

NED KELLY – FALSE ICON

PART 1

INTRODUCTION

Edward (Ned) Kelly was a serious criminal. He was a thief, stand over thug, murderer, hostage taker, bank robber and prolific liar. At the time of his capture at Glenrowan, the general population was relieved that this vicious criminal was at last removed from the community where his criminality was creating havoc with the communities in North East Victoria and Southern NSW.

The Melbourne Punch pulled no punches with what they said at the time.

“The complete extermination of this band of cowardly murderers which was accomplished last Monday is a matter for sincere congratulation amongst all classes, and we hasten to offer our hearty thanks to those concerned in the annihilation of a national evil.

To the prompt and decisive action of Mr. Ramsay, (Chief Secretary) and to the pluck and determination of Superintendent Hare and his brave associates, is due the fact that the country had been rid of the Kelly nightmare.”

Sadly in the last few decades, this criminal has been transformed into a cult hero. There are many films, books, and government material that now laud this serious criminal and degrade both government and police. His iconic status is undeserved and I am part of a small but powerful group determined to have the mythological nonsense removed from government sites across Australia and replaced with facts. We have found that individual approaches to government sites that promote these myths have either been ignored or rejected. In particular, we are concerned with the degradation of police that is prolific and completely false. It is more than time that the facts were to the fore and the Kelly myths destroyed.

THE MYTHS AND OUR AIM

It is our intention to approach government ministers and organisations, federal, state and local to remove the Kelly myths and replace them with facts. If we are refused, we will ask our supporters to email the recalcitrant minister or organisation to drive home our point. There will be resistance so we need to be strong and determined in a project that is entirely reasonable to resurrect the reputation of the denigrated police of that era.

To give just one example of this mythological nonsense, if one visits the Kelly tourist route in North East Victoria, it is galling to read in their widely published pamphlet which contains the following.

“Indeed the passing years have served to build Kelly’s legendary stature. Why? Perhaps because he had so many qualities ordinary Australians admire. He was a larrikin. Loyal to his family and ready to sacrifice himself for his mates. Represented the struggling classes. Thumbed his nose at the establishment. And he was fearless.”

The reality is that most ordinary Australians do not respect criminals, who murder, hold up banks, stand over little people, hold hostages and steal from them. The suggestion that Kelly was loyal to his family is nonsense as on several occasions he informed on his relatives giving police the

information that enabled them to charge his relatives with serious criminal offences. After the bank robberies when he had a large amount of stolen money in his possession not one penny of that was provided to his mother who was still in gaol, to obtain her release.

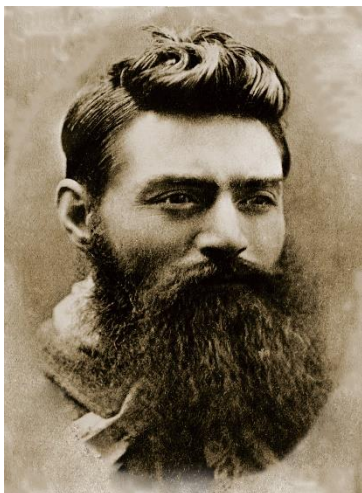
To suggest Kelly represented the struggling classes is nonsense. There is substantial evidence that Kelly was an opportunist thief who specialized in horse theft, and he stole from whoever he could, including poor Irish Catholics, almost certainly sending them bankrupt as they had no horse to work the land or carry produce into town for sale. Kelly certainly thumbed his nose at the establishment. Especially the police, who were only trying to control his criminal behaviours, as they were required to do.

The Royal Commission into the Victoria Police of 1881 made the following comment regarding the allegation of police harassment of Kelly and his clan.

“It may also be mentioned that the charge of persecution of the family by the members of the police force has been frequently urged in extenuation of the crimes of the outlaws; but, after careful examination, your Commissioners have arrived at the conclusion that the police, in their dealings with the Kelly’s and their relations, were simply desirous of discharging their duty conscientiously; and that no evidence has been adduced to support the allegation that either the outlaws or their friends were subjected to persecution or unnecessary annoyance at the hands of the police.”

