Ned Kelly & the Movies 1906-2003:
Representation, Social Banditry & History

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Declaration

I certify that except where due acknowledgement has been made, the work is that of the author alone; the work has not been submitted previously, in whole or in part, to qualify for any other academic award; the content of the thesis is the result of work which has been carried out since the official commencement date of the approved research program; any editorial work, paid or unpaid, carried out by a third party is acknowledged; and, ethics procedures and guidelines have been followed.

Stephen Gaunson

April 5, 2010

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Abstract

This PhD thesis investigates the fascinating subject of the Ned Kelly movies. Since the early days of Australian film production, movies on Kelly were appearing at regular intervals, and certainly, they are a significant addition to cinema studies and cultural history. Yet, beyond the movies, this thesis discusses Kelly's nineteenth century cultural industry, which played a significant role in commodifying Ned as an important figure of popular entertainment. Indeed, the performance customs and social practices established during Kelly's historic Outbreak of 1878-1880 were taken into the moving pictures in the twentieth century. Kelly's representation though has not been a fixed artefact, and by examining his twentieth and twenty-first century cinema representation, this thesis explores how the origins of his popular image have continued in popular culture. With this thesis adding to the growing field of research on celluloid bandits, it demonstrates the importance of understanding how the Kelly films shift beyond the normal parameters of cinema studies and delve into broader areas of cultural history. As it argues, the Kelly movies are significantly influenced by popular history as well as Kelly's tradition of visual imagery, folk songs and literature.

Glossary

Bail up	A common Australian term used by bushrangers during an armed robbery. For example, the bushranger would storm into a bank and yell, 'bail up'.
Bunyip	A mythical Australian monster said to inhabit swamps and lagoons. This was also a derogatory name given to native Aboriginals during the nineteenth century.
Bushrangers	Australian criminals who sought refuge in the bush. They were men who stole for a living, often by 'bailing up' travellers on the road or raiding banks. They are culturally identified with British highwaymen.
Bush telegraph	A means of communication generally without the use of technology. For the Kelly Gang, Kate was considered a vital 'bush telegraph'. On horse, she would deliver them information and goods.
Bushwhacker	This term has two distinct meanings. There is the American 'bushwhacker', which is really the American equivalent of an Australian bushranger or an Australian 'bushwhacker' that has nothing to do with crime or outlawry. Australian 'bushwhackers' are bumpkins who live uncultured lives in the bush.
Dandy	A man greatly concerned with his appearance and fashion. Ned Kelly was often described as a 'dandy'.

Greta Mob	A group of young men based in Greta. When the Outbreak began, members of the Greta Mob, such as Tom Lloyd, became the Gang's most loyal sympathisers. The Mob was known for dressing flash.
Kellyana	Ned Kelly's tradition of popular culture. This includes all of the cultural works created during and since Kelly's Outbreak. For more on this term see James Cockington (February 14, 2007).
Kelly country	The term applied to the Victorian north-eastern region during the Outbreak. Its title also recognises Kelly's intimate awareness of the region.
Kelly Gang	The band of outlaws that consisted of Ned Kelly, Dan Kelly, Steve Hart and Joe Byrne.
Kelly Outbreak	The period from the shooting of the police officers at Stringybark Creek on October 26, 1878 to the destruction of the Kelly Gang at Glenrowan on June 28, 1880.
Kelly sympathisers	The men and women who sustained and supported the Gang during the outbreak.
Martyr	A person who suffers greatly and dies for a cause. Kelly supporters considered Ned a martyr who died trying to establish a republic of north-eastern Victoria.
Noble robber	The type of social bandit exemplified by Robin Hood. He lives by a code that requires him to rob the rich to feed the poor and only kill in self-defence.

Outlaw	Anyone who lives outside the law and is wanted by the authorities for committing a crime.
Selector	A speculative landowner who selected small runs under the various Land Acts.
Social bandit	The type of outlaw who fights on behalf of his community.
Squatter	A wealthy landowner who occupied large areas of Crown lands before the issuing of licences.
Wood engraving	This was the process used by news illustrators during the outbreak. By using the electrotyping process, illustrators moulded sketches onto a metal printing plate. This process allowed mass printing from a single engraving.

Abbreviations

ABC	Australian Broadcasting Corporation
ACMI	Australian Centre for the Moving Image
Ad	Advertisement
Age	Melbourne *Age*
Argus	Melbourne *Argus*
BBC	British Broadcasting Corporation
Engraving	Wood engraving
Herald	Melbourne *Herald*
MLA	Member of the Legislative Assembly
National Library	National Library of Australia
NFSA	National Film & Sound Archive
Punch	*Melbourne Punch*
Sketcher	*Australasian Sketcher*
State Library	State Library of Victoria
Talkie	Films where characters can be heard talking

Movies evaluated in this study

The early movies

The Story of the Kelly Gang (Charles Tait, 1906)

The Kelly Gang (Harry Southwell, 1919)

When the Kellys were out (Harry Southwell, 1923)

When the Kellys Rode (Harry Southwell, 1934)

The Glenrowan Affair (Rupert Kathner, 1951)

The later movies

Ned Kelly (Tony Richardson, 1970)

The Last Outlaw (Kevin James Dobson and George Miller, 1980)

Reckless Kelly (Yahoo Serious, 1993)

Ned Kelly (Gregor Jordan, 2003)

Ned (Abe Forsythe, 2003)

Introduction

> *Man is filled with a strange, stubborn urge to remember, to think things out and to change things; and in addition he carries within himself the wish to have what he cannot have – if only in the form of a fairly tale. That is perhaps the basis for the heroic sagas of all ages, all religions, all peoples and all classes.*
>
> – Ivan Olbracht (Hobsbawm, 2000: 145)

> *A fiction is a story, a sequence of events and variously motivated characters arranged in a usually causal relationship. Such arrangements of characters and events are imaginary. That is, while based on actual or perceived events in the real world, they are conventionally held to be artful untruths about which we temporarily suspend our disbelief, drawn into the story by our identification with, or against, the characters and empathy with the events that constitute the fiction. While such artifices are imaginary, they nevertheless convey deep truths, or lasting values of one kind or another. This is often held to be an important reason for the longevity of folkloric fictions.*
>
> – Graham Seal (Seal, 1989: 184)

On Ned Kelly's cultural tradition, Graham Seal writes 'even before the first Australian Kelly movie, the visual entertainment media were promoting the Kellys' image' (Seal, 2002: 122). Ned Kelly has certainly remained resilient over the course of the Australian film industry, yet as this thesis will discuss, the films are really just twentieth century forms of Kelly's nineteenth century popular representation. Although many are dismissive of the Kelly movies, nobody can deny their durability, and as demonstrated by the permanent exhibition at the State Library of Victoria, 'Kelly Culture', the movies are a crucial element of the Kelly tradition.[1] By examining the Australian tradition of Kelly cinema, this thesis will ask 'how do the movies represent Ned Kelly within a historical framework?' The purpose of this question is to argue how the films should not be perceived as a separate entity to other 'historical'

[1]In this exhibition, an entire section is devoted to the various Kelly movies produced since 1906. Justin Corfield's exhaustive *The Ned Kelly Encyclopaedia* also devotes an entire entry to the movies (Corfield, 2003: 151-162). Even a weekend festival on bushranger films at ACMI was devoted mostly to films about Ned Kelly. Out of its six films, four were Ned Kelly movies. They were *Stringybark Massacre* (Gary Shead, 1960), *Ned Kelly* (Tony Richardson, 1970), *The Glenrowan Affair* and *Reckless Kelly*. The other films that played were *Mad Dog Morgan* (Philippe Mora, 1976) and *Robbery Under Arms* (Kenneth Brampton, 1920).

Kelly works, but rather, understood as a direct reworking of certain historical Kelly representations and artefacts.

Despite their cultural value, the Ned Kelly movies have been unfairly neglected in the history of outlaw films and Australian cinema studies. Exactly why cinema scholars have detoured from discussing them seriously is not the central concern of this thesis; however, it seems that the films' awkward position between cinema history and cultural history is a major reason, in addition to their generally lacklustre quality. While the movies are certainly an important part of Australian film history, and an expected inclusion in any Australian film encyclopaedia, their obvious ties to Kelly's cultural history suggest that to understand their significance as a group requires a shift beyond the normal parameters of cinema studies.[2] There is no doubt that the movies are heavily indebted to popular history as well as Kelly's cultural tradition of visual imagery, folk songs and literature. Although there have been some substantial studies completed on the individual Kelly films, such as Ina Bertrand and William D Routt's monograph on the 1906 *The Story of the Kelly Gang* (Ina Bertrand and Routt, 2007), this film is a special case as it is widely regarded to be the world's first ever feature length moving picture. And as Bertrand and Routt clearly stipulate, their study is not about the tradition of Kelly movies, but this film's significance as the beginning of feature film production. My research presented in this thesis will not only be the first significant study on 'all' the available Kelly films, but also the first significant study to evaluate the films as a response to Kelly's cultural history. Importantly, this study will provide a worthy and critical contribution to the current scholarship of cinema studies and cultural history, particularly in an Australian context.

In recent times, cinema scholarship has focused more readily on alternative ways that films can be studied as cultural artefacts. For instance, in *Global Hollywood*, Toby Miller and his co-authors ask what

[2] Some of the more prominent film encyclopaedias that feature entries on the early Kelly movies include *Australian Film 1900–1977* (Pike and Cooper, 1980), *The Encyclopaedia of Australian Film* (J. Stewart, 1984), *The Oxford Companion to Australian Film* (McFarlane, Mayer, and Bertrand, 1999), *Oxford History of World Cinema* (Nowell-Smith, 1999). Some other books that generally discuss the Kelly films are *The Australian Cinema* (Baxter, 1970), *History and Heartburn (Eric Reade, 1979), The Pictures that Moved* (Long and Long, 1982), 'Film History and Historiography' (Cunningham, 1983), *National Fictions* (G. Turner, 1986), *The Australian Screen* (Moran and O'Regan, 1989), *Cinema in Australia* (Ina Bertrand, 1989),and *History Goes to the Movies: Studying History on Film* (Hughes-Warrington, 2007).

it would take for screen studies to matter more (Miller et al., 2004). In search of this answer, they move from the traditional discipline of cinema studies and abandon its preoccupation with medium specificity and with the centrality of the film text. Following a similar approach is the 2007 publication, *Going to the Movies*, which suggests that the future of cinema studies is 'not through the practice of textual interpretations', but the history and social experience of movie going (Maltby, Stokes, and Allen, 2007: 3). While both these publications are welcomed additions to the field of cinema studies, my approach and argument questions why 'textual interpretation' must be abandoned for cinema studies to 'matter more'. As I will argue, 'textual interpretation' is still important and central to the study of cinema and film history. Comparing the textual representation of the Kelly movies to other historical Kelly representations, demonstrates not only the importance of textual interpretation, but also, how these films are directly tied to Kelly's broader cultural history.

A significant trend of Kelly cinema research has been its tendency to discuss the similarities of the movies, rather than the differences. While there are clear aesthetic and technological differences between the early and later films, such as the later films being shot in colour, other significant differences are yet to be seriously investigated. The central aspect, of this study, is the apparent difference in the representation of Ned Kelly between the 'early' and 'later' movies. The films that I will discuss as the 'early movies' will include *The Story of the Kelly Gang* (Charles Tait, 1906), *The Kelly Gang* (Harry Southwell, 1919), *When the Kellys were out* (Harry Southwell, 1923), *When the Kellys Rode* (Harry Southwell, 1934) and *The Glenrowan Affair* (Rupert Kathner, 1951).[3] While acknowledging Kelly's folk hero status, they portray him as someone who lacks protection beyond the criminal classes, rebellious youths and family. As Anton Blok writes, 'all outlaws and robbers required protection in order to operate and to survive at all. If they lacked protection, they remained lonely wolves to be quickly dispatched, and those who hunted them down were either the landlord's retainers, the police, or the peasants' (Blok, 1974: 99). 'Lonely wolves' is a good way to describe the Gang in the early movies, who have no sympathy outside their inner sanctum. Furthermore, the way in which Ned goes about his outlawry in the early movies does more to suppress than free his community. Rather than acting as a helper of the poor, Kelly

[3] As many Kelly films share an identical title, I will accompany each title with their year of production. This also will work as a constant reminder regarding each film's chronology. Furthermore, I will refer to the films by their production date – not release date. For example, Harry Southwell's *The Kelly Gang* was shot in 1919, but released in early 1920. Therefore, this film will be referred to as *The Kelly Gang* (1919) – not *The Kelly Gang* (1920).

is more accurately a local terror who ultimately apologises and feels remorse for his terrifying behaviour. The early movies also completely ignore the social factors and political reasons that led to the Outbreak. In discussing these movies, I also need to consider the blurry subject of film censorship that significantly affected the three Kelly films produced by Harry Southwell. However, as I will argue, their representation of Kelly is surprisingly consistent with the 1906 and 1951 films, that were not affected by censorship.

The films that I define as the 'later films' will include *Ned Kelly* (Tony Richardson, 1970), *The Last Outlaw* (Kevin James Dobson and George Miller, 1980), *Reckless Kelly* (Yahoo Serious, 1993), *Ned Kelly* (Gregor Jordan, 2003) and *Ned* (Abe Forsythe, 2003).[4] Featured on this list are the comedy movies *Reckless Kelly* and *Ned*, which, despite departing significantly from the historical story, represent Kelly in ways that directly correspond to the other later movies. These comedies are, indeed, necessary but often neglected inclusions in any discussion of Kelly cinema. Although I find worth in both groups of films, this study will focus more on the 'later movies' than 'early movies'. I am specifically interested by how the later movies cut directly into current and popular histories of Ned Kelly. For instance, how they correspond closely to British historian Eric Hobsbawm's definition of the term, 'social banditry', and resemble his model with practically no amendment or revision is a major concern of my study.[5] However, since the 1970s, a number of historians have framed Kelly within Hobsbawm's definition of social banditry. In 1971, Colin Bamblett wrote a BA (Hons) thesis on Australia's bushranging tradition of social bandits (Bamblett, 1971), whereas in 1977, John McQuilton's PhD thesis discussed the Kelly Outbreak as an example of Hobsbawm's social bandit framework. In 1979, McQuilton's thesis was published as a book titled *The Kelly Outbreak*. In the introduction, he writes:

> *The Kelly Gang tallies closely with Hobsbawm's description of the social bandit. The Gang's members were young, single men from the region's rural districts held together by the prestige of their leader ... his prestige, which was an important contributory factor to the development of regional sympathy for the Gang, was based on skills and attitudes important in selector*

[4] Sadly, no known copy that I am aware of exists of either *Ned Kelly* (William Sterling, 1960) or *The Trial of Ned Kelly* (John Gauci, 1977). The 1910 version of *The Story of the Kelly Gang* will also not feature in this thesis.

[5] 'Bandit' by definition is a person 'placed outside the law'. The term 'bandito' or 'Bandoleros' originated from the Catalan term for armed partisans in Catalonia during the fifteenth to the seventeenth century (Hobsbawm, 2000: 12).

> *communities but often alien to the North East's urban centres. He was regarded as a natural leader, even by his pursuers* (McQuilton, 1979: 3).[6]

McQuilton's book, though, was published almost a decade after Richardson's 1970 Kelly film, and, as much as McQuilton's study is significant, it, like the films, was symptomatic of broader cultural changes regarding the perception of the global outlaw and Kelly specifically. Even Hobsbawm, who many claim is the pioneer of bandit history, was reacting to his own social climate. Hobsbawm's study began as a chapter in his 1959 book *Primitive Rebels* (Hobsbawm, 1959), which he fleshed out a decade later in his seminal book *Bandits*. *Primitive Rebels* appeared at an appropriate time, as the 1950s was certainly a decade of significant, if limited, social rebellion. Rock 'n' roll, together with the Hollywood loner, had instituted a new rebel, and by the mid 1950s rock stars had become the new outlaws of popular culture. Indeed, the choice to cast The Rolling Stones' front man, Mick Jagger, in Richardson's 1970 Kelly movie, was suitably appropriate. To promote Richardson's feature, the theatrical trailer declared, 'if Ned Kelly were alive today, he would be Mick Jagger'. Greil Marcus, when defining rock stars, could easily be mistaken for describing social bandits:

> *They were men who bridged the gap between the community's sentimentalized idea of itself, and the outside world and the forbidden; artists who could take the community beyond itself because they had the talent and the nerve to transcend it. Often doomed, travelling throughout the South enjoying sins and freedoms the community had surrendered out of necessity or never known at all, they were too ambitious, ornery, or simply different to fit it* (Marcus, 1997: 130).

In addition to rock 'n' roll, the global revival of folk ballads certainly gained a secure anchor in Australian culture, and, while both folk and rock 'n' roll are quite different, in presentation and form, thematically they are closely related. Significantly, both celebrate rebellion and resistance as important themes of social identity and meaning. Despite Kelly folk ballads not appearing in the early films, they have had a prevalent presence in the later movies that is surely the result of a changing social and cultural landscape, which came to accept social rebellion as an important reality of any democratic society.[7] Since

[6] McQuilton's PhD thesis of the same name is held at the University of Melbourne (McQuilton, 1977).

[7] Indeed, this is a major distinction between eastern and western outlaws. While it has become more popular to discuss the similarities between Asian and western outlaws, there are fundamental differences that sadly are rarely

the mid 1950s, the Kelly films can be traced through their reworking of a popular radical folk legend, via rock 'n' roll and the folk tradition.

Celluloid bandits were indeed a symptom of the rise of rock 'n' roll and the revival of folk ballads, which from the 1950s began a new wave of representation. In Australia, Cecil Holmes directed *Captain Thunderbolt* (Cecil Holmes, 1953), which used a combination of the western genre, folk ballads and a young and handsome Grant Taylor to battle the brutal colonial order. A few years later Nicholas Ray glamorised the American outlaw Jesse James in his motion picture, *The True Story of Jesse James* (Nicholas Ray, 1957).[8] During this time, bandit movies were also popular in Europe. For example, in 1961, renowned documentary filmmaker Vittorio De Seta produced his first dramatic film, *Bandits of Orgosolo* (*Banditi a Orgosolo*) (Vittorio De Seta, 1961), while in 1962, Francesco Rosi directed a movie about the legendary Sicilian bandit *Salvator Giuliano* (Francesco Rosi, 1962). In 1963, Carlos Saura directed *Lament for a Bandit* (*Llanto por un bandido*) (Carlos Saura, 1963) about legendary El Tempranillo of Andalusia.[9]

Although it would be tempting to focus my entire study on the cultural shifts that affected the global representation of outlaws, I am primarily interested in how the various Kelly films utilise certain historical artefacts to depict Kelly in certain ways. One example would be how the later films use the folk

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acknowledged. Whereas Kelly's rebellion is celebrated as a symptom of his 'underdog' status, in Asia rebels are not celebrated, but shamed. The Malaysian outlaw Chen Ping is a perfect example of this.

[8] On *The True Story of Jesse James*, Gavin Lambert (who worked on the screenplay without a credit) explained Nicholas Ray's motivation to make the feature. Ray had previously directed *Rebel Without a Cause* (Nicholas Ray, 1955):

> *Ray rejected the idea of remaking the studio's picture of ten years ago, but wanted to dramatize parallels between the post-Civil War adolescent bandit and the delinquent youth of today. In the pre-production phase, I remember doing research and finding anecdotes to support this point of view* (Steinberg, 1978: 347).

Since 1908, at least 36 motion pictures and 3 television serials have been produced on the subject of Jesse James. Like Ned Kelly, the James tradition has spawned a variety of different forms, which also includes 400 penny dime novels published between 1881 and 1904, a 1903 wild west show hosted by Frank James and Cole Younger, a 1938 Broadway play, *Missouri Legend* and a country music album featuring Johnny Cash and Waylon Jennings (C. Anderson, 1986: 63). Waylon Jennings would later record many songs on the soundtrack for Tony Richardson's *Ned Kelly* (1970). For more on the Jesse James tradition see: *Jesse James Was His Name* (Settle, 1966).

[9] De Seta's film received prizes at the Venice Film Festival. Angelo Restivo claims that it 'marked the resurgence of the neorealist aesthetic after the detours of the late 1950s' (Restivo, 1996: 30).

songs and Jerilderie letter to depict Ned as a 'victim' of colonisation. However, before moving any further, it is necessary to explain exactly how I define the term, 'social banditry'.

The social bandit

To make sense of outlaw films, scholars commonly turn to Eric Hobsbawm's seminal research. Leading the way, Wayne Booth's book *Political Film* examines a variety of outlaw films, such as *Bandit Queen* (Shekhar Kapur, 1994) and *The General* (John Boorman, 1998). He writes:

> *Since celluloid bandits are often based on real historical figures it is important that film criticism try and formulate an adequate understanding of the relationship between the historical roots of the phenomenon of banditry and their re-presentation in films. E J Hobsbawm's book* Bandits *is useful in this regard* ... (Wayne, 2001: 82).

Undoubtedly, Hobsbawm remains the formative voice on the subject of social banditry, and while criticism of his approach will be discussed shortly, it is necessary to firstly identify what exactly he means by the term 'social banditry'. Firstly, not everyone who breaks the law can be described as a social bandit. For example, Ye Zhang, who wrote an entire PhD thesis on social banditry, claims that 'in Australia banditry is far from being stamped out. Cases of armed robbery in Victoria have increased 35% in the 1997–1998 fiscal year' (Zhang, 1998: 13). However, this disputes Hobsbawm who defines social banditry as a political movement of 'individual or minority rebellion' (Hobsbawm, 2000: 19). Zhang more accurately is discussing common criminality, not social banditry. Hobsbawm brands social bandits as a special breed of outlaw who depend on the support from their community. A social bandit's protest against authority may be personal, but importantly, he speaks on behalf of his supporters and sympathisers.[10] His lawlessness includes ingredients of boldness and flashness, and certainly, his public image is of great importance. Indeed, his public image is based on attributes his sympathisers tend to admire. As Hobsbawm writes:

[10] As Hobsbawm argues, social bandits are mostly male (Hobsbawm, 2000: 146). However, there are some cases of female bandits such as Phoolan Devi. For more on Devi see her autobiography, *The Bandit Queen of India* (Devi, 2006) or the film *Bandit Queen* (Shekhar Kapur, 2001) which is based on Devi's Outbreak. In Chapter 4, I will discuss the important role of women in the Kelly narrative.

> *The point about social bandits is that they are peasant outlaws whom the lord and state regard as criminals, but who remain within peasant society, and are considered by their people as heroes, as champions, avengers, fighters for justice, perhaps even leaders of liberation, and in any case as men to be admired, helped and supported* (Hobsbawm, 2000: 20).

Social banditry demands that outlaws use their criminal skills in the service of acceptable deeds. In fact, the social banditry code makes Ned Kelly a more compelling subject of inquiry from the standpoint of both history (why are outlaws depicted as heroic?) and tradition (how are social bandits different from criminal outlaws?). Whether Ned Kelly was actually a social bandit, however, is not the issue of this study. Primarily, 'social banditry' needs to be appreciated as a cultural tradition that can transform criminal rogues into noble heroes.

Even historians agree that social banditry is based more in fiction than fact. McQuilton, for instance, who frames the actual Kelly within Hobsbawm's doctrine has to admit that 'the legend survives the bandit's death and passes into folklore. The reality of the social bandit's life becomes unimportant. The Kelly Outbreak provides a good example' (McQuilton, 1982: 59). As Hobsbawm writes, 'tradition, of course, shapes our knowledge of even those twentieth-century social bandits' (Hobsbawm, 2000: 151). Certainly there are links to be made between the Kelly movies and movies on other global outlaws, such as Robin Hood and Jesse James, yet the purpose of this study is to demonstrate how the later Kelly movies redefine Kelly in ways that strongly correspond to the concept of social banditry. As Stewart Ross would argue, this approach draws a clear distinction between the history of the real and history of the invented. He writes,

> *The word 'bandit' conjures up such romantic images – colourful thieves, smugglers and highwaymen; daring and heroic figures robbing the rich to feed the poor; champions of the oppressed; outcasts dedicated to taking their rough but honest revenge on an unjust society. Think again! You have in mind the bands of fiction – Robin Hoods, all smiles and bravado. Forget such figures! They exist only in novels and films. History's real bandits were never so jolly. They were usually vicious criminals. True, they robbed the rich, but very rarely did they give to the poor. True they shunned the law, but in its place they set up their own brutal laws, based on violence, theft and murder* (Ross, 1995: 5).

In reference to Ross, this thesis will investigate how the movies make amendments to the historical story. Dancing around facts, the later Kelly movies revel in fantasy and imagination to posit Kelly as a symptom of social banditry. To demonstrate this, I will often discuss how the films deviate from the facts in order

to invent Kelly as one thing or another. I use the term 'invented' because these movies rewrite Ned Kelly into the popular tradition of other invented bandits, such as Robin Hood. Hobsbawm, who edited an entire book on the subject of 'invented tradition', defines it to include:

> *both 'traditions' actually invented, constructed and formally instituted and those emerging in a less easily traceable manner within a brief and dateable period ... invented tradition is taken to mean a set of practices, normally governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behaviour by repetition, which automatically implies continuity with the past. In fact, where possible, they normally attempt to establish continuity with a suitable historic past* (Hobsbawm, 2003: 1).

To draw a clear distinction between the real and invented, in this study, the words 'outlaw' and 'bandit' will define two vastly different things. 'Outlaw' will refer to the real-life person who robs banks and kills, whereas a 'bandit' is how outlaws are imagined and represented in culture. The term 'outlaw' will be used alongside 'bushranger', which was the common term for rural Australian outlaws during the nineteenth century.[11] Banditry, as Hobsbawm writes, explores the tradition that outlawry inspires. He writes, 'to put the matter simply – perhaps too simply – Robin Hood exists only in the minds of his public' (Hobsbawm, 2000: 168). Hobsbawm, though, equally argues that tradition is not entirely removed from reality: 'If there were no relation between bandit reality and bandit myth, any robber chieftain could become a Robin Hood' (Hobsbawm, 2000: 168). Agreeing with Hobsbawm, Joseph Campbell points out that 'if deeds of an actual historical figure proclaim him to have been a hero, the builders of his legend will invent for him appropriate adventures in depth' (Campbell, 1968: 321). By looking at Ned Kelly's own artefacts, such as his letters, I will consider how he behaved and orchestrated his own myth as a 'social bandit'. Indeed, Ned's blatant bravado and flamboyance in the face of the law gives convincing reason and justification to consider him as some sort of Robin Hood. This link to Robin Hood, however, as Hobsbawm notes, delves deeper than naming a suitable comparison, as Hood represents a special kind of social bandit known as the 'noble robber'.

Hobsbawm recognises three kinds of social bandits: the *noble robber*, the primitive resistance *haiduk*, and the terror-bringing *avenger* (Hobsbawm, 2000: 23). The increasing emphasis on communal

[11] Sidney J Baker claims *The Sydney Gazette* originally coined this term on February 17, 1805 (S. J. Baker, 1966: 30).

values and collective strength in the later movies certainly frames Ned Kelly within the paradigm of the 'noble robber'. From England's Robin Hood, to India's Phoolan Devi, the noble robber is an outlaw who benefits from community support and accepts a code of higher principles: 'his role is that of the champion, the righter of wrongs, the bringer of justice and social equality' (Hobsbawm, 2000: 47). As Hobsbawm states:

> *The noble robber is the most famous and universally popular type of bandit, the most common hero of ballad and song in theory, though scarcely in practise ... His role is that of the champion, the righter of wrongs, the bringer of justice and social equity. His relation with the peasants is that of total solidarity and identity* (Hobsbawm, 2000: 46-47).

Hobsbawm also claims that Robin Hood is 'what all peasant bandits should be', because he always plunders in moderation and only kills in self-defence (Hobsbawm, 2000: 46).[12] Although there is something quite ludicrous about using a largely fictional figure as the benchmark for real-life outlaws, Robin Hood is how many outlaws would like to be imagined and, certainly, it is how many historians want to remember Ned Kelly. Ian Jones, for example, writes:

> *A Robin Hood-like figure survived: good-looking, brave, a fine horseman and bushman and a crack shot, devoted to his mother and sisters, a man who treated all women with courtesy, who stole from the rich to give to the poor, who dressed himself in his enemies' uniforms to outwit them. Most of all a man who stood against the police persecutors of his family and was driven to outlawry when he defended his sister against the advances of a drunken constable* (I. Jones, 2002: 338).

The noble robber is a regimented type of bandit who, according to Hobsbawm, exemplifies nine essential ingredients:

> *1. Begins his career of outlawry as a victim of injustice*
>
> *2. Rights wrongs*
>
> *3. Takes from the rich*
>
> *4. Only kills in self-defence*
>
> *5. An honourable citizen of his people*

[12] Nevertheless, Robin Hood has not always been regarded as perfect. In fact, many historians claim prior to the fifteenth century he was a fairly lowly sort of individual (Hilton, 1958).

6. Admired

7. Only dies through treason

8. Invisible and invulnerable

9. The enemy of the local clergy

While this list may seem rather restrictive (or at least reductive), surprisingly the later movies only rarely waver from it. In relation to these criteria, Graham Seal writes that they identify the moral code shared by a noble robber and his community (Seal, 1996: 6). As Hobsbawm argues, a noble robber's 'relation with the peasants is of total solidarity and identity' (Hobsbawm, 2000: 47).

> *As we have seen, the Robin Hood 'image' insists on morally positive actions such as robbing the rich and not killing too much, but more than this, it insists on the standard attributes of the morally approved citizen. Peasant societies make very clear distinctions between the social bandits who deserve, or are believed to deserve, such approval, and those who, though sometimes celebrated, feared and even admired, do not* (Hobsbawm, 2000: 55).

As this quote explains, despite all social bandits wanting to do 'good', and be thought of positively, the reality of outlawry meant that many, at times, wavered from their own code.

Because Hobsbawm was the first to seriously assess the social phenomenon of banditry, his model has been the topic of much revision, with some of his more prominent critics including Anton Blok (2001), Giannes Koliopoulos (1987), Richard W Slatta (1987), Peter Singelmann (1975), Stephen Wilson (1988), Kim A Wagner (2007) and Paul Vanderwood (1996). In his updated edition of *Bandits*, Hobsbawm does not shy from such criticism, and in the preface he writes, '... thirty years after its first publication, it is clear that both the argument and the structure of this book require some substantial rethinking as well as updating' (Hobsbawm, 2000: xi).

In 1974, Anton Blok wrote, 'what is wrong with Hobsbawm's perception of brigandage is that it pays too much attention to the peasants and the bandits themselves' (Blok, 1974: 99). In his updated edition, Hobsbawm agrees with much of Blok's criticism, which he acknowledges is 'well taken' (Hobsbawm, 2000: 168). To introduce his 'subject with more balance', Hobsbawm includes new chapters, which deal specifically with the social and political context of banditry. These chapters include 'Bandits,

States and Power' (Chapter one) and 'The Economics and Politics of Banditry' (Chapter seven). Yet Hobsbawm still overlooks a major cause of agitation for Blok: As in his original release, he spends very little time discussing the importance of community and sympathy in regard to banditry. For Blok, the community and authority (more than bandits themselves) make banditry a significant phenomenon. Blok writes, 'before looking at them, it is necessary to look at the larger society within which peasant communities are contained' (Blok, 2001: 18).

Hobsbawm certainly agrees with such thinking, but, he gives practically no evidence of this. To address this oversight, I will spend much time examining how the Kelly movies represent Ned's sympathisers and pursuers. During the outbreak Kelly sympathisers celebrated their champion through ballads, oral stories, letters and illustrations. In the Cameron letter Ned Kelly stated, 'if I get justice I will cry a fair go', and surely, the outlaw would be very satisfied with his largely hagiographic representation in these movies. As well, I will focus on the historical and social context of his representations, which is crucial to a balanced argument. As Blok declares, 'in Hobsbawm's model of the "social bandit" this dimension of banditry is systematically underplayed, if not totally ignored' (Blok, 2001: 18).

Literature review

This study will analyse and evaluate much of the literature that has been written on the movies, as well as on Kelly culture and history. There has been no shortage of Kelly commentary since the Outbreak began in 1878.[13] Nevertheless, while the literature on Ned Kelly is immense, this thesis will not attempt to cover every work, but rather explore those pertinent to the study of the movies, and the discussion of Kelly as a social bandit. When it comes to Kelly's cultural history, or any famous outlaw, for that matter, historians tend to rely heavily on folk balladry. For example, in the case of Ned Kelly, Graham Seal in 1980 wrote *Ned Kelly in Popular Tradition* (Seal, 1980b) which he rewrote in 2002 as *Tell 'em I Died Game* (Seal, 2002). Another seminal work of Seal's is *The Outlaw Legend*, which compares the balladry of famous bandits such as Robin Hood, Jesse James and Ned Kelly (Seal, 1996). Seal's research is significant, yet, sadly, he does not discuss the Kelly ballads as 'romanticism' perpetuated by Kelly's

[13] As early as 1943, Clive Turnbull published his annotated bibliography of the Kelly literature then in circulation (Turnbull, 1943).

sympathisers in reaction to the negative press coverage. Instead, he looks at the ballads without satisfactorily considering their social context, and actually, Seal treats them more as historical truths than historical artefacts.

Earlier I spoke of Blok's criticism of Hobsbawm. In his two renowned books, *The Mafia of a Sicilian Village* (Blok, 1974) and *Honour and Violence* (Blok, 2001), Blok takes particular interest in sympathisers and support groups that sustain bandits. Yet, he ignores the cultural works that popularise them. Although it is dangerous to rely on ballads as historical 'truth', they at least reveal a degree of the rural discontent felt by a bandit's sympathisers. Furthermore, Blok shows only marginal interest in news reportage that condemns outlawry and outlaws. While Blok would stress that cultural history is not his discipline, his argument relies on the widespread popularity, and uniformity, of banditry, and indeed, a bandit's popularity surely depends on a proliferation of 'popular representations'.

Books on Kelly began to be published well before he was captured. For example, George Wilson Hall's *The Kelly Gang or the Outlaws of the Wombat Ranges* was published in 1878, shortly after the Outbreak began, and is now heralded as the very 'first' Kelly book. As proprietor of *The Mansfield Guardian*, Hall, who printed and circulated 6 copies throughout Victoria's northeast, plainly disputed many of the press reports. To open Chapter 3, he declares 'the published assertion that the younger Kellys were brought up as thieves by their father is altogether without foundation in fact ...' (G. W. Hall, 1878: 12). Hall was not a journalist or police officer, but someone who lived in Kelly's region of north-eastern Victoria, and certainly, he understood how Ned symbolised a rural discontent that led to the Outbreak. Well before Hobsbawm was coining the phrase, 'social banditry', Hall was discussing Ned as an oppressed and justified social outlaw.

Almost exactly a century later, John McQuilton, with the aid of Hobsbawm's book, identified the Outbreak as a model of social banditry. McQuilton's groundbreaking book, which began as his PhD thesis, applies Hobsbawm's argument directly to the Kelly Outbreak. Here he acknowledges its similarity as well as its departure from such a model:

> *Although the Kelly Outbreak lends added strength to Hobsbawm's characterization of social banditry as being 'universal and virtually unchanging' in nature, the Outbreak also substantially*

> *modifies the preconditions set down by Hobsbawm for its development and maintenance* (McQuilton, 1979: 187).[14]

Other scholars also viewed the Outbreak in reference to Hobsbawm's social banditry. Of significant interest to this thesis are the refereed papers, 'Class Conflict, Land and Social Banditry' (O'Malley, 1979), 'Ned Kelly's Sympathisers' (Morrissey, 1978) and the PhD thesis, *Selectors, Squatters and Stock Thieves* (Morrissey, 1987).

Ned Kelly's own letters also declare the Outbreak to be an example of social banditry. During his outlawry, he wrote the Cameron letter and Jerilderie letter, and better than any other source, they make a convincing case of police harassment. In the Jerilderie letter he wrote:

> *But it is not the place of the police to convict guilty men as it is by them they get their living had the right parties been convicted it would have been a bad job for the Police as Berry would have sacked a great many of them only I came to their aid and kept them in their bilits and good employment and got them double pay and yet the ungrateful articles convicted my mother and an infant my brother-in-law and another man* (N. Kelly, 1879).

As John McQuilton states, 'more importantly, the two letters are documents written by a nineteenth-century social bandit during his time at large, a rare thing indeed' (McQuilton, 1979: 209). The letters map out the obvious social banditry dimensions of the Outbreak that feature so prominently in the later movies. Beyond narrating the battle of the Crown versus the Kelly family, they document the collective rural discontent felt by those who supported Ned's Outbreak. Crucially, the letters provide a convincing and compelling argument as to why Kelly should be recognised as a social bandit. Intriguingly, the later movies narrate the Outbreak almost exactly as Kelly documented it in his letters, which not surprisingly has caused considerable criticism. For instance, Jill Kitson on *The Last Outlaw* (1980) condemned its refusal to delve any further than 'Kelly's words': 'At the same time, there is weighty evidence that Kelly was a cold-blooded murderer, something which the script played down disquietingly' (Kitson, 1981: 56).

[14] McQuilton, in a paper published after his book 'Australian Bushranging and Social Banditry' makes the baffling claim that 'Hobsbawm's model has one great advantage when it comes to Australian bushranging. It avoids the familiar debate of bad blood and police persecution' (McQuilton, 1982: 62). In *The Kelly Outbreak*, however, McQuilton describes bad blood and police as the two central ingredients of Ned's rebellion. In the introduction he writes, 'the Outbreak became a protest against oppression and poverty, a cry for vengeance on the rich and oppressors, a vague dream of some curb on them, a righting of individual wrongs' (McQuilton, 1979: 4).

