

Extracts Only

25/01/1899

THE BROTHER IN-LAW GIVES EVIDENCE

William M'Neill

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.

9/03/1899

EVIDENCE WILLIAM MURPHY

The Police Magistrate remarked that it was not nice for the family to treat the inquiry in this way, as they should do all they could do to assist the police.

The witness deposed to Norah and Helen going to the races on Boxing Day.

Men named Will Connolly, John Tracey, and Robert Smith spoke to them there, but no mention in his hearing was made by any of them of a dance at Gatton the same night.

Michael informed him he was going home early to go to the dance, but witness could not say where M'Neill was at that time.

Witness rode home with Helen, and asked her if she was going to the dance. She replied she did not know.

They got home at half past 6 o'clock, and turned the horses in the yard. M'Neill was in the house after the girls and Michael went to the dance at Gatton.

10/03/1899

EVIDENCE JOHN MURPHY

I want to know the true state of affairs that day. Witness (continuing) said that of all the men spoken to on the course that day none mentioned the dance.

Helen returned from the races with her brother William, and M'Neill with his wife.

There was some talk about tea time of the dance in Gatton, Michael asking the girls if they were coming. Pat also mentioned the fact of there being a dance.

M'Neill helped Michael to harness the horse to the trap. Witness did not see the deceased depart in the sulky. He went away to Tent Hill, and returned about 10.30.

He did not notice that the dogs barked. He went to bed.

Dan, who was formerly in the police, left because he wished to stay at home with his parents on account of the failure to discover the murderers. Dan tried hard to find the perpetrators, and had helped the police as much as possible under the circumstances, but stayed at home with his father mostly.

Neither witness nor the other brothers did anything.

He knew the brothers [Foster](#), who used to come to dances. These dances ceased, not because of trouble over them, but because of the young men becoming apathetic.

Inspector Urquhart: You have no suspicions? -No.

Can you assign no reason for any one making an attack on your brother and sisters? -No.

Had you any firearms at your place? -We had an old gun, but it was no use.

Was one of the [Foster](#) boys sweet on your sister Helen, or Norah? -No.

Suppose he says he was? -He might be in his own mind.

Was it not on account of something of this sort that the dances were put a stop to? -No.

[\(Questions were asked about Foster but not Bob Smith. Why?\)](#)

EVIDENCE JEREMIAH MURPHY

Jeremiah Murphy, a brother of the last witness, deposed that while in Gatton on Christmas Eve a man named Ted Chadwick asked him if he would bring his sisters into a dance at Gatton on Boxing Night.

He (witness) promised to try and persuade them, but pointed out that there was a dance at Mount Sylvia the same night. No one else was present at this conversation. Chadwick said the Gatton girls wanted him to arrange a dance, but he did not say who was coming. On Christmas Day he mentioned about the dance to the family.

Witness went to the Mount Sylvia dance on Boxing Night. After passing Logan's, and between there and Bannerman's, where the dance was held, he did not see a loose horse with the saddle on.

He didn't see Con. O'Brien at the dance, and didn't hear anything of the other dance at Gatton. He left the dance about 3 o'clock, and reached home as day was breaking.

He did not see anyone between Barlow's and his father's place.

When he reached home he did not see the pony that was usually running about the premises.

This beast was not easy to catch when it had been out for some time. The horse could have been there, without witness having seen it.

There was one dog about the place.

Witness took off his saddle, put it on the veranda, and let the horse go.

He did not go to the harness room.

[He went to bed, and on awaking about 6 o'clock he found a man named \[Robert Smith\]\(#\) had come into his room and gone to bed.](#)

He proceeded with his milking, Jack passing the remark that the girls had not come home from the dance.

Before they finished, M'Neill came over and said it was a funny thing they (meaning Norah, Helen, and Michael) had not come home from the dance, and that they must have had a smash up.

He also said some one ought to go in after them. Witness said, "they may have stopped in at Walker's place." They had never stopped at Walker's before; but he thought the trap might have broken down, and they had remained there while it was being repaired.

He and his brother then had breakfast.

Afterwards he did not see M'Neill about; but after 9 o'clock, when they were chaff cutting, M'Neill rode up, looking bad. [Bob Smith](#) came and said they had been murdered in a paddock near Gatton. Witness knew M'Neill had gone into town, but could not say who told him. [Smith](#) also said Bill (meaning M'Neill) had found them.

They then went towards the house, and met M'Neill coming out to them. M'Neill said to William, "My God, Bill, such a mess you never saw in all your life. He also said their hands were tied behind their backs, and their heads bashed in, in a paddock at Gatton."

He could not remember what was also said.

16/03/1899

Sergeant Wm. Arrell.

He had no police constable in Gatton, and no assistance whatever.

Did the Murphy family offer any assistance? -No.

Did they at any time? -No.

Did anyone else? -No, except when the bodies were being removed.

Did any magistrate in Gatton come to offer any help? -No. Continuing, witness said there were about thirty or forty people close up to the bodies on his arrival. These he requested to go out of the paddock. They retired a little, but came back again repeatedly, though he remonstrated with them.

No one then offered to help him. Mrs. Murphy asked him to have the bodies removed. Witness replied that he would like to allow the bodies to remain where they were until a doctor, for whom he had wired, had arrived.

Father Walsh, who was standing near, said it would be as well to leave the bodies until the doctor arrived.

Later, Mrs. Murphy again asked for the removal of the bodies.

Mr. James (chemist), who was there then, said the bodies should be removed on account of the sun and the ants. Messrs. Ballantyne and Wiggins urged the same course. The latter said, "Have you not taken a description of the position of the bodies when you found them." He said he had. He could not find that description. He put it in his drawer, and could not imagine where it had gone. He then had the bodies removed.

Inspector Urquhart: Did you consider you were instructed by these two magistrates, Mr. Wiggins and Mr. Ballantyne, to remove the bodies? -No, I did not. Continuing, witness said a number of men, including M'Neill, helped to remove the bodies.

Just as Michael's body was to be taken up, Mrs. Murphy, who was at the head, lifted the mackintosh that had been placed over the face, and said, "Who does this belong to." M'Neill said, "It belongs to [Bob Smith](#); it was thrown into the trap up at the races yesterday afternoon."

Witness lifted up a portion of the rug under Norah, and noticed dark stains on the underneath part, with dirt about the spot. The bodies were taken to the Brian Boru Hotel, placed in a room, and the door locked.

Dr. Von Lossberg arrived and made an examination of the bodies. It was at this time that he found the hames-strap had been put round Norah's neck, drawn tightly, and fastened with a half hitch.

The clothes were taken off the bodies and handed over to witness.

At the scene of the murder in the afternoon a man named [Andrew Smith](#) handed him a piece of the dead limb of a tree, about 4ft. long and 4in. through. One end was smaller than the other; at the larger end it was knotty, and at that place there were stains of blood.

He fitted it into an indentation discovered in the ground near Norah's head, which it fitted exactly. He concluded it had previously been lying in that hole, and on account of blood and some hair upon it, that it was the weapon with which the wounds were inflicted. It was a solid, heavy stick of hardwood, but he could lift it with both hands and strike a blow with it.

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