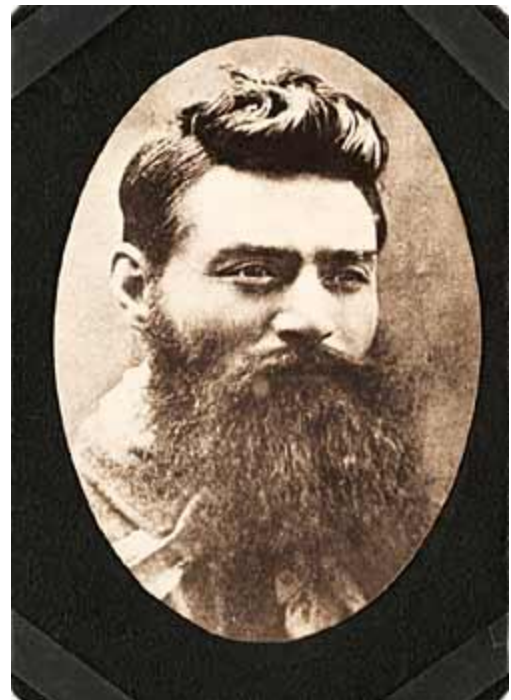


## Ned Kelly

An old axiom of cultural history is, "When the legend becomes fact, print the legend." It might be true of Ned Kelly, the legendary Australian bushranger, that what we know of him through art, literature and popular history is mostly legend. What is the history and how did Ned Kelly attain mythic status?

Edward (Ned) Kelly was the son of Irish immigrants Ellen Quinn of Antrim and John "Red" Kelly of Tipperary. His family story is one of the thousands of stories of Irish who were transported from Ireland to Australia for criminal or revolutionary activity. From 1795 until 1868 with the arrival of the *Hougoumont*, the last of the prison ships, England had transported almost 40,000 Irish men and women to Australia. In 1876, Fenians led by John Boyle O'Reilly and supported by John Devoy from New York, effected the famous *Catalpa* escape from western Australia. This Australia was Ned Kelly's Australia. Born in 1854, Ned was the son of a man transported for, here we get into the murky area of legend/history, stealing two pigs or for Whiteboy activity. The Quinns, Ned's mother's family, seemed always to be in trouble with the law.

Ned was raised in an area of the state of Victoria which at that time bore a close resemblance to the American West as portrayed in our movies. Indeed, Ned is sometimes called the Jesse James of Australia. Ned's family was numbered among the "selectors," those who selected land in a government sponsored program for the development of harsh northeast Victoria. Like the conflicts in our Old West between the cattlemen and the sheep herders, the selectors were frequently in conflict with the "squatters" who preceded them into the territory to take the best land and who had risen to positions of wealth and political power. The intersection of the "haves" and the "have-nots" resulted in rustling, horse theft, and violent confrontations. Ned, his father, his mother, his brothers and numerous uncles and cousins and most of his friends served jail time. The police, representatives of the English law in Australia, were a hated presence for the Kellys, especially irritating for the fact that many of the policemen were Irish themselves. As Ned put it in a



compelling letter which he wrote: these officers *"deserted the shamrock, the emblem of true wit and beauty to serve a flag and nation that had destroyed massacred and murdered their fore-fathers."*

At age sixteen, Ned was accused, falsely, he says, of striking a man named McCormack, for which he served six months in jail. Subsequently, Ned got into a scuffle with a constable who wanted to arrest him on another charge Ned regarded as false. As Ned says in his letter, *"I had no idea he wanted to arrest me or I would have quietly rode away"* but the officer seized Ned who defended himself by throwing the constable and putting his foot on his neck and taking his revolver. Ned was fearless and aggressive toward those who accosted him or any member of his family. These traits are part of his legend. Encounters like this with the police led to more attention to the Kelly family by law enforcement which led to more false, according to Kelly, accusations, more arrests and more physical confrontations with the police. In Kelly's letter, he says, *"it is a credit to a Policeman to convict an innocent man"* and that perjury *"is no crime in the Police force."* It was this environment of hostility toward the makers of the law (*"there was never such a thing as Justice in the English law"*) and the enforcers of the law (*"big ugly fat-necked wombat headed big bellied magpie legged narrow hiped splaw-footed sons of Irish Bailiffs or english landlords which is better known as Officers of Justice or Victoria Police"*) which led to the episodes which generated the Ned Kelly legend.

In 1878, Kelly alleges that certain wealthy and powerful squatters harassed the poor selectors by impounding their horses, causing economic hardship for the poor who had to pay to get back their horses or forfeit them. Furthermore, Kelly in his letter says that an officer Farrell stole one of Ned's step-father's horses and placed the animal in the paddock of a wealthy squatter. Ned's step-father, George King, a known horse thief, and Ned broke into the paddock, stole all of the horses and sold them to an innocent party. This innocent man was convicted of horse theft which outraged Ned Kelly, another element in the Kelly legend- his sense of justice. The angry Kelly, now twenty-four years old, was further provoked by the behavior of the police when they went to the Kelly home to arrest his brother Dan. The police, according to Kelly, terrorized his mother and the children and arrested Ellen Kelly on trumped up charges to get her to cooperate in the apprehension of Dan and Ned Kelly. Ellen Kelly was sent to prison for three years, Ned's actions toward freeing his mother becoming another cause of the popularity of the Kelly legend.