When one visits Mansfield there is a large monument in the centre of the main street, erected by the people of Mansfield to the three well-respected police officers that Ned Kelly murdered at Stringybark Creek on 26th October 1878, but when one goes to the tourist information centre their promotional document reads as follows, denigrating police with false mythological nonsense. Local governments that support this nonsense are a disgrace. Where is their integrity?

“It was from Greta station that (Constable) Fitzpatrick, newly arrived, rode out to the Kelly house with a belly full of booze and glory on his mind – either from making a conquest with Kate or bringing in Dan, wanted on charges of horse stealing.”



Ned Kelly

THE FITZPATRICK MYTH

The facts relating to the Fitzpatrick matter are vastly different from the myths promoted by local governments throughout Kelly country and throughout many novels written by Kelly fans.

Constable Alexander Fitzpatrick has been vilified over the years as being a drunken playboy, who, among other things went to the Kelly homestead drunk, and attempted to rape 14-year-old Kate Kelly. The Kelly clan claimed that his actions started the events that led to the murder of the three police officers at Stringybark Creek. Fitzpatrick was eventually unceremoniously dismissed from the Victoria Police without a reason being given. When the facts are examined a very different picture emerges.



Constable Alexander Fitzpatrick

Constable Fitzpatrick was stationed at Benalla and had been assigned to relieve the permanent officer at Greta for a few days. He was aware that he would go directly past Kelly's place and he knew that a warrant had been issued for Dan Kelly on a charge of horse stealing. He considered it would be prudent for him to visit and perhaps arrest Dan on the warrant. He discussed the matter with his sergeant at Benalla who agreed with what Fitzpatrick planned, advising him to be careful. It should be noted that no instruction had been issued from senior officers regarding police not to attend the Kelly home alone.

Fitzpatrick had previous dealing with some of the Kelly's, including Ned, and was on reasonable terms with them. Clearly, he did not consider himself to be in any real danger attending there. The officer stopped at the hotel in Winton en route and had a drink of lemonade and brandy, which was subsequently confirmed by the hotel owner. One drink only then continued his journey. When he arrived at the Kelly's he spoke with Ellen Kelly, the matriarch of the clan for about an hour. He advised her he was looking for Dan as a warrant had been issued for his arrest. As he was riding away from the homestead, he noticed two horsemen moving towards the home. He caught up with them at the horse paddocks but only one man was there at that time. It was William Skillion an

associate of the Kelly's. Fitzpatrick asked who the other man was but Skillion refused to name the other rider. He rode back to the homestead and as he arrived called out for Dan. Dan Kelly came from the front door with a knife and fork in his hands. The officer advised him of the warrant and that he would have to go with him, under arrest. Dan was relaxed and asked if he could have some food first as he had been in the saddle all day. Fitzpatrick agreed to this and went inside with Dan. Kelly knew that he was not involved in this incident and would eventually be cleared as his alleged co-offender Jack Lloyd was.

Ellen Kelly, (Ned's mother) her daughter Kate Kelly and two other younger girls were present. Ellen Kelly whispered to the two younger girls and they quickly ran out the back. Ellen Kelly then began to abuse the officer who was standing alongside Dan as he was eating. In a moment Ned Kelly entered by the front door and immediately fired a shot towards Fitzpatrick. The first shot missed. Kelly fired a second shot that hit the officer just above his left wrist. At the same time, Ellen Kelly took a fire shovel and smashed it over the officer's head. Fortunately, he was still wearing his helmet, which took the brunt of the blow, but it was still enough to knock the officer senseless. Fitzpatrick being very close to Ned Kelly, grabbed at Ned's pistol trying to disarm him. A third shot was fired that also missed, and it was at this time that Fitzpatrick reached for his own weapon, only to find that Dan had removed it from its holster and was holding it pointing at him. Ned, now realizing who the officer was stopped his attack and called on others to do the same. William Skillion and William Williamson who had entered the room were armed with pistols in their hands.

