

BLACK SNAKE

THE REAL STORY OF NED KELLY

LEO KENNEDY

with MIC LOOBY





Published by Affirm Press in 2018
28 Thistlethwaite Street, South Melbourne, VIC 3205.
www.affirmpress.com.au
10 9 8 7 6 5 4 3 2 1

Text and copyright © Leo Kennedy and Mic Looby
All rights reserved. No part of this publication may be reproduced
without prior permission of the publisher.

Title: Black Snake / Leo Kennedy and Mic Looby, authors.
ISBN: 9781925584950 (hardback)



A catalogue record for this
book is available from the
National Library of Australia

Cover design by Peter Long Design
Author photograph © Genepool Productions Pty Ltd (Photo credit: Ben Symons)
Typeset in Stempel Garamond 10.5/18 pt
Proudly printed in Australia by Griffin Press



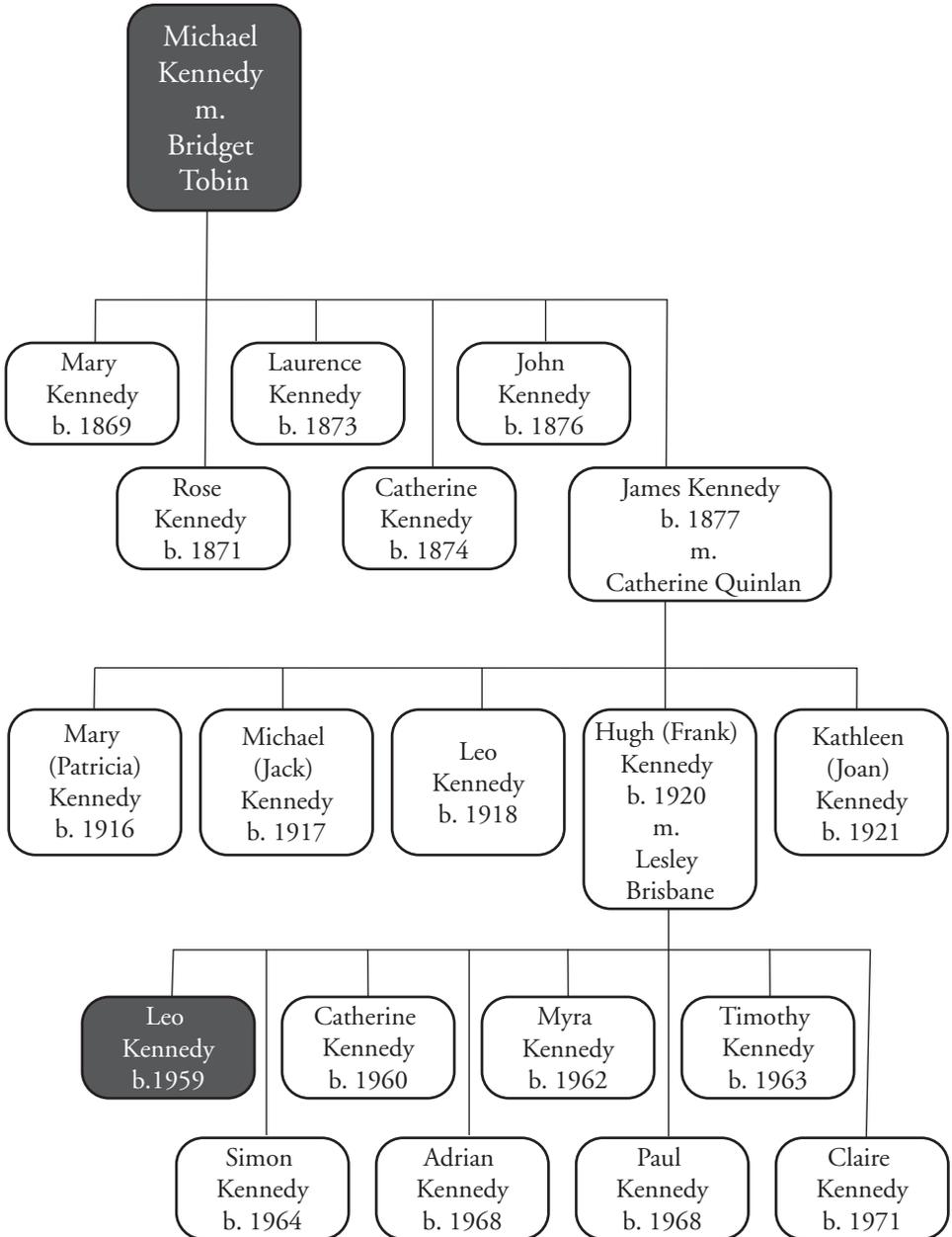
The paper this book is printed on is certified against the Forest Stewardship Council® Standards. Griffin Press holds FSC chain of custody certification SGS-COC-005088. FSC promotes environmentally responsible, socially beneficial and economically viable management of the world's forests.

