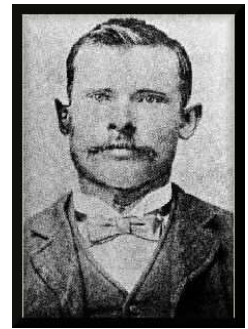


## FIRST EVIDENCE OF W. M'NEILL

GATTON, The magisterial inquiry into the cause of the deaths of Michael Murphy, Norah Murphy, and Ellen Murphy, on Boxing Day last, at Gatton, was opened this morning, before Mr Shand, acting police magistrate of Ipswich. Inspector Urquhart appeared to conduct the case, and Mr C. Morris, of Morris and Fletcher appeared for the relatives of the deceased. The public were not admitted but a large number of people gathered outside.



**24/01/1899**

Mr. M'Neill, the brother-in-law of the victims, in the course of an interview, said that he was in business at Westbrook, but the shop was recently burned down.

He is rendering every assistance to the police.

He expresses himself doubtful whether the perpetrators will ever be discovered.

He says that the tragedy is as great a mystery as was the burning down of his shop.

**25/01/1899**

### THE BROTHER IN-LAW GIVES EVIDENCE

William M'Neill brother in-law of the deceased, describing himself as a butcher, residing at Westbrook, but now staying at Murphy's farm at Gatton, was the first witness he stated that on Monday, 26<sup>th</sup> December, he was at Murphy's farm, when he saw Michael, Norah and Ellen Murphy. After tea on that date they left about 8 o'clock to go into Gatton, driving one horse in a sulky. The latter was the property of the witness he identified the sulky in the yard as that in which the Murphys had started. He saw no more of them that night.

Next morning about half past 7 o'clock Mrs. Murphy was anxious to know why they had not returned. Her sons Jerry, John, and William were at home. In consequence of the mother's anxiety, witness caught a horse to go and look for Michael, Norah and Ellen.

He started along the Tent Hill road towards Gatton. He called at the creamery two miles from Murphy's place, and asked if a trap had passed along the road to Murphy's. The people said they had not seen it.

He then proceeded towards Gatton, another two mile, until reaching Moran's slip-rails. On the right hand side coming in on the Gatton side of the culvert he noticed a wheel track turning in there like a track of his own cart. One of the wheels of his trap "wobbled." Seeing that, he traced it towards Gatton a few yards to make sure.

The slip rails were up, and witness dismounted, took them down and went into the paddock. He got on to the horse again, and followed the direction of the tracks, but he did not actually follow them. He left the tracks, as he expected to see a house. He had never been in the paddock before.

There was no sign of a road going up to a house. He went up the paddock for about a quarter of a mile to a ridge, down the other side, and bore then to the right and struck the fence between Moran's and the next paddock.

He returned to the slip-rails, and he could not see any sign of a house. He examined the wheel marks again on the road outside the paddock and felt confident they had been made by his trap.

He decided to follow the wheel tracks on foot, and dismounted for that purpose, leading his horse. He saw the tracks of the wheels and the horse drawing the trap. He did not see any human foot tracks. He had been many years in the bush, and had frequently followed stock by tracks. He could not form any opinion from the Murphy's horse's tracks to the place they were going. The tracks were bearing to the right all the way after going 15 yards from the slip-rails he could show the tracks on a plan.

#### FINDING THE BODIES

After following the tracks for three quarters of a mile, he saw what looked like heaps of clothes on the ground, and the cart and horse. The horse was lying down.

Witness was about fifty yards away when he first saw them. He went right up to the heaps of clothes, or within two yards of them, and then he saw that Norah Murphy was there, and that she was dead. Some ants were on her face. He did not touch her, but he knew that she was dead by the ants on her face. She was lying on her right cheek.

Witness came up on the left side. She was lying with their feet pointing to the West. He did not walk round her body, and he did not then notice the position of the limbs. He saw the other two bodies eight or ten yards further off. He did not go up to them, but was within 2 yards of Norah's body. He did not notice anything but what he mentioned.

Inspector Urquhart-Did you not notice anything else?

Witness-No; I don't think I did.

