

The evidence of Robert King, before the Commission, was as follows:

Q. (*By the Chairman*) What is your occupation?

A. I am a butcher, managing the branch for Mr Clarke at Gatton.

I just wish to make a statement. It was in the month of December last Mr Clarke employed a man named Thomas Day-on the 15th of that month, and he started to work on the 16th. I then told Mr Clarke the first time I saw him that I did not like his appearance. He told me he would only keep him until he could get another man-he would do for a while. I did not like him; he seemed to me to be a bad character from the start. I never liked him.

Q. (*By Mr Garvin*) What led you to form that opinion of him?

A. He seemed to me to be a bad looking man.

Q. How long have you been working for Clarke?

A. For ten years. Clarke has had a lot of men during that time, but he never had any man I had a greater dislike to.

Q. (*By Mr Dickson*) Were you Clarke's boss man?

A. Yes, I manage the shop in the township for him.

Q. (*By Mr Garvin*) Do you remember the day the bodies were found?

A. Yes.

Q. It was on the 27 December?

A. Yes.

Q. Did you see Day that morning?

A. Yes.

Q. What time in the morning?

A. About half past six. I had had a sheep to kill. I went out from the township to kill a sheep.

Q. Where did you see him?

A. About the yard.

Q. How was he dressed?

A. He had on a singlet, a white handkerchief round his neck, and dark trousers.

Q. When did you see him after you heard of the finding of the bodies?

A. After Mr Wilson came up the street.

Q. What time?

A. After nine or about that. I did not take particular notice.

Q. Do you remember when you saw Day after that?

A. I saw him in the evening when I went out to kill a bullock.

Q. Was that the first time you saw him after hearing of the murders?

A. No; he was at the shop.

Q. What time?

A. About nine o'clock.

Q. Did you have any conversation with him?

A. He went pretty well straight away after he heard it; he did not say anything to me about it at the time.

Q. Who told him about the murders?

A. He was there when Wilson told me.

Q. Did he make any remark?

A. No.

Q. How was he dressed then?

A. The same as I told you when I saw him at the yard in the morning-dark pants, singlet, white handkerchief round his neck.

Q. Did you have any conversation with him that day about the murders?

A. I would like to read some notes I have here. [*Witness reads.*] Between the 16th and the 26th, the day of the Gatton murders, Day assisted me twice to kill, and I then noticed that he was a stronger man than myself in pulling a bullock into position for skinning. He had a blue jumper and a big slouch hat. When at work I only saw him wear the jumper on one rainy evening. This was no killing day, and there were no bloodstains on it then. The next time I saw this jumper was in Day's room on the 28 December. I noticed that it had blood spots on it on the sleeves and the breast. On the 29th the police took him in about 11 pm that night to the courthouse. Next day I saw him at the slaughter-yard. We had a conversation about him being examined by the police. I asked him what they said about the blood on the jumper, and he made some reply and said he would "wash the bloody thing". I advised him not to wash it, but he said he must.

Q. (*By Mr Sadleir*) Could he have got that blood on his jumper when killing with you? .

A. No. He wore that jumper not on killing days.

Q. Did he wear it on the 28th?

A. No. I saw it in his room on the 28th.

Q. (*By Mr Garvin*) Describe the blood marks that you saw on the jumper on the 28th?

A. It was on the sleeves and over the breast-on both sleeves-from about the size of a two shilling piece down.

Q. Were they all over the sleeves-big spots down to small ones, on the jumper?

A. Yes.

Q. Are you quite sure?

A. Certain.

Q. Did you examine it carefully?

A. I did. That was about the first man that entered my head after I heard about the murder on the 27th. I heard this boy Carroll mention this man, and I heard others also.

Q. Did those bloodstains appear to be fresh?

A. They were fairly fresh; I did not take particular notice to see if they were really fresh; but he had only come down on the 16th, and he wore it on one occasion that was a killing day.

Q. Did you take the jumper down and examine it when you saw it in his room?

A. I did. He was the first man I thought about.

Q. (*By Mr Dickson*) Do you think the stains might have been caused by simply carrying meat?

A. He never carried any meat.

Q. The detective said there was merely a smudge on the arm?

A. They were spots.

Q. (*By Mr Garvin*) Could any person be deceived with regard to those bloodstains-whether they were smudges-did they look like splashes, or what?

