

Battles, Bushrangers and Bogus Surveyors: Marks Left on the Rural Landscape

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ABSTRACT

A fascination with marks on the landscape is the central theme of this presentation. It will show some of the early surveyors' recordings of the presence of European rural settlement in mainly the NSW counties of Dampier, Murray and St Vincent, but the presentation will also include examples from the wild Wicklow mountains battlefield of Glenmalure to the cemeteries of Waverley and Braidwood. The presentation makes use of the field books of James Meehan and Robert Hoddle together with numerous photographs of various survey marks and monuments found over the past 40 years. NSW Portion plans contain more than just boundaries. With the bushranging activities of the Clarke Gang in full swing, Henry Parkes in 1866 authorised four Special Constables, posing as bogus or disguised surveyors, to secretly track down these bushrangers. A humble Portion plan in the Jinden area shows the exact location where two were shot dead. The remaining constables were executed, reportedly on their knees, some distance away. These four murders are still the greatest massacre of policemen in Australian history. The actual perpetrators of these hideous crimes have never been brought to justice, and the crimes remain unsolved to this day. The details surrounding these bogus surveyors will be discussed at length.

KEYWORDS: *Surveyors, history, portion, bushrangers, marks, constables.*

NOTES

Carroll's Offer to Henry Parkes

John Carroll devised a plan to do another great service for the country and capture the Clarkes. He put a proposal to the Colonial Secretary and it was accepted. Parkes now regarded 32-year old Carroll as 'a man of very considerable experience in dealing with criminals'. But how he could equate tricking a desperate prisoner confined in a cell with the capture of the most desperate and cunning bushrangers the colony had ever experienced, on their own, turf defies comprehension.

Carroll's plan involved several interviews with James Clarke, who at this time was serving his sentence on Cockatoo Island. He gained information from him about the bushrangers' habits and connections. He even offered to be so kind as to take a letter to James' mother, a clever move that would serve as an introduction to the Clarke household.

Next he selected his men. In Darlinghurst Gaol, serving a 3-year sentence, was a man named John Phegan. He had been convicted at Braidwood in November 1863 for 'uttering a forgery'. Phegan, a printer by trade, had spent some time at Araluen where, although unsuccessful as a

miner, he was said to have lived on his wits and to be 'a very clever penman'. Phegan's conviction resulted from stealing some blank cheques from his friend Patrick Morrissey, the telegraph master at Braidwood. He forged Morrissey's signature, cashed the cheques and for this was sentenced to 3 years with hard labour. Born in Queens County, Ireland, he was now 30 years old and had been in the colony since 1840. He volunteered to join the party and was given a remission on his sentence.

The other two men Carroll selected were Patrick Kennagh and Enaes MacDonnell. Kennagh was 29 years old and like Carroll was a warder at Darlinghurst Gaol. MacDonnell was a warder at Yass Gaol, but had previously served with Carroll. At the age of 48 he was a little old for the tough conditions ahead but brought valuable experience, having served in the 'old police' at Araluen and Tarago.

The plan was to proceed to Braidwood where they would be sworn in as Special Constables by Messrs Rodd and Bennison, Justices of the Peace. They would then assume disguise as a party of surveyors and set up a camp near the Clarke house at Brick Kiln Creek, Ballalaba, where they would pretend to be carrying out survey work. From this convenient location they would befriend the family. By gaining the confidence of the Clarke women (there were no men left in the household), they would be able to make contact with the brothers and gain their confidence. Then they could take them by surprise after giving them drugged grog.

On 26 September, Parkes drew up a document which he marked 'strictly secret', detailing the terms of their service. Carroll's remuneration depended entirely on his success. The Government had little to lose. If Carroll were successful in capturing Clarke dead or alive, or in performing any similar service equal in importance to the protection of society, he would receive payment of 12/6 per day. If unsuccessful he was entitled to nothing. The men under his charge were to be paid 7 shillings per day outright and 10 shillings per day if successful. But the rate of pay was not the big incentive. The real prize was the big rewards they were hoping to collect. The reward for Tom Clarke was £500 and for his accomplices £200 each. These special police were really bounty hunters.