Witness (resuming) said that when the Murphy's started away in the trap they had a rug, a big red cape, and a black Macintosh belonging to a young fellow named Robert Smith. The latter he put into the cart before going to the races. Next time he saw those things was after returning from seeing Sergeant Arrell.

Inspector Urquhart-When did you see the rug?

Witness-Oh, yes, Norah was lying on it. After seeing the bodies he mounted his horse, pulled the two top rails down without dismounting, and galloped to Gilbert's Hotel at Gatton, reaching there at 10 o'clock, he went into the bar, and saw Charles Gilbert. He asked where the Sergeant was? His reason for this was to report the matter.

Inspector Urquhart - Why did you not go to the police barracks?

Witness-I did not know where they were. Gilbert told him where to find the Sergeant, and he reported what he had seen. The sergeant got a horse and went out to where the bodies lay. Witness showed the sergeant the tracks of the cart going out. As they cantered along Gilbert and several others followed them out.

On getting to the spot with Sergeant Arrell, he looked closely at the bodies, and recognised them without difficulty. He first went to Norah, then to Ellen, and then to Michael. He did not remain there with the bodies, but went on to Murphy's farm, arriving there about 11 o'clock. He harnessed up a pair of horses and drove Mrs. Murphy to the place, and saw the bodies removed about half past 1 o'clock. The bodies of the two girls were put in Murphy's buggy, and that of Michael in another vehicle. They were driven to Gilbert's Hotel.

When he first went up to the corpses he had a doubt about one of them being Norah's body but he made sure when he went back with Mrs. Murphy he did not make sure when he went out with Sergeant Arrell.

Inspector Urquhart -When you say you first went up and saw Norah, you mean you saw a body, which you have since found out, was Norah?

Witness-Yes. He thought at first it was that of Ellen.

He had been married to Mrs. Murphy's daughter three years, and had never been on the farm until last June. He came down then to see his children and stayed from Saturday until Monday. He drove down from Westbrook, and he did not think he was in Gatton on that occasion. He visited his children there every fortnight.

About three months ago his wife was in the Toowoomba hospital. After three months he brought her to Murphy's. Witness was staying for two or three days. He came down every Saturday after that, staying until Monday. He came down on Christmas Eve last.

Witness's shop was at Westbrook, opposite the experimental farm. Michael Murphy had been working there for four or five weeks. Witness saw him some times during the evening, when he went to witness's place.

THE MOTIVE A MYSTERY.

Inspector Urquhart - Did you ever talk of the family then?

Witness, -I don't think we did. When my wife left the hospital she was not cured, and was still in bad health.

Inspector Urquhart-You had seen a good deal of these girls lately at Murphy's.

Witness-Yes.

Inspector Urquhart-Did you ever hear of any trouble with the sweetheart's?

Witness-No. He did not know anyone to have a grudge against them. His wife never mentioned anything of the kind. He was not aware that Michael Murphy had any enemies, or any complication with a young woman.

Inspector Urquhart-Have you had any difference with any of the Murphy's?

Witness had some trouble with Mrs. Murphy about his marriage, but it was all settled up.

Inspector Urquhart -As to the boys and girls, how have you always been?

Witness, -Very intimate friends. He had never been able to imagine any reason for anyone murdering them. He had not an idea by whom it could possibly have been done.

Inspector Urquhart-Why did you follow the wheel tracks when you were sure they were yours?

Witness, -To see where they went to.

Inspector Urquhart-If there was a house there was there any occasion to follow them?

Witness went to see what was keeping them. He noticed tracks before reaching the slip-rails. He saw them when some distance away. He did not at first know that they were his tracks. It did not appear as if the trap stopped before it was turned in. It appeared as if in driving home, there had been no sudden turn. Only the near wheel of the trap

wobbled. It had been in that condition for about two months. The cart had been upset, and three blacksmiths tried but could not repair it. He had tested the wheel, and found that it did not run true. The horse driven by the Murphy's was very slow and deaf.

Inspector Urquhart - There is one thing I would like to clear up. Why did you not examine the bodies more closely when you first went up?

Witness - I cannot give any reason specially. I did not stop but got on my horse and galloped into Gatton. I really cannot state any reason for not stopping. When I returned with Sergeant Arrell the bodies were in the same position as when I first saw them. The Murphy's house is about four miles from where the bodies were found.