More than any other artefact, Kelly's letters represent his voice from beyond the grave, and importantly, they have inspired an entire field of literature. For example, novels by Peter Carey, *The True History of the Kelly Gang* (Carey, 2000), and Robert Drewe, *Our Sunshine* (Drewe, 1991), are both written in a language and style similar to the Jerilderie letter. I will take a particular interest in Drewe's novel as it was the 'official' source of the adaptation for Gregor Jordan's 2003 Kelly feature. But, as David Stratton remarked, Jordan seems equally influenced by Carey's novel (Stratton, March 31 2003: 31). Like Ned's letters, these two novels are told in the first person and locate the outbreak in Kelly's poor Irish selector background. As I will discuss in Chapter 3, Kelly's Irish heritage has been an essential feature of his social bandit identity.

These novels can be placed within a rich tapestry of history books, which also champion Ned Kelly as a social bandit. Indeed, the most important Kelly scholar of recent times is Ian Jones. Since the mid 1960s, Jones has written at length on the outlaw. In 1967, he presented a selection of papers at the Wangaratta Kelly symposium.[15] In his paper, 'A New View of Ned Kelly', Jones argued that Kelly was planning to create a republic of north-eastern Victoria. Never before had the Outbreak been argued as the foundation of a political republic and, crucially, Jones's theory caused quite an impact. Over the coming decades his books, *The Fatal Friendship* (I. Jones, 1992) and *A Short Life* (I. Jones, 2002), gave him the reputation as a leading Kelly expert.

Jones was also involved in many of the later movies. On the 1970 film he co-wrote the script with Tony Richardson, while in 1980 he produced and wrote the mini-series *The Last Outlaw* (1980), with his wife Bronwyn Binns. Jones played no active role in Jordan's film, but Peter Galvin, who wrote the introduction for John Michael McDonagh's published script, cites Jones as a major influence behind the feature:

> *For Jones, the Kelly Gang's exploits – which included robbing banks and ridiculing the cops, were about trying to push the Colony towards a more just society by rebelling against a government out of touch with a large portion of its population. This is the cornerstone of the Kelly folk myth, the one played up in most books, told in most yarns, heard in song and seen in movies like The Last*

[15] Papers from this symposium were published in the book *Ned Kelly: Man or Myth*. This book's editor was Colin F Cave, whose son Nick became a popular rock singer. In memory of his father who died tragically in a car accident in October 1978, Nick originally named his band 'Nick Cave – Man or Myth'. Later he changed the band's name to The Bad Seeds (Brokenmouth, 1996: 197).

> *Outlaw. And it's this myth that informs the John Michael McDonagh screenplay for the Gregor Jordan directed Ned Kelly, too* (McDonagh, 2003: xi).

The image that Jones creates of Kelly is a gentlemanly bushranger who stands against adversity when the community cries for a strong leader. However, before Jones, others were providing similar representations of Kelly. For instance, 1929 saw the original release of James Kenneally's *The Complete Inner History of the Kelly Gang and Their Pursuers*, which by 1969 was into its eighth edition (Kenneally, 1969).[16] Perhaps the most important element of this book was the inclusion of the Cameron letter, which before this time had never been published in full. But, regardless of the praise that Kenneally regularly receives, his book really provides no critical evaluation of Ned Kelly. Instead, it comprises selective facts and opinions. Using the more sympathetic excerpts from the 1881 Kelly Royal Commission, and relying mostly on the oral tradition, it draws also from the faded memory of Kelly sympathiser, Tom Lloyd. Following from Kenneally was Max Brown's 1948 historical book, *Australian Son*, which was the first to include the Jerilderie letter in its entirety (Brown, 2005).[17] To his credit, Brown does uncover new material and gives a more satisfying overview of Kelly, but his tendency to mix and match facts to suit his argument is less convincing. For example, when writing on Ned's courtroom debate, with Justice Redmond Barry, he inserts dialogue from Kelly's *Age* interview.

Now joining this list of pro-Kelly literature is Justin Corfield's hugely successful, *The Ned Kelly Encyclopaedia.* Fittingly, Jones writes the preface, which congratulates Corfield's 'major achievement' (Corfield, 2003: xii). Corfield does clarify a number of dates, locations and characters important to the story, but his partisan stance fails to fairly examine the whole story. Adding some balance to the Kelly debate has been a number of anti-Kelly publications. For example, Alex McDermott's 2001 book *The Jerilderie Letter* features a lengthy introductory essay and an annotated version of Ned's famous letter. Furthermore, it makes a number of damning allegations that claims Kelly did not receive the wide

[16] A year after his publication, JMS Davis wrote *New History of the Kelly Gang* (AKA *The Kellys Are Out*), which was a direct plagiarisation of Kenneally's book. Kenneally sued and won. Meanwhile, four decades later, *The Herald* published *A Centenary History of Victoria* by Roy Bridges that again plagiarised Kenneally's work. Again Kenneally sued and won (Corfield, 2003: 292).

[17] According to Jones, Brown was the person to coin it the 'Jerilderie letter' (I. Jones, 2006: 34). In 1945, Max Brown took a year off work as a fitter and turner to write his Kelly book (Corfield, 2003: 77).

sympathy that Jones alleges. McDermott writes, 'Kelly's appeal to Ireland's oppression, his rhetoric of rebellion, would also have brought little sympathy' (McDermott, 2001: xxx). McDermott's assertions are highly entertaining, and indeed, he regards the letter and Kelly in a different light; however, by concentrating only on the chilling threats eclipses its historical context and obvious political elements. Alex Castles, on the other hand, provides a more satisfying account of Kelly in his book, *Ned Kelly's Last Days* (Castles, 2005). Examining the crooked manner in which Kelly's trial was handled, he also paints a dark impression of the bushranger, and, like McDermott, he exposes Ned's darker reality. Yet sadly, Castles's book, which was posthumously released, relies too heavily on the press reports to uncover the 'real' Kelly.[18]

News reports certainly give a great insight into the times and popular views of Kelly, but, like folk ballads, they provide opinions – not the truth. In this thesis, I will compare the historical news reports to Kelly's screen representations, as the early movies follow attitudes that were documented in the printed press. For instance, The Melbourne *Argus* will appear more prominently than the other newspapers, because it devoted more coverage to the Outbreak. For its conservative readers, Kelly became the perfect villain to condemn, and at the time the Melbourne *Argus*, which cost around three times more than *The Age* and prided itself on being the most conservative paper in circulation, certainly embodied the general contempt that Melbourne newspapers had for Kelly's outlawry. In opposition, *The Age* was regarded as a 'liberal' morning newspaper; however, even it was not overly sympathetic towards Ned Kelly (Castles, 2005: 81).[19] Although it did acknowledge his 'sad end', it condemned the Gang's police killings and bank raids. In a special feature, *The Age* devoted three columns to the 'History of the Kelly Family', where it claimed that they were a 'source of danger and terror to the surrounding country, living "like savages and brigands"' (Castles, 2005: 82). From the point of view of commercial enterprise, it made perfect sense to sensationalise the Gang as criminal terrors. Although no strict audits were carried out during the Outbreak, most Melbourne newspapers claimed that immediately after the Kelly bank raids their circulation was five times greater than normal (Rolfe, 1979: 26).

[18] Alex's daughter Jennifer helped to complete the book after his death.
[19] Castles describes *The Age* as 'a workingman's bible that championed democratic reforms seeking to diminish the hold of the rich country landowning classes and their allies who controlled the upper house of the colonial legislature' (Castles, 2005: 81).

The Kelly Outbreak occurred at the height of the phenomenon of illustrated newspapers and, because this thesis will write the movies into accounts of Kelly's visual and oral history, the press illustrations will also be regularly discussed as a point of influence and comparison. Indeed, Kelly's image was canvassed through the press like no other of the time. Illustrated newspapers were considerably more expensive than ordinary newspapers, but still, they were extremely popular. The main problem of the illustrated newspapers was the fashion in which the sketch artists distorted and amplified Kelly. Shown a sketch of himself whilst in gaol, Kelly supposedly remarked, 'it is a mere fancy sketch of a bushman and no way like me' (Castles, 2005: 168). As Leigh Astbury wrote, the working conditions of the sketchers meant that accuracy to detail was not their first priority:

> *As they struggled to meet their weekly copy deadlines, artists necessarily developed a stock range of images that would serve almost any occasion ... the pages of the illustrated papers are filled with drawings of bush types, stockmen rounding up cattle, pioneer selectors and a comparable range of urban subjects* (Astbury, 1985: 50).

Astbury also explains, 'it was assumed that the depiction of an incident from this romantic era in Australia's past not only justified but even called for an amplification or rhetorical flourish that the artist could lend to his portrayal of the subject' (Astbury, 1985: 128). The illustrated newspapers certainly provide a more positive depiction of Kelly than the non-illustrated newspapers, such as The Melbourne *Argus*. Images from the illustrated newspapers, and my critical discussion of them, will feature throughout the thesis.

The artist that really pioneered the visual representation of Kelly, as a social bandit, was Thomas Carrington. Working chiefly for *The Australasian Sketcher*, he also produced a weekly Kelly sketch for *The Melbourne Punch*.[20] *Punch* was certainly known for its political satire, and surely Kelly became the perfect subject to humiliate and embarrass the government and police. Carrington, who was invited on the Special Police Train to Glenrowan was given the advantage of being able to illustrate Kelly's last stand as

[20] For more on Carrington's employment at the *Punch* see 'Melbourne Punch and its Early Artists' (Mahood, 1969).

it was unfolding. Even his superiors, such as Julian Ashton, were impressed by Carrington's 'on-the-spot' depictions.[21]

Kelly's cultural history relies heavily on the images that circulated during the Outbreak, and, importantly, this history now includes the various Kelly photographs that newspapers were unable to publish.[22] *The Authentic Illustrated History* by Keith McMenomy has been an immensely popular publication (McMenomy, 2001), and, with Kelly photographs and news illustrations interleaved with the author's expert commentary, this book illuminates the historical images like never before. Mimi Colligan's book, *Canvas and Wax* (Colligan, 2002), is also of great value to this thesis. Colligan directly addresses the visual media and growth of popular entertainment during the nineteenth century, by identifying some of the performance customs and social practices that audiences brought to the early movies. On this topic, Elizabeth Hartrick's PhD thesis, *Consuming Illusions* (Hartrick, 2003), looks specifically at the magic lantern phenomenon that prepared the way for the cinema. Hartrick also provides some refreshing commentary on Kelly lantern performances. Sadly though, none of the Kelly lantern slides are known to have survived. Other prominent books used in this thesis, which explore Kelly's visual history, include *The Authentic Story of Ned Kelly in Pictures* (Kenneally, 192?), *Ned Kelly in Pictures* (1968a), *Australia since the Camera* (Pearl, 1971), *The Story of the Camera in Australia* (Cato, 1979), *Bushrangers* (Nunn, 1980), *The Mechanical Eye in Australia* (Alan Davies and Stanbury, 1985), *Shades of Light* (Newton, 1988), *Picturing Australia* (Willis, 1988), and *The Last Stand* (I. Jones and Carrington, 2003).

Unfortunately, this thesis will only make fleeting references to the phenomenon of Kelly penny dime novels. While I would have liked to discuss the dime novels in more detail, many of the original editions, like the magic lantern slides, have been destroyed. Although the State Library of Victoria holds a copy of *Ned Kelly: The Ironclad Bushranger* (1881), much of my awareness of the dime novels is indebted to the research already completed by Elizabeth James and Helen Smith (James and Smith, 1998). Indeed, Kelly dime novels remain a neglected and much needed focus of nineteenth century cultural

[21] Ashton arrived at Glenrowan after Kelly had been captured. For more on Ashton see his autobiography *Now Came Still Evening On* (Ashton, 1941).

[22] As I will explain in Chapter 1, newspapers could not publish photographs until around 1908 (Willis, 1988: 105).

history. As well, the movies' relationship with the stage plays will also be discussed. Veronica Kelly's *The Annotated Calender of Plays* (V. Kelly, 1997b) and Harold Love's *The Australian Stage* (Love, 1984) give a great insight into the phenomenon of Kelly theatre. With the theatre often performing Kelly balladry, it became a venue of immense festivity and entertainment for Kelly supporters, and inspiration for the films.[23]

Paintings have also exercised a profound influence on the movies. *Sidney Nolan Myth and Imagery* by Elwyn Lynn is an excellent discussion of Nolan's popular Kelly paintings (Lynn, 1967). However, although Nolan's works are impossible to ignore, their influence on modern representations, such as the movies, tends to be overstressed. There is no doubt that Nolan has influenced the movies, but not to the degree that many, such as Penelope Ingram, claim (Ingram, 2006). At times, I will discuss Nolan, yet he, like the movies, is part of a larger tapestry that weaves a cultural representation of Ned Kelly as a social bandit – or at least a bandit who must be appreciated in relation to his social and political circumstances.[24] Like the movies, Nolan was influenced directly by the historical changes regarding Ned Kelly. Actually, he readily admits that many of his ideas about Kelly originated from Kenneally's popular book (Lynn and Nolan, 1985: 9).

In addition to the works on Kelly culture, I also will glean knowledge from the cinema scholarship that is directly related to my topic. Apart from Wayne Booth, whom I previously mentioned, others have also conducted some significant research on the relatively uncharted field of celluloid bandits. For example, in 1999 Angelo Restivo wrote a thorough article for *Film Quarterly* on bandit films from Spain and Italy. Restivo, who concentrates on many of the famous bandits that Hobsbawm champions as social bandits, importantly addresses the social conditions that cause banditry. He describes the bandit as 'a figure of peasant society, and specifically, from the mobile, surplus population of those societies' (Restivo, 1996: 31). The way that Restivo relates bandit movies back to their social history is an approach that I find most useful. Scholars on American bandit films also make great use of Hobsbawm. In a long

[23] Over time, the theatre has remained an important place for the celebration of Kelly. For instance, in 1973 Jon English starred as Ned in the rock opera, *Ned Kelly* (Livermore and Flynn, 1974), whereas the Australian Ballet in 1990 staged *My Name is Edward Kelly*. For more information on this and other Kelly works held by the State Library of Victoria see *Kelly Culture: Reconstructing Ned Kelly* (Holland and Williamson, 2003: 18).

[24] For more on Nolan's inspiration for his Kelly imagery see *Conversations with Painters* (N. Barber, 1964) and the documentary *Ned Kelly: Making of a Myth* (Don Bennets, 1980).

paper on *The True Story of Jesse James* (Nicholas Ray, 1957), Christopher Anderson explains the global changes to screen bandits during this time, and, like Restivo and Booth, he relates the bandit phenomenon to the social reality of the outlaws themselves. Anderson significantly explains how the changing landscape of popular culture continues to alter its representation of historical bandits. Anderson on Jesse James writes:

> *The James story is perpetually being remade and transformed because of its value in ongoing historical debates. As a cultural figure, therefore, James is an inevitably intertextual signifier that exists at the junction of social, institutional, and ideological contexts appealing to a viewer with knowledge of the figure's intertextual resonances* (C. Anderson, 1986: 45).

This research is also indebted to the work of Robert Rosenstone who is a preeminent figure of research on historical film representation. His book *History on Film/Film on History* (Rosenstone, 2006) has , quickly, become an essential text for historical film scholarship. Rosenstone argues how historical films stand as important texts in educating its audience of past events and provoking ongoing debates concerning its subject. As this thesis also argues, to ignore the cinema is to ignore a major factor in our understanding of key memories of our historical past.

A variety of cinema scholarship also exists on the Kelly movies, yet the most significant research completed so far is that by Ina Bertrand and William D Routt. Writing separately on many of the Kelly films, in 2007 they collaborated on the 1906 version of *The Story of the Kelly Gang* in the monograph, *The Picture That Will Live Forever* (Ina Bertrand and Routt, 2007), which was packaged with a restored DVD of the film. In this publication, Bertrand maps the historical commentary of the film, and Routt takes an analytical approach. Despite this being an original work, it really is an accumulation of their career-long collaborative research into this movie.[25] Shifting from their approach, I intend to discuss this feature's relationship with the other Kelly movies, and Kelly's broader visual tradition.

Bertrand has also researched widely on the subject of early Australian film censorship. Her book *Film Censorship in Australia* remains a formidable work, yet, considering her interest in Kelly cinema,

[25] In addition to Bertrand and Routt's monograph *The Picture That Will Live Forever*, Jack Cranston wrote his own significant monograph on the 1906 *The Story of the Kelly Gang Film* (Cranston, 2006).

Bertrand surprisingly shows minimal interest in the censorship of bushranging films (Ina Bertrand, 1978). Instead, she concentrates exclusively on how the present system of censorship evolved. As censorship certainly altered the screen representation of Ned Kelly, especially in the three features directed by Harry Southwell, I will provide some necessary commentary on this subject. However, it would be wrong to say that nothing already exists on this area. In his paper, 'Bush Westerns?', Routt explains how censorship profoundly changed the screen representation of bushrangers.[26] Routt also discusses censorship in his book chapter, 'Our Reflections in a Window' (Routt, 1995), and paper 'More Australian than Aristotelean' (Routt, December, 2001).[27]

In this thesis, I am mainly interested in the scholarship that has written the movies into Kelly's broader visual history. In 2007, Mark Juddery investigated Kelly's visual history in regard to *The Story of the Kelly Gang* (1906). Discussing Kelly's recent popularity that has inspired Jordan's 2003 film and public exhibitions, he includes a variety of historical illustrations, some of which also feature in this thesis. While Juddery makes some interesting observations about the 1906 film's resemblance to the prototypical American Western, *The Great Train Robbery* (Edwin S Porter, 1904), he peculiarly argues that Tait's film 'turned Ned Kelly, a working class outlaw who had been dead for twenty-six years, into Australia's favourite folk hero' (Juddery, 2007: 25). Yet surely, Kelly's cultural popularity during the nineteenth century is enough to confirm his enduring status in Australia well before the 1906 film was ever produced. *The Story of the Kelly Gang* (1906) is certainly an important film; however, I am not convinced that it definitively changed Kelly's popular representation. As I will argue, this film

[26] For commentary during the time of censorship see 'Belated Hush Hush about the Bushrangers' (May 19, 1934: 2).

[27] Routt has also written many academic papers that frame the Kelly movies in the history of Australian cinema. See: 'Our Reflections in a Window' (Routt, 1995), 'The Emergence of Australian Film' (Routt, 1997), 'Me Cobber, Ginger Mick' (Routt, 1999b), 'The Kelly Films' (Routt, 2003b) and 'The Evening Redness in the West' (Routt, October 1, 2005). As Routt explains, the Kelly films have often been discussed as foreign ancestors to the American Western. For those interested in such links please refer to: *The Western Hero in Film and Television* (Parks, 1982), 'Hollywood Genres, Australian Movies' (Cunningham, 1985), *Hollywood Down Under* (Collins, 1987), *The Cowboy Encyclopaedia* (Slatta, 1994), 'An Outlaw Industry' (Lowe, 1995), *Australian National Cinema* (O'Regan, 1996), *Gunfighter Nation: The Myth of the Frontier in Twentieth-Century* America (Slotkin, 1998), *The Western Genre: From Lordsburg to Big Whiskey* (Saunders, 2006), The *Rough Guide to Westerns* (P. Simpson, 2006).

'contributed' to Kelly's representation as a criminal rogue, which is very different from what Juddery claims.

Les Carlyon's booklet, *The Last Outlaw*, is another important publication in relation to this thesis. Released to coincide with the miniseries' airing, it compares a variety of historical illustrations with the film's stills; yet disappointingly, it gives no great or further insight into them. Also featured in this booklet are chapters by Jones and McQuilton and, like Jones, McQuilton's chapter identifies many of the characteristics central to social banditry.[28] To conclude, he writes:

> *The selectors readily identified with the Gang and rendered futile the police pursuit and the extravagant £8000 reward simply by refusing to report sightings of the Gang. Sympathy sprang from a shared background, the attempt to settle the small man on the land and the social conflict it engendered. The events of the Outbreak itself tend to eclipse its social background, but that background remains an important element in understanding the Kelly story (McQuilton, 1980: 30).*

There have also been a number of academic essays on Jordan's feature. For example, Brian McFarlane's 'Ned Kelly Rides Again' (McFarlane, 2006), Bertrand's 'New Histories of the Kelly Gang' (Ina Bertrand, 2003), and Routt's 'Red Ned' (Routt, 2003c) are all insightful articles which frame the 2003 movie within the broader history of Kelly cinema. Importantly, each discusses how Jordan remoulds Kelly into a 'hagiographic' bandit who can do no wrong. As Routt writes, 'the film swaddles any hint of a cynical, "realistic" bandit in absolute idealism, robbing Kelly of his political power in the very gesture that grants him justice, like independence granted by the monarch who remains one's head of state' (Routt, 2003c: 17). These scholars, however, criticise Jordan's representation of Kelly rather than question why he would represent him so positively. Indeed, Jordan ignores the darker reality of Kelly, as do Jones and Carey in their literary accounts on the bushranger.

The literature discussed here will reappear throughout this thesis, along with many additional sources. However, before concluding, it is necessary to make a few comments about some other prominent works in this study. To construct a layered understanding of the Kelly movies I will need to venture beyond the published and publicly accessible depositories. This will include sourcing rare

[28] McQuilton worked on this miniseries as a 'historical advisor'.

materials from The National Film & Sound Archive as well as The State Library of Victoria. The analysis of Kelly police reports, unpublished diaries, letters, newspapers and synopses, in addition to treatments, scripts, film booklets, photographs and engravings will also be included within this study. Such materials certainly illustrate how the Kelly Outbreak has continually been rewritten, remoulded and reworked to represent Kelly in a historical and social context.

Overview of chapters

Over the following seven chapters, I will frame the Kelly movies within a cinematic, cultural and historical framework. Chapter 1 will start by narrating the story of the Outbreak, and, while I will break Kelly's rebellion into a number of significant moments, I am mostly interested in how the media sensationalised Ned Kelly as a great social and political threat. By following the key moments in the saga, I will take the reader to the point where Kelly's visual tradition began. By doing this, I hope to explain how this tradition was conceptualised by both press illustrators and picture-studio photographers.

Chapter 2 will discuss the wider tradition of Kelly cinema. By chronologically mapping the range of movies and unproduced projects, I will discuss how dramatically Kelly's screen representation has changed. This chapter, also, will examine how the initial press imagery has continued to profoundly influence the movies. In addition, I will examine Kelly's enduring place in Australian film history. Although the 1906 feature is an exception, the Kelly movies have been harshly criticised by the press. While this may have something to do with the nation's quest for the 'definitive' Kelly movie, it surely suggests more about Kelly's cultural popularity and significance.

The remaining chapters will examine *how* the movies represent Kelly within a historical framework. By investigating the importance of Kelly's Irish identity, Chapter 3 will discuss how the later movies represent elements such as the Jerilderie letter, the ballads and landscape, to place Kelly's Outbreak within the wider tradition of Irish rebellion. The theme of 'mad-Irish' certainly allows the later movies to justify the outrage as a political rebellion intended to establish a republic of north-eastern

Victoria. Invoking Irish republican ideals, Kelly proves that living by his noble robber code is quite liberating. As an Irishman, Kelly attempts to erode the injustice and oppression experienced by his family and forefathers. In these later films, Kelly hopes to achieve economic and political equality by distributing government money to the poor and, of course, attacking corrupt officialdom.

It is essential for social bandits to be supported by their wider community. If they are not, then their banditry is more anti-social than social. With the previous chapter discussing Ned's Irish identity, Chapter 4 will investigate how the later movies represent Kelly's cross-section of support. For example, in these movies, Ned Kelly enjoys great support from his community of Irish selectors as well as Chinese merchants and Anglophones. This representation is significantly different in the early movies, which limit Kelly sympathy to his immediate family members and the Gang; or, in other words: the people who have to support him. This chapter will examine how the later movies represent Kelly sympathy as cutting across racial, geographic and socio-economic divisions. By discussing how the movies broaden the thinking around the term, 'Kelly sympathiser', I will explain the importance of 'sympathy' to Kelly's status as a 'social bandit'.

Over time, the representation of the police has changed as radically as that of Ned Kelly. As Ned Kelly has become more heroic and noble, the police have become more crooked and dishonest. Chapter 5 will examine how the police in the later movies force Ned Kelly into the role of a social bandit. In these films, the behaviour of the police completely meets Hobsbawm's criteria of social banditry. This chapter will also investigate how the representation of the Aboriginal 'black' trackers has considerably changed throughout the history of the movies. As the police become worse, so does their misuse and mismanagement of the trackers.

Chapter 6 will discuss how the later movies represent Ned as a 'noble robber'. Hobsbawm asserts that for outlaws to retain their support against the authorities, they must redistribute their wealth, and certainly never rob from the local poor. Indeed, all outlaws are expected to rob, but how they rob is perhaps their most defining characteristic. As their name suggests, 'noble' robbers raid with sophistication, valour and bravado. This chapter will also analyse the degree of showmanship and kindness that Ned exhibits during his robberies. As a point of contrast, the Gang in the early movies robs

and beats the hostages. For example, as documented in the 1906 *The Story of the Kelly Gang*'s program booklet, 'Ned instructs Steve to go through the Pockets of all the Men' (J. Tait and Tait, 1906: 1).

The final chapter will assess how the movies represent the Glenrowan siege and the death of Ned Kelly. Whereas the early movies represent the siege at Glenrowan as an old-fashioned gunfight, the later movies illustrate Jones's rationalisation, which explains the intricacies and social climate that led to the siege. For Jones, Glenrowan was the start of a guerrilla campaign and the establishment of a 'Republic'. In all these movies, Ned, by the narrative's end, must confront his death, but, how he confronts death is a sign of his heroism and bravery. Whereas Ned in the early movies begs for forgiveness and accepts fault, in the later movies, he 'dies as bravely as he lived' and fears death 'as little as to drink a cup of tea'.

As the first comprehensive overview of the Ned Kelly movies, this thesis aims to demonstrate their breadth and variety, in ways that have yet to be seriously investigated. By writing the movies into Kelly's cultural history I will discuss how they must be considered as important additions to Kelly's enduring legacy of Australian popular culture, and the study of bandit cinema. As well, this study will argue how Kelly cinema responds directly to popular history and broader changes concerning Ned's public status as a social bandit. Importantly, I will explore how the films have continued to tie Kelly's nineteenth century artefacts, such as his letters, folk songs and news illustrations to the historical figure himself. Crucially, their relationship between fact and fiction makes them a highly engaging, challenging and intriguing field of cultural research.

Chapter 1 *The Kelly Outbreak*

'I never saw any photograph that bore much resemblance to Ned Kelly'.

- *Constable Thomas McIntyre* (McIntyre, 1902: 8)

To understand the history of Ned Kelly's visual tradition, we will need to know about some of the essential elements in the Kelly saga, which includes the spectacular narrative that Kelly wove, as well as how the media reported the historic Outbreak. By explaining the key moments in the saga, this chapter will take the reader to where Kelly's visual tradition began. By doing this, I will explain how this tradition was conceptualised by both press illustrators and picture studio photographers. Whereas the press images can be found in the variety of illustrated newspapers, the photographs are hazy. Indeed, not until around 1908 would technology allow newspapers to print photographs, and until this time newspapers relied on illustrators to make engravings (Willis, 1988: 105). Although photographs did appear in magic lantern performances and published postcards, as I previously mentioned, no Kelly slides of these magic lantern performances exist. Kelly photographs would have also featured in visual exhibitions, but again little evidence exists on this popular amusement.[29] By discussing how the media, led by press reportage, restaged the Outbreak to sensationalise Ned Kelly as a terrifying villain, I will also concentrate on Kelly's relationship with a technologically advanced media landscape. In her Redmond Barry biography, Ann Galbally claimed that Ned was incapable of survival in the late Victorian world of new technology (Galbally, 1995: 191). However, what Galbally fails to acknowledge is how new technology gave Kelly a ubiquity unlike any of his bushranging predecessors, and, without his visual dominance in the print media, Kelly would have become just 'another' bushranger. The time of the Kelly Outbreak must be recognised as an important reason for his ubiquity, for it happened at the dawn of the print media's new age.

[29] During the Outbreak and since, *The State Library* of *Victoria* acquired many of the photographs that appear in this thesis. Redmond Barry was a photograph enthusiast, and if the truth be known, he marvelled at anything technological. For him, photography was modernity's greatest achievement (Downer, 2004: 95).

April 1878 – October 1878

Constable Alexander Fitzpatrick, who arrived at the Kelly homestead, on the morning of April 16 1878, to arrest Ned's younger brother Dan for horse stealing, fled with only a severely wounded wrist.[30] Fitzpatrick's arrival without any backup now seems dangerous; however, in Victoria's northeast this was common practice. Three months earlier the Premier of Victoria, Graham Berry, had famously sacked between 200–300 senior magistrates, departmental heads, police officers and mining engineers throughout the colony (Mansfield, 2006: 21). Named 'Black Wednesday', it came in reaction to the financial crisis that had swept through the entire country. Although *The Age* and *Geelong Advertiser* welcomed the reforms, police forces in north-eastern Victoria were the hardest hit. Police Superintendent Sadleir publicly stated that Berry had sacked the 'entire police force', and, although such claims were a hysterical overreaction, the force was significantly transformed (Mansfield, 2006: 21). No longer having the benefit of strength in numbers, they had to face dangerous situations alone. The Fitzpatrick mystery was a prime example as here was a constable expected to enter a house full of known and dangerous criminals. Many believe it a wonder that he actually escaped alive.

Fitzpatrick's behaviour, though, was rather suspicious. During the Royal Commission, he confessed of arriving at the Kellys without the possession of the warrant (1968b: 463). Fitzpatrick arrived to discover Dan at home with Mrs Ellen Kelly and her daughters Maggie and Kate.[31] Will Skillion (Maggie's husband) and a neighbour, 'Brickey' Williamson, were also there. For whatever reason, fisticuffs began and Fitzpatrick's wrist was seriously injured. The constable claimed that Ned had shot him in an attempt to take his life, despite the Kellys insisting that Ned was not present. In the Cameron letter Ned insisted, 'I was 400 miles from Greta'.[32] When a police party raided the Kelly home, Ned and

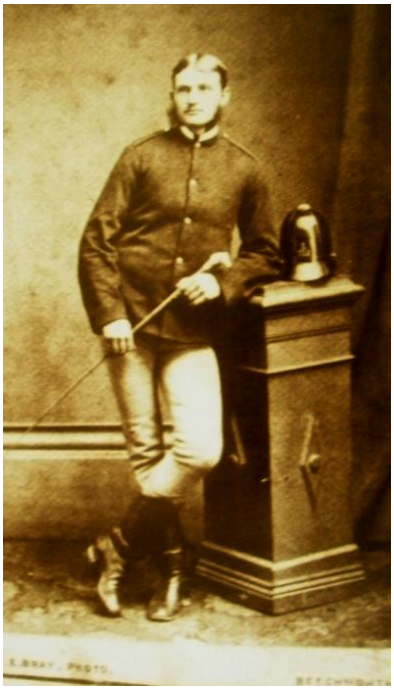
[30] Confirmed by a report in *The Victoria Police Gazette* on April 10, a warrant did exist for Dan and John Lloyd (April 10, 1878: 110).

[31] The Kellys were widely known as 'career criminals'. Mrs Kelly, for example, was known for her illegal alcohol distillery (Molony, 2001: 56).

[32] Early in 1877, Fitzpatrick had impregnated Jessie McKay from Meredith. Yet instead of marrying or supporting Jessie, he escaped his responsibilities and fled to Richmond. With his superiors worried about his temperament, Fitzpatrick was shortly transferred to Benalla, which seemed to be the refuge for all the force's unstable officers. Fitzpatrick's accusation against Kelly was instantly met with suspicion. His superiors would later confess that the constable stank of hard liquor when he returned to his station. Drink, however, was a frequent problem in the police force (McQuilton, 1988: 31). During the Royal Commission, Fitzpatrick was accused of being a liar and drunk (1968b: 463).

Dan were not located. As compensation, they arrested Mrs Kelly, Skillion and Williamson and charged them all with conspiracy to murder. The presiding Justice Redmond Barry sentenced Skillion and Williamson to six years each, whereas Mrs Kelly was sentenced to three years.[33] In court, Justice Barry publicly declared his bias against the Kellys by stating, 'had Ned been present I would have sentenced him to twenty-one years' (Corfield, 2003: 42). The Victorian Government offered £100 each for the apprehension of the Kelly brothers.

At the time, the Fitzpatrick mystery did not cause much media interest. The incident was certainly questionable, but the press had no grounds to accuse the constable of dishonesty. Yet, this did not stop the word of mouth spreading, as the reputation of the police in Victoria's northeast was dreadful, and Fitzpatrick seemed symptomatic of a wider epidemic. To counter the insinuation that Constable Fitzpatrick was a liar and drunk, the police circulated a photo of the officer taken by James Bray. In this pictorial, the 21-year-old trooper looks well groomed in his pristine constabulary uniform (**Figure 1**).[34] His casual stance and bobby helmet, placed next to him, suggest an authoritative and calm gentleman.



[33] Constable McIntyre's biography asserts that Ned 'without any doubt shot Fitzpatrick' (McIntyre, 1902: 12).

[34] Bray took many photographs of those involved in the Outbreak. To this day, his photographs are still attracting great attention from Kelly enthusiasts. In 2003, a discovered 'Bray photograph' of Ned Kelly sold at auction by Christie's Australia for $19 080. The photo, however, was later proven to 'not be' Ned Kelly (Rule, May 18, 2002: 1, 16).

Figure 1: James Bray (1878). 'Constable Alexander Fitzpatrick'. *Victoria Police Historical Unit*

Throughout the Outbreak, the police made every attempt to project themselves as professional and competent; however, too often their follies were disastrously exposed. For instance, one Arthur Burman photograph features an authoritative Captain Standish staring directly into the camera lens (**Figure 2**).[35] Intended to quash any suggestion that Standish managed the Outbreak from his Melbourne office, here he stands at the police headquarters in the ranges, 'actively participating' in the hunt. Within weeks the truth behind Burman's work was exposed, and as it turned out, the entire photograph was a complete set up (Castles, 2005: 22).[36] Taken in Burman's picture studio, these police headquarters never existed. The photographer even supplied the dog that sits obediently in the background.[37]

[35] Standish was Chief Commissioner of Police and led the Kelly hunt from 1878 until the siege at Glenrowan. Benalla Superintendent John Sadleir's autobiography is critical of Standish's leadership and competency (Sadleir, 1913). *The State Library of Victoria* holds Sadleir's diary, which features correspondence with Standish.

[36] More ridicule followed when a reporter visited Standish in his hotel room. After Standish boasted about a telegraph extension he had specially installed, the reporter discovered that the extension was linked to a nearby card room, and used primarily to obtain 'the latest sporting intelligence' (Castles, 2005: 23). When the Outbreak concluded, it was Fitzpatrick who became the scapegoat for the horrendous police blunders. On August 27, 1880 he was discharged from the force.

[37] Arthur Burman ran a photography studio with his father William. Later in his life and in need of quick cash, Arthur issued a set of 'Kellyana photographs'. For more on Burman see *Australians Behind the Camera* (Barrie, 2002: 30).

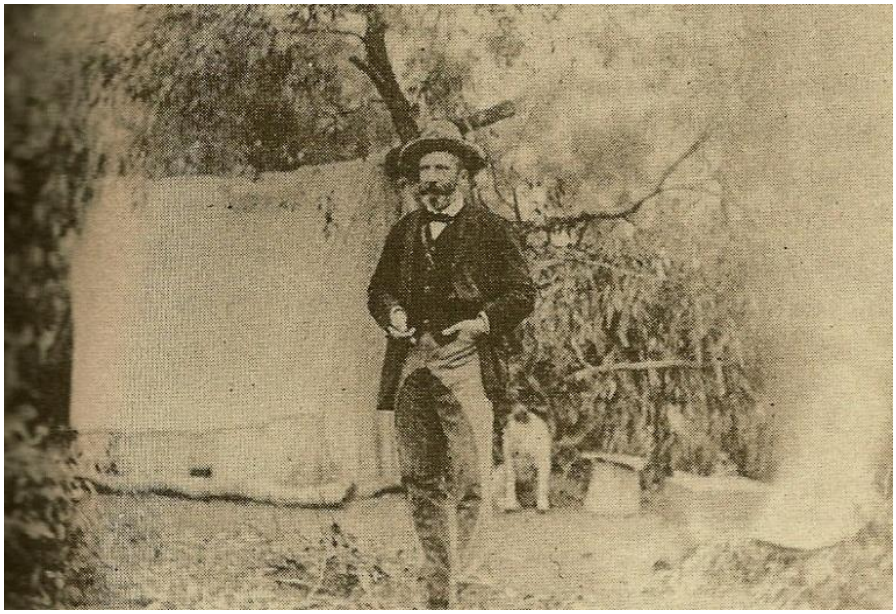


Figure 2: Arthur Burman (1878). 'Standish in Camp'. *Royal Historical Society of Victoria*

Months after their mother was gaoled, reports claimed that the brothers were fossicking for gold in Mansfield's Wombat Ranges. With a four-man police party sent to Stringybark Creek, Standish was confident that the brothers would finally be captured. Despite the officers disguising themselves as prospectors, they did not fool the Kellys, who along with friends Joe Byrne and Steve Hart 'bailed up' the police camp. Although Constable McIntyre surrendered, Constable Lonigan took his chances in a gunfight and lost. Most probably, his executioner was Ned Kelly. Apparently, years earlier Ned had told the Constable, 'Well Lonigan, I never shot a man yet; but if I ever do, so help me God, you will be the first' (I. Jones, 2002: 100). Later that afternoon Sergeant Kennedy and Constable Scanlon returned to camp. Under instructions, McIntyre begged them to surrender, and, as with Lonigan, they took their chances. Scanlon was shot dead by Joe Byrne, but Kennedy managed to escape. Dodging from tree to tree, Ned and Dan followed Kennedy for over a kilometre, before they shot him dead. McIntyre left on Kennedy's horse.