The Bogus Surveyors Go to Braidwood

The Carroll party made their way by steamer to Nelligen and then by coach to Braidwood. They were delayed in Braidwood awaiting the return of James Rodd, but in the meantime Phegan initiated the plan of going to see Mrs Clarke and her daughters at Brick Kiln Creek. This was repeated on three occasions. At first, according to Carroll, Phegan was treated with suspicion but this wore away on his second visit when he offered to write a petition on the family's behalf, praying for the release of son James from prison.

After being sworn in by Rodd a week after their arrival in Braidwood, the four men set up camp a mile and a half north-east of the Clarke house, ostensibly for the purpose of surveying. From here Phegan made another visit, this time accompanied by Kennagh. Carroll commented that 'altogether our plans were progressing most favourably'. So he thought.

Carroll's first report to Parkes was a letter from Braidwood dated Sunday 7 October. By this time the situation was not so favourable:

On last Wednesday morning [3 October] Tommy and Johnny Clarke passed about 200 yards from our camp, in the direction of their parents' house. They were well mounted, and we were

not in a position to pursue; nor could the pieces we had [revolvers] carry that distance with any certainty; so that, on that occasion, we were compelled to let them proceed unmolested.

On the same afternoon two of Clarke's girls rode round our camp, and had a good survey of it and ourselves. You will please remember that until this the Clarkes did not know our position, although they understood that Phegan was employed by a survey party. The girls went past us in the direction of a range in our rear, and shouted as if rounding up a mob of horses. We watched them narrowly, and shortly after they returned towards home we saw two of their dogs coming down the range near which the girls had approached.

On the following morning, early, we surveyed the range in twos, and came across a bark gunyah, constructed in such a way as not to be noticeable until one would be right on it. The gunyah presented the appearance of being recently occupied, and we found two empty bottles in it. From the circumstances of the two bushrangers having been seen by us coming from that direction, and other collateral evidence, we had no doubt of this being one of their rendezvous, and of being able to secure them in it before long; but we had a better plan in view at the time, and we were waiting its accomplishment or failure before trying their capture as before described.

Shock Attack on the Bogus Surveyors

The report continues, describing events two days later, on Friday 5 October. The Special Police received a shock:

I have now to relate a most providential escape we all had from being shot, and perhaps riddled to death. We had been surveying a flat near our camp, from 9 o'clock on Friday morning till about 4 in the afternoon. At 4 o'clock, we went in a body on a neighbouring range, where we could reconnoitre well. We returned to camp about 6, and had just finished our teas and were standing round our fire, which we always allowed to die out, when, all at once (it was very dark) we heard the report of a musket or rifle about 100 yards from us. The ball passed right between us, and entered the tree against which our fire was made, just on a level with our heads. We had our arms out in an instant, but before we could discharge them we were fired upon from two opposite directions. Thank God, none of us was touched. We each discharged a shot in the direction of the explosion by the bushrangers, for we had no other guide in aiming, owing to the night being so very dark, which was rendered denser by the mizzling rain which had been falling all day. Our first object, of course, was to get out of the glare of the fire, which was still burning sufficiently to afford a good aim at us by the bushrangers. The Clarkes and whoever were with them, had evidently lain on the ground, behind trees. I would suppose there were at least four of them. We kept up random firing for about five minutes, closing by degrees on the first position taken up by the bushrangers, who always retired on our approach, and in opposite directions.