## SECOND EVIDENCE OF W. M'NEILL

The inquiry was resumed at 10.30 o'clock this morning, before Mr. Shand, P.M.

**25/03/1899**

W. M'Neill was recalled and resworn. He was allowed a seat.

He said that he left Murphy's farm on the morning of the 27<sup>th</sup> December. The time was about 8 o'clock.

He cantered nearly all the way to the sliprails. He did not remember meeting any one.

He went within about two yards of Norah's body, and was quite satisfied that Norah was dead before he left. The others may have been alive at the time.

He could not say why he did not make sure.

He thought the sooner the police knew the better. His impression then was that it was a case of murder.

The presence of a rug under Norah led him to think so.

He did not know what other reasons there could have been, but that opinion was formed in his mind.

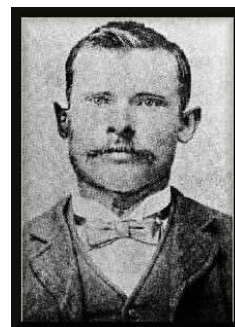
Inspector Urquhart said it seemed strange to form this opinion.

The witness said he could not account for it, and he did not know of any enemies of the victims. He knew the scene was in sight of the road. He could not remember whether he walked outside of the wheel tracks or on them when walking his horse to the scene.

When he went back a second time he did not point out his tracks to any one. He was not aware that any one asked him to show the tracks. He remembered returning from the Mount Sylvia races with his wife.

They reached home at about dusk, and passed Barlow's at perhaps 6 o'clock. They did not stop, except at Clapham's store, where they bought lollies. Perhaps they bought biscuits, but no soft drinks. A man was going away as they drove up. He was getting on a horse. He (witness) did not notice if the horse was a chestnut. He asked him if any one was about, and the man replied, "Go round to the back." He had no idea, which way the man went. If the man had approached from the direction of Murphy's he might have met Ellen, who was ahead, but he did not know how far.

They did not notice anyone following at any part of the journey from the races. He believed a girl served him.



Witness had been driving with the Murphy's whip. He could not say if he unharnessed and let the horse go. Sometimes John Murphy did it.

It was not the same horse the Murphy's afterwards took to the dance.

He remembered going up just as the horse was being put in. He could not say if he buckled any of the straps. He did not know who brought the horses from the paddock. His whip was in the cart, but it was of no use, it being too short.

He thought old Mr. Murphy asked him to have a drink after they had left. The question being pressed, he said he was asked one night, but he was uncertain which night that was. He went to bed between 9 and 10. The door communicating with the sitting-room caught at the bottom. Sometimes it was shut and sometimes open. He believed it was half-open.

That night he slept in his clothes, because he thought the child would be restless. He had been up at night before with it. He did not wear pyjamas, and he did not like to walk the room naked. He only wore his pants. The child "grunted" a bit; he did not call it crying. The foot of the bed was towards the end of the house -about 2ft. from the window. Witness slept well. He did not get under the clothes, but his wife did.

He slept next to the wall, and would have to cross the form of his wife to get out.

She was easily awakened. He slept inside because his wife sometimes preferred sleeping on a different side because of paralysis.

It was likely that was the case then, because she had been out all day, and was tired. She was lying in front of the bed. When witness retired he would not disturb her.

He remembered going to Grantham from Toowoomba on Wednesday last. (22/3/1899).

He went to Murphy's from Grantham, and saw Mrs. and Mr. Murphy. He had no recollection of a conversation. He went there to see his child, to get clothes for the child at home, and because he wanted to get the clothes he wore at the Mount Sylvia races on the day, and which he now wore, thinking the inspector might want to look at them.

Inspector Urquhart: What made you think that? -On account of the way things have been going lately, connecting me with the Gatton murder.

In conversation with the Murphy's, he had said Polly was subpoenaed to attend. The police sent her a pass, but none for him to bring her. He thought it hard lines. He had not asked for a pass to take her away. He took her away to see the doctor. He knew there was a doctor in Gatton, but he heard from the Murphy's that a warrant was out for the arrest of his wife, and was frightened of the effect on her. He could not remember what the Murphy's said. On the Wednesday all were overjoyed to see him, and they were talking together. Mrs. Murphy advised witness to have his own doctor to see his wife. They could not understand what she was wanted for. He could not recall the exact words they said.

