Gilbert's remains, and the facts I have here narrated having been given on oath, the jury returned the following verdict:—"That the said John Gilbert came to his

death by a gunshot wound inflicted on Saturday, May 13th, 1865, near Binalong, in the said colony, by one of the constables in the police force of New South Wales, in the execution of their duty, and that they were justified in inflicting the said wounds which caused his death." The jury further expressed their approval of the conduct of the constables in so gallantly attacking the bushrangers and fighting one of them to the death.

Dr. Campbell, of Yass, who made the *post mortem* examination, thus described Gilbert's appearance after death and the wound which had terminated his career:—"The deceased appears to be from 23 to 25 years of age, 5 feet 8 inches or 5 feet 9 inches in height, light brown hair, without whiskers or beard, eyes greyish blue deep set, nose long and nostrils expanding, mouth horizontal, large, and upper lip apparently swollen; on the right arm below the elbow joints a mark of old sores, not even now completely healed; the body was clothed in a rough pilot coat, fancy coloured shirt, cord pants and boots; on divesting the upper part of the body of the clothing, the chest and lower part of the neck were besmeared with blood; there was also a ragged wound about an inch to the right side of left nipple, one in line with it; on turning the body over, a ragged circular wound was observable on the left side, passing between the sixth and seventh ribs into the cavity of the chest; on making a *post mortem* examination of the body the wound was turned through the lower lobe of the left lung near to its edge, the posterior parts of the left ventricle of the heart, about an inch and a half from its apex, from thence passing through the anterior wall of the left ventricle, from whence it emerged to the surface of the body between the fourth and fifth ribs in the left side, anteriorly fracturing in its course the fourth rib; the cavity of the chest

was filled with effused blood and bloody serum ; the wound described appeared to have been inflicted by a bullet—no bullet, however, was found ; at the same time I have no hesitation in stating that the wound is a gunshot wound, and death must have been instantaneous."

To prevent any possibility of mistake concerning identity, several persons were called as witnesses at the inquest who had known Gilbert well during the previous two years, and they identified the body as that of Gardiner's lieutenant, against whom a proclamation of outlawry had been issued, and upon whose head the reward of £100 had been set.

After the inquest the body was kept for a time at the Binalong police barracks, and there was some talk of having a plaster-of-Paris cast of the face taken; but whether this intention was ever carried out I cannot say. The remains of the dead outlaw were, without much ceremony, subsequently interred in the police paddock at Binalong.

From the time that his name came prominently before the public in connection with the Eugowra Escort Robbery to the time of his death, Gilbert had participated in the following crimes :—

1862.

June 15.—Attacked the Gold Escort at Eugowra Creek, carried off a large amount of gold, and wounded one of the police.

1863.

February 2.—Robbed a store at Spring Creek, and stole a saddle and bridle.

March 14.—Robbed store at Fisher's Creek ; stole saddle, bridle and watch.

May 16.—Robbed Mr. Barnes' store at Cootamundra, and attempted to fire the place.

May 29.—Stole a racehorse at Burrowa.

June 1.—Robbed a store at Spring Creek.

June 7.—Robbed a store at Possum Flat.

June 16.—Stole two racehorses at Currawang.

June 29.—Robbed several travellers on the Forbes Road.

July 3.—Robbed a man of money, watch and chain on the Lambing Flat road.

July 13.—Robbed a man of £7 near Burrowa.

July 30.—Robbed store at Caloola of money and goods to the value of £300.

August 19.—Stole two horses from the Burthong Station, near Young.

August 24.—Robbed four storekeepers on the Hurricane Gully road.

August 27.—Robbed two stores at Tirnee.

August 29.—Robbed Mr. Edmunds' house at Demondrill.

September 19.—Robbed the mail from Cowra to Bathurst.

September 24.—Robbed Mr. Hosie's store at Caloola.

October 24.—Attacked Mr. Keightley's house at Dunn's Plains, on which occasion Burke was shot.

November 19. — Attacked Mr. Campbell's house at Goimbla, when O'Meally was shot.

December.—Robbed the mail from Burrowa to Binalong.

December 9.—Robbed the mail from Binalong to Yass; also, stole two horses from Mr. Garry of Mylora.

December 16.—Stole a horse belonging to Mr. R. Salmon.

1864.

October 29.—Robbed the mail from Albury to Yass; robbed a store at Jugiong of a quantity of goods; also, stole two horses.

October 27.—Robbed Mr. McCaush's store at Bagan Bagan, of jewellery, &c.; robbed a Chinaman of money and a gold watch.

November 8.—Stole from Rossiville, near Goulburn, jewellery, three horses, and some saddlery.

November 9.—Robbed the Sydney mail, six miles from Goulburn.

November 11.—Robbed the mail from Yass to Goulburn.

November 15.—Robbed the mail from Gundagai to Yass, firing on the police and killing Sergeant Parry.

November 19.—Stole three horses from the Bolero station.

December 10.—Stole some property from Mr. McLachlan, of Young.

December 25.—Robbed and burned Mr. Morris' store, at Binda.

December 30.—Robbed Mr. Davidson's store at Murrumbah Plains.

1865.

January 19.—Robbed a store at Wheogo.

January 24.—Robbed John Ross and others on the Yass road.

January 27.—Robbed a public house near Collector, when Constable Nelson was mortally wounded by Dunn.

