

Commonwealth Court of Conciliation and Arbitration

JUDGES' CHAMBERS,

Melbourne, 19th. April, 1951.

The Attorney-General,
Crown Law Offices,
459 Lonsdale Street,
MELBOURNE.



Dear Sir,

I wish to advise you that the manuscript copy of a statement made by Edward Kelly for which you are inquiring was returned to Mr. Frank Menzies, State Crown Solicitor, under cover of my letter of the 3rd. July, 1950.

With kind regards,

Yours faithfully,

Ed Murphy

JUDGE.

CROWN LAW OFFICES,
459 Lonsdale Street,
Melbourne.

13th April 1951.

Dear Judge Dunphy,

On the 17th February last my predecessor in office (The Honorable T.D. Oldham) sent to you for use by Mr. Frank Clune a manuscript copy of a statement made by Edward Kelly after his conviction on a charge of murder.

As this forms part of the official record in this case I would greatly appreciate it if you could inform me whether Mr. Clune has finished with it so that it could be returned to me.

With kind regards,

Yours faithfully,

Attorney-General.

The Honorable E.A. Dunphy,
Judge of the Court of Conciliation and
Arbitration,
Judges' Chambers,
Lonsdale Street,
Melbourne.

49/9573.

RB.

49/9573

Recd

CROWN LAW OFFICES,
459 Lonsdale Street,
Melbourne. C.I.

17th. February, 1950.

Dear Judge,

re Edward Kelly.

I have pleasure in enclosing as desired by you the manuscript referred to by me in my letter of 5th. December last.

I trust that it may prove of some use to Mr. Clune.

Yours faithfully,

ATTORNEY-GENERAL.

The Honorable E. A. Dunphy,
Judge of the Court of Conciliation
and Arbitration,
Judges' Chambers,
Melbourne.

49/9573.

Recd 17/2

49/9573

Full

CROWN LAW OFFICES,
459 Lonsdale Street,
Melbourne

5th December 1949.

Dear Judge,

re Edward Kelly (Murder).

With further reference to your enquiry on behalf of Mr. Frank Clune regarding the original of the letter said to have been written by the abovenamed in 1879 or 1880, my officers in the Crown Solicitor's office have made exhaustive searches but can find only the manuscript copy referred to in the "Australian Son" which I now return. There is no clue as to who wrote this copy.

With full

The manuscript would not, I think, meet Mr. Clune's desires but he is welcome to inspect it at any time convenient to him.

Yours faithfully,

ATTORNEY-GENERAL.

His Honour Mr. Justice Dunphy,
Commonwealth Court of Conciliation and
Arbitration,
Judges' Chambers,
Melbourne.

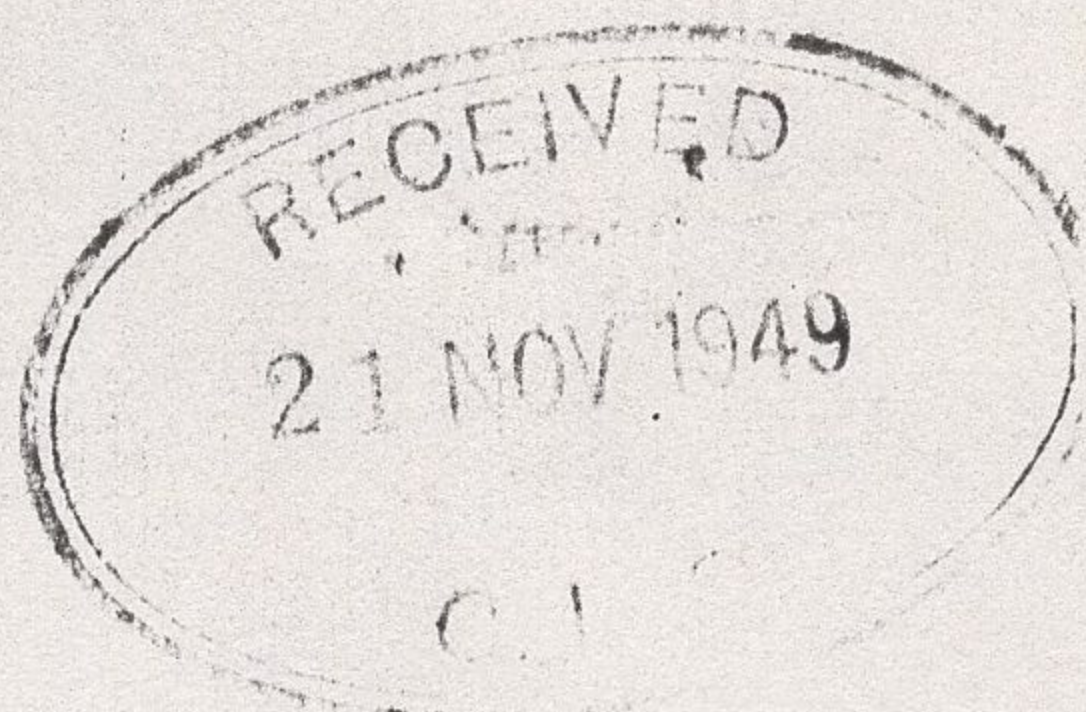
49/9573.