I cannot speak too highly of the courage displayed by the party under my charge. They acted most zealously; indeed, under the circumstances, I thought rashly, in pursuing under such disadvantages. About 8 o'clock we found that our ammunition had been inadvertently left in the tent, and to return to it, from its colour and position, so close to the fire, which would throw the shadow of anyone passing so clearly as to afford a good mark for the fire of the bushrangers, appeared certain death. Kennagh however (and I cannot speak too highly of his courage), without a moment's hesitation, made a rush to the tent, under cover of our fire, and secured the ammunition. The bushrangers now directed their firing to the tent (which is

riddled), but without effect. Kennagh returned to us unharmed. After this the bushrangers ceased firing, and as we had no further clue to their position we remained in ambush the whole of the night, expecting every moment to see the tent attacked, or to be passed by some of the bushrangers. No further attack was, however, made, and when daylight came no traces of them could be found, if I except some balls and a flask half full of powder, which had been dropped by one of them. How we escaped being at least wounded is a mystery; to God we must be thankful, for a narrower escape or more dastardly attack is not in my recollection.

Carroll was at a loss to know why the bushrangers attacked them, believing that when Phegan and Kennagh last went to the Clarke house there was not the remotest suspicion of who they really were. But Carroll was naïve to think the Clarkes could be taken in so easily.

The next morning the ‘surveyors’ went to see Thomas Stewart at nearby Mount Elrington to seek his help. Stewart had been told about the secret mission and having heard shots the night before was not surprised to see them. However, he was surprised to discover that they were armed only with revolvers. Carroll explained the plan was to befriend the family and catch the bushrangers by surprise. Stewart later said:

I told him he was labouring under a fearful mistake [misapprehension] if he ever expected to take the bushrangers by such means, and that it was not folly merely but madness to place himself in such a position with nothing but revolvers; that he little understood the men he had to deal with. Stewart said he had been to Braidwood the day before and astonished Carroll when he told him that the news of their presence and true identity was all over town. He told Carroll that one of the Clarke girls had come into Braidwood and reported there was a party camped within a mile of their house who professed to be surveyors and said, ‘We know what they are, they are a party come from Sydney to take our brothers and they need not attempt to carry that out any longer’.

Stewart also thought the Clarkes would have soon seen through their pretence of surveying, for the Clarkes knew the boundaries of the blocks and the bogus surveyors were running their lines in the wrong places. Furthermore, their equipment would have given them away. They only had a compass and chains, no theodolites. Stewart had given them a lot to think about.

Tom Connell would later tell his cellmate it was the regular police who told them about Carroll’s party, the day after they arrived. Of the night of the attack he said there were three men who fired on the camp but denied that he was the third person. He said it was not their intention to wound or kill any of Carroll’s party but more to test their courage under fire. After seeing the effective manner in which Carroll’s party reacted to the attack it was Clarke’s intention to keep out of their way, to ‘keep wide of them’.

Another part of Carroll’s report deserves attention. It was the first sally in his long running criticism of the police:

The police ride frequently to and from Braidwood, but we have never met them off the main road; and that the Clarkes should infest that immediate neighbourhood with such impunity, and so frequently, without being captured, would require some explanation [adding optimistically] I have every hope that when we have a supply of rifles, to bring in, dead or alive, one or the whole of the gang within a month. Parkes was not prepared to send more men but did accede to the request for more firearms, including two Tranter revolving rifles.

In the meantime, the special police spent a week visiting what they considered to be the principal haunts of Thomas Clarke and his associates. Carroll began to realise the depth and effectiveness of the bushrangers' information system.

The Search for Bodies

The next morning Ned Smith sent his boy, John Lynn, to Bells Creek with a letter, instructing him to go via the track to Guinea's and make enquiries about the Special Police. Lynn set off at about 10 am. About a mile and a quarter (2 km) from the Jinden house he found the reason the men had not returned. On the track he found the bodies of two of them, later identified as Phegan and McDonnell. Phegan appeared to have been shot through the side and was lying on his face with his head towards Guinea's. McDonnell was lying on his back about 4 feet (1.2 m) away. He had been shot through the thigh and there was a large quantity of blood on the ground near the body. Deeply shocked, the 18-year-old galloped back to Jinden house to tell Ned Smith what he had seen.

It was apparent the Specials had not heeded George Smith's warnings about keeping off the beaten tracks and the possibility of being surprised from behind trees. In fact, this was an ideal place for an ambush. Two large trees capable of concealing five or six men stood a few metres from the track. The surrounding country was open bush with a sprinkling of small gum saplings and honeysuckle trees. Immediately above the track was a slightly sloping range running parallel to the track where horses could be hidden out of sight.