Once news spread about the deaths, a bounty of £100, which soon rose to £500, was placed on the head of Ned Kelly. The problem Ned faced was the condition in which he had left his victims, and with

special reference to Sergeant Kennedy, there appeared little claim for self-defence[38]. The Melbourne *Argus* as a typical example wrote:

> *The body of Kennedy was found about half a mile north-east of the camp by one of the volunteers named Henry Sparrow, an overseer at the Mount Battery Station. The body was face upwards, and Kennedy's cloak thrown over it. It presented a frightful spectacle. He had been shot through the side of the head, the bullet coming out in front, carrying away part of the face. I believe there are several shots through the body. There was a bullet mark on a tree near where the body was lying. He appears to have been shot whilst running away in the direction taken by Constable McIntyre* (November 1, 1878: 5).

Few could excuse this shooting as anything but 'Cold-Blooded Murder'. From Ned's hometown of Beechworth, *The Ovens and Murray Advertiser* wrote:

> *In cold blood, without any direct provocation, they shot three men who were engaged simply doing their duty. They were not cornered or placed on the defensive, but deliberately assumed the offensive, stole upon the constables' camp, and with malice aforethought, murdered three of them. What sympathy can any honest man have with cowardly murderers, and yet, strange to say, there are many men who regard themselves as honest, and who are looked upon as respectable citizens, who have a decided sympathy with the outlaws and do not scruple to express it* (January 14, 1879: 2).

A this report suggests, Kelly always enjoyed a degree of sympathy, even when he was being reported as a 'cold-blooded killer'. As Seal explains in his book, *Tell 'em I Died Game*, folk ballads allowed Kelly sympathisers to defend the shootout as a 'fair fight'. For example, *The Ballad of the Kelly Gang* sings:

> *It's sad to think such plucky hearts in crime should be employed,*
> *But by the police persecution they've all been much annoyed.*
> *Revenge is sweet, and in the bush they can defy the law:*
> *Such sticking-up and plundering, colonials never saw!*

Seal believes that 'Kelly was their Captain', in 1878, was the earliest component of Ned's image as the victim of 'official persecution and injustice' (Seal, 2002: 41):

> *Now Kennedy, Scanlon and Lonigan in death were lying low,*

[38] Despite popular theory claiming Ned killed Kennedy, McIntryre in his biography argued that Dan killed the sergeant (McIntyre, 1902: 39).

When Ned amongst them recognised his old and vitreous foe;
Then thoughts came of his mother with a baby at her breast,
And it filled Ned's heart with anger, and the country knows the rest.

Another tune also circulating was 'Stringybark Creek'. Seal referred to this as a 'good-humoured farce, a piece of black comedy that reflects the antipathy of many selectors and bush itinerants towards officialdom in general and the police in particular' (Seal, 2002: 45). The final verse reads:

Then after searching McIntyre, all through the camp
they went and cleared the guns and cartridges and pistols from the tent;
But brave Kelly muttered sadly as he loaded up his gun.
'Oh what a bloody pity the bastard tried to run'.

The sympathy of the press remained firmly on the side of the police, as indicated by one engraving titled, 'Murderous Attack of Victoria's Police by Kelly and his Gang', which portrays Kennedy and Scanlon arriving back at the camp (**Figure 3**). As McIntyre explains their predicament, Gang members from the tent and bushes aim directly at the officers. Depicted here, there is no chance to escape. Distressingly, Lonigan's carcass lies between the Gang members.

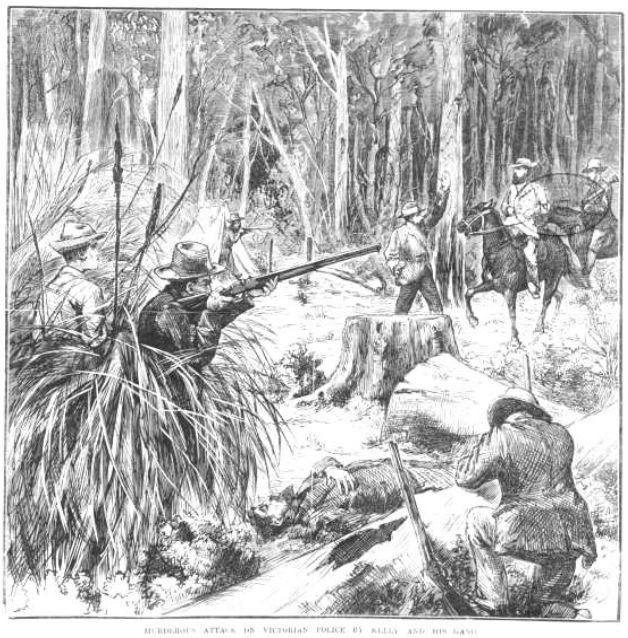
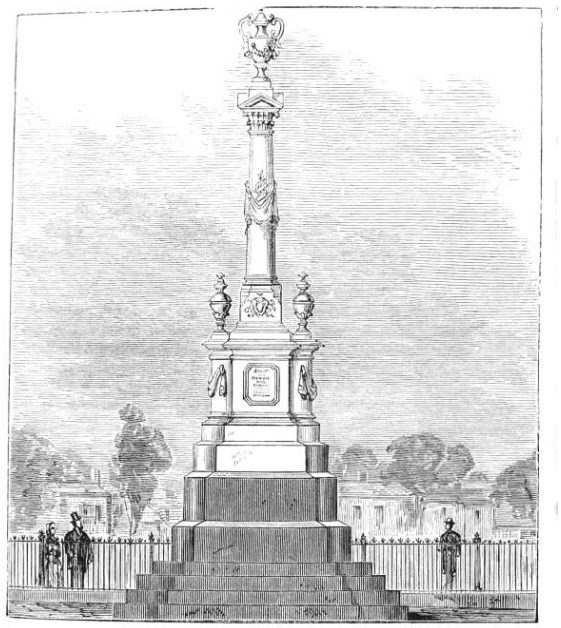


Figure 3: (1878) November 28. 'Murderous Attack of Victoria Police by Kelly and his Gang'. *Illustrated Australian News*: 193

Another feature of these Stringybark images was the illustration of Mansfield's Wombat Rangers. Making the most of this location, one Arthur Burman photograph was located where the police pitched their tent (**Figure 4**). Keith McMenomy claims that the man on the right represents Kennedy's position; however, his placement seems to identify where Lonigan was killed – not Kennedy (McMenomy, 2001: 90). The man on the log (who is most probably McIntyre) represents McIntyre's location during the gunfight.

Figure 4: Arthur Burman (1878). 'Scene of the Wombat Police Murders'. La Trobe Collection. *State Library of Victoria*: H2894

To personalise the officers and villify their killers, the police erected a police memorial in the centre of Mansfield (**Figure 5**).



THE KELLY GANG POLICE MURDERS.—MEMORIAL ERECTED BY THE POLICE AT MANSFIELD.

Figure 5: (1880) April 8. 'The Kelly Gang Police Murders – Memorial Erected by the Police at Mansfield'. *Illustrated Australian News: 69*

For some time, most were certain that the Gang had taken Kennedy as hostage; however, five days after the gunfight, Kennedy's corpse was finally located. Accompanied by its usual embellishments, The Melbourne *Argus* opined:

> *A general feeling of regret was expressed throughout the city yesterday afternoon when it became known that any hopes which had been entertained with regard to the safety of the missing Sergeant Kennedy had been dispelled by the discovery of the dead body of the unfortunate officer ... The body presented a frightful spectacle, and from the manner in which it had been mutilated was scarcely recognisable* (November 1, 1878: 6).

Naturally, everyone was keen to see evidence of Kennedy's 'mutilated' state and never one to miss an opportunity, Arthur Burman restaged the discovery of Kennedy's body (**Figure 6**). Using men from the party who located the corpse, in this photograph, the camera assistant poses under the blanket as Kennedy.

Figure 6: Arthur Burman (1878). 'Discovering Sergeant Kennedy's Body'. *Victoria Police Historical Unit*

During this time, the police already held two mug shots of Ned Kelly on file.[39] The first was produced in 1870 when Kelly was arrested for charges of highway robbery (**Figure 7**).[40] What this photo indicates is a cleanly shaven and handsome fifteen-year-old boy, dressed in a cutaway jacket. The second photograph, however, gives a strikingly different impression (**Figure 8**). Taken in 1874, during his Pentridge imprisonment for receiving a 'borrowed mare', Kelly's beard growth suggests it was produced in the months before his release, when prisoners were allowed to grow facial hair. (Keith McMenomy: 49).[41]

[39] The phenomenon of mug shots in Australia (or 'Police Photography' as they are sometimes called) remains a neglected area of historical research. Davies and Stanbury in *The Mechanical Eye in Australia* recognise Brussels in 1843 as the first country to photograph prisoners (Alan Davies and Stanbury, 1985: 201). In Australia, mug shots arrived much later with the 'Justice and Police Museum' in Sydney's Circular Quay establishing their existence in the 1860s. Still, Davies and Stanbury question the regular use of mug shots during this period. They believe that the 'systematic' use of mug shots was not in place until the following decade.

[40] On 5 May 1870, Ned Kelly was charged with highway robbery (two counts) as an accomplice of Harry Power (Holden, 1968: 191).

[41] These photos are currently displayed at the Police Museum in the World Trade Centre, Melbourne.

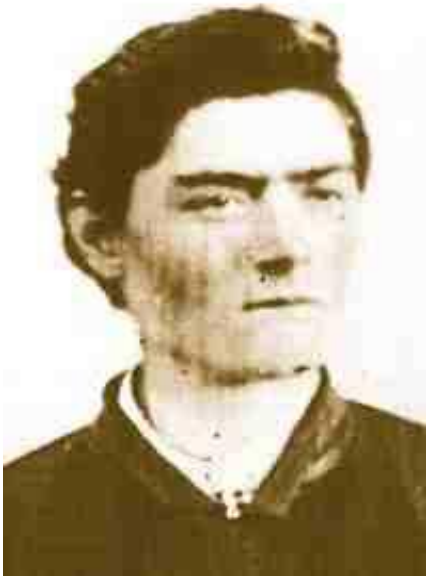


Figure 7: (1871). 'Ned Kelly Mug Shot'. *National Museum of Australia*, Canberra: 4. 15

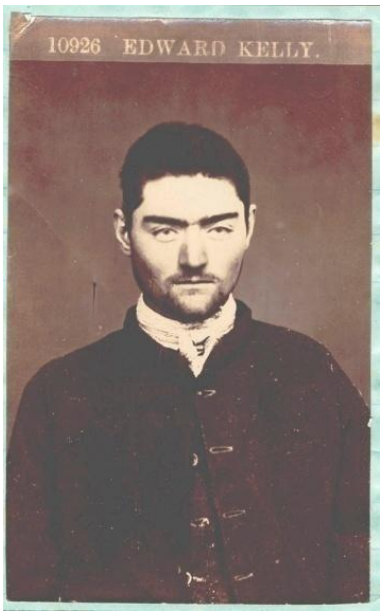


Figure 8: (1874). 'Ned Kelly Mug Shot'. Victorian Police Records. Melbourne: S8369P1

For *The Australasian Sketcher*, on November 23, 1878, Alfred May produced Kelly's very first front cover illustration (**Figure 9**). It features the Kelly brothers and police officers involved in the Stringybark Creek killings. The image of Dan Kelly was drawn from a James E Bray studio portrait registered in 1876 (**Figure 10**).[42] In the original photograph, Dan Kelly sits in a low-seated chair with his hands clasped on a

[42] Dan's studio portrait also appeared as a wood engraving in the *Illustrated Australian News* (November 28, 1878: 196).

table next to his hat. Ned's depiction was drawn from the 1874 mug shot, with the added detail of an outlaw moustache and menacing eyes. This illustration certainly supports claims that Ned was a delinquent ruffian spawned from a crooked family. Days after Stringybark, the Melbourne *Argus* wrote:

> *The house of the family has been the rendezvous of thieves and criminals for years past, and indeed has been the centre of a system of crime that almost surpasses belief … Edward Kelly is notorious as having been arrested in the year 1870 as an accomplice of the notorious Harry Power* (November 13, 1878: 6).

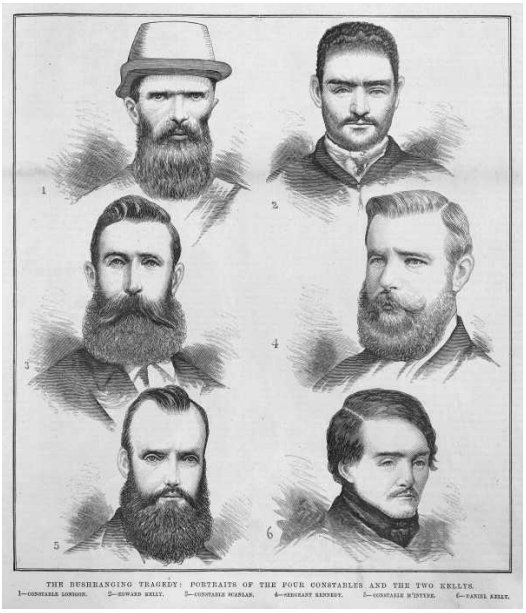


Figure 9: Alfred May (1878) November 23. 'The Bushranging Tragedy'. *The Australasian Sketcher*: Front Cover

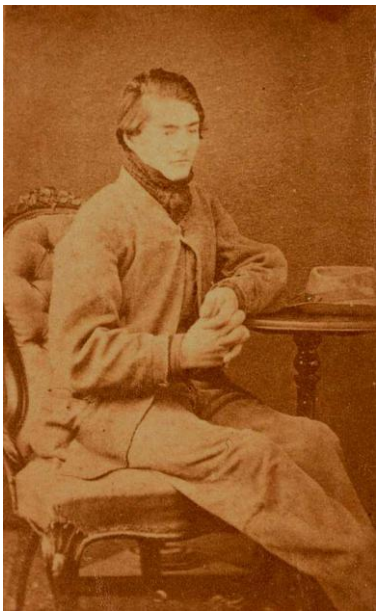


Figure 10: James Bray (1877?). 'Dan Kelly'. La Trobe Collection. *State Library of Victoria*: H2001.161/1

December 1878 – June 1880

Six weeks after the Stringybark Creek killings, the Kelly Gang ambushed a station property at Faithfull's Creek near Euroa. This property was known as Younghusband's Station and it stood 27 miles west of Benalla. During the ambush, 22 people at the sheep station were locked in a storeroom. Ned, Dan and Steve changed into some fancy clothes supplied by their hostage, Sandy Gloster. The Gang also used Gloster's van as transport for their Euroa bank heist. Joe Byrne guarded the prisoners as the others rode into town. At the bank, Ned Kelly entered with a drawn gun, while Dan approached from the rear. Minutes later, they fled with £2260 in notes and gold. Collecting Joe Byrne at the station homestead, they entertained the prisoners with a horse show and reading of Ned's letter, which was addressed to parliamentarian Donald Cameron MLA. In true social bandit style, Ned argued that Stringybark was a case of self-defence. He wrote:

> *This cannot be called wilful murder, for I was compelled to shoot them in my own defence, or lie down like a cur and die. Certainly their wives and children are to be pitied, but those men came into the bush with the intention of shooting me down like a dog, and yet they know and acknowledge I have been wronged. And is my mother and her infant baby and my poor little brothers and sisters not to be pitied? More so, who has got no alternative, only to put up with brutal and unmanly conduct of the police, who have never had any relations or a mother, or must have forgot them* (N. Kelly, 1878).

Dismissing the letter as provocative nonsense, the Melbourne *Argus* scorned:

> *The leader of the Gang has written a voluminous letter to a member of the Legislative Assembly, in which he relates his history, and alleges that his mother and other friends, who are at the present in gaol for assaulting a constable, have been wronged by the police. He asks for no mercy for himself, but demands that justice shall be done to his friends, and threatens to do diabolical acts if*

his request is not complied with. The letter is evidently written for the purpose of exciting public sympathy (December 27, 1878a: 3).

Nevertheless, most citizens were beginning to treat Ned as someone more than an average bushranger. Daring, bold and audacious, his planning of the Euroa raid was unprecedented. Marvelling at such feats, *The Illustrated Australian News* included a montage that illustrated the various episodes of the heist (**Figure 11**).

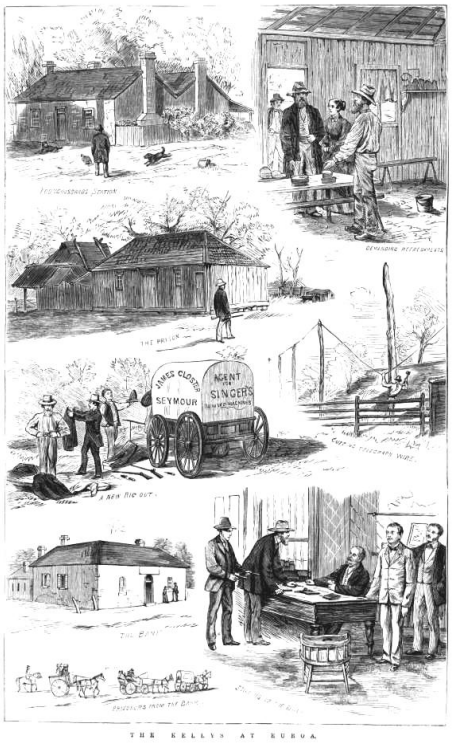


Figure 11: (1878) December 27. 'The Kellys at Euroa'. *Illustrated Australian News*: 216

To prove that the banks were sufficiently protected, the police circulated a photograph of the Euroa bank (**Figure 12**). Revealing its exterior, policemen stand in unison along the front entrance to show the bank to be under forceful protection. Such an image, however, only flattered Ned, whose bold robbery was considered even more brave and daring. The attempts by the police to nullify Ned's heroisation were failing spectacularly.

Figure 12: (1878). 'Euroa National Bank'. Illustrated Newspaper File

Two months later on February 10, 1879, the Gang staged their second bank raid, and while many thought it could not be possible, this was even more daring. It occurred at the Bank of New South Wales at Jerilderie. On February 8, they locked Constables George Divine and Henry Richards in their own cells then dressed in police uniforms and masqueraded through the streets as law enforcement officers. A postcard printed by D K Brown and Co Publishers recognised the ease with which the police were 'bailed up' (**Figure 13**). A Gang member to the left-hand side stands in the police uniform.

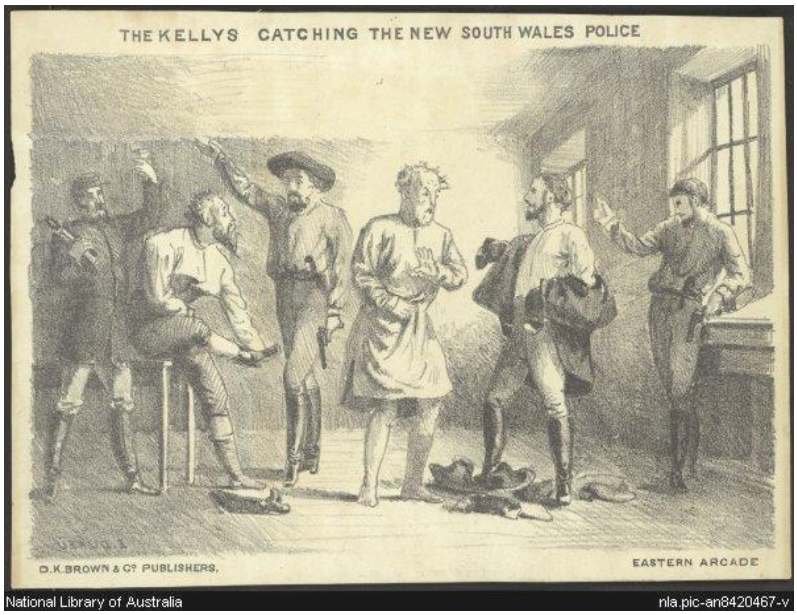


Figure 13: (1878). 'The Kellys Catching the New South Wales Police'. *National Library of Australia*, Canberra: 8420467

The following day the Gang rounded up around 60 community members in the dining room of the Royal Mail Hotel. Never letting an opportunity pass, Ned lectured to his audience from his latest letter. His plan was to see it published in the *Jerilderie Gazette*; however, such plans collapsed when the newspaper editor escaped from his grasp. Instead, Ned left it in the safekeeping of bank employee Edward Living, who would later hand it over to the police. Before departing, they raided the bank of more than £2000, and in a gesture bound to gain widespread praise, Ned purposely burnt a number of mortgage bills in front of the hostages. As with Euroa, the police circulated a photograph of the Jerilderie Bank, however, this time the police did not feature (**Figure 14**). This photograph includes the staff that the Gang held hostage.[43]

Figure 14: (1875). 'Bank of New South Wales, Jerilderie'. *Bank of NSW Archives*

A wood engraving in *The Australasian Sketcher* brought more drama to the Jerilderie raid (**Figure 15**). As the Gang bail up the clerks at the cashier station, the manager Mr Tarleton sits in the back

[43] From left, clerks J Mackie, Edwin Living and manager John Tarleton.

office holding his gun in anticipation.[44] It made perfect sense to depict the manager heroically, yet this image was not based on fact. During the raid, Tarleton was actually soaking in his bathtub. Eventually the outlaws had to fetch him, so he could open the safe. Amused by such a scene, the folk song *The Ballad of the Kelly Gang* includes the cheeky verse:

> *They bailed up all the banker's clerks and robbed them of their gold.*
> *The manager could not be found, and Kelly in great wrath*
> *Searched high and low, and luckily found him in his bath* (Seal, 2002: 163).

Figure 15: (1879) March 15. 'Bank in the Bushranging District'. *The Australasian Sketcher*: 196

Things significantly changed after Jerilderie when the Victorian and New South Wales government raised the reward amount to £8000, and circulated wanted posters throughout the country. Standish was also forced to employ the services of six Queensland Aboriginal 'black' trackers. The fact that the police needed external help reveals just how desperate they had become. Although the police had used some Victorian trackers early into the Outbreak, the Queenslanders were considered the very best. Indeed, the trackers' arrival at Benalla caused a media frenzy, and even the officers in charge of the hunt had photographs taken alongside them (**Figure 16**).[45]

[44] The bank raids shook up the banking companies. In fear, reserves were restricted in isolated areas, while some branches even closed (McMenomy, 2001: 127).

[45] From left are Constable King, Sub-inspector O'Connor, Hero, Barney, Jacky, Jimmy, Johnny, Superintendent Sadleir and Chief Commissioner Standish.

Figure 16: (1878). 'Queensland Trackers at Benalla'. *National Library of Australia*: a1200, L81522

Sensing the intensified police hunt, and fearing the skills of the black trackers, the Gang disappeared for 17 months without a trace, only to emerge in the most breathtaking fashion. It was during this time that the penny dime novels and stage plays, that created fantastic scenarios about Kelly, became hugely popular. During their absence, the Gang had planned a spectacular confrontation with the police, and, having produced four magnificent sets of armour, cast from iron ploughshares, they were set for their showdown. All they needed was a trigger to draw the police to them, and it seemed that ally, Aaron Sherritt, was the perfect trigger. The Gang knew that Sherritt was working for the police, so on the night of June 26, Joe Byrne, accompanied by Dan Kelly, went to Aaron Sherritt's home and shot him dead. Inside Sherritt's shanty were four policemen who hid underneath the bed, and for 7 hours they prayed that Joe would not kill them. By the time that they emerged, the outlaws had already ridden 40 miles to join Ned and Steve Hart at Glenrowan. On this incident, Patsy Adam-Smith claims:

> *The cowardice of the policemen who stay hidden under Sherritt's bed are blamed for Ned's capture. If they had gone for help when expected the train would have arrived. Instead they waited at least seven hours before leaving the house. The Gang had estimated the amount of time it would take the police to ride to Beechworth to telegraph the news to Benalla, seventy-two kilometres away, where there were black trackers and police reinforcements* (Adam-Smith, 1980: 87).

Understandably, the killing of the defenceless Sherritt did little to help Kelly's public image. The Melbourne *Argus*, which titled one report, 'Another Kelly Outrage: Cold-Blooded Murder', claimed:

> *On Saturday evening the band of outlaws called at the hut of a man named Aaron Sherritt, having with them a German who they compelled to call on Sherritt to come out. The latter, recognising the voice, complied with the request, and on his coming out of the door he was instantly shot dead by Joe Byrne, who put one bullet through his head and another through his body. In the hut were a party of police, but they did not fire a shot at the bushrangers, and acted entirely on the defence. The reason given for this inactivity is that the night was dark, while there was a bright fire burning in the hut, so that while the bushrangers were out of sight the police would have been instantly seen and shot if they had appeared at the door or window. The Kellys fired a volley through the house, and also attempted to burn it down. The Gang remained outside the hut until 6 o'clock yesterday morning, when, it is presumed, they rode away. The object for taking Sherritt's life is clearly shown. It appears that at one time Sherritt was a friend of the Kelly's, but was most intimate with Joe Byrne* (June 28, 1880: 5).

Coming to Kelly's defence was the oral tradition, which represented the Gang to be merely reacting to death threats made by Sherritt to Mrs Byrne (McMenomy, 2001: 179). Some pro-Kelly folk songs proclaimed Aaron as a lowly scoundrel. 'Kelly was their Captain', for example, included the verse:

> *It was at the Wombat Ranges where Ned Kelly made his haunt,*
> *And all those Victorian troopers at that name would truly daunt.*
> *For months they lay in ambush until finally were betrayed*
> *By traitor Aaron Sherritt, and his life the treachery paid* (Corfield, 2003: 443).

As Joe and Dan were in Beechworth, executing Aarron, Ned and Steve remained in the Glenrowan Inn with their 30 hostages. A sketch by hostage, George Gordon McCrae, suggests that women and children certainly helped Kelly's social bandit image. Here the hostages seem to have a merry old time in the Gang's company (**Figure 17**). Furthermore, there seems to be no sign of abuse or thuggee towards the hostages.

Figure 17: (1880). George Gordon McCrae. 'The Kellys, the Glenrowan Quadrilles'. *National Library of Australia*, Canberra: an6324250q

Glenrowan, however, was not all fun and games as earlier Ned had forced railway workers, James Reardon and Denis Sullivan, to remove some train tracks. His plan was to derail the Special Police Train as it passed through Glenrowan. From there the Gang, wearing their armoured suits, would shoot any surviving members of the crash. Earlier in his Cameron letter, Ned had made a peculiar threat that now made perfect sense:

> *... as I have no more paper unless I rob for it. If I get justice I will cry a go. For I need no lead* (sic)*or powder to revenge my cause, and if words be louder, I will oppose your laws with no offence (remember your railroads), and a sweet good bye from Edward Kelly – a forced outlaw* (N. Kelly, 1878).

As the Glenrowan Inn was in the throes of an Irish dance, word had reached Melbourne that the Kelly Gang had assassinated Aaron Sherritt. It was Sunday, June 27. Later that night a Special Police Train from Spencer Street Station departed for Beechworth. Aboard were police officers, black trackers, medical assistants and press reporters John McWhirter (reporter, *The Age*), George Allen (reporter, *Daily Telegraph*), Joe Melvin (reporter, The Melbourne *Argus*) and Thomas Carrington (illustrator, *The Australasian Sketcher*).[46] Because of their hefty equipment, photographers were not allowed aboard the

[46] For more on Carrington see *The Last Stand (I. Jones and Carrington, 2003), The Complete Inner History of the Kelly Gang and Their Pursuers* (Kenneally, 1969: 237-40) and *The Ned Kelly Encyclopaedia* (Corfield, 2003: 98-99). During the Royal Commission, Carrington even deposed how the police at Glenrowan were in 'complete chaos' (1968b: 363).

train. Nevertheless, the decision to invite the press does seem peculiar, especially considering that the police were no surer that this trip would draw them any closer to the Gang's whereabouts. Indeed, it would not have bothered Ned Kelly that press agents were aboard the Special Police Train, as on many occasions he had publicly declared his disdain for them. In the Cameron letter he scornfully claimed, 'Had I robbed, plundered, ravished and murdered everything I met, my character could not be painted blacker than it is at present'. Two months later, when Ned composed the 'Jerilderie letter', his views towards the press had only become more contemptuous. He wrote, 'The police got great credit and praise in the papers for arresting the mother of 12 children, one an infant on her breast' (N. Kelly, 1879).

As Carrington later stated, anxiety levels aboard the Special Police Train were high as all sorts of rumours were travelling through the carriages. To ensure their safety, Constable Berry, in a bizarre decision, was tied by rope to the front carriage so he could watch for any 'suspicious activity', including the tampering of tracks (Corfield, 2003: 394). Questioned on this point by the Royal Commission in 1881, Carrington affirmed, 'Some men on the Benalla Station said, "The lines are taken up, and they are going to shoot you", and others said, "they have put logs on the line". One man said positively the lines had been taken up' (1968b: 143). News imagery of the derailed tracks certainly gives a chilling graphic (**Figure 18**). Representative of this was a postcard featuring railway workers standing where Ned forced Reardon and Sullivan to remove the tracks (**Figure 19**). The man on the right points to the hiding spot of the dismantled rails (McMenomy, 2001: 185).

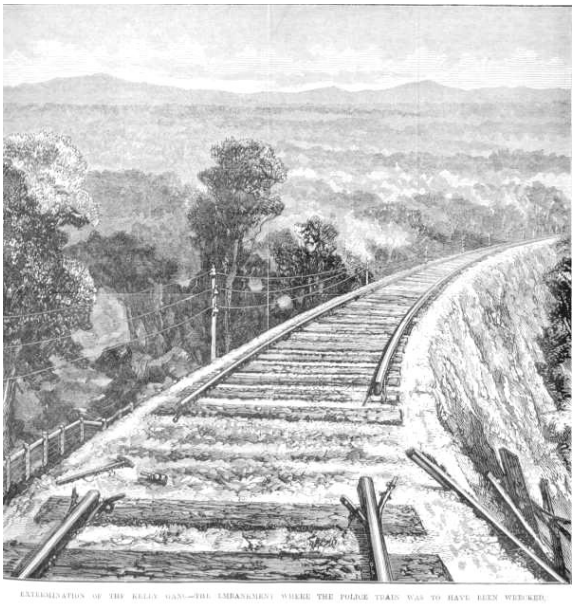


Figure 18: Frederick Appleton (1880) July 17. 'Extermination of the Kelly Gang'. *Illustrated Australian News*: 113

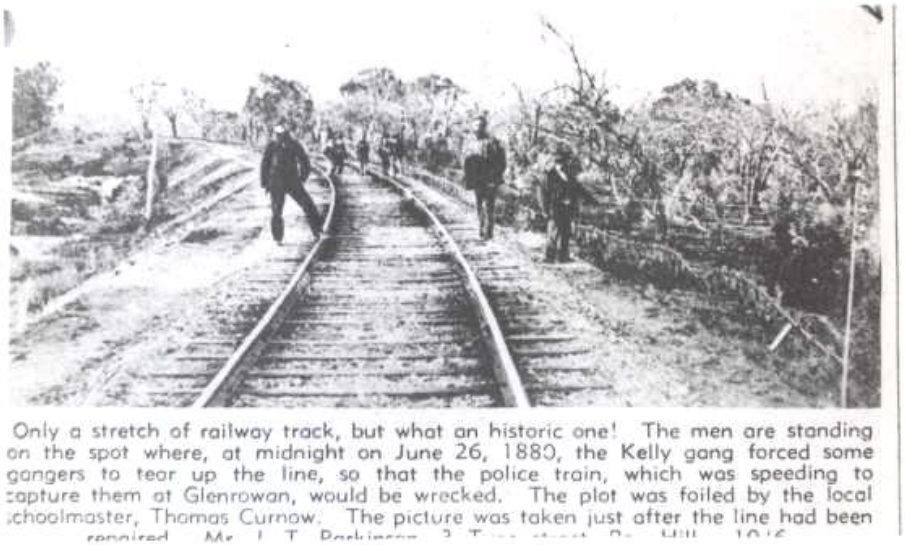


Figure 19: (1880). 'The Men are Standing on the Spot Where ... the Kelly Gang Forced Gangers to Tear up the Line ...' La Trobe Collection. *State Library of Victoria*. Postcard: H23562

Although Ned's plans expose his violent fantasies towards his pursuers, his treatment of his hostages inside the Glenrowan inn paints a more generous portrait. In fact, if Kelly had not compassionately allowed his hostage Thomas Curnow to leave (so he could nurse his sick wife) Glenrowan would have ended much differently. Crucially, once Curnow left the Inn, he made a beeline

for the train tracks where he stood holding a lantern and red flag, to warn the Special Police Train of its frightening hazard that lay just metres ahead. Two weeks after the siege, Carrington sketched Curnow standing fearlessly next to the tracks as the train rushes past. Such an image would have surely been a significant reason as to why the Kelly Reward Board payed Curnow the generous sum of £550 for his part in the Gang's destruction (**Figure 20**).[47]

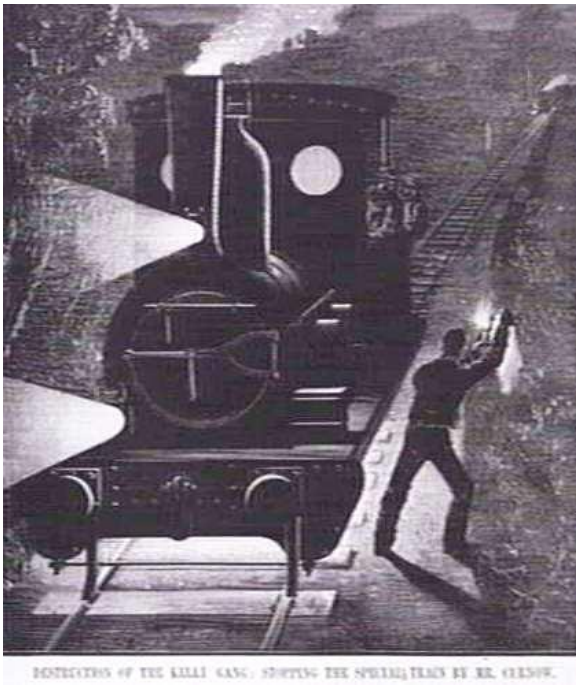


Figure 20: Thomas Carrington (1880) July 31. 'Destruction of the Kelly Gang'. *The Australasian Sketcher*: 177

Narrowly escaping their derailment, the police and blacktrackers surrounded the Inn. Inside, the Gang donned in their armoured suits, waited with around 30 hostages. The time was 3 am. Breaking the dead silence, a single gunshot that shortly blasted from the Inn confirmed the Gang had not escaped. For the police, this gunshot marked a most exciting moment: For the very first time since the Outbreak began they had the outlaws surrounded. As sporadic gunfire from both parties continued throughout the night, the first casualty of the battle was Joe Byrne, who from the veranda was shot in the right calf. Then, three hours later, a delusional and fatigued Byrne was shot in the groin as he fixed himself a drink at the bar. Moments later, he dropped to his death.

[47] Australian Prime Minister Robert G Menzies claimed that he was a pupil of Curnow; however, Corfield suggests that the teacher was Josiah Curnow – not Thomas (Corfield, 2003: 119).

Meanwhile, as dawn was still breaking, Ned dramatically appeared in front of a contingent of the police officers. Carrington vividly recalled his memories of this seminal moment in Australian history:

> *… standing on the right hand side of the station, the Beechworth end, suddenly we noticed one or two of the men on the extreme right, with their backs turned to the hotel, firing at something in the bush. Presently we noticed a very tall figure in white, stalking slowly in the direction of the hotel. There was no head visible, and in the dim light of morning, with all the steam rising very heavily from the ground, it looked, for all the world, like the ghost of Hamlet's father with no head, only a very long thick neck* (I. Jones and Carrington, 2003: 19).

Carrington who also sketched the scene would, in fact, compose one of the most syndicated and recognised illustrations in Australian history. Titled 'Ned Kelly at Bay', it pictures the armoured bushranger firing bullets, at the police officers, through the thick shrub. Moments later, Sergeant Steele would fire the vital bullet that would strike Ned in his leg. Now at the mercy of the contingent of Victoria Police officers, Kelly's reign of outlawry was finally complete (**Figure 21**). Stripped of his armour, Carrington sketched the individual segments of the magnificent suit (**Figure 22**).

