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MARTIN BRENNAN'S HANDWRITTEN
"POLICE HISTORY OF NOTORIOUS BUSHRANGERS" HELD BY THE
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INTO THE FOLLOWING FORMAT.

CONTENTS

CONTENTS	2 - 4
DESPERATE BUSHRANGERS, known as CLARKE's GANG	5
THE HABITATS OF THE JINGERA RESIDENTS OF THAT TIME	5
TOMMY CLARKE AS AN ACTUAL BUSHRANGER	6
DARING ATTEMPT TO ROB THE ARALUEN GOLD ESCORT	6
ROBBERIES IN THE JINGERAS	8
TOMMY CLARKE ARRESTED	9
ESCAPE OF TOMMY CLARKE	9
THOMAS CLARKE JOINED BY HIS BROTHER JOHN and TWO UNCLES	10
ROBBERY OF THE FOXLOWE STORE	11
MURDER OF BILLY NOONANG	11
CLARKE's GANG STARTLE THE COLONY	12
THE ARALUEN POLICE BAILED UP and DISARMED	13
MURDER OF TROOPER MILES O'GRADY	15
ACTION BY POLICE and CITZENS	16
THE NERRIGUNDAH OUTRAGE REPORTED AT MORUYA	17
INSCRIPTION	18
SUMMONS TO SURRENDER	18
NERRIGUNDAH IN A STATE OF SIEGE	19
THE OUTLAW PAT CONNELL SHOT DEAD	19

RAID ON THE ARALUEN POLICE STATION	21
A SAD INCIDENT	22
MULTIFARIOUS ROBBERIES	22
ARREST OF WILLIAM BERRYMAN	23
ROBBERY OF AH CHONG's STORE, MAJOR'S CREEK	23
EXCITING POLICE ENCOUNTER	24
CAPTURE OF TOM CONNELL	25
APPOINTMENT OF PRIVATE DETECTIVES	26
APPOINTMENT OF DETECTIVES CARROLL and PARTY	27
DESPERATE ATTACK ON THE BOGUS SURVEYORS' CAMP	28
THE BOGUS SURVEYORS RETURN TO SYDNEY	29
RAID ON DONALD McLEOD's WAREHOUSE	29
ARREST OF Mrs CLARKE and HER TWO DAUGHTERS	30
THE JINDEN STATION	30
THE DETECTIVES ARREST PATRICK and MICHAEL GRIFFIN	31
THE DETECTIVES CONGRATULATED	31
MURDER OF THE FOUR DETECTIVES	32
DISCOVERY of the MURDERED DETECTIVES	33
INQUEST and BURIAL	34

SGT BYRNE ELICITS IMPORTANT INFORMATION from NED SMITH	34
NEWS OF THE MURDER	35
GOVERNMENT PROCLAMATION	35
ARREST of MICK CONNELL, DANIEL GUINEA and JAMES GRIFFIN	36
WILLIAM BERRYMAN VOLUNTEERS TO GO IN PURSUIT and IS LIBERATED	36
PROSECUTION OF CONNELL, GRIFFIN and GUINEA	37
SPECIAL COMMISSION	37
JAMES GRIFFIN CONFESSES	38
THE GANG's FURTHER DEPREDATIONS	38
LUDICROUS SPECTACLE	39
CAPTURE OF THE OUTLAW THOMAS CLARKE and JOHN CLARKE	40
REINFORCEMENTS	41
COMMITTAL OF THE OUTLAWS FOR TRIAL	42
TRIAL OF THOMAS and JOHN CLARKE	42
EXECUTION OF THOMAS and JOHN CLARKE	44
CONVICTION OF JAMES GRIFFIN and MICHAEL CONNELL	44
THE END OF BUSHRANGING IN THE BRAIDWOOD DISTRICT	45
PATRICK and MICHAEL GRIFFIN APPLY FOR A REWARD	45
INDEX TO NAMES APPEARING IN THIS MANUSCRIPT	47

DESPERATE BUSHRANGERS, known as CLARKE'S GANG

The depredations committed by this group were so numerous, that it would be impossible within reasonable limits to give them in detail, I shall however omit no case which possesses any special interest.

TOMMY CLARKE was the leader of that GANG, which after a brief period embraced his brother JOHNNY, his two uncles, PAT and TOM CONNELL, BILL SCOTT, JAMES DORNAN, alias "LONG JIM the TAILOR", WILLIAM BERRYMAN, WILLIAM FLETCHER and various others on occasions. The country they revolutionized from 1864 to 1867 extended from the SNOWY RIVER to BERRIMA, on the one hand, and from the CLYDE RIVER to BURROWA on the other, a territory embracing many thousand square miles, within this extensive area lie the JINGERA MOUNTAINS, lofty branches of the GOUROCK RANGES, in altitude about 3000 feet above the sea, and in many places almost impenetrable. TOMMY CLARKE, his brother, two uncles, as well as some of the others, were natives of the JINGERAS, splendid riders, expert bushman, and for several years preceding 1864 had been the source of great trouble to the residents of the BRAIDWOOD, QUEANBEYAN and COOMA DISTRICTS, owing to their plundering of horses and cattle. I was stationed on the MAJOR'S CREEK GOLD FIELDS from 1859 to 1862 as a Mounted Trooper, and was almost wholly employed recovering stolen horses in the JINGERAS from those depredators, then known as "JERRIBAT-GULLY RAKERS". It is remarkable too that during that time I arrested TOMMY CLARKE and PAT CONNELL, on two occasions for horse stealing and DORNAN for robbery.

It was extremely difficult to obtain a conviction for horse or cattle stealing as the culprits were scientists at the game and if not successful in proving an alibi, they seldom failed in preventing the identification of the animals by the owners, through disfigurement of the brands, and the mutilation of the manes and tails. In 1862 a police station was established in the JINGERAS at WILD CATTLE FLAT, Sergeant COWARD, Senior Constables WATSON, STAFFORD and GRAHAM were successively stationed there and did good work stifling the predatory perclivities (sic) of those horse stealers and fakers.

THE HABITATS OF THE JINGERA RESIDENTS OF THAT TIME

In those days, and for some years succeeding ROBERTSON'S FREE SELECTION ACT of 1861, there was no land fenced between BRAIDWOOD and the remote confines of the JINGERAS, except a few paddocks at BALLALABA, near the SHOALHAVEN, and the Electric Telegraph was only extended to BRAIDWOOD in 1860. Cockatoo Settlers lived all over the JINGERA COUNTRY, on the mountains, in gullies, on flats, beside swamps, and in extraordinary localities; the dwellings were of stringy bark sheets, and in numerous cases double rows on the sides, movable, and with an intervening space, so as to facilitate escape in the opposite direction to that which a police party was seen to approach; they occupied the CROWN LANDS without payment, cultivated no land of consequence, were imbued with a spirit of lawlessness, and never considered there was any difference between "MEUM ET TUUM" when a fat bullock or a good horse was in question.

TOMMY CLARKE AS AN ACTUAL BUSHRANGER

In June 1864, warrants were issued by the BRAIDWOOD and GOULBURN BENCHES for TOMMY CLARKE's arrest, for highway robbery, shooting at three Chinamen, and horse stealing, in the commission of which there were associated with him, WILLIAM BERRYMAN, and an offender named HICKEY. Sup't. ORRIDGE, who controlled the Southern Police Division at the time, was anxious that CLARKE should be apprehended and took action to secure that end, but before he had proceeded far, CLARKE, to the surprise of many surrendered to the police. After initiatory court proceedings, he was remanded for a week, bail allowed, but he failed to appear, and it was manifest he did not intend to surrender again hence a warrant was issued for his arrest. CLARKE and his associates were well aware that their qualifications fitted them for daring pursuits. They noted the successful exploits of the bushrangers GARDINER, HALL, GILBERT and many others in the Western Districts, which filled the newspapers at the time, and regarded those "banditti" as heroes, whose lawless actions were worthy of emulation hence it was they decided promptly on a sensation of their own.

DARING ATTEMPT TO ROB THE ARALUEN GOLD ESCORT

TOMMY CLARKE to give effect to his aspirations for notoriety, invited the bushrangers HALL and GILBERT, to join him in robbing the ARALUEN GOLD ESCORT and it was accepted. The ARALUEN VALLEY GOLD FIELD is situated 9 miles from MAJOR'S CREEK and 20 miles from BRAIDWOOD; it extends about 10 miles in the MORUYA direction, by about 3 miles broad, and is surrounded by the Coast Ranges nearly 3000 feet high. There are two roads to the Valley from BRAIDWOOD, one by MAJOR'S CREEK, and the other via BELLS CREEK; these roads are circumambient cuttings in the mountains about 20 feet deep, with steep grades in many places, and the distance from NORMAN'S PUBLIC HOUSE at the base to the top of the mountain at MAJOR'S CREEK is 3 miles. At this time ARALUEN was prosperous.

JOHN HENRY BLATCHFORD was a large purchaser of gold, averaging 2000 oz per week; he was (sic) sanctioned a police convoy to accompany him with the gold to BRAIDWOOD every Monday; the precious metal being secured in an iron safe fastened in the centre of a waggonette, drawn by two horses. On the morning of the 15th March 1865, the bushrangers HALL, GILBERT, CLARKE, and two others, made their appearance on the MAJOR'S CREEK MOUNTAIN, bailed up every person passing, took them to a sump (sic) forty yards from the cutting, where they were guarded by one of the group; another member took charge of the road, while the principals HALL, GILBERT, and CLARKE took up positions close to the cutting and within sight of each other. GILBERT ensconced himself in an upright hallow stump, 7 feet high, admirably adapted for his purpose, as it was sufficiently spacious for himself, sledge hammer, cold chisels, etc required to break open the safe, after the destruction of the police had been accomplished.

The escort started from ARALUEN at 9 o'clock, with 1900 oz of gold, escorted by Senior Constable STAPYLTON, in charge, Troopers BYRNE, KELLY and McELLIGOTT, all armed with TERRY rifles and COLT'S revolvers, while Mr BLATCHFORD, who drove the horses, was armed with a double barrelled gun. On reaching NORMAN'S HOTEL, Trooper BYRNE took the advance guard, 100 yards in front of the vehicle, Trooper KELLY 50 yards behind him, while STAPYLTON and McELLIGOTT brought up the rear. Owing to the steep grades, the guards moved slowly. On reaching a curve half a mile from the top, with scrub on each side, and intersected by a gully, BYRNE looked round, and saw Trooper KELLY moving slowly behind, being unconscious, that he was at the moment within a few yards of a desperate bushranger, bent on the destruction of the escort. After advancing about 50 yards he turned a corner of the cutting, when he heard a sharp report, which he concluded was caused by Mr BLATCHFORD'S whip, but was soon undeceived by hearing reports of several shots in succession, behind him.

Believing the escort was being bailed up, he dismounted rifle in hand, stood under cover of the bank, when the horses drawing the waggonette, with the reins hanging loosely, came round the corner, but lo! Mr BLATCHFORD was missing. He stopped the horses, and scarcely had he done so, when the mounts ridden by STAPYLTON and McELLIGOTT arrived, riderless; he tied their reins together and placed them behind the vehicle. KELLY and his mount were no where to be seen. BYRNE grasped the situation and took action to defend his charge, placed his revolver before him, and took up a position protected by the creek and the bank. Presently he heard the footfalls of horses on the side of the range in front of him, and in a few moments saw three armed bushrangers dismounting a few yards from the bank, whom he recognized as HALL, GILBERT and CLARKE; after a low conversation, GILBERT stealthily approached the top of the cutting, when BYRNE, who had his eye upon him, discharged his rifle at him; the bushranger stopped and fell backwards. BYRNE in order to give colour to the impression that the police were beneath the bank, adopted the ruse of calling the police by name "to lookout", and this had a magical effect, as the desperadoes remounted, and galloped towards MAJOR'S CREEK. The crowd detained at the camp saw the encounter, and marvelled that BYRNE had not been shot when pressing GILBERT. Trooper KELLY was called on to "bail up", and on looking in the direction, GILBERT fired upon him, the ball entered his left breast, and lodged in the skin below the left shoulder, he fell forward on his horse, which turned round, and cantered back towards NORMAN'S. The bushrangers fired several shots into the waggonette, which Mr BLATCHFORD, by an interposition of providence, escaped; he jumped from the vehicle, took shelter under the bank, and while doing so, two bullets cut through the gravel over his head. Seeing KELLY wounded, and not knowing what had become of BYRNE, he returned hurriedly to ARALUEN, overtaking STAPYLTON and McELLIGOTT, who were on foot, going in the same direction. On arrival, Mr BLATCHFORD telegraphed Superintendent ORRIDGE, BRAIDWOOD, "Gold Escort stuck up, and one policeman shot". When the alarm was given in ARALUEN, all persons who could procure horses and arms, rushed to the mountains, including Sergeant WALSH and Constable TRINK (sic), and the residents of MAJOR'S CREEK were no less ardent as they rallied forth armed with guns, sluiceforks, etc to encounter the bushrangers.

In the meantime Messrs NAIRN and GRIFFIN rode posthaste to ARALUEN, and informed Mr BLATCHFORD that “ BYRNE had saved the gold “. Trooper BYRNE, accompanied by a large crowd of defenders, escorted the gold to Mr BLATCHFORD’s store, MAJOR’S CREEK, where it was placed in the safe for security. Sup’t ORRIDGE and a posse of troopers arrived at MAJOR’S CREEK, as did also Mr BLATCHFORD, who was very excited. “ How did the police act ? “ queried Mr ORRIDGE. “ This man “, said Mr BLATCHFORD, “ saved my gold and I will give him 50 pounds when we reach BRAIDWOOD “, and he was as good as his word. The Superintendent, Trooper BYRNE, and others conveyed the gold to BRAIDWOOD that afternoon, and lodged it in the ORIENTAL BANK. Great excitement prevailed at BRAIDWOOD, where hundreds of the residents thronged WALLACE STREET, and lustily cheered Trooper BYRNE for bravery. When the wounded Trooper (KELLY) reached NORMAN’S HOTEL, it was found that his boots were filled with blood, and that he was choking. Doctor ALLEY on arrival, administered an emetic and thus saved his life. Dr. PATTISON soon afterwards extracted the bullet. After recovering from a long illness, KELLY retired from the service on compensation. Captain McLERIE (sic) on hearing of Trooper BYRNE’s bravery promoted him Senior Constable.

ROBBERIES IN THE JINGERAS

On the 20th June, two armed men wearing blue blankets and masked robbed the residence of SIMON COREY of stores and 30 pounds and a Mr TURBAN’s dray of drapery and ladies hats. Mail and other robberies followed in quick succession, the culprits in every instance being masked, and reports were circulated that the offenders were members of HALL’s gang; the police however, were convinced they were the doings of the CLARKES and CONNELLS as there was no need for HALL and associates to be disguised. Later on JAMES CLARKE, brother of TOMMY’s was arrested for having Bank Notes stolen from the QUEANBEYAN MAIL in December 1864, in his possession, for which he was convicted and sentenced to 3 years in DARLINGHURST GAOL. This circumstance is recorded, as the youthful convict’s name will occur later on in connection with the advent of the private detectives, CARROLL and party’s mission to the district as Surveyors. Sup’t ORRIDGE was puzzled to account for the numerous robberies and consulted Senior Sergeant SMITH (afterwards Inspector) on the subject, which resulted in Sergeant STAFFORD being sent to investigate the outrages at COREY’s and the robbery of TURBAN’s dray.

STAFFORD took with him a list of the stolen articles and accompanied by Constable CALLANAN, proceeded to TURBAN’s residence, ‘ GOOD GOOD ‘ and on route met Sergeant LATIMER and party from QUEANBEYAN scouring the mountains for the desperadoes. After making full inquiry, STAFFORD and his Trooper rode direct to Mr HART’s residence, ‘ JERRIBAT GULLY ‘, where Mrs TOMMY CLARKE (nee CHARLOTTE HART) was then staying. The Sergeant was popular with those people and Mrs CLARKE professed great pleasure at seeing him. Mr (MICHAEL) HART was a respectable and honest man, who was grived (sic) at his daughter marrying CLARKE but there was no help for it. Mrs CLARKE was dressed stylishly and wore a new hat with large feathers which corresponded with a hat stolen from TURBAN’s dray but STAFFORD had still to see the maker’s name to be certain of identification, and this he accomplished in a rather ingenious manner. Seeing Mrs CLARKE place the hat on her head, he intimated quietly to CALLAMAN to go into the scrub and discharge his revolver a few times; The trooper did so.