Fitzpatrick, who was both dazed and losing blood from his wound fainted and fell to the floor. As he regained his senses he heard those who had assailed him talking about what to do. Eventually, the officer himself removed the projectile from his wrist, and it was bound by Ellen Kelly. Ned Kelly initially refused to let the officer go but allowed him to leave sometime later near 11 pm. Fitzpatrick had enough strength to leave and mounted his horse. He had recovered his pistol but Ned had kept the ammunition. He had ridden about two miles when he thought he saw Skillion and Williamson about 100 yards behind him, having caught up to him. He spurred onto the hotel at Winton where he was assisted inside by the owner and his brother as he could no longer stand on his own. David Winton, the hotel owner attested that Fitzpatrick was sober when he arrived at the hotel. Assisting the officer to recover and re-bandaging the wound, Winton offered Fitzpatrick brandy which he at first refused but later took. Winton rode with the officer back to Benalla. They arrived at about 2 am.

The next evening police attended the Kelly's and arrested Ellen Kelly, William Skillion and William Williamson for aiding and abetting the attempted murder of Constable Fitzpatrick.



Ellen Kelly

Warrants were issued for Ned Kelly for attempted murder and for Dan Kelly for aiding and abetting. Ellen had an infant in arms at the time. They were all found guilty and Ellen was sentenced to three years gaol, with both Skillion and Williamson receiving six-year terms. They were sentenced by Judge Redmond Barry, who was clearly intending to send a strong message to the criminals of the region. The sentences were indeed severe, as senior police at the time commented. It should be noted that Ellen Kelly at her trial would have had an excellent excuse for her behaviour if Fitzpatrick had tried to take liberties with Kate Kelly. Nothing was mentioned at her trial of this nature. It was almost a year after the event that the first record of Kate Kelly suggesting that Fitzpatrick had acted improperly towards her surfaces. It was, of course, made up to discredit Fitzpatrick, and that has led to numerous authors accepting the allegation as truth when in fact it was a fabrication and easily dismissed as such.

Ned Kelly denied on numerous occasions that he was even there, claiming to be 20 miles, 200 miles and finally 400 miles from Greta (The Gerilderie letter) when this incident occurred. The Kelly clan made up stories to discredit Fitzpatrick and some of those lies were taken up by authors sympathetic to Kelly, who ignored Kelly's reputation as a compulsive liar and were widely promulgated. They ignored the fact that the Kelly clan was skilled at lying, and they were skilled at making up stories to suit their circumstances demonizing the police. So much fiction now appears in written material the lies have, to some extent, become 'facts.'

Ultimately Ned admitted both to police and to journalists after his capture that he was in fact there and that it was he who shot Fitzpatrick. William Williamson, who was present in the room at the time corroborated Fitzpatrick's affidavit and agreed that it was accurate when interviewed by the Chief Commissioner of Police Standish while he was in gaol serving his six-year sentence.

Under oath, during Ned Kelly's trial in Melbourne, Senior Constable Kelly described a conversation he had with Ned Kelly immediately after he had been captured at Glenrowan:

"Between 3 and 6 the same morning had another conversation with prisoner in the presence of Constable Ryan. Gave him some milk-and-water. Asked him if Fitzpatrick's statement was correct. Prisoner said, "Yes, I shot him."

After Kelly was captured he was interviewed by a journalist from the Age.

“Reporter: Now Kelly, what is the real history of Fitzpatrick’s business? Did he ever try to take liberties with your sister Kate?”

Kelly: No that is a foolish story. If he or any other policeman tried to take liberties with my sister, Victoria would not hold him” (The Age, August 9th1880)

Kelly’s own words destroy the mythological nonsense that, like a cancer has spread throughout government material that is a disgrace to those organisations and to their integrity. It may be 140 years since these events, but the facts need to come to the fore and the myths destroyed once and for all. Where governments departments are lauding a serious criminal and police murderer, it is a disgrace, and unfortunately, they are refusing to remove this nonsense. Would they promote the likes of Ivan Milat, Carl Williams, or the Moran family? I think not. So why are they promoting this serious criminal?