February 6.—Robbed the Braidwood mail, twelve mile from Goulburn.

February 18.—Stole three horses, at Molonglo.

February 23.—Had an encounter with the Goulburn police at Mutbilly, when Constable Wiles was wounded.

March 1.—Robbed the Goulburn and Gundaroo mail, at Geary's Gap.

March 13.—Robbed the Araluen Escort, when two constables were wounded; stole two horses from Jinglemoney.

March 21.—Took two horses from Suttor's station.

March 23.—Stole two racehorses of Mr. Morton's.

March 25.—Robbed Jones' store at Forbes of £80 in cash and goods valued at £30.

April 10.—Robbed Watts' public house at Newrea, the White Horse Inn, at White Rock, and Gultimore's store, taking £48 in cash and £30 worth of goods.

Three days after the last-mentioned robbery he was killed, as already described, his almost unexampled career of crime having been brought to a close in the manner anticipated, if not courted, by him; for he had more than once declared that he would never surrender to or be taken alive by the police while a bullet remained in his possession. But the life that he would have himself taken as the alternative of capture was taken by his pursuers.

The reward offered by the Government for Gilbert's capture was apportioned as follows:—To the informer, £500;

to Hales, £150; to Bright, £130; to King, £120; and to Hall, £100.

By the death of this notorious scoundrel the gang of bushrangers which for three years had kept the colony in a ferment of anxious excitement was fairly broken up. As we have seen, two of the gang—Vane and Dunleavy—had saved their lives by giving themselves up; two others—Burke and O'Meally—had been shot down by settlers whose homesteads they had attacked; and two others—Hall and Gilbert, the two acknowledged leaders—had been betrayed by trusted associates and fallen dead before the fire of the police. Only one—John Dunn—now remained to be accounted for, and as he had been wounded in the leg by a bullet during the encounter in which his last remaining "mate" had fallen, and had, furthermore, made his escape on foot, it was thought impossible for him to evade capture for any length of time. It now, therefore, only remains for me to follow Dunn to the end of his career, and thus bring to a close the account of one of the most troublesome of the Bushranger gangs of the Sixties.

DISAPPEARANCE OF DUNN.

Freed from his pursuers, who had returned to the spot where Gilbert's dead body lay, the last and youngest member of Hall's gang made haste to get away from the district which events had proved had at last become too hot for bushrangers to live in. The Felons' Apprehension Act had undoubtedly effected the change desired, its stringent penal provisions having forced the erstwhile "telegraphs" and harbourers to close their doors against the outlaws in their

own interests—or, having opened their doors to the outlaws, to convey intelligence of the fact to the police.

The now solitary member of the gang evidently fully realised his danger. Wounded as he was—he carried a bullet in his leg—had he not been afraid to trust those who had befriended him in the past, he would no doubt have sought refuge in one or other of their houses for a time. But the only alternative before him now was flight—and fly he did. Had the Binalong police followed up the pursuit as speedily as they might have done it is probable that they would have succeeded in running the fugitive down before he succeeded in obtaining a horse; but several things conspired to prevent them doing this, the principal deterrent being the law necessitating an inquest upon Gilbert's dead body and their attendance thereat as witnesses.

It was not long before Dunn obtained a horse. Reaching Mr. Julien's station, near Bogolong, about 10 miles from Binalong, he demanded and obtained from Mrs. Julien—the men folk were away—a horse, saddle and bridle; and, well-mounted, but evidently weak from loss of blood, which had flowed freely from his wound and covered his clothes, he set out across country, taking back tracks and unfrequented roads, with the object of passing away from his old haunts unobserved. That he rode hard and long without rest was subsequently made known. It was what is known in the bush as a "dry time," and horse and rider—like many other horses and riders in the Australian bush—suffered in consequence. Water was scarce, and as time was too precious to spend in seaching for it, Duna sped on his way; and it looked as though the youthful outlaw whom bullets had failed to stop was to "go under" to thirst, He overtaxed his horse's strength at last, and as the poor beast staggered and fell beneath him, he

opened his knife, cut its throat, drank the hot blood, and then lay down in the dead horse's narrow shade until the sun sank below the western horizon, when he "humped his swag" and resumed his flight, making his way by the help of the stars. Near daylight he reached a small, lonely out-station; he was nearly exhausted and was obliged to ask for rations, after he had drunk his fill at the waterhole. The stockman was away at the head station, mustering, the wife was alone and was full of pity for the slim lad with the heavy swag. After she had fed him, and when he was sleeping the sleep of utter exhaustion, she gave way to an impulse of curiosity, opened the heavy swag which he had left on the table, and shivered when she saw that the weight was accounted for by two big loaded and capped revolvers. She did it up again carefully, plied the lad with all manner of good things to take with him when he went on refreshed, and, enlightened by subsequent events, she told her children, and tells her grand-children now, by the way, how she entertained Johnny Dunn at breakfast.

DISCOVERY AND ESCAPE.