When Mrs CLARKE rushed to the place to ascertain the cause, STAFFORD seized the opportunity, examined the hat and found it to be identical with the stolen one. He consulted with Mr HART, in whom he had confidence, on the recent robberies and the finding of the stolen hat and then returned to BRAIDWOOD. In a few days the Sergeant received a letter which led himself and the Trooper to proceed to Mr HART's place that night.

TOMMY CLARKE ARRESTED

On reaching the place, STAFFORD reconnoitred the surroundings and took up a position which commanded a view of Mrs CLARKE's Bedroom. At 3 am , TOMMY CLARKE made his appearance, put his horse in the stable, and went into his wife's bedroom. STAFFORD rushed the door, while CALLAMAN guarded the window. CLARKE opened the door, where he was promptly arrested, charged and handcuffed. The room was searched and in addition to the lady's hat, several articles of TURBAN's property were found; the haystack was then overhauled, where the remainder of the stolen property was discovered. CLARKE was conveyed to BRAIDWOOD and in due course committed for Trial to the GOULBURN CIRCUIT COURT, on three charges of highway robbery under arms, bail refused. The committal of CLARKE on such serious charges caused commotion amongst his friends, who left nothing undone to secure his escape and this was accomplished in a manner which demonstrated gross negligence in the BRAIDWOOD GAOL.

ESCAPE OF TOMMY CLARKE

At this time the town residents applied to the Government to have the footpaths formed by prison labour, and the request was approved of. Prisoners were employed under the surveillance of a certain warder (GLEESON), who boarded with a Van demonian resident, a staunch friend and sympathizer of the CLARKES.

Between the Van demonian and this warder, it is said, a plan for CLARKE's escape was concocted, and made known to the prisoner. A saddled horse was to be left at a hut 200 yards from the gaol wall, which CLARKE on getting over could mount, and bid adieu to BRAIDWOOD. On the morning of the 3rd October, 1865 the gaoler let his prisoners into the yard at 6am amongst whom were TOMMY CLARKE and JAMES DORNAN, ALIAS " LONG JIM the TAILOR ", who was incarcerated for robbery. DORNAN was clearly in the plot, for as soon as they reached the yard, he placed CLARKE on his shoulders, and pushed him up the side of the wall, in which he had little difficulty in doing, as he was a powerful man over six feet high. CLARKE was a light man and without boots, reached the top, dropped to the buttress, and descended without inconvenience. This part of the business accomplished, he ran for the hut, and had proceeded half way, when the accommodating sentry warder in the tower, sang out " CLARKE is escaping " and fired his rifle in the direction. Senior Serg't DUFFY, whose quarters were close by, mustered his men promptly.

Troopers HURLEY, BYRNE, TORPY and WALSH started at once, HURLEY being close on his tracks, while WALSH jumped the fence to intercept him. CLARKE in the meantime mounted his horse brushed with force against HURLEY, got on to the GOULBURN Road , along which he galloped at top speed. DUFFY and the remaining police rushed to the gaol to prevent further escapes, but one prisoner in the person of TOMMY CLARKE, was sufficient to be at large, to render life and property insecure in the surrounding districts for three years; as it is to his escape, is wholly due all the bushranging robberies, and murders, which disgraced the BRAIDWOOD and COAST districts up to his extermination in 1867. The police were promptly dispatched in pursuit, and not withstanding their best efforts, failed to trace his whereabouts.

In a few days a report was received from the Hon HUGH WALLACE, M.L.A. NITHSDALE, that several of his thoroughbred horses were stolen, and two huts maliciously burned down, the work of TOMMY CLARKE and his associates. A police station was at the time established at STONY CREEK, but owing to repeated depredations about BALLALABA, it was removed later on to that place.

An inquiry took place in the BRAIDWOOD GAOL regarding CLARKE's escape, which resulted in the suspected warder (GLEESON) being removed to DARLINGHURST, where he was kept under surveillance, and in a short time his services were dispensed with. On the 13th October, Sir CHARLES COWPER, Colonial Secretary issued a proclamation offering a reward of 50 pounds for the arrest of THOMAS CLARKE.

THOMAS CLARKE JOINED BY HIS BROTHER JOHN and HIS TWO UNCLES

The day following the publication of the proclamation, a Chinese storekeeper, AH FOW was found murdered at MUDMELONG, having gun shot wounds in the head, and though there was no absolute proof to connect CLARKE with the deed, yet there was more than strong suspicion at the time, that he was the actual perpetrator.

JOHNNY CLARKE and his two uncles PAT and TOM CONNELL, openly joined TOMMY CLARKE, as bushrangers at this period, as did also WILLIAM BERRYMAN, and as a consequence several daring robberies were committed in rapid succession, including those of the GOULBURN, COOMA and ARALUEN MAILS.

ROBBERY OF THE FOXLOWE STORE

On the 29th December, the GANG consisting of six armed men, disguised in red blankets, and masked; bailed up Mr HOSKING's Store, "FOXLOWE", and took from Mr VALLANCE, the Sup't, all his money, selected five pack loads of groceries and drapery, helped themselves to spirits, and then decamped with the booty to the JINGERAS, to distribute amongst their friends. When the robbery was reported, the BRAIDWOOD, QUEANBEYAN and district police turned out, and made a vigorous search of the JINGERAS. Sergeant LATIMER, Senior Constable BYRNE and their parties arrested JOHN and MARGARET CONNELL, LUCY HURLEY, BEN JERMYN and several others (EDWARD CRONAN) as receivers of the stolen property, portions of which were found in their dwellings. JOHN CONNELL was sentenced to 10 years, while the others under committal were remanded. This prompt action had a salutary effect, but the frequency of the robberies, and the difficulty of following up the offenders' tracks, demonstrated the necessity for a black tracker for the JINGERAS. Sub-Inspector BRENNAN, YASS, selected one specially fitted for the purpose, in the person of an Aborigine named GEORGE EMMOTT. The introduction of this new element in police tactics had an alarming effect on the GANG and their friends, as they were now convinced that no efforts would be spared to bring them to justice - hence it was, they resolved on his destruction, but in putting their mortiferous design into execution, they murdered the wrong man.

MURDER OF BILLY NOONANG

At the end of 1865, the Police at STONY CREEK had to attend the BRAIDWOOD Sessions, Senior Cons't BYRNE and Tracker EMMOTT on route, passed by JACK CLARKE's residence, and were observed by the old man, father of the two bushrangers, TOMMY and JOHNNY CLARKE, who lived three miles from BALLALABA, on the SHOALHAVEN RIVER. On the following day, THOMAS COLE (who later married the widowed MARY CLARKE nee CONNELL, mother of the bushrangers, in 1874), a close neighbour, heard a shot fired close to him in the tie (sic - tea) tree scrub, which abounds on the river bank, and immediately saw TOMMY CLARKE, the bushranger at the spot, with a gun in his hand. At day break next morning, when leaving for BRAIDWOOD, Mr COLE met old CLARKE coming from a deep hole in the river. CLARKE when passing pulled his hat over his face, and although on good terms, did not speak, a circumstance that aroused suspicion in COLE's mind that something was wrong.

In a few days it was reported to the police that a dead body was found in the SHOALHAVEN, near CLARKE's residence. Trooper O'REILLY discovered that the remains were those of an Aborigine, and on examination found a rifle bullet embedded in the heart; the body, by means of a dog-chain was fastened to a flour bag, which contained a number of water-worn stones, and the bag itself had impressed upon it the milling brand of Mr CHARLES DRANSFIELD, JEMBAICUMBENE. Coroner PATTERSON held an inquest which disclosed that the remains were those of a male Aborigine; that the deceased had been shot, and that there was no identification, hence a verdict of "FOUND MURDERED" was returned.

The inquiry being unsatisfactory, Senior Serg't DUFFY (afterwards Inspector), undertook a proper investigation; he elicited the fact that BILLY NOONANG, an Aboriginal in the service of Mrs BADGERY, the well known hostess of the " DONCASTOR HOTEL ", was missing, that he left the day before the sessions on foot with a gun to shoot ducks on the SHOALHAVEN, and did not return; that his mother SALLY could identify the body of her son by teeth peculiarities, etc. The Coroner being put in possession of these facts caused the body to be exhumed and a fresh inquiry held when the remains were positively identified as those of BILLY NOONANG.

The stones found in the bag were shown to have been taken from a fireplace used by the CLARKES in the tie (sic) tree scrub where the shot was fired. The jury formed a verdict of murder against some person unknown. The Government offered a reward of 50 pounds for the apprehension of the murderer. At this particular junction several of old CLARKE's relatives were in trouble over the FOXLOWE Robbery, and JACK CONNELL was serving a sentence of 10 years for participation in that offence. Mrs JACK CONNELL, a sister of WILLIAM BERRYMAN, now a member of the GANG, went on a visit to MICHAEL CONNELL's store, " STONY CREEK " and while there stole a parcel of jewellery, the property of his (MICHAEL) wife, who reported the theft, which resulted in Mrs JACK CONNELL being arrested and committed for Trial. She expected old JACK CLARKE would bail her out, but as he failed to do so, she, stung by a feeling of courage, sent for DUFFY, and informed him " that the day NOONANG was shot, she was staying at old CLARKE's; that TOMMY CLARKE came to the scrub at 2pm where his father met him; that the Aboriginal was seen passing by the house to the river carrying a gun; that the CLARKES believed he was the Tracker EMMOTT; and that the old man followed him to the river; that she heard a shot fired at that place, and a few minutes later, old CLARKE returned, covered with perspiration, procured a flour bag, and also the chain that was tying the dog, and took them to the scrub ". Senior Serg't DUFFY obtained a warrant for CLARKE for murder, which was executed by the BALLALABA Police, and resulted in his committal for Trial to the GOULBURN Circuit Court. Before the trial came on however, JACK CLARKE was dead (Nov 1866). The old man had been an Imperial Convict.

CLARKE's GANG STARTLE THE COLONY

MAJOR'S CREEK was a favorite centre for the GANG's operations at this time, and numerous robberies were perpetrated there with impunity. The Superintendent being dissatisfied with the police inaction, removed Senior Constable STAPYLON the officer in charge to ARALUEN, and placed Sergeant STAFFORD in charge. In January 1866, the GANG bailed up SUMMERS' Store, JEMBAICUMBENE, and carried away a large quantity of goods, including jewellery, scents and hardware, as well as 70 pounds in cash - robbed two dealers named MATHESON and FRAZER, and two miners of 51 pounds, then rode to ARALUEN, disguised in red blankets, and masked, where they robbed the Mail at 6pm, deprived the Rev'ds KENNYCORK (sic) and JOHNSTON of their watches, and money and cut open the Mail bags.

Those numerous outrages on peaceable citizens caused commotion in the district, and formed matter for serious consideration by the Government, accordingly on the 17th January, the Colonial Secretary issued a proclamation offering 200 pounds reward for the arrest of CLARKE, 100 pounds each for accomplices, and 50 pounds for harbourers. This action, though important, had no effect, owing to the many sympathizers in the district. Early in February, they robbed the Post Office, MICALAGO (sic), the police being absent in the JINGERAS, and carried away all the money and jewellery, and when leaving took two horses the property of the Postmaster. The GANG then proceeded to MUTBILLY on the GOULBURN Road, and bailed up the SOUTHERN MAIL coach at 3am the following morning. There were several passengers, including Doctor MORGAN, WAGGA; Mrs Captain WILKIE, two ladies and Constable WHEALLY in charge of two lunatics. When the coach reached BRANDBURY's store it was stopped by TOM CONNELL, who was on foot, and armed with a gun and revolver. Constable WHEALLY on looking out from his seat, saw CONNELL armed with a double barrellled gun, jumped out on the opposite side to encounter him, when he was promptly covered by TOMMY CLARKE and PAT CONNELL, with two revolvers, and had of necessity to hand over his watch. Doctor MORGAN was deprived of 6 pounds and a gold watch, but the latter was returned on his representation that it was a gift, and Mrs WILKIE was deprived of 6 ounces of gold.

After nearly an hour's detention in searching the letters, the driver was permitted to proceed to GOULBURN, 20 miles distant. The ruffians wore riding boots, blue and red blankets, and cabbage tree hats. The GANG reached Mrs ELROY's Inn, late in the day, had refreshments, ransacked the place, appropriated everything of value, as well as 6 bottles of spirits, and left in the direction of BRAIDWOOD.

THE ARALUEN POLICE BAILED UP and DISARMED

The feeling of insecurity occasioned by the commission of such daring outrages was intensified by the news wired from ARALUEN on the 24 February, that the local police had been bailed up by the GANG and disarmed. At 8pm the previous night 5 armed men rode up to EATON's Store, CROWN FLAT, recognised as the CLARKE's GANG, CLARKE said to Mr EATON, " We have come to relieve you of your spare cash ". EATON replied, " Surely you don't mean that TOMMY". " Yes ! EATON ", returned PAT CONNELL " and have it we must ", at the same time pointing his revolver at him. The store was then ransacked and the sum of 20 pounds, a gold watch, and numerous articles taken. When the bushrangers left for MORRIS's HOTEL, MUDMELONG, Mr EATON dispatched a messenger to Senior Constable STAPYLTON, who was then absent at a lodge meeting, at NEWTOWN, and some delay was caused in finding him.

In the meantime Foot Constables CURRAN and RICHARDSON proceeded to CROWN FLAT, separately, armed with rifles and revolvers, and on ascertaining particulars, pushed on quickly, and reached MORRIS's place at 10pm to find that the desperadoes had not been seen. Anticipating their coming, CURRAN ensconced himself behind the counter in the store, and RICHARDSON took up a similar position in the hotel; they had not long to wait, when the GANG approached the house, unconscious that the police were inside, and sent TOM CONNELL forward to reconnoitre the premises.

On entering the store he was promptly arrested by Constable CURRAN, taken to the hotel, and handcuffed. While this action was being taken inside, Constable DEACEY (DACEY), who while on duty at REDBANK, heard of the robbery, procured a horse, and armed with a revolving rifle, and revolver, made all haste to MUDMELONG. Whither he was informed the police had preceeded him, and just arrived at the store, when the bushrangers were about to enter, when dismounting, the GANG covered him with their revolvers, and he of necessity surrendered his revolving rifle, and revolver to the offenders. DEACEY was made prisoner and marched to the hotel. When the ruffians discovered that TOM CONNELL, one of the GANG, was in the hands of the police, the GANG demanded his instant release, which was answered by a volley from CURRAN and RICHARDSON and responded to by the GANG. The doors were then closed, but as the building was a mere shell of weather-boards, the bushrangers discharged several rounds through its doors, windows, and sides from the revolving rifle. The two Constables replied vigorously but to no purpose. The GANG then started to set the building on fire, when the Constables came forth and surrendered.

The handcuffs were then removed from the prisoner, TOM CONNELL. This unfortunate business was certainly humiliating, but it was not yet complete.

Senior Constable STAPYLTON after being informed, procured his horse and arms and proceeded to MORRIS's Hotel, without taking the slightest precaution, which common sense would suggest, hence it was, he rode up to the hotel with his rifle attached to the saddle by a stay strap, when he was bailed up and disarmed. This was the most wretched and mis-managed business, as far as the police were concerned, enacted during the bushranging days. The GANG having made prisoners of the police, took possession of the bar, served drinks to all hands, appropriated all the valuables they could find, and decamped at midnight.

The brigands were elated at their success, and easy victory, which furnished them with a revolving rifle, and other effective arms suitable for their lawless enterprise. The relations and sympathizers in the district were jubilant, and the result was, respectable people, treated their doings at first with indifference, now deemed it advisable to be cautious, and refrained from giving information to the police. The GANG now became unscrupulous and daring, and committed outrages which terminated in atrocious murders. On the 13th March, the GANG robbed the GOULBURN and QUEANBEYAN MAIL and then proceeded to MONARO, bailed up Mr CULLEN's Hotel, BUNYAN, being assisted by two recruits TYRIE and KINCHELA, and took two new saddles from the stable. The gang in full strength appeared next day at the residence of MAURICE HARNETT J.P., ROSEBROOK, and robbed not only the homestead, but also Messrs WILSON, STAFFORD, McKEON, HARKNESS and THROSBY of their watches, money, jewellery, and a valuable horse.

Two hours after they had left, Captain BATTYE with a strong police party arrived and pursued them into the JINGERAS. It was evident from their activity and success they would ere long startle the colony by the perpetration of some more daring exploit than had yet been attempted, and this was accomplished on the 9th April 1866, by bailing up the NERRIGUNDAH Township.

