

Ned Kelly and Me - Part 2 of our association

By Terry Syman

MY joining the Glenrowan Football team in 1958 implanted me at the heart of Kelly Country.

The 1950s football oval (rough and sloping) and clubrooms (old tin shed with shower) were within a hop, step and jump from the Kelly gang's "last stand" at Mrs Jones' inn beside the railway station.

Our furthest "away" game found us journeying to Tolmie high in the Wombat Ranges near Mansfield. That winter Saturday afternoon saw the footy ground covered in snow. Our team proved itself inferior in snow conditions with the ball appearing to gain momentum on surface impact. We lost.

Stringybark Creek was only a short distance down the road and while we Glenrowan Rovers were sloshing through the Tolmie mush my thoughts kept flashing back to Ned Kelly and the Stringybark Creek incident just 80 years previously. This was Ned Kelly's death knell. He hanged for shooting Constable Lonigan on that October day in 1878.

Briefly, a party of four mounted police were out searching for the Kellys. Constables McIntyre and Lonigan were in camp to prepare an evening meal and Constable Scanlon and Kennedy were scouting the surrounding bush on horseback.

However, events turned the hunted into the hunters. The Kelly Gang found the police camp and called on the two constables to surrender. McIntyre, unarmed, did. Lonigan went for his gun or went for cover and was shot dead by Ned.

Then the other two constables returned and were asked by McIntyre to surrender because they were bailed up by the Kellys. Initially reacting to the news as a McIntyre joke, they found themselves in deadly serious trouble. In the fire fight that followed Ned Kelly shot the two dead.

Meanwhile, McIntyre escaped on Kennedy's horse during the melee and hid that night in a wombat hole fearful of Kelly pursuit.

McIntyre made good his escape but retained a guilt concerning his actions. Had he deserted his mates in their time of desperate need? Although he was unarmed the whole time of the incident some condemned him for "desertion" though not his superior Superintendent Sadlier (John Sadlier, *Recollections of a Victorian Police Officer*, 1913).

However, the point about McIntyre is that he had experienced a terrible trauma and felt a conscientious guilt. Yet he became the chief crown witness in the trial that found Ned Kelly guilty of murdering Lonigan. A good defence barrister would have ripped his evidence to pieces.

Kelly never admitted to murdering the three policemen at Stringybark Creek. He claimed self-defence in each case. In the Jerilderie Letter (dated 10 February, 1879) Ned gave his version of Lonigan's death. Having called him and McIntyre "to throw up their hands" which McIntyre did, Lonigan ran for cover behind "a battery of logs" where he "put his head up to take aim when I shot him that instant, or he would have shot me..."



THE dance at Glenrowan as portayed by the Australasian Sketcher.

McIntyre's unreliable reportage of this event varied between the above version and Lonigan being shot by Kelly while trying to escape. The first scenario is manslaughter, the second, murder. McIntyre presented the latter case at Kelly's trial.

During my associations with Glenrowan the Kelly story was treated with much respect and with reverence by some.

Young Dookie College footballers might taunt us as might the Benalla All Blacks, giving their florid opinions on Ned's lack of football skills. But, in Glenrowan, we found it safest not even to mention Kelly by name. After all, his Griffiths descendents were our team colleagues.

What is more, no businessman in Glenrowan was tempted to open a gaudy "Last Stand Café" or a crappy Kelly museum. None proposed building a larger-than-life statue of Kelly in his ploughshare armor. We all knew that if such crazy ideas surfaced the person promulgating such treason would have to answer to Black Jack Griffiths, the local self appointed censor of "Kellyrama".

Ned Kelly's youngest sister, Grace, married one E. Griffiths and their descendents lived in the Glenrowan-Greta district. Black Jack was clan chieftain and he had a reputation for keeping the errant locals in order. I experienced his local power.

I had become the founding secretary of Wangaratta's North-Eastern Historical Society and our enthusiastic members were keen to explore the Kelly story.

Accordingly, I was deputised to organise an excursion to Eleven Mile Creek, Greta West. There stood the old dwelling of Ned's mother, Ellen Kelly. It was the house and property to which she moved on the death of her husband "Red", and it was where that rogue policeman, Constable Fitzpatrick, attempted to arrest Dan Kelly for horse stealing on 15 April 1878.

The house and property was owned by another branch of the Griffiths family. Their house occupied the paddock next to the now derelict Kelly home.

The family would allow society members a brief visit provided we took part in a ruse that afforded some protection from Black Jack's wrath.

In order to have the visit we had to leave our cars on the roadside ready for a quick exit; climb through the fence; walk briskly to the house; and look around for 15 to 20 minutes. When we heard two blasts from

the shotgun next door, we quickly headed for the wire road fence; climbed through; then drove away without lingering. Should the visit be queried, Black Jack could be told how adroitly dispatched were those invaders of Kelly history.

During that visit I was contemplating how young Constable Fitzpatrick had much to answer for. On his way from Benalla to the Greta police station to take charge temporarily, he stopped off at the Winton inn for liquid refreshments. Then he rode on to the Kelly home to arrest Dan Kelly. He should not have gone there alone, without a warrant, and with the likely intention of harassing Kate Kelly with whom he'd had a previous association.

An ugly scene occurred involv-



RECOGNISABLE piece of Kelly memorabilia is the heavy steel helmet worn by Ned before his capture.,

ing Ellen Kelly, her son Dan and others. However, as to who the others were and whether they included Ned or not is most difficult to establish because each party involved had some vested interest to protect when giving their version of events.

Fitzpatrick sustained an injury to his hand (self inflicted?) which he claimed resulted when Ned Kelly fired at him at close range.