Figure 21: Thomas Carrington (1880) July 3. 'Ned Kelly at Bay'. *The Australasian Sketcher*: 145

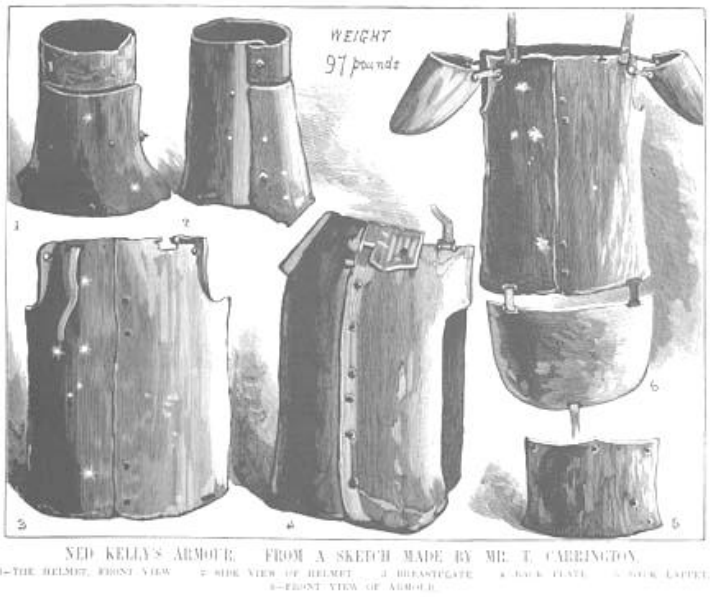
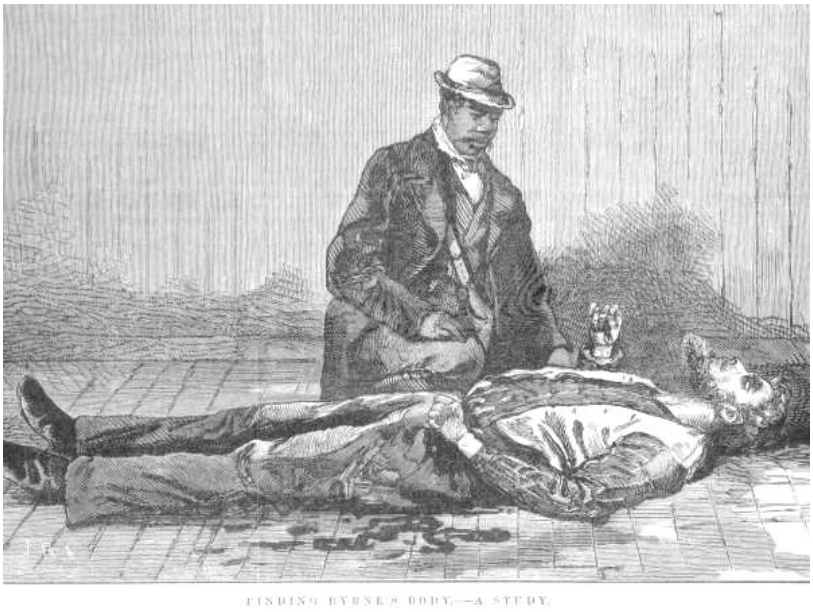


Figure 22: Thomas Carrington (1880) July 3. 'Ned Kelly's Armour. *The Australasian Sketcher*: 152

Shortly after Ned's capture, the second Special Police Train pulled into the Glenrowan station. This time, the camera operators were aboard, as was sketch artist Julian Ashton. Ashton, who was a widely regarded press illustrator, was given permission to sketch the corpse of Joe Byrne (**Figure 23**). Later he would admit, 'it was the most miserable assignment I ever had' (McMenomy, 2001).[48]

[48] More intriguing than the body of Byrne is the other man featured in this picture. Historians claim it is a 'black tracker', yet the black trackers wore a specific uniform, unlike the man pictured. As revealed by this image of Chinese detective Fook Shing from the *Police Gazette*, this man resembles a detective. Also, he looks more Chinese than Aboriginal. If this is true then it does ask the question of why no historical research exists on the involvement of the Chinese detectives at Glenrowan.



FINDING BYRNE'S BODY.—A STUDY.

Figure 23: Julian Ashton (1880) July 3. 'Finding Byrne's Body – A Study'. *Illustrated Australian News*: 105

Keen to make up for lost time, the photographers firstly asked to photograph the armour. To oblige them, the police laid the breastplates and other items on the ground (**Figure 24**).[49] Next, the photographers asked to shoot Ned Kelly in his suit of armour, and if Ned had died, the police more than likely would have granted this request. But the gravely weak state of Kelly prevented such a wish, so instead the police dressed one of their own troopers in the armour (**Figure 25**). At least this let the photographers comprehend how the suit pieced together. In one photograph taken by Oswald Thomas Madeley, the trooper holds Ned's Colt carbine.[50] This anonymous trooper was an appropriate body-double, as he resembled Ned's shape, weight and height. Yet the central problem was his lack of drama and exhibitionism.[51] Naturally, the photographers craved the excitement of Kelly's capture, so from Glenrowan, many returned to their picture studios where they recreated Ned's last stand with their own body doubles and forged armour.

[49] In their confusion they incorrectly engraved Ned's right shoulder plate with the initials DK. It was in reference to his younger brother, Dan. Today, Ned's suit, housed at the *State Library of Victoria,* displays this – considerably faded – DK engraving for all to see.

[50] For more on Thomas Oswald Madeley see *Australian Behind the Camera* (Barrie, 2002: 120).

[51] *The Argus* described Ned as '21 years of age, 5 feet. 9 inches and a slight build' (November 13, 1878: 5).

Figure 24: Oswald Thomas Madeley (1880) July 5. 'Kelly's Armour and Rifle'. La Trobe Collection. *The State Library of Victoria:* H96.160/176

Figure 25: Oswald Thomas Madeley (1880) July 5. 'A Policeman Equipped in the [Ned] Kelly Armour'. La Trobe Collection. *State Library of Victoria*: H96.160/177

In a rare moment of compassion by the police, only Carrington was allowed inside the guard's van to sketch the mortally wounded Ned Kelly (**Figure 26**). Ian Jones claimed that the gunfight had indeed subjected Kelly's unprotected arms, legs and groin to no less than twenty-eight bullet wounds (I. Jones, 2002: photo insert). Titled 'Destruction of the Kelly Gang', Carrington's illustration depicts Ned's

face as grotesque. Another striking feature of the illustration was Ned's thick bushman beard. With some grey added for effect, Ned looks years in age beyond his actual self.

Figure 26: Thomas Carrington (1880) July 3. 'Destruction of the Kelly Gang'. *The Australasian Sketcher*: 153

Carrington was considered the pioneer who exposed the 'real' Ned and, consequently, many artists based their own illustrations on Carrington's works. Arthur Burman even updated his Kelly photograph by painting a thick beard onto his Kelly photograph (**Figure 27**). As it was later revealed, Burman's work was an entire forgery as Ned's face had been stuck onto a police photograph of James Nesbitt, who was a member of Captain Moonlite's Gang (Nixon: 130). Close evaluation shows the thin line where the head of Kelly adhered to the body of Nesbitt (**Figure 28**). Nevertheless, apart from his steel helmet, Ned's thick bushman beard would become his most common feature.

Figure 27: William J Burman (1880) July 15. 'Portrait of Ned Kelly'. La Trobe Collection. *State Library of Victoria*: H96.160/200

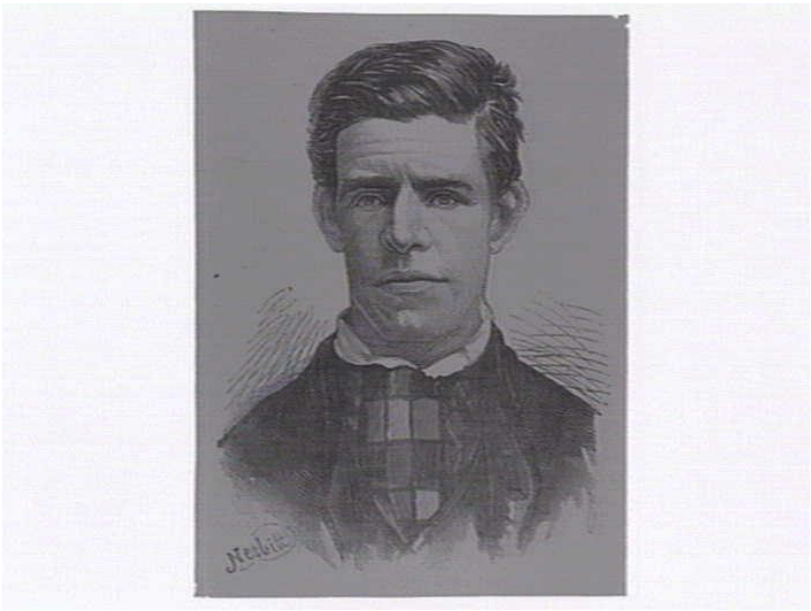


Figure 28: (1879) November 22. 'The Riverina Bushrangers'. *The Australasian Sketcher*: 136

As Carrington sketched the gravely wounded Ned Kelly, the hostages, together with Steve and Dan, sat inside the Glenrowan Inn amongst the corpses of John Jones (the 13-year old son of the Inn's proprietor Anne Jones), George Metcalf and Martin Cherry, who were all killed by the police fire. The death of the hostages was yet another indictment of the police, which gave Kelly even more sympathy.

Conceding the battle lost, the hostages were given permission to leave, and with Steve and Dan remaining inside the inn, the police set it ablaze. Unwilling to watch this cruel and callous act, Father Matthew Gibney, who had arrived on the second Police Train, pushed past the police line and ran into the burning Inn to save the bushrangers. Yet, little did he know, they had already taken their own lives in a suicide pact. Later he recalled:

> *Then I found first the body of Byrne ... lying there in a straggled kind of way, quite stiff ... I looked in upon the floor and found two corpses lying together. Both dead, and a dog was lying dead alongside of them. My impression is that they were certainly not killed by the fire ... they were composed looking both lying at full stretch, side by side* (McMenomy, 2001: 207).

As the two incinerated corpses were retrieved from the Glenrowan Inn, the photographers were there to document the ghastly sight (**Figure 29**).[52] While some photographers were busy taking snaps of Dan and Steve, others had gathered outside the Benalla Police Station where the corpse of Joe Byrne was strung up.[53] This particular photograph taken by J W Lindt, of Byrne, exposes the media event that the siege of Glenrowan had become (**Figure 30**).[54] Nigel Lendon claims this photo 'marks press photography years before press photography was even a reality' (Lendon, 1980: 76).[55] Staring towards the lens is renowned illustrator Julian Ashton who, in his biography, claimed that his back was turned in protest to the treatment of Byrne (Ashton, 1941: 32). Yet, he was no Kelly sympathiser as he explained in his autobiography:

> *I have never been able to understand why the Kelly Gang created so much sympathetic interest. At the commencement of their career they shot three policemen in cold blood and riddled their bodies*

[52] At this time, the outlaws' remains were given to their family members, but shortly after Glenrowan the police asked for the bodies back. Family members responded, 'If you want the bodies back, you will have to fight for them' (July 1, 1880: 7).

[53] The display of famous corpses was quite common. The corpse of Jesse James, for instance, was taken on tour.

[54] Gael Newton claims that this photograph was originally published in Ashton's autobiography *Now Came Still Evening On* (Newton, 1988: 44). However, copies seemed to have been circulating before this time.

[55] Gael Newton writes, 'the Lindt photo is a mystery for it seems to point to his understanding of the role of press photography' (Newton, 1988: 44).

with bullets. They murdered their confederate. Though the two bank robberies were cleverly conceived there was nothing heroic about them (Ashton, 1941: 32).

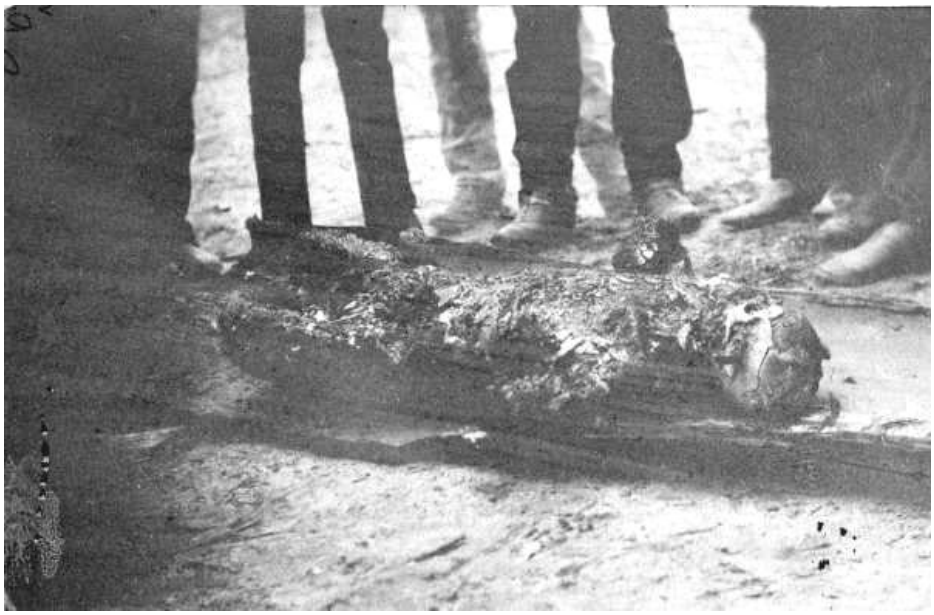


Figure 29: Thomas Oswald Madeley (1880) June 29. 'One of the Burnt Bodies'. La Trobe Collection. *State Library of Victoria*: H96.160/170

Figure 30: J W Lindt (1880) June 29. 'Joe Byrne's Body Outside Seymour Police Station'. La Trobe Collection. *State Library of Victoria*: H13586

July 1880 – November 1880

In Melbourne, Glenrowan was the leading news story. The Melbourne *Argus*, reported:

> *On the day of the Glenrowan affray the city was a scene of unexampled excitement. Business was almost suspended, and Collins-street in the vicinity of The Argus office was blocked by a large and excited crowd, eager for the latest intelligence with regard to a tragedy which developed more and more startling features as it proceeded. Extraordinary editions of The Argus were issued at short intervals, supplying particulars of each successive stage of the encounter with the outlaws, and these were seized upon with avidity. In the capitals of the neighbouring colonies, too, the news of the destruction of the Kelly Gang gave rise to the utmost excitement, and congratulations were tendered to those who had been instrumental in bringing condign punishment on the outlaws* (July 8, 1880: 5).

Ned Kelly's preliminary hearing took place in Beechworth on August 6, 1880. The night before the hearing started, Ned had requested that Mr David Gaunson MLA represent him.[56] Gaunson immediately met with his client, and strangely, the content of this 'confidential' meeting was published in *The Age* a few days later. During the hearing, Ned Kelly had to answer charges of the wilful murder of Constables Lonigan and Scanlon, yet the greatest problem facing Ned was the Crown's key witness, Constable McIntyre, who deposed that Ned Kelly had callously murdered his colleagues at Stringybark Creek. Indeed, illustrations from the hearing seemed more interested in McIntyre than Ned. One sketch, for example, depicts him in the witness box delivering his damning evidence, while Ned's sister Kate, dressed in mourning, sits in the crowd with sympathiser Tom Lloyd (**Figure 31**).

[56] David Gaunson is a distant relative of mine.

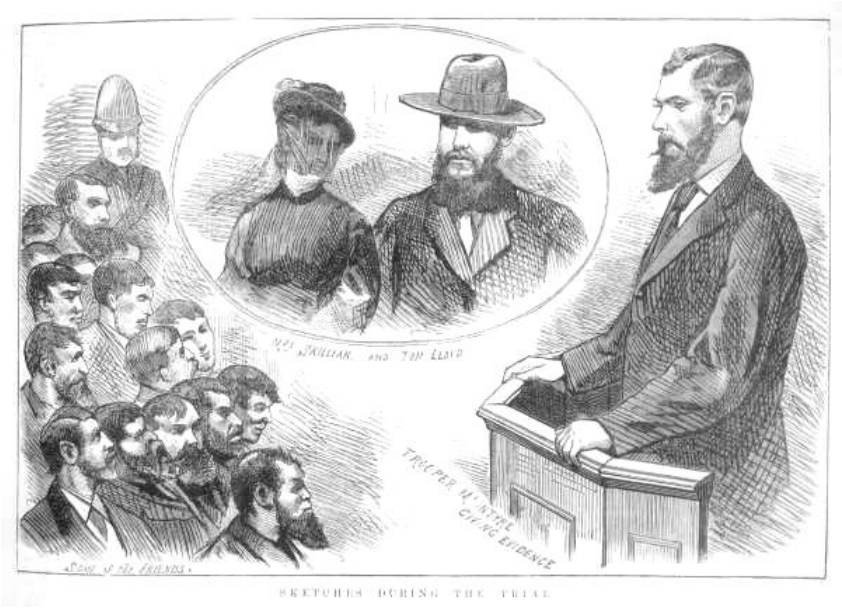


Figure 31: (1880) August 28. 'Sketches During the Trial'. *Illustrated Australian News*: 153

On October 28, the Melbourne trial was held in the Central Criminal Court, located on the corner of Russell and La Trobe Streets.[57] By 4:30pm the following day the presiding Justice Redmond Barry summed up proceedings and by 5:10 the jury filed out only to return 30 minutes later with a guilty verdict. The only thing left was for Justice Barry to hand down his sentence; however, what eventuated was perhaps the most spectacular courtroom exchange in Australian history. To Barry, Ned declared:

> *But the day will come when we shall all have to go to a bigger court than this. Then we will see who is right and who is wrong. No matter how long a man lives, he is bound to come to judgement somewhere, as well here as anywhere. It will be different the next time they have a Kelly trial, for they are not all killed. It would have been for the good of the Crown had I examined the witnesses, and I would have stopped a lot of the reward, I can assure you and I do not know but I will do it yet if allowed ...*

Infuriated by Kelly's outburst, Justice Barry responded:

> *You will be taken from here to the place from whence you came, and thence on a day appointed by the Executive Council to a place of execution, and there you will be hanged by the neck until you be dead. May the Lord have mercy on your soul ... remove the prisoner.*

[57] This building is now part of RMIT University.

After his trial, Ned was locked-down in his cell. The only people allowed to visit were family members and friends, among whom were (his supposed lover) Catherine Lloyd as well as family members Kate and Mrs Kelly. One eavesdropping guard claimed that Mrs Kelly told Ned to 'die like a Kelly, son' (I. Jones, 2002: 320). In addition to his invited guests, Ned had his photograph taken for the very last time. Charles Nettleton, who held the government contract for penal department photography, took the portrait (**Figure 32**). Due to poor exposure inside the gaol, Ned stood outside against the bluestone wall. Over his drab prison uniform he wore his favourite scarf, which he also wore during his trial. With his hair slicked in dandy style, on a close inspection he appears to be winking at the camera.[58]

Figure 32: Charles Nettleton (1880) November 10. 'Ned Kelly, Shackled and Standing Against a Stone Wall'. *University of Melbourne Archives*: 5753

Much has been made of Ned's last meal that consisted of roast lamb, green peas and a bottle of claret. Joseph Ashmead, for one, claims that it was a symbolic reference to Jesus as the bible reads 'give strong drink to him who is to perish' (Ashmead, 1922: 28). The alcohol, though, did little to tire Ned as

[58] Ian Jones writes that Ned Kelly 'plants a fist on his hip to disguise a crippled right hand and masks his withered left arm by holding the cord attached to his leg' (I. Jones, 2002: photo insert).

guards reported him singing ballads throughout the night.[59] In the morning, the Very Rev. Dean Donoghy administered Ned his last rites. By 10 am, a prison procession had arrived at his door, and from there they advanced to the gallows. Whereas executions were once a very public affair, by 1880 things had significantly changed.[60] Now they were conducted in private arenas. Outside the gaol gates over four-thousand people gathered, while family members, friends and sympathisers chose the more private setting of the Robert Burns Hotel located at Smith Street, Collingwood (I. Jones, 2002: 322).[61] Those allowed to witness the hanging were mostly press representatives and, gleaned from historical sources, some of the 27 men included M Browne (reporter *Daily Telegraph*), Jim Middleton (reporter *Herald*), E C Martin (reporter *The Age*), Grant Oakley (*Anglo-Australian Press Agency*), James Williams (reporter *The Age*), Joe D Melvin (reporter The Melbourne *Argus*), Alfred Wilson (reporter, *Ballarat Courier*) and John Leach (staff *Sydney Morning Herald*). Reports on what Ned actually said before his death are conflicting. *The Ovens and Murray Advertiser*, for instance, claimed that he declared 'such is life' (November 13, 1880b: 4), whereas The Melbourne *Argus* reported him to say, 'I suppose it has come to this' (November 12, 1880: 6).[62] On November 20, 1880, the front cover of *The Australasian Sketcher* illustrated the scene of Kelly's hanging as drawn by Thomas Carrington (**Figure 33**). Although he was not present, it appears that Carrington composed the drawing from a rough sketch completed by Joe Melvin (I. Jones and Carrington, 2003: 30). Whoever produced the original sketch deserves great praise, as it is 'accurate in almost every detail' (I. Jones and Carrington, 2003: 30).

[59] Often he returned to his favourite tune 'Farewell to My Home in Greta'.

> *See, yonder ride four troopers*
> *One kiss before we part,*
> *Now haste and join your comrades,*
> *Dan, Joe Byrne and Stevie Hart (Seal, 2002: 104).*

[60] For more on the history of executions see *Discipline and Punish* (Foucault, 1995).

[61] Robert Burns was revered as the 'National Poet of Scotland' (Noble and Hogg, 2001).

[62] Considering the distance between the press and Ned, it is questionable whether they actually heard anything at all.

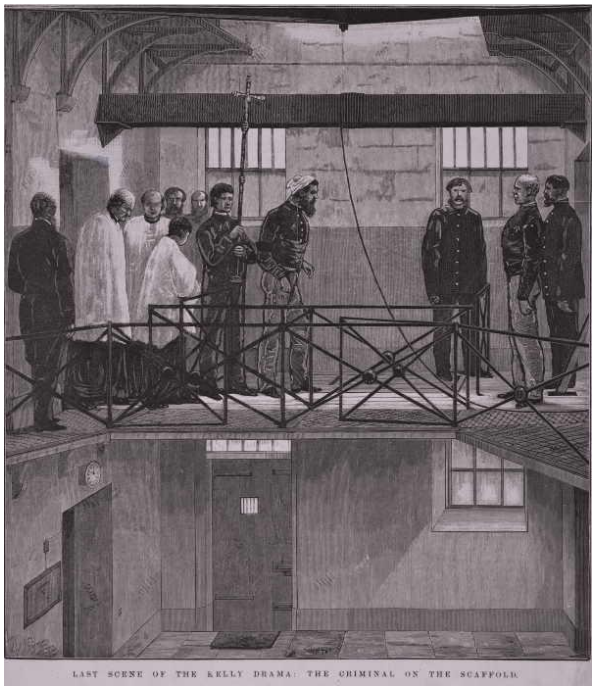


Figure 33: Thomas Carrington (1880) November 20. 'Last Scene of the Kelly Drama: The Criminal on the Scaffold'. *The Australasian Sketcher*: Front Cover

As this chapter has discussed, from the commencement of the Kelly Outbreak, Ned Kelly became a dominant figure of Australian popular culture. Whereas the news reports portrayed Kelly as a reprehensible figure, the illustrations often depicted him more positively. With a degree of creative indulgence attached, the news illustrators and also photographers created illuminating and fascinating images that certainly carried well into the twentieth century. As I will explain, their representations became the origins for which the movies would follow. However, before discussing the films, in regard to the historical Kelly representations, I need to firstly discuss how the birth of the twentieth century began a new age of Kelly's popular image. By working through the range of movies analysed in this thesis, in a roughly catalogued fashion, I will investigate Kelly's cultural transformation into a social bandit.

Chapter 2 *Ned Kelly becomes a social bandit*

> *The same set of events can serve as components of a story that is tragic or comic, as the case may be, depending upon the historian's choice of the plot structure that he considers most appropriate for ordering events ... into a comprehensible story.*
>
> - Hayden White (1978: 84).

Concentrating on the broader social, political and cultural circumstances that have influenced Kelly's screen representation, in this chapter I will provide some background information on each of the movies analysed elsewhere in this thesis. As well, this chapter will discuss some of the lesser-known Kelly movies and many of the abandoned Kelly film projects, that were in development at one time or another. By the end of this chapter the reader will have a more comprehensive understanding of the Kelly movies, and their importance as a phenomenon within Australian popular culture. The most immediately striking aspect of the early movies is Kelly's burly physique and mature age, and while historians squabble over Ned Kelly's actual age, all agree that he was somewhere between 24 and 29. Now while Kelly in these early films seems years from such an age, his screen image closely resembles his press illustrations from the Outbreak. During the nineteenth century, the sketchers commonly depicted Kelly in the tradition of the 'typical' bushman, alongside bush types such as 'stockmen rounding up cattle, pioneer selectors and a comparable range of urban subjects' (Astbury, 1985: 50). Images that portray Ned Kelly as a mature bushman certainly make him less sympathetic, because he appears less innocent and less victimised. To sensationalise Kelly, the reporters during the Outbreak mostly embellished his 'life of crime' and indeed Kelly's 'life of crime' is certainly a central feature of the early films, which Routt claims capture the true essence of Ned Kelly: '... spawned in poverty, defying the respectable, rough, unseemly and somewhat uncut. The principle of their selection has been, then, metaphorical – a resemblance of the unruly spirit, not the flesh' (Routt, 2003b).

By neglecting the social and political circumstances, the early movies transform Kelly into the archetypal outlaw villain who seems forever cast as an uneducated and uncouth adult bushranger. This, of course, is not unlike the press reportage as discussed in the previous chapter, nor is it unlike the plays and

penny dime novels.[63] However, the way that the early movies were structured as sequences of key moments was a direct borrowing from the magic lantern performances, which at the time were described as a series of 'encounters with the police, the sticking up of the hawker Sandy Gloster and bank raids' (July 18, 1879: 2).[64] As well, like the play *Fleeced or the Vultures of the Bush or the Vultures of the Wombat Ranges* (1878), which appeared shortly after the Stringybark Creek killings (Parsons, 1995: 361), the early Kelly films are morally instructive – 'intended to educate as well as to entertain their audience' (Ina Bertrand and Routt, 2007: 59).[65] On the 1906 *The Story of the Kelly Gang*, Routt writes:

> *Instruction in general, not simply moral instruction, is the point of most non-fiction films even today but instruction in story films is often moral – and this is especially the case in films about crime and criminals. There is a significant congruence here between the instructive aspect of such films and their melodramatic aspect. Melodrama, which often, perhaps always, concerns itself with moral issues, is still a common means of turning stories into parables these days, but melodrama's tendency to do that is particularly evident in early films – so much so that the category of 'moral instruction' runs the risk of being taken as an effect of melodrama alone rather than equally an effect of a general instructive mode* (Ina Bertrand and Routt, 2007: 59-60).

Richard Abel in *The Encyclopaedia of Early Cinema* offers an interesting comparison to this quote as he identifies a type of melodrama known as 'melodrama sensational'. Abel writes, 'a defining ingredient was what, in theatre, were known as *sensational scenes* – scenes of high action, suspense, violence, and hazard, usually set in extraordinary, visually-arresting locales' (Abel, 2004-424). As I will discuss in this chapter, such a definition seems to accurately identify the early Kelly movies.[66]

[63] The early movies follow from the phenomenon of Kelly stage theatre. Fittingly, the Tait brothers were known for their theatrical entrepreneurialism and tour of many Kelly plays.

[64] Not every Kelly performance was presented in a 'morally instructive manner' as many were 'farce'; however, a majority did have the intention to educate and inform.

[65] This play was first performed on November 16, 1878 (V. Kelly, 1997a: 73).

[66] Surely Richard Abel would define the early Kelly films as 'crime films', which were based mostly on 'historical re-enactments' and had the responsibility to 'morally instruct' (Abel, 2004: 157). Routt claims that 'crime films' from the first decade of film production remain a neglected area of historical research.

The early movies: 1906 – 1951

Before Charles Tait's 1906 film, at least one other Kelly film had been produced. Bertrand entitled its remaining footage as 'the Perth Fragment', as it seems to have been shot in Western Australia and was registered at the proprietors of copyright on December14, 1906 (Fotheringham, 1987: 32). This footage can now be viewed at the National Film & Sound Archive in Canberra. The existing footage of 'the Perth Fragment' includes Aaron Sherritt betraying the Kellys, and according to Routt, this film was based on either the play *The Kelly Gang or the Career of Ned Kelly, the Ironclad Bushranger of Australia* (1898) produced and written by Arnold Denham or *Hands Up! Or Ned Kelly and His Gang or The Iron-Clad Bushranger* (1903) produced by E I Cole (Routt, 2003a).[67] Denham's play had led to other plays that celebrated the subject of 'lawlessness', and certainly, he could have inspired Cole's own Kelly play (Irvin, 1981: 82). Routt states that 'it would not have been out of the question for Cole's company to have been touring with this production in Western Australia in 1906 – just as it would not be out of the question for Barry to have been in Western Australia with his 'cold-blooded' Kelly revival the year before ...' (Routt, 2003a).

'The Perth Fragment' was most likely titled 'The Kelly Gang' and probably it was not a feature film. Most possibly, it was a short in the tradition of other bushranging films like Joseph Perry's *Bushranging in North Queensland* (1904) and the American Western *The Great Train Robbery* (Edwin Porter, 1903). Routt describes the Gang from 'the Perth Fragment' as 'vile fellows, not like heroes at all' (Routt, 2003a). On the same evening as the Taits' Melbourne premiere, a film titled *The Kelly Gang* seems to have premiered at the Hobart Town Hall; however, it is not known whether this was another copy of the Taits film or perhaps 'the Perth Fragment' (Ina Bertrand and Routt, 2007: 36).[68] Adding further confusion were the Taits who promoted their film as either 'The Story of the Kelly Gang' or 'The Kelly Gang'. In recent times, *The Age* published a still from the 'Perth Fragment' of Aaron Sherritt and a

[67] Eric Irvin writes that *The Kelly Gang* (1898) ran at the Opera House for a further twenty-eight performances making thirty-five for its first production. It had a repeat run of eleven performances at the same theatre in 1907, having in the meantime played all over Australia' (Irvin, 1981: 82). Indicated by reviews, the play represented the Kellys as typical avengers who 'kill for killing sake' (Routt, 2003a). The Mitchell Library currently holds the original manuscript of *The Kelly Gang* (1898).

[68] It was presented by Dan Barry and Robert Hollyford.

police officer being directed by an anonymous hand from the corner of the frame (**Figure 34**) (May 2, 2005: 2).

Figure 34: (2005) May 2. 'Bid to Preserve Silent Heritage': 2

A letter composed by barristers and solicitors Gavan, Duffy, King and King, which attempted to ban the 1906 feature, confirmed the existence of a Western Australian Kelly film, that most likely is 'the Perth fragment'. On behalf of their client James (Jim) Kelly, the letter mentions how Jim had prevented the showing of a similar picture 'produced in Western Australia' (Gavan et al., 1906).[69] According to Eric Irvin, the play *The Kelly Gang or the Career of Ned Kelly, the Ironclad Bushranger of Australia* was also the inspiration for the Tait brothers moving picture, *The Story of the Kelly Gang* (1906) (Irvin, 1981: 82).[70] Margaret Williams describes the outlaws from this play as 'vicious' towards the police (M. Williams, 1983: 186). The Tait family was certainly involved in the international exhibition of bushranging plays prior to their film, and in addition to holding the rights for the Kelly 'Flesh and Blood'

[69] Ironically, Jim had no problem exploiting his brother's name for his own financial gain. The night that Ned hanged, he appeared on stage at the Apollo Hall, Melbourne with his sister Kate.

[70] The film's assistant director Sam Crew toured with this play around the country (V. Tait, 1971: 27). Also, Viola Tait claims that the Taits in 1904 worked on a movie titled 'The Bushranger'. Yet there seems to be no evidence of this project. It most probably was an adaptation of Hiener's play.

Show (Eric Reade, 1970: 28), they toured Hiener's *The Bushrangers* around Britain (V. Tait, 1971).[71] As Graham Shirley and Brian Adams noted, 1904 saw the Taits make their first substantial move into film exhibition. At the Melbourne Town Hall they divided one of their programs between imported newsreels and gramophone recordings by Nellie Melba (Shirley and Adams, 1983: 16). From March 29, 1906 they had a highly successful run with a documentary, *Living London* (Eric Reade, 1970: 26), and by the year's end they had shot the world's first feature film, *The Story of the Kelly Gang* (Love, 1984: 194). Today this film remains a key work in the history of world cinema, as well as the most celebrated Kelly movie. It seems that the chief location for their shoot was the estate of Mrs Charles Tait at Heidelberg, Melbourne. The nearby train station at Rosanna became the Glenrowan Station, and the Victorian Railways Commissioner provided a train and Gangers to rip up the tracks (Routt, 1999c: 473).

Sadly, film deterioration has destroyed all but 18 minutes of *The Story of the Kelly Gang* (1906), so a complete synopsis of the film is difficult.[72] Filling in some missing content, however, is the program booklet that was sold for 6d at screenings of the movie. The National Film & Sound Archive now preserves a copy of the booklet. As this film predated intertitles and sound, the program booklet would have helped audience members follow the narrative. The program booklet breaks the film into 6 scenes/sequences that follow the main exploits of the historic Kelly Outbreak. And indeed, this establishes the cinematic Kelly plot that would appear throughout the history of Kelly cinema.

Scene 1: Fitzpatrick mystery. Constable Fitzpatrick arrives with a warrant to arrest Dan Kelly for cattle stealing. Fitzpatrick manhandles Mrs Kelly and attempts to molest Kate Kelly. 'Just one kiss Kate, dear, and I'll let Dan go', Fitzpatrick begs. As protection for the women, Ned shoots the trooper in the wrist. Held at bay by Kate, with a loaded revolver, the Kelly brothers and two friends (Joe Byrne and

[71] For more on the Tait brothers see Viola Tait's biography *A Family of Brothers* (V. Tait, 1971). However, Richard Fotheringham claims that it is riddled with errors (Fotheringham, 1987).

[72] Bertrand has also written many additional articles on this film. See: 'The Story of the Kelly Gang: 'The Essential cinematic Ned' (Ina Bertrand, 1980), 'Early Film Form and Film Exhibition in Melbourne' (Ina Bertrand, 1981b), 'Historical Film Research and the Story of the Kelly Gang' (Ina Bertrand, 1981a), 'The Continuing Saga of The Story of the Kelly Gang' (Ina Bertrand and Robb, 1982). Other significant articles on the feature include 'We Want Ned Kelly' (Tilley, December 20, 1947), 'Celluloid Kelly' (Buckley, 1969), 'Kelly's Gang Rides Again' (Gill, June 27 1979), 'The Man in the Iron Mask' (Fotheringham, 1987), 'Kelly: Hit or Myth' (Shirley and Wright, 1987), 'The Story of the Kelly Gang' (Berryman, 1990), 'The First Action Hero' (Guilliatt, November 25-26, 2006) and 'The First Feature' (Berger, 2007). Ross Cooper's PhD thesis *And the Villain Still Pursued Her* (Cooper, 1971), which explored early film production in Australia, devoted an entire chapter to this film.

Steve Hart) flee into Victoria's Wombat Ranges. The last part of this scene remains. The footage begins with a distraught Mrs Kelly led into the house by Kate. Moments later when Kate returns, Fitzpatrick gropes and roughly shoves her. From the house, the Kelly Gang emerges, and as Fitzpatrick goes for his gun, Ned shoots him in the wrist. Kate holds her molester at gunpoint as the Gang casually ride into the distance.

Scene 2: Stringybark Creek. The Kelly Gang bail up the police officers Lonigan (misspelt in the booklet as Lonergan) and McIntyre (misspelt as MacIntyre). McIntyre surrenders but Lonigan is shot dead as he runs for cover. Waiting for the other officers to return, the Gang helps themselves to afternoon tea. Later, Kennedy and Scanlon return to the camp. Given the option to bail up, they also are shot by the Gang. During the gunfight, Lonigan escapes on Kennedy's horse. The Gang fires shots at him, but to no avail. Fragments of this scene remain. Interestingly, the gunfight reveals no sign of the Gang giving the police any chance of bailing up, despite the program booklet asserting that they do. Also, the manner in which the Gang scoffs down the officers' tea and food certainly represents them as uncouth, uncivilised and wild.

Scene 3: The Gang sticks up Younghusband's Station. Everybody on site is rounded up and held hostage. Ned instructs Steve to go through the male hostages' pockets. Ned boldly announces 'we do not rob women or children'. However, they do rob the poor Scottish hawker Sandy Gloster (whose actual name was James). Despite Gloster's pleas to not loot his hawker van, the Gang help themselves to his clothes, alcohol and cigars. Joe Byrne is left to guard the hostages as the others ride into town and rob the Euroa bank. The Gang do not share their loot with any of the hostages. With fragments of this long sequence recently uncovered, the footage mainly deals with the early part of the bail up, and arrival of Sandy Gloster. As Gloster is held at gunpoint, the outlaws take his goods. This scene does little to support Kelly's image as a noble robber, as here the Gang cruelly humiliate Gloster in front of the hostages. To the delight of the cheering hostages, Kelly comically kicks Gloster in the rear.