Every effort has been made to acknowledge and contact the owners of copyright for permission to reproduce material. Any copyright owners who have inadvertently been omitted from acknowledgements and credits should contact the publisher and omissions will be rectified in subsequent editions.

We acknowledge the Taungurung as the first people of the rivers, valleys and mountains in the regions discussed in this book. Long before these areas started to be called Northern Region and Upper Goulburn they lived here and cared for this land. They still do.

We pay our respects to their elders past and present, and we acknowledge that the events that are the main focus of this book took place on the traditional lands of the Taungurung people.

THE KENNEDY FAMILY TREE



Chapter 17

JOURNEY TO STRINGYBARK CREEK

Composing himself as best he could, Michael Kennedy strode around to the Mansfield police barrack room. The other three were already there. It was no small comfort to the four officers that they were dressed in plain clothes. Their uniforms were at least being spared the wear and tear of this daunting mission. Without their police livery they would also draw less attention.

Sergeant Kennedy quietly told his men they would remain at Stringybark Creek for a few days and scout the area to their east, then head towards the King River. Glancing at a photo of Ned Kelly on display in the barracks, the Sergeant remarked, ‘I do not like the look of that fellow’.¹

All was quiet in the chill morning air as they left the police stables, but for the noise of the horses’ hooves on the frosty ground. They carried two weeks’ worth of provisions – a heavy load for the pack horse following behind. Along the street they noted a solitary figure, a man who trailed them at a distance.² No one in the police party recognised the man and stopping to query the stranger would only raise their profile. They rode on. Would this work against them? Only time would tell.

Riding down the Benalla Road, Kennedy and his men crossed by the Mill-Paddock Lane, then made their way across the Mount Battery Run to ford Broken River. They rode up Bridges Creek for some distance, passing Martin's Place. After stopping for lunch they headed north-east towards Holland Creek where they encountered a tiger snake lying asleep in their path. Aggressive if aroused, it presented a problem. Lonigan and McIntyre entered a playful but cautious contest to kill it. If Michael Kennedy read any omen into this he kept it to himself.

Crossing Holland Creek they rode on through the Fern Hills pastoral run and the village of Wombat. Michael had tracked the entire route to Stringybark Creek the previous week. With guidance from one of the men at nearby Dueran Station, he had found the best crossing point of Holland Creek, and went on to the sawmill near Wombat. The sawmill owner, Monk, had taken Sergeant Kennedy on to Stringybark. In this way, Michael had devised the shortest, straightest route with water and feed for horses along the way. He told no one of his route before leaving; nor did he say much on the way to his team about where they were to camp. The less said the better, considering how fast word travelled.

Beyond Monk's sawmill they passed a blazed line of trees before reaching the clearing at Stringybark Creek. Here they found the remains of a burnt-out hut, which was the result of a dispute between two miners a few months before.³

Bridget Kennedy would later theorise that it was the Kellys who had ordered the hut be torched; the place was less hospitable that way. It lessened the chance of neighbours being too close to the Kellys, who were but a mile away at Bullock Creek. At this point, neither the police nor the Kelly brothers had any idea just how perilously close the two parties were to each other.