The Bench: It is strange they talked so much there and not here.

Witness: People talk amongst themselves on family affairs.

Inspector Urquhart; That is what we want to know.

Witness: If the words were repeated, he might remember.

He went to Murphy's unexpectedly on Henderson the storekeeper's horse. He lost a rifle in a fire, and had done no killing since. He was not carrying on business. He asked Michael for the chance of a pound at Westbrook Crossing. The latter then said he had not got it. He then borrowed 10s. from Michael. He did not then know if Michael had any notes. He had since learnt that he had been paid £5 that morning at Westbrook Farm. He distinctly remembered Michael taking 10s. from his purse. He was not sure if the purse was the same as was afterwards found in his hand. He did not take notice of it.

Reaching Toowoomba he paid Michael half-a sovereign, and witness bought a pair of leather slippers at Field's shop, which were now at Murphy's. Witness wore them on Boxing Day and until perhaps half-an hour before going to bed. He did not know where he left them that night, but he put them on again next morning, and wore them to the scene of the murder. They had not pointed toes. The police could see them.

He could not say what horse he rode that morning, but believed it was the old buggy horse. He did not think it was the pony. His wife had just begun to be ill after the birth of the youngest child on the 17<sup>th</sup> June last. He paid the Murphy's funeral expenses not because they had not the means, but because the whole family were too upset at the time. The money had since been refunded. He consulted Dan about paying, and witness said he would do it.

### THIRD EVIDENCE OF W. M'NEILL AT THE POLICE COMMISSION

**3/10/1899**

#### M'NEILL'S EVIDENCE.

William M'Neill, who described himself as a butcher, was called next.

The Chairman: Have you heard Sergeant Arrell's evidence? He says you came to him and said, "The three Murphy's are lying dead in a paddock," and that you never suggested murder to him? -He asked me did I think it was an accident, and suggested the horse had run away. I said I didn't think the horse ran away; he was quiet.

Did you say, "The three Murphy's are lying dead"? -Yes.

Why did you say so? -I suppose at the time I was that excited I did not know what I was saying.

You went close up to the bodies? -Yes, within two yards of Norah.

And could you have any doubt as to the cause of death? -I had no doubt whether they were murdered.

Why?-The way they were lying about, and Norah's head.

What did you think? -I thought it was a murder.

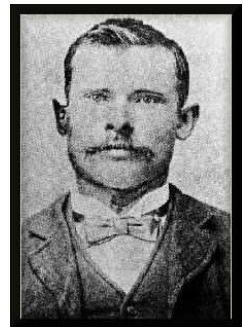
You did? -Yes.

Why did you say they "were lying dead"? -As far as that goes they were dead.

Well, that is true? -Yes.

You did not say they were murdered although they were? -Yes.

Mr. Dickson: Did you examine them? - No.



Did you recognise them? -No; I thought it was Helen I saw.

You thought that when you went into Gatton? -Yes.

After going into Gatton you went out and brought Mrs. Murphy in? -Yes.

That was the first time you knew it was Norah you saw, and not Helen? -Yes.

And when you came in first you went to a hotel? -Yes.

What hotel? -Gilbert's.

What did you say there? -I said as I said to the sergeant. I asked where was the sergeant, and that the three Murphy's were lying dead in the paddock.

Did you say anything about a horse? -Yes, I think I said the horse was dead, too.

When you saw them first didn't you come to any conclusion as to how they were killed? -I thought they were murdered when I saw them.

Murdered? How? -I didn't wait to look.

The Chairman: Look for any tracks? -No. I thought it was a murder, and the sooner I left the better.

Mr- Garvin: When you saw where the sulky turned off into the paddock did you see the tracks? -Yes.

Did you follow the tracks on horseback or on foot? -I didn't follow the tracks. I went into the paddock, and followed the direction the trap went.

How did you know the trap went in that direction? -I went in the direction the trap started from the sliprails.

Were you on foot? -Yes.

Did you see any tracks on the ground? -No.

Did you look? -No.

Why? -Because I was simply following to see where the tracks went to.