In the Jerilderie Letter Ned Kelly claims he was not present. As for shooting at the policeman three times at close range, Kelly wrote that he would not have fired "into a house where my mother, brothers and sisters was (sic), and, according to Fitzpatrick's statement all around him..." Kelly of course was a crack shot and would not have missed three times, a target a few feet in front of him.

The Fitzpatrick affair had dire consequences. Charged with attempted murder it caused Ned's mother to be gaoled for three years (she had a baby at breast having recently married American George King). It resulted in William Skillian

(Ned's brother-in-law) and William Williamson (a Kelly friend) being sentenced each to six years gaol.

To avoid arrest young Dan Kelly went bush and soon was joined by other young friends and Ned. It also caused the authorities to hold without charge many local men on suspicion of assisting the gang in the bush.

Such harsh and illegal treatment showed the locals how unjust the police and Colonial legal system actually was. All of this resulted from Fitzpatrick's testimony arising out of that fateful visit to Eleven Mile Creek.

Fitzpatrick was not a reliable person and his uncollaborated reporting of events should never have been sufficient for the Berry Government invoking the Outlawry Act (Ned and Dan could be shot on sight). Next some 25 troopers with black trackers were sent out to search for the Kellys (without success). Acting Chief Police Commissioner Chomley later described Fitzpatrick as a "liar and a larrikin". He was dismissed from the force.

North Eastern Victoria has many locations that, for me, have Kelly Gang connections - Euroa, the Warby Ranges, Greta, Wangaratta and Beechworth are such examples. However, Glenrowan holds the greatest Kelly fascination.

After the shooting of Aaron Sherritt (former friend of the Kellys turned police informer), by Joe Byrne, the Kelly Gang determined to stand and fight at Glenrowan.

Ned persuaded (with revolver in hand) resident platelayer, James Reardon, and his team, to remove rails on the curve of the railway line as it heads north from Glenrowan to Wangaratta. The aim was to kill the police and black trackers he knew would be arriving at Glenrowan.

By late Sunday 28 June, 1880, the Kellys had rounded up many Glenrowanites, including Thomas Curnow (local school teacher who flagged down the special police train) and Constable Bracken (later to escape and take part in the Kelly capture) in Mrs Ann Jones' Glenrowan Inn. They were hostages and the Kellys had declared war on Victorian police.

The Kelly Gang had now become terrorists placing little value on their own lives and caring little about the innocent that would be killed in their desperate Glenrowan escapade.

As usually happens in terrorist situations, bizarre events occur. Awaiting the police arrival as that fateful Sunday approached midnight, Mrs Jones' sons "sang the Kelly song for the amusement of the gang" (The *Australasian Sketcher*, 17 July 1880).

Then followed a dance in the front parlour. "They danced a set of quadrilles...Ned Kelly had the girl Jones for a partner, Dan had Mrs Jones, and Byrne and Hart danced with male prisoners..." When the train's arrival was heard, Kelly stopped the festivities and said "you will see some play now boys. We will shoot them all". In the confusion that followed Constable Bracken, who gave the above report, escaped the inn.

Police now surrounded the inn to prevent gang members escaping and a catastrophic fire fight broke out between the Kellys

inside and the police in the darkness outside. Civilians were killed including a Jones child and police injured. The whole siege ended in disaster the following morning with the police giving the captives some minutes to escape and then burning down the inn with three gang members inside.

In my view the most amazing happening involved Ned Kelly's earlier escape from the inn, his confrontation with police and capture. Although police informers had hinted that the Kelly Gang had armour, these reports were not received seriously.

So imagine the fear and terror experienced by police when out of the cold misty Monday morning light came this unbelievable spectre clanking towards them impervious to bullets. This is how the reporter from the *Australasian Sketcher* (he had arrived on the police train) reported this event:

"Presently we noticed a very tall figure in white stalking slowly along...There was no head visible, and in the dim light of morning, with the steam rising from the ground, it looked, for all the world, like a ghost of Hamlet's father with no head, only a very long, thick neck..."

"The figure continued gradually to advance, stopping every now and then, and moving what looked like its headless neck slowly and mechanically round, and then raising one foot on to a log, and aiming and firing a revolver.

"Shot after shot was fired at it, but without effect, the figure generally replying by tapping the butt end of its revolver against its neck, the blows ringing out with the clearness and distinctness of a bell in the morning air...I felt fairly spell-bound with wonder, and I could not stir or speak..."

Ned had taken on the police single-handedly. No wonder the term "game as Ned Kelly" has become part of the Australian lexicon.

Lastly, remember that the Kellys were Catholics. They were sinners, not saints. Most Australians would classify them as terrible sinners. However, that was no reason for the Church to abandon them. Nor did it.

Victoria's Colonial Catholic priests were exemplary during the Kelly years. They were present for Ned at his baptism, no doubt during his schooling at Avenel, plus his times in prison. As earlier mentioned, Catholic priests accompanied Ned to the gallows. After the Glenrowan tragedy, when Kelly friends and associates were ready to carry on the fight, Fr Thomas Egan (parish priest, Wangaratta 1869-1884 and, later, Warragul, 1888) with Mrs Ellen Kelly's assistance, dissuaded Greta hot heads from further action.

And, almost miraculously, a priest was present attending to Ned's spiritual needs on the Monday of the Glenrowan last stand - Dean Matthew Gibney, from Perth. He was with Kelly after his capture when those present thought he might die from wounds. Then, defying police, he walked into the burning inn and discovered the other three gang members had already perished.

Perhaps the best tribute we can pay this brave priest is to acknowledge that he was "game as Ned Kelly".