Around mid-afternoon, the three constables set up camp at Stringybark Creek while Sergeant Kennedy rode along the stream at the

Ryans Creek junction. Finding no fresh tracks, he headed back to camp.

The officers pitched their tent near the north-west corner of the clearing, about 70 yards from Stringybark Creek, facing east towards the creek. To the left of the tent was a felled tree, about four feet in diameter at the base. It lay approximately east-west. About midway along was another log, facing north-south, forming a 'T'. To the right of the tent was a slight slope filled with luxuriant rushes and coarse, tall spear grass.⁴

With no immediate fear of attack – as far as the police knew, the fugitives were some 20 miles away – Sergeant Kennedy gave the Reverend's fowling piece to the designated cook, McIntyre, in case he might spot a kangaroo or wallaby for food. But there was no shot fired that day.

Now at Stringybark, the other three inquired about the second group. Michael gave out a little information. Sadleir had selected Senior Constables Shoebridge and Strahan, and Constables Ryan and Thom for the northern party leaving from Greta.⁵ They would meet up with them in a few days, though Michael wouldn't say where. When the men asked why they did not meet up at Stringybark Michael joked about the others eating them out of supplies and then teased McIntyre for not bagging a kangaroo. The topic had been changed. They knew not to ask further.

Night came on with a frosty bite. The officers kept the fire going before retiring early. Unaware of how close they were to the criminals, the men did not place a guard on the camp overnight. It had been a long day. But with little more than an oilskin between them and the cold, rough ground they would not sleep a great deal.⁶

Meanwhile, an ex-convict by the name of Walter Lynch was slipping into the Kellys' timber fortress at nearby Bullock Creek. The Kellys already had company – Joe Byrne and Stephen Hart were visiting. Lynch

had been in Mansfield that morning; he was most likely the lone figure the police sighted as they left town. Lynch told the gang of criminals everything he knew: four police, five horses, heading in the direction of Stringybark Creek.

A horse bolt away, Michael Kennedy and his companions had good reason to rest uneasy. Their cover had just been blown. The Kelly boys had a choice to make, courtesy of their informant. Should they flee or stay? Already loaded with superior firepower, they were now armed with superior knowledge of their unwitting pursuers. The upper hand was clear; Ned and his group chose to stay. If there was any whiskey left at Bullock Creek that night it was likely raised in a toast to the bravery of the poor, downtrodden Kellys.

Chapter 1

CONSTABLE KENNEDY, AT YOUR SERVICE

It was a Saturday morning in early 1873 in the dusty little town of Doon, a hundred miles north-east of Melbourne. Summer was peaking and the place was baked brown as a biscuit.

Outside the Junction Station homestead an iron-grey gelding was being led to the stables. Its flank, matted with mud, bore the brand ‘H’ and ‘60’. From the police residence Constable Michael Kennedy watched on, his arm in a sling and his right ankle heavily bandaged.

‘Damned horse,’ he muttered into his beard.

Michael had worked long and hard on H60, a half-decent hand-me-down potentially good enough to track the many cattle thieves in the area. The horse had come furnished with a certificate stating he was quiet to ride and would stand fire. But H60 also came with the nickname: ‘Ginger Pop’.¹ That should have been warning enough.

Originally a wild horse from north of the border, Ginger Pop had never been easy to handle despite six years of service. Daring to think he finally had the better of the troublesome gelding, Michael had taken a long ride out past Godfreys Creek when the horse shied and bucked at the sight of a black snake. Ginger Pop almost trampled both man and serpent before bolting into the scrub. Michael was left in the dust with

a crushed ankle, a jarred shoulder, and one very startled black snake. As an Irishman and a Catholic, a follower of St Patrick the natural adversary of snakes, the irony was not lost on Michael Kennedy.