What became known as the Kelly Gang formed at the time of Ned's mother's imprisonment, 1878. Ned was to create his image as a folk hero in less than two years as a bushranger evading the law and supporting the poor who

protected him. Ned's greatest crime was the slaying of three police officers who were in his pursuit. Ned was convinced that the police were out to kill not to arrest him and his gang (*"they would shoot me first and then cry surrender"*). But when he was able to surprise the officers *"to take their fire-arms and ammunition and horses,"* the police resisted, resulting in the killing of three of four officers.

The Victoria Police threw everything it had into the capture of the Kelly Gang but with little success. The Gang lived among and off the people. To support themselves and to reward their supporters, the Kelly Gang became successful bank robbers. Their generosity toward the needy people in the bush has given Ned Kelly some Robin Hood credentials. The Gang's career as criminals came to an end in Glenrowan in June, 1880. The gang held the whole town hostage in an attempt to lure the pursuing police into a trap. The Gang ripped up a section of railroad track hoping to derail the train being used by the police in its pursuit. A teacher in town escaped from the Gang, hailed the train, and saved the officers for a siege of the Kelly Gang. Ned added to his legendary credentials by innovating armor for his confederates from the steel of farm implements. Ned's armored gang members, far outnumbered by the police, were able to sustain a ferocious exchange of gun fire before Dan Kelly, Steve Hart, and Joe Byrne were killed. Ned, mythologized as a kind of Knight in Agricultural Armor, launched a frontal assault on the police, was wounded in the legs which were not protected by armor, and was captured. Ned was hanged in November 1880.

From this history a legend emerged. Kelly's story is told in at least four talking movies: "When the Kellys Were Out," "The Glenrowan Affair," "Ned Kelly" (1970 starring Mick Jagger), and "Ned Kelly" (1993 starring Heath Ledger). He is the subject of Australia's premiere artist Sidney Nolan's "Kelly Series" of paintings. Australia's crime novel award is called the Ned Kelly Award. The bush country in Victoria and New South Wales where the Kelly Gang foiled the police is called Kelly Country. Peter Carey, an Australian novelist, won the Booker Prize (2001) for his novel *True History of the Kelly Gang*. There is no doubt that Ned Kelly will continue to be the subject of song and story for many years to come because Ned left enough for creative people to retell the David vs. Goliath story.

Ned Kelly cries out for comparison to the Australian-Irish folk song "The Wild Colonial Boy." The Australia of Kelly's time was redolent with the whiff of British colonial rule. We can hear Kelly in the song's words: *"We'll scour along the valleys/ And we'll gallop o'er the plains;/ And scorn to live in slavery,/ Bound down by iron chains."* We can hear his defiance: *" 'I'll fight but not surrender,' cried the Wild Colonial Boy."* Kelly was for the poor Irish another Fenian who stood up to the greatest power on Earth. In his own

words, prisoners in *"those places of tyranny and condemnation many a blooming Irishman rather than subdue to the Saxon yoke Were flogged and bravely died in servile chains but true to the shamrock and a credit to Paddy's land."* Whether of Irish extraction or not, many of us admire the fearlessness of those who stand against the privileged and powerful. Another David story.

Of particular moment in the legend of Ned Kelly is his Jerilderie Letter. The reader of this essay will have noticed that citations to a letter written by Kelly have several mistakes in spelling, capitalization and punctuation. These are exact quotes from a letter dictated by Ned showing him to be very intelligent but with little formal education. Ned letter is an 8000 word biography which he gave to a printer in Jerilderie, New South Wales site of one of the Gang's bank robberies. Discovered in 1930, the letter is now in the Victoria Museum and viewable online. Peter Carey was so taken by the style of the Jerilderie Letter that he imitated Kelly's style in his prize winning novel. The letter shows Kelly to have a poetic style (*"I could have spread those curs like dung in a paddock"*); to be angry at police behavior (*"took out their revolvers and threatened to shoot the girls and children in Mrs Skillions absence the greatest ruffians and murderers no matter how deprived would not be guilty of such cowardly action"*); furious with the English (*"rise old Erins isle once more, from the pressure and tyranny of the English yoke"*) and naive about the chances that his letter would help to exonerate him (about his killing the three policemen: *"this cannot be called wilful murder for I was compelled to shoot them, or lie down and let them shoot me"*). A document like the Jerilderie Letter allows the creative imagination to work on interpretation after interpretation of the Kelly story, a cornucopia for the creators of legends.

Ned's legend is also enhanced by his manifesto at the end of the Jerilderie Letter: *I give fair warning to all who has reason to fear me to sell out and give £10 out of every hundred towards the widow and orphan fund and do not attempt to reside in Victoria but as short a time as possible after reading this notice, neglect this and abide by the consequences, which shall be worse than the rust in the wheat in Victoria or the druth of a dry season to the grasshoppers in New South Wales I do not wish to give the order full force without giving timely warning but I am a widows son outlawed and my orders must be obeyed.*

No wonder that the Legend of Ned Kelly lives on. He was loyal to his mother; he robbed from the rich to give to the poor; he was David against Goliath; he had an OK Corral type of shoot out; and he left a memoir for endless scrutiny. Above all, not even Jesse James or Robin Hood left a nation building manifesto as a comfort for the oppressed.

(Written by John Walsh, April 2005)

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