

1957
Of by the Police at Glenrowan
by previous Constables Two (2) of which
have been given up to Mrs. Shillion
(sister to Ned Kelly) the remainder
being in the possession of the
Binnalla Police;

The Constables through whose
hands the Saddles &c. are supposed
to have passed are scattered
over this and other Districts
but they will be all seen
in detail, and every effort
made to endeavour to trace
the saddles; One identifiable
in particular, with the view of
tracing it as near as possible
to the possession of the late
Kelly Gang.

The only hope we
have of speaking this is that
Two (2) of the murdered men's
saddles were recovered at
Glenrowan, and if we can ac-
certain that the Saddle which
has been identified by Mrs.
Sherritt, was found at the same
time and place, as the Two (2)
Police Saddles previously
mentioned it will be our
idea proof conclusively
that they were one and all
brought there by the Kelly
Gang, - as soon as this can
be ascertained a further

1957
Report to be at once
furnished. We proceed to
Chepparton tomorrow, to
make inquiries there from
which place Det Ward
having to proceed to
Wallan Wallan, will
return to Melbourne with
a file of Mr Wapjarkha
Dispatch 1889, containing
Nos of Christmas in Kelly
Land of which Wallace is
the author. The file was
sent for a few days and
will have to be returned
within the week.

McConnochie
Det^{ny} (Ed 115)
M.C. Ward Dec 28/88

Detective Department
Buckworth December 29/81

1957
A Special Enquiry for S. Wallace

They to report that on
Friday the 23rd inst proceeded
to York for the purpose of making
inquiries in the above case
At there saw Constable Fitzgerald,
I made careful inquiries but
could obtain no information
James Wallace and his
three brothers were in York
and carefully watched my
movements. Left York on Saturday
and gave instructions to
Constable Fitzgerald to try
and elicit some thing from
the publicans there. There is
a publican named Purdy
who Wallace told that he
often carries tinned fish
and preserved meat to the
cellars. Constable Fitzgerald
is of the opinion that in case
of a prosecution, if Purdy
was subpoenaed he would
when in the box speak the
truth and give good evidence
for the prosecution although
at the present time he will

B. L. Harriman Esq
S. C. D. Dept.

1957

Doing nothing. proceeded to
Buckworth and interviewed
Senior for Mr. Mullane
who willingly gave me every
assurances, and he (Mullane)
rode down to Sheep Station
Creek and made arrangements
with the members of the
Sherritt family who could
identify the saddle bought
~~by~~ from them by S. Wallace
and afterwards found in the
possession of the Kelly family
of Outland at Glenora on
the 28th & 29th of June
1880

On the 28th inst.

Mr. Senior
John Sherritt called at Senior
for Mr. Mullane's private
residence. Buckworth was
then shown three (3) saddles
he carefully examined
them, and after some time
he picked out one of the
saddles and said that is
my saddle, but it has
been greatly knocked
about. On the same day
but later on Ann Jane Sherritt
(daughter of John Sherritt)
called at the Senior for Mr.
Mullane's private residence and was
shown the three (3) saddles
she carefully examined

1957

them, and after some little
time she picked out the same
saddle, and said that was
her Father's saddle, and the
saddle that Wallace took
away from her Father's place
in July or August 18th 19
She knew it because she
often rode on it. She also
said that she remembered
Wallace taking the saddle
away while the Kellys were
at large;

Mr. Sherrill has a
sick child at this present time
is unable to attend in Buckmouth
but as soon as she does Senior
Serrill's daughter will report
proper. I made inquiries in
and about Buckmouth. Black
Spring, Woolshed and Sabastopol
but was unable to obtain any
information. Senior Serrill's
daughter has promised me to
have nothing undone in this
matter, as he is very friendly
with Mr. Byrns, Dick Murphy
James Chappel and families
of Donahoe, who may be
able to give some information
of Wallace's movements during
the time the Kellys were at large
unless they have been got at
by Wallace or his Father.

1957
Presumably there are
several reports current
with reference to the Sullivan
associating the Kelley
family with on enquiring they
appear to be more likely
and I will try to trace them
to any authentic source

R. E. Ward
CD 2838

195^m

Buchworth Hall
St. John De. Eng. 1881

Special Inquiry
re J. Wallace

We beg to forward
here with a report on
subject as per margin
with a request that after
Mr. Montfort has read
it he will be good
enough to forward
it direct to the acting
Commissioner
of Police

A. B. Montfort Esq.
B. M. A.,

McConville
Det 2415

M. H. Ward
Det 2338

Forwarded to the Act Chief Commissioner
I beg to call attention to the portion of
the 'Detectives' report I have underlined

W D Mansford
bke

23. 12. 89

Private & confidential

Confidential

Forwarded for
the information of the Secretary
to the Law Department. I shall
be glad to learn the further
views of the Law Officers in this
matter.