49
9573
COMMONWEALTH COURT OF CONCILIATION AND ARBITRATION.

JUDGES' CHAMBERS,

Melbourne, 16th November, 1949.

The Honourable Trevor Oldham,
Attorney-General,
Attorney-General's Department,
Lonsdale Street,
MELBOURNE.



Dear Mr. Oldham,

Confirming my telephone conversation, I would be very much obliged if you could give me some help in the following matter.

I am a personal friend of Mr. Frank Clune who is well known as an author of Australian books and is also a prominent speaker over the radio on Australian matters.

Mr. Clune is in the process of writing a new work on the Kelly gang and he is particularly desirous of getting a photostat copy, if possible, of a letter written by Kelly, copy having been made in 1879 or 1880. This letter is referred to in the book "Australian Son" published in Melbourne in 1948. I forward a copy of "Australian Son" and you will find the letter in the appendix at page 271.

It appears possible that this letter is possibly in a Crown Law Department file or a Police Department file and if it is available I would like to *sight* it and, if possible, to have a photostat copy made of it. Clune could easily make use of the letter as published in "Australian Son" but he has a passion for exactitude and would like to be certain by more exact visual evidence of the correctness of the wording of the document.

When I was Crown Solicitor in Western Australia I helped Clune in similar ways and always found he made very good use of any material I was able to provide for him. Whilst he has a peculiar style of writing, he is doing a very good job for Australian literature and legend and tradition.

If you are able to trace this letter, would you be good enough to let me know and I trust you will be able to let me inspect it and perhaps to have a photostat copy made for Clune's benefit.

help with
Yours faithfully,

Can you
try to the Law Department
JUDGE.

The original cannot be found in
this office. Copy and "Australian
Son" are returned herewith.

IVED

Frank G. Clugger.
Crown Solicitor.
30.11.49.

The Secretary,
Law Department.

Mr. Korbins, ~~broken~~ Solicitor
told that the manuscript had
been received from Judge Sumpter and
A. J. Barry J. then borrowed it.

When Barry J. returned it Mr.
Korbins forwarded the manuscript
to the Public Library and he presumes
it is still there

He
20/4/37

r
de

C. W. 24/4



Monash University

CLAYTON VICTORIA AUSTRALIA

TELEPHONE: 544 0611 TELEGRAMS: Monashuni Melbourne

PLW/ht

FACULTY OF LAW

6th March, 1967

Mr. R. Glenister,
Secretary to the Law Department,
Owen Dixon Chambers,
205 William Street,
MELBOURNE. C.1.

Dear Mr. Glenister,

Thank you for your letter of
1st March.

I shall pass on the transcript
to Mr. Cave when I see him at the
Easter weekend.

Again, many thanks.

Yours sincerely,

Louis Waller

Louis Waller.

For the attention of Mr. W. S. Sampson.

Att. pps & P.A.

WES/PMA

1st March, 1967.

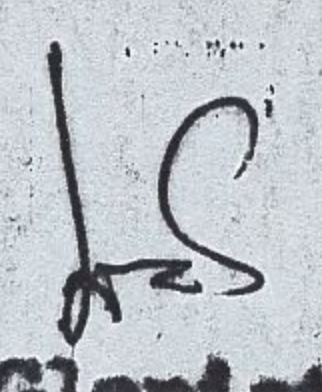
Professor Louis Waller,
Faculty of Law,
Monash University,
CLAYTON, Vic.

Dear Professor,

I refer to your letter of the 22nd February, 1967,
regarding the transcript of the trial of Edward Kelly.

The copy transcript may be passed to Mr. C. F. Cave
when you go to Wangaratta at Easter.

Yours faithfully,


(R. Glenister)
Secretary to the Law Department.

At pps & P.A.