For eight months after this nothing was heard of Dunn, and the authorities concluded that he had either perished in the bush or had escaped from the colony. But he was neither dead nor distant, and at the expiration of the time stated the police at Bourke and Walgett received certain information which led them to act in concert in patrolling the courses of the Culgoa, Bemo and Bokara Creeks. They expected to find the missing outlaw working with another bushranger named Ward, but who was more generally known by the significant title of "Thunderbolt"—and some of whose exploits will be hereafter narrated. But the information was

only partially correct, for Dunn had really not joined "Thunderbolt," although he may have had some communication with him; but he was in the neighbourhood, having been engaged for some time as a horse-breaker on one of the stations there. The police followed up the clue that had been given, and actually called at the station upon which Dunn was employed, but the outlaw had by some means become aware of their proximity, and had made off with one of the best colts on the station. Subsequently further information was conveyed to the police, and acting upon it, Sergeant Flynn and Constable Drake, of the Walgett police, set out upon a journey of sixty miles, which distance they covered in a day—December 4, 1865—and encamped within sight of McPhail's station, on the Wammerawa Creek. In justice to the owners of the station it must be stated that these precautions were taken, not because their assistance was doubted or their conduct mistrusted, but merely to preclude the possibility of Dunn being made acquainted with the proximity of those who had set out in search of him, and who believed that he would call at the station on his way down the cre ek Made wise by the experience of the past the police adopted precautions, fearing that even at this remote spot Dunn might have a "telegraph" on the watch, ready to warn him of the approach of the police.

That these suspicions were correct and the precautions necessary was proved by subsequent events. Dunn was not at the station, but a confederate was, and at the very time the police arrived this man was in communication with the outlaw. The police remained concealed until midday, keeping a vigilant watch upon the hut the whole time. During this concealment they had their suspicions aroused by observing a man leave the hut with a colored handkerchief

around his hat, carrying a small bundle in his hand. He returned about twenty minutes afterwards, wearing a white turban, and without the bundle. Deeming it inexpedient to remain any longer in ambush, and fearing their movements might have been detected, they proceeded to the hut, where they introduced themselves as cattle buyers, both being disguised in bush attire. They found Mr. Hector and Mr. Alexander McPhail present, together with the man who had first attracted their attention. In a few minutes the same man again slipped quietly out, when the sergeant, confident of the McPhail's support, disclosed the nature of the business, intimating at the same time the result of their observations when lying concealed in the scrub. The McPhail's expressed their ignorance of the circumstance, and said that the man was a complete stranger to them, further than that he had been engaged as horse-breaker to them for a short time and had given his name as Blueford; and they at once assured the police of their hearty co-operation and assistance. After a short time Blueford again returned to the hut, when Sergeant Flynn questioned him about the exchange of turbans, and accused him of carrying victuals from the hut. The confusion of the man was palpable, and Flynn at once arrested him for withholding information from the police, informing him of the heavy penalty he incurred by misleading them, and urging him to disclose the locality he had conveyed the provisions to. Blueford wavered for a short time; but upon the "Felon's Act" being read to him, his resolution gave way, and he replied sullenly, "Dunn is camped close here." He then agreed to lead the police to his camp, and the Messrs. McPhail having mounted it was pre-arranged that upon surprising the camp Mr. A. McPhail should keep Blueford in custody, whilst the sergeant, Constable Drake, and Mr. H.

McPhail endeavored to secure Dunn. They approached to within one hundred yards of the camp unobserved, and then it was apparent that the "telegraph" had done its work. There stood Dunn, holding a fine bay horse, which he was in the act of mounting—holding the reins in one hand and a revolver in the other. The moment he saw the police he vaulted into the saddle and challenged them to "Come on!" The challenge was accepted, but the police soon realised that the horses they rode were very inferior as racers to that upon which the outlaw was mounted. For six long miles the chase was tenaciously maintained, Dunn keeping just out of pistol shot, displaying a seat which proved him a perfect horseman, and nursing his horse in a manner that indicated he meant a long run for his life. Throughout the chase it did not appear that Dunn desired to outstrip his pursuers, but rather to exhaust them, and for this purpose he frequently waited until they approached within three hundred yards of him, and then he would gradually increase the distance again, leading them through tall wire brush ten feet high, across broken swamps and plains, and lastly into a dense pine scrub, known as "The Monkey." It was in the latter place the pursuers were reluctantly compelled to relinquish the pursuit; and once more Dunn had got clear away.

A fortnight elapsed, and then he was heard of as heading for his old haunts in the Lachlan district, having a companion with him; but no definite information concerning his movements could be obtained, until, by the merest accident, a party of police who were on the look-out for other game in a lonely part of the bush encountered him. How that encounter was brought about may be shortly told.

Troopers McHale, Hawthorne and Elliott, of the Cannonbar police, had started out in search of a sly-grog cart

which was reported to be somewhere in the neighbourhood of Perry's station on the Marthaguy; and at the same time were keeping their eyes open in the hope of catching sight of a somewhat notorious character named "Yellow George" a half-caste, who was gazetted as "wanted." Having called at the station they found that in order to secure their quarry they must proceed very carefully, and they therefore turned out their horses and continued their journey on foot, carrying their blankets and provisions, as ordinary "swagsmen." They were making for a certain hut occupied by a man named Walton, where "Yellow George" was supposed to be, and as night came on before they had covered the whole distance they camped until daylight, when they started again in single file through a dense scrub, Elliott leading. When within a quarter of a mile of the hut they reached an open space of ground, from which they could see the building and sheep-yard, and they then made a more rapid movement. As they drew nearer the hut, however, the sheep dogs began to bark furiously, and as soon as this alarm had been raised a man was seen looking cautiously round the end of the hut. Catching sight of Elliott, the man immediately bolted for the bush, Elliott giving chase and McHale taking an opposite direction with the view of intercepting the fugitive in running. But when putting on speed McHale noticed another man running across the sheep yard, and abandoning his first intention, he gave chase to him. This man proved to be Dunn, although McHale did not know it at the time, and had no idea that he would come across the outlaw in such a place. As Dunn jumped the fence McHale noticed that he carried two revolvers, and calling upon him to stand he drew his own revolver and fired at him, but missed. Still keeping up the chase McHale saw that he was gaining on the fugitive, and when

