

Mrs. Margaret Carroll, the widow of an old soldier, an Imperial pensioner, who had served with the Inniskilling Fusiliers and a member of the Gatton Mounted Infantry, who with her son John drove into Gatton on the night of the tragedy, and passed the sliprails almost in company with the Murphy's, is quite satisfied that a crime would have been committed then had there been only a single vehicle.

She states that she saw a man, when near the rails, run after the Murphy's and peer into their cart, but that hearing her trap coming he turned off into the bush.

She had some £8 in her possession at the time-her little haul at the Mount Sylvia races and considers that she and her boy narrowly escaped murder.

She and her son simply say that the man they saw was about medium height and thick set. She did not get a good look at him, as he drew back in the shadows suddenly although her son John did and remarked, "That is Clarke's butcher."

John Carroll later in Toowoomba identified Richard Burgess as "resembling the man." But later he said he did not identify him, but said the man was like him.

Thomas Day (Clarke's butcher) and Richard Burgess were not at all alike.

11/03/1899

EVIDENCE MRS. MARGARET CARROLL

Mrs. Margaret Carroll, a widow, residing in Gatton, was called.

Witness: I don't know anything about it.

The Police Magistrate: You have been called, and you must tell what you can.

She was then sworn, and deposed that she had a little shop, in which she sold fruit. On Boxing Day she went to Mount Sylvia races to sell fruit. Her son and Mary Callahan accompanied her. They returned in their trap in the evening, and reached Moran's paddock about half-past 8.

Before they got to the sliprails the three Murphy's, Norah, Helen, and Michael in a small dog-cart, came up, and passed them. It was bright moonlight. They had not then reached the culvert. Then, before the sliprails were reached, witness and her party passed the Murphy's, but were in turn passed again. As they came near the sliprails she saw a man standing on the left-hand side as Murphy's cart passed him. He stood; looking after them, and then came towards witness's cart and passed it. He did not speak. He had a small parcel in his hand; it didn't shine, and she could not see what it was. She did not see his face. He wore a soft hat, which had the brim pulled down all round. She got a look at his back. She did not know the man. He continued to walk on slowly. She thought he looked at her. She had not seen the man since that she knew of.

He seemed to be a stout man, medium height, and wore dark clothes. She remembered coming to the court-house at Gatton on the 24th January last. She saw nine or ten men there, and pointed out one in that lot, saying she thought he looked like the man she saw at the sliprails. (This was Burgess.)

Inspector Urquhart: Was he the man? -I could not swear to him.

EVIDENCE JOHN CARROLL

John Carroll, son of the last witness, aged 13 years and 9 months, corroborated his

mother's evidence. He also said he noticed Michael had a whip, and that the man they passed had a grey slouch hat on; also that he wore a blue coat or shirt. He said he had recognised a man at the court-house on the 24th January as like the person he saw near the sliprails, but he could not swear positively he was the same.

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