



No. 10926

Name,

Edward Kelly

[No. 64 P.]

Native Place, Victoria

Year of Birth, 1856

Arrived { Ship, _____
 in { Year, _____
 Colony { Bond or free, _____

From where, _____

Religion, R. Catholic

Education—Read }
or write }

Height

Weight

Build

Complexion

Color of Hair

Color of Eyes,

Trade or Calling

Particular Marks,

On
Conviction.On
Discharge.

Both

Both

5. 10

11. 4

Med

Tallow

D. brown

Hazel

Laborer

Scar top of head, 2 scars crown
 of d^e, scar front of head, eye-
 brows meeting, 2 natural
 marks between shoulder
 blades, 2 freckles lower left arm
 scar ball of left thumb, scar back
 of right hand, 3 scar left thumb

When and where convicted,

2nd August 1871

Genl. Sessions Beechworth

Offence,

Receiving a stolen horse

Sentence,

3 years H. L.

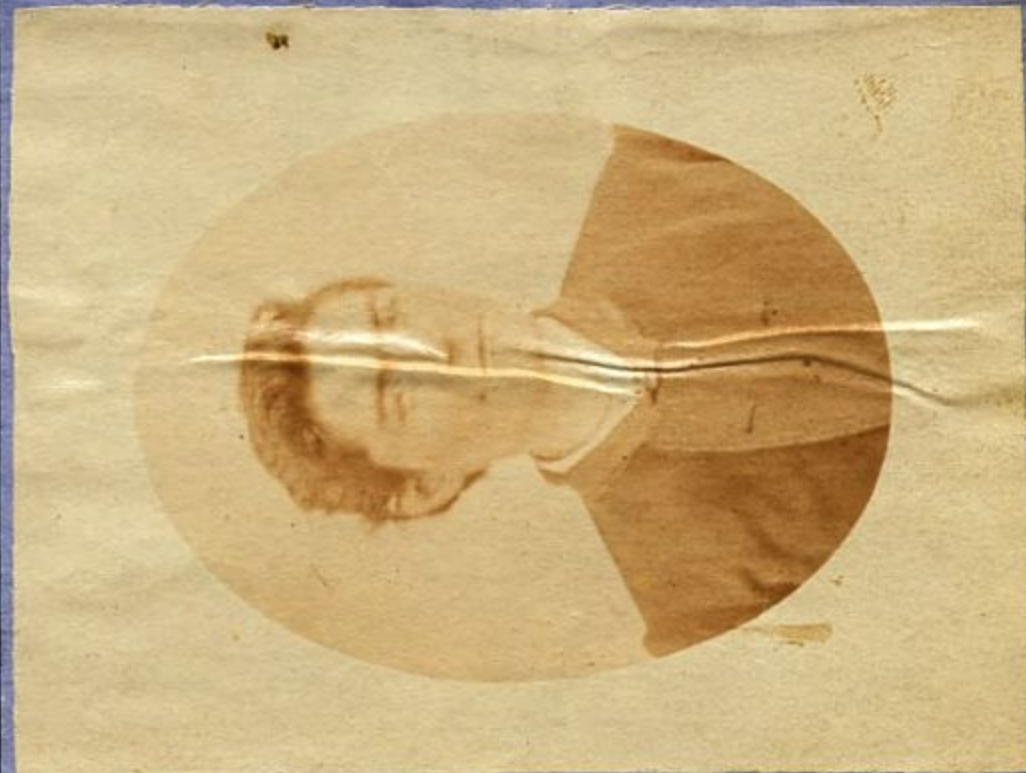
Remarks,

Freedom by remission
 February 2nd 1874

No. 466 Date, 20 6 73



No. 925 Date, 24 1 74



Criminal History and Remarks—

3 mo^s for assault3 mo^s for obscene language12 mo^s for assault in default of

bail / bail found / — These convictions
 on same date at Wangaratta
 Police Ct.

to be returned
 to
 Detective Office
 Melbourne

J. Gardiner
 Superintendent
 14 3 73

North Eastern District
Mansfield Police Station
27th October 1878.