Scene 4: This seems to be a long sequence of many small scenes edited together. Kate Kelly demonstrates her riding prowess as she escapes from a group of police. Black trackers look for the Gang in the Strathbogie Ranges. Friend of the Kellys, Aaron Sherritt is seen assisting the police. Joe arrives at

Aaron's shanty and cries 'death to all traitors' as he shoots Sherritt dead. The police, who hide underneath Sherritt's bed, quake with fear. Excusing their cowardice, the program booklet includes the line, 'this is the only Blot on the police'. Nothing of this sequence remains; however, an image of the black trackers appears in the program booklet. The National Film & Sound Archive also holds some stills from this sequence, such as Kate Kelly riding through a pond.

Scene 5: The Glenrowan siege. Kelly forces the platelayers to tear up the Glenrowan train tracks. Schoolmaster Thomas Curnow, who is held hostage along with many others inside the Glenrowan Inn, reveals to Ned that the stationmaster has a loaded gun. For his deceit, the stationmaster is beaten 'rather Roughly'. Curnow flees from the Inn and warns the driver of the Special Police Train about the removed tracks. Officers depart from the train and surround the Inn. The reckless shooting by the police kills a young male hostage. To ensure that no outlaw survives the battle, the police set fire to the inn. Fragments of this sequence remain, but most of the remaining footage is terribly damaged. The death of Joe Byrne, for example, is barely visible. The clearest shot is that of the police firing towards the Inn. Refusing to be taken prisoner, Steve and Dan shoot one another in a suicide pact. Heroically, Father Gibney runs into the burning inn and saves a wounded platelayer from death.

Scene 6: The final scene is Ned Kelly's gallant gun battle with the police. Bullets ricochet off Ned's armour as he takes on the entire army of officers. A shot into Ned's leg brings the armoured outlaw to his knees. At the mercy of the officers, Ned weakly begs that his life be spared. Thankfully, this seminal scene has been preserved. With the camera notably placed on the side of the police, Kelly's looming presence is certainly enthralling. Routt described the image of Kelly staggering from side to side in his armour as an instantly recognisable 'Australian cinematic icon' (Routt, 1999c: 473).

Included in the program booklet is illustrator Thomas Carrington's report on the Outbreak, which portrays Ned Kelly as a chilling villain.[73]. On the Euroa robbery, he writes:

> *This outrage was characterised by all the coolness, daring and audacity which has been displayed in the previous adventures of the Gang. The officials of the bank and residents of the township*

[73] It was originally published in *The Australasian Sketcher* on July 17, 1880. Carrington's narrative on the Outbreak and his dramatic journey to the Glenrowan siege were also published in the book *Ned Kelly: The Last Stand*, which included many illustrations that Carrington produced of the Outbreak (I. Jones and Carrington, 2003).

> *were so taken by surprise, and so terrified by the wild threats of the Gang that they offered no resistance* (J. Tait and Tait, 1906: 18).

One review of this film stated that the film made it more 'noble to be a bushranger than policeman' (Snell, February 14, 1907: 8); however, Ned is not entirely good, as the beating of the poor Scottish Hawker, James 'Sandy' Gloster, demonstrates.[74] Reflected by its astonishing box-office records, this feature film was hugely popular. For five weeks, it played to packed houses at the Athenaeum Hall in Melbourne and due to popular demand it later moved to the larger Town Hall. The film also played to huge crowds in other Australian states, while also travelling to at least New Zealand and London. The program booklet boasts, 'The whole series of pictures were taken by Messrs J. and N. Tait, of Melbourne and London, and have been shown by them throughout Australasia and also England with phenomenal success' (J. Tait and Tait, 1906: 22). Gibson later claimed that the film had returned no less than £25 000, and at the time this was regarded as the highest-grossing Australian production ever (Pike and Cooper, 1980: 9).[75] The film's popularity though did cause some negative ramifications. For instance, in April 1907, the Victorian Chief Secretary responded to protests by Jim Kelly and banned any screening of this film in the Benalla region (Peacock, 2006).

In 1910, there seemed to be two different films touring that were both titled 'The Story of the Kelly Gang'. While one was a re-release of the Taits' 1906 film, the other was an entirely new

[74] For more on this scene see Chapter 6. Also, Bertrand and Routt provide an excellent analysis in *The Picture That Will Live Forever*.

[75] The success of The *Story of the Kelly Gang* encouraged others to produce bushranging films. Rolf Boldrewood's seminal novel *Robbery Under Arms* (Boldrewood, 1967), which has remained in print since its release in the 1860s, was adapted by Charles MacMahon. It premiered in a program run by the Taits at the Athenaeum Hall, Melbourne on November 2, 1907 (Pike and Cooper, 1980: 11). Early film production was interested mainly in stories of historical significance. In 1907, George and Arthur Cornwell directed a film about the rebellion on the Ballarat goldfields, *Eureka Stockade*. Following the success of Charles MacMahon's *Robbery Under Arms*, in 1908 he directed *For the Term of His Natural Life*. Adapted from Marcus Clarke's novel, the story narrates the hardship that convicts from Van Diemen's Land endured. During this time, films were often about bushranging, convicts or gold diggers. Some of the popular convict films were *It is Never Too Late to Mend* (W J Lincoln, 1911), *The Assigned Servant* (John Gavin, 1911), *One Hundred Years Ago* (Gaston Mervale, 1911), *Sentenced for Life* (E I Cole, 1911), *The Life of Rufus Dawes* (Alfred Rolfe, 1911), *Mark of the Lash* (John Gavin, 1911) and *The Romantic Story of Margaret Catchpole* (Raymond Longford, 1911). Some popular films about gold diggers included *The Luck of the Roaring Camp* (W J Lincoln, 1911), *The Golden West* (George Young, 1911), *The Miner's Daughter* (1911) and *In the Days of 49* (1911).

production.[76] In reference to this, Jack Cranston wrote:

> *Contrary to many reports published over the years, following on from the success of the previous 1906 film, in 1910 Messrs, Johnson and Gibson produced a totally new film titled 'The Story of the Kelly Gang'. With a new script, and almost a totally new cast, Johnson and Gibson's production team set about producing a brand new film measuring about 6 000 feet in length (Cranston, 2006: 151).*[77]

Identified by stills from the 1910 poster (**Figure 35**), this film features images and locations completely different from the 1906 version (**Figure 36**).

[76] For more on the differences between the 1906 and 1910 versions see William D Routt 'Bush Westerns?' (Routt, 2003a).

[77] John Cranston is the grandson of John 'Jack' Cranston who was the tour manager of the 1906 version.

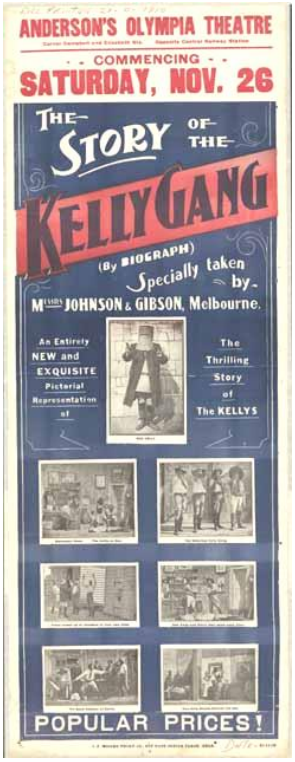


Figure 35: (1910) Promotional poster for *The Story of the Kelly Gang*. *National Film & Sound Archive*: 361321-1014

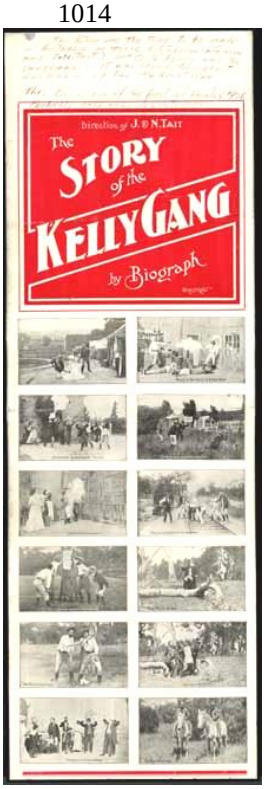


Figure 36: (1906). Promotional poster for *The Story of the Kelly Gang. National Film & Sound Archive*: 350429-1054

As with the 1906 version, the Kelly Gang in this film are rogue avengers.[78] One publicity still that depicts the Gang laughing as they fire directly towards the camera lens is intriguingly reminiscent of the terrifying shot that ends *The Great Train Robbery* (**Figure 37; Figure 38**).[79] There is little argument that Porter's film had a huge impact on the early Australian bushranging movies, and like *The Great Train Robbery*, the 1906 *The Story of the Kelly Gang* is filmed like stage theatre.[80]

[78] As with the 1906 film, this version was immensely successful. What followed was a boom of bushranging films based on the life of actual outlaws. Some of the many titles included *The Life and Adventures of John Vane, the Notorious Bushranger* (S A Fitzgerald, 1910), *The Squatter's Daughter, or the land of the Wattle* (Bert Bailey, 1910), *Thunderbolt* (John Gavin, 1910), *Moonlite* (John Gavin, 1910), *Ben Hall and his Gang* (John Gavin, 1911), *Captain Midnight, the Bush King* (Alfred Rolfe, 1911), *Frank Gardiner, the King of the Road* (John Gavin, 1911), *Captain Starlight, or Gentleman of the Road* (Alfred Rolfe, 1911), *A Tale of the Australian Bush* (Gaston Mervale, 1911), *The Luck of the Roaring Camp* (W J Lincoln, 1911), *The Golden West* (George Young, 1911), *A Bushranger's Ransom, or A Ride for a Life* (E I Cole, 1911), *The Squatter's Son* (E I Cole, 1911), *Dan Morgan* (Spencer Pictures, 1911), *Attack on the Gold Escort* (1911) and *The Lady Outlaw* (Alfred Rolfe, 1911). While Routt believes 11 bushranging films were produced during this time, the book *Australian Film 1900–1977* names at least 15 (Pike and Cooper, 1980).

[79] This image from *The Great Train Robbery* was not part of the plot. Rather, it was tagged on for theatre managers to play as either an epilogue or prologue.

[80] Australia was so fond of American outlaws that they even produced their own productions. Whilst in Australia, Frenchman Maurice Bertel in 1909 produced 13 one-reelers for the Cole's Dramatic Company, which included titles such as *Cowboy's Romance* to *Buffalo Bill.* Eric Reade described them as 'all completely foreign in title and content to the country in which they were made' (Eric Reade, 1979: 10). In 1911, E I Cole produced the Western film *The Five of Hearts, or Buffalo Bill's Love Story*. The cast that was entirely Australian, depicted scenes of 'the Indian Camp; Rose Tortured, Surrounded by Daggers, Rescued, Buffalo Bill at the Stake; The Indian Chief's Fight with Knives; Black Bill's Lair' (Pike and Cooper, 1980: 27). Andrew Pike and Ross Cooper claim that E I Cole and his 'Bohemian Dramatic Company were renowned for their noisy and action-packed stage productions of tales from the American West, and Buffalo Bill' (Pike and Cooper, 1980: 27). Routt makes a strong case as to how the American Western influenced Australian bushranging films such as *The Story of the Kelly Gang*, *The Life and Adventures of John Vane, The Notorious Australian Bushranger* and *Thunderbolt* (Routt, 1997).

Figure 37: (1910). 'The Notorious Kelly Gang', *The Story of the Kelly Gang*, *National Film & Sound* Archive: 582857-4

Figure 38: (1903). The final shot of *The Great Train Robbery* (Edwin S Porter, 1903)

From late 1911, in response to local censors placing stringent laws on bushranging films produced in Australia, Hollywood Westerns became a more dominant feature on Australian screens. Until the late 1940s, any film that romanticised bushranging or portrayed the police badly would be subjected to public

bans.[81] Censorship forced producers to condemn and morally judge the act of bushranging, yet more than the representation of bushrangers, censorship significantly changed the depiction of the police. In the age of censorship of bushranging films, the police were transformed into the Kelly story's true heroes.

As Routt notes, censorship was a murky business. As each state government controlled its own censorship, film producers had to gamble money on productions that may never be screened in other states. As Routt writes:

> *Even if you did all the authorities asked, you weren't guaranteed a positive decision. Established filmmaking companies were not interested in the risk. So the people who did make bushranger movies during this period were often a little like bushrangers themselves. The genre attracted adventurers and people who didn't have much to lose* (Routt, 2003a).

One such 'adventurer' was Harry Southwell who in 1919 shot *The Kelly Gang*.[82] Its title, *The Kelly Gang,* meant that it was often confused with another movie in 1920 also titled 'The Kelly Gang'. But this other film seems to be an amalgamation of the 1910 *The Story of the Kelly Gang* and Kenneth Brampton's *Robbery under Arms* (1920) (Routt, 1999a: 247).[83] The decision to amalgamate the films came after the banning of Brampton's film. As the 1910 *The Story of the Kelly Gang* had also suffered from censorship bans, the wider public was unfamiliar with both films. Indicated by promotional posters, the presentation of 'The Kelly Gang' consisted mainly of 'elaborate' action sequences and gun battles.

[81] Despite each state being in charge of its own censorship regulations, a film banned in one state often put pressure on other states to follow. Still, regardless of the banning of *When the Kellys Rode* in New South Wales, the Victorian censors refused to take action (Ina Bertrand, 1978: 123).

[82] Born in Wales, Southwell spent the early part of his career in America working as a scenarist (Routt, 1999a: 465). In 1919, he moved to his Australian wife's homeland and promoted himself as 'the Welsh Wizard'. Declaring that Australians were more familiar with Hollywood movies than their own landscape, he announced his intention to create films that were 'authentically Australian in script, theme and location' as:

> *A link in the chain of national propaganda. Wherever the scenes are supposed to be laid there will the Southwell players and cameramen actually be ... We intend to depict Australian life as it was, and as it is, according to the particular story filmed* (Tulloch, 1981: 123).

Luckily, no funder bothered to enquire about Southwell's previous productions. Having never directed a feature, his greatest studio success was adapting numerous short stories by O Henry into scenarios for a series of two-reelers, produced by Broadway Star Features in America (Pike and Cooper, 1980: 130). Still, Southwell raised sufficient funds to begin his own production company – Southwell Screen Plays – and began to develop many features. His first would deal with the popular subject of the Kelly Outbreak.

[83] *Robbery Under Arms* was shot at Braidwood in the Araluen Valley near Canberra. This same location would be used 50 years later for Tony Richardson's 1970 *Ned Kelly* (Pike and Cooper, 1980: 136).

Creating even more confusion, Southwell's film also played under the title, 'The True Story of the Kelly Gang', which seemed to be the film's title outside of Australia. Even now, historians such as Shirley and Adams often refer to this 1919 Southwell feature as 'The True Story of the Kelly Gang' (Shirley and Adams, 1983: 69). Shooting for Southwell's film began in late 1919 at a studio in Coburg. The Outer Circle Railway line in Kew was transformed into the Glenrowan train tracks, whereas the burning Glenrowan Inn was 'recreated' in a hall behind Pentridge Gaol (Eric Reade, 1979: 25-26). In the title role, Southwell cast the 53-year-old Godfrey Cass. Cass certainly had an intimate knowledge of Ned Kelly. The son of the Melbourne Gaol's governor, J B Castieau, in 1880 he had met the famous outlaw (Castieau, 2004: 278).[84] The meeting was intended to scare Godfrey from entering a life of crime, and certainly it left a profound impact on the impressionable child. Later, Godfrey described the condemned man as 'charming and courteous'. Legend says that Ned even held Godfrey's hand and said, 'Son I hope you grow up to be as fine a man as your father' (Bateman, 1980: 170).

Due to censorship regulations, productions were required to righteously slam the Kelly outrage, and absolutely, Ned needed to ooze villainy. At the time, there was no actor better suited to play the rogue baddie than Cass (W. T. Baker, March 1, 1920). Mary Bateman wrote that Cass 'always played the part of the villain ... Cass was often subjected to audience members yelling and throwing items at him' (Bateman, 1980: 171). On Cass in *The Kelly Gang* (1919), one journalist wrote that his 'evilness is strikingly indicated' (Eric Reade, 1975: 93). This film, however, also humanised the police. Before Kennedy leaves for Stringybark Creek, for example, he kisses his wife and toddler goodbye. According to Bertrand, such scenes significantly helped the movie navigate around the censors in Victoria and New South Wales (Ina Bertrand, 2003).[85] On February 21, 1920, *The Kelly Gang* premiered at the Lyric Theatre, Sydney and as suggested by a (misleading) promotional poster published in *The Theatre Magazine*, *The Kelly Gang* (1919) 'smashed all records' (W. T. Baker, March 1, 1920: 28)(**Figure 39**).[86]

[84] As Governor, the Melbourne Gaol was commonly known as 'Castieau Hotel' (Eric Reade, 1970: 95).

[85] Although Andrew Pike and Ross Cooper claim that the original film ran for almost 120 minutes, the existing version at the *National Film & Sound Archive* is only 35 minutes long (Pike and Cooper, 1980: 130).

[86] While such a claim was entirely false, this advertisement also promised (or threatened) to expect 'five other productions to be released shortly!' The first was a society melodrama *The Golden Flame* that was later titled to *The Hordern Mystery* (1920) (Eric Reade, 1975: 100). Starring Godfrey Cass, it bombed severely and threatened to prematurely end Southwell's directing career.

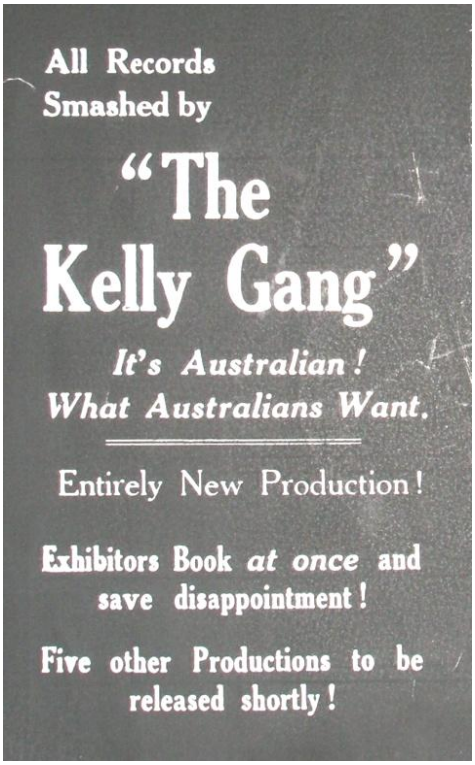


Figure 39: (1920) March 1. Promotional poster for *The Kelly Gang* in *The Theatre Magazine*: 29

In 1923, Southwell had intended to just re-release his 1919 version, but his cameraman, Tasman Higgins, in need of work, opportunistically persuaded the naive director to shoot an entirely new movie (and, of course, hire him as chief cameraman) (Shirley and Adams, 1983: 70).[87] Southwell's second Kelly film, *When the Kellys were out* (1923), also cast Cass. Shot in Sydney and on location in the Burragorang Valley, it is certainly more scenic than his previous Kelly film (Pike and Cooper, 1980: 155). In 1923, Cass was aged 56 and did nothing to resemble the actual outlaw. Nevertheless, he seemed to personify the 'career criminal' that fared well with the censors. As Routt comments, Cass was big, burly and 'somewhat villainous' (Routt, 2003a). More than the 1919 film, however, the entire Gang is incredibly uncouth and uncivilised: 'in this version the Kellys and their followers must have been particularly unappealing to middle-class Australian legislators' (Routt, 1999a: 247). The movie was banned in Adelaide and New

[87] During this time, many of Southwell's contemporaries also struggled to produce movies in Australia. After John Gavin directed *Thunderbolt*, he departed for Hollywood where he picked up small acting roles in a number of B-Westerns. In February 1922, he returned to Sydney with the intention of producing a weekly Kelly serial. Yet after the censorship board made such a task almost impossible, he abandoned his Kelly project and left Australia. A few years later he returned to produce *Trooper O'Brien* (John Gavin, 1928). In this film, a sequence from *The Kelly Gang* plays as O'Brien tells his children about their Uncle Jim who rid the land of bushrangers (Pike and Cooper, 1980: 187). A sequence from *Robbery under Arms* was used in another sequence.

South Wales, and Sydney's Police Inspector Chaseling even declared, 'it is time this bushranger was forgotten' (Eric Reade, 1972: 52). Victoria initially passed *When the Kellys were out* (1923), and on July 9, 1923 it premiered at The Star in Melbourne; yet a few weeks later Victoria also banned the film. As with *The Kelly Gang* (1919), *When the Kellys were out* (1923) seems to have also played under the title, 'The True Story of the Kelly Gang'.[88] Peculiarly, Britain's trade press overlooked the film's shonky production and as one trade journalist even marvelled, '(the) fights are realistic, and the hard riding with which the picture is interspersed is far above the average Western in its genuine horsemanship' (Pike and Cooper, 1980: 155).[89]

Such reviews inspired Southwell to persevere with more Kelly features and, of all places, in late 1923 he was in Singapore working on his next Kelly project. The idea was to shoot the entire feature in Singapore, but not surprisingly this project was soon abandoned (Eric Reade, 1975: 111). Indeed, the backdrop of a tropical Asian rainforest would have been somewhat bewildering. Nevertheless, Southwell's Kelly obsession steamed ahead and back in Australia he began his third Kelly feature, *When the Kellys Rode* (1934), which again celebrated the brave police, while demonising the band of villainous bushrangers. Filmed on location in the Megalong Valley, New South Wales and shot rapidly with a Cine-Sound crew, it is the first talkie Kelly film (Pike and Cooper, 1980: 220).[90]

Godfrey Cass at 68 was absolutely too old to play Ned, so instead Southwell cast Hay Simpson. Relatively unknown and with no major credits to his name, at least Simpson resembled the actual bushranger. Publicity stills from the film reveal a young, handsome and athletic figure that was likely to attract a strong female audience (**Figure 39**). An article from *The Photoplayer* described Simpson as 'tall,

[88] This is the title of the 1923 Southwell film held by the National Film & Sound Archive. This was also the name given to the feature as it toured in the United Kingdom. This tour also saw the film shortened from 8 reels to 6. This version is housed at the National Film & Sound Archive.

[89] Now with three features produced, Southwell found opportunities in France. There he directed the biblical drama *David* (1924) and *Le Juif Polonais* (1925), which he would later refilm in Australia as the talkie, *The Burgomeister* (1935).

[90] Minimal scholarly attention has been given to Harry Southwell's Kelly films. However, some scholarship worth mentioning includes 'The Kelly Gang' (W. T. Baker, March 1, 1920), 'The Shooting of Ned Kelly' (A. Stewart, June 27, 1969), The Talkies Era (Eric Reade, 1972), 'The Lincoln-Cass Films' (Bateman, 1980), *Legends on the Screen* (Tulloch, 1981), *Ned Kelly: Reconstructed* (Morgan, 1994), 'When the Kellys were out' (French, 2000b) and 'Ned Kelly Strikes again at ScreenSound' (2002).

dark and handsome despite the fact that his manly beauty is hidden beneath a heavy facial growth which he is obliged to keep until his part is complete. No artificial whiskers here' (Rosenfeld, February 10 1934: 17). Surely Southwell would have regretted his casting decision. As never before, Ned was transformed into a romantic and sexual figure and, indeed, he was the sort of figure that the censors condemned.

Figure 40: (1934). 'Close-Up Portrait of Hay Simpson'. *National Film & Sound Archive*: 574737-4

Not surprisingly the feature was banned, but to the embarrassment of the censors, a letter in the *Sydney Morning Herald* exposed their double standards. While they frequently banned films about Australian bushrangers, they had little problem passing a film about international outlaws such as Britain's Dick Turpin (Eric Reade, 1972: 166).[91] To rationalise their decision, the Police Commissioner Mr Chaffey said that scenes of 'outlawry' were less of an issue in 'overseas productions' (May 19, 1934: 2). Australian cultural content seemed their chief concern.

More criticism came when New South Wales' new system for censorship proved a complete failure. A commission had been formed to approve or reject projects based on the submission of scripts and treatments, and reported by an article from the *Australian Women's Weekly*, *When the Kellys Rode* (1934) had initially been approved in New South Wales. However, after Southwell had shot his £10 000

[91] It seems that this letter refers to the 1925 film *Dick Turpin* (John G Blystone, 1925).

feature, the censors reneged and banned the movie anyway (May 19, 1934: 2). Although the film screened as promised in Victoria, it did run into some other problems. Since the publication of his successful Kelly book, *The Inner History of the Kelly Gang*, J J Kenneally had formed the Ned Kelly Defence League, with its purpose to lobby against works that 'discredited the Kelly legacy'. In his book, he had published a letter from Ned's brother, Jim, that dismissed the novel, *The Girl who Helped Ned Kelly* (Taylor, 1929), as 'another example of mercenary journalism' (Kenneally, 1969: 201). For months, Kenneally lobbied against *When the Kellys Rode* (1934), and indeed, a full-page advertisement in *The Brisbane Telegraph*, which peculiarly named Harry Southwell as 'Henry' Southwell, made its anti-Kelly stance clear:

> *In the field of crime there were no more terrible figures than 'The Kellys' that lawless band who perpetrated a series of robberies and murders with such callous daring that they staggered the world. The picture is authentic in every respect* (June 22, 1934: 5).

However, by the mid 1940s, censorship laws were becoming more relaxed and bushranger films started to be screened without a problem. In June 1948, for instance, two opportunistic theatre entrepreneurs, Oscar Shaft and Victor Hobler, finally screened *When the Kellys Rode* (1934) in Sydney.[92] Indicated by their promotional poster, all references to Harry Southwell (or Henry Southwell) were removed (**Figure 41**). In bold letters the words read, 'Ban Lifted!'[93]

[92] It played at The Capital.

[93] As suggested by *Film Weekly*, the audience was not under any false pretence as it described Southwell's film as 'hilarious first-half entertainment' (July 8 1948: 23).

Figure 41: (1948). '*When the Kellys Rode Ban Lifted'*. *National Film & Sound Archive*: 561672-6

Producers, though, still had reservations about making Ned Kelly movies. In 1946, Columbia Pictures approached Ken Hall to make a movie about a globally recognised 'great Australian' (Pike and Cooper, 1980: 265), and while Ned was a considered option, he had apprehensions about the unpredictable censors. So instead he made a bio-pic about the pioneering Australian aviator, Sir Charles Kingsford Smith, *Smithy* (Ken G Hall, 1946).[94] Southwell, however, was not so apprehensive and in 1947 he travelled to Benalla, the heart of 'Kelly Country', to begin his fourth Kelly feature, *A Message to Kelly*.[95] He knew that such a location could work as a brilliant marketing tool. But whilst in Benalla he crossed paths with Rupert Kathner, who was also in the area scouting locations for his own Kelly film. Afraid that another competing Kelly film, shot in the same region could significantly diminish his box-office profit, Southwell lured Kathner over to his film. This at least would avoid the problem of two conflicting Kelly movies.

Kathner, however, demanded to be more than a director-for-hire. By this time, he was a notorious figure of the film circuit and had already directed four feature films, numerous shorts and written an

[94] *Smithy* provided Hall with some international recognition. *Smithy* was released as *The Southern Cross* in Britain and *Pacific Adventure* in America. For more on this and Hall's career see his autobiography *Australian Film: The Inside Story* (K. G. Hall, 1980).

[95] Respected Melbourne journalist Keith Menzies was commissioned to write the screenplay.

explosive book on the Australian film industry, *Let's Make a Movie* (Kathner, 1945).[96] With the plan to produce many movies together, Southwell and Kathner formed Benalla Film Productions. Scrounging together a budget of around £6000, in September 1946 the production for their Kelly project began. In the role of Ned they cast the former captain of the Carlton Football Club, Bob Chitty. Chitty was big, burly and rugged and perfectly followed the pattern of earlier films that illustrated Ned as a rogue. Footballer Jack Dyer even joked, 'it was the first time Chitty ever needed armour' (Coulter, March 26, 2006: 15).

Within weeks of filming, they had shot over 1000 feet of film. Then Southwell discovered that Kathner still had plans to shoot his own Kelly feature. Furious and outraged, Southwell immediately dumped Kathner from the project; yet within weeks, Southwell ran out of money himself and the feature was abandoned. As illustrated by some recently uncovered stills from the National Film & Sound Archive, this film was surely marred by Southwell's usual substandard direction. As a case in point, one image reveals Albert Henderson and Bob Chitty wearing ridiculous beards that appear to be a concoction of superglue, hair-dye and cotton wool (**Figure 42**).

Figure 42: (1947). A Message to Kelly: Albert Henderson, Molly O'Dea and Bob Chitty. *National Film & Sound Archive:* 352122-1033

In late 1950, Kathner was back in the region ready to shoot his own Kelly film, *The Glenrowan*

[96] Rupert Kathner's features up to this point included *Phantom Gold* (1937), *Below the Surface* (1938), *Wings of Destiny* (1940) and *Racing Luck* (1941). For more commentary on Kathner's book see Ina Bertrand 'The Impossible Dream' (Ina Bertrand, 2007).

Affair (1951).[97] Since parting with Southwell, he had started his own production company (Australian Action Pictures), written a script from his own 'fertile imagination' and kept the services of Bob Chitty. This time he even cast himself as Aaron Sherritt, under the pseudonym 'Hunt Angels'.[98] With the voice-over spoken by Charles 'Bud' Tingwell, Kathner segmented the narrative into a number of historical moments, but unlike the previous Kelly movies, that told the same tired story, this at least incorporated a new twist: Dan Kelly escapes the Glenrowan Inn blaze and lives. Beginning his career as a documentarian of true crime, Kathner boasted to having located the actual man. To bookend the film, an age-weathered Dan takes a sketch artist (played by Kathner) to various Kelly haunts.[99] Included in the tour is the ramshackle hut where the Kellys used to live. Kathner's twist is riveting, yet it does nothing to mask the terrible production values of the film, or its disregard for historical accuracy. Announcing the year as 1887, surely those with even a hazy memory of the Outbreak remembered that Ned had died on November 11, 1880. The feature premiered at the Capitol Theatre, Sydney on August 17, 1951 (Pike and Cooper, 1980: 278), and as suggested by the scathing reviews, drama was not Kathner's strength. *The Sunday Herald* sighed:

> *This Australian legend has enough appeal in itself to need less than the minimal requirements of film craft ... the script is dreary, the photography more often out-of-focus than in, the editing is unimaginative and the acting pitiful* (August 9, 1951: 5).

[97] Some of the additional literature on *The Glenrowan Affair* includes, 'The Gang's All Here'(August 14, 1969), 'The Impossible Dream' (Ina Bertrand, 2007), and 'B for Bad, B for Bogus and B for Bold' (Gaunson, 2009a). In 2000, *Metro Magazine* published Lisa French's study guide on *The Glenrowan Affair* (French, 2000a). This guide was developed as part of a project called *Timescopes*, which was an Interactive Multimedia CD-ROM for Australian Historical Studies. It explores the history of Australia through images and contains an extensive array of media images and footage of key events in Australian history.

[98] The idea was that if Kathner filed for bankruptcy, he could still claim a cheque for his acting services. Indeed, Aaron Sherritt was a popular choice for directors. Southwell had played Sherritt in *When the Kellys were out.*

[99] Kathner, in fact, began his career as a newspaper sketcher.

The later movies: 1970 – 2003

Almost twenty years would pass before the production of another Ned Kelly feature, and while a common trend of cinema studies is to only discuss and investigate movies that were actually produced, such neglect tends to ignore broader movements and social change. Although I will discuss the many Kelly projects produced since Kathner's 1951 film, here I want to also discuss the high volume of abandoned films. Such knowledge is important to understand Kelly's popularity during this period, and also, it is important in understanding the broader cultural changes that influenced the movies. By the mid 1950s, Kelly was no longer represented as symptomatic of a criminal community; but rather, he was represented as a victim of colonisation. Although Kelly was always popular, his popularity reached a new height in the 1950s, and for the first time Kelly was embraced as a true national icon. Sidney Nolan's baroque paintings that were shunned in the 1940s became hugely popular during this decade, and earlier books by Kenneally and Brown were reprinted: Kenneally in 1955 and Brown in 1958. Also, Kelly's armour, that the police had once considered melting down, appeared in a variety of public locations. In 1957, it was exhibited at the Police Auditorium, while in 1959 the armour appeared outdoors at the Australiana Festival of Art, Music, Literature and History at the University of Melbourne. In January 1965, children were even invited to try on Dan Kelly's armour (Corfield, 2003: 16). Before this time, the armour had only appeared publicly at rare intervals.[100] For example, during the late nineteenth century it was displayed at The Royal Exhibition Building until objections forced its removal (D. Dunstan, 1996: 21).

A central reason for this cultural acceptance of Kelly is what Deane Williams understands as Australia's support of its 'folk culture' (D. Williams, 2008: 65). In his book, *An Arc of Mirrors*, Williams posits the 100th anniversary of the Eureka Stockade as a significant moment in the country's re-evaluation of itself. Led by the folk songs, which I will discuss in the following chapter, Australia's folk culture, as Williams writes:

[100] The police felt its public display could fetishise Kelly as 'subhuman' (Oldis, 2000: 43).

> *Reemerged again in the 1950s as part of a larger rural idealization, including the kind of radical anti-authoritarianism represented by the Bulletin writers at the turn of the century because, as Wart asserts, a song such as 'The Wild Colonial Boy' 'embodies an attitude to life which came to be considered distinctly Australian'* (D. Williams, 2008: 65).

Since the 1950s, the Kelly movies can be read as examples of redefining Ned via the folk tradition. Unlike the early movies, the more recent films feature a variety of folk songs that define Kelly as a social bandit.

Also, during the 1950s, Russell Ward wrote one of the seminal books on Australia's folk tradition, *The Australian Legend*. Ward's book preceded two significant papers he wrote for *Meanjin*: 'Australian Folk-Ballads and Singers' (Ward, 1954) and 'Felons and Folksongs' (Ward, 1956). In his 1956 article, he understands the folk revival to be a cumulative phenomenon, commencing around the world:

> *Life here is very much more intimately affected by overseas events and ideas than it was when the portrait of the 'noble bushman' was hardening into a stereotype. We surely have less need now to convince ourselves of difference, of the fact of our nationality, than we did in 1895. Yet the 'outback' tradition, unmodified or insufficiently modified by subsequent events still seems to fascinate too many novelists and short story writers. The fascination may become morbid, if not fatal, when it so dominates the creative writer's imagination as to make him more interested in tracing the lineaments of the 'noble bushman' in contemporary society than he is in discovering what people are like now* (Ward, 1956: 300).

As Ward remarks, what accompanies the folk revival is an examination of the physical representation of folk heroes. Previously in this chapter I explained how Kelly in the early movies is burly and mature. While such a representation tends to follow the news imagery produced during the Outbreak, in the later movies Ned Kelly, represented with more historical accuracy, is younger and much leaner. Actual photographs of Kelly certainly illustrate him as strikingly handsome, lean and young. For example, John Chidley's portrait of Ned dressed in his silk trunks over his long underwear and special boxing pumps clearly reveal Ned's physique and rugged good looks (**Figure 43**).[101] This photograph, taken four years before the Outbreak, proves that Ned Kelly was not big, burly or mature in age. It also seems to convey a more sympathetic impression of Kelly, as do some news engravings such as one sketch from *The Illustrated Australian News*, which portrays Ned as possessing manly good looks (**Figure 44**). Despite

[101] This photo would become the cover for Jones's *A Short Life*.

remaining mature in age, in this portrait he is handsome, civilised and clean. Sidney Nolan, however, was really the first to illustrate Kelly looking noticeably younger. As I have previously discussed, Elwyn Lynn believes that Nolan was heavily influenced by Kenneally's description of Kelly (Lynn, 1967: 46). Nolan created his first series of vivid Kelly paintings after he returned from war service in 1944, and indeed, Nolan's puny and frail Ned, masked by the dramatic black helmet, has become an iconic symbol of Australian culture (**Figure 45**).[102]

Figure 43: John Chidley (1874). 'Edward Kelly in Boxing Trunks'. Private collection

[102] Nolan produced other Kelly collections in 1955–56, 1964 and 1978–1980. In May 1980, he completed two lithographs to commemorate the 100th anniversary of Ned Kelly's death (Corfield, 2003: 371).

Figure 44: (1880) July 3. 'Ned Kelly'. *Illustrated Australian News*: 101

Figure 45: Sidney Nolan (1946). 'Ned Kelly and Horse'. Nolan Gallery, Canberra

Importantly though, Nolan's Kelly was prominently Irish. Explaining his representation of Kelly as a reference to the outlaw's Irish catholic oppression, this would become a common feature of Kelly from the 1950s. And following from Nolan, the movies since the mid 1950s have continued to represent Kelly as young, lean, sympathetic and Irish. Tim Burstall even based an entire short film, *Ned Kelly*

(1960), around Nolan's paintings.[103] Burstall also had plans to produce a Kelly feature, titled *Man of Iron*. Having completed the soundtrack and first draft of the screenplay, in the script's introduction he lists what he considered to be Kelly's defining traits.[104] Despite Burstall's list appearing nine years before *Bandits*, it still shares an intriguing resemblance to Hobsbawm's noble bandit criteria:

> 1. *Kelly's youth. He was only 24 when he was finally captured*
> 2. *his contention that he was not an ordinary criminal but rather the victim of police persecution*
> 3. *his reputation for chivalry and generosity*
> 4. *the length of time he eluded the police*
> 5. *the support he enjoyed from the local farmers*
> 6. *the suit of bullet proof armour*
> 7. *his skill as a horseman, marksman and bushranger*
>
> (Burstall, 1962: 2)

Sadly, Burstall was unable to fund his Kelly feature, as was Gary Shead whom had produced a short, *The Stringybark Massacre* (1960), which was intended to form part of his feature production. In 1960, however, the ABC produced a television miniseries based on Douglas Stewart's stage play, *Ned Kelly* (D. Stewart, 1943). Although no print or copy of the television adaptation exists, it is reasonable to assume that it followed Stewart's 'romantic' depiction of the bushranger quite closely (Parsons, 1995: 558). Many reviews praised its endeavour to update the 'Kelly saga' for the screen (Harrison: 261).[105]

Meanwhile, in England, having recently formed Woodfall Film Productions (with Tony Richardson and Albert Finney), Karel Reisz and Albert Finney in 1962 began work on a Kelly feature (McFarlane, 1997: 478). Reisz and Finney employed novelist and scriptwriter David Storey to produce the first draft and Los Angeles Production Company, Columbia, verbally agreed to fund the project with the provision that it resemble a 'contemporary western'. Fourteen months later, however, the belated first draft did not impress Columbia president Mike Frankovitch who told the pair, 'I've commissioned a

[103] Screening at film festivals around the world, it won Second Prize in the Open Section category at the AFI (Australian Film Institute) Awards in 1962.