Monash University

CLAYTON VICTORIA AUSTRALIA

TELEPHONE: 544 0611 TELEGRAMS: Monashuni Melbourne

FACULTY OF LAW

22nd February, 1967.

plw/ht

Mr. R. Glenister,
Secretary to the Law Department,
Owen Dixon Chambers,
205 William Street,
MELBOURNE.. C.1

Dear Mr. Glenister,

Thank you very much for sending me the photostat copies of the transcript of the trial of Edward Kelly in 1880. The materials will be of the greatest assistance to me in the preparation of the lecture I am to give at what is curiously called "The Kelly Weekend" in Wangaratta.

I propose to give the transcript to Mr. C. F. Cave, when I go up to Wangaratta at Easter. Is this agreeable to you?

Thank you again.

With kind regards.

Yours sincerely,

Louis Waller

Louis Waller,
Sir Leo Cussen Professor of Law.

WES/MP

15th February, 1967.

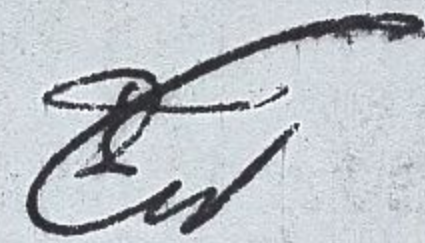
Professor Louis Waller,
Law Faculty,
Monash University,
Wellington Road,
CLAYTON.

Dear Professor Waller,

Further to a request from Mr. C.F. Cave, Executive Officer of The Centre, Wangaratta, and to your telephone call yesterday, I enclose photostat copies of the transcript of the trial of Edward Kelly in 1880.

I would be glad if you will give the transcript to Mr. Cave when you have finished with it.

Yours faithfully,



(R. Glenister)

Secretary to the Law Department

Encl.



FOR THE PROMOTION OF ADULT EDUCATION

(Wangaratta High School Advisory Council)

THE CENTRE

CHISHOLM STREET,
WANGARATTA,
PHONE 4191

8/2/67.

Mr. W. Sampson,
Law Department,
Williams Street,
MELBOURNE

Dear Mr. Sampson,

In connection with our Easter Week-End School on "Ned Kelly", I would like to make application from your Department to borrow documents relating to correspondence between Kelly and the Governor-General after Kelly's arrest, and the various appeals which were made, which, I understand, are in your archives.

On behalf of Professor Louis Waller of Monash University who is lecturing for us on the legal aspects of Kelly's trial, I seek permission (a) to have access to and (b) to later borrow the written transcripts of the trial.

Should there be any other documents of interest to our studies in Kelly, we would be pleased to have access to these also.

Yours sincerely,

Colin F. Cave,
Executive Officer,
THE CENTRE WANGARATTA

6th August, 1968.

Dear Judge,

I refer to your letter of 30th July concerning a forthcoming publication "Ned Kelly - The Legend and the Man" by the Hill of Content Publishing Company.

I am happy to have the documents to which you refer made available and suggest that the Company communicate with the Secretary to the Law Department, who will make the necessary arrangements.

