

## NED KELLY – FALSE ICON

### THE CRIMINAL EMPIRE OF NED KELLY

#### GRETA'S CRIMINAL FAMILIES

If the average Australian was asked what they know about Ned Kelly, they would probably mention the siege at Glenrowan and perhaps the murders at Stringybark Creek. Some might know of the bank hold-ups at Euroa and Jerilderie, but very few would know of the criminal empire that Ned Kelly established in North East Victoria.

Ned Kelly was born into a criminal family either late 1854 or mid-1855 at Beveridge, Victoria. His father John (Red) Kelly, had been transported to Van Diemen's Land (Tasmania) for a second offence of stealing two pigs and was sentenced to transportation for 7 years. His mother Ellen Kelly, nee Quinn was part of a large family with a criminal bent. While living at Avenel, Red Kelly was imprisoned for having possession of a calfskin he could not account for and was fined 25 pound or 6 months imprisonment. He was imprisoned as he was unable to pay the fine. A few months after his release he died of oedema caused by excessive alcohol consumption. Ned Kelly was aged eleven or twelve when his father died. Ellen Kelly moved her family to Greta to be nearer her family after obtaining a land grant from the government of 88 acres. Greta was soon to become a criminal enclave where the Kelly's, the Quinn's and the Lloyd's had a relatively free hand at practising their criminal activities with very little interference from the police due to a lack of police numbers in the area. The three criminal families intermarried and carried out criminal acts together. Bearing in mind that in the entire North East of Victoria there were only 50 mounted constables and 30-foot police covering some 30,000 sq. km. Criminals effectively had a relatively free hand to practice their craft.

At this time there was a significant amount of criminal activity going on in the Greta region. Ellen Kelly ran a sly grog shop and prostitution racket from her Greta home.

Youths from criminal families would take a horse from a neighbouring property and hide it for a week or two until a reward was offered in local papers. Days later the horse would be returned to the owner and a profit made. It was an easy take as fences were few and far between and stock went missing regularly.

#### NED KELLY STARTS HIS CRIMINAL CAREER

On the 16<sup>th</sup> October 1869, Ned appeared in the Benalla Police Court charged with highway robbery. This resulted from an altercation with Ah Fook, a Chinese travelling salesman. He was remanded in custody, but eventually, the case was dismissed by a local magistrate as Kelly's relatives and associates gave perjured evidence and an interpreter for Ah Fook could not be found.

When Ned Kelly was fifteen, his mother Ellen, effectively apprenticed Ned to Harry Power, an escaped convict from Pentridge gaol who had been staying with the Kelly's at Greta. Power had an extensive criminal history and was a hold-up specialist. It did not take long before Ned Kelly was charged with Robbery Under Arms and brought before the courts as a direct result of his 'apprenticeship' with Power. On the 5<sup>th</sup> May, 1870 Ned Kelly was charged with Robbery Under Arms and appeared at the Benalla Police Court. On 12<sup>th</sup> May the cases were dismissed as the victims could not identify the offender, but he was further remanded in custody to appear at



### **HARRY POWER**

Keyneton on a similar charge. It is clear that the police encouraged Kelly to disclose the secret hiding place of Harry Power, and he almost certainly gave Power's location away which was very deep in the Wombat Ranges. The charge of Robbery Under Arms was not proceeded with, Harry Power was soon captured and sentenced to 15 years in gaol. Kelly found that he was, from that time, called a Black Snake, for allegedly giving Power away.

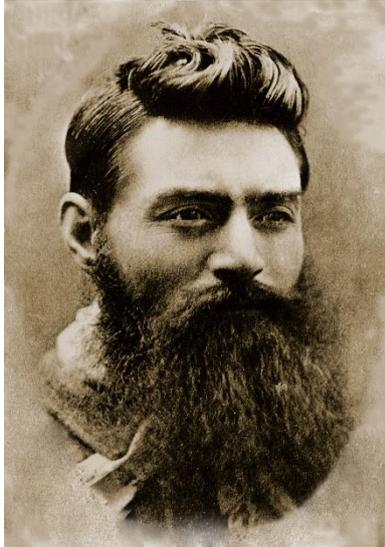
Ned next appeared in Court on 10<sup>th</sup> November 1870 charged with assault. Despite perjured evidence given by Tom Lloyd the court found him guilty and sentenced him to 3 months imprisonment. Kelly was probably 15 at this time.