[104] Copies of the unproduced script are available in the State Library of Victoria and National Library of Australia, Canberra.

[105] Following this production its star, Ken Goodlet, was cast in a 7 Network production of *Whiplash*. Set in the 1860s, the thirty-four episode Western series attracted a strong following outside Australia. It aired in Australia, Britain and America in 1961. Goodlet would later appear as Superintendent Nicholson in Tony Richardson's *Ned Kelly*.

Western and you're giving me Macbeth. I'm not making this. Goodbye' (McFarlane, 1997: 478). Reisz abandoned the project and instead directed Finney in a remake of *Night Must Fall* (Karel Reisz, 1964).

For others, Ned Kelly remained an appealing subject. In 1967, the BBC commissioned Rex Rienits to write the Kelly radio serial, *The Last Outlaw* (Rienits, 1967). Narrated by Wilfrid Coad Thomas, and starring Lewis Fiander as Ned Kelly, it segmented the outlaw's life into a series of eight, weekly episodes.[106] Told through the eyes of Kelly, *The Last Outlaw* followed a similar representation to Stewart's play, *Ned Kelly*.[107] The BBC radio dramatisation affirmed the popularity of the Kelly story outside Australia, and also, it influenced Tony Richardson to make his own Kelly feature. Following a series of flops – *The Charge of the Light Brigade* (1968) and *Laughter in the Dark* (1969) – Richardson was surely desperate for a box-office hit. And for a while, he thought that Ned Kelly was the answer. Firstly, he cast his regular collaborator Albert Finney – *The Entertainer* (Tony Richardson, 1960) and *Tom Jones* (Tony Richardson, 1962) – and hired the services of television producer and Kelly historian Ian Jones to co-write the script.

Once Jones and Richardson had completed the first draft, United Artists contributed an initial US$2.5 million to the budget. Richardson, though, could not decide what sort of film he wanted to make. Firstly, he dumped Finney from the production and cast Kelly buff Ian McKellen. But concerned that an openly gay man playing the bushranger could generate negative press, he dumped McKellen and ironically cast the androgynous front man of The Rolling Stones, Mick Jagger (Zwar, January 13, 2002: 36). This decision was curious, especially considering Jagger's public flirtation with homosexuality. Forced to justify his decision, Richardson argued that Jagger brought 'a young rebellious side to the role'; still, in the same breath he added, 'Jagger will either be brilliant or horrible' (Rawlins, August 2, 1969: 9). Jagger's girlfriend at the time, Marianne Faithful, later claimed that Richardson, who was openly bisexual and had a reputation for casting stars that he 'fancied', was infatuated with Jagger (Zwar, January 13, 2002: 36).

[106] A recording is currently held by the National Film & Sound Archive (Rienits, 1967).

[107] Stewart's play had originally debuted as a radio production under the direction of Lawrence H Cecil (Parsons, 1995: 396).

Richardson's Kelly is a downtrodden Irish Catholic who must defend himself against crooked British authorities. The film begins at 'The End' inside the Melbourne Gaol. Shot in grainy black and white, the cold execution of Kelly is broken by illuminating colour footage of a younger Ned returning to his family after a stint in the Pentridge Gaol. Kelly ballads sung by American singers Kris Kristofferson and Waylon Jennings feature through the soundtrack, and often appear instead of dialogue. The ballads certainly champion Ned as a great hero and often excuse his more questionable behaviour. For example, as Ned chases an unarmed Sergeant Kennedy through the woods at Stringybark Creek, Jennings peculiarly sings, 'Ned Kelly ain't never done wrong'. Jagger's puny and pale body certainly adds to the sympathetic nature of the representation. The most intriguing aspect of the movie, however, is Kelly's Irish Catholic nationalism, and for the first time on film, Kelly speaks with an Irish accent – even though Jagger is not entirely convincing. Shot regularly from low angles to amplify his authority and spokesman's role, the audience's sympathy is definitely on the side of Kelly. To excuse his murder of three police officers and daring bank raids, the Outbreak becomes a political revolution that attempts to replace the colonial apparatus with a republic of north-eastern Victoria.[108]

For many reasons, the casting of Jagger was quite appropriate – especially in light of Kelly's new age social bandit status. He was young, sensitive, handsome and devilish. He also embodied the sort of charisma required to be a social bandit. For many reasons, Ned Kelly seemed the perfect part for Mick Jagger and many reviewers applauded Richardson's bold casting. One review by Evan Williams titled 'Ned Kelly – Robin Hood of Bushrangers' marvelled, 'Jagger's performance has a raw and artless truth, and his slender frame, those thin pale arms, hint strangely at the inner strength and tenacity of the man' (E. Williams, November 16, 1970: 14). Keith Dunstan in his book, *Saint Ned*, even declared this version as the 'greatest production of them all' (K. Dunstan, 1980: 84).[109] The hordes of adolescent fans from

[108] Some scholarship on this film includes *Ned Kelly Bushranger* (Carroll, 1976), *Mates and Others in a Wide Brown Land* (McFarlane, 1987), *The Young Person's Guide to the Theatre* (Buzo, 23-24 July, 1988), *The Australian Cinema* (Shirley and Adams, 1989), *An Autobiography of British Cinema* (McFarlane, 1997), *The Cinema of Tony Richardson* (Welsh and Tibbetts, 1999), 'Mick's Big Flop in the Country' (Zwar, April 2 2000), 'Movie Squabble over Ned Kelly' (Maddox, August 19, 2002), *Celluloid Heroes Down Under* (Sheckels, 2002), *'Man and Myth'* (Fitzgerald, 24 March, 2003), and *'New-Aged Ned'* (O'Shea, 2005). Sadly, but not surprising Richardson's biography, *The Long-Distance Runner,* does not mention the film in any satisfactory detail (Richardson, 1993).

[109] Dunstan's book features an entire section on the films (K. Dunstan, 1980).

around the globe equally applauded the performance of the rock star. Premieres in America and France, for instance, erupted in ovations from the 'young pop crowd' (Pullen, 1971: 9).

Following Richardson's film, Italian producer Dino De Laurentiis began his own Kelly project (L. Barber, March 1, 2003: 5). Entitled, 'The Iron Outlaw', he planned to shoot the location work in Australia and complete the studio footage in his American studio (De Laurentiis Entertainment Group [DEG]) based in Wilmington, North Carolina; however, when he was unable to convince hesitant film backers, he abandoned the project. During this time, Kelly documentaries began to appear. In 1973, Stuart Cooper produced *Kelly Country*, which was narrated by Orson Welles.[110] To introduce Ned Kelly to its international audience Welles declares, 'Ned Kelly is Australia's answer to Robin Hood'.[111] In 1976, the ABC commissioned John Gauci to adapt Roger Simpson's popular stage play, *The Trial of Ned Kelly* into a television drama. Starring British actor John Waters, it was the first significant non-action Kelly movie, and apart from a series of flashbacks depicting the Stringybark Creek killings, the narrative was set entirely in the courthouse and Melbourne Gaol. Providing a new angle to the trial, it exposed the highly questionable judicial processes that sent Kelly to the gallows. The telemovie also refers to Justice Barry's eagerness to wrap up the trial quickly, so he could attend his beloved Melbourne Cup carnival.

By the late 1970s, Ian Jones had formed an independent production company, *Pegasus Productions*, with Bronwyn Binns.[112] Their first production was the popular historical miniseries *Against the Wind* (Kevin James Dobson, 1977), which they followed with a miniseries on the Kelly saga, *The Last Outlaw* (1980). Jones had always wanted to make his own Kelly film, and still bitter after Richardson had sacked him from the 1970 feature, Jones was determined to make a 'truthful' and 'accurate' film. To open each episode, an intertitle declares:

[110] Sidney Nolan co-produced.

[111] At this time, 'bushranging' was a popular subject. In 1975, the BBC premiered its big budget colonial series, *Ben Hall*, which led to more bushranging features such as *Mad Dog Morgan* (Philippe Mora, 1976) and *The Chant of Jimmy Blacksmith* (Fred Schepisi, 1978). *Mad Dog Morgan* narrated the story of Dan Morgan, whereas *The Chant of Jimmy Blacksmith* told the story of Jimmy Governor.

[112] Binns had worked on Richardson's film as an assistant editor.

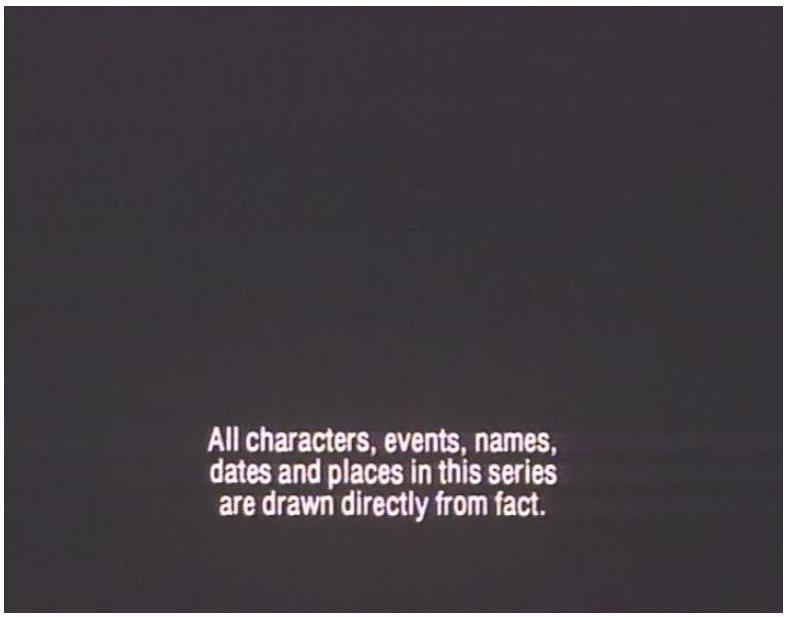


Figure 46: Opening intertitle (*The Last Outlaw*, 1980)

Some years earlier, Jones and Binns had developed a television series set in Victoria's colonial northeast. Entitled *Kelly Country,* each weekly episode would follow an Irish Catholic family (I. Jones, November 13, 2005): 'A kind of colonial *Sullivans*', Jones later remarked (McDonald, June, 2003: 65). The pair eventually decided that a weekly show would be too hard to sustain, so instead they decided to create a four-part miniseries based on the Kelly Outbreak. *The Last Outlaw* (1980) narrates the oppression and unfair persecution of Irish selectors in the region. Stylistically though, it is dull and does not illuminate the saga as stunningly as Richardson's feature. Nevertheless, it does champion Ned as the people's hero who can do little wrong. The longer duration of four 100-minute episodes meant that it could also cover a broader scope of Kelly's life. Beginning with Ned as a teenager, it concludes at his Melbourne Gaol execution. The narrative is also interspersed with a number of romantic and domestic scenes. Such moments certainly represent Ned as civilised, romantic and gentlemanly. The miniseries also incorporates the relationship that Ned supposedly had with his cousin, Catherine Lloyd.

Like Richardson's film, *The Last Outlaw* (1980) also had an eventful time casting its lead. Mel Gibson was the initial choice: handsome, young and masculine, he seemed like the perfect actor to play a social bandit, but Jones was wary of Gibson's fame overshadowing the project's seriousness (L. Barber, April 10, 1999: 3). Jones felt that Richardson's casting of Jagger was a terrible mistake, so instead he cast

up-and-comer John Jarrett who had previously appeared in a number of small roles including *Picnic at Hanging Rock* (Peter Weir, 1975), *The Odd Angry Shot* (Tom Jeffrey, 1979) and the bushranging film, *The Chant of Jimmie Blacksmith* (Fred Schepisi, 1978). Kevin James Dobson and George Miller were hired as co-directors. But, the real star of the production was Ian Jones, whose script was promoted as a 'historical document in its own right' (Carlyon, 1980: 1).[113] Jones conducted numerous interviews and wrote about the miniseries for *Cinema Papers*, where he boasted that his production was accurate, factual and 'the result of 39 years of research' (I. Jones, 1980: 354). Nevertheless, despite its positive reviews, the ratings were not great (Murphy, 1980: 4). Criticised by McFarlane, Jones's obsession to represent Kelly accurately had completely sanitised the outlaw (McFarlane, 2006: 31). Furthermore, although Jones would never admit it, the miniseries is a ridiculously romanticised rendition that blatantly ignores Kelly's darker reality. A television advertisement campaign that declared 'it refuses heroes and villains, allowing the audience to make their own judgement' is ludicrous as Kelly is unquestionably represented as a great noble hero.[114]

The next Kelly feature was the 1993 comedy *Reckless Kelly* (1993). For Yahoo Serious, this film that he starred in, directed, produced and co-wrote was a follow-up to his box-office sensation, *Young Einstein* (Yahoo Serious, 1989).[115] *Reckless Kelly* (1993) continues *Young Einstein*'s silly humour as it propels Ned into a modern day urban culture, and indeed, this feature also continues the tradition of Kelly's comedic stage plays, such as the 1879 play *Catching the Kellys*.[116] As Routt explained, *Reckless Kelly* (1993) is 'about the Kelly myth – not Ned Kelly' (Routt, 2003b). Nevertheless, Kelly is plainly represented as a noble bandit in the tradition of Robin Hood. In fact, references to Hood punctuate this film with the promotional tagline even declaring, 'Reckless Kelly is the Australian Robin Hood'.

[113] This is not the Dr George Miller who directed *Mad Max* (George Miller, 1979). This George Miller directed *The Man from Snowy River* (1982) and *Against the Wind* (1978).

[114] *The Last Outlaw* has produced its fair share of discussion: 'The Last Outlaw' (I. Jones, 1980), 'The Last Outlaw' (February 25, 1980), 'A Loving Look At' (Murphy, 1980), 'Ned Kelly to Queens in the Desert' (Butters, 1988) 'The Last Outlaw' *Ned Kelly Reconstructed* (Morgan, 1994), 'Bronwyn Jones' (McDonald, June, 2003), and 'Kelly Culture' (Holland and Williamson, 2005).

[115] Although *Reckless Kelly*'s opening claims Yahoo Serious was the sole writer, the end credits acknowledge Lulu Pinkus, David Roach and Warick Ross along with Serious as the scriptwriters.

[116] *The Argus* summarised this play as 'farcical' (March 29, 1879: 3).

Furthermore, the script features corny one-liners such as 'robbing banks isn't easy like in Robin Hood's day'. In one scene, Ned stops his motorcycle on the Hollywood star of Errol Flynn, who in 1938 starred in *The Adventures of Robin Hood* (Michael Curtiz and William Keighley, 1938). In *Reckless Kelly* (1993), Ned is a professional bank robber who 'only shoots guns from the hands of those who'd prefer to see me dead'. An anti-capitalist, environmental republican, Ned lives on Reckless Island with his extensive multicultural family, and to the dismay of the city banker, Sir John, he deposits stolen bank money into the accounts of the poor. Sadly, *Reckless Kelly* (1993) did not match the global success of *Young Einstein*, and at the time of writing, *Reckless Kelly* (1993) is not even available on DVD. Apart from a rare airing on late night television, the film has disappeared without much trace. Yet, the initial reception was not entirely bad. The box-office figures were healthy and reviews, though mixed, did offer some positive praise. Adrian Martin, for instance, enthusiastically declared it a 'must for all students of Australian culture' (Martin, January 4, 1994: 52).[117]

Early this century a series of Kelly projects were in development. In 2001, Gregor Jordan announced his plans to adapt Robert Drewe's bestseller, *Our Sunshine* (Drewe, 1991), whereas Irish director Neil Jordan (no relation to Gregor) had also optioned Peter Carey's *The True History of the Kelly Gang* (Carey, 2000). Meanwhile, Sydney director Michael Jenkins had plans to direct his own Kelly movie, 'Fanatic Hearts'. Jenkins's project had already cast Australian-Greek actor Alex Dimetriadis as Ned, and raised an initial thirteen million dollars (Zwar, April 2 2000: 83). Gregor Jordan's project, however, had stronger financial backing with its British production company Working Title pumping twenty-five million dollars into the project (Sutherland, 4 May, 2002: 12). Also, Universal had agreed to distribute the film internationally and Heath Ledger was announced as the film's lead (Zachariah, December 2, 2001: 28). With Gregor Jordan's film set for principal photography, Neil Jordan and Michael Jenkins abandoned their projects. Following the pattern set by the 1970, 1980 and 1993 editions, Gregor Jordan's feature puts the audience's sympathy firmly on the side of Ned. The English class system that oppresses Ned, and results in his outlawry, certainly strengthens his social bandit representation.

[117] The only writing on *Reckless Kelly* worth mentioning is 'Seriously Patriotic (Crompton, April 12, 1993), 'Yahoo Serious: Reckless Kelly' (Urban, 1993) and 'Reckless Kelly' (Breen, 1995).

Only marginally does Jordan's film follow Drewe's novel, and while all the main characters appear, Drewe's broken and relatively random structure shares a closer resemblance to Richardson's film. In fact, Jordan's conventional linear structure has little in common with Drewe's tone and style. Rather, Jordan seems purely interested in telling the story smoothly and without any showy distraction. As Routt writes, '... it is the most classical. It tells an uncomplicated story smoothly and with a certain style ... an Australian *Adventures of Robin Hood*' (Routt, 2003c: 10). Routt is certainly correct to compare Jordan's 'theatrical' interpretation of the Australian legend to the 1938 Robin Hood film, as both are classical in every sense. Visually, Jordan's movie is stunning, but like *The Last Outlaw* (1980), it completely sanitises the historic Outbreak. As McFarlane correctly writes, 'despite looking well and despite a more than competent cast, the film is no more than routinely entertaining without being memorable' (McFarlane, 2006: 30).[118]

Released a few months after Jordan's film was the comedy spoof *Ned* (2003). Local actor Abe Forsythe directed, starred, and wrote the screenplay.[119] Forsythe's representation of Kelly as puny and boyish certainly draws a direct reference to Nolan's imagery, which also portrays Kelly as juvenile, childish and regularly masked by his helmet.[120] *Ned*'s promotional tagline reads 'Hero, Lover, Dickhead'. Strangely, however, Forsythe described his comedy as anti-Kelly, despite it plainly representing Ned as an honourable and decent bandit, who saves his family's home from repossession (Bodey, May 22 2003: 3). This film tells the story of a teenage Ned who leaves the home of his obsessed Irish father to become the world's premier outlaw illusionist. Upon reaching Glenrowan, Ned becomes the fourth member of the notorious Hughes Gang, which consists of the syphilitic Dan Hughes, drag queen in search of sex change Joe Byrne and psychotic Steve Hart. Ned's instant fame, which sees him celebrated as the people's

[118] Some additional commentary on Jordan's film includes 'Gentle Art of Bushranging' (Fitzgerald, March 24, 2003), 'Ned is History' (Meacham, March 26, 2003), 'Going Great Guns' (Eimer, September 14 2003), 'Ned Kelly – Hero or Villain' (Callan, September 26, 2003), 'Ned Kelly' (MacNab, 2003), 'Rural Tourism in Australia' (Beeton, 2004), 'Ned Kelly'(Aoun, 2004), 'Braveheart-ed Ned Kelly' (Frost, 2006), 'Ned Kelly – Study Guide' (Lewis and Carrodus, 2000) and 'The Influence of Peter Carey's True History of the Kelly Gang' (O'Reilly, 2007).

[119] *Ned* marks actor Abe Forsythe's debut feature. Previously, Forsythe had a small role as Campbell Todd in the Seven Network serial *Always Greener* (Brendan Lee, 2001). Forsythe directed the short films *Liquid Room* and *Computer Boy*, which are available on the DVD release of *Ned*.

[120] A decade after David Stratton had warned sophisticates from viewing *Reckless Kelly*, he cast a similar cautionary notice contesting that 'B' grade cheapie *Ned* excludes an 'intelligent audience' (Stratton, May 23, 2003).

champion, also brings him to the attention of the sadistic Governor Sinclair who has a perverse fetish for hamsters. As suggested by this plot, the film is juvenile in every sense.

As much as it tried, Jordan's film could not distance itself from this farce. For example, at a convention on the Gold Coast, a clip from Forsythe's movie was accidentally played instead of the trailer for Jordan's film. Jordan, who introduced the trailer, ludicrously had to watch a scene that includes an image of Heath Ledger's face on a Kelly wanted poster (Molitorisz, May 23 2003: 4).[121] In response, *Ned Kelly*'s distributor, Ocean Pictures, damned *Ned* (2003) as 'a low-budget straight to video spoof' (Molitorisz, May 23 2003: 4). Yet again, *Ned* (2003) had the last laugh when it received extensive press coverage and a multiplex distribution. Adding further humiliation was a publicity advertisement that showed the cast of *Ned* (2003) holding a burning poster of Jordan's film (**Figure 47**).[122]

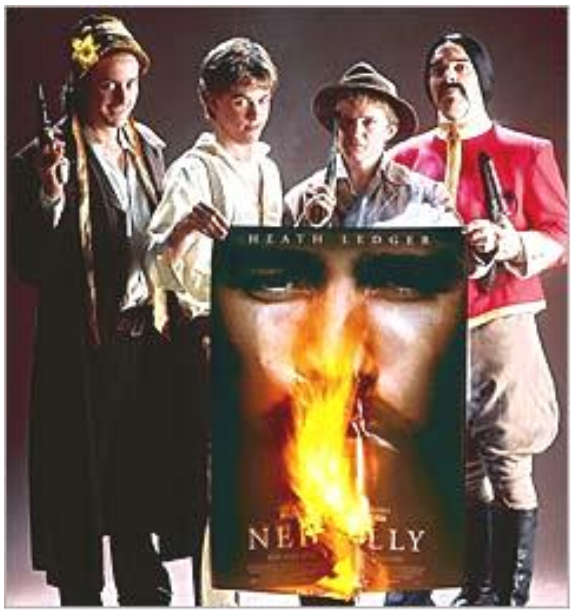


Figure 47: Publicity poster (*Ned*, 2003)

[121] Due to threats of litigation, this scene was omitted.

[122] Sadly, *Ned*'s foul humour and mockery of Kelly's social bandit status has encouraged practically no serious commentary. Even Routt left it off his list of Kelly films (Routt, 2003b). Those interested in the Kelly comedies may like to read further on Western comedies. Of note here is *Westerns* (Mitchell, 1996), 'Cowboy Humour' (Davis, 2000) and 'Cowboys and Comedy' (M. R. Turner, 2005).

Just the sheer volume of the Kelly films, produced relatively consistently over 100 years, demonstrates Kelly's popular and sustained status within Australian culture. Furthermore, these films also demonstrate the changes to his popular representation during the twentieth and twenty-first centuries. Nevertheless my purpose, is not to frame the films within a post-colonial media, but rather to discuss them within the context of Kelly's historical tradition, that certainly was in full swing by the time of his death. What I find most interesting is how they incorporate, or ignore, particular historical artefacts depending on their representation of Kelly. For instance, Kelly's positive folk songs feature prominently in the later movies that mould a similar hagiographic representation of him, whereas in the early films the ballads are entirely ignored. While it has been important to discuss Kelly's popular tradition of films, my approach is to discuss them in reference to other cultural works, and especially, his representation in the later films as a social bandit.

Chapter 3 *Irish representation*

We have no doubt many Irishmen are unconsciously influenced by the habitual distrust of the law which English misrule festered in Ireland.

- *The Age* (1880: 4)

Ned Kelly was an Irishman. To approach this fact is to approach his legend.

- Ian Jones (1968: 77)

Surrender now, Jack Doolan, you see there's three to one.
Surrender now, Jack Doolan, you're a daring highwayman.
He drew a pistol from his belt, and shook the little toy,
"I'll fight, but not surrender", said the Wild Colonial Boy.
- '*The Wild Colonial Boy'* (Manifold, 1964: 50)

A prominent feature of Ned Kelly's social bandit representation is his Irish identity, which certainly frames him within a rich tapestry of global Irish folk heroes. Indeed, there is at least some historical truth to his representation as Irish. Despite the historical figure not speaking Gaelic, he was immersed in a community heavily populated by Irish Catholic selectors. For Ned, there was no escaping his Irish heritage: His father Red was transported from Tipperary to Van Diemen's Land in 1841 for stealing pigs, while his mother Ellen Quinn was born in Antrim, Ireland and came to Australia in 1841 with her parents.[123] Ned was certainly the offspring of an oppressed race. More than any other group, the Irish-Catholics were treated disdainfully and with great suspicion. Defined as a 'special class', they formed Australia's first white minority and 'from the outset, the Irish in Australia saw themselves as a doubly colonized people' (Hughes, 2003: 181). Even John McQuilton, who argues against the tendency to

[123] Red arrived in Hobart Town on January 2, 1842.

over-stress Kelly's Irish element, 'because it is so obvious', cannot ignore its significance (McQuilton, 1979: 188).

Ned in the later films represents a more complicated and intelligent depiction of the Irish, despite their stereotype as dim-witted. The later movies, in fact, exemplify Patrick O'Farrell's comments regarding a more new-age Irish stereotype. In *The Irish in Australia*, he argues how:

> *The idea of being 'Irish' has undergone a remarkable recent transformation from being identified, historically, with poverty, ignorance, low social and occupational status, sectarian Catholicism, drunkenness, disorderly behaviour. It has recently become a fashionable asset, representing charm, sociability and conviviality, mild social radicalism, fun and entertainment, possessing some of the essential ingredients of the popular Australian self-image. By 1995 it was politically correct to call the Irish delightful* (O'Farrell, 2000: 330).

Plainly, these later films represent Ned as an intelligent and charming proud Irish man who, of course, still enjoys a drink and dance. However, more than just Ned's own Irish identity, these films are fittingly set within an iconographic Irish atmosphere.

Landscape

Despite Victoria's northeast having a reasonably hot and dry climate, in these movies the environment, which is overcast, cold and wet, resembles the boggy terrain of Ireland. For example, a montage early in Richardson's 1970 film showcases the barren countryside as Ned travels from the Pentridge prison. With Waylon Jennings crooning the Kellys sad story of Irish persecution, the images illustrate impoverishment and fruitlessness. Yet, as Hobsbawm would argue, these images are fairly common in the social bandit narrative, as they demonstrate the community's necessity for someone to 'feed the poor' (**Figure 48**).

Figure 48: The barren landscape *(Ned Kelly*, 1970)

Social banditry, Hobsbawm writes, becomes 'epidemic in times of pauperization and economic crisis' (Hobsbawm, 2000: 26). Representative of this is also Jordan's 2003 film, which equally presents a barren and destitute environment, overshadowed by ominous clouds and cold weather. Routt describes this film's visuals as drenched in colours of black, tan and grey – 'predominantly the colour of dirt, dust, rocks, wood and mud' (Routt, 2003c: 12). The season of winter is certainly the impression given by these films. For instance, in *The Last Outlaw* (1980), the Kellys end their evening by gathering around the fire and listening to Ned read excerpts from *Lorna Doone* (**Figure 49**).[124] Describing this affectionate moment, Jill Kitson writes:

> *Willow-pattern china stood on the polished dresser and on the warmly-varnished kitchen table; pictures hung neatly on the wall, and in the flickering light of the open fire, the clean, well-mannered, loving family ate their Irish stew, listened to Ned reading Lorna Doone, and withstood the blows of a cruel world* (Kitson, 1981: 57).

[124] Although *Lorna Doone* was an English novel, it narrates the struggles of a poor family of selectors trying to resist the persecution of bully police.

Figure 49: The Kellys gather around the fire (*The Last Outlaw*, 1980)

A direct contrast, however, is the representation of the Victorian landscape in the early movies, which depict the milieu as sunny, vigorous and most suitable for farming. Thick, healthy shrubbery surrounds the Kelly homestead in *When the Kellys Rode* (1934) and open fires are certainly not needed for warmth. Indeed, the state of the landscape gives no apparent justification for outlawry. In images that evoke paintings by the Heidelberg school, the landscape becomes an enthralling and visual splendour, which at times dwarfs the bushrangers.[125] For example, in this shot from *When the Kellys Rode* (1934) (**Figure 50**), Ned is barely visible in the bottom third of the frame. Curiously, such an image, whether intentional or not, resembles the 1895 painting 'In a corner on the Macintyre (Thunderbolt in an encounter with police at Paradise Creek)', which also dwarfs its bushranger (**Figure 51**) (Astbury, 1985: 129). In both images, the outlaws become anonymous specks on the horizon.

[125] For more on the Heidelberg school see *A Treasury of Australian Bush Paintings* (Bruce, 1986).

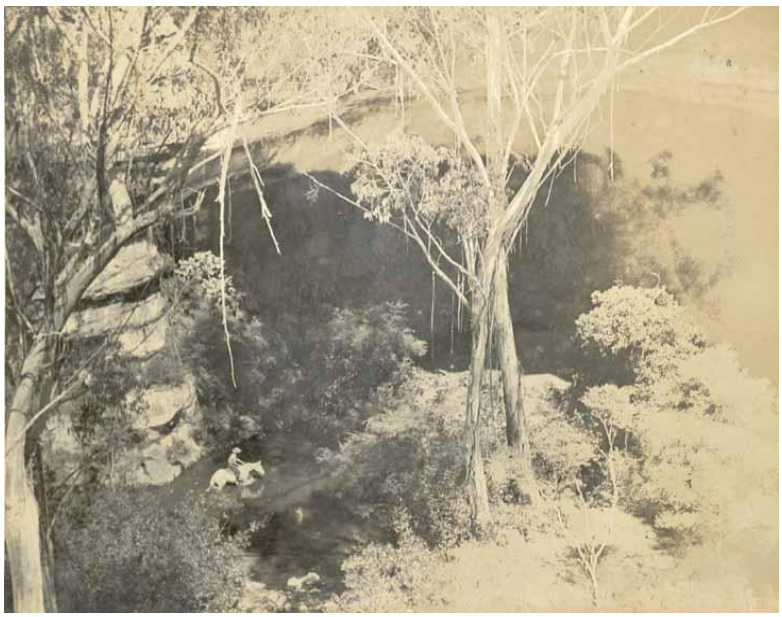


Figure 50: The sunny terrain (*When the Kellys Rode*, 1934)

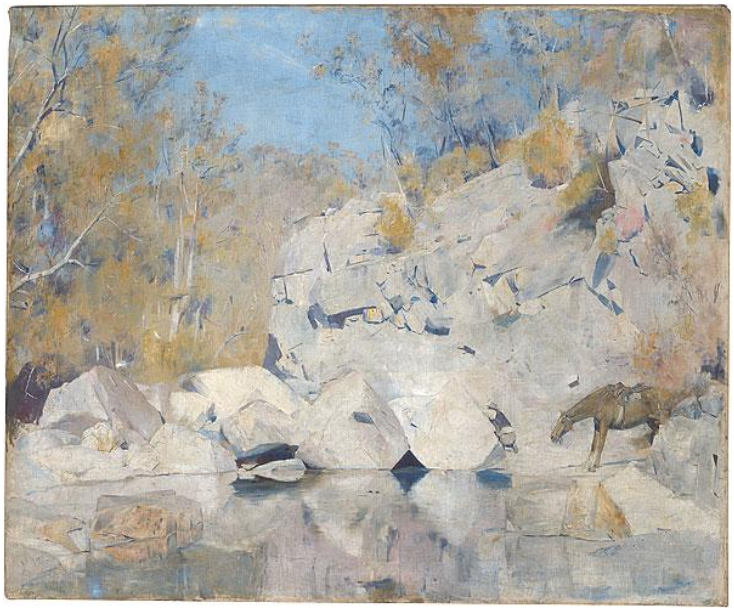


Figure 51: Tom Roberts (1895). 'In a corner on the Macintyre (Thunderbolt in an Encounter with Police at Paradise Creek)', *National Gallery of Australia*: 71.109

In the later movies, however, the landscape is strikingly different and despite its tranquil beauty, it is not an easy milieu to endure. In Jordan's 2003 film, for instance, Ned, in a relatively short time becomes a dishevelled mess in the Australian environment. In this shot below, which features rocks that are curiously reminiscent of Roberts's painting, Ned and Joe are barely recognisable from their normal stylish selves (**Figure 52**). These kinds of images certainly paint a sympathetic, as well as heroic portrait

of Kelly, whose quest for justice is cruelled by the brutal landscape. Nolan's iconic Kelly paintings also make similar suggestions about Ned's harsh battle with the landscape. Nolan, in fact, stated on many occasions that his representation of the barren landscape was intended to illustrate Ned's Irish Catholic oppression (Ingram, 2006: 13). In 'Return to Glenrowan', as a point of reference, Ned, who stands against the bleak terrain, is a victim of the environment, just as he is a victim of the constabulary's brutal torment (**Figure 53**). Discussing Nolan's imagery, Jones writes how it evokes a 'naive, almost childlike figure' (I. Jones, 1968: 155). In the later movies, as well, the landscape is symbolic of the Crown's contempt towards the Irish selectors.[126] A regular image in the later movies is the police contaminating and destroying the environment in search of Kelly. Whereas they poison watering holes in Richardson's 1970 film, in Jordan's film they recklessly start a bushfire to 'smoke out' the Gang.

[126] According to McQuilton, 'the infrastructure necessary for the successful establishment of an agrarian community was never created' (McQuilton, 1979: 40). Stories of the 'agrarian outrages' of Ireland were all too familiar for the selectors in Victoria. In Ireland, the construction of train lines in the 1860s had invaded farming regions. Rust was the most feared of the crop diseases and men scared of its environmental impact obstructed railway lines (McQuilton, 1979: 51). The fact that Kelly removed the train tracks at Glenrowan is certainly appropriate. The urban British backgrounds of many of the legislators and their ideas about farming were to the detriment of Victorian rural selectors. For instance, the Land Act of 1869, which was presented to the Victorian parliament, completely ignores Australia's environmental circumstances and climate (1869). Such an Act is written with a British climate in mind. The extra problems that this Act gave farmers are explored in the first episode of *The Last* Outlaw.

Figure 52: Ned and Joe take shelter (*Ned Kelly*, 2003)

Figure 53: Sidney Nolan (1946). 'Return to Glenrowan'. The Nolan Gallery, Canberra

Beyond the representation of the environment, the later movies also use folk ballads and accents to identify Ned Kelly as Irish. However, some do joke whether Mick Jagger's accent even resembles Irish. Jan Dawson, for instance, groaned that Jagger's accent was simply horrid (Dawson, 1970: 159), whilst *The Guinness Encyclopaedia of Popular Music* wrote 'Mick Jagger revealed that his powers of mimicry did not extend as far as a convincing Irish accent' (Larkin, 1995: 2120). The thought of Ned speaking

with an Irish accent is peculiar for those who want to believe that the current Australian accent has always been in existence. Yet, as Edwin Carton Booth described it in 1874, the 'typical' Australian/Irish accent is 'characterised by a brogue decidedly Irish in its tone, but softer and smoother than any brogue found in Ireland' (Booth, 1874: 63).

Disregarding such facts, in the comedies *Reckless Kelly* (1993) and *Ned* (2003), Kelly speaks with a strong ocker 'Aussie' accent, rather than a clear Irish brogue. Neither film, though, ignores Ned's Irish heritage. In *Ned* (2003), Kelly's Irish heritage is the central reason for his family's persecution and, indeed, this film relies on the stereotype of 'dim-witted paddies' for much of its humour. At the start of the movie, for example, Mr Kelly grows a crop of 'rubber plants' and ludicrously dreams of a 'world made entirely of rubber'. Graham Seal writes that the common understanding of the Irish being stupid or gullible is best exemplified in the oral folklore, such as the jokes, which he believes have achieved an 'institutionalised form' (Seal, 1990: 13). Representative of this is Governor Sinclair in *Ned* (2003) who tells his troopers an Irish gag: 'How many Irish men does it take to change a light bulb? Ten. One to hold the bulb and nine to rotate the ladder'. Cultural historian, Margaret Williams, certainly understands slapstick Irish characters to be a staple of colonial stage theatre, and as *Ned* (2003) demonstrates, Irish comedic characters have continued to be 'astonishingly dense in their susceptibility to the machinations of the villain' (M. Williams, 1983: 267).