MURDER OF TROOPER MILES O'GRADY

NERRIGUNDAH, known in the sixties as the GULPH DIGGINGS, is 36 miles south from MORUYA, it had a population at the times of 1200. Chiefly miners; there were five hotels, several stores, a court room, and a police station in the two principal streets, and those streets formed a right angle. The first house on reaching the township from DEEP CREEK, was WALLIS' Hotel, the next POLLOCK's Store, and the extreme house on the same side was JONES' Hotel, while the Police Station was 100 yards from JONES' Hotel in the second street. The township was on the GULPH CREEK at the base of a lofty mountain 2000 feet high, over which the main road passed to DEEP CREEK, where there was a public house kept by the GROVES, and also a store, distance two miles from the township. A few weeks previous to the outrage, BILL SCOTT, a native of BERRIMA, and a treacherous ruffian, was prowling about the MORUYA district was locked up, when he informed the police he would bring the bushrangers to MORUYA. On being discharged he forthwith joined the GANG.

Another recruit to CLARKE's GANG at this junction was WILLIAM FLETCHER, a native of MORUYA and a pal of BILL SCOTT; he was a splendid rider, disliked work, fond of drink, but otherwise fairly respectable. Four days before the bailing up of NERRIGUNDAH, he figured prominently on the GLENDUART (sic) race course, where, seemingly under the influence of drink, he mounted a splendid horse and galloped away but being intercepted by the police, the horse was restored to the owner, who refused to prosecute. On the same day, however, the CLARKE's GANG were seen on the ARALUEN Road, three miles from the course, and on the following morning FLETCHER had disappeared having stolen a horse from a stable at MULLONDUCE (?).

On the 9th April the GANG comprising TOMMY CLARKE, PAT and TOM CONNELL, WILLIAM and JOSEPH BERRYMAN, BILL SCOTT and WILLIAM FLETCHER armed with revolving rifles, and revolvers, made their appearance near DEEP CREEK, NERRIGUNDAH and ensconced themselves in an abandoned hut near the main road, bailed up all persons passing, robbed the Mail coach and rifled the contents. About 6pm Mr JOHN EMMOTT, storekeeper, MORUYA, en route to purchase gold, and riding a favourite horse, was called on to surrender, but instead of complying, he galloped away towards DEEP CREEK, CLARKE and PAT CONNELL pursued and fired upon him with effect; the horse being shot dead, while Mr EMMOTT was seriously wounded in the arm, and otherwise injured through the fall. He was robbed of 120 pounds and his watch. It being now dark, the GANG marched the prisoners to DEEP CREEK, bailed up Mrs GROVE's Hotel and Store, and robbed the premises of money and valuables. Two of the GANG remained in charge of the captives. While the five principals rode off to the township. On arrival, two of the bushrangers entered WALLIS' Hotel, and bailed up all hands; two others entered Mr POLLOCK's Store, and made prisoners of Mrs POLLOCK and four customers, whom they marched to the hotel which formed the basis of operations; and the fifth was assigned the duty of arresting every person passing in the street. All persons at the hotel were robbed of their money, the cash box was despoiled of its contents, and Mrs POLLOCK had to part with 7 pounds 10 shillings and the keys of the gold safe. CLARKE held the keys in his hand and while giving directions to one of his companions, Mrs POLLOCK, urged by an impulse of desperation, snatched the keys and threw them with force across the Street.

CLARKE procured a lighted candle and while searching for the keys, Mr POLLOCK arrived from the upper Township, where he was secured and placed with the other victims. FRANK DREW, the butcher, was the next captive who was ordered to hand over his cash. DREW pulled a roll of notes from his pocket and threw it over the heads of the crowd and behind the bar.

In the interim between the GANG's arrival and DREW's capture, word reached the police station that WALLIS' Hotel was being robbed by bushrangers. There were but two Constables at the station, MILES O'GRADY and PATRICK SMYTH, Sergeant HITCH being absent at MORUYA; both Constables had been only a few weeks at the station and O'GRADY was at the time in bed suffering from fever, nevertheless the brave man that he was, responded to the call of duty, rose from his couch, armed himself with a revolver as did also Constable SMYTH, and rallied forth in haste to encounter five desperate bushrangers. On reaching the front of the hotel, they noticed the bar and the back room filled with people and some disturbance going on behind the bar where CLARKE was engaged looking for DREW's roll of notes; two armed men stood to the right of the door way threatening to shoot the butcher and were so placed that it was scarcely possible to fire upon them without endangering the lives of innocent persons. The Constables exercised great caution, moved to the opposite or left hand side of the door, to satisfy themselves that the armed parties were two of the GANG. Being certain of that fact, both Constables fired simultaneously, when one of the bushrangers fell forward on the floor dead, the second bullet having lodged in the jamb of the door, an inch from the edge, and close to where the ruffian PAT CONNELL stood. The greatest excitement now prevailed amongst the captives, and bushrangers, seeing which the Constables withdrew, Constable SMYTH after going a few yards towards POLLOCK's, turned into a lane, while O'GRADY moved towards JONES' Hotel. In a few seconds the four bushrangers and their captives rushed into the street. CLARKE seeing the retreating figure of O'GRADY, ran after him with his revolving rifle, and as the Constable was passing beneath the hotel lamp, the leader of the GANG took deliberate aim and fired, when O'GRADY was seen to fall heavily on his face, and immediately expired, the ball having passed through his heart. The GANG hastily mounted their horses, and galloped back to DEEP CREEK, rejoined their companions (who had a pack horse laden with goods) and took their departure along the CADGEE RIVER, leaving their dead comrade, and his arms in the hotel bar.

ACTION BY POLICE and CITZENS

A messenger was sent promptly to the URABODALLA (sic) residents, who met Sergeant HITCH returning to his station, when several armed themselves with guns, and accompanied him to the Township, where they learnt the direction the GANG had taken. A volunteer party was organized to go in pursuit, which consisted of the Sergeant, CHARLES NASH, MICHAEL MANUSA a GREEK;

CHARLES HARPER, the poet, who was then Gold Commissioner; JONATHAN WILD and 8 others, all anxious to have a brush with the murderers. After procuring arms, etc, the volunteers started over the mountains to intercept the desperadoes. On reaching an empty hut on the EULOWRA FLAT, they halted for refreshment when it was found the poet was unable to proceed further, and had to be left under the care of one of the party; the volunteers continued their course under great difficulties, owing to the route being trackless, however they reached the EUCUMBENE RIVER CROSSING at day break, to find that their quarry had not so far crossed to the MONARO COUNTRY. The volunteers took up a splendid position on the opposite side of the river, on a high bank close to which the bushrangers must pass; they had not long to wait, as presently 6 armed horsemen, one leading a pack horse, were seen approaching in single file. The desperadoes rode into the river abreast, and allowed their horses to drink, unconscious that a large number of determined armed men were within 30 yards of them. The Sergeant at this junction gave the signal to fire, and his volunteers responded, but unfortunately to no purpose, as several of the weapons missed fire, and proved useless to those who carried them. The bushrangers turned round, and cantered back about 50 yards, when they halted apparently for consultation; but before any decision was arrived at, MANUSA discharged his rifle at them, and shot the pack horse dead. The GANG tarried no longer, but cantered away, leaving the store goods taken from DEEP CREEK behind them. The volunteers returned to NERRIGUNDAH loaded with booty.

THE NERRIGUNDAH OUTRAGE REPORTED AT MORUYA

Word reached MORUYA at midnight that CLARKE's GANG had shot the police. Trooper BAKER and myself (MARTIN BRENNAN), started for the GULPH as fast as our horses could carry us. We reached DEEP CREEK at day break, and on ascertaining particulars, continued our course to the residence of CHARLES BYRNE, which had been robbed at 11pm we tarried not till we reached TINPOT, where we learnt the GANG had gone over the WONDILLA (sic - WANDELLA) MOUNTAIN towards MONARO. Finding it useless to proceed further, we returned to DEEP CREEK, learned all particulars of the depredations committed, both there and in the Township, identified the body of the dead bushranger as being that of WILLIAM (HENRY) FLETCHER, and conducted the inquest proceedings before Mr W.S.CASWELL, Coroner, and jury, at which it was clearly established on oath, that the Constables acted heroically; But it could not be shown by Constable SMYTH's evidence, or by that of any other witness, which Constable, shot the bushranger. The jury returned a verdict of " Wilful Murder " against THOMAS CLARKE, and three other members of the GANG. The rifle and revolver used by FLETCHER were those taken from the Police at MUDMELONG.

Constable O'GRADY's remains were interned in the Catholic Cemetery that evening, in the presence of a large crowd who manifested sincere sorrow for the loss of a courageous policeman. The burial service was lead by the Very Rev'd P. BIRCH of MORUYA. I (MARTIN BRENNAN) subsequently laid informations before Mr CASWELL P.M. and obtained warrants for THOMAS CLARKE and PATRICK CONNELL for Murder, and for the six members of the GANG for Mail robbery, and shooting Mr JOHN EMMOTT with intent. The remains of O'GRADY were later on removed to the MORUYA CEMETERY, and a splendid marble headstone, bearing a correct inscription - subscribed for by the Police of the Southern District was placed over his grave.

The Inspector-General awarded 100 pounds from the Police Reward Fund, as a gratuity to the deceased's mother in IRELAND. The Government too did its part, and erected a circular column surmounted by a globular capping in front of WALLIS' Hotel, NERRIGUNDAH, to the deceased's (sic) Constable's memory. It was a graceful act of the Government of that day that it marked its appreciation of an intrepid trooper, who while in a moribund condition rose from his sick bed at the call of duty to meet his death in an uneven struggle with five armed and desperate scoundrels, but the monument is marred in this that while the inscription gives the sole credit to the dead, it detracted from the equal merits of Constable P SMYTH, who shared the same responsibilities, and whose bravery was no less heroic.

INSCRIPTION

“ Erected by the Government of New South Wales, In honor of Constable MILES O'GRADY, who on the 9th April 1866, while suffering severe illness - single handed, Attacked five bushrangers, And lost his life in the encounter, Thus showing an example of bravery. In the discharge of public duty “.

The daring exploits of CLARKE's GANG, produced a feeling of insecurity in those Districts coming within the scope of their operations, and the Murder of Trooper O'GRADY, coupled with the Shooting of Mr EMMOTT largely intensified it; The Government therefore decided on putting the provisions of the FELONS APPREHENSION ACT, 28 Victoria, No. 2 in force against THOMAS CLARKE and PATRICK CONNELL.

SUMMONS TO SURRENDER

The necessary affidavits and informations required by the Act having been filed by Captain McLERIE, Inspector General of Police, and having been duly exhibited and registered by Sir JAMES MARTIN, Attorney General, in the Supreme Court, on the 19th April 1866. The Chief Justice, Sir ALFRED STEPHEN, issued his summons under seal to THOMAS CLARKE and PATRICK CONNELL, commanding them to surrender themselves to the Gaoler at BRAIDWOOD, to abide their trial, on or before the 4th May for the Felony and Murder of Constable MILES O'GRADY, in default to be adjudged OUTLAWS. The summons to be published in two succeeding numbers of the Government Gazette, twice in the SYDNEY newspapers, and in one GOULBURN, BRAIDWOOD, QUEANBEYAN and MORUYA newspaper, and a copy to be affixed to the door of the Police Offices - YASS, GOULBURN, BRAIDWOOD, QUEANBEYAN, BEGA, MORUYA, and NERRIGUNDAH, on four days between the 20th and 30th April. CLARKE and CONNELL failed to surrender, and were on the 5th June following, declared OUTLAWS by a proclamation signed by the Governor, Sir JOHN YOUNG. On the same date the Government offered a reward of 500 pounds for the arrest of the outlaw THOMAS CLARKE, and 300 pounds for the outlaw PATRICK CONNELL, 200 pounds for associates and 100 pounds for harbourers.

Shortly after this JOSEPH BERRYMAN, one of the associates was arrested by Sergeant LATIMER and party for being concerned in the raid on NERRIGUNDAH, and remanded to MORUYA for prosecution.

Being entrusted with the case, I (MARTIN BRENNAN) had of necessity to go to NERRIGUNDAH to look up the necessary witnesses, and was accompanied thither by Senior Sergeant CREAGHE, who escorted the prisoner to MORUYA, and who was at the time in charge of the BALLALABA Station.

NERRIGUNDAH IN A STATE OF SIEGE

On arrival we found the residents in a state of intense excitement owing to a rumour which gained currency, that the GANG intended revisiting the place that night, as a warning to those who purposed giving evidence against BERRYMAN. The Town was in a state of siege; men of all nationalities were rushing frantically about, armed to the teeth with guns, revolvers, pistols, pikes, and sluice forks; while the Police Station was packed with Foreign and Colonial warriors, who looked more like brigands than preservers of the Law. A large body of volunteers surrounded the Township having strengthened redoubts at the entrance tracks, and no resident was permitted to leave the Town further than the line of circumvallation.

The volunteers discharged their weapons frequently during the night from their various positions, while a large number gasconaded at the public bar, where they shouldered their long slievers (?), and showed how battles could be fought and won. The witnesses on whom rested the responsibility of identifying the offender, were so prostrated with fear, that they would not give evidence in the case, as they felt convinced their doing so would entail serious consequences. The result was the offender was discharged, and left the court with several of his JINGERA sympathizers.

Several race horses were at this time stolen in the District, including “ FIREBALL “ and “ DECEPTION “ from Mr MALLON, an Astronomer from Mr McALISTER, by the GANG, but were subsequently recovered by the Police. The Outlaws next robbed KENNEDY’s Hotel, MICALAGO, and took 79 pounds from Mr LEVY’s Store and on the 16th July robbed the MORUYA Mail, as well as the passengers Messrs JOHNSTON, MORRIS, and KING.

THE OUTLAW PAT CONNELL SHOT DEAD

On the same afternoon the GANG represented by JOHN CLARKE, PAT and TOM CONNELL, BILL SCOTT, and another offender unknown, bailed up MORRIS’s Hotel, MUDMELONG and after taking all the money they could find, as well as five bottles of spirits, decamped; and turned up in a brief space at MYER’s Stores, CROWN FLAT, where they made prisoners of the inmates including Mr LARCOMBE, cash collector for Mr SMITH, the well known butcher; after robbing all hands, they selected a quantity of clothing which they placed on their pack horse, and rode leisurely away towards BETTAWYND. LARCOMBE rode quickly to the Police Station, informed the police, and the direction taken by the GANG.

Sergeant STAFFORD, and two Troopers started promptly in pursuit. On passing the Telegraph Office, he wired Sup't ORRIDGE, BRAIDWOOD, particulars of the robberies, and suggested the BALLALABA Police should be sent to intercept them on BACK CREEK Track, en route to KRAWARREE. The Serg't and his men tracked them several miles over the mountains. The Sup't promptly sent a mounted Trooper to Senior Sergeant CREAGH, directing his party to proceed to BACK CREEK forthwith, and the Senior Serg't and men did so. The party consisted of the Serg't, Senior Cons't BYRNE, Troopers KELLY and GRACEY (GRACY) with Tracker EMMOTT;

They left the station at 5am to intercept the GANG, and on reaching STONY CREEK, crossed in the direction of ARALUEN, and reached the track at 10 o'clock. Tracker EMMOTT was sent in advance to reconnoitre, while CREAGH and party ensconced themselves in suitable ambush. In a brief space EMMOTT returned in excitement and announced he saw " three of the boys " as he called them, " riding along the gully with a number of horses in front ". The Police started, and cautiously pursued their quarry, sometimes at a walk, and occasionally at a canter, for a distance of 10 miles, when the offenders were lost to sight. It was 2 o'clock and the conclusion came to was that " the GANG reached their camp ", hence extra caution was indispensable, lest they should be discovered. The Tracker again made a cautious survey, returned to the Police quickly with his hand raised, and pointed to advise scrub below the ridge in the midst of which he descried them. The horses were then placed under the Tracker's charge. While CREAGH and party moved circumspectly towards the thicket, when they observed four of the GANG camped or doing so. Being within 50 yards of them, CREAGH gave orders to fire, which being done, the Police simultaneously rushed the camp revolvers in hand; the bandits sprang to their feet, three made for the scrub beyond the creek. While the outlaw PAT CONNELL, mounted his horse, and galloped up the creek, pursued by Troopers KELLY and GRACEY. CREAGH and BYRNE followed the other three offenders, who turned round and discharged their rifles at them. Senior Conc't BYRNE had a narrow escape, one ball passed close to his neck, while another ploughed the ground under his feet; for a few moments bullets whizzed round CREAGH and BYRNE, but happily without effect. The two officers replied vigorously, and dislodged the ruffians, who retreated. While this sharp encounter was going on Trooper KELLY, a resolute officer had put an end to the earthy career of the outlaw CONNELL (PAT). After leaving the camp on horseback, KELLY called on him by name, to " surrender ", but instead of doing so, (CONNELL) fired at him, saying " stand back you b*****s ". KELLY who had outran his companion, then fired at him with effect, as he threw up his arms, and uttered a deep groan as he fell on the ground. The unfortunate OUTLAW seemed in great agony and only survived a few moments. KELLY at once recognized him as the outlaw PAT CONNELL, whom he had known for many years.