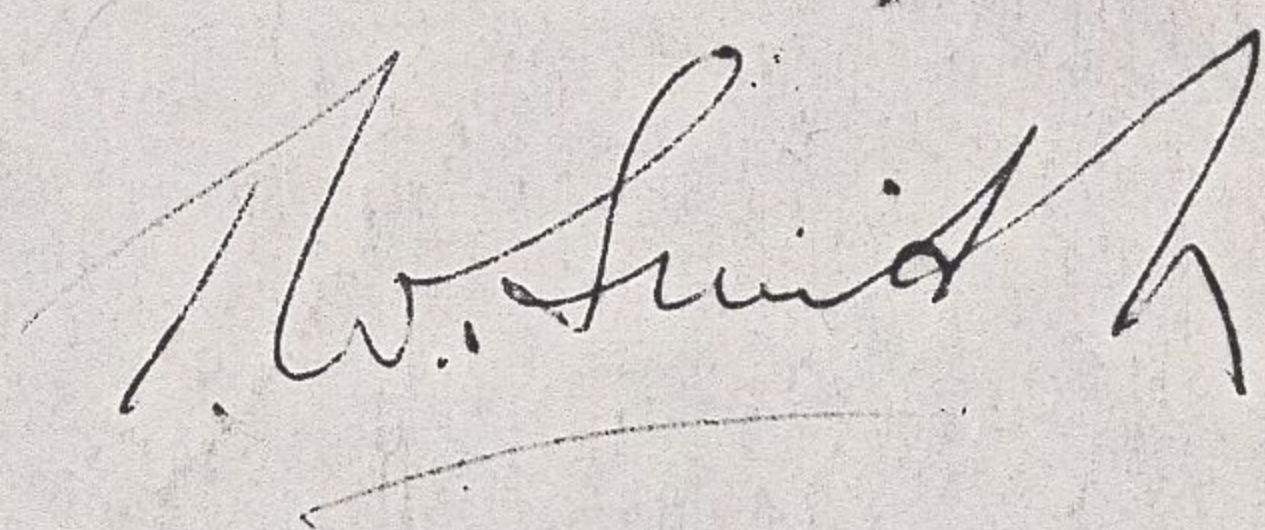
Yours faithfully,

(G.O. Reid)
Attorney-General

The Honorable Mr. Justice Smith,
Judges' Chambers,
Supreme Court,
William Street,
MELBOURNE...VIC...3000.

68/2582

Yours sincerely,



The Hon. G. O. Reid, M.L.A.,
Attorney-General of Victoria,
459 Lonsdale Street,
MELBOURNE. VIC. 3000.

68/ 2582

JUDGES GENERAL

P.H.C.



1968 JUL 30

17:02

JUDGES' CHAMBERS,

MELBOURNE.

30th July, 1968.

Dear Mr. Attorney,

The Hill of Content Publishing Company, with whom my daughter Jane is an editorial assistant, publishes an Archive Series, the quality of which may be seen from the accompanying specimen of an issue dealing with "The Discovery of Australia".

Among the issues currently in preparation is one on "Ned Kelly - The Legend and the Man".

Your Department has an old file, which I have read, containing reports and letters of great historical interest in the field to be covered by this forthcoming publication. I refer particularly to the following:-

- (a) Memorandum and letters of July 1880 throwing light on the beginnings of detective work in the Kelly district and upon attitudes adopted by local people.
- (b) Sir Redmond Barry's letter to the Governor (30/10/80).
- (c) Kelly's letters to the Governor in November 1880.
- (d) Resolutions of a public meeting of November 1880.
- (e) Case against James Wallace (22/12/81).

The value of the forthcoming publication to those interested in the history of the period would be very greatly enhanced if extracts from some of these documents and facsimiles of others could be included. I should therefore be very much indebted to you if you would advise me whether the file, or the particular documents already referred to, can be made available for these purposes and, if so, whether a formal application from the publishers or compliance with any other procedures would be required.

With kindest regards.

Yours sincerely,

The Hon. G. O. Reid, M.L.A.,
Attorney-General of Victoria,
459 Lonsdale Street,
MELBOURNE. VIC. 3000.

E.T.—No. 1.
750,000.—4/81.

POST OFFICE TELEGRAPHS.

No. Words 22

Check OK

By ON

This despatch has been received for delivery subject to the Regulations and Conditions which Telegraphic Messages are authorized to be transmitted in Victoria.

NO FEES TO BE PAID UNLESS STAMPED HEREON.

Time recd. 11/11

From Leechworth

Dated 1/1

Telegram for D.C. Harriman

from law office

ALL COMPLAINTS TO BE ADDRESSED IN WRITING TO THE POSTMASTER-GENERAL.

<u>See</u>	1	<u>of</u>	2	<u>the</u>	3	<u>Saddle</u>	
<u>found</u>	5	<u>in</u>	6	<u>possession</u>	7	<u>of</u>	
<u>the</u>	9	<u>Rellys</u>	10	<u>are</u>	11	<u>to</u>	
<u>be</u>	13	<u>sold</u>	14	<u>at</u>	15	<u>12</u>	
<u>oclock</u>	17	<u>today</u>	18	<u>at</u>	19	<u>Penall</u>	
<u>direct</u>	21	<u>M.</u>	22	<u>Montfort</u>	23		
	25		26		27		
	29		30		31		

*** No pecuniary liability is incurred by the Crown by reason of any delay, default, or omission, in relation to any Telegram sent or received, or omitted to be sent or received, in Victoria.

(Signature) M. E. Ward

Time lodged at the Sending Station 1054

2358

82/1957

Benjamin

W. A. Kelly

Chapman

✓ 80/3605

Final report of Police
handed to Mr. Bolan

26/4/82

✓
W. A. Kelly

PRIVATE SECRETARY.



TO

The Secretary
The Crown Law Office
" " "

The attached Petitions are part of a
number that were referred to the
Honorable the Attorney General on the
8th instant.