Smith and an elderly workman named Thomas Gee accompanied Lynn back to the scene. Gee was left to watch over the bodies while Smith sent Lynn to Ballalaba to inform the police and himself went to Hezekiah Watt's to seek help in searching for the remaining two men. Watt and George Smith returned to the scene with Ned Smith and after searching for a while they went to Mrs McInerney's. She told them that about an hour before sunset she had heard nine or ten shots being fired. The direction she indicated pointed to the location of the bodies already found. Afterwards, about 10 minutes later, she said, she heard several more shots, not from the same direction, and further away. Finally she heard two more shots rather nearer. She had thought the firing came from the four Specials who had visited her earlier in the day, possibly discharging their weapons before returning to Jinden house. Later she told Sergeant Byrne that about 10 minutes after the last two shots were fired she heard a noise like cattle running through the bush and saw three armed men walking across the creek below her house. She could not identify them. Going in the direction indicated by Mrs McInerney, the men found the bodies of Carroll and Kennagh in the bush about a quarter of a mile away. This was about half a mile from the higher ground where the bodies of Phegan and McDonnell were found. Both men lay on their backs, about 4 or 5 yards (3.5-4.5 m) apart. Carroll had been shot through the chest and Kennagh, they found later, was shot through the neck.

Blood Money

Their attention was drawn to a clear and profound message left by the murderers. Over the wound on Carroll's chest was a neatly folded red silk handkerchief and on it lay a £1 note from the Joint Stock Bank, held down by a piece of wood to stop it blowing away. The message was clear. The murderers' motive was not robbery. It was payback. The £1 note was a symbolic payment. The Specials had got the blood money they had been seeking.

Sergeant Byrne and Party Arrive

About 2 pm Sergeant Byrne, accompanied by two constables and a black tracker, arrived at Jinden house. He had been collecting information for the electoral roll, one of the many duties assigned to the police at the time, which coincidentally placed him in the area. The police party headed out along the track to where the bodies of Phegan and McDonnell lay, under the charge of Smith's workman, Thomas Gee. Byrne inspected the site and the bodies. In his words:

I turned the first body over, and recognized it was that of Phegan's. I searched him, saw he was wounded through the right side. He was wounded twice. I found his pistol upon him. It was loaded and capped on every nipple. His vest pockets were pulled out. About four or five yards further on I recognized McDonnell's body. I found a Tranter's revolver near it, loaded and capped all round, and a hat which I recognized as belonging to special constable Kennagh. I examined the ground and found a bullet mark on a tree, close to McDonnell's body. It was a small tree, not sufficient to afford protection. McDonnell appeared to have stood behind this tree. A little higher up the tree I found another bullet mark. About twenty-three yards from the bodies, and towards Guinea's, I saw a large tree on the right hand side of the track. I discovered footmarks, and pieces of paper in which patent ammunition for a rifle had been wrapped. I found no marks of bullets on this first large tree. About ten yards further on, still towards Guinea's there was a second large tree, not so large as the first. These two trees were on the right hand side of the track going to Guinea's. At this second tree I found nothing except foot prints of men; no paper or cartridges was found there. More foot prints were at the first or larger tree than at the smaller one. I sent the old man Lynn [it was Gee, not Lynn], whom I found in charge of the bodies, to Mr. Smith for a cart, to remove the bodies. While he was away, Mr. Edward Smith (Lynn's) master came up. We waited near the first bodies till the cart arrived, and then we placed them into it. I then went with Mr. Smith, down the bush, off the track, for about half a mile, and I there saw the dead bodies of special constables Carroll and Kennagh. I first saw and recognized Carroll's; then Kennagh's. They were about five or six yards apart ... I found Carroll's body lying on its back. On his left breast, in the region of the heart, there was placed a red silk handkerchief, on which was a £1 note, and on the note a piece of wood to keep it from blowing away ... On examination I found some money on the ground beside the body, on the right side. His trouser pockets were turned out. About four or five yards from Carroll's body I found that of Kennagh's. He was lying on his back; his right hand was shut, clenching a match-box and a knife. I found a wound in Carroll's left breast. I could not then but afterwards saw how Kennagh had been wounded. He had been wounded in the neck. The ball having gone downwards.