Ginger Pop couldn't be headed but was found the next day, complete with saddle and bridle. The horse would later be declared 'quite unfit for police work ... he had thrown nearly every constable who had attempted to ride him and is at all times dangerous.'²

The injured Constable Kennedy was conveyed by buggy to Doon, where Dr Samuel Reynolds dressed the wounds and declared the accident to be a perilously close call. Michael knew it to be true – as did his wife Bridget. She made a habit of noting the qualities and temperament of every police horse in the area, and frequently shared her concerns with her husband. Bridget knew of many mounted officers maimed or even killed by badly broken-in horses. As if policing wasn't dangerous enough. Bridget had already endured the worry of her husband working on the gold escorts that made their nerve-wracking way through bushranger territory to Melbourne and Geelong. Though the work helped add a little extra to Michael's slim pay packet, it was dangerous and time-consuming. It was on these missions, travelling on a borrowed horse, that the young Constable learned to use the complex Spencer rifle to protect the shipments en route from the goldfields.

This special mounted force had emerged in the early gold rush years of the 1850s as a well-disciplined, well-armed and effective unit with unique challenges and hazards. Their precious cargo meant there were men desperate enough to try and attack them. Among them was the infamous highwayman Harry Power. Other cargo occasionally added to the burden included less-than-willing prisoners, to be taken to Melbourne or elsewhere for trial for serious offences.³

As he watched Ginger Pop being led away, Michael eased open the window with his good arm, catching a whisper of cool air ahead of

the day's heat. Across the way Bridget was headed to the general store, exchanging greetings as she went, calico bag swinging by her side.

'Top of the morning, Mrs Kennedy. How's that husband of yours, Mrs Kennedy?'

Though he chafed at the public interest, his blue eyes sparkled at his wife's singsong replies. Only he could know she had been up half the night soothing restless infants with her lullabies and boundless patience. Now here she was, bright as a brass button, cheerfully fetching supplies while her husband limped about at home. His spirits were low, but his love for his raven-haired beauty was even greater now than it had been the moment they met at St Francis' Church in Melbourne back on that Sunday morning. What was it now? A mere three years since he was based at Merton Police camp as a lonely, single man?

To think his sweetheart was coy when they met, softly marvelling at his cheerful manner and kind words for all. Little by little, Bridget surprised him with a playful flourish. It was a delight he first encountered with her on the dance floor. How they loved to dance in those early days. Would he dance with her again? He banished the thought. He grasped instead for Bridget's bright vision of a town dance in his honour when, not if, his ankle properly healed.

Their life of late was a dance of sorts, only now she was surely leading. She was the one holding him steady, so much so that since his fall they might have swapped roles. He had become the unsure one. She was the partner with the ready smile and soothing words. It was Bridget who stepped so lightly, who greeted the world with such sunny joy. How far the two of them had travelled to arrive at this place. From the lush green hills of Ireland, to months at sea, to meet in Melbourne and find their way to this dry and dusty corner of Australia.

The township of Doon in the early 1870s was no fancier than the police residence itself. It would be many years before this little settlement

on Brankeet Creek would become the holiday destination of Bonnie Doon, on the banks of the man-made Lake Eildon. For now it had a public house, a post office, a blacksmith and far more cattle duffers than any law-abiding local would like. Which was why the Kennedys had been such a welcome addition. Michael was the town's first permanent policeman, and the law-abiding locals were clearly grateful.

The place was certainly a step up from Michael's early posting at the remote Broken Creek station. There were no fresh supplies there, only plenty of solitude. Michael dealt with that by riding out to check on the selectors' welfare and inspect boundaries. The lack of decent food had been a constant annoyance, but Michael soon learned to adapt to the strange new land. He applied for permission to keep fowls at his Broken Creek outpost. Once approved by the inspector, Michael set up a coop, loaded up his horse with caged chickens for the trip to the station, and thereafter had a ready supply of fresh eggs and meat.⁴

But like Broken Creek, Doon was not forever. After a long search, the young Kennedy couple had recently bought a brick home adjacent to the police station in nearby Mansfield, a growing town central to the district that promised a good education for the children. Bridget and Michael were originally from farming families and, with both sets of parents settled on farms nearby, they looked forward to keeping touch with the land.