28/12/89 77

J. W. Mansford
A. C. C. C.

1957

Detection Department
Bucknorth 22nd Dec^r 1881

A Special Enquiry, re Mr. Wallace

Confidential

We beg to report for your information that on the 3rd of Dec^r we proceeded to Bucknorth with reference to enquiries as above. We first saw a Mr. Kelly a School Master near Bucknorth who we knew had an intimate knowledge of Wallace's friends &c both in the neighbourhood of Bucknorth, Hurde Creek and the King. After seeing him we proceeded on the following day to Oxley & Midawa, at this stage we only made cautious inquiries the result of which were that we heard that Mr. Wallace had purchased at the Stores a greater quantity of Tinned Fish &c than he or his family which at that time consisted of only three (3) persons, himself included, could consume. We also heard that on a certain night during the time the Kellys were at large, that he ("Wallace") asked a man named James O'Neil if he would go to a Mr. Jones

(1)

W. B. Montford Esq.
Police Officer
Penalla,

1957

Off. Mrs. Formors referred to was an Aunt - by marriage
 to the late Outlaw for Payson

Formors at Phoronley as
 the Kellys were to be at her
 place on that night and he
 (Wallace) wanted to warn them
 that the Goopers would be there
 Asptain Standish (late Chief
 Commissioner) had informed him
 that such was the case, O'Neil
 refused and he (Wallace) asked
 him if he could get a man from
 Mrs. McGregors where he was working
 O'Neil said he did not know
 whether a man named John Dwyer
 would go or not. Wallace then
 accompanied him O'Neil
 to Mrs. McGregors the latter
 called out Dwyer and he
 Wallace asked him if he would
 go to Phoronley for the purpose
 of warning the Outlaws of the
 projected police raid on Mrs.
 Formors house but Dwyer refused
 to go.

We did not at this stage
 deem it advisable to question
 either O'Neil or Dwyer but the information
 coming from a reliable source
 we had no doubt of its truth
 We were also informed that on
 a date during the time the
 Outlaws were at large viz
 the latter end of 1879 that
 a youth named McGregors
 age about 17 years then at the
 Grammar

1957

Grammar School Dallarak
Received a letter from James
Wallace (to whom he was per-
-sonally known) enclosed
in which was a letter addressed
to Miss Kate Byrnis Post-
Office Buchanorth with in-
structions to post it which
young McGregor did. McGregor
on his return home from school
spoke to Wallace about the
danger he incurred in sending
such a letter Wallace passed it
off as a joke. McGregor on
receiving this letter from Wallace
showed it to a school mate
named Munro now assistant
Clerk of Petty Sessions at
Bangarra.

Having heard of the
discovery of a hut in the bush
near Hurdle Creek we proceeded
there but found that a bush
fire had destroyed the hut
we visited the ~~right~~ site and
found the remains of a hut
15 x 11 feet situate at the foot
of one tree hill; opposite a gap
leading into Saw Mill Gully
through which there is a direct
track leading to Wallace's late
school Bobinaoara at a distance
of about four (4) miles through
an unsettled district

1957

The hut we were informed was
built some six or seven years ago
by some splitters & fenceers who
occupied it at that time, but
since then we failed to find
out any person who occupied
it or heard of its being inhabited.
We searched round the neighbour-
hood of the hut but failed to
find any traces of a Horse
Camp or of splitters or Bee
hunters having been working
in that vicinity in fact the
neighbourhood appears a
most isolated one the nearest
house being about three (3) miles
where the Herdsman David
McFallum resides, he it was
in company with a neighbour
named Doig discovered the
recent occupation of the hut.
They state it contained three
(3) benches two (2) large and one (1)
double one which attached to
the roof were grasp rope loops
as if used for hanging up
guns there was a quantity
of empty bottles both inside
and outside the hut none of
which had any labels. (We
ourselves saw a number outside
the hut) There were also a few
tins but not many. There is
a spring of fresh water close

1957

to the fact the only one within
miles Both McCallum and Doig
have no hesitation in saying
that the hut had the appearance
of having been occupied within
the last two or three years, though by
whom they cannot say, but on
being questioned as to their
opinion on the subject they
said there could be but little
doubt but that it was occu-
pied by the Outlaws as had
any one being working such
as splitting &c in that neigh-
bourhood they could not help knowing
it.

We then worked our way
back to Buchworth but failed to
find anything important relative
to this matter, further than that
it was the opinion of several
respectable residents that
Wallace was an active sympathiser
of the Outlaws.