It was apparent that the Specials had been ambushed together on the track, confirmed by the fact that Kennagh's distinctive hat, black with a blue flyveil, was near the bodies of Phegan and McDonnell. Their assailants had evidently opened fire on them from the cover of the two big trees near the track. Phegan and McDonnell's revolvers had not been fired. The trees behind them had marks of bullets. The bullet that struck McDonnell in the thigh broke the bone and severed the femoral artery, causing him to bleed to death quickly. Phegan had been shot twice, the second shot while he lay on the ground, probably to finish him off.

Carroll and Kennagh had retreated downslope for about half a mile before they were overtaken and had surrendered. From subsequent medical evidence it was clear they had been shot while in kneeling position only a few yards from their killers. Whether they were pleading for mercy or saying their prayers is speculation. No weapons were found with these

bodies. It was clear that the assassins had taken the two Tranter revolving rifles, while two Tranter revolvers were also unaccounted for.

A further examination of the area revealed a spot where Sergeant Byrne could distinguish the hoofprints of at least three different horses. This was about 300 yards (275 m) from the ambush site, on higher ground, and Byrne concluded this was where the murderers' horses were held. He noted that words spoken where Phegan's body lay could be clearly heard where the horses had been.

Post Mortem

The bodies were removed to an outhouse at Jinden to await an inquest. Superintendent Orridge arrived the next day at 3 pm accompanied by Coroner Griffin, Dr Pattison and a party of police. An inquest was opened on Friday, 11 January and concluded in Braidwood on 14 January. The examinations were made in oppressive heat and the situation was very unpleasant. The result of the full and careful post-mortem examination by Dr Pattison is described in his own words:

John Carroll: *I am of the opinion that death was caused by a gunshot wound, that the wounds already mentioned were inflicted by the bullet removed, which entered the body through the fourth rib anteriorly, passing through part of the left lung, upper part of pericardium, right auricle and right ventricle of heart, passing through lower lobe posteriorly of right lung, fracturing the seventh rib posteriorly close to the spinal column, the bullet lodging in the muscles of the back. I am also of the opinion that deceased must have been in a kneeling position when shot, and only a few yards from the weapon – which I believe to have been a rifle or gun.*

Patrick Kennagh: *I am of the opinion that death was caused by wounds which were inflicted by a rifle ball of large dimensions. I am also of the opinion that deceased was in a kneeling position when shot. The bullet entered through the neck and passed downward through the trachea and upper part of the gullet, passing through the upper part of left lung, and wounding vessels already described, fracturing part of the first dorsal vertebra and passing through the body posteriorly, fracturing second rib about an inch from spina column.*

Eneas McDonnell: *Wounded in left thigh about middle third, wounding femoral artery and vein, and fracturing femur. Removed portion of bullet from inner and upper surface of thigh bones. I am of opinion that deceased must have been in an erect position probably walking, and in the act of turning round when bullet entered thigh. Death must have taken place in a minute or two after infliction of wound. I am of opinion wound must have been produced by rifle ball at some distance (say twenty yards) from party firing. Only part of the bullet entered the thigh.*

John Phegan: *I am of opinion that deceased was first shot through right side, bullet passing through base of right lung, and posterior portion of liver as already described, lodging in the tissues external to the ninth rib posteriorly close to the spinal column. The bullet was a rifle bullet. A second bullet entered the body – probably when deceased was lying on the ground – passing between fifth and sixth ribs on the left side, through both lungs, wounding large blood vessels of heart, making its exit in the right side immediately above margin of lateral surface of third rib, entering right arm while deceased was lying on that arm, passing through the inner and upper part of right arm, fracturing the bone and embedding itself in the tissues.*