Irish characteristics are a dominant feature of the Kelly tradition, and those who ignore them are often subjected to harsh criticism. Ian Jones in the introduction to Roger Simpson's published teleplay, *The Trial of Ned Kelly*, voiced his annoyance for the narrator not being cast as 'Irish':

> *The Narrator, a colourfully partisan observer, reminds us that the essence of the Kelly story is Irish rebellion against British authority … in the course of production and post-production several changes were made. The Narrator was cast as an Australian rather than as an Irishman. This involved some alteration of his dialogue and a considerable shift in the significance of character in relation to Kelly and his cause* (R. Simpson and Jones, 1977: vii).

Jones, however, seems to forget that the Kelly Outbreak is indeed an Australian story. So surely the use of an Australian voice narrating the saga is acceptable, especially considering that Ned himself speaks with a strong Irish accent. Nevertheless, Jones makes a good point as Kelly's Irish loyalty, identity and

patriotism fashion his Outbreak as an Irish political rebellion. As Manning Clark writes, 'so Ned came to man's estate a divided man – aware, too, that such acts against the men who had condemned many a blooming Irishman to a life of tyranny were not crimes' (Clark, 1968: 17). Cassandra Pybus makes similar claims by arguing that Irish outlaws are culturally identified as oppressed 'Irish political heroes' (Pybus, 2002: 31). In Jordan's film, Ned voices this point clearly:

Dan

You're just gonna keep running, aren't you? They'll catch you eventually or shoot you down. Did you know they pardoned Frank Gardiner in New South Wales?

Ned

On condition he left the colony.

Dan

He gave himself in.

Ned

He wasn't an Irishman.

Dancing and singing

There is no doubt that Kelly's Irish representation in these later films is a result of the global boom of Irish music since the 1950s, which has seen touring groups such as The Dubliners and Chieftains enjoy phenomenal success around the world (O'Shea, 2005: 40). Symptomatic of this boom is Tony Richardson's 1970 soundtrack, which had American country singers, Waylon Jennings and Kris Kristofferson, perform a number of 'original' Kelly folk ballads as composed by Shel Silverstein for the film. Whereas some, such as Lillian Roxon, criticised the use of these American singers (Roxon, June 21,

1970: 21), Helen O'Shea correctly recognises how they appropriately positioned Ned Kelly as a poor cousin to the better known Irish 'anti-heroes of the Hollywood western' (O'Shea, 2005: 41).[127]

At the time of Richardson's 1970 production, the subgenre, dubbed 'Outlaw Country', was a popular phenomenon. In 1968, Bob Dylan wrote and recorded an entire album inspired by the Texas outlaw John Wesley Hardin whose name Dylan accidentally misspelt as John Wesley Harding (Sounes, 2001: 271).[128] Not surprisingly, Richardson had originally wanted Dylan to record his soundtrack, and in an interview he declared, 'Dylan like Jagger can present the human reality of the rebel, the justifiably angry rebel that the historical Kelly really was' (Rawlins, August 2, 1969: 9).[129] Music, especially Irish music, is a dominant feature of all the later movies. For example, in one scene from Jordan's 2003 film, Aaron Sherritt uses music to interrupt a standoff between Ned and the contingent of police officers inside the pub: 'This one is a request for Ned Kelly', Sherritt hollers. As the band breaks into a rendition of 'Kesh Jig', the venue erupts into a display of harmony and defiance.[130] As Ned cheekily grins at the police from the dance floor, Constable Lonigan scornfully remarks, 'nerve of the bloody knacker. Look at him. Acts as if he owns the joint' (**Figure 54**). Here Lonigan's use of the derogatory term 'knacker' exposes his prejudice, while announcing the police as no friend of the Irish. Despite Lonigan, in reality, being Irish, this film ignores this detail and gives the Victoria Police the label of 'racist British thugs'.

[127] Lillian Roxon referred to the soundtrack as 'appalling' (Roxon, June 21, 1970: 21).

[128] 'John Wesley Harding' is the official title of this album (Dylan, 1968).

[129] In 1973, Dylan recorded the soundtrack and played a minor role in Sam Peckinpah's *Pat Garrett and Billy the Kid*. In this film, Kris Kristofferson played William Bonney aka Billy the Kid.

[130] In this film, 'Kesh Jig' was arranged and performed by the band Blackberry Jam (2003a).

Figure 54: An Irish dance (*Ned Kelly*, 2003)

Also in this scene, dancing illustrates Ned's unity with his community, and enjoyment of traditional Irish music. However, in the early films when Ned is depicted as a rogue outlaw, he rarely takes part in dancing. Representative of this, Ned in *The Kelly Gang* (1919) sits at a table, whilst his sympathisers dance (**Figure 55**). Such an image certainly has a curious resemblance to Thomas Carrington's historical engraving, 'The Dance at the Glenrowan Inn Before the Fight', which also portrays a burly Kelly removed from the dancers. Dressed in his overcoat, Ned in this engraving stands to the side, and away from the outlaws and hostages, who participate in a dance (**Figure 56**).[131] Although Kelly's armour, worn underneath his overcoat, severely limited his movement and mobility, this hardly seems the point. Here Carrington does not reference the armour, and with Ned staring in a different direction, there is clearly an intentional separation between the outlaw and community.

[131] Identified by his striped pants and shirt, Joe Byrne enjoys himself with the other hostages. Representations such as this challenge any suggestion that the Glenrowan hostages were treated poorly (Douthie, 2007). Ellen Kelly's biography (Balcarek, 1984) and Judith Douthie's *I was at the Kelly Gang round-up* (Douthie, 2007) argue that the atmosphere inside the Inn was merry.

Figure 55: The dance (*The Kelly Gang*, 1919)

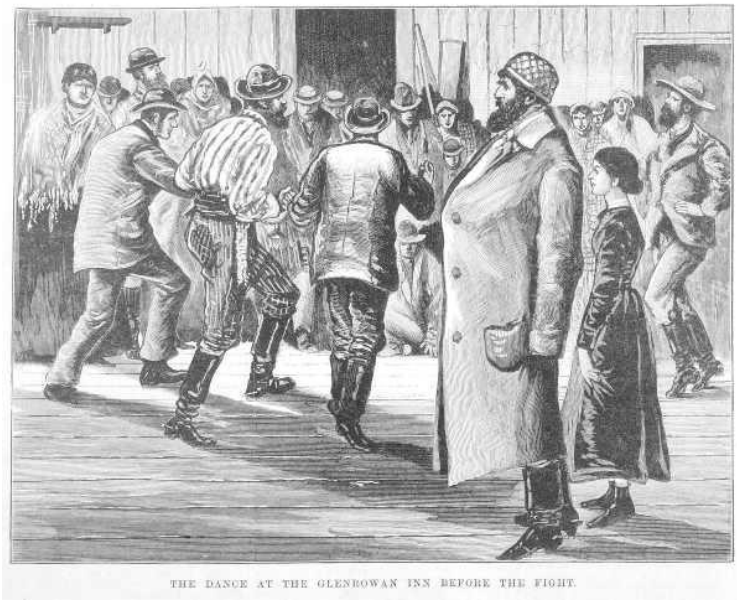


Figure 56: Thomas Carrington (1880) July 17. 'The Dance at the Glenrowan Inn Before the Fight'. *The Australasian Sketcher*: 168

Beyond the images of Kelly's role in the dances, are the folk ballads, which are only performed in the later films. As I previously mentioned, no Kelly ballad features in any of the early movies, and even the silent films do not include scenes of people singing ballads. Adding further intrigue to this point is the historical research, which affirms that folk ballads were not performed at screenings of *The Story of the Kelly Gang* (1906) (Ina Bertrand and Routt, 2007: 57). Although 'popular ballads' were sung by Sydney

Monk at some performances of this film, it appears that they were performed 'prior' to the feature's screening, not during its presentation (January 24, 1907: 8). During the Melbourne screening of the film, 'lines of dialogue were spoken by members of the crew presenting the film', but how these lines were read, or what the lines consisted of, still remains a mystery (Ina Bertrand and Routt, 2007: 57).[132]

As with Kelly's Irish accent, the Kelly balladry also frames Ned exclusively within the oral tradition of the Irish rebel hero, such as William Brennan. The opening lines of 'Brennan on the Moor', for example, sound familiarly like a Kelly ballad that would appear a few decades later:

> *It's of a fearless highwayman a story I will tell,*
> *His name was William Brennan and in Ireland he did dwell,*
> *And upon the Libbery mountains he commenced his wild career*
> *Where many a wealthy gentleman before him shook with fear* (Seal, 2002: 17).

According to Graham Seal, this Brennan ballad is about 'stressing the outlaw's bravery, courtesy, and his standing as a friend to the poor' (Seal, 2002: 17). As would be the case for rock 'n' roll, a century later, outlaw ballads became delicious ammunition to offend the more conservative sectors of the community. A case in point was George Wilson Hall's *The Kelly Gang or, the Outlaws of the Wombat Ranges*, which introduced the lyrics of some Kelly ballads with a stern warning:

> *We have limited our extracts to the most harmless portions to be selected from the mass of leprous distilments of the composer's perverted genius, such as it is, feeling confident that the majority of readers will join our estimate of the wretched and mischievous production, inductively judging what the character must be of the lines we have withheld from publication, as being outside the limits of decency and order. The following lines form a portion of a bad parody on 'The Bould Sojer Boy'; this sample will be enough of the song to judge by. It refers, of course, to the Kelly Gang* (G. W. Hall, 1878: 60).

McQuilton writes that 'young toughs had taken to singing pro-Kelly ballads in 1879 to taunt the police' (McQuilton, 1979: 144). In 1879, Hobart theatre broadsheets included the Kelly songs, 'Ballad of the Kelly Gang' and 'Sticking up of the Euroa Bank', and in this same year, the *Mansfield Guardian*

[132] *The Bulletin* spoke of a narrator announcing lines from the back of the auditorium during the Athenaeum Hall performances (January 24, 1907: 8).

distributed a booklet containing four Kelly songs (Seal, 2002: 3). There is no doubt that the performance of Kelly ballads has always been a symbol of rebellion and, in fact, the ballads draw a distinct line between Kelly supporters and Kelly resisters. For pro-Kelly historians, the ballads establish Kelly's celebration during his outlawry, and, importantly, Kelly's oral musical tradition continued well after his death. In 1897, for example, a magic lantern tour featured Joe Watson singing folk songs as Kelly magic lantern slides were shown (Fahey, 1975: 3). Elizabeth Hartrick in her PhD thesis mentions the usual songs, ballads, recitations, hymns and comic narratives performed at such magic lantern presentations (Hartrick, 2003: 100): 'Singing aroused feelings of community and enjoyment, and the message of salvation was conveyed through 'modern' hymns and songs accompanied on the screen with text slides and illustrations' (Hartrick, 2003: 199). Indeed, there is an interesting link here to Tony Richardson's 1970 film, which uses folk ballads to narrate important background information, explain on-screen action and champion Ned as a respectable bandit. During the Stringybark Creek killings, as I previously mentioned, as Ned chases a wounded and defenceless Sergeant Kennedy through the bush, Waylon Jennings (ironically) croons 'Ned Kelly ain't never done wrong'. And while this seems rather critical of Kelly, or at least satirical, Richardson shows no indication of this.

Graham Seal argues that the Kelly ballads speak 'in the man's own words, and in the words of the people who saw him as something more than a common criminal' (Seal, 2002: 10). Gang member, Joe Byrne was believed to have written many Kelly ballads such as, 'Stringybark Creek', 'Euroa', 'Jerilderie' and 'The Ballad of the Kelly Gang' (Seal, 2002: 6). In *The Last Outlaw* (1980), as Joe performs a rendition of 'The Ballad of the Kelly Gang', the small gathering enthusiastically claps along:

> *It was when they robbed Euroa bank you said they'd be run down*
> *But now they've robbed another one that's in Jerilderie town*
> *That's in Jerilderie town, my boys, and we're here to take their part*
> *And shout again "Long may they reign – the Kellys, Byrne and Hart".*

To conclude this performance, Ned praises its overriding theme of Irish-Australian rebellion: 'you wrote a grand old song there … a proud old Irish tune in the words of a trueborn colonial son'. According to Jones, this song was a reworking of another that dealt specifically with the theme of Irish oppression:

'Wearing of the Green' (I. Jones, 2002: 201). Ian Jones claims a sympathiser called the song 'Hymns of Triumph' – 'sung to a clapping of hands and stamping of feet' (I. Jones, 2002: 201). The performance of 'The Ballad of the Kelly Gang' in *The Last Outlaw* (1980) certainly creates a similar atmosphere.

The performance of folk ballads is an intriguing feature of Richardson's 1970 film and, as with *The Last Outlaw*, their performance usually occurs inside a pub. Glen Tomasetti, in the 1970 film performing a sorrowful lament of 'She moved through the fair', is a typical example of this.[133] In this performance, everyone inside the pub stops their chitchat and stares intensely at Tomasetti, whose heartfelt performance is certainly one of the film's more gentle moments. In another scene, which marks Jagger's only musical performance in the entire film, Ned sings 'The Wild Colonial Boy', a cappella. Spitting the words with rebellious panache into the face of Constable Fitzpatrick, the patrons of the pub demonstrate their unity and anti-authoritative stance by erupting into the chorus:

> *Come, all my hearties! We'll range the mountain side;*
> *Together we will plunder, together we will ride.*
> *We'll scour along the valleys and gallop o'er the plains;*
> *We scorn to live in slavery bowed down with iron chains.*[134]

The choice of 'Wild Colonial Boy' is appropriate here as this song's title was in fact a famous idiom for outlaws who had the 'help of a sympathetic network of friends, commonly known as the *bush telegraph*' (Engwerda, Cotter, and Anderson, 2000: 50). John Molony claims that 'The Wild Colonial Boy' was Ned's personal favourite song (Molony, 2001: 176), and in Richardson's film, Ned sings it for a second time inside the Glenrowan Inn, as the Gang and hostages wait for the Special Police Train to arrive. Yet unlike his earlier a cappella, this one, with the help of his hostages, is fast and raucous. According to Helen O'Shea, the film's different versions of this song:

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[133] Glen Tomasetti performed a number of famous Kelly folk songs during Ian Jones's presentation of his paper 'Kelly – The Folk Hero' at the 1968 Wangaratta symposium (I. Jones and Tomasetti, 1968: 74-103). Tomasetti was a seminal figure in Melbourne's folk music scene. She was also an influential writer and political activist who died at the age of 74 in June 2003.

[134] The public performance of outlaw songs was outlawed in the northeast during the nineteenth century (Manifold, 1964: 54). As Benedict Anderson claims, singing is a significant feature of community harmony and rebellion:

> *No matter how banal the words and mediocre the tunes, there is in this singing an experience of simultaneity. At precisely such moments, people wholly unknown to each other utter the same verses to the same melody. The image: unisonance* (B. Anderson, 2006: 145).

> *convey characteristics associated with stereotypes of the Irish ... the first is the melancholy soprano wail that throughout the movie gives voice to emotions of pain, loss, heartbreak, longing, and romantic love. The second is the lively, vigorous sound of Irish dance music that accompanies scenes of earthy celebration, pranks and high spirits ... these twin musical representations of Irishness, also employed in the music tracks to the Ned Kelly films, have a long history* (O'Shea, 2005: 38-39).

In Richardson's 1970 film, the 'Wild Colonial Boy' is in reference to Tasmanian-born Jack Doolan, who, like Ned, never ventured to Ireland.[135] Graham Seal, however, argues that the song's Irish ancestry cannot be ignored:

> *In the Anglophone context, it is also the Irish element that imparts a distinctive connotation of political dissent. The fact that 'The Wild Colonial Boy' was often sung to the tune of the 'The Wearing of the Green', a melodic icon of Irish revolt, is a further indication of the importance of the 'Celtic connection'* (Seal, 1993: 169).

Furthermore, no tune captures the essence of Hobsbawm's code of social banditry better than the 'Wild Colonial Boy' (Seal, 1996: 37). In his paper, 'The Wild Colonial Boy Rides Again', Seal compares this song to Hobsbawm's nine modes of the noble robber. He writes:

> *The 'Wild Colonial Boy' scores well in various versions of his song:*
> *He is a member of a nationality that is widely represented as oppressed.*
> *He is brave and defiant.*
> *He robs the wealthy squatters or in some versions, a judge. In an American/Irish version he is said to have 'helped the poor'.*
> *He is adept at disguise, eluding pursuers and escaping from tricky situations.*
> *He dies game.*
> *While not betrayed in a direct sense, many versions of the song have him being deserted by his cowardly companions in the ultimate moment of need.*
> *The 'Wild Colonial Boy' therefore scores six out of nine, for those who like numbers. But as well as these considerations, it is arguably the very clearly articulated revolt of the Wild Colonial Boy against the powers of authority and law that make the song, in all variants, so internationally appealing* (Seal, 1993: 168).

Over time, the 'Wild Colonial Boy' has travelled to many countries, appearing in many different versions, and while the Irish-American version celebrates the 'Wild Colonial Boy' as a Robin Hood figure who robs the rich to help the poor, in Australia the song became popular during the gold rush period of the 1850s and 1860s. Perhaps better than any other example, the 'Wild Colonial Boy' articulates how every outlaw would rather 'die game' than be captured and executed (Seal, 1996: 37).[136]

[135] The historical Jack Donohoe was Irish.

[136] Outside of Australia, 'The Wild Colonial Boy' is not always Jack Doolan.

Shifting from this 1970 film, in Jordan's 2003 film, the folk tune 'Moreton Bay' becomes an appropriate substitute for the 'Wild Colonial Boy', as it also narrates the story of a colonial rebel. Seal, in fact, describes 'Moreton Bay' as a song about 'the suffering of a transported Irishman' (Seal, 2002: 90). Although 'Moreton Bay' may not have the same universal circulation as 'The Wild Colonial Boy', it remains a popular tune. Also titled 'Convicts Lament on the Death of Captain Logan' or 'The Convict's Arrival', it tells the story of an Aboriginal who killed Captain Logan. Indeed, 'Moreton Bay' had a profound influence on Ned Kelly, and actually, this song is associated so closely with Kelly, many such as Jack Bradshaw oddly consider it a 'Kelly Ballad', despite its circulation since the 1830s (Manifold, 1964: 27).

In the Jerilderie Letter, Kelly not only used one of 'Moreton Bay's lines – 'many a blooming Irish man rather than subdue to the Saxon yoke were flogged to death and bravely died in servile chains' – but he also borrowed the ballad's lyrical and rhythmic style, which of course is why the two accompany one another so fittingly in performance. On Graham Seal's LP record, *Game as Ned Kelly,* the letter is read to the accompaniment of Irish bagpipes playing 'Moreton Bay' (Seal, 1980a). Discussing 'Moreton Bay's influence on the Jerilderie Letter, Graham Seal wrote:

> *Poorly educated, poorly represented in Parliament, and just plain poor, the Kellys, and many like them, had no other means of expressing their anger than through the inherited images and clichés of Irish nationalism* (Seal, 2002: 90).

In Jordan's film, Bernard Fanning performs a mournful rendition of 'Moreton Bay', inside a Beechworth pub, and as Aaron Sherritt sits listening attentively, he could easily be listening to an excerpt from the Jerilderie Letter.[137] Indeed, both narrate a familiar story of Irish nationalism and oppression.

However, as the comedies represent, Kelly's musical celebration stems further than nineteenth century folk ballads. Significantly, Kelly songs have continued in the form of rock 'n' roll such as Midnight Oil's, 'If Ned Kelly were King' (Midnight Oil, 1981) or The Whitlam's 'Kate Kelly' (The Whitlams, 2002). To demonstrate the universality of Kelly and his identity as an international outlaw

[137] Fanning is the lead singer of the popular rock band Powderfinger. In this film, Fanning also performs the Irish folk ballad, 'Shelter For My Soul' (2003a). Historians often tell stories about Ned's pleasure in the performance of Kelly ballads. For example, John Molony retold the famous story of Ned's speculated lover, Mary the Larrikin, singing the Gang a range of Kelly songs, in the Deniliquin pub (Molony, 2001: 130).

rebel, *Reckless Kelly* (1993) and *Ned* (2003) both feature contemporary pop songs that celebrate the universal phenomenon of anti-authoritarianism. *Reckless Kelly*'s 'I fought the Law' and 'Wild Thing' (1993) or *Ned*'s 'The Fun Lovin' Criminals' and 'Damn it feels good to be a Gangsta' (2003b), are not songs specifically written about Ned Kelly, but in the context of the Kelly's rebellion, they are suitable. And like Richardson's film, *Reckless Kelly* (1993) features original Kelly songs written specifically for the film. For example, in one song, crooner Anthony Warlow, accompanied by a big band, sings the lines 'if he can just handle the fame, Ned Kelly will be a household name'. Such a performance certainly ties Kelly to the genre of musical theatre, which indeed has a lively and resilient tradition. For instance, in 1974, Kelly became the subject of Reg Livermore and Patrick Flynn's rock opera, *Ned Kelly* (Livermore and Flynn, 1974), which starred rock singer Jon English. Then, in 1978, Livermore and Flynn were back with another rock opera stage extravaganza *Ned Kelly: The Electric Music Show*, which this time cast Nick Turbin in the lead (Livermore and Flynn, 1978). Also, years before these Kelly rock operas was the 1951 Kelly ballet *The Outlaw*, as performed by the Borovansky Ballet's Jubilee. Promoted by its program booklet, it was a mixture of 'European ideals of the benevolent highwayman with an obligatory love interest' (1951: 17).[138]

The Jerilderie Letter Part 1

Kelly's letters, also, dramatically pronounce his Irish identity and oppression. While this section is primarily concerned by how the movies represent the letters, I will provide some necessary background information regarding their composition and cultural neglect. Indeed, the later movies attempt to narrate how 'Ned's version of events' were suppressed from the public during the Outbreak. Whereas the diary of

[138]A more recent example is the 2003 Kelly album composed by Melbourne musician Ashley Davies. Accompanied by Jen Anderson and Dave Branigan, the album features a range of traditional Irish instruments (concertina, uilleann pipes and tin whistle). In the liner notes, Jones concentrates on Kelly's Irish oppression:

> *The centuries-old conflicts of Ireland were mirrored in this vast, new land. The law was that of England. Many of the men who enforced it were Irish, members of a force modelled on the loathed Royal Irish Constabulary. Squatters stepped into the role of the English and Anglo-Irish landholders. Ellen Kelly and her children had settled on the Eleven-Mile Creek near Greta – a district with a higher-than-normal proportion of Irish farmers, whose small 'selections' flanked the broad acres of some of the north-east's most powerful squatters* (I. Jones, 2001: 1) This album was titled 'Ned Kelly' (Ashley Davies, 2001).

Superintendent Sadleir, now held by the State Library of Victoria, mentions how Ned's letters were not 'unexpected', the movies ignore this and treat them as something truly amazing: 'Maybe you have made a bigger impact than you think ... people are saying you don't act like other bushrangers', Tom Lloyd marvels in *The Last Outlaw* (1980) (Sadleir, 1913).[139]

Not surprisingly, years before the Outbreak, on July 28, 1870, Ned at the age of fifteen wrote a letter to Sergeant James Babington whilst he was in gaol. In typical Kelly style, he concluded the letter with claims of unfair persecution. 'Everyone looks on me like a black snake', he dramatically wrote (N. Kelly, 1870).[140] Similarly, to excuse themselves of any wrongdoing, Frank Gardiner the bushranger, and bushwhacker Jesse James both wrote letters to newspapers. Meanwhile, in March 1879, Billy the Kid began written correspondence with the Governor of New Mexico, Lew Wallace, who had promised amnesty for outlaws who turned informants.[141] As with Billy the Kid, The Melbourne *Argus* understood the Cameron Letter as Ned's plea for clemency. On December 21, 1878, it stated:

> *... I believe the Gang are hiding in their old places awaiting the result of Ned Kelly's letter. If a free pardon be granted, the outlaws will leave the colony, but if it is refused they intend filling up the measure of their iniquity, and will stop at nothing to carry out their full revenge until they escape altogether, or are shot down* (December 21, 1878: 5).

Writing certainly gave Kelly a platform to document his contempt and outrage towards those that he felt had victimised his family.[142] In the Cameron Letter, Ned scorns:

> *This sort of cruelty and disgraceful conduct to my brothers and sisters who had no protection, coupled with the conviction of my Mother and those innocent men certainly made my blood boil as I don't think there is a man born could have the patience to suffer what I did. They were not*

[139] It is also believed that Joe Byrne carried a diary during the Outbreak, even though such an item has never been located (I. Jones, 2002: 160).

[140] Even today outlaws are writing themselves as persecuted noble robbers. India's Bandit Queen, Phoolan Devi, who wrote her autobiography whilst in gaol, justifies the necessity for her crimes (Devi, 2006).

[141] As this example reveals, the Government was renowned for taking back earlier promises. When Billy's request was overlooked, he escaped from gaol.

[142] Claims of Irish persecution were indeed voiced throughout the Kellys, with the family's matriarch at one point reportedly having said, 'before that day when Fitzpatrick came we were so happy, we were not getting too rich, but we were doing all right. It was a lonely life, but we were all together, and we all loved each other so dearly' (McMenomy, 2001: 75). Jim Kelly was sentenced in 1873 to five years in gaol on two counts of cattle stealing. Ellen was released from gaol in February 1881. From a series of interviews, her biography was pieced together after her death. Riddled with factual errors, it provides a very sympathetic view of her bushranging sons (Balcarek, 1984).

> *satisfied with frightening and insulting my sisters night and day, and destroying their provisions and lagging my Mother with an infant baby and those innocent men, but should follow me and my brother, who was innocent of having anything to do with any stolen horses, into the wilds where he had been quietly digging and doing well, neither molesting or interfering with anyone (N. Kelly, 1878).*[143]

As McQuilton writes, the Kelly 'letters are documents written by a nineteenth-century social bandit ... The letters provide one of the clearest indications of the social banditry dimension of the Outbreak, for apart from detailing the personal fight between the Kellys and the police, they offer an insight into the grievances and attitudes of the people who supported the Gang' (McQuilton, 1979: 209). Representative of such views are the later movies that treat the letters as 'proof' that Kelly was indeed a social bandit.[144]

Completely convinced and unwilling to challenge Kelly's word is Ian Jones, who marvels how the Jerilderie Letter reveals the 'fire, passion, the reality of the past as it lived in Ned Kelly' (I. Jones and Tomasetti, 1968: 77). Composed at the height of the Outbreak, the Jerilderie Letter provides an eerie and dramatic insight into the man. But, as the later films correctly represent, the letters came in response to the scathing press reaction, which labelled Kelly as vicious and bloodthirsty. 'A premeditated and atrocious crime has been perpetrated by a Gang of ruffians', The Melbourne *Argus* declared (October 29, 1878: 5). However, before the Jerilderie letter, Kelly during the Outbreak wrote an earlier letter to the member for West Bourke in the Victorian Legislative Assembly, Donald Cameron MLA. It began with the words:

> *Dear Sir,*
>
> *Take no offence if I take the opportunity of writing a few lines to you, wherein I wish to state a few remarks concerning the case of Trooper Fitzpatrick against Mrs Kelly, W. Skillion and W. Williamson, and to state the facts of the case to you ...* (N. Kelly, 1878)

Written in red ink on foolscap, it consists of 22 pages and was composed in the form of a speech. Ned hoped Cameron would read the letter aloud, in parliament, or at least see that it was published. But, as Cameron had no genuine concern for the Gang, neither of Ned's hopes were realised and, although a copy of the letter was preserved, the whereabouts of the original remains unknown.[145] In *The Last Outlaw*

[143] Literature of Irish discontent was indeed common throughout the colony. For example, on June 20, 1901 a small Labor paper in Melbourne, *The Tocsin*, published an article which criticised royalty and their 'snobbiness' towards the Irish (Spence, 1909: 204).

[144] The letters do not feature in the early movies or the comedies.

[145] *The State Library of Victoria* holds a copy.

(1980), Ned reads about Cameron's dismissal of the letter in an article from The Melbourne *Argus*, which opines:

> *The leader of the Gang has written a voluminous letter to a member of the Legislative Assembly, in which he relates his history, and alleges that his mother and other friends, who are at the present in gaol for assaulting a constable, have been wronged by the police. He asks for no mercy for himself, but demands that justice shall be done to his friends, and threatens to do diabolical acts if his request is not complied with. The letter is evidently written for the purpose of exciting public sympathy* (December 27, 1878a: 3).

Outraged and mad, in *The Last Outlaw* (1980) Ned screams:

> *When was a politician interested in any more than his own pumped up sense of power? They sit in their precious monument at the top of Bourke St, playing parliament in a grand English manner. What do they know, what do they care about poor country people in far away places. Here's a letter, laugh at it, throw it in the waste paper basket and down to the club for a drink, while the mother of 12 wastes away in gaol for something she never done. What are we gonna do to make them listen.*

Determined to see his version of events circulated, the actual Ned dictated another letter, entitled 'the Jerilderie Letter'. Although the Jerilderie Letter narrates a similar story, it is a superior work to the Cameron Letter. Covering 56 pages, the writing of the Jerilderie Letter includes an exhibitionism and flamboyance that the earlier document lacks. To recognise the letter's blatant humour, in one scene from Jordan's 2003 film, the police officials chuckle as the Victorian Premier, Graham Berry, reads the letter's most recognised paragraph:

> *... my brothers and sisters and my mother not to be pitied also who has no alternative only to put up with the brutal and cowardly conduct of a parcel of big ugly fat-necked wombat headed big bellied magpie legged narrow hipped splaw-footed sons of Irish Bailiffs or english landlords which is better known as Officers of Justice or Victorian Police ...*

In Jordan's film, however, the letter is not premeditated, but rather the result of a spontaneous moment during the Gang's raid of the New South Wales Bank. The actual moment of conception occurs when a hostage accuses the Gang of being 'a bunch of common criminals' to which, Ned, infuriated that his

martyrdom is mistaken for vengeance, growls at his Gang, '… if we act like common criminals that's exactly what they will call us'. He continues:

> *My mother is rotting away in a prison cell because of the lies of a policeman named Fitzpatrick. She's an innocent woman and so are these boys here. My Irish brethren have been unlawfully imprisoned and blacklisted from their selections. How do you expect me to behave other than stand up against this treatment … if I can beg your patient, this is my statement to the Premier of Victoria, Graham Berry and you are my witnesses … Joe get together your pen and paper …*

In this film, the image of Ned dictating his words whilst standing amongst his hostages certainly represents the letter as a declaration of 'community' grievances (**Figure 57**).

Figure 57: Ned amongst his community (*Ned Kelly*, 2003)

Tony Richardson's 1970 depiction of the letter, however, is strikingly different (**Figure 58**). As Ned quietly and peacefully sits at a log table in the middle of the Wombat Ranges, scrawling his words, next to him sits Kate who reads the letter in awe. Here the theme of Irish pride is proudly and blatantly emphasised:

What would people say if they saw a strapping big lump of an Irishman shepherding sheep for fifteen bob a week or tailing turkeys in Tallarook ranges for a smile from Julia, or even begging his tucker? They would say he ought to be ashamed of himself and tar and feather him.[146]

With Dan chopping wood in the background, this image shares a curious similarity to Tom Roberts's 'Wood Splitters' and, indeed, the bucolic Australian landscape meshed with words of Irish nationalism illustrates Kelly's collective Irish/Australian identity (**Figure 59**).

Figure 58: Ned composes his letter (*Ned Kelly*, 1970)

[146] Although this scene represents Ned composing the Cameron Letter, the words that Kate reads are from the Jerilderie Letter.

Figure 59: Tom Roberts. 'Wood Splitters'. Art Gallery of Ballarat, Victoria

Significantly, the later movies document what is generally known about the letters at their time of production. For example, in the 1970 and 1980 films, Ned Kelly is depicted as the letters' penman. However, in more recent times, graphological research has confirmed Joe Byrne as the true penman of the letters. Representative of this, Byrne, in Jordan's *Ned Kelly* (2003) scrawls the words as Ned Kelly dictates them. Nevertheless, *The Last Outlaw* (1980) does reveal many genuine features of the Jerilderie Letter such as the paper, typescript and length. Handing the letter over, Ned declares, 'this is very important to me Mr Irving … 56 pages of my life, do you understand?' (**Figure 60**)[147] Ian Jones certainly had an intimate knowledge of the letter as he, in 1968, famously received a telephone call from Keith Harrison who claimed to have the original letter, stored in his fireplace. With the State Library of Victoria not believing it to be the original document, Jones became its custodian, until it was authenticated in 1985 (I. Jones, 2006).[148]

[147] Angeline Baron, who has completed the most thorough research on the letter's typescript, claims that it suggests a romantic and peaceful technique. She also states that the handwriting suggests an intellectual young man with physical attributes and a 'healthy sex drive' (Baron, 2004: 7).

[148] For more on Jones's relationship with the letter see 'The Jerilderie Letter' (I. Jones, 2006).

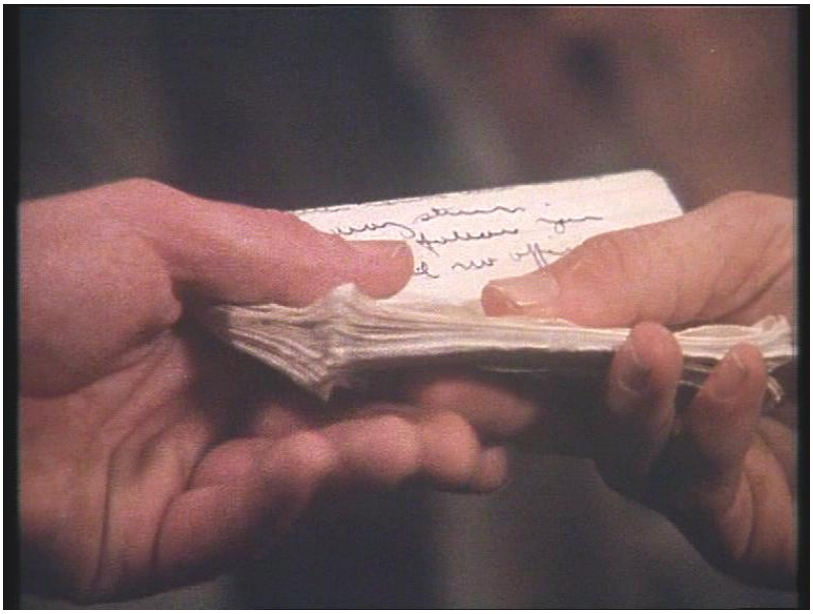

Figure 60: Ned submits the Jerilderie Letter (*The Last Outlaw*, 1980)

In November 2000, the State Library, which now had possession of the letter, placed a copy on its website, and within five days the web link had supposedly scored 80 000 hits (I. Jones, 2000a: 33). The letter's popularity was surely sparked by the phenomenal success of Peter Carey's, *The True History of the Kelly Gang* (Carey, 2000), which was written in an incoherent style, grammar and language, similar to that of the Jerilderie Letter.[149]

In the later movies, though, Kelly's letters are succinct and beautifully composed, and indeed, there is absolutely no reference to its author's poor schooling. In recent times, Ned Kelly has been rewritten as intelligent and educated. For instance, Les Blake's book, *Young Ned*, which concentrates completely on stories from Ned's schooling in Avenel, insists that the outlaw was a 'bright pupil', who regularly received top marks for English tests (Blake, 1980: 11). Children's books such as *Ned, A Leg End* also imagine the sort of student that Ned might have been (Ferrier, 1984). In this narrative, he is a rascal in the tradition of Ginger Meggs, but bright nonetheless. The comedy *Ned* (2003), and Jordan's 2003 film, both represent Kelly during his childhood. In *Ned* (2003), a young Kelly dreams of becoming the world's premier illusionist, and has a poster pinned to his bedroom door of 'Ireland's Greatest Father & Son

[149] In March 2002, the novel was officially launched in Australia and by August it had sold 250 000 copies. This figure was incredible considering that the average print run for a novel is between 3000 to 5000 copies (O'Reilly, 2007: 492).

Magic Team'. In Jordan's film, over its credit sequence, a heroic ten-year-old Kelly is shown saving Richard Shelton from drowning in the Hughes Creek. To set the tone of Irish rebellion, this credit sequence is saturated in Ireland's national colour of green.

Not surprisingly, the early films only represent Kelly as a mature man. And indeed, their representation of Ned, as an uneducated simpleton, was a fairly common depiction during their time of production. In 1926, for instance, Professor Richard Berry in a lecture at the University of Melbourne's Medical School, stated that Kelly's skull had the development size of a thirteen-year-old juvenile (R. L. Jones, 2007: 120). During the Outbreak, The Melbourne *Argus* also regularly drew attention to Ned's illiteracy and on many occasions it declared that 'neither of the Kellys can write' (November 13, 1878: 6). Also, Thomas McIntyre in his manuscript claimed that Ned did not have the sufficient reading and writing skills to compose the Jerilderie Letter himself (McIntyre, 1902: 59).[150] Another manuscript written after the Outbreak, and allegedly written by a surviving Dan Kelly, cites Joe as the only member with literary skills:

> *I ought to say that he was the only member of the Gang who could write at all legibly. We others were so far from penmen, that if obliged to write, we had to scrawl our letters in the shape of print. Longhand was unknown to us* (Pratt, 1911: 12).[151]

Many historians now declare the letters as Kelly's declaration for a republic. Indeed, Kelly's status as a social bandit is strengthened when ideas of republicanism are raised. Surely aware of this, Ned in the Jerilderie Letter plainly declared:

> *But it is not the place of the police to convict guilty men as it is by them they get their living had the right parties been convicted it would have been a bad job for the Police as Berry would have sacked a great many of them only I came to their aid and kept them in their bilits and good employment and got them double pay and yet the ungrateful articles convicted my mother and an infant my brother-in-law and another man who was innocent and still annoy my brothers and sisters and the ignorant unicorns even threaten to shoot myself But as soon as I am dead they will be heels up in the muroo. there will be no more police required they will be sacked and supplanted by soldiers on low pay in the towns and special constables made of some of the farmers to make up for this double pay and expense. It will pay the Government to give those*

[150] He also claimed the Jerilderie Letter was Ned's 'admission of guilt' (McIntyre, 1902: 38).
[151] Yet, as affirmed by historical evidence, Ned could read and write reasonably well.