They had called their dream home Westmeath, after Michael's home county in Ireland. If ever they bought another house, he swore to name it Tipperary, after Bridget's home county.

But it would be several years before Michael was transferred to Mansfield. The brick home was to be let out until then. For now, the young Kennedy clan was more than happy to make do in Doon.

Bridget's voice rang out across the quiet street. 'Don't you worry. He'll be back on his horse in no time.'

Michael smiled and shook his head. He only hoped it was not on that same horse, and that he would recover faster than Dr Reynolds imagined. While Michael's handyman skills had improved since moving to Doon, he longed to be back riding, where putting things right seemed a more straightforward task than any amount of police paperwork. Back in Dublin, life had felt crowded. He wanted open space. Walking the beat in Melbourne, too, he yearned all the more for a country posting and to be active. He was not the kind of officer to rest easy indoors – even under doctor's orders.

Bridget would make sure her husband obeyed Dr Reynolds, of course. Michael himself knew he could return to the saddle only if fully fit. In the meantime, he had no right feeling sorry for himself. He need only look around, at his young family and those lost 'O'Shays' – as his fellow Irish mounted police were dubbed – to see that he had made a life for himself and was more fortunate than most.

Michael was so busy admonishing himself that he failed to notice Bridget had been joined in the street by the postmaster's wife. The pair of them glanced his way, catching him unawares at the kitchen sink, in undershirt and robe. With a grin he bowed to the ladies and shuffled into the shadows, hiding his own annoyance at his slip in standards. Michael had always prided himself on being well dressed, paying particular attention to his appearance, uniform and health. Unlike most men of the day, including his fellow officers, he didn't drink alcohol or even smoke tobacco.

He struggled into shirt and trousers, noticing as he went that the window frame in the main bedroom was loose and the curtains all but worn through. Another job for the day. Housebound as he was, Michael was glad for every chore that might keep him occupied or help ease Bridget's workload. His toolbox was still in the children's room from when he'd repaired baby Laurence's cot earlier in the week. He was

wondering if he should risk waking the children when a strange noise broke the silence in the nursery room across the way.

Walking into the darkened room he found his three children still sound asleep. But something shifted on the bare boards. For a brief moment he thought it was his policeman's belt unfurled on the floor, but as his eyes adjusted to the low light he realised his mistake. It was a snake. Another damned black snake. The reptile, long and wide, began sliding towards the cot of the youngest child, Laurence.

Heart pounding, hardly thinking, Michael hopped forward, slamming a foot down upon the deadly intruder. Its thick, cool body clenched against his bandaged sole. A searing shot of pain surged through his body. He stifled a roar. Only as the agony ebbed did he realise that the pain was not from a snakebite. The snake was wedged in the hole, its bulbous head and much of its body deep in the wall cavity from whence it came. It could not have struck him. The pain stemmed entirely from his injured ankle, which was supporting his full weight as he pinned the serpent to the floor.

Desperate to ease the throbbing hell of his leg while not letting the snake slip away, he grabbed at the toolbox on the nearby windowsill and, with a hammer and a handful of roofing nails, he fixed the snake to the spot.

The two girls, Mary and Rose, were now awake, gazing in silent wonder. Behind him, Michael heard Bridget bustle in to the house.

'What on earth,' Bridget gasped, dropping the shopping in alarm. Rushing passed Michael she plucked Laurence from his cot. Michael, with a relieved groan, staggered back onto his one good foot.

'Constable Kennedy,' he said, trying to turn a grimace into a smile. 'At your service.'

Bridget's smile was tight, her dark eyes on the skewered snake, then back at Michael. 'My dashing policeman,' she said. 'Who's not lost his

dash after all. Now get rid of that horrible thing quick smart. And for heaven's sake get off that ankle. '

Michael was happy to oblige. He dispatched the snake with a shovel, plugged up the hole in the wall, and collapsed into his invalid bed, not daring to imagine he might one day face a far deadlier serpent.