On Carroll's body they found £11 in notes and 4 shilling in silver. On Kennagh, no money, but two private letters signed 'Mary Kennagh' and a certificate authorising the bearer as employed on Secret Police duty, signed by Henry Parkes. On McDonnell, £14 in gold coin, one £5 note, 31 shillings in silver, and a Bank of New South Wales deposit receipt for £300, one silver watch, a knife, and a deposit and repayment bank form of receipt for the sum of £80, with a similar authority, signed Henry Parkes. On Phegan's body was 5 shillings and 3 pence and in a leather purse, a portrait of a female, with a lock of woman's hair.

At the conclusion of the post mortems, the police considered that decomposition was so far advanced owing to the hot weather that it was utterly impossible to remove the bodies so four graves were dug on a hill, a short distance from Jinden house. The bodies were enclosed in sheets of bark lashed with greenhide, 'the only material available in that out of the way spot', and committed to their temporary resting place. Three of the men were Catholics while McDonnell was a Presbyterian. They were all natives of Ireland. The prayers of the Catholic Church and a short chapter of the Bible were read over them. It was a melancholy occasion for the few who were present at the lonely burial site.

For the Special Police who had such high hopes of putting an end to bushranging and bringing law and order to the Southern District, it was a tragic end. They became victims of the lawlessness in a callous act of assassination unprecedented in bushranging history.

John Carroll was 32 years old, from Thurles, County Tipperary. He left a widow and five children. Patrick Kennagh was 29 years old, from Kildare, and left a widow and three children. John Phegan was 31 years old, from Queens County, was a widower with one child, and Eneas McDonnell was 48 years old, from the north of Ireland and single.

On his return to Braidwood, Superintendent Orridge telegraphed a detailed report to Inspector General McLerie in which he said:

I am satisfied the actual murderers are Thomas and John Clarke and William Scott though I have been unable to prove that they were seen in the neighbourhood later than the 4th instant. A fourth man probably held the horses. Three men, of whom no description is obtainable, were seen making from the spot after the second firing. No doubt Carroll's party was watched going to Jinden and up to the time of their death. Certain parties are strongly suspected of being accomplices, but it is not advisable to telegraph names. More information shortly.

Public Reaction to the News

As the news of the murders became known in Sydney, the newspapers expressed their shock and dismay along with publishing the official reports, including Orridge's telegram, which was made available through the Inspector General's office. Not everyone thought the bushrangers were entirely to blame. The newspapers recounted the coroner's report and past events involving the harbourers' trials and emphasised Carroll's allegations against the police. There was even the shocking speculation that the police were involved in some way. The 'new police' system in general was blamed for its ineffectiveness in allowing the lawless state of the district to exist in the first place and thus creating the need for Special Police to be sent. It was widely held that the Specials had been betrayed and were victims of some sort of treachery. Much sympathy was felt for them as so soon after their deaths was not the appropriate time to be critical.

Constable Woodland expressed his view:

The intelligence of the murders puzzled us ... Putting the odds and ends together I came to the conclusion that a certain squatter made up the plan, that James Griffin did the telegraphing, and the Clarkes and Bill Scott the shooting part. What share Mick Connell had in it I cannot say.

Tom Connell, from his gaol cell, did not think the Clarkes shot the Special Police. He believed that the murders were committed by the harbourers and that 'his brother Michael was connected with it. If not one of the parties who done the deed he knew of it'.

Numerous editorials put forward views on how to suppress bushranging, and Colonial Secretary Parkes came under fire, being severely criticised for his use of Special Police. The Premier, James Martin, contacted him from Melbourne, pointing out that the Specials ought to have been withdrawn as soon as their identity became known. Parkes responded to his critics in his usual way and went on the attack. He ordered that the bullets extracted from the bodies be compared with the police firearms to determine whether any members of the police force had been guilty of, or in any way accessory to, the murders in question. This caused further speculation that the government suspected the regular Braidwood police were involved. But little could be proved by this move. In fact it was nonsense. Ballistic science did not exist and it was a well-known fact that the bushrangers were using weapons that were stolen from police.