KELLY and GRACEY returned to their non-commissioned officers and apprised them of the OUTLAW's death, when further pursuit was abandoned. In the bushrangers' camp were found four saddles, three revolvers, a police cloak, provisions, clothing, blacksmith's tools, two bottles of spirits, and two Mail bags. The body of the outlaw PAT CONNELL was tied in blankets, the Gang's horses, and property taken possession of, and with the body taken to the BALLALABA Station, where on examination of the OUTLAW's clothing, several watches, and articles of jewellery were found in the pockets. The saddles found, were proved to be those stolen from Mr CULLEN BUNYAN. The body was conveyed to BRAIDWOOD next morning where a Magisterial inquiry was held by J.H.GRIFFIN J.P. concerning the cause of death, and then (PAT's body) handed to Mr (THOMAS) FARRELL, (married to PAT's sister, ELLEN CONNELL) undertaker, by whom it was interred in the CONNELL Family vault at JERRIBAT GULLY. The reward of 300 pounds for the OUTLAW's arrest was distributed as follows : Senior Sergeant CREAGH 100 pounds : Senior Constable BYRNE 70 pounds : Constables KELLY and GRACEY 50 pounds each and Tracker EMMOTT 30 pounds. In addition to the reward, Senior Sergeant CREAGH was promoted to the rank of Sub - Inspector from the 2nd September, Senior Constable BYRNE to the rank of Sergeant; and Constable GRACEY to the rank of Senior Constable. It was more than a surprise to the Police of the Southern District, that Constable KELLY, one of the most fearless men in the service, was not recognized by promotion for the signal service he rendered the community in shooting the OUTLAW, who was practically leader of the GANG. That KELLY merited promotion no one can deny, his heroism on the occasion was the saving clause of the encounter; added bravery to the reputation of the District Police, disheartened and weakened the GANG, and saved the Country the commission of many deeds of violence, if not murder. Justice on the occasion was outraged. KELLY felt aggrieved at the injustice, indulged in drink, and retired. He was the most courageous Constable in the Southern District. (the last sentence was crossed out by the author)

RAID ON THE ARALUEN POLICE STATION

A few weeks after the shooting of the outlaw CONNELL, the GANG paid a nocturnal and impetuous (sic - impetuous) visit to the ARALUEN Police Buildings, whether with the object of bailing up the place, and thus become more notorious for audacity, or shooting the Officer in charge, remains uncertain. About 10pm of a dark night, illuminated at intervals by streaks of sheet lightning, and during a severe rain storm, Constable SMITH, lock up keeper, on approaching the stockade door heard the cantering of horses close to the Police Paddock. Believing they were horses seeking shelter, he took no heed, and turned into the closet.

In a few minutes he heard the stockade door creak, and the tread of footsteps; at this moment Mrs SMITH came to the kitchen door with a lighted candle, when lo ! the man, for such he was, rushed into the closet, and collided unceremoniously with the constable; both were panic stricken for the moment through the onimous impact. The intruder hastily retraced his steps, and as he reached the stockade door, a flash of lightning lit up the surroundings and revealed to the amazed officer the bushranger TOM CONNELL. SMITH discharged his revolver at the fleeing desperado, who whistled to his companions; on reaching the door SMITH observed four members of the gang from the stable, beside the Police Station, to their horses outside the paddock fence, where he again discharged his revolver. Sergeant STAFFORD and two troopers quickly appeared ran to the fence to intercept them, but were too late, and pursuit was impracticable owing to the unfavourable conditions of the night.

It was thought by many that the object of the GANG's visit was to shoot the Sergeant, as it was through his instrumentality, CLARKE the outlaw was arrested prior to his escape from gaol.

A SAD INCIDENT

A few days later, it was reported to Mr MORRIS, MUDMELONG, that the OUTLAW and GANG intended paying him another visit on a particular night, which lead him to seek Police protection. Sergeant STAFFORD and three Troopers reached MORRIS's Hotel at dusk at all hazard to remove from the escutcheon of Police Bravery, the obliquiy (sic) cast upon it by the recent Police fiasco, under STAPYLTON at the same place. They took up positions to the best advantage, but the GANG did not turn up. At 2am STAFFORD decided on returning to his station, as Mr MORRIS felt certain the GANG would make no attack that night.

Mr JOHN MORRIS, the publican's brother led the Sergeant's horse from the stable, when STAFFORD strapped his revolving rifle on the saddle, taking the precaution to place the hammer on the safety spindle between the nipples. Having mounted, a sow and litter of pigs rushed under his horse's feet, the animal plunged about, Sergeant STAFFORD sang out to MORRIS to " let the horse go ", but he did not do so - the cylinder of the rifle by some means struck the cantle of the saddle, and the weapon was discharged. Mr MORRIS fell under the horse's feet, and expired, Death being caused by a wound in the abdomen. It was a sad occurrence, but was purely accidental.

MULTIFARIOUS ROBBERIES

On the 24th July, the GANG robbed the homestead of Mr WILSON, MANAR, 16 miles from BRAIDWOOD of money, saddles, etc, then rode towards BORO, and on the 27th robbed the GOULBURN and YASS Mail coach at LITTLE RAZORBACK, and carried away the contents. When returning they robbed the BRAIDWOOD Mail at BORO, as well as the QUEANBEYAN Mail coach on COLE's LINE, and appropriated the registered letters. The Police were not inactive, but through the false information furnished, their efforts were of no avail. The proceeds of the various robberies enabled the GANG to pay their telegraphs, and aiders, for their services, hence the business transactions of the latter were closely watched, in order to implicate them, if possible, in the passing of stolen notes, the numbers of which were known. Ten days subsequent to the Mail robbery on COLE's LINE, Mr HOSKING's Store, MOLONGLO was again subjected to a raid from six members of the GANG, armed and masked; who carried away 60 pounds worth of groceries and drapery, most of which was subsequently found by the Police in BEN JERMYN's house, stitched in bed mattresses, and in the dwellings of other sympathizers who were arrested for complicity in the robbery.

ARREST OF WILLIAM BERRYMAN

WILLIAM BERRYMAN one of the GANG in the raid on NERRIGUNDAH, was arrested at WALGETT by Sergeant FLYNN and Trooper McCABE, charged with robbing the COOMA Mail. On the proclamation of the OUTLAWRY of CLARKE and CONNELL being published, BERRYMAN wisely left the district and settled down at WALGETT, under the assumed name of BELL, and conducted himself satisfactorily; being good looking and suave in manner, he made numerous friends, and married a respectable young woman with whom he was happily living when arrested.

BERRYMAN was escorted to BRAIDWOOD, and after various remands committed for Trial to the GOULBURN CIRCUIT COURT. In the meantime the GANG robbed Messrs DALLIS and QUELSH, at LONG FLAT, from whom they took 25 pounds, a parcel of gold etc, then robbed FOO FEE on the ARALUEN MOUNTAIN of his horse, equipment, and later on the same day made their appearance, six in number, at the residence of JOSEPH TAYLOR J.P. LITTLE BOMBAY, near BRAIDWOOD, and robbed his store of two pack loads of goods, and warned him on peril of his life against informing the Police.

On being apprised, Senior Serg't DUFFY and party went out, and tracked the offenders several miles towards the JINGERAS. Next morning, however, Senior Cons't HUGHES, Troopers WOODLAND and EGAN, picked up the tracks, and followed them to the top of JILLAMATONG MOUNTAIN, which overlooks BRAIDWOOD, where they found four of the GANG's horses stabled, so to speak, in a small improvised enclosure, and four sacks of the stolen property; the horses were being refreshed for use by the GANG on their return from MONGARLOW, where they then were. About 50 yards from the horses the Police descried a member of the GANG, ALEXENDER BRADLEY, looking apparently after the horses, and spoils, who, after a desperate effort to get away, was apprehended, and in due course sentenced to 7 years for complicity in the robbery.

On the following day the GANG bailed up MESSRS SMITH and DAWSON, gold buyers at MONGARLOW. When Senior Constable THOMPSON, and Trooper GILDER, made their appearance, shots were exchanged and the GANG galloped off towards the CLYDE ROAD.

ROBBERY OF AH CHONG'S STORE, MAJORS CREEK

On the 20th November, the outlaw CLARKE, and his satellites, TOM CONNELL, BILL SCOTT, and JAMES DORNAN, alias "LONG JIM the TAILOR", who, the reader will remember, assisted CLARKE to escape from Gaol visited MAJOR'S CREEK at 7pm, bailed up AH CHONG'S Store robbed the place of 15 oz of gold, a large sum of money, and valuables, seeing the coast clear, they settled down to a jollification, revelled in Chinese brandy, gin, cigars, and remained on the premises till midnight. About 11 o'clock, Sergeant STAFFORD, with Trooper O'REILLY, and Constable SMITH, of ARALUEN called at MAJOR'S CREEK, returning from MORAN'S FLAT, when Mr DUNSHEA informed the Sergeant the state of lawlessness on the CREEK, and the fact that the GANG had then possession of AH CHONG'S Store.

The Sergeant inquired if Senior Constable STAPYLTON had been apprised and “Yes “, said Mr DUNSHEA, “ he knows all about it, but I cannot say if he and his party went out “. STAFFORD and his men proceeded quickly to AH CHONG’s Store. Trooper O’REILLY who was in advance rode quickly round the building to the front, when three shots greeted his appearance, which caused him to swerve in his saddle, his hat was blown off by a bullet, and his horse wounded in the neck, STAFFORD sang out “ MY GOD ! the Police have shot him “.

(STAFFORD) rushed to the front, and found himself face to face, not with the Police, whom he expected to find, but four members of the notorious GANG, who were mounted and about to leave. Before any decisive action could be taken the offenders had retreated a short distance, when STAFFORD discharged his revolving rifle at them, and seriously wounded the offender DORNAN.

After desultory firing had taken place, the Police forced the offenders from the scrub, and pursued them to the head of the ARALUEN MOUNTAIN.

In the encounter a bullet passed through O’REILLY’s comforter, and wounded him slightly in the neck, while the one which passed through his hat lodged in the gable end of the Store. The discharging of fire arms at such an unreasonable hour, aroused the residents from their slumbers and caused much excitement and alarm. DORNAN had been suspected of acting with the bushrangers, but there was no proof of it until discovered by the Police. On his return, STAFFORD obtained a warrant for DORNAN’s arrest for the robbery under arms of AH CHONG’s Store. Shortly afterwards the Police were informed by PATRICK GRIFFIN, in whom STAFFORD had confidence, that DORNAN was wounded and laid up in the KRAWARREE RANGES, and arranged to show the Sergeant the spot; unfortunately the night GRIFFIN was to lead him thither, he failed to appear, which was accounted for in the fact, that PATRICK and MICHAEL GRIFFIN had been arrested by Private Detectives CARROLL and party, for aiding the bushrangers. DORNAN left the district, and was not heard of again till February 1867, when his body was found on GUIF’s (sic) RANGE, SNOWY RIVER, 36 miles from COOMA, on a track to GIPPSLAND with the skull fractured. It was manifest from the surroundings that he had been thrown from his horse against a tree and killed.

EXCITING POLICE ENCOUNTER

On the 1st December 1866, Sergeant BYRNE, Troopers KELLY,CALLANAN and Tracker EMMOTT, while in the ranges, came across a race horse, stolen from Mr HARRIS, Postmaster, they secured the animal, and placed it in a gully. The Police discovered fresh horse tracks, while the tracker ran for three miles over rocks and creeks to the top of a mountain. When the Tracker signalled to BYRNE, who saw the ears of a horse about 60 yards in front, the animal could not be seen, owing to a rise in the ground. It was evident the GANG were camped there under a shady tree.

The Police halted, tied up their horses, and approached cautiously to within fifty yards, when the GANG’s horses raised their heads,and looked towards the Police. The bushrangers sprang to their feet, made for their horses, when the Police discharged a volley from their rifles at them, which had the effect of causing the horses to break away, and gallop down the mountain.

The bushrangers promptly took up positions to the best advantage, sheltered by two trees, except CONNELL who lay on the ground protected by an ant bed. Several shots were exchanged without result, BYRNE, seeing the OUTLAW partly exposed firing at Trooper CALLANAN, took steady aim, and shot the leader of the GANG through the leg, which caused him to retire to the rocks in the rear and while this was being accomplished, the other members of the GANG kept the Police engaged in continuous fire. After CLARKE had reached the impregnable cliffs, his companions rushed after him, and so escaped behind the boulders. BYRNE and party seeing the futility of expending their ammunition in an endeavour to dislodge them, took possession of the articles at the camp namely two revolvers, and various articles, caught the bushrangers horses and brought them to BALLALABA, when the Sergeant dispatched a messenger for reinforcements. In three hours Senior Constable STAPYLTON, and party arrived, and a fresh start was made for the cliffs. It appeared however, that JAMES GRIFFIN, the OUTLAW's cousin, and "telegraph" had observed the Police leading the bushrangers' horses to the Police Station, and hastened to the cliffs with fresh remounts, and saddles, which enabled them to get away. Four days later BYRNE and party came across the bushrangers in a small creek, when the OUTLAW was engaged bandaging his wounded leg, on seeing the Police they galloped on to the ranges.

CAPTURE OF TOM CONNELL

Shortly after the encounter mentioned, Sergeant BYRNE, Troopers LOUGHLIN and CALLANAN and Tracker EMMOTT were returning from the ROUND MOUNTAIN, when the Tracker noticed three horses tied to a tree in the distance, signalled to BYRNE who shouted " off we go ". Before the Police reached within 100 yards they were recognised by the OUTLAW, his brother JOHN, and TOM CONNELL (their uncle) who mounted quickly and galloped down the creek. The horses being very fat were recognized by the Police as those stolen from Mr HOSKING's, and as they were grass fed the Police had a decided advantage. The chase was continued for several miles during which many shots were exchanged, (the RUN of WATER CREEK was crossed and recrossed several times - this sentence was crossed out by author).

Finding their horses were jaded, the OUTLAW and his brother moved up the range as best they could, while CONNELL, whose horse was exhausted, rushed down the gully, and took up a position behind a forked tree, from which he took aim at Trooper LOUGHLIN. BYRNE seeing this move, sang out to LOUGHLIN to " draw back ", and while doing so, a ball passed through his horse's neck, close to the pommel of the saddle, CONNELL abandoned his horse, ran up the creek, and on to the side of the range, where he was brought to bay by three determined officers, who covered him with their rifles. BYRNE called on him to surrender, if he wished to save his life. CONNELL stood still, and trembled. BYRNE warned him that unless he dropped his rifle promptly, he would be shot without fail. Fear prevailed, he dropped his rifle, raised his hands, and remained quiet. TOM CONNELL was then arrested, his arms and spurs were taken from him, his hands tied behind his back, and every precaution taken against escape.

The notorious bushranger was then escorted to BRAIDWOOD, and remanded to MORUYA, where he was charged with feloniously wounding Mr JOHN EMMOTT, with INTENT TO MURDER.

It fell to my lot to get up the evidence in this case, and to conduct the prosecution in the Police Court, when he was committed for Trial by Mr CASWELL, Police Magistrate, to the DARLINGHURST GAOL DELIVERY, where I escorted him the next day. TOM CONNELL was convicted on the charge and sentenced to DEATH, which was subsequently commuted to imprisonment for LIFE.

Several Mail and other robberies were committed by the GANG in the latter part of December, but a recapitulation of them would possess no special interest to the reader. The energy of the Police up to this time, put an end to the careers of four resolute members of the GANG, namely WILLIAM (HENRY) FLETCHER, PAT CONNELL, TOM CONNELL, and JAMES DORNAN, as well as imprisoned more than a score of their most active associates.