> *people who are suffering innocence, justice and liberty. if not I will be compelled to show some colonial strategem which will open the eyes of not only the Victorian Police and inhabitants but also the whole British Army and no doubt they will acknowledge their hounds were barking at the wrong stump* (N. Kelly, 1879).

Whether these words do announce Ned's plans for a republic of north-eastern Victoria is a topic for further debate; yet, they most certainly identify the author as a persecuted Irish selector who wanted significant and dramatic change to occur. As John McQuilton writes, republicans, especially during the nineteenth century were:

> *associated with revolutions led by educated and organized men who are highly aware of the political process ... or, at the very least, an awareness of ways to manipulate a political structure to achieve reform* (McQuilton, 1979: 168).

He concludes, 'to have expected Ned Kelly to have formulated an organized political structure for his republic is ludicrous. The man had neither the education nor political experience for such sophisticated planning' (McQuilton, 1979: 169). In the later movies, though, this is not the case: Ned is well educated and a great leader. He is also strategic and inspiring. As Eric Hobsbawm claims, outlaws must choose between becoming a 'criminal or a revolutionary' (Hobsbawm, 2000: 106). Although revolutionaries are not necessarily republicans, in the later movies the reward for Kelly's revolution is a republic. This is what Ned's sympathisers want, and this is what he attempts to document in his letters.

Not until Jones presented his explosive paper, 'A New View of Ned Kelly', at the 1967 Wangaratta symposium did anyone publically discuss Ned as a republican (I. Jones, 1968). Even *The Bulletin*, which led a campaign to create an Australian republic, claimed that Kelly was 'synonymous with terror' – not republicanism (July 3, 1880: 9).[152] Supporting this attitude, Mark McKenna, in *The Captive Republic*, states that Ned Kelly was evidently:

> *... the least interesting of Republicans and the least typical. His simplistic, aggressive and shallow rhetoric may fit the mould of the stereotypical Republican hero but there were few Republican heroes in Australia. Unlike Kelly, Australian Republicans were politically active individuals who eschewed political traditions and the story of their role as Australian political culture is an exploration of the intellectual history of pro-federation Australia* (McKenna, 1996: 123).

[152] *The Bulletin* was first published in January, 1880 (Drury, 1982: 36).

Even so, the later movies give support to Jones's argument. In fact, Jones's *The Last Outlaw* (1980) even features Ned composing his supposed declaration, 'The Republic of North Eastern Victoria'. While many claim that this document did exist, no copy has ever been located. Although Ian Jones believes that the declaration was printed in the 'form of handbills', in *The Last Outlaw* (1980) Ned scrawls away on paper that resembles the Jerilderie Letter (**Figure 61**).[153] In this shot, Ned's sympathisers witness the declaration's construction, yet unlike the Jerilderie Letter, nothing is known of the declaration's content. In *The Last Outlaw* (1980), apart from showing Ned writing the words, 'The Republic of North-Eastern Victoria', none of the manifesto's content is revealed.

Figure 61: The Declaration of North-Eastern Victoria (*The Last Outlaw*, 1980)

In Richardson and Jordan's films, the Jerilderie Letter becomes an appropriate substitute for Ned's republic declaration. In Richardson's 1970 film, for example, Ned says 'words are very loud if only you can use them ... suppose I write a letter'. Meanwhile, at other times, he clearly and plainly declares his intentions for a republic. In one of his speeches, he states:

[153] In 1962, Leonard Radic came forth saying that it was written with 'old fashioned block type and quaint, mock legalistic language' (I. Jones, 2002: 224).

> *... we have to fight for our own colour ... the green flag of Ireland and if we declare war on the whole English world and claim this as our land and our law then our oppression and suffering will perish like the frost melting on the green lawns of Ireland. Friends let's drink to it, to our own republic – to the republic of Victoria.*

Regardless of the letters not featuring in *Reckless Kelly* (1993) or *Ned* (2003), these comedies also depict Ned as a republican, of sorts. In both these features, Ned plans to expel his English nemesis from the country, and as in all the later movies, the English in the comedies are represented as foreigners to a distant and unfamiliar land. As a way to mock the English characters, these comedies also depict them as ignorant and snobbish. In *Ned* (2003), for example, Sinclair cannot tell the difference between Chinese and Aboriginals, whereas Sir John in *Reckless Kelly* (1993) stares at the silhouette of a kangaroo and naively asks, 'Is it a rodent?' While the Irish have endured their stereotype as dim-witted paddies, according to Graham Seal, the English are traditionally regarded as stuffy, pompous and unable to endure Australia's great outdoors (Seal, 1990). As a case in point, Francis Adams in 1891, famously gave an English perspective of Australia: 'The bush is the heart of the country, the real Australian Australia, and it is with the Bushman that the final fate of the nation and race will lie … the English cannot 'thrive far from the sea' (Adams, 1968: 196-197). Affirming such views is the folk song, 'The Pommy's Lament', which features the lyrics:

> *All you on emigration bent,*
> *With home and England discontent,*
> *Come listen to my sad lament*
> *About the bush of Australia.*
>
> *My convicts, they were always drunk,*
> *And kept me in a mighty funk,*
> *Says I to meself as to bed I sunk,*
> *I wish I were out of Australia* (Manifold, 1964: 31).

The representation of the English in the comedies certainly gives good reason for a republic. For instance, the English snobbery and contempt is symptomatic of the Queen herself, who in *Ned* (2003) sends Sinclair a boatload of convicts to kill. In further allegiance to the Crown, a gigantic British flag becomes an appropriate backdrop for Sinclair to tell his troopers jokes about the 'potato eaters' (**Figure**

62). As illustrated by this shot, Sinclair becomes a complete embodiment of the Crown's colours of crimson red.

Figure 62: Governor Sinclair lectures his troopers (*Ned*, 2003)

In addition to *Ned* (2003), that makes no serious political statement, *Reckless Kelly* (1993) was tailored specifically to the republican debate, which was raging at the time of its production. In the press for the film, Yahoo Serious often pledged his support for Prime Minister Paul Keating's legislative push for an Australian republic.[154] The best example of republicanism from this film is certainly the scene that shows Sir John discovering Ned in his office ripping the Union Jack off the Australian flag (**Figure 63**). 'That's the British flag', Sir John hollers, to which Ned coolly replies, 'Well, take it back to Britain then'. While this scene is surely intended to represent Kelly as a staunch republican, the historical Kelly has always been portrayed as someone audacious enough to invade and vandalise a dignitary's office. For example, an 1879 Thomas Carrington engraving titled 'The Outlaw Premier, No. 2', depicts Ned and Dan inside British-born Liberal premier Graham Berry's vacant office.[155] With Ned pictured sitting in the premier's seat, a plaque next to his feet has replaced the 'Honourable G Berry' with the 'Honourable E Kelly' (**Figure 64**). To accompany this caricature, a blurb reads:

[154] See 'Seriously Patriotic' (Crompton, April 12, 1993: 35).

[155] Berry was known as an 'extreme Liberal'. For more on Berry see: *A Biographical Register of the Victorian Parliament, 1856–1900* (Thompson and Serle, 1972).

> *I'll burst up the banks and squatters better than the Chief Secretary himself. I'll put my hand into the public purse in an easy, accessible and peaceful manner; and now I'll cancel all the Government Gazette notices against me and my mates* ... (I. Jones and Carrington, 2003: 10).

Reckless Kelly (1993) and this *Melbourne Punch* engraving plainly illustrate Kelly as a political rebel. Because Kelly appeared at a historical time when the colony cried for leadership, he became an appropriate substitute for the premier. In fact, for a majority of the Outbreak, Victoria's premier was out of the colony. From December 1878 – June 1879, Graham Berry was visiting London, and in his absence, Ned was satirised by *The Punch* as the person most likely to bring about 'national reform' (Mansfield, 2006). In another Carrington sketch for the *Melbourne Punch*, Ned is given the title, 'The Secretary of National Reform' (**Figure 65**).

Figure 63: The Australian flag (*Reckless Kelly*, 1993)

Figure 64: Thomas Carrington (1879). 'The Outlaw Premier' in Ian Jones and Thomas Carrington's *The Last Stand*: 10

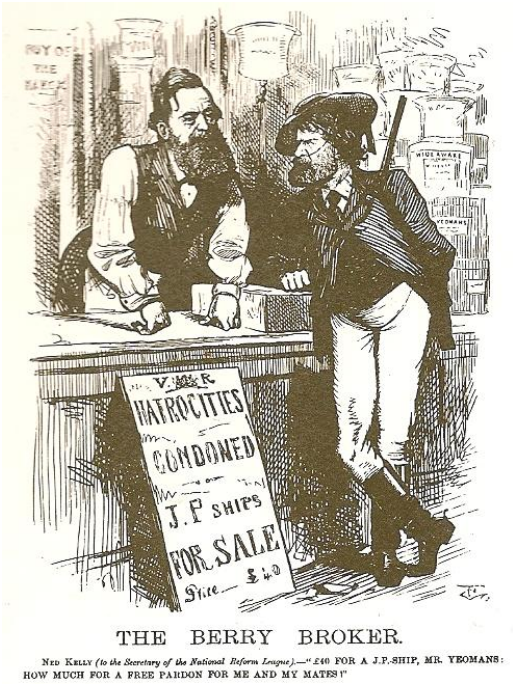

Figure 65: Thomas Carrington (1879) January 16. 'The Berry Broker', *The Melbourne Punch*

As this chapter has discussed, when Kelly is conceived as a social bandit he becomes a political figure who challenges and threatens the political order. Invoking Irish republican ideals, he attempts to

confront the injustice and oppression experienced by his family and forefathers. Representative of this, Kelly in the later films demonstrates the importance of his Irish heritage as he hopes to achieve economic and political equality by distributing government money to the poor and, of course, attacking corrupt officialdom. However, to only speak about Kelly and his Irish heritage ignores his wider body of support, which sustained him during the Outbreak. Whereas Kelly in the early films is only supported by his immediate family, the representation in the later movies closely resembles John McQuilton who interprets the Outbreak as a united 'protest against oppression and poverty, a cry for vengeance on the rich and oppressors, a vague dream of some curb on them, a righting of individual wrongs': (McQuilton, 1979: 4).

> *It cut across the traditional prejudices associated with the Irish and reflected instead the diversity of the region's selectors' backgrounds. Sympathisers included not only the Irish Catholics, but settlers of English, Scottish, German, French, Danish and native-born origins* (McQuilton, 1979: 189).

Chapter 4 *Kelly sympathy*

> *That is why they need him most, perhaps when they cannot hope to overthrow oppression, but merely seek its alleviation, even when they half-accept the law which condemns the brigand, who yet represents divine justice and a higher form of society which is powerless to be born.*
>
> - *Eric Hobsbawm* (2000: 61)

> *Nor should it be surprising that Australians of Chinese, Greek, Italian, Lebanese or English ancestry view Kelly as a hero. One does not have to approve of all of Kelly's actions nor have Irish ancestors in order to sympathize with him and feel that he was a victim of numerous injustices.*
>
> - Nathanael Reilly (2007: 495).

This chapter will investigate how drastically the representation of Kelly's sympathisers has changed since the early movies.[156] As I will argue, in the later movies, Kelly's sympathisers not only cut across class and rural divisions, but also excuse his outlawry as a political rebellion. By representing rural discontent as something wider than Ned's own socio-demographic network, these later films consider it rather honourable to be a Kelly sympathiser. Such a representation is certainly symptomatic of changed attitudes regarding the sympathisers. In fact, whereas it was once insulting to be identified as a 'Kelly sympathiser', in the later films the community takes great pride in associating itself with Ned. For example, in Jordan's 2003 film, as the police chain and parade a number of sympathisers through Beechworth's main street, the townsfolk react viciously against this humiliating spectacle (**Figure 66**). In this shot below, a bystander abuses the police officer that leads the procession, while in voice-over Ned proudly gloats:

> *Over a hundred men arrested, stuck in stinkin' cells without trial ... while their crops perish in the fields. And guess what. Not one of 'em caves in and tries to claim the reward ... not one of 'em. They loved me just the same and hated you all the more, didn't they? ... 'Did you really think I was gonna let 'em all rot?'*

[156] For more on Kelly's actual sympathisers see Douglas Morrissey who used archived police records to identify the 121 male and female sympathisers who were arrested during the Outbreak (Morrissey, 1978: 296).

Figure 66: Kelly sympathisers led to gaol (*Ned Kelly*, 2003)

In contrast to this image, however, are the early movies, which depict the sympathisers in ways that resemble descriptions as opined by the press reporters. During the Outbreak, the Melbourne *Argus*, wrote:

> *as soon as any information leaks out or any movement is noticed, information is at once conveyed to them. For instance, when Captain Standish arrived by train in the evening, two of the Lloyds and Isaiah Wright were seen on the platform, and again subsequently, as will be seen later on, the same party inopportunely put in an appearance, and attempted by cutting the railway telegraph wires to frustrate the object of the expedition* (November 13, 1878: 6).

Such sentiments are also illustrated by an intertitle from *The Kelly Gang* (1919) (**Figure 67**).

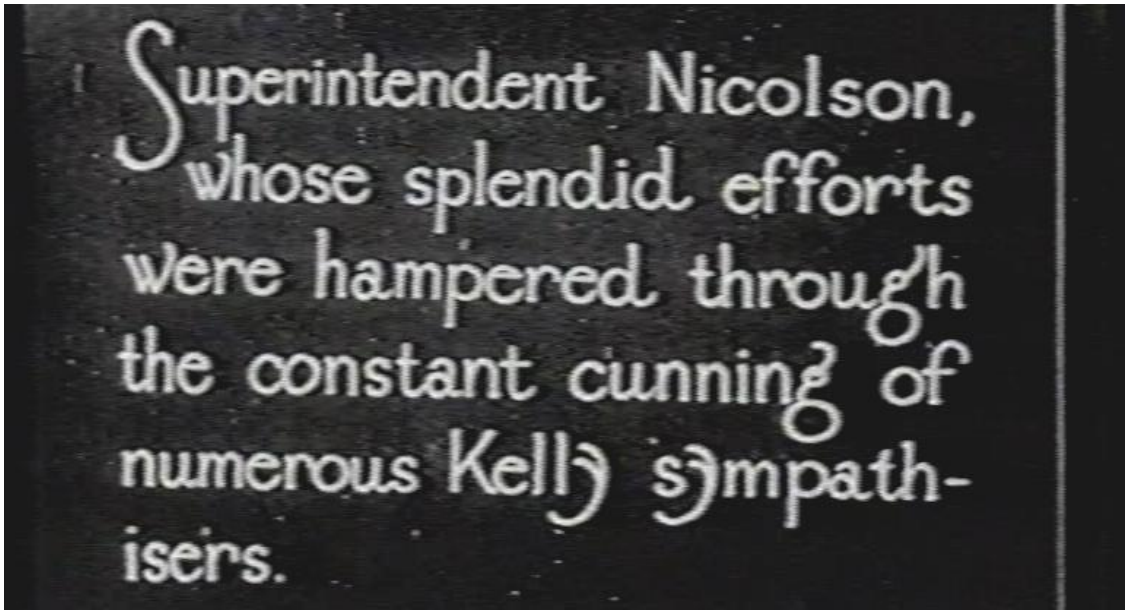

Figure 67: The cunning sympathisers (*The Kelly Gang*, 1919)

Although the sympathisers in the early movies are represented as 'depraved larrikins', who are coarse and grubby, they do not champion Ned's political rebellion as their own. And as Kelly resentfully clarifies, his sympathisers' loyalty must be bought with cash payments, which explains why he must rob banks. As an intertitle from *When the Kelly's were out* (1923), states:

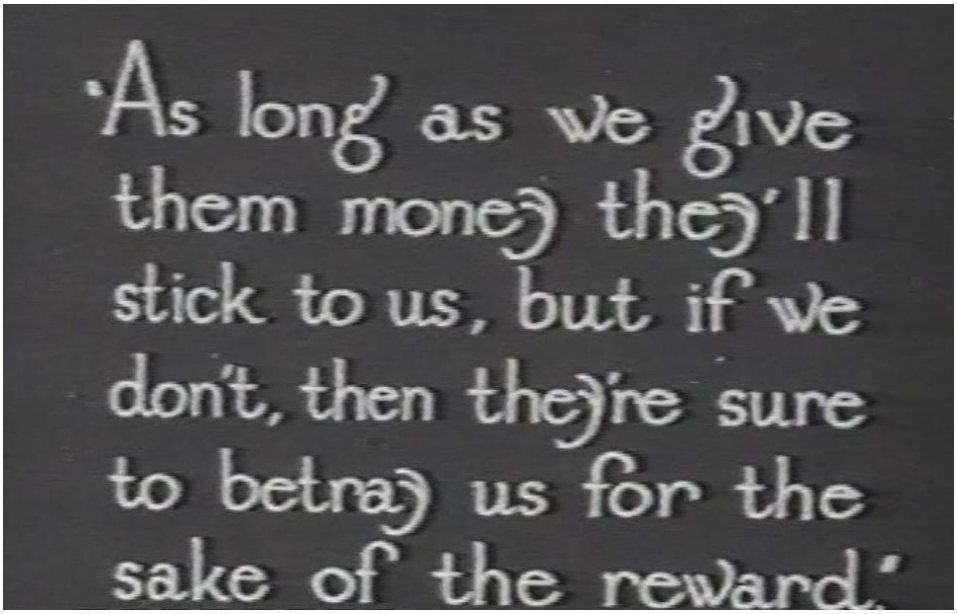

Figure 68: Ned regards the sympathisers as fair-weather friends (*When the Kellys were out*, 1923)

Friends, relatives and lovers

In order to represent Kelly as the 'perfect hero', the later movies were required to make some significant amendments to the press engravings. For instance, one engraving by Thomas Carrington depicted the scene at the home of Kelly sister Maggie after the sympathisers had arrived back from Glenrowan (**Figure 69**). On the table lay the covered bodies of Dan and Steve, while at the window Maggie holds her rifle on the lookout for the police. In the foreground, a Kelly relative (who is most probably Tom Lloyd) swears to Kate that he will avenge the slaughter of the Kelly Gang. Despite Ian Jones claiming that Carrington in this image was 'called to use his imagination' (I. Jones and Carrington, 2003: 27), the engraving was surely inspired by a report that appeared two weeks earlier in The Melbourne *Argus*:

> *It is further averred that one of the relatives of the Kellys held up his hand over the remains, and swore to Kate Kelly that he would avenge the slaughter of the Gang. His name has been given to the police. Lest any disturbance should take place in the district whilst the sympathisers are in their present state of intoxication and excitement, Senior-constable Kelly, with four troopers, have been sent on again this evening to Glenrowan, and will remain there all night. Up to the present, however, things are quiet* (July 1, 1880: 7).

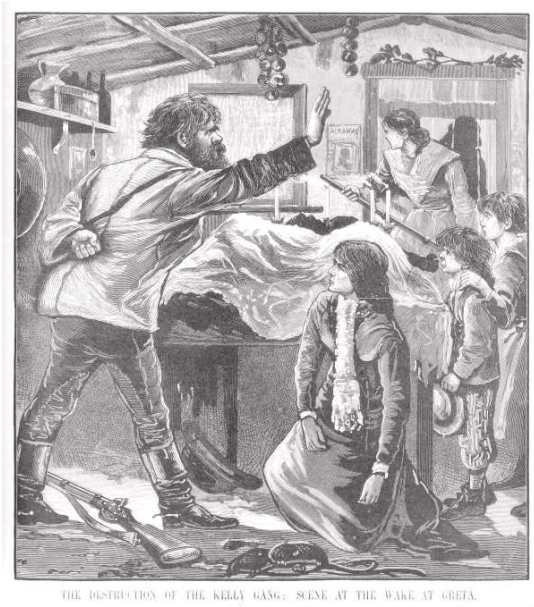

Figure 69: Thomas Carrington (1880) July 17. 'The Destruction of the Kelly Gang'. *The Australasian Sketcher*: Front Cover

Representing a similar moment in the Outbreak, *The Last Outlaw* (1980) depicts the sympathisers as considerably more sombre and peaceful. For example, when the charred bodies of Dan Kelly and Steve Hart are handed over to the sympathisers, the Kelly sisters, Maggie and Kate, lead a 'silent' procession back to Beechworth (**Figure 70**). Unlike the news reportage, there are no wild threats of vengeance or bloodshed represented here.

Figure 70: The sympathisers lead a procession (*The Last Outlaw*, 1980)

Without a doubt, the Gang's most celebrated sympathiser throughout the tradition has been Kate Kelly.[157] During the Outbreak, Kate did everything possible to assist her brothers, and even paid for the legal defence that freed the gaoled sympathisers. Kate also began a legal petition to free Ned from gaol, which The Melbourne *Argus* reported to include over 40 000 signatures (November 10, 1880: 6).[158] The Kelly movies have always represented Kate as the Gang's vital bush telegraph who on horse delivers them food, newspapers and information, while at other times leads the police on wild goose chases.[159] Historically, Kate has been remembered as a key figure of the Fitzpatrick incident. In *The Story of the Kelly Gang* (1906), she holds Fitzpatrick at bay with a gun, as her brothers escape into the Wombat Ranges (**Figure 71**). With her loaded revolver pointed directly at Fitzpatrick, her overstated masculinity has made some, such as Ina Bertrand, question whether a man in this scene played Kate.

> *It is intriguing, for instance, to speculate that the actor playing Kate Kelly in the surviving scene of the first confrontation between Fitzpatrick and the Kelly family may be a man in drag, having difficulty holding his skirt together while at the same time waving a pistol* (Ina Bertrand and Routt, 2007: 45).

[157] In 2002, Australian rock band The Whitlams, recorded the song 'Kate Kelly', which celebrated her as a sadly sympathetic figure (The Whitlams, 2002).

[158] Justin Corfied claims that Kate also travelled to Melbourne to enquire about purchasing a boat ticket for the Gang (Corfield, 2003: 256).

[159] Kate certainly loved horse riding. In fact, a fatal accident on her horse resulted in her death. Found on October 14, 1898, face down in the Lachlan River, she had fallen off her horse and drowned. Many though have speculated the true reason for her death. In the novel *The Girl who Helped Ned Kelly*, Jean Bedford claims that Kate's death was the result of alcoholism (Bedford, 1982). In this novel, Joe Byrne and Kate enjoy a heated relationship, which sees Kate fall into a drug and alcohol depression to cope with her lover's death.

Figure 71: Fitzpatrick and Kate (*The Story of the Kelly Gang, 1906*)

Kate's cinematic representation certainly affirms news reports that Kelly sympathisers were rough and spirited. The Melbourne *Argus*, for instance, opined:

> *The Kelly Gang has been disposed of, but the condition of society which rendered the Kelly Gang remains. The country in question, it is unhappily notorious, swarms with sympathisers and with kindred spirits. The fact that blacksmiths could be found to secretly fashion armour for the men speaks for itself, and in a hundred other ways the residents in and about Greta have aided and abetted thieves and murderers. It is a matter of necessity, therefore, that the district should be kept under surveillance* ... (June 30, 1880b: 7).

While Kate has continued to play the role of a bush telegraph, for many years popular culture represented her more like a lover or wife. Amongst his series of bushranging paintings, Patrick William Marony in 1894 included a stunning portrait of Kate Kelly who, standing in the middle of the scenic landscape in her black attire, resembles a sorrowful widow, rather than grieving little sister (**Figure 72**).[160]

[160] This image is actually based on a postcard of Kate. The postcard that circulated during the 1880s became the inspiration for Marony's famous work. Often Marony would include Kate in his Kelly paintings.

Figure 72: Patrick William Marony (1894). 'Kate Kelly'. National Library Australia: an2263673-v

Another case in point is the folk song, 'Ned Kelly's Farewell to Greta', which is a loving duet between Kate and Ned:

Ned: Farewell my home in Greta, my sister Kate farewell;
It grieves my heart to leave you, but here I cannot dwell.
The brand of Cain is on my brow, the bloodhounds on my trail,
And for the sake of golden gain my freedom they assail.

But should they cross my chequered path, by all I hold on earth,
I'll give them cause to rue the day their mothers gave them birth.
I'll shoot them down like kangaroos that roam the forests wide,
And leave their bodies bleaching upon some woodland side.


This old picture of the 'eighties looks impressive. It portrays Kate Kelly, sister of Ned and Dan, and has been for many years in the possession of the family of Mr. A. Skinner, 309 Sussex street, Merlynston, N.14. 10/6.

Kate: Oh Edward, dearest brother you know you must not go
And risk to be encountered by such a mighty foe!
It's duly North lies Morgan's Tower, and pointing to the sky
South-east and East the mighty range of Gippsland mountains lie.

You know the country well, dear Ned, go take your comrades there,
And profit by your knowledge of the wombat and the bear.
And let no petty quarrels part the union of our Gang,
But stick to one another, Ned, and guard our brother Dan (Seal, 2002: 103-5).[161]

The early films also represent Ned and Kate's relationship as intimate. A shot from *When the Kellys Rode* (1934), for example, features Ned tenderly holding his sister as he affectingly stares into her eyes (**Figure 73**). Without suggesting incestuousness, this feature does represent their relationship as intimate, kind and loving.

Figure 73: Ned holds Kate (*When the Kellys Rode*, 1934)

Ned's absence of a lover in the early movies also raises some obvious questions: Was he gay? Did he possess the necessary social skills to court a female partner? Did he resort to anti-social behaviour to pleasure his loins? (i.e. did he rape?) Peculiarly, Ned's brother Jim aroused curious minds by declaring in the 1920s, 'My brother Ned was so devoted to his mother that he had no "girl"' (Kenneally, 1969: 202). In the later movies (comedies included), however, Kelly certainly has time for a girl, which does indeed

[161] Graham Seal claims that Ned Kelly sang this song on the morning of his hanging (Seal, 2002: 103-5).

alter his relationship with Kate. Although they continue to remain close and loving, Kate is no longer required to expose Ned's affection and softer side. Rather, her role is strictly as a bush telegraph.

Regardless of whether the actual Ned Kelly had a tender relationship with his sister, or had a female lover, writers continue to remark on the homoerotic overtones of the Kelly story. Sidney Baker in *The Australian Language*, as a case in point, famously referred to the Kelly Gang as a 'group of homosexuals' (S. J. Baker, 1966: 94). Baker's loaded accusation though fails to recognise the historical context, and seems to revel purely in insinuation. However, adding to the controversy of Kelly's sexual orientation was Mick Jagger, who during a press conference for Richardson's 1970 film declared, 'I think we're all latently homosexuals' (Frizell, July 10, 1969: 6). The casting of Jagger was always going to be controversial, especially considering his own flirtations with homosexuality. For instance, on one occasion he greeted his fans at a Rolling Stones concert with the words, 'You got a lot of nice things in Boston. One of them is us. Welcome to the homosexuals in the audience …' (Wyman, 2002: 346).[162]

Regardless of Kelly's actual sexual orientation, the representation of female admirers provide him a degree of acceptability and celebrity. The undated folk song, 'My Name is Edward Kelly', for example, has Ned gloat about his popularity with women: 'Oh I am young and in my prime, I'm twenty-four years old. I spent some time in vanity among young girls so bold' (Manifold, 1964: 64). The infamous autobiography, supposedly written by Dan Kelly, also described the female frenzy that surrounded Ned: 'Ned was treated as a hero and a king, he had hardly dismounted when he was surrounded by my sisters and their female friends, and rapturously embraced' (Pratt, 1911: 105). A similar scene occurs in Jordan's 2003 film, where a crowd of admirers approach the Gang as they ride through a small rural town. Flirtatiously, an attractive young lady nervously asks, 'Can I have a kiss?'

Even the press during the Outbreak were reporting Kelly as a sexually alluring figure:

> *… although he had just received a peace offering from the manager of the bank at Euroa of £2000. Ned prefers knocking it down amongst the harlots, in whose sweet society he is now basking, and*

[162] The infamous Rolling Stones song, 'Cocksucker Blues', was declared by Adam Block to be the 'greatest gay song ever written'. Recorded in 1970, before the release of Tony Richardson's *Ned Kelly*, Jagger sung the lyrics, 'I need to get my cock sucked, I need to get my ass fucked'. In 1967, Jagger belted out lines from his song 'Sitting on a Fence'. As Block argues, such lyrics seemed caught between homosexuality and misogyny: 'this is one thing I could never understand some of the sick things that a girl does to a man' (Block, 2007: 188). For more on Jagger's flirtation with homosexuality see *The Cowboy and the Dandy* (Meisel, 1999).

> *where he will remain till cleared out. Ned would be an honoured guest in any of the Stephen street slums* (January 11, 1879: 8).[163]

However, more than just seducing working girls from the 'Stephen street slums', his appeal, in the later films, transcends his own racial and socioeconomic divisions. In Richardson's 1970 film, Ned needs nothing more than one corny line to seduce Mrs Scott, who is the gentry wife of the Euroa bank manager:

Ned Kelly

Kissing a man without a beard is like eating porridge without salt. Do you ever eat porridge without salt Mrs Scott?

Mrs Scott

Oh never, Mr Kelly.

While Jagger certainly brought his own flirtatious persona to this role, in the other films, Joe is the playful member of the Gang who, in Gregor Jordan's 2003 film, has the pleasure of seducing Mrs Scott. Yet, even Jagger's Kelly, despite his minor indiscretions, has a permanent girlfriend whom he marries the day before he hangs.

Kelly has always been a gentleman when it comes to women, and even his own Jerilderie Letter warns his enemies to give '10 pounds out of every 100 to the widow and orphan fund ... for I am a widow's son, and my orders must be obeyed'. Gentlemanly behaviour, however, is one of the bushranging tradition's common and expected traits.[164] Keith McMenomy, for instance, describes Ned's bushranging tutor Harry Power as 'scrupulously courteous to women' (McMenomy, 2001: 32). As represented in *The Last Outlaw* (1980), Power teaches Ned highway robbery without resorting to lowly acts such as rape and murder. Later in this miniseries, Ned demonstrates similar acts of courtesy such as accompanying the wives of the Jerilderie police to church as their husbands sit locked in their own cells. This moment from the Outbreak, that did actually happen, has often been remembered as an ideal illustration of Ned's gentlemanly nature. Joseph Ashmead even marvelled how Ned 'joined in the service

[163] However, as Castles notes, *The Age* contemptuously dismissed Ned's legion of female fans as simply 'weak minded' (Castles, 2005: 207).
[164] Even when Ned visits the brothel 'Slut Palace' in *Ned* (2003), he treats the prostitutes with the upmost respect. Actually, they molest him.

solemnly repeating the prayers and in every way joining with the worshippers' (Ashmead, 1922: 19). Also celebrating this cheeky moment was the 1879 song, 'The Ballad of the Kelly Gang', which includes the verse:

> *They spent the day most pleasantly, had plenty of good cheer*
> *With fried beef steak and onions, tomato sauce and beer*
> *The ladies in attendance indulged in pleasant talk*
> *And just to ease the troopers' minds, they took them for a walk.*

Catherine Lloyd

In Richardson's *Kelly* (1970) and *The Last Outlaw* (1980), Ned's girlfriend is his cousin Catherine Lloyd, who Jones has continued to champion as the outlaw's real life lover:

> *... other girls had caught Ned's eye ... but it was Kate Lloyd who he truly loved – one of the clan, already bonded with him by the blood of the Quinns and the race memory of another landscape still green in straw-dry summers* (I. Jones, 2002: 229-230).

The representation of intermarriage in these films is certainly more acceptable than that opined in The Melbourne *Argus*, which on one occasion reported:

> *... but it shows how widely extended are the ramifications of three families which have been continually intermarrying, so that all over the district the four desperadoes now in the ranges have people connected with them by blood and marriage, and who are willing to give them every aid and assistance* (November 11, 1878: 7).

The Ovens and Murray Advertiser also made a similar assertion by stating:

> *No one who does not know the Kelly country can have any conception of the facilities it offers to evaders of the law, and no adequate idea can be formed by strangers of the number, the capacity and the fidelity of their friends. More-over, wherever the inhabitants were not influenced by relationship of blood, marriage or crime, they were controlled by terror. This, however, is a portion of the subject with which the Government has still to deal* (July 15, 1880: 2).[165]

[165] For more on this see: *What a Life! The Life and Adventures of Australia's Notorious Bushranger* (Farwell, 1970).

Despite these press reports, the later films do not make family ties a huge issue or reason for Kelly's wider support. In fact, if the historical press reportage had any influence on these films, then it is the romantic press engravings such as the front page of *The Australian Pictorial Weekly*, which features an intimate engraving of Catherine Lloyd wiping the tears from her eyes with a handkerchief, as Ned lies barefoot and wounded on a horse cart (**Figure 74**).

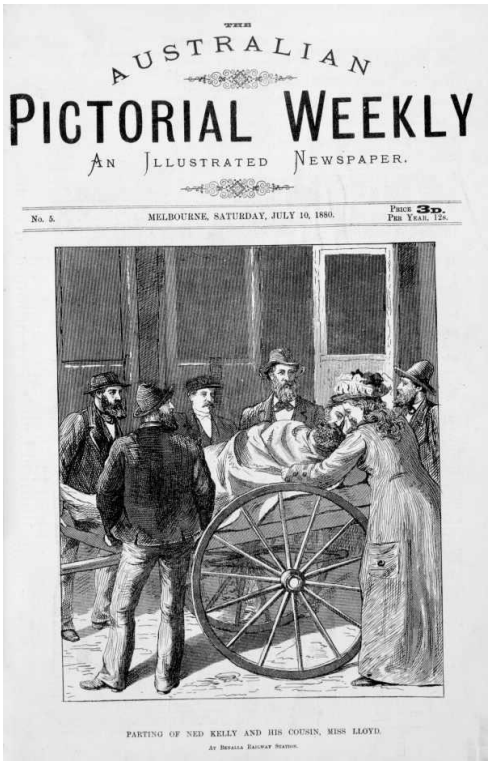
THE AUSTRALIAN
PICTORIAL WEEKLY
AN ILLUSTRATED NEWSPAPER.
No. 5. MELBOURNE, SATURDAY, JULY 10, 1880. PRICE 3D. PER YEAR, 12s.
PARTING OF NED KELLY AND HIS COUSIN, MISS LLOYD.
AT BENALLA RAILWAY STATION.

Figure 74: (1880) July 10. 'Parting of Ned Kelly and his Cousin, Miss Lloyd'. *The Australian Pictorial Weekly*: Front Cover

Although there is no categorical evidence to prove that Catherine and Ned did engage in a heated love affair, *The Last Outlaw* certainly provides a similar representation as sketched in these romantic engravings.[166] Standing before her in his gaol cell he confesses, 'for the first time I know what the future holds, but it is nothing I can share with you … there is nothing I can even give you except this'. Taking off his ring and slipping it onto her wedding finger, *The Last Outlaw* (1980), at least symbolically, proposes that Ned did marry before his death. Tony Richardson's *Ned Kelly* (1970), however, gives a far more matter-of-fact representation of Kelly's marriage. Beginning inside the Melbourne Gaol, the day

[166] In similar fashion, *The Girl Who Helped Ned Kelly* (Taylor, 1929), *Ned Kelly and the City of Bees* (Keneally, 1978), *Our Sunshine* (Drewe, 1992) and *The True History of the Kelly Gang* (Carey, 2000) narrate the Kelly rebellion as a tragic love affair.

before his hanging, in addition to a visit from his mother and posing for a final photograph, he marries his sweetheart Caitlyn in a secret ceremony conducted by Father O' Hea (**Figure 75**).[167]

Figure 75: Ned and Caitlyn marry (*Ned Kelly*, 1970)

In the later movies, Catherine Lloyd certainly acts like Kelly's doting wife. For instance, in *The Last Outlaw* (1980), she brings him presents of hand-knitted clothing, whereas in Richardson's film (1970) she travels with the Gang, as an 'unofficial' member. Never stepping outside her accepted sexual role, she behaves in a manner that resembles somebody like Maria Bonita who was the wife of Brazilian bandit Virgulino Ferrerira da Salvia Lampiào. On Maria, Hobsbawm writes that she:

> *... embroidered, sewed, cooked, sang, danced and had children in the middle of the bush ... she was satisfied to follow her husband ... in general she merely looked on ...* (Hobsbawm, 2000: 147).

Despite it being highly unlikely that Kelly did marry, other sources continue to fantasise about this very topic. Mike Stamford, for example, wrote to the official Kelly website *IronOutlaw.com* inquiring whether his great-grandfather, Methodist minister E Cook Pritchard, had indeed performed a marriage ceremony for Ned Kelly in New South Wales:

[167] Although Richardson uses the name Caitlyn, there is no doubt that this character is actually Catherine Lloyd. Richardson does not attempt to depict her any differently from the historical figure.

> *My great-grandfather was a missionary in Australia 1850–1880 ish. My grandmother who was with him told me (1940's) he had