Thos Brisbane
in the absence of

GOVERNMENT HOUSE,

Melbourne,

10. 11. 1880.

Thos Private Secretary.

1st Secretary Indian Department
The Indians have been laid before
the Governor in Council.
Philadelphia 1880. (C.S.)

November 80
Wed. 8th

With PP
✓ 5759
80
5210

A. S. Hamilton

Melbourne

Forwards resolutions of Public meeting re
case of the Condemned Criminal E. Kelly
(P. Secretary)

K
80
By direction
of the Governor
of the House of
Assembly
of the Province
of Victoria
of the Parliament
of Victoria

5710
At a public meeting (duly
convened by public advertisement)
held this, the fifth day of November
1880 at the Hippodrome, Exhibition
Street in the City of Melbourne
the following resolutions were
duly passed vizt:

First Resolution

That this meeting having
considered all the circumstances
of Edward Kelly's case believes
it is one fit for the exercise of
the Royal Prerogative of Mercy
and therefore earnestly prays
His Excellency the Governor in
Council to favorably regard
the prayer of this Meeting - vizt
That the life of the prisoner
may be spared.

Second Resolution.

That this meeting requests the
Chairman together with all desiring to
accompany him respectfully to approach
and hand the before going resolution
to, His Excellency the Governor at
Government House at half past
Ten o'clock to morrow morning -

I the undersigned as Chairman of the
Meeting do certify the above to be the
Resolutions so passed as aforesaid

Archibald Gillars Hamilton Chairman

Benall ~~3rd~~ 1880

Dear

I write to you further information re
my first letter. The men names who stood for
the horses here bought from Byrne are, Alex Wan,
Adam Dodd, and Billy Skelton, they have
all of the animals yet. The name of the
Irish fellow who accompanied Byrne is not
known but is about here somewhere. I have
also received very reliable information
in conversation among some fellows
that I was in company with the other
night that that they were told privately
by Jack Kean, a resident in this town
and a well known sympathizer of the
Kelly crowd, that Old Pat Delaney
of Lreta is not the man that made
the altar, but a man named
"John O'Brien" a selector and farmer
also a Bush Blacksmith residing

at Larrawingee is the man who is in
it. I may be mistaken slightly in the
name of the place as it was merely
Conversation among "Shortell" publican
Alex Wan, Ned Jarrell and a
~~Painter~~ I could not without very
great risk ask particularly the exact
name of place. But I am sure of
of the man. I received your enclosing
one for Mr. Sadler yesterday, and
duly delivered it to him secretly.
He told me he was very busy in
other matters but would arrange
to have an interview privately with
me today but up to the present it
has not come off. I of course told
him of "O'Brien" and he asked me
if it was "O'Brien" at Peta I told
him No because I was so very

particular when the Conversation
at ~~Shute's~~ private parlor was
long on to note that "My Cousin"
was there in "Journals" and the Painters
Company. Having drinks, etc, I told
^{Mr. Sadler} him I expected to hear from ^{Mr.} Ward
of Beechworth but he said it would
never be for Ward to come to Benalla
as he was too well known, I received
a letter from "Ward" to day asking to
meet him at Everton or Beechworth
and to have a talk to see what to be
done but in the fix I am now in
I cant tell what to do not having up
to the present, seen Mr. Sadler, would
you be so kind to suggest something for
I feel sure from what I heard that
there is something true about this man
O'Brien making the armor.

Mr. Sadler

advised me to take work in the Town
but I don't see the use for they will never
drop to me I have been assisting some hands
to Clip Horses and enquired at the different
Saddlers for a place but the Wages are too
low and I have told the Boys I will
make me to Albury or Wagga. Wagga

So I wish upon receipt of this
that you would advise me further
in the matter whether I will push
my way further on my own account
or go to "Ward" and see him I
consider it would be a great pity to
lose this affair of "O'Brien" till we
find out his place and test it
According as Circumstances will
allow. by Careful and patient
trying. I forgot to mention that Mr. Sadler
before I left him informed me he had an
inkling of this "O'Brien" before
P. Meade

Penalla

1st July 1880

Sir

365

I arrived here all right -
last night and took a quiet-
walk round the Town, of
course the principal ^{topic}
of Conversation was the "Hellys"
I palled in with a good sort
of a native of the name of Ned -
Farrell he is well known here,
he has been a Horse Dealer
Etc. he is the man so he informs
me who was the only man that
Helly (Ned) after being wounded
could about speaking too. He blubs
like water as far as information
is concerned / in this wise / I am stopping