We next saw Mrs.
John Sherratt she states Wallace
called at her place about August
1879 and borrowed an old saddle
but did not return it and
subsequently paid her the sum
of £3.0.0 for it she can identify
the saddle, she further states that
at the time Wallace borrowed
the old saddle he had a good

1957

Saddle of his own. She further states that on a date subsequent to this but not long after Wallace again called at her place he came in a Buggy, he asked her in her daughters Mary Jane's presence whether she had any Moulbours for sale giving as an excuse that his father was a dealer in old metals and he was purchasing for him at the same time he showed her one (moulbours) he had in a bag with him.

Mrs. Sherritt also remembers Wallace calling at her place on or about the 23rd of August 1849. he came in a Buggy in which she saw a quantity of Staves consisting of Bread &c and a Case of Brandy. he had dinner at her house and left in company with Alson Sherritt son-in-law.

Mary Jane Sherritt can corroborate her Mother's statement with regard to Wallace borrowing the Saddle and wanting to purchase Moulbours &c. And adds that she frequently saw Wallace at Mr. Byrnes (brother of Jos Byrnes of the) house, where the (Wallace) had various meals and

1957

usually slept on the sofa
this was during the time the
Callows were at large viz 1849
Owing to Dr. Jackson Wash having
to attend the Criminal sessions
in Melbourne the inquiry was
discontinued till Saturday
the 17th inst. On which date we
proceeded to Melbourne but
failed to gain anything of
importance there. On the
following day proceeded to
John Dwyer's residence on the
King's River we saw Dwyer
and questioned him relative
to what we had heard had
passed between him and
Wallace at Mrs M. Gregg's
he at first refused to give
us any information on the
subject stating as an excuse
that he did not wish to inform
any one, but on our pointing
out to him, that the circumstances
of Wallace being at Mrs M. Gregg's
on the night referred to & the
shown to several persons
he admitted that James
O'Sullivan did call him out of
Mrs M. Gregg's house where
he was playing Cards, and
that the then saw Wallace
who asked him to do a
certain thing, he would

(4)

1957

Not tell us what passed between
him and Wallace adding
I did not go where I was asked
I did not do anything wrong
and I will not insure anything
there. Though this Frank Dwyer
was extremely reluctant to
have us to print that the
information we had previously
received proved to be correct. In
Dwyer's own admissions and
his refusal to tell us what
actually passed between
him and Wallace is a still
stronger proof. On leaving
Dwyer we at once proceeded
to Hedi for the purpose of seeing
Edward Burke referred to in
evidence like Wallace's evidence
before Commission page 350. Question
145-47 &c. We failed to see Burke
owing to his absence from home
but learning that John Dwyer
would be near our to Commission
with James O'Neil we having
been compelled to use the
latter's name in our interview
with Dwyer we at once proceeded
that evening to Geraldine
where we saw James O'Neil
who is now in the employ
of Andrew Reid Farmer
Geraldine after a good
deal of pressure and a little

1957

Strategy on our part. He stated
as follows "I remember calling
at Wallace's house at Bodd-
in-warrak I do not re-
lect the date but it was
some time in 1849 I saw
Wallace there after some
little conversation he said
to me Sir will you do me
a favour I replied I would
if it was in my power
he said would you like to
see the Kellys first up I
replied it is nothing to
do with me, he said I hear
the Kellys are at Mormon
at Whorouley will you go and
warn them that a body of
police are to be sent there
I declined to go giving as
an excuse that I could not
ride further and I know the
road to Whorouley, he then
turned to his wife who was
present and said I will go
myself, she commenced
to cry and implored him
not to go, saying that if he
persisted in going he would
not find her there on his
return, he then asked one
of the constables to go to
Whorouley also I could
not, he then said who is

1957

Working with you at Mrs. McGreggor's
 At this time I was employed there
 I replied John Dwyer Wallace
 said do you think he will go
 I replied I do not know he
 then said I will go with you
 to Mrs. McGreggor's attorney
 and we left for there together
 On arriving there he asked me
 to go to the house and call
 Dwyer out as he did not wish
 any of the McGreggors to see
 him, I consented and called
 Dwyer out when he and
 Wallace had a conversation
 which I did hear, however I
 know Dwyer did not go as
 I saw him (Dwyer) re enter
 the house I did not see any
 more of Wallace after this
 conversation with Dwyer
 on that night "Mrs. McGreggor

I note

of Hard Creek (Almost respectable
 person) remembers James O'Neil
 calling out John Dwyer out
 of her house one night during
 the Kellys were at large and
 Dwyer returning shortly aft-
 -erwards and being extremely
 reticent in his manner, this
 circumstance is more distinc-
 -tly impressed on her memory
 from the fact that on the

1957

Following Morning mysterious
hint as to the speedy capture
of the Kelly Gang were thrown
out by James O'Neil at
the breakfast table

Alexander McGregor
son of Mr. McGregor Campbell
clashed in reply to questions
put by us, as follows.