On the 21<sup>st</sup> April 1871, in the Wangaratta Police Court, Ned was charged with horse stealing. On the date of the alleged offence, Kelly was in gaol, so the charge was amended to Feloniously Receiving a Stolen Horse. Despite perjured evidence being presented on his behalf he was found guilty and sentenced to 3 years in gaol. This was not Ned's first unlawful stealing of a horse, but it was the first that he was convicted for stealing a horse. It should be noted that the Kelly's always claimed that the police lied and gave perjured evidence, and this theme was promoted by authors sympathetic to Ned Kelly. It was the Kelly's and their close relatives and associates who were giving perjured evidence, not the police.

Upon his early release, six months short of the original sentence Kelly is presumed to have 'gone straight'. He worked lawfully for about three years, but he still kept up his stock stealing activities, albeit on a limited basis. After leaving his employment he returned to a life of crime.

### **NED KELLY'S CRIMINAL EMPIRE**

After his return to Greta, Kelly quickly became the leader of 'The Greta Mob'. A group of larrikins from the region who all had criminal leanings and who wore the chin strap of their hats under their nose to identify them as members. They were a wild bunch who committed a variety of crimes and used stand-over tactics to threaten their victims. They were like bikey gangs of today and were a disturbing influence on the decent folk who lived in the area.



### **NED KELLY**

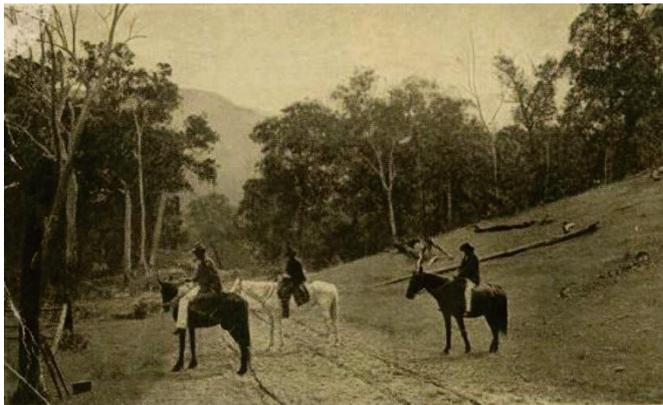
Ned began his stock stealing 'business' in earnest by late 1874 or early 1875, specialising in taking stock during the night, where often the only horse that a poor settler had would disappear almost certainly ensuring that the victim would be facing bankruptcy as they could not work their land, take their produce to town or travel very far. It is often claimed that Kelly only stole from rich squatters and was a supporter of the poor settlers. That is a myth, as the evidence shows that Kelly was an opportunist thief who stole from anyone when the opportunity arose. His stand over tactics would then surface and his Greta Mob thugs would harass the victim advising them that if they reported the theft to the police they could expect to be targeted and disadvantaged further. More stock would be stolen, a haystack burnt, fences pulled down, crops burnt, were par for the course for The Greta Mob under Ned Kelly.

At the Royal Commission into Victoria Police in 1881, one poor settler, Jacob Wilson who lived in the area, gave evidence to Kelly's Greta Mob's behaviour. He was harassed because he dared to sell hay to a party of mounted police when they camped near his property overnight. He was put in fear of his life, having been woken during the night many times and threatened. On one occasion he fled in fear of his life and hid up a tree all night while the Greta thugs searched for him. He sold his property at a loss and moved away to preserve his life and the lives of his three sons, who were also targeted by Kelly's thugs. This was not an isolated incident but reflected the MO of Ned Kelly and the stand over tactics that he used to bludgeon the community into fearing for their lives if they dared to challenge the criminal elements that in effect, had taken over the region. It is often mentioned by Kelly enthusiasts that Kelly had enormous support and that is why no one claimed the 8,000-pound reward for his capture. It is almost certain that the population were terrified of repercussions if they did give Kelly up as almost certainly, they or one of their family would be threatened with murder. Kelly's support was nowhere as extensive as Kelly fans claim.