When you saw the bodies, and that they were dead, did you look for tracks? -No.

Why? -The trouble of meeting the people at home was troubling me at the time.

Would it not be more satisfactory to you to try to find out who committed these terrible murders than wondering about the trouble for them at home? -There was not time to consider. It was only a little time till I got into town.

Did you come away on foot or horseback? -I galloped.

Did you have to take the rails down? - I threw them down.

And you galloped in? -Yes.

Mr. Dickson: Did you say to Arrell you thought they were murdered? -No.

Though you went out with him? -Yes.

How did you ride? -At a smart canter.

Mr. Garvin: How did you come to point out to Arrell your tracks though you did not take notice of any other tracks? -Arrell asked me how I knew it was my trap, and I said, "There are the tracks."

Mr. Sadleir: When you got up to the bodies, did you look for any tracks on the ground? -No.

Mr. Dickson: How close to the bodies did you go? -About two yards.

From there you could see over to the other bodies-that would be about 30ft? -Yes.

And the horse could be about the same distance? -Yes.

You could see the horse lying down? -Yes. Did you notice anything about the shaft? -Not then.

Did you see any marks of blood on the bodies? -When I came up the second time I did.

The first time? -No. I saw ants crawling over the first body.

You saw that Norah had had her head knocked in? -It seemed to be buried into the ground, but her face was covered with ants.

How long did you stay? -I didn't stay after I saw what was the matter.

How long did you stay with the sergeant? -Two or three minutes.

Did you dismount? -Yes.

Did you see any tracks? -No.

Did you look carefully? -No.

Mr. Garvin: Did the sergeant say anything to you about tracks? -No, I cannot say that he did.

Did you say nothing to him about them? -No.

Did you look then to see if there were any tracks? -No.

Why did you not look round for tracks? -My first experience it was.

It was easy tracking ground? -Yes.

Did it not occur to you to look? -No.

When you went to inform the Murphy's did you ride along the fence, to see if any one had come out? -No.

Although you are an old bushman? -Yes.

Mr Dickson: Why did you not go up to the bodies and examine them? -Supposing the murderer was behind the trees?

You thought the murderer was behind the trees? -I thought he might have been.

Mr. Garvin: How long did you think the bodies had been dead? -I thought they were murdered in the morning, coming from the ball.

When did you see them? -About 9 o'clock.

What time would they be coming home? -About 5 or 6 o'clock.

And yet you thought the man was lying behind the trees at the time you looked?



Mr. Sadleir: How could he tell? -He is not a policeman.

Mr. Garvin: But he says the man might be behind the trees.

The Chairman: Was Michael a coward? - I don't think so.

Did you think he went in there voluntarily? -I thought he was coaxed in.

Now, have you anything you would like to say? - I should like to know why I should be put to this expense, as I have been over this tragedy.

By the police? -Yes. You will have to look to them for that.

You complain of them? -Yes.

Mr. Sadleir: When? Now? -No, at the time of the murder. I have been put to expense and trouble. I did not get my trap till the 20<sup>th</sup> of last month, and they would not allow me anything. My lad left because he could not stand them talking about the place.

Who? Your son? -No, my brother.

The police were looking and staying about the place. You expect the police to make inquiries in every possible direction"? -Yes, but I would like to know the reason. I asked them, and they could give me none.

The Chairman: Every citizen is to be subject to suspicion if a crime is committed.

Mr. Garvin: The police have to make inquiries if a crime is committed? -But they gave me no reason.

Have you ever thought much over these murders, M'Neill? -Yes.

Ever come to any conclusion? -No, I cannot say I have. It has disturbed me. And this man Day has been greatly in question lately. I was in company with Toomey when he took Carroll's statement. He said he thought it was the man at Clark's he saw at the rails.

Do you know if Day was a friend of the Murphy's? -No, he was a stranger.

Mr. Dickson: Did the Murphy's get their meat from Clark's? -Yes.

Who used to take the meat out? -Clark used to take it out, I think.

Did Day ever take it out? -I don't know, but I don't think so.

Mr. Garvin: Have you ever thought of a motive? -No, unless it was meant for Mrs. Carroll.

For Mrs. Carroll? -Well, she was coming from the races, where she had a fruit stall, and she had some money.

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