"I remember whilst at school
at Ballarat in 1894 latter end of
receiving a letter from James
Wallace then a school teacher
at Bobinwarrah and to whom
I was personally known asking
me to post a letter which he
enclosed. The letter was addressed
to Miss Kate Byrne Post
Office Buchan. Which I did
I showed the letter to a school
mate of mine named Murray
now assistant Clerk of Petty
Sessions at Wangaratta. On my
return home from school and
whilst walking ^{at} a bush fire I
met Wallace. This was the first
time since I had seen him since
I received his letter, he asked me
if I got his letter all right and
did I do what he asked me
viz to post enclosed letter I
replied that I posted the
letter but I thought he was very
foolish ^{on his part} as I might have taken

1957
The letter to the Police, he said
I never got would not do
that and then laughed the
matter off. I have since mislaid
the letter but possibly I can
find it.

I am acquainted with
Wallace's hand writing and the
letter I refer to, was written by
him and bore his signature.

After making these enquiries
at Hurdle Creek we on the
following day returned to Helli
and on that day after saw Edward
Burke referred to in Wallace's evidence
given before the police commissioner.
He (Burke) of course denied in toto
Wallace's allegation that he was in
communication with the late outlaws
and states that he had no conversation
with Wallace relative to them at all.
He admits going a trip with Wallace
about Xmas 1899 but says they
only went to the Warrangatha
River Gipsy Land calling at the
old Town Ship of Hawksdale
they took a pack horse with them.

At the outset we had little or no
hope of obtaining any information
from the man Burke, as from our
knowledge of his character, he being
a reported cattle dropper and an
associate of the Criminal
Classe in this district.

1957

but his name having been
mentioned by Wallace in his
evidence before the Commission
he deemed it advisable to see
him;

With reference to the purchase
of stores at Oley and Milawa we
find that between the 24th of June
and 11th of September 1844, Mr
Wallace purchased Tea & sugar
at Dunlop's Store Oley largely
in excess of what he would need
him for his own private use
and that subsequently he made
various Cash purchases one of
which Mr. Dunlop remembers
particularly being about £2. worth
of mince fish. Owing to the destruction
of the hut at the foot of the One Tree
Hill by fire and consequently the
destruction of the lines &c we did not
deem it advisable to push this
portion of the enquiry as had we
done so, every one in the neighbour-
hood would have been cognizant
of the nature of our enquiries and
Wallace having friends there would
be at once put on his guard and
up to the present time our enquiries
have been made in such a manner
that no one has suspected what
was really our object, Owing to
our knowledge of Mr. Dunlop we were
enabled to put questions to him

1957

Which we could not put to the
store keepers at Millwar

It would here point the
fact that Wallace in his statement
in his reply, says " That I can
solemnly swear and am prep
ared to swear that it is over
fifteen (15) years as far as far
as I can recollect since I
spoke to Mrs Byrne on
any subject whatever;

This is distinctly contradicted
by Miss Sherritt's statement
which was given to us prior
to the receipt of Wallace's printed
reply

Its purpose having the
saddles taken possession of by the
Police at Glenrowan after the capture
of the Kelly Gang; sent from Ben
alla to Buchan in order
that they may be shown to
Mrs Sherritt & her daughter
to ascertain if they can
identify any of them as
the saddle Wallace purchased
from her.

Senior Constable
Mullane will endeavour to
ascertain from Mrs Byrne
Wallace's connection with the
family, he has already

1957

at the house but owing to
some neighbours being
present he was unable to
make the inquiry without
exciting suspicion, but as
Mrs Byrne will be at Bush-
worth on Monday next he
will then be able to make
the inquiry without exciting
suspicion and the result
reported in due course.
Miss Forstath Mullane
has been selected to make
this portion of the inquiry
owing to his being very friendly
with Mrs Byrne.

Detective Ward
proceeds to Goa tomorrow
in order to complete the
inquiry there.

In Conclusion we
would beg to state that if the
object of this inquiry is
to prosecute Wallace we
do not think that sufficient
evidence can be obtained
to sustain a conviction
for the following reasons
1st Owing to the length of
time that has elapsed
and the inability of
people to fix or remember
dates 2nd The unwilling-
ness of persons to come

1957

forward and give evidence
in a public Court.

That in the present
state of feeling on the matter
in this District such a
prosecution would be
anything but advisable.

If on the other hand the
result of this inquiry is to
justify the finding of the
commission, and action
taken by the Government
in Wallace's Case, sufficient
evidence can be obtained
to prove beyond a doubt
that Wallace was an
active sympathizer
of the late Kelly Gang.

McConville
Det 2738-10

M. E. Ward
Det. 2738

ON HER MAJESTY'S SERVICE.

Private & Confidential

1957

SHEPPARTON
JAN 22 1882
VICTORIA



Sept 11
By Hand
Post
27a

At POLICE DEPARTMENT,
Shepparton 21. 1. 1882.