APPOINTMENT OF PRIVATE DETECTIVES

As has been shown, the depredations committed by the GANG during the preceding six months, had largely increased, as well as the confines of their operations, yet there were other agencies at work during that period to compass the overthrow of the “ KNIGHTS of the ROAD “, than the Police.

After the murder of Trooper O’GRADY, the daring acts of the GANG gave rise to a serious feeling of insecurity in the BRAIDWOOD, QUEANBEYAN, COOMA, and COASTAL DISTRICTS, intensified by the adverse comments by the newspapers, on the GOVERNMENT and Police Department in not suppressing with a strong hand the lawlessness which prevailed.

This attributed the origin and development of the undoubted anarchy which prevailed, to Police inactivity, and inefficiency. There was no officer of Police regarded as a Camillus on whom the mantle of dictator could be placed, “ ne quid detrimenti respublica capiat “, at this critical conjuncture. The Police of the infested districts were for the most part fearless and efficient, and they were ably controlled by Superintendent ORRIDGE, an officer in whom they had implicit confidence. There were a few residents at BRAIDWOOD, however, for some occult reason, who did all they could to cast odium on Police action, and clamoured for other means to grapple with a disorder, at which they professed to be alarmed. It was then suggested that the employment of a “ Secret Service “ to act independently of Police Control, would, like PROSPERO’s wand, demolish bushrangers “ into thin air “. This new departure to meet the BRAIDWOOD troubles was, after consideration by the Government approved, although opposed by the Police Department. Two parties of Secret Services Detectives were appointed and sent to the BRAIDWOOD District, one party under an officer named Mr FLYNN to carry on operations on the BRAIDWOOD side of the DIVIDING RANGE, while the second party embracing Messrs PALMER, CROMMELIN, MEARES and another, were stationed at FOXLOWE.

They had a salary of ten shillings per diem, and their duties were simply riding from station to station, an occupation most congenial to those ardent natives, hence it was they were by no means desirous that their employment should terminate suddenly. The FOXLOWE party however, came to grief after a few weeks with a nil record, and they were replaced by four others of exceptional training and proved valour.

APPOINTMENT OF DETECTIVES CARROLL and PARTY

In a brief space it transpired that the men selected had ADRASTEAN qualifications for their perilous enterprise, and were no less personages than JOHN CARROLL, AENEAS McDONNELL, PATRICK KENNAGH, and JOHN PHEGAN, the first three named being warders in DARLINGHURST GAOL, while the last mentioned was a convicted prisoner, serving sentence at the time for forgery. Those men were appointed in July 1866, and JOHN CARROLL's special fitness for leadership was brought about for valuable services, which I shall briefly narrate. In the beginning of April, the steamship, BARWON arrived in SYDNEY HARBOUR from HOKATAKA, NEW ZEALAND, having on board as treasure, several boxes of gold, partly in bars, or ingots, and partly in gold dust;

The treasure was consigned to the Bank of New South Wales, and had been placed in the ladies' cabin. The Steamer anchored at the COMMERCIAL WHARF and on the morning of the 10 April, one box, containing 1000 ounces of the precious metal was missing; the robbery appeared mysterious, and was promptly reported to the Insp'n General, who directed Detective ELLIOT and BOWDEN, to undertake the investigation. Mr MARSH, agent for the BARWON offered a reward of 500 pounds, that is 250 pounds for the recovery of the gold, and 250 pounds for the arrest and conviction of the offenders, at the same time Sir HENRY (then Mr) PARKES, Colonial Secretary, issued a proclamation offering a free pardon to any accomplice giving information, which would lead to the capture and conviction of the guilty parties, and the recovery of the gold. On the 16th May, the detectives arrested WILLIAM SMITH, CHARLES NICKSON and MARGARET DANIELS, the stewardess for the robbery. NICKSON was discharged, while SMITH and DANIELS were committed for TRIAL.

In the meantime, JOHN CARROLL, then a senior warder in the gaol, took the prisoner SMITH in hand, and induced him to confess his guilt, and divulge where the gold was concealed; by these means he recovered the stolen treasure, and secured the reward; the reader will understand from Warder CARROLL's "ipsissima verba" under cross examination by Mr BLAKE, the prisoner's Counsel, the nature of the means employed "I told the Sheriff that I did use deception to the prisoner, and I say the same thing now; I should not have found the gold, if I had not deceived him, I told the Sheriff that I promised, if I could find the gold to secure it till he got out of gaol; I would secure it, and then he and I would divide it between us, after he was acquitted. The first time I went to look for the gold at the COMMERCIAL WHARF. I could not find it, but the third time I went, I found the gold, and then told the Governor of the Gaol; it was in bags; there were 13 or 14 bars, and some gold dust. 500 pounds was offered for the recovery of the gold, I have not got it yet but I am to have it, whether the prisoner is convicted or not. Mr MARSH made an agreement with me in writing, it says, "I'm to get 500 pounds on the finding of the gold, or the conviction of the thief; I shall get the 500 pounds in any case, I was very anxious to get the 500 pounds". SMITH was convicted and sentenced to 16 months imprisonment, and DANIELS, discharged.

CARROLL being elated at getting 500 pounds for practising deception on an unfortunate prisoner, submitted the names of himself and party to the Government, as men specially qualified to undertake the task of capturing “ CLARKE’s GANG “.

CARROLL and KENNAGH were young men, while McDONNELL and PHEGAN were old and inactive and with the exception of McDONNELL, the party had practically no knowledge of bush life. At this time, THOMAS CLARKE and PAT CONNELL were outlaws, and any person, even father, or mother, found harbouring or assisting them in any way, was liable to 5 years imprisonment.

CARROLL and party being appointed, the leader lost no time in acquiring a knowledge of the outlaws connections through the instrumentality of young JAMES CLARKE, who, as previously stated, was then a prisoner in DARLINGHURST GAOL. The leader, by misrepresentation (sic), induced the young prisoner CLARKE, to give him a letter of introduction to his mother, Mrs JOHN CLARKE (formerly MARY CONNELL), and having otherwise completed their arrangements, the Detective Party left SYDNEY for the scene of their future exploits in the JINGERAS. They arrived in BRAIDWOOD ostensibly as SURVEYORS, and reported themselves to Mr JAMES ROAD ,M.P. for the gold fields, to whom they were accredited, and whose orders alone they were to obey.

The Bogus SURVEYORS then proceeded to the neighbourhood of Mrs CLARKE’s, half a mile from the house, and 16 miles from BRAIDWOOD, when they pitched their splendid tent on a small plateau, surrounded for the most part by a scrubby range. CARROLL lost no time in introducing himself, and handing her the son’s affectionate letter specially prepared before leaving SYDNEY. The old woman, although surrounded with lawless tendencies, was of a kindly nature, hospitable to travellers, and others beyond the usual range of moderation, was much affected at hearing the contents of the letter; expressed pleasure at seeing her dear son’s friend, and thanked him for calling. The leader informed Mrs CLARKE on leaving he was a SURVEYOR in charge of a party camped close by and would be only too glad to serve her while in the locality. Mrs CLARKE’s daughters were exceptionally good bush riders, friendly disposed to the Police and on many occasions gave them important information against offenders, outside their own family. They recognised the kindness of the SURVEYORS, and frequently sent eggs and provisions to their camp.

In a brief period the Bogus SURVEYORS were roused to a stern sense of of their duplicity; a member of the collapsed detective party at FOXLOWE, who was somewhat enamoured of Miss CLARKE’s appearance, sent a letter intimating that four private detectives had left SYDNEY for BRAIDWOOD, in a guise of SURVEYORS, and under the leadership of a warder named CARROLL, to capture her brothers. The news caused a shock to Mrs CLARKE and her daughters, who were not slow to estimate the deception of their pseudo amorous friends , and in order to be equal with them, apprised the GANG of the new species of enemy that was now on their trail.

DESPERATE ATTACK on the BOGUS SURVEYORS' CAMP

A few evenings after Mrs CLARKE became aware of the real character of her supposed friends, CARROLL and party were seated outside their tents with lighted candles, reading the GANG's exploits in the "DISPATCH" and "OBSERVER" newspapers, when the brothers CLARKE stealthily reached the adjoining scrub, and discharged several volleys at them. The Bogus SURVEYORS promptly extinguished their lights, threw themselves flat on the ground, and thus marvellously escaped the bullets, which riddled their new tent and barked the surrounding saplings.

After firing had ceased some time, the Bogus SURVEYORS crawled on their hands and knees some distance, and then betook themselves hurriedly to the residence of Mr STEWART, BENDORA, where they remained all night and related their first Baptism of Fire with the GANG. The SURVEYORS left the locality next morning on foot for BRAIDWOOD, over the "OLD MAN MOUNTAIN" track; their movements were so suspicious, that parties who saw them believed they were bushrangers, and reported so to the Police. Sergeant STAFFORD and Trooper EVANS started to intercept them on the IRISH CORNER MOUNTAIN, and reached the head of the track in quick time; here they concealed themselves behind huge boulders in readiness for action. As EVANS did not know the bushrangers, he was directed not to fire till instructed. The Police had not long to wait, until the first of the supposed bushrangers made his appearance, when to the surprise of the Sergeant he saw ex- Senior Constable McDONNELL, under whom he served at TARAGO some years previously, PHEGAN came next, followed by KENNAGH, and CARROLL who was personally like the outlaw CLARKE, brought up the rear.

THE BOGUS SURVEYORS RETURN TO SYDNEY

On arrival in BRAIDWOOD, the leader waited on his responsible chief, and gave him a glowing account of the party's actions, and on the following day, the 9th October 1866, forwarded a lengthy report to the Colonial Secretary, detailing the plan of deception practised by them in getting a petition, written by PHEGAN, for Mrs CLARKE to obtain the release of her son, JAMES "which disarmed suspicion"; he dwelt on the murderous attack on the SURVEYORS' camp, and complained that "though the firing was heard at Mr STEWART'S Station, about the same distance from our tent as the BALLALABA Police Station, yet the Police took no action, nor had they been seen by me at any time except on the main road. It was a puzzle beyond measure how CLARKE and Gang should have infested the District so long with impunity, and not be captured by the Police, a matter which required explanation, however I am confident that when myself and party are supplied with rifles, we will bring in Dead or Alive the whole GANG within a month". CARROLL and party proceeded to SYDNEY, where they matured plans for future guidance, and on return to BRAIDWOOD were armed with the latest improved rifles and revolvers, and displayed much activity.

RAID ON DONALD McLEOD's WAREHOUSE

The Detectives caused no little sensation one fine morning by making a raid on McLEOD's Warehouse, seized his ales and spirits, removed them to the street in the boiling sun for four days, and charged him with "sly grog selling" because he had not received his Wine and Spirit licence, caused through neglect in the Treasury, where the required fee had been lodged. A prosecution was insisted on, but the case was dismissed. This new departure from bushranging duties was strongly disapproved of by the Colonial Secretary, and the residents of the town expressed their indignation at what they termed "the wanton and illegal interference of those interlopers". The detectives now resolved on redeeming the pledge given to the Government of "securing the GANG Dead of Alive in a month when supplied with rifles".

ARREST of Mrs CLARKE and HER TWO DAUGHTERS

The detectives started on the war path, paid a hostile visit to their recent hostess, disclosed their true calling, arrested the OLD WOMAN, shattered by age and trouble, and her two daughters, and lodged them in gaol. Mrs CLARKE was ill at the time, and during the enforced absence of mother and daughters, a young child was left wholly unprotected until the Police came to the rescue.

CARROLL and party followed up their coup-demain by arresting THOMAS BERRY (whose mother was BRIDGET CONNELL), first cousin of the CLARKES, a trusted informant of the Police during the preceding 12 months. The detectives were given ample funds for obtaining information, yet no one could be found to expose (sic) confidence in them, hence it was, when those arrested were being prosecuted before the BENCH on the charge of "aiding and harbouring the OUTLAW". CARROLL and party had no evidence to adduce, other than the mere assertion "that they were closely related to the OUTLAW, and his brother, and therefore would be likely to have assisted them". Mr Solicitor SCARVELL who defended the prisoners said in the course of his address "that the reign of terror which was said to prevail consequent on the doings of certain lawless persons, bore no equation to the new species of unlawful interference with the liberties of innocent persons, inaugurated by CARROLL and party" dwelling at length on the detectives misconduct towards those unprotected females, when they visited their home as SURVEYORS. The BENCH discharged the prisoners, remarking that there was not a scintilla of evidence against them.

THE JINDEN STATION

The JINDEN Station, situated near BIG BADJA, was at this time rented by NED SMITH; it was the favourite rendezvous for the bushrangers, as the surroundings were well watered, grassy and scrubby. A man named GUINEA selected on the RUN, which the Reader will note (later) was the identical place where the CLARKES were subsequently captured, being owned at the time by THOMAS BERRY, who married GUINEA's daughter, (ELLEN in 1867).

The leasee of the Run was annoyed at GUINEA's audacity in settling on his Run, and resolved on getting rid of him. To ensure that end the bushrangers, it is said, prevailed on GUINEA to join them in killing one of the leasee's fat bullocks; the trap was laid with the cognizance of one of the Station hands, who was to be in

ambush and catch the selector in the very act. In a few days a fat bullock was killed, but the employee was not present and when he appeared, the hide and head had been planted; he found however, a portion of the carcass, and a bag full of beef, and a few yards off young (DANIEL ?) GUINEA, partly concealed. The bag of beef was taken possession of, and carried to the station, and on the following day a warrant was obtained for young GUINEA's arrest, and executed by Serg't BYRNE, Troopers LOUGHLIN and CALLANAN, and the offender lodged in BRAIDWOOD GAOL for cattle stealing.

Solicitor SCARVELL defended the prisoner and argued there was no evidence to show the beast belonged to SMITH, or that it was a stolen one, hence the charge was reduced to one of having beef in his possession for which he could not satisfactorily account under Sec 1 of 19 VIC, No. 24, and dismissed on the technical point that manual possession was indispensable to maintain the charge. The GUINEAS having thus escaped, and fearing further trouble, sold out to THOMAS BERRY. This case is related to enable the Reader to estimate the character of the parties concerned, as bearing on the murder of the Detectives at JINDEN later on.

THE DETECTIVES ARREST PATRICK and MICHAEL GRIFFIN

For some weeks prior to January 1867, the bushrangers had moved away to the mountains, close to the JINDEN STATION, where they were beyond reach of the Detectives. CARROLL and party anxious to display their activity resolved on taking somebody; they surrounded the residence of Old Mr GRIFFIN, ORANMEIR; arrested his two sons PATRICK and MICHAEL, marched them to BRAIDWOOD and prosecuted them for aiding the OUTLAW. Solicitor SCARVELL for the defence, called Sergeant STAFFORD, and that officer swore that PATRICK GRIFFIN had been furnishing him with valuable information regarding the GANG's movements for over twelve months; that he assisted him with information concerning the offender DORNAN; that he had implicit confidence in his desire to assist the Police and that he had instructed GRIFFIN not to refuse the bushrangers anything in reason, so as to gain their confidence. This evidence, owing to its compromising character, was given with closed doors. The prisoners were committed for Trial to the SYDNEY CRIMINAL COURT, and were tried shortly after the JINDEN Murders. When the same evidence was repeated, supplemented by that of Sub Inspr. WRIGHT in favour of the prisoners, the Jury returned a verdict of " NOT GUILTY ", and when discharging them, the learned Chief Justice remarked, that " the Crown should have shown them more consideration for the valuable services they rendered " .

THE DETECTIVES CONGRATULATED

The day the GRIFFINS were committed for Trial, the Detectives were jubilant over their success, and informed the gaoler “ they would have the whole GANG in Gaol within a week “. NED SMITH had a long conversation with CARROLL at ANTHONY VIDER’s Hotel, the same day, when a plausible scheme was propounded for the capture of the whole GANG, which would be certain to place the large rewards offered in the hands of the Detectives.

The Detectives made a hasty preparation to start for JINDEN. Whither the wily seductor preceded them, ostensibly to have the scheme for the GANG’s capture in readiness; hired horses drew a quantity of gold for the Special Service, and left for JINDEN on the 5th January 1867 on a perilous mission. The Gaoler and other friends were so certain of the Detectives success, that they remained up all night in anticipation of the GANG being received into the Gaol; but alas !