A. That is what I took them for to be-splashes or spots.

Q. Was Day in the room when you examined the jumper?

A. No.

Q. When did you speak to him?

A. On the 30th.

Q. Did you ask him whether there was blood on the shirt?

A. Yes, and he said: "Wash the bloody things."

Q. How many bloodstains were on the shirt?

A. Fifty or sixty.

Q. You never saw Toomey examine the coat?

A. No.

Q. (*By the Chairman*) Did you give any of this information to the police?

A. Yes.

Q. At what time?

A. A short time after I got the information.

Q. Did you speak to Toomey about the bloodstains?

A. Yes, and Toomey told me to shut up, and that Day was innocent.

Q. (*By Mr Garvin*) On what day did Toomey say this?

A. I can't say.

Q. *(By the Chairman)* After Day had gone away?

A. Yes. I can get a witness to this conversation with Toomey.

Q. *(By Mr Garvin)* Did you ever ask Day where he was on the 26th?

A. No.

Q. *(By Mr Dickson)* Who is the witness you refer to?

A. My wife.

Q. Is she here?

A. No.

Q. *(By Acting Sergeant Toomey)* Are you a good judge of character?

A. Yes.

Q. Well, don't you think, after looking at Day, that he was a quiet man?

A. Yes, but he had a bad look in his eyes.

Q. As far as you thought?

A. Yes.

Q. Do you remember me coming into your shop and asking whether Day wore a jumper?

A. Yes.

Q. What date would that be?

A. Some time before Christmas.

Q. Do you know what Day was doing when he was wearing the jumper?

A. He was employed in my shop.

Q. Did he bring any meat into your shop?

A. No.

Q. Do you remember telling me that you were not sure that Day wore a jumper?-Speak the truth like a man!

A. I don't remember that.

Q. What were Day's duties?

A. Just getting in wood and looking after the horses.

Q. Had he any experience in killing?

A. No.

Q. He never handled the meat?

A. No, I did that myself.

Q. What did I ask you with regard to the blood on the jumper?

A. You only asked me if Day was wearing a blue jumper.

Q. Was that all?

A. Yes.

Q. Did I not refer to blood being on the jumper?

A. No.

Q. Are you quite sure about that?

A. Yes.

Q. Don't you remember me asking you if there was blood on the jumper?

A. No.

Q. Then what was my object in coming to you?

A. I don't know. You were talking about the shot.

Q. You are one of the men who have been blowing this business up about Day?

A. Yes, because I had my suspicions about the man.

Q. Did you tell me that you suspected another man?

A. No.

Q. Was the jumper hidden when it was found?

A. No.

Q. *(By Mr Garvin to Witness)* Did you see any firearms in Day's possession?

A. No.

Q. Did he appear to be a sane man?

A. Yes.

Q. *(By Mr Dickson)* Did Day associate with anybody?

A. No.

Q. What were his habits at night?

A. I never saw him much after six o'clock. Six o'clock would be the latest I saw him at night.

Q. *(By Mr Garvin)* You suspected this man from the start?

A. I did, according to those who saw him on the road. That is what I went by. He answered to the description.

Q. What motive do you think he would have for committing an offence of this kind?

A. That is a question I cannot answer. What motive would anyone have?

Q. *(By Mr Dickson)* You heard he had been seen on the road?

A. I did.

Q. When did you hear it first?

A. Some time after.

Q. About how long; have you any idea?-A month or a week?

A. About a fortnight or so.

Q. Who told you this?

A. I heard of it from Carroll and Mr Burnett.

Q. Young Carroll?

A. Yes; Johnny Carroll.

Q. *(By Mr Garvin)* Before you heard that, had you formed any opinion yourself?

A. Not before I heard that. As soon as I heard from a number who saw the man on the road that night I did. After that I got it really into me that he was the man.

Q. *(By Mr Sadleir)* That is very interesting. You know the girl Florence Lowe?

A. Yes.

Q. Was she there the same time as Day was at Clarke's?

A. No.

Q. Do you think she ever saw him there?

A. I do not think she did.

Q. Mr Clarke said she was at his place while he was there?

A. She was there on the morning he left. He left Clarke's on the 10th of January.

Q. What time?

A. Some time in the morning. He was in Gatton a little after ten o'clock, and she went to work that day.

Q. Did she see him before the murders?

A. Not to my knowledge. She may have been there at the shop, but I cannot say.

Back To Gatton Murders Homepage

<http://www.gattonmurders.com/page1.php>