Kelly went on to develop a very large horse-stealing empire that ranged from Gippsland, to as far east as Omeo, as far north as Jerilderie and Wagga Wagga in NSW, as far west as the Western Districts of Victoria, and in the south close to Melbourne itself. Horses stolen in Victoria would be moved by night towards the NSW border and during the day they would be kept at properties where the owners, who were supporters, would receive some benefit from the sale in due course. Large

numbers would be moved across the Murray River at low points and would either be sold after having their brands altered, or they would be released near a pound and impounded. Those same horses would then be purchased from the pound at a discount rate with Ned Kelly buying them, using the alias Mr Thompson and a legitimate bill of sale would be issued. The stock would then be driven back into Victoria and sold with an element of legitimacy about them.

Conversely, stock stolen in NSW had their brands altered and were brought south over the River Murray border and either sold or left near a pound. Kelly would then buy the stolen horses using his alias and gain an air of legitimacy that permitted him to sell the horses at normal prices. It was a prosperous business and was carried on for some time.



### **THE KELLY GANG**

Stock theft became so bad that organisations were formed in the region from October 1877, called the Stock Protection League where meetings would be held and joining subscriptions would be paid by stock farmers who were seriously concerned at the degree of stock thefts. Kelly fans claim they were formed only by the rich farmers, but many poor farmers joined to help in curbing the thefts of their stock. Rewards were paid for information leading to convictions.

The lack of police in both Victoria and New South Wales allowed Kelly the opportunity to expand his criminal empire, but police on both sides of the border began to liaise better and in time the inevitable happened as police on both sides of the border were gathering evidence against the criminals as horse stealing was at an alarming level.

### **THE EMPIRE COLLAPSES**

Through information received from a Kelly associate, police arrested the Baumgarten brothers, William and Gustav at Barnawatha, along with John Studders and Samuel Kennedy, in northern Victoria in December 1877. The Baumgarten brothers had a 1740 acre property and were heavily involved in being a staging station for horses brought by Ned Kelly and his criminal associates. A search of their property by police led to several stolen horses being located, but some horses were missed in their initial search, and a few days later the charred bodies of several horses were found near the Murray river half-buried in mud. The animals having been hacked to death and then burnt to try and hide their identities. The owners of the horses were able to identify some of them and in time a warrant for horse stealing was issued against Ned Kelly, the principal thief. His criminal empire had collapsed due to persistent and extensive police work.

Kelly returned to his mother's property to hide out, and it was at this time in April 1878, that Constable Fitzpatrick went to the Kelly home to arrest Dan Kelly on a warrant for horse stealing. Ned Kelly shot him in the left wrist and escaped into the Wombat forest with his brother Dan. His mother and two other accomplices were charged and gaoled for lengthy periods. The Kelly myths claim that Fitzpatrick was the cause of the outbreak, but clearly, it was Ned Kelly's horse-stealing activities that were the actual cause. Fitzpatrick was a police officer just doing his duty, but of course, according to Ned, he was the cause of the outbreak. Nothing could be further from the truth, but Kelly fans will claim this is true. Kelly's horse-stealing enterprise was extensive, and he bragged to his hostages that he had stolen at least 280 horses.

Kelly's horse-stealing empire had been shut down very effectively by police persisting and eventually getting the evidence to bring his criminal horse-stealing reign to an end. Kelly would go on to murder three police officers at Stringybark Creek, hold up banks at Euroa and Jerilderie taking hostages on both occasions and threatening them with death if they disobeyed him.

In June 1880 after the gang murdered an associate, Aaron Sherritt, and Ned accidentally shooting the hostage George Metcalf in the eye at refusing him medical treatment where he died two months later, the Kelly regime finally came to an end at Glenrowan, where the four Kelly gang members met their Waterloo. But then, that is another story.