Copy

Report of Constable M. McIntyre 2384
re attack made on the police
by the Kelly brothers & two others
at Stringers Creek, 20 miles
from Mansfield.

I beg to state that I
formed one of a party which
went in pursuit of Edward
& Daniel Kelly on the 25th
instant, the other members of
the party were Sergeant Kennedy,
Constables Scanlan and
Lonigan. Yesterday afternoon
25th inst. about 5 P.M. I
being Cook for the day was
in the act of making some
tea, Const. Lonigan standing
beside me, suddenly and
without us being aware of
their approach four men
with rifles presented at us
called upon us to "bail up, hold
up

(1)

off

up your hands.' I being
disarmed at the time did so.
Constable Lonigan made a motion
to draw his revolver which he
was carrying. Immediately he
did so he was shot by Edward
Kelly and I believe died
immediately. They then placed
a man in charge of me
Ed. Kelly with two loaded rifles
and lay in wait for the
approach of the two men
Sergt Kennedy and Const Scanlon
who were out on patrol about
half an hour afterwards they
approached. Ed Kelly told
me that if they laid down
their arms and surrendered
they would be allowed to depart
next morning if they did not
we would all be shot. Kelly
with presented rifle at me
ordered me to get them to surrender.
I approached them for that purpose
but before I could speak they
were ordered to bail up and
hold up their arms. The two
men immediately grasped their
firearms

firearms. Const Scanlon
was carrying the breech
loading rifle, but before
they could use them Const
Scanlon received a ball
under the right arm which
I feel assured has caused
his death. Sergeant Kennedy
I am unable to say anything
about, he was advised by
me to surrender, he said it
is all right I will, but as
the desperados continued
shooting at the Sergeant
and me, I seized his horse
which he had abandoned
and made my escape upon
it I was fired at repeatedly
and I believe the horse must
have been wounded as he
knocked up after two or three
miles. I concealed myself in
a bombat hole until it became
dark when I travelled all
night and until 4 pm
today when I reached
Mansfield.

I approached Mr Tolmie's Station about 12 noon but I was under the impression two of the horses hobbled near that homestead were police horses which had been used by us, and I came to the conclusion that the station was stuck up by these desperadoes and did not approach, as I was disarmed and completely prostrated from travelling. As there has been no report of this matter I would not be positive of it. Two of the murderers were Edward Kelly and Daniel Kelly the two were young men about the same age of each respectively.

(Lip) J. M. McIntyre
Const 23874

Sub Inspector Jewtress }
Mansfield }
M

(H)

BFD

The Queen against Edward Kelly

Queries.

1. Who can prove M. F. MacDonnell's signature to warrants to apprehend Edward and Daniel Kelly for shooting at Constable Fitzpatrick issued 16 April 1878 at Benalla and addressed to the Chief Constable there?

6. Send copy of first Report to Superintendent Sadleir of and a short time after the murders - and let original be in Court to be produced if necessary

[This document is not with the papers in the Crown Solicitor's possession]

7. Can a photograph of Edward Kelly at Pentridge be obtained for the trial

Replies

Constable Patrick Day 1949,
Stationed at Benalla. Can prove
Signature

Const. M. Fitzgibbon, original Reports
were sent to C.C.P. on 28 ~~Nov~~
Oct 78 & have not since been
shown to Benalla

Crown Solicitor's Office,

Melbourne, Oct. 2nd 1882

462

9143
2875

SIR,

QUEEN

Have the goodness to forward replies to the

v.

queries sent herewith, in the case in margin.

Edward Kelly

I have the honor to be,

Sir,

Your obedient Servant,

Francis Spence
for Crown Solicitor.

The Superintendent
of Prisons
Penalla

C.S.—No. 56.—500.