They were doomed to disappointment as that very night CARROLL and his entire party were lying MURDERED within sight of JINDEN HOUSE, the building within which, the bushrangers were to have been so readily ensnared. The track by which the Detectives had of necessity to travel en route lay through rough mountainous country, indistinct in places, so that strangers would be compelled to inquire from house to house. JAMES GRIFFIN, one of the principal actors henceforth, was 21 years, tall, good looking and an expert bushman. His parents were respectable, and had been for years employees of NATHANIEL POWELL J.P. BUNGENDORE. Besides JAMES there were two other sons, PATRICK and MICHAEL, at this time under committal for aiding the GANG, and one daughter, (MARGARET ELIZABETH), the wife of MICHAEL CONNELL, (now) eldest brother of the two bushrangers, PATRICK and THOMAS CONNELL. MICHAEL CONNELL, (widower through the death of his first wife ESTHER nee DEMPSEY, during childbirth in 1849) kept a public house, store and Government Post Office at STONY CREEK, four miles from GRIFFINS; and for obvious reasons at this particular junction, changed his name to MICHAEL NOWLAN O’CONNELL (NOWLAN was his mother’s maiden name). JAMES GRIFFIN was inveigled to join the CLARKES, because of family relationship, and Criminal environment. This digression is essential so that the reader may understand subsequent developments.

MURDER OF THE FOUR DETECTIVES

After setting out for JINDEN, the Detectives called at GALLAGHER’s Hotel, LONG FLAT, near MAJORS CREEK; they informed the proprietor they were en route to JINDEN, and asked directions; on getting them, they left, and scarcely had they done so, when JAMES GRIFFIN, who was shadowing them, called, and inquired where the Detectives were bound for ? On being told, he too departed. They were seen by Serg’t BYRNE early next morning passing by the BALLALABA Station, well mounted, and carrying their rifles on their thighs, going towards STONY CREEK. When CARROLL and party reached CONNELL’s Hotel, they had refreshments, asked how far it was from JINDEN, and the number of houses they would have to pass before reaching it ? Being informed, they left, and in a few minutes JAMES GRIFFIN rode up, ascertained what transpired, and went on in the same direction.

The Detectives next called at Mr AHEARN's, where a Police Station was then established, known as KRAWARREE - made the usual inquiry, when Mr AHEARN pointed out the track, and told them JINDEN HOUSE was 8 miles distant. As soon as they had left, the ubiquitous GRIFFIN presented himself, ascertained particulars, and then cantered off through the bush towards JINDEN. The Detectives were hospitably received at JINDEN; their horses placed in the home paddock, and beds prepared for them in the dining room. After breakfast next morning, the Detectives had a long conversation with SMITH. When for some occult reason they left the Station on foot, though it was then well known the bushrangers were camped on a range four miles distant - followed a bridle track leading to GUINEA's Selection (Portions 5 & 6, Parish of JINDEN). Soon after their departure from JINDEN, GRIFFIN partly disguised, and riding a gray horse, was seen coming from the direction of the GANG's lair, to JINDEN HOUSE, where he procured spirits, and then rode off to the GANG's quarter.

The Detectives called at Mr WATT's Selection on the opposite side of the SHOALHAVEN and had dinner, produced their rifles, and revolvers and informed Mr WATT that " they were looking for the bushrangers to make short work of them; that the Police for the most part were cowards, and afraid to encounter them; and that they, themselves, were specially selected by the Government to do that which the BRAIDWOOD Police were incompetent to do ". After two hours delay, the Detectives left, and made their way back towards JINDEN.

~~After proceeding two miles, GRIFFIN was seen riding on the range observing their movements.~~ On a spot almost in sight of JINDEN HOUSE, the GANG decided on carrying out their diabolical scheme; here the outlaw CLARKE, his brother JOHN, and BILL SCOTT, ensconced themselves behind gum trees, close to the track, and within about 30 yards of each other. While JAMES GRIFFIN held their horses about 150 yards away. The Detectives walked two together, that is McDONNELL and PHEGAN in front, with CARROLL and KENNAGH behind. When within 15 yards of the murderers, two shots were fired, both bullets passed through PHEGAN's body. When the unfortunate Officer died seemingly without a struggle.

McDONNELL having escaped the first discharge retreated to a honeysuckle, when he was fired upon, one bullet broke the bone above the left knee, tore away the main artery, when he fell on his left side, and from the medical testimony bled to death. CARROLL and KENNAGH retreated, and took up positions behind trees, where they were fired upon by the murderers. KENNAGH returned the fire more than once, but all to no purpose. The bushrangers being unable to dislodge them, sang out to GRIFFIN to bring their horses, which was promptly done; the GANG on mounting called on them to surrender, which they did, and handed over their rifles and revolvers to the murderers. The Detectives pleaded for mercy, but the OUTLAW showed no mercy, but shot the leader through the left breast, when the officer fell dead at the ruffian's feet. KENNAGH alone remained, but was quietly despatched by the ruffian BILL SCOTT.

Thus terminated the lives of those four misguided men, who were doubtless efficient warders, and versed in the routine of gaol discipline, but were deficient in every qualification necessary for the responsible and hazardous duties of capturing bushrangers.

DISCOVERY of the MURDERED DETECTIVES

The GANG hurriedly searched their murdered victims. In the left hand pocket of CARROLL's trousers they found a one pound note, and half a crown, which they placed on his breast over the wound, secured from being blown away by a piece of wood; this was meant, no doubt, to show they did not murder the Detectives for their money, but in revenge for the treatment that Mrs CLARKE and her daughters were subjected to. Having secured the new rifles and revolvers of their dead officers, they betook themselves to flight.

The following morning Sergeant BYRNE and his men started from BALLALABA to collect the Electoral Roll on the SHOALHAVEN and JINDEN, on arriving at WATT's Selection, BYRNE was asked if he had heard the news? What news? queried the Officer, "Oh!" said WATTS (sic - WATT), "the Detectives were all murdered yesterday afternoon, and SMITH's Stockman has gone to report it at BALLALABA".

BYRNE and party, horrified at the news, galloped off to JINDEN HOUSE, when Mrs SMITH confirmed the statement, and added "two of the bodies were found on the track leading to GUINEA's and a quarter of a mile from JINDEN HOUSE". The Police on reaching the locality found the bodies of McDONNELL and PHEGAN. SMITH and some of the Station hands were at the spot, and informed the Sergeant they had searched in vain for the other two bodies.

BYRNE formed a cordon of all present round the bodies, and on enlarging the circle discovered the other two bodies, some distance from the track. On searching the deceaseds' clothing, twenty sovereigns, as well as a watch and chain were found in McDONNELL's pockets and thirty sovereigns, etc, in CARROLL's.

INQUEST and BURIAL

The bodies of the four murdered Detectives were removed by the Police to an outhouse at JINDEN, to await an inquest. A report of the horrible tragedy was furnished promptly by the Sergeant to Superintendent ORRIDGE, BRAIDWOOD, who arrived next day at 3pm accompanied by Coroner GRIFFIN, Doctor PATTISON, and a posse of Police. The inquest lasted several hours, and resulted in a verdict of WILFUL MURDER being returned against the outlaw THOMAS CLARKE and his brother JOHN CLARKE, and WILLIAM SCOTT. As no coffins were available, bark was taken from an outhouse and each body placed between two sheets, and securely tied. Four graves were then dug by the Police, and the bodies buried there in, temporarily, until arrangements could be made for their removal and proper internment.

After the burial a Police party was sent to a suspected quarter of the GANG's, while Superintendent ORRIDGE, the Coroner, the Doctor, NED SMITH and others started for BALLALABA.

SERGEANT BYRNE ELICITS IMPORTANT INFORMATION from NED SMITH

SMITH was regarded by the Sergeant as a “ Particeps Criminis “ in the terrible outrage, and his manner disclosed a very unsettled feeling of anxiety over the affair. On the way he entered into a private conversation with Sergeant BYRNE and desired to know “ what action the Police intended to take ? “ BYRNE gave him distinctly to understand that SMITH himself would be included in the arrests, and as such would be the case, it behaved him to clear his character, if he could, by furnishing evidence against all persons concerned in the Murder. On reaching BALLALABA, SMITH again entered into conversation about the MURDER, and endeavoured to explain his action in the affair. It was agreed on SMITH’s suggestion, that he would go to MICK CONNELL’s Hotel that night, feign drunkenness, when he would hear what took place, as MICK CONNELL and JAMES GRIFFIN (brother-in-laws) would be talking about the MURDER.

How it was arranged and the Parties engaged, and that he would meet the Sergeant next morning and report what he heard. SMITH went to CONNELL’s that night, had some drink, and lay on the sofa. JAMES GRIFFIN came to the Hotel at midnight, when he detailed to CONNELL how the bushrangers had planned and carried into execution the MURDER of the four Detectives, and the part that he himself played in the business. At early dawn, SMITH met the Sergeant, and related all that transpired, when the Sergeant reported the matter, and suggested that MICHAEL CONNELL and JAMES GRIFFIN should be arrested for participation in the MURDER.

NEWS OF THE MURDER

When news of the Murder became known, widespread horror pervaded the Colony; the newspaper press teemed with varied criticisms, some censured the Government in no measured terms for sending such men to the JINGERAS, a mountainous country of which they were grossly ignorant; and where their efforts seemed to have been directed more in trammelling Police action than otherwise, while others blamed the Police for inefficiency, in allowing crime to reach such a pitch as to necessitate extraneous means being adopted to put it down. The BRAIDWOOD busy bodies who were instrumental in causing the Government to send the misguided men to the District, telegraphed to the Colonial Secretary calling attention to the disgraceful manner in which the bodies had been disposed of, without coffins, Christian burial, or decent place of internment, and contrasted all this, with the exceptional treatment that the ordinary Constable would receive in like circumstances, Sir HENRY (then Mr) PARKES in response ordered four coffins to be made at BRAIDWOOD, where an undertaker was employed to have the bodies exhumed and brought to BRAIDWOOD for proper internment. The bodies of the four Detectives were conveyed to BRAIDWOOD and buried in adjoining graves in the R CATHOLIC CEMETERY with due Religious ceremony, and in the presence of many hundred residents, as well as a large contingent of Police. A monument was subsequently erected by the Government over the graves.

GOVERNMENT PROCLAMATION

On the 14th of January the Government issued a Proclamation signed by his Excellency Sir JOHN YOUNG calling upon all magistrates, freeholders, and other of Her Majesty's subjects in the Districts of BRAIDWOOD, BROULEE, BEGA, EDEN, QUEANBEYAN and COOMA, individually and collectively, by the allegiance which they owed the Law and Authority.

To set aside for the public good, all reasons of profit and convenience and employing every means within their power, to support and assist the Officers of Police and the servants of Her Majesty, in arresting the outlaw, THOMAS CLARKE and his associates in crime, and in bringing to speedy justice all abettors, harbourers, and receivers in anywise unlawfully connected with the said Offender. In the same Gazette the Colonial Secretary offered a reward of 5000 pounds for the apprehension of all parties concerned in the Murder of JOHN CARROLL, AENEAS McDONNELL, PATRICK KENNAGH and JOHN PHEGAN; that 1000 pounds would be paid for the apprehension of any of the Murderers; that half the reward would be paid to the informer, and the other to the person or persons effecting the arrest.

ARREST of MICHAEL CONNELL, DANIEL GUINEA and JAMES GRIFFIN

In a few days MICHAEL CONNELL and DANIEL GUINEA were arrested by the BALLALABA Police for complicity in the murders, and aiding the Outlaw and his GANG, by supplying them with 1000 rounds of TERRY Rifle cartridges which the former had purchased in SYDNEY for their use. The prisoners were taken to BRAIDWOOD, and remanded for a week, bail refused. The complicity of JAMES GRIFFIN in the murders was known only to Sergeant BYRNE and his party, and was kept a secret, as if it came to the ears of his friends, he would be apprised of it, and join the GANG; his capture was therefore desirable, Sergeant BYRNE after carefully instructing his men how to act, sent Troopers LOUGHLIN, CALLANAN, and Tracker EMMOTT to Old GRIFFIN's residence; on arrival they informed the old couple that they merely called, when passing, and assured them their son was not suspected. While plucking fruit in the garden, they descried JAMES GRIFFIN walking from the bank of the SHOALHAVEN RIVER to some reapers employed in the paddock, about 100 yards from the fruit garden. Trooper CALLANAN disarmed suspicion by challenging to reap any of those employed for a small wager, which was accepted. The Police entered the paddock, and captured JAMES GRIFFIN without resistance, and lodged him in BRAIDWOOD Gaol that night.

WILLIAM BERRYMAN VOLUNTEERS to go in PURSUIT and is LIBERATED

WILLIAM BERRYMAN, a former associate of the GANG, at this time under committal for Mail robbery under arms; wrote a plausible letter that if allowed his freedom he would take such action with the Police, as would ensure the capture of the GANG. The Colonial Secretary referred the letter to the Inspector General for report. The General opposed the acceptance of the prisoner's services, as he did the inexpediency of sending the private Detectives a few months previously.

The Colonial Secretary however accepted BERRYMAN's services, and gave directions accordingly. In a few days the prisoner was handed over to Detective LYONS who escorted him to SYDNEY.

After disclosing his plan of operations to the Colonial Secretary, BERRYMAN was provided with a suitable outfit, arms, etc, and sent back to co-operate with the BRAIDWOOD Police. The BRAIDWOOD "DISPATCH" gave full particulars of the conditions of BERRYMAN's release, and of the Government's acceptance of his services to capture CLARKE's GANG, and thus secure the large reward. The news caused a sensation amongst the GANG's friends who resolved, if opportunity offered, of paying him off as a traitor.

BERRYMAN accompanied LYONS and the Police to MAJOR'S CREEK, and other localities, but was afraid to venture to the JINGERAS, hence he proved of no assistance to the Police. The GOULBURN ASSIZES coming on BERRYMAN surrendered himself for Trial, when he was let out on his own recognizance to appear when called on, which is the stereotype phrase for never. BERRYMAN was subsequently sent in pursuit of THUNDERBOLT, and after the death of that Offender, he turned up in SYDNEY during the Small pox epidemic, when he was taken on as Special Constable, but contracting the disease, he died in a few weeks.

PROSECUTION OF CONNELL, GRIFFIN and GUINEA

The prosecution of those Offenders for complicity in the MURDER of the four Detectives was initiated by Detective LYONS, in the absence of Serg't BYRNE.

The man NED SMITH was the first witness called, who upon his oath denied every detail of his statement to BYRNE relating to the conversation between the prisoners CONNELL and GRIFFIN regarding the MURDERS. The prisoners were remanded for a week, by which time the Sergeant had returned from the SYDNEY ASSIZES. BYRNE gave his evidence against the offenders first, then placed SMITH in the box, who contradicted his previous testimony and swore to the truth, not only of what he related to the Sergeant, but considerably more, including the important fact that he had but a loaded rifle, produced, to GRIFFIN, the prisoner, for the purpose of assisting the bushrangers. This evidence was corroborated by that of Mrs McINERNEY, and material collateral circumstances. GRIFFIN and CONNELL were committed for Trial to GOULBURN CIRCUIT COURT, and GUINEA discharged.

MICK CONNELL being very popular, applied for, and was admitted to bail, a proceeding which caused amazement to those in court. When the news was published in the papers that the head centre of the GANG's aides was discharged on bail by the Honourary Justices, the residents of the surrounding districts were naturally roused to indignation, which culminated in large meetings being held at ARALUEN, and elsewhere, at which resolutions were carried condemning the action of the Justices concerned, for the improper exercise of their authority, and calling on the Government to take such prompt action as would protect them from a repetition of such wrong doing. The representations made were so serious, that the Government lost no time in the appointment of a, SPECIAL COMMISSION.

SPECIAL COMMISSION

This commission was empowered to inquire into the administration of Justice, and the cause of Crime in the BRAIDWOOD District. The origin of serious crime in the District was self evident, as the Coast Districts were comparatively free from any serious breaches of the Law up to the time that THOMAS CLARKE the outlaw escaped from Gaol, through official connivance and the absence of proper discipline, hence the escape of CLARKE was the “ fons et origo malorum, or the fountain and source of the serious crimes committed during the preceding three years.

The commission consisted of Deputy Inspector General FOSBERY, the Hon JOSEPH LEARY, Mr CAMPBELL, and Colonel RICHARDSON, who sat in pursuance of their commission 27 days, and examined 45 witnesses. It was well that gentlemen of integrity, ability and fitness were selected, as the Public, so much concerned, had every confidence they would arrive at a just and impartial finding, notwithstanding the strong feeling which prevailed. The inquiry was conducted in Camera, and the commissioners gave an assurance to those examined that their statements would not be made public or divulged. As the evidence was not on oath, the busy bodies did not restrict themselves to facts.

The most trivial acts of the Police were regarded by some of those examined as serious laches, and for a trooper to have been seen talking to Miss CLARKE was beyond propriety, however the whole proceedings which covered more than a thousand sheets of foolscap established the facts, which all right thinking men were well aware of.

The administration and efficiency of the Police in the BRAIDWOOD and SOUTHERN DISTRICTS could not be impeached. The result of the Commission's Finding was the issue of a supersedeas against a Justice of the Peace in the District, and the removal of the Gaoler to a subordinate position in SYDNEY.

At this time Sub Inspectors BRENNAN and STEPHENSON, later on Inspectors, from YASS and BURROWA, with troopers and trackers, arrived in BRAIDWOOD, officers who had won their spurs in mortal combat in the service and whose fearlessness and heroism in the capture of desperate Offenders well entitled them to the warmly expressed approval of the Government.

JAMES GRIFFIN CONFESSES

JAMES GRIFFIN, at this time in GOULBURN GAOL awaiting his trial, Knowing that Captain ZOUCHE, Superintendent of Police, was brother-in-law of NATHANIEL POWELL J.P., already referred to, sent word to the former that he desired to see him on important business; the Captain responded, when the prisoner informed him that he wished to make a voluntary confession regarding the Murder of the Detectives; that he had considered the matter for weeks, and that his mind could not rest till he confessed all that took place on the occasion, including the part he himself took in the murderous affair.

Captain ZOUCH had the prisoner's statement carefully taken down in writing. It was a minute account of the Murder, the motives which prompted it, the various Offenders implicated, and his own action throughout as spy - which furnished many of the details given in the narrative. The prisoner's object in making the statement was to place himself in the hands of the Crown as approver, against the CLARKES and others implicated, and by that means save his life. The confession was signed, and witnessed and forwarded to the Government.

THE GANG'S FURTHER DEPREDATIONS

In a few weeks the GANG appeared on the MONGARLOW ROAD, stopped HENRY LAMB and JOHN CLONRIF (sic) and were in the act of robbing them, when Senior Cons't THOMPSON and Trooper GILDER, rode up and forced them to retire.

On the 26th January they robbed MYER's Store, JEMBAICUMBENE, of 10 pounds, a gold watch, drapery, boots, and cutlery, etc, and cleared off to the JINGERA, and two days later visited GUNDAROO, 50 miles from BRAIDWOOD robbed Messrs FRASER's and AFFLICK's Stores, as well as many residents.

Then proceeded to GUNNING, robbed the SOUTHERN MAIL, and abstracted from the Rev's WARE and BYNG and Mr COOKE, TUMUT, their money and watches. A few days later they bailed up the same coach, Dr LANG, the famous Presbyterian Minister, was a passenger, who informed the Highwaymen of his calling, when they refrained from molesting him, but robbed the others. The GANG rode to BORO the same day, robbed WILLIAMS' Hotel, of money, spirits and took from the stables a valuable race horse. While at the Hotel the CLARKES and BILL SCOTT had a quarrel, which resulted in a few days, in the crime of Murder. The trio left in the direction of LONG SWAMP, and on the following day were seen on a range two miles from MANAR HOUSE. This was the last occasion that BILL SCOTT was seen with the OUTLAW, and his brother; a fact so significant, as to give rise to the opinion that the Outlaw and his brother shot him and this impression received the strongest confirmation, when on the 9th April, word reached the BRAIDWOOD POLICE, that the remains of a man 6 feet high, were found on the range, near MANAR HOUSE. Detective LYONS, two Troopers, Coroner PATTISON, Doctor REDHEAD, and undertaker (THOMAS) FARRELL (uncle of the CLARKES), proceeded there to hold an inquest, identify the Remains, if possible; and have them buried. Though incessant rains the SHOALHAVEN RIVER was running high, and it was with much difficulty they reached the locality at dusk. The Remains were examined, there was a bullet hole in the skull, two ribs broken, and unmistakable indications that the man, whose description coincided in every particular with BILL SCOTT, had been Shot and Murdered. The Coroner decided on holding an inquest next morning, and left for MANAR HOUSE, with the Doctor, and Undertaker.

LYONS sent the two Troopers to the nearest settlers to summon them as jurors, and was thus left alone beside the Remains of the late desperate bushranger. It was raining in torrents, and the night was of Cimmerian darkness, hence the veteran's position was by no means comfortable; he was however equal to the occasion, as his fertility of resource enabled him to luxuriate in contentment, while the means he adopted presented a ludicrous spectacle.

LUDICROUS SPECTACLE

As there was plenty of dead wood in the locality, LYONS made a huge fire, which illuminated the surrounding bush for miles, but as the rain continued, he took the large coffin (brought out by the Undertaker) placed it against a tree and ensconced himself therein for shelter, with the lid placed in front. In this singular position the imperturbable officer ruminating on his official experiences.

When he was startled by peculiar groans in the forest, his heart palpitated abnormally, but in a few moments he recovered his wonted condition, on hearing the splashes of horses galloping towards the fire. LYONS looked in the direction, saw the horsemen, who were, he thought, the two Troopers, but in that he was mistaken; they halted about 30 yards from the fire, scrutinized the surroundings, discerned the ominous Symbol of Death, and spoke in a low tone of voice. Believing they had some sinister object in view, the Detective jumped from his lair, carrying the coffin lid shield - like in front, while he displayed a revolver in his right hand, and called on his nocturnal disturbers to "Surrender ". The sudden resurrection, and grotesque appearance of the officer, had a paralyzing (sic) effect on the horsemen, who screamed loudly and galloped away. LYONS removed his sentry box some distance and resumed his former position till morning. The inquest was held before the Coroner, and five jurymen, when a verdict of " FOUND MURDERED " was returned.

CAPTURE of the outlaw THOMAS CLARKE and his brother JOHN CLARKE

About the 25th April 1867 the Informer rode into BRAIDWOOD, saw Superintendent ORRIDGE and said " I called at the FAIRFIELD STATION to give important information to Sub Insp'r BURNIAN (sic BRENNAN), but was informed he was attending the YASS CIRCUIT COURT". " Yes ", replied Mr ORRIDGE, " that is so, but I'll guarantee that any information you give me will be promptly attended to ". " The two CLARKES ", said the informer, " will be at BERRY's house on the night of the 26th so there is no time to be lost ". A report was promptly sent by a mounted messenger to the FAIRFIELD STATION, five miles from BERRY's house, on the main road to JINDEN and COOMA and 23 miles from BALLALABA. Senior Constable WRIGHT was then in charge who had with him Troopers WALSH, LENIHAN, WRIGHT, EGAN, and Sir WATKIN the famous Tracker. Those Officers, armed with rifles and revolvers started in the afternoon on foot for BERRY's house. It was excessively wet weather, the bush was rotten, and swampy, hence they experienced much difficulty in their progress. Sir WATKIN picked up the tracks of two horses going in the same direction, which were followed over ranges and flats in a zig zag direction till night fall, when they were lost in a gully close to TOM BERRY's house.

The Police were now satisfied the CLARKES were there. It rained heavily at 8pm and were it not for the knowledge which Troopers WALSH and LENIHAN possessed of the surroundings, they could not have found shelter without arousing the inmates and destroying their prospects of success. They approached stealthily within 300 yards of BERRY's house when the dogs barked fiercely, and they recognized the voice of BERRY saying "lie down! lie down!" The house, built on a rise, faced JINDEN CREEK, but a fenced paddock in which there was a haystack, intervened. The night being too dark for action, the Police rested at the haystack till the moon rose, when they saw two horses hobbled close to them, which they had no doubt, belonged to the Offenders. Before day break the horses were driven close to the haystack, but the Police were unable to find the sliprails.

The Senior Constable arranged his men in a triangular form, that is Constable WRIGHT and himself close to the fence, on one side of the house, Troopers WALSH and EGAN at the fence in front of the house, while Trooper LENIHAN and Sir WATKIN remained at the stack. Just at daybreak the two desperadoes came forth from a hut close to BERRY's house, looked round cautiously, washed themselves, and returned to the hut for a few minutes, when they emerged with bridles, and revolvers, and walked quickly to the sliprails of the paddocks, some distance from the line of the haystack. On entering the paddock, the Outlaws with a keen faculty of discernment, were not slow to grasp their position of danger, as on approaching the horses, JOHN CLARKE exclaimed, "look out! look out! TOMMY, there are men behind the stack" and at the moment both turned and began running towards the hut. The Police rushed forth from their positions and simultaneously fired at the Murderers, who looked round, raised their revolvers, but did not fire. Seeing the Police in pursuit, they increased their speed towards the sliprails. WALSH and EGAN ran to intercept them, when WALSH fired at them with his rifle, which no doubt took effect, as JOHN CLARKE staggered, and fell, but recovered himself, and ran with the Outlaw towards the hut. After going a short distance they halted turned round and discharged their revolvers at the Police without effect. In a few moments several shots were exchanged between the Murderers and the Police resulting in Trooper WALSH being wounded on the hip and Sir WATKIN shot in the wrist. JOHN CLARKE too was badly wounded, the bullet having passed through his right breast, and lodged in the socket of his arm. The Murderers fought their way desperately to the hut and it is marvellous how they escaped considering that at least 30 shots were fired at them at close range.

The building in which the Murderers took refuge, was erected of hardwood slabs, having a door, two small windows, with a port-hole at one end, and formed a substantial fortress, impregnable to outside attack with ordinary weapons, while it afforded every facility for defence. Desultory firing was kept up for some time by the Police but as the Murderers refused to surrender, and there being no possibility of dislodgment, the Police in consultation decided on sending to BALLALABA for reinforcements.

REINFORCEMENTS

Trooper WALSH, although wounded, was entrusted with this duty, and no man in the district was so well qualified for the arduous task. A difficulty presented itself at the outset, the Police had no horses, saddles, or bridles and as "necessity is the mother of invention", he by means of a strap, and a piece of rope improvised a halter; mounted the Outlaw's horse bare-back and started at 7am for BALLALABA, at great risk, a journey of 23 miles, parts of which were dangerous, owing to the condition of the bush, and the flooded state of the Creeks and SHOALHAVEN RIVER. He accomplished the task however, in gallant style, reached BALLALABA in safety, and reported the startling intelligence to Sergeant BYRNE, and party. BYRNE with much foresight sent a message to Mr JOHN WALLACE apprising him of what had taken place, and requested him to inform Superintendent ORRIDGE.

The Sergeant with 9 Troopers and Tracker EMMOTT started at a rapid pace for BERRY's and reached there in quick time, while Trooper WALSH who had to procure a fresh mount at Mr GRIFFIN's arrived a few minutes later. After consultation Sergeant BYRNE, Senior Constable WRIGHT and a number of Troopers took up positions to the rear of the hut, while Troopers WALSH, LENIHAN, EGAN, and others guarded the front.

WALSH, who was personally known to both CLARKES for many years, sang out in a loud voice, “ TOMMY CLARKE ! Take my advice and surrender, it is better for you, if you don’t you will be shot DEAD “, TOMMY CLARKE, the outlaw, and leader of that desperate Gang bearing his name, replied, “ I will, WALSH, surrender to you ! and would have done so before if you had been here “. The Murderers then laid down their arms in the hut, came outside and surrendered themselves to Trooper WILLIAM WALSH, LENIHAN and EGAN being present.

The Outlaws were then arrested, securely manacled, and their arms taken possession of, namely a TRANTER’s revolving rifle, the one taken from the Murdered CARROLL; a TERRY rifle, and two revolvers, identified as those taken from the COLLECTOR Police. The Offenders were then escorted to the FAIRFIELD Station where they had dinner, and then continued to BALLALABA. On the way, they were joined by Sub Insp’r STEPHENSON and 8 Troopers from MAJOR’S CREEK. On reaching STONY CREEK at 7pm they met Sup’t ORRIDGE, Doctor PATTISON, and a number of Troopers. The large cavalcade had of necessity to remain at (their uncle,) MICHAEL CONNELL’s Hotel for the night, where the Outlaws entertained their captors in narrating amusing incidents of their career, and did not in the slightest degree seem to realize the gravity of their position. The injuries of the wounded men were dressed by Doctor PATTISON during the night. The escort started for BRAIDWOOD next morning, and reached there in the afternoon; it being Sunday, almost the entire residents turned out to participate in the spectacular demonstration. On seeing persons whom they knew, the prisoners smiled recognition, and displayed a nervous shyness when spoken to.

When the Gaol gate was reached JOHN CLARKE dismounted gazed on the large crowd, and was escorted into the Gaol yard, followed by the outlaw THOMAS CLARKE, when the doors were closed, and the crowd after lingering about for some time, departed.

THOMAS BERRY, in whose house the Outlaws were captured (Portion 20 in the Parish of SHOALHAVEN), was also arrested for harbouring the Offenders, and Committed for Trial, but owing to his IMPORTANT SERVICES in the cause of Law and Order, there was no bill filed against him. Sir WATKIN had to be removed to the Hospital, where his wounded arm had to be amputated at the elbow.

COMMITTAL of the OUTLAWS for TRIAL

Special precautions were taken regarding the Safety of the two Notorious Prisoners, and the Gaol was guarded day and night by Police, to prevent the possibility of Escape or Rescue. On the following Thursday Mr J. W. BUNN J.P. visiting Justice, held a court in the Gaol, when evidence was taken in brief upon which THOMAS CLARKE, the outlaw, and his brother JOHN were committed for Trial to the SYDNEY CRIMINAL SESSIONS.

TRIAL of the NOTORIOUS BUSHRANGERS, THOMAS and JOHN CLARKE

The scene presented at the DARLINGHURST CRIMINAL COURT on the 6th January (sic - Tuesday, 28th May) 1867 when the brothers CLARKE were placed on their Trial, was one never to be forgotten by those who witnessed it, and surpassed in numbers the celebrated Trials of GARDINER, MANNS, FORDYCE and BOW.

Many thousands filled the enclosure, side streets, and approaches, and had it not been for the admirable arrangement of Sheriff COWPER, in issuing tickets, and the tact of the Police under Sub Insp'r WATERS, it would have been impossible for the court proceedings to be carried on. Chief Justice, Sir ALFRED STEPHEN, presided, who on taking his seat announced to the assembled throng, that the Police had received imperative instructions to keep order, and to arrest those failing to do so, whom he would punish severely. The prisoners were indicted for Wounding Trooper WILLIAM WALSH with intent to Murder him.

Solicitor General ISAACS, assisted by two barristers, prosecuted for the Crown, while the Hon W.B. DALLEY Q.C. and Mr BLAKE, defended the prisoners. After reading the proclamation, the Clerk of Arraign called the Jury panel from which 12 men were chosen, and sworn in the case. Mr ISAACS opened the case at great length, during which he disclosed a sensational history of the prisoners doings, dwelling more particularly with the charge on which they were arraigned, after which he examined Sub Insp'r WRIGHT (recently promoted from Senior Constable), Troopers WALSH , EGAN, and Doctor PATTISON. Mr BLAKE took exception to any reference being made to anything which occurred after WALSH had been wounded as being irrelevant. The Chief Justice promptly interjected, " Why is it irrelevant ? " It surely explains what had proceeded; it was one transaction; you are not to stop short at the time the shot was fired, but must take the whole circumstances surrounding that act into consideration. All the facts are essential as showing the character of the Crime, as yet the time of wounding has not been fixed " .

Sub Insp'r WRIGHT and Trooper WALSH were subjected to a long and rigid cross-examination, by the learned Counsel for the Prisoners. Mr DALLEY made a most powerful address to the Jury dwelling forcibly on the fact that there was absolutely no proof adduced that the shot which wounded WALSH, had been fired by either of the prisoners.

After a telling reply from Mr ISAACS, His Honour summed up the facts, and placed the law bearing on the various points raised, lucidly before the jury, who after a short deliberation found both prisoners guilty of Wounding with Intent to Murder. The Convicts being asked if they had anything to say why sentence of DEATH should not be passed upon them, replied " No " .

His Honour then addressed the prisoners, reviewed their careers with a clearness, and absolute knowledge, which showed unmistakably that he had made himself acquainted with every detail of their misdeeds, and those of every number of the GANG, recapitulated the terrible retribution entailed on most of the desperadoes, many of them young men; and read from a report furnished by the Police Department the following summary

"DAVIS, sentenced to death (later commuted 15 years); GARDINER, sentenced to 32 years; PIESLEY, hanged; HALL, shot dead; BOW, and FORDYCE, sentence to death (later commuted to life); MANNS, executed; O'MEALLY, shot dead; BURKE, shot dead; GORDON, shot dead (sic 15 years); DUNNE (sic DUNN), executed; LOWRIE (sic LOWRY), shot dead; VANE, a long sentence; MORGAN, shot dead; Yourselves THOMAS and JOHN CLARKE, about to be sentence to DEATH; FLETCHER, shot dead; PAT CONNELL, shot dead; TOM CONNELL, sentenced to death (later commuted to 10 years); BILL SCOTT, a companion of yours murdered; and the learned Image hight have added RIARATTA, ROBARDI, and LOUIS DUCHIEF alias JAQUES ETIENNE, sentenced to death. The Murders, continued his Honour, committed by you, bushrangers are appalling to think of. How many wives made widows ? How many children made orphans ? What loss of property ? What sorrows have you caused ?

I have here a list of persons killed or wounded in the perpetration of robberies since 1863, six killed, ten wounded; unfortunately of the Police seven have been killed, and sixteen wounded in three years. I say this is horrible. As much as I dread crime, and much as I have to do with the punishment of Criminals. I do not know of anything in the world that could furnish such a list of horrors as that which I have laid before this crowded court to night. And yet these bushrangers, the scum of the earth, the lowest of the low, the most wicked of the wicked, are frequently held up for our admiration, but better days are coming, You will not see them, but others will, Though people among whom I move, and much above those who sympathize with crime, it humiliates me to think that within this very court one of the greatest ruffians of bushrangers, who was the very head and front of offenders stood in that dock and was acquitted.

I say it, acquitted wrongly, and when that verdict was announced, there were expressions of rejoicing in the Court, such as would disgrace any community on Earth. I am happy to think these days are gone at last. There may be some here who were guilty of participation in that most abominable and scandalous exhibition.

You, young men have now to receive the last sentence of the Law. You will pass from that Country that you might have helped to raise in the estimation of the World; you will pass out of the World felons, convicts and bushrangers and I very much fear Murderers. Sentence of Death was then passed on both prisoners, who were removed by a body of Police to the condemned cell.

EXECUTION of THOMAS and JOHN CLARKE

The prisoners' mother, broken hearted, and on the threshold of the grave, their sister MAGGIE, and brother JAMES, (then in gaol) were permitted to see them. The bushrangers' last words to their brother were, " JAMES ! When you get your discharge from Gaol, go home direct, lead an honest life, and look after the interests of our dear mother, and sisters. " Immediately after the trial the prisoners' Counsel applied to the Full Court to stay execution on the Ground that the Chief Justice had omitted to direct the Jury on certain points of Law, which were regarded as of such importance as to necessitate a new trial. The application proved of no avail, the Judges being unanimous that as the Jury sworn in the case returned a verdict of guilty against both prisoners, there was nothing to appeal against, ergo the validity of the verdict must stand. The doomed man were assiduously attended to by the Rev'ds Fathers DWYER and FARRELL, who seemed satisfied with the heart felt sorrow and apparent contrition of the unhappy men for their past transgressions. The two CLARKES were hanged in DARLINGHURST GAOL on the 25 June 1867, in the presence of a large crowd. As there was no application for the bodies (sic), they were buried by the Government in the usual way.

The residents of BRAIDWOOD were disconcerted that the CLARKES were hanged for the mere wounding of Trooper WALSH, when the charge against them for the Murder of Trooper O'GRADY, or CARROLL and party could have been readily proved -- but the Murder of O'GRADY could only have been proved against the Outlaw, as JOHN CLARKE was not present, and the Murder of CARROLL and party could not be established against them, without accepting JAMES GRIFFIN's confession as QUEEN's evidence, which the Crown was not prepared to do.

CONVICTION of JAMES GRIFFIN and MICHAEL CONNELL

JAMES GRIFFIN was placed on his Trial at the same Criminal Sittings as the CLARKES and indicted for the murder of PATRICK KENNAGH. The evidence of the arresting Trooper as well as that of the Protean SMITH, Mrs McINERNEY and Captain ZOUCHE was taken. Mr DALLEY, Q.C. for the accused cross-examined SMITH and McINERNEY with singular tact, completely demolished their credibility, and elicited from them that they had perjured themselves in their evidence given in the BRAIDWOOD Police Court. GRIFFIN's confession tendered by Captain ZOUCHE was disallowed by the Court. After a brilliant address by Mr DALLEY, the Chief Justice summed up the case, and said, " the result wholly depended on the evidence of SMITH, and McINERNEY, two witnesses who stood in the box, and unblushingly swore they had perjured themselves in the evidence given on oath in the Police Court against the prisoner on this identical charge ". The Jury disagreed.

The prisoner was remanded to the next sittings, when additional evidence was adduced to the effect that GRIFFIN had previous to the Murders, sought the co-operation of others to commit the deed. The Jury returned a verdict of Guilty, and JAMES GRIFFIN was sentenced to Death, which was commuted to imprisonment for Life, the first three years in irons. GRIFFIN served 15 years in various Gaols, during which his health broke down through consumption, and he was discharged to freedom, but he died a few months later.

MICHAEL CONNELL was placed on his Trial for aiding the outlaw THOMAS CLARKE, convicted, and sentenced to 7 years hard labour on the roads. This being the first conviction of secondary offences under the FELONS APPREHENSION ACT. The Crown seriously contemplated to forfeit his lands and tenements at STONY CREEK in pursuance of the provisions of the Act, so as to give law-breakers unmistakably to understand what they might expect, if they made war on Society, and set constituted Authority, which is its very basis, at defiance. The Government however, after careful consideration refrained from carrying out its intention.

THE END of BUSHRANGING in the BRAIDWOOD DISTRICT

Bushranging in the BRAIDWOOD and surrounding Districts was thus happily stamped out at terrible sacrifice to all concerned, by the energy and bravery of the Police, who for a long time experienced great difficulty owing to the secret service agencies employed.

The reward of 1500 pounds for the Captured of the two CLARKES, was distributed as follows:-

The Informer (THOMAS BERRY) 500 pounds; Sub Inspector WRIGHT, 300 pounds; Senior Constable WALSH, 130 pounds; Troopers LENIHAN, WRIGHT and EGAN, 110 pounds each; Sergeant BYRNE, 30 pounds; Senior Constable FORD, Troopers LOUGHLIN, BROWN, ARMSTRONG, and WOODLANDS, 15 pounds each; Tracker Sir WATKIN, 120 pounds; Trackers EMMOTT and THOMAS, 7 pounds 10 shillings each. Of the Police mentioned during the sway of the GANG, Sergeant DANIEL BYRNE was placed in a dangerous position, did a vast amount of arduous duty, and proved himself an intrepid Policeman. He rose to the rank of Sub Inspector, and retired on that of Inspector. While Senior Sergeant RICHARD F. CREAGH, and Sergeant ROBERT LATIMER, both resolute officers, reached the ranks of First and Second Class, Superintendents, respectively.

PATRICK and MICHAEL GRIFFIN APPLY for a REWARD

On the 16th October 1867, PATRICK and MICHAEL GRIFFIN applied to the Attorney General for participation in the reward for the Capture of the CLARKES, for valuable services rendered to the Police and submitted that it was on the information they furnished, that the CLARKES were captured in BERRY'S House. As the result of much correspondence on the subject, they were informed in January 1870, " they had no claim whatever for participation in the reward ". Their claim for consideration, however, was brought before the Legislative Assembly in 1878, when a Select Committee of the House was appointed " To investigate the Claim of PATRICK and MICHAEL GRIFFIN for compensation by the Government ". The members of the Committee consisted of Mr GREVILLE, formerly Member of Parliament for BRAIDWOOD; Messrs BAKER, DRIVER, O'CONNOR, BARBOUR, FITZPATRICK, and DILLON, Members of Parliament. The principal witnesses examined were Sub Inspector WRIGHT, ex Sergeant STAFFORD, and the brothers, GRIFFIN.

The GRIFFINS established a strong case for compensation, for loses sustained through the bushrangers, and for services rendered to the Police during 12 months. After a full and careful inquiry of the various surroundings, the Committee recommended that PATRICK and MICHAEL GRIFFIN were entitled to, and should receive liberal compensation from the Government. The amount paid to them has not transpired.

INDEX

AFFLICK	38
AHEARN	32
ALLEY	8
ARALUEN	2, 3, 6-8, 10, 12, 13, 15, 20, 21, 23, 24, 37
ARMSTRONG	.....45
BADGERY	12
BAKER	17, 45
BALLALABA	.....5, 10-12, 19-21, 25, 29, 32-34, 36, 40, 41
BARBOUR	45
BARWON	27
BATTYE	14
BEGA	18, 35
BELL	23
BELLS CREEK	.....6
BERRIMA	5, 15
BERRY	30, 31, 40-42, 45
BERRYMAN	3-6, 10, 12, 15, 19, 23, 36
BETTAWYND	.....19
BIG BADJA	30
BIRCH	17
BLAKE	27, 42
BLATCHFORD	..... 6-8
BORO	22, 39
BOW	42, 43
BOWDEN	27
BRADLEY	1, 23
BRAIDWOOD	..... 4-11, 13, 18, 20-23, 25, 26, 28-31, 33-41, 44, 45
BRANDBURY	.....13
BRENNAN	1, 11, 17, 19, 38, 40
BROULEE	35
BROWN	45
BUNN	42
BUNYAN	14, 21
BURKE	43
BURROWA	5, 38
BYNG	39
BYRNE	4, 7, 8, 10, 11, 17, 20, 21, 24, 25, 30, 32-34, 36, 37, 41, 45
CADGEE RIVER	.....16
CALLANAN	8, 24, 25, 30, 36

EDEN	35
EGAN	23, 40-42, 45
ELROY	13
EMMOTT	11, 12, 15, 17, 18, 20, 21, 24, 25, 36, 41, 45
ETIENNE	43
EUCUMBENE.....	17
EULOWRA	17
EVANS	29
FAIRFIELD	40, 41
FARRELL	1, 21, 39, 44
FEE	23, 29
FELONS	18, 43, 45
FIREBALL	19
FLETCHER	5, 15, 17, 26, 43
FLYNN	23, 26
FORD	45
FORDYCE	42, 43
FOSBERY	37
FOW	10
FOXLOWE	2, 11, 12, 26, 28
FRASER	38
FRAZER	12
GALLAGHER.....	32
GANG	2, 4, 5, 8, 11-29, 31-34, 36-39, 41, 43, 45
GARDINER	6, 42, 43
GILBERT	6, 7
GILDER	23, 38
GIPPSLAND	24
GLEESON	9, 10
GLENDUART.....	15
GORDON	43
GOULBURN	6, 9, 10, 12-14, 18, 22, 23, 36-38
GOUROCK	5
GRACEY	20, 21
GREVILLE	45
GRIFFIN	3, 4, 8, 21, 24, 25, 31-38, 41, 44-46
GROVE	15
GUIF	24
GUINEA	4, 30, 32, 34, 36, 37
GUNDAROO	38
HALL	6-8, 43
HARKNESS	14

HARNETT	14
HARPER	17
HARRIS	24
HART	8, 9
HICKEY	6
HITCH	16
HOSKING	11, 22, 25
HUGHES	23
HURLEY	10, 11
IRELAND	18
IRISH CORNER.....	29
ISAACS	42, 43
JEMBAICUMBENE.....	11, 12, 38
JERMYN	11, 22
JERRIBAT GULLY	8, 21
JILLAMATONG.....	23
JINDEN	3, 30-34, 40
JINGERAS	2, 5, 8, 11, 13, 14, 23, 28, 35, 36
JOHNSTON	12, 19
JONES	15, 16
KELLY	7, 8, 20, 21, 24
KENNAGH	27-29, 33, 35, 44
KENNEDY	19
KENNYCORK	12
KINCHELA	14
KING	19
KRAWARREE.....	20, 24, 32
LAMB	38
LANG	39
LARCOMBE	19
LATIMER	8, 11, 19, 45
LEARY	37
LENIHAN	40, 41, 45
LITTLE BOMBAY.....	23
LONG FLAT	23, 32
LOUGHLIN	25, 30, 36, 45
LOWRY	43
LYONS	36, 37, 39
MAJOR'S CREEK	3, 5-8, 12, 23, 36, 41
MANAR	22, 39
MANNS	42, 43
MANUSA	16, 17

MARSH 27
 MATHESON 12
 MCALISTER 19
 MCCABE 23
 MCDONNELL.....27-29, 33-35
 MCELLIGOTT.....7
 MCINERNEY 37, 44
 MCKEON 14
 MCLEOD 3, 29
 MCLERIE 8, 18
 MEARES 26
 MICALAGO 13, 19
 MOLONGLO 22
 MONARO 14, 17
 MONGARLOW.....23, 38
 MORAN'S FLAT.....23
 MORGAN 13, 43
 MORRIS 13, 14, 19, 22
 MORUYA 2, 6, 15-19, 25
 MUDMELONG.....10, 13, 14, 17, 19, 22
 MURDER 2-4, 11, 12, 15, 17, 18, 21,
 25, 26, 31-35, 37-39, 42-44
 NAIRN 8
 NASH 16
 NERRIGUNDAH..... 2, 14, 15, 17-19, 23
 NEWTOWN 13
 NICKSON 27
 NITHSDALE 10
 NOONANG 2, 11, 12
 NORMAN 6-8
 O'CONNELL 32
 O'CONNOR 45
 O'GRADY 2, 15-18, 26, 44
 O'MEALLY 43
 O'REILLY 11, 23, 24
 OLD MAN MOUNTAIN.....29
 ORANMEIR 31
 ORRIDGE 6-8, 20, 26, 34, 40, 41
 OUTLAW 2, 4, 18-23, 25, 29-31,
 33-37, 39-42, 44, 45
 PALMER 26
 PARKES 27, 35
 PATTISON 8, 34, 39, 41, 42
 PHEGAN 27-29, 33-35
 PIESLEY 43
 POLICE 1-3, 5-8, 10-26, 28-36, 38-46

POLLOCK	15, 16
POWELL	32, 38
QUEANBEYAN	5, 8, 11, 14, 18, 22, 26, 35
QUELSH	23
RAZORBACK	22
REDBANK	14
REDHEAD	39
REWARD	4, 10, 12, 13, 18, 21, 27, 35, 36, 45
RIARATTA	43
RICHARDSON	13, 14, 37
ROAD	6, 10, 13, 15, 23, 26, 28, 29, 38, 40
ROBARDI	43
ROSEBROOK	14
ROUND MOUNTAIN	25
RUN OF WATER CREEK	25
SCARVELL	30, 31
SCOTT	5, 15, 19, 23, 33, 34, 39, 43
SHOALHAVEN	5, 11, 12, 33, 36, 39, 41, 42
SMITH	4, 8, 19, 21, 23, 27, 30-35, 37, 44
SMYTH	16-18
SNOWY RIVER	5, 24
SPECIAL COMMISSION	4, 37
STAFFORD	5, 8, 9, 12, 14, 20-24, 29, 31, 45
STAPYLTON	7, 13, 14, 22, 24, 25
STEPHEN	18, 42
STEPHENSON	38, 41
STEWART	29
STONY CREEK	10-12, 20, 32, 41, 45
SUMMERS	12
SURVEYOR	28, 29
SYDNEY	1, 3, 18, 27-29, 31, 36-38, 42
TARAGO	29
TAYLOR	23
TERRY	7, 36, 41
THOMAS	1, 2, 4, 10, 11, 17, 18, 21, 28, 30-32, 34,

35, 37, 39, 40, 42-45

THOMPSON	23, 38
THROSBY	14
TORPY	10
TRINK	7
TUMUT	39
TURBAN	8, 9
TYRIE	14
URABODALLA	.....16
VANE	43
WALGETT	23
WALLACE	8, 10, 41
WALLIS	15, 16, 18
WALSH	7, 10, 40-45
WARE	39
WATERS	42
WATKIN	40, 42, 45
WATSON	5
WATT	33
WATTS	33
WHEALLY	13
WILD	5, 17
WILD CATTLE FLAT	.....5
WILKIE	13
WILLIAMS	39
WILSON	14, 22
WONDILLA	17
WOODLAND	23
WRIGHT	31, 40-43, 45
YASS	11, 18, 22, 38, 40
YOUNG	18, 23, 28, 30, 35, 43
ZOUCH	38, 44