In defending his use of the Special Police, in a letter to Governor Sir John Young, Parkes rejected some of the inferences suggested by Dr Pattison's evidence and pointed out that they had been well armed with revolving rifles. He wrote:

Carroll was a man of very superior intelligence for his class, of great physical strength and activity, and I believe, as brave as a lion. Both he and Kennagh knew the use of firearms well, and were thoroughly acquainted with the character and class of the men they had to deal with. They were men whose lives were not to be taken cheaply, if they had any chance of resistance, I feel assured they have been victims of some extraordinary treachery.

At present I am inclined to believe that he [Carroll] was betrayed to his death by some person who had offered to put him on the track of the bushrangers, and that the circumstances were such as rendered resistance impossible, or possibly that he was shot down in pure revenge by new enemies he had made by his late proceedings.

The term 'new enemies' shows Parkes held doubts that the obvious suspects, the bushrangers, were the murderers.

Exhumation and Reburial at Braidwood

The people of Braidwood telegraphed the Colonial Secretary, calling his attention to the disgraceful manner in which the bodies had been disposed of – without coffins, Christian burial or decent place of interment. This contrasted with the exceptional treatment that an ordinary constable would receive in like circumstances. Parkes ordered that four coffins be made and an undertaker sent from Braidwood to exhume the bodies and bring them into Braidwood to be reinterred. This action implied that Parkes agreed that the Specials had been buried with a lack of care and compassion, but the police claimed that the decision was taken

because of the heat and the distance from Braidwood, and that reinterment could be carried out later.

Arrangements were made to bring the bodies to Braidwood. The undertaker, Webb, and his assistant Bright set off with a cart at midnight on Sunday, 12 January under instructions to proceed to Jinden. Constables Walsh, Geelan and Robson set off at daylight to oversee the exhumation and provide protection if required. It was a most unpleasant task for all concerned, and the trip back to Braidwood became an ordeal.

The police claimed the undertaker got so drunk that they had to instruct the assistant, Bright, to take over and that Webb had to be placed in the cart with the bodies, but he would not stay there. Webb counterclaimed it was the police who were drunk. However, Sergeant Duffy gave evidence before the Commission of Inquiry that the police were sober when they arrived back and reported the incident to him. The unpleasantness of the task was made worse by the fact that the party had to spend a night out in the rain and the bodies, now over a week old, were in an advanced state of decomposition and emitting a most offensive odour. In Webb's defence, his behaviour was considered by Duffy to be out of character. No one got into trouble as it was just considered a bad job.

The party reached the outskirts of Braidwood just before dark on the night of Wednesday, 17 January. Originally they had contemplated leaving the bodies at the foot of Mount Jillamatong, but it was considered unsafe to leave them unprotected so they pushed on to St Bede's Church, where the groom at the church stables refused to accept them. They went on to the police stables at the other end of town where there was no alternative but to leave them in the yard. On the next day, nearby residents complained of the smell.

The next morning, shops and hotels closed and the great bell at St Bede's tolled at 10.30 am. The bodies were placed in two carts, the bodies of Carroll and Kennagh, the married victims, in one and Phegan and McDonnell in the other. A procession was formed at the Court House. A party of police under Sergeants Duffy and Smith escorted the bodies on foot. The rest of the mournful procession, consisting of about 150 people, was headed by Superintendent Orridge and another party of police, and they made their way through town to the Catholic cemetery at the southern end of the main street.

Michael Wallace, the governor of the gaol, officiated as chief mourner. The priest was away from town so Mr D.E. Finnegan, the teacher at the Catholic school, took his place and read the service. No relatives had been able to reach Braidwood in time, but the widows of Carroll and Kennagh sent for locks of their husband's hair. Volunteers from the crowd lowered the coffins and helped fill the graves.

A four-sided monument was later erected over the site, each side bearing the name of one of the Special Police, 'murdered at Jinden on 9th January, 1867, whilst in pursuit of the outlaw, Thomas Clarke'.