1891
 Please let Mr. C. in New - the
 Photo ~~of~~ ^{of} ~~the~~ ^{the} ~~man~~ ^{man} ~~at~~ ^{at}
 Mr. C. New on 20 Oct 90. I want to
 a photo or record by Henry No. 7. Perhaps the
 set C. New with instant photos with
 under -

Under
 4/10/90

W. J.
 1/11/91

Can I see the
 obtain the necessary
 photograph.

C. H. Weston 1890

New Price

17 1/2 80

Photograph attached

New Price

1890

W. J. Weston

Inspector

in charge

North Eastern District,
Manfield Police Station
24th Oct. 1878.

My Report of Cont. M^r Subpre, 2384,
re ~~myself~~ attack made on the police
by the Kelly brothers & two others at
Springer Creek, 20 miles from Manfield.

I beg to state that I joined one
of a party which went in pursuit of
Edward & Danl. Kelly on the 25th inst.
the other members of the party were
Supt. Kennedy, Constables Scanlan and
Longan. Yesterday afternoon 25th inst.
about 5 pm. I being out for the
day was in the act of making some
tea, Const. Longan standing back
me. Suddenly and without us being
aware of their approach four men
with rifles presented at us called upon
us to bail up, hold up your hands.
I being unarmed at the time did so.
Const. Longan made a motion to
draw his revolver which he was
carrying immediately he did so he
was shot by Edward Kelly and I
fell down immediately. The three
placed a man in charge of me &
Kelly with two loaded rifles and lay
in wait for the approach of the two

men Supt Kennedy and Const Seaton
who were out on patrol about half
an hour afterwards they approached
Red Kelly told me that if they laid
down their arms and surrendered they
would be allowed to depart next
morning if they did not we would
all be shot. Kelly with pointed
^{rifle} ~~revolver~~ it was ordered me to get
them to surrender, I approached them
for that purpose but before I
could speak they were ordered to
hail up and hold up their arms
before the two men immediately
grasped their firearms Const Seaton
was carrying the bush loading
rifle but before they could use them
Const Seaton received a ball under
the right arm which I feel assured
has caused his death. Sergeant
Kennedy I am unable to say
anything about, he was ^{advised} ~~ordered~~
by me to surrender, he said it is
all right I will, but as the desper-
ado continued shooting at the
Supt and me, I seized his

horse which he had abandoned and
made my escape upon it. I was
fired at repeatedly and I believe
the horse must have been wounded
as he knickered up after two or
three miles. I concealed myself
in a Wombat hole until it became
dark when I travelled all night
and until ~~before~~ today when
I reached Mansfield.

I approached the Salinas station
about 12 noon but I was under
the impression two of the horses
halted near that homestead were
police horse which had been used
by us, and I came to the conclusion
that the station was stuck up
by their desperadoes and did not
approach, so I was prevented and
completely prohibited from travelling.
As there has been no report of this
matter I would not be positive
of it. Two of the murderers were
Edward Kelly and Daniel Kelly the
two were young men about the same

Sub Insp Purchase of each respectively

Mansfield

J. M. L. J. L.
June 23/84

R v Kelly

(5)

In Brief - Statement of Constable Thos. M. C. Intyre

Dr. Saml Reynolds

Dr. Robt M. Broughton

Evidence taken at Inquest

Statement Serp. Steel

Dr. of Geo. Stephens

Dr. Chas. Johnson & Constable

Report of Const. Hy M. Grink

Statement W. G. Bradley

E. R. Living

Harsh Bracken

Memorandum from Insp. Moulton 14 Feb 1890

Statement - J. C. Kelly

Robt. Scott

Rev 8-10-80

Police Department,
CHIEF COMMISSIONER'S OFFICE,

Melbourne,

4th October 1880.

Memo:

7/1005

Returned to the Crown Solicitor.

Copy of Constable McIntyre's first report of the murders is forwarded herewith as requested in query 6. Also Constable McIntyre's original report is attached hereto for production in Court if necessary.

The photographs of Edward Kelly asked for in Query No 7 are attached as requested. I beg that it may be returned to me when done with.

C. H. Nicolson
Acting Chief Commr.

The Crown Solicitor }
C