within about 70 yards of him he again challenged him and fired, the shot evidently passing close to Dunn's head, for he suddenly jerked aside as he ran. McHale then cried, "Stand, if you're Dunn, and fire!" and Dunn at once turned round to measure the distance (as he afterwards declared), but before he could use his weapons, McHale fired a third time, and with more effect, the shot wounding the outlaw in the fleshy part of the back and caused him to fall forward heavily on his face, while blood was seen to spurt through his shirt.

When Dunn fell McHale concluded that he had killed his man, and rather unwisely lowered his revolver uncocked by his side while he hurried up to him. As he approached the prostrate man he turned his head to see how his companion was getting on with the other fugitive, and as he did so Dunn raised himself on his left elbow and fired twice very rapidly at his approachin fo the second shot lodging in his thigh. McHale at once called out to Hawthorne, who was coming up behind him, that he had been shot, and as Hawthorne proceeded to rush Dunn he was ordered to fall back to the cover of a tree, as the outlaw was still firing, McHale also making for the same shelter. By this time Elliott had also come up, and Dunn kept the three of them at bay, until he had emptied his revolvers; but he aimed wildly and did no further harm. The policemen returned the fire with no better result. As soon as his last shot had been fired, Dunn, to the astonishment of his assailants, suddenly rose to his feet and darted oft, with Hawthorne and Elliott in hot pursuit. McHale had been incapacitated from running by the wound he had received, which was bleeding copiously, and he was compelled to lie down; but his companions continued the pursuit and after a short run managed to overtake and secure the wounded bushranger. Then "cooeying" for McHale they

awaited his arrival, and under his instructions Dunn was taken to the station, and after a time removed to Dubbo, where he and McHale were both handed over to the care of the local surgeon, who found them suffering severely from the wound which each had inflicted upon the other.

Dunn's wound was pronounced by the medical attendant to be a very dangerous one, and at one time his recovery was considered hopeless. So bad did he become several days after his arrival that the doctor ordered the irons which had been placed upon him to prevent him from giving his custodians "the slip" to be struck off, his impression being that the wounded bushranger could not survive much longer. He had eaten nothing for two days and appeared to be on the point of death. At this time he was incarcerated in a room in the police barracks at Dubbo, and the wounded policeman was also accommodated with quarters there. On the night his irons were struck off Dunn had no other companion than McHale, but there were five other troopers in an adjoining room, they having vacated the sick chamber in order to allow the wounded men as much fresh air as possible, the weather at the time being extremely hot. The troopers in the adjoin-room did sentry work until after 12 o'clock that night, when they retired to rest, no thought of Dunn having even an inclination to try to make his escape ever entering their heads; and had such thought entered it would have been dismissed at once, as the man was almost too weak to sit up, much less to walk or run away from the barracks. Dr. Ramsay had visited him at a late hour, and as he complained of excru-ciating pain an opiate was administered, and another soporific dose was ordered to be given if the one administered did not have the desired effect.

The last to look in upon the apparently dying outlaw

were the constables who returned to barracks from patrol duty in the town at 1 o'clock, and as these passed through the room they noticed that both McHale and Dunn were sleeping soundly. But some time after this McHale awoke and was reaching over for a drink which had been placed at his bedside, when he made a discovery that caused him to sit up with astonishment. The blankets which had been on Dunn's bed were lying in a heap on the floor, and Dunn had disappeared. McHale at once raised the alarm, and the other troopers came rushing in, to find that the prisoner who had been so carefully guarded since his arrest, and who a few hours previously had appeared too weak to move, had vanished.

The whole of the occupants of the barracks at once commenced to search in concert, but it soon became evident that the outlaw was nowhere about the premises. Marks observable on the still open window of the room—it had been left slightly open for purposes of ventilation—indicated the means by which the escape had been effected, but outside not a trace could be found to shew the direction taken by Dunn. One of the searchers thought he might have jumped down the well in the yard, and the well was searched, but Dunn wasn't there. Every likely and unlikely hiding place was inspected, but the search proved unavailing ; and at last the services of the black trackers were called into requisition, and the keen-eyed, sharp-witted "darkies" were not long before they discovered traces of the escapee, in the shape of the poultices and bandages which had been applied to his wounds and which had either fallen off or had been discarded by him. But from this point even their sharp vision could not detect any marks indicating the direction which Dunn had taken.

To say that there was excitement in the town of Dubbo when in the early hours of that Sunday morning the news spread that the outlaw had escaped, but feebly expresses the condition of affairs. Police and civilians alike were in a state of consternation and bewilderment, and would almost have believed that Dunn had been spirited away by some uncanny agent of the quartette of defunct bushrangers—of whose broken gang he was the last remaining member—had such a solution of the mystery been put forth by any imaginative wag. The whole of the police and many volunteers were engaged during the whole of the day in scouring the country, but without result; and although at a meeting convened by the Police Magistrate, the towns-people to a man agreed to continue the search until the escapee had been re-captured, it was reserved for a man who was not looking for him to find him.

Towards dusk on the following day, Monday, a horse-driver named John Smith drove up to the barracks and informed the constable in charge that he had in the bush come across the man for whom everyone was searching, under the following circumstances:—He had left Dubbo at about 2 o'clock that day with his horse and dray for the purpose of getting a load of wood, and while engaged in his work at about half past four, a man bareheaded and barefooted came up to him, leaning on a stick, and apparently in a very exhausted condition. The man asked for a drink of water, and having obtained it lay down on the grass, Smith taking a seat by his side. While lying on the grass the man asked Smith if anyone was looking for him, and then Smith concluded that he was Dunn. He further asked if Smith would take him to the river, and the wood carter replied that he could not, as people were out looking for him in every direc-

tion; whereupon Dunn said "Ah! if it had only been Wednesday night instead of Saturday night when I made my escape! I could have got clear had they not put the —— chains on me and fastened me to the bed." (It may be here explained that he had been chained by the wrist to the bedstead in the Dubbo lock-up when it was thought his wounds were getting better.) At this juncture a boy on horseback came up to the place where the men were resting, and Dunn asked if the lad would let him have the horse, saddle, and bridle, at the same time expressing regret that he did not feel as well as he did on the Wednesday night. He then put a few questions concerning the lay of the houses about Dubbo and the direction of Mudgee, which Smith explained to him, and Dunn said: "If I could have got away on Wednesday night I expected to meet a friend with a good horse, and then I would have put the 'traps' at defiance." Smith then proceeded to load his dray, but while he was doing so Dunn came up to him and demanded that he should take the horse out of the shafts and let him ride away, saying "I am choking and want water, and must get to the river." This fairly frightened Smith, and he thereupon whipped up the horse and drove into Dubbo as quickly as possible, gave information at the barracks, and conducted the constable to the spot where he had left the outlaw.

When the constable and his guide reached the spot they found Dunn lying beside a log, thoroughly exhausted, and incapable of resisting arrest, if he had felt so inclined. Without loss of time he was conveyed to the lock-up, where he was again placed under the doctor's care, and a more vigilant watch kept over him. When brought to the lock-up he presented a most pitiable spectacle, being terribly emaciated and nearly dead from fatigue and thirst, for he had not had food

or water, with the exception of the drink that Smith had supplied, for two days.

After he had recovered somewhat he told the police that if he had had his revolver he would have shot every man that had come near him, reserving the last bullet for himself. He also told them the manner of his escape and his experiences in the bush after getting away, his story being briefly this :— During the night, after the effects of the opiate administered by the doctor had worn off, he became very feverish and exceedingly thirsty, and called out two or three times for a drink; but as there was no reply, and he could hear McHale breathing heavily in sleep, he tried to get up, but found that he was too weak to rise. His thirst at last, however, became unbearable, and making an extra effort he managed to get out of bed and crawled across the room to the door communicating with the apartment in which the five troopers were sleeping. Finding this door locked, and almost mad in his craving for a drink, he made for the window which overlooked the street, and finding it slightly open he succeeded in dragging himself through it. He fell from the sill on to the verandah floor, and lay there for several minutes, being unable to stand: but the fresh air revived him, and although his only thought up to this point had been to obtain water, he now determined to make a further effort to regain his freedom. He crossed the deserted and silent street, and was endeavoring to climb over a fence when he fell heavily down an embankment on the other side, severely hurting himself. In this hollow, however, he found the water for which he was long ng, but he was so weak that it was with difficulty he could get his face back out of the water into which in his eagerness he had plunged it. From this point he crawled away a short distance into the bush near the racecourse, about a quarter of a mile

from the town, and here he lay hidden during the whole of Sunday. While here he saw two men passing on horseback and called to them, but they did not hear him. During Sunday night he managed to catch a horse which had been hobbled out, and having made a sort of head-stall of the bandages which had been placed on his injured foot, he led the animal to a leaning tree and endeavored to mount it; but when he had nearly effected his purpose he fell backwards and the horse got away, himself receiving further injuries. He then crawled to a log and lay beside it until the afternoon of Monday, when he determined to try and make his way back to the barracks, as he felt that he must die if he remained longer without relief. It was then that he encountered the wood-carter. He declared that he had no thought of escape when he first got out of bed in the room, and only thought of getting away when he felt the cool night air after crawling through the window

The reader does not require to be told that no further opportunity of escape was allowed to the outlaw. By careful treatment he was "patched up" sufficiently to warrant removal by the authorities to a safer place than the Dubbo lock-up, and all arrangements having been made Dunn was conveyed to Bathurst. Superintendent Lydiard himself conducted the transference of the prisoner to the more commodious and safer quarters. A large covered van was obtained and Dunn having been comfortably fixed on the floor, two other prisoners were placed in the vehicle, a strong police escort was formed, and the journey towards Bathurst commenced. The two other prisoners were the old man from whose hut Dunn had emerged when McHale and his companions in arms arrived, and who had been committed for trial on the charge of harbouring the outlaw; and a youth

named Murphy, who had also been in the hut, who was known as the "Boy Bushranger," and would in all probability have been Dunn's companion in the bush had not the connection been broken by the police. With the escort were Messrs. J.M. Marsh, P.M., of Dubbo, J. E. Serissier, J.P., and Dr. Ramsay, the latter attending in case his services should be required on the road. McHale, who was recovering from his wound, was accommodated with a seat on the box of the vehicle. The journey was accomplished without mishap and in good time; and the arrival of the interesting cavalcade created an unusual stir in Bathurst, the greatest anxiety being manifested by the residents to obtain a glimpse of the notorious bushranger on his passage to the gaol. But the van being covered and Dunn lying at the bottom of the vehicle, the hurrying populace were deprived of the privilege of seeing him, the van being driven through the gates before the robber-patient was lifted out.

As soon as Dunn had been comfortably settled, the visiting surgeon of the gaol, Dr. Busby, saw him and examined and dressed the wound in his loin, from which the bullet had not yet been extracted. Although exceedingly weak and helpless, Dunn appeared to be in good spirits, and was evidently no worse for the long journey. On the following day the operation of extracting the bullet was successfully performed by Dr. Busby, and from that time the outlaw's health rapidly improved—so rapidly that in less than a fortnight he was pronounced to be fit to undertake the coach journey to Sydney, and upon that journey he set out, still closely guarded, on February 1st, 1866.

On 9th February he was brought up in Darlinghurst Gaol and charged with the murder of Constable Nelson, at Collector, and several witnesses having been examined,

including two of the murdered constable's sons who witnessed the shooting, Dunn was fully committed for trial. Another charge was preferred against him—that of shooting Constable McHale with intent to murder; and upon this charge also he was committed.

DUNN'S TRIAL, CONVICTION, AND EXECUTION.

Within a week after his commitment Dunn was arraigned before Chief Justice Stephen at the Central Criminal Court on the charge of murdering Nelson.

After the jury had been sworn, the judge said that he had no judicial cognisance of the prisoner, but if this was Dunn who was outlawed, he did not see why he should not be brought up for judgment at once.

The Solictor-General, who prosecuted for the Crown, doubted whether the Crown was in a position to adopt that course, and in any case evidence must be taken as to the identity.

His Honor said that it had been suggested to him that there were jurors on one or other of the panels who entertained peculiar ideas as to the propriety of the death punishment, and who had admitted that they would never convict any person of a capital crime if they were certain he would be hanged. His Honor said he had no means of knowing absolutely whether this was true or not. If true, as he was assured it was, in one instance at least, the persons he referred to ought to consider in their own consciences whether they were not taking a wrong course. They were sworn to return a verdict according to the evidence. How could that question be affected by the question, whether a

man should be hanged or not? If in the face of irresistible evidence, that a man struck a murderous and fatal blow, a juror was in that extraordinary state of mind that he was prepared to say no such blow was struck he might well consider whether he was not violating his oath, and failing to discharge his duty to his country. It would be equivalent to an assumption of the right to return a true or false verdict, just as the prisoner might or might not be hanged. If there were any such person on the jury who held such a conviction, as a matter of conscience, he should state in Court that he was afraid he should perjure himself rather than give a verdict that would result in capital punishment. Such a thing had happened in England, and also here, and such jurors had been ordered to stand aside.

The prisoner having pleaded Not Guilty, and counsel having been assigned to watch the case on his behalf, the Solicitor-General stated the case to the jury and proceeded to call evidence. The witnesses examined were:—Thomas Kimberley (publican and storekeeper), Frederick and Henry Nelson (sons of deceased), James Bull, William Davoren, James McKay (farmers), Constable McHale (who apprehended prisoner), and Dr. Handford (who made a *post mortem* examination of Nelson's body). The reader has already been made acquainted with the facts of the case, they having been given in the account of the raid upon Collector.

After deliberating for about ten minutes the jury returned a verdict of Guilty, and his Honor straightway proceeded to pass sentence of death, addressing the prisoner in the following terms:—

You must have expected this result to have taken place, and that from a verdict pronounced so instantly, you can but expect that your ignominious death has been richly merited. It is lamentable to see such a young man, scarcely twenty-two

years of age, steeped to the very lips in crime. And what for? Where now is your wealth, where now your means, of what use has been your career of plunder and your seizure of riches? You are now so poor as not to be able to pay for counsel to defend you. Could you not foresee a day of retribution like this? You are young, and have, no doubt, been led on by the perilous enterprise into which bad associates may have enticed you; but there was little heroism in what you did. If you had robbed the rich only, and abstained from other crimes, something might have been said in your behalf; but you have gone further—you have robbed the widow of her mite, the settler of his horses and stores, and the digger of his hard-earned treasure. You were intrumental in the death of Sergeant Parry, and for that it was only necessary to prove you were the outlaw John Dunn, when sentence could have been passed. You nearly committed murder on McHale who was attempting to arrest you, and put a stop to that state of savagery in which you have been living; and this poor man Nelson, of whose death you have now been found guilty. Was it nothing for you to shoot and brutally murder a man like that—to cause such suffering to his widow and children? Talk of bravery, I know of no greater act of bravery than was displayed on this occasion by Constable Nelson. The town was deserted by police who were put on the wrong scent, he was left alone. A little girl tells him the bushrangers are at Kimberley's, and what does he do? He said, "I will go down and see what I can do alone!" Such a sentiment can only be equalled by his great namesake who expected every man to do his duty. Nelson went heroically to do his duty and met his death. It was a most brutal murder, and it is impossible for anyone to sympathise with you. The unhappy man was not only shot dead, but you at once return to your companions and the others who were at your mercy and made use of the most filthy expressions. You talked in this beastly and insulting manner to men whom you had coerced by revolvers and firearms pointed at their heads—spoke to them insultingly when they were helpless. That was your courage! Here is your bravery! After all this display, and all your gallant exploits, what is the end of your career? Where now your triumph, your success your riches? Successful you have been for a time, but a fearful retribution has overtaken you, and must inevit-

ably overtake everyone who embarks in a similar career. But where is the temptation that could lead you to such a life? What prospect had you of success; what were the gains? Could you expect immunity more than others? I hold in my hand a list of men whose career has been as lawless as yours, and what have they come to? There is Hill and Jones now suffering fourteen and fifteen years' imprisonment; Vane, Jamison, and Dunleavy, whose career was suddenly checked in the same manner; Gordon and Gardiner, who may be said to be immured for life; Bow and Fordyce, whose lives were respited; O'Meally was shot; Peisley and Manns were hanged; Burke was shot; and your companions in guilt, Hall and Gilbert, met an ignominious death at the hands of the police. Are these lessons nothing? Think you there was bravery in their death, or in any of their actions? Great God! Think you there is no difference between the death of a soldier on the battle field, or of an honest man dying in the bosom of his family, and that of a felon dying on the gallows! Is this the death you propose to yourself as the most heroic? If you can show me one man who has succeeded in his nefarious exploits like yours who can say, "I have succeeded and have peace of mind, and am troubled with no pangs of conscience;" who has escaped the penalty due to his enormous crimes; then I might think you had been led into temptation. But you will find all your class of marauders have met their death ignominiously, either on the scaffold, or at the hands of the policeman. And now you, the last of your race, the last of your ruthless companions—you, a young man, not 22 years of age—I have to sit here and pass on you the sentence of death!

Having thus delivered himself the Chief Justice proceeded to pass sentence, at the same time exhorting the prisoner to make the best use of the few days allotted to him to make his peace with God, for, said he, it would be a prostitution of the word to talk of mercy in a case of this kind.

During the trial Dunn maintained a calm, almost indifferent, demeanour, and when sentence had been passed he quietly turned round and gazed at the crowd in court; after which he was removed to the condemned cell by two

policemen, only to emerge therefrom to suffer on the scaffold, in fulfilment of the law—" Whosoever sheddeth man's blood, by man shall his blood be shed."

Exactly one month from the date when he was cast for death he was brought out for execution. From the time of his conviction, he was most attentive to the admonitions of his religious instructors, giving no trouble to his keepers, questioning not the justice of his sentence, and seemingly perfectly resigned to his fate. Judging from the improved physical condition which he exhibited as he left the condemned cell on the morning of his execution, his mind could not have been much disturbed by the thought of his impending doom, for he was much more robust than when he first arrived in Sydney. He gained in weight upwards of a stone during his incarceration in the gaol. The Roman Catholic chaplain of the gaol, Rev. J. Dwyer, and Rev. T. McCarthy, of St. Benedict's (to whom it will be remembered the bushranger Vane surrendered), were with the condemned culprit until half-past 11 o'clock on the Sunday night, and soon after they left he fell into a sound slumber and remained asleep until half-past 6 o'clock next morning, when he awoke and performed his ablutions. He ate a hearty breakfast, and having smoked a pipe of tobacco, and to all appearances enjoyed it, he was prepared to receive the two Sisters of Charity, who now paid him a visit. Between 7 and 8 o'clock the two clergymen who were with him over-night again presented themselves, and the two sisters bade him a final adieu. The clergymen now endeavoured by the usual religious exercises to prepare the mind of the wretched man for his approaching end, and at a few minutes to 9 o'clock the Sheriff proceeded to the cell, and with the customary formality demanded Dunn's body. The two executioners then pinioned

the culprit, and the mournful cortege moved slowly from the wing of the gaol towards the gallows, which had been erected on the eastern side of the gaol yard.

Owing to the wound received at the capture, the unfortunate man limped along painfully, but still he bore himself bravely up, and appeared as cool and collected as any of the spectators. At the foot of the scaffold, Father McCarthy bade him adieu, and he dragged himself up the ladder, accompanied by the Rev. Father Dwyer, who remained with him to the latest moment. When the rope was adjusted round his neck, he still continued to pray, and his lips were moving when the white cap shut out from him the crowd who faced him, and the bright sunshiny morning. At this time, when only a moment intervened between him and death, he clasped his hands together, and not a quiver or a tremor of the limbs betokened that he was afraid to die. The executioner touched the spring, the drop fell, and death followed instantaneously, owing to the length of rope allowed him.

As Dunn hung suspended, he was absolutely motionless, and judging from the absence of all nervous or muscular contraction, the spinal cord had been completely disjointed. After hanging the prescribed time, the body was cut down, put into a coffin provided by his godmother, Mrs. Pickard, and carried to the hearse outside the gaol walls, where a large number of persons, chiefly elderly women, were assembled, and who gave expression to sympathetic sobs and wailings. Mrs. Pickard, the dead man's brother, and his uncle, followed the body in a mourning coach to the old Roman Catholic burial ground near the railway station, where it was interred after the rites of the church had been duly performed.

In conversation with the gaol authorities, Dunn attributed his fate chiefly to Gilbert, who, he said, had persuaded him to leave his parents' roof for the lawless and murderous career which had ended on the gallows. He made no regular confession of his guilt, neither did he deny it. Having been caught in the meshes of the web he had made for himself, he uttered no complaint—did not even openly express regret: and thus, when but just emerging into manhood's life, he died as all deserve to die who ruthlessly destroy the life which has been given to others.

Next to Constable Nelson and his family, Constable McHale, perhaps, suffered the greatest injury at the hands of this, the youngest, but unquestionably the worst, of the normal gang of bushrangers of which Gardiner was the founder. The wound inflicted upon him by the revolver shot fired by Dunn when he was lying wounded on the ground incapacitated him from active duty during the remainder of his life. He received his share of the reward which had been offered for the capture of the outlaw, and retired from active service some time afterwards on a pension.

The speedy and effectual break-up of Hall's gang after the passing of the Felons' Apprehension Act furnished ground for hope that bushranging in the Western and South-western districts of the colony would speedily cease; but even while the last of that gang was being nursed into health in order that he might be tried and hanged, reports of numerous other outrages were daily being made, the ruffians committing them being scattered over different parts of the country, and acting principally each "on his own account." The following brief list of bush "occurrences" recorded during two weeks pre-

ceding Dunn's conviction will indicate that the crime of bush-ranging was still popular :—

1866.

February 5.—The down mail from Bathurst to Sydney stuck-up near the Pulpit Hill, and the mail bags and passengers plundered of a large amount of money and valuables, by two armed men.

February 6.—The post office, and Mr. Affleck's and Mr. Fraser's store at Gundaroo, robbed by four armed ruffians.

February 6.—Several highway robberies committed in the neighborhood of Mudgee, by a mounted and armed bush-ranger named Lloyd—a youth only seventeen years of age.

February 7.—A man, name unknown, murdered at Warland's Flat, near Murrundi.

February 8.—The body of a man named Wood, who had been murdered, discovered at Dubbo.

February 8.—Mr. Davis's public house at Currabubula, stuck up and robbed by two mounted and armed men—identified as the same persons who had robbed the place on the 9th December last.

February 9.—The White Horse Hotel at Windsor robbed, at noon, by two men.

February 9.—Clarke and another bushranger encountered the police, near Ballalaba, but got clear off.

February 10.—The post office, and Mr. Cameron's store, at Michalago, stuck-up and plundered—it is supposed by Clarke and his companion.

February 13.—Constable Nichols, one of the Orange police, stuck-up and robbed of his horse, firearms, &c.

February 14.—Mr- M'Kay's inn, near Murrurundi, stuck-and robbed, by a single bushranger.

February 15.—Two bushrangers attacked two men engaged at a quartz-crushing machine at the Ironbarks—shot one of them, and robbed them of a large cake of gold, when although one of the plunderers was shot dead by a spectator, the other got clear off with the booty.

February 16.—The Yass mail, and also Mr. Baker's place at Millbank, attacked and robbed by three men armed and disguised.

February 19.—Mrs. Green's residence near Kissing Point, entered at night and the inmates attacked.

February 19.—Mr. McElroy's inn, at Warri, Shoalhaven River, stuck up by two armed and mounted men.

Concerning some of the bushrangers engaged in the outrages here mentioned—and which are here referred to only to let the reader see that bushranging did not die out when the last of Hall's gang paid the penalty of his crimes with his life—a little more must be written before this story is complete: also, the exploits of other outlaws who for cool audacity and blood-thirstiness carried the palm over all the bushrangers of Australia, not excepting those who flourished during the dark and bloody days of convictism. But this part of the Story must be reserved for a succeeding number.

(End of No. 5).

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JEFFS AND CONWAY.
JACKEY-JACKEY.
DALTON AND KELLY.
CASH, KAVANAGH, AND JONES.
"THE GIPSY" AND HIS GANG.
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THE BUSHRANGERS' ACT.
CONVICT BUSHRANGERS IN THE WEST.
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TRAPPING HARBOURERS.
CAUGHT IN A SWAMP.
A BRUSH WITH NAKED MEN.
A DISASTROUS LOVE ADVENTURE.
BOLD ROBBERY AND SMART CAPTURE.
SULLIVAN'S GANG.
THE MOUNTED POLICE AND THEIR DUTIES.
THE INSURRECTION AT BATHURST.
"STICKING-UP" A JUDGE.
BAILED UP ON THE MOUNTAINS.
MURDERED WHILE IN CUSTODY.
THE OMEO MURDER.
"SCOTCHEY," WITTON, and CO.
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FRANK GARDINER, "THE KING OF THE ROAD."

JACK PIESLEY.

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THE TRIALS AT THE SUPREME COURT.

GARDINER'S RELEASE AND FINAL DISAPPEARANCE.

THE CALOOLA ROBBERS—

ALEXANDER ROSS, CHARLES ROSS, AND WILLIAM O'CONNOR.

SHOT DOWN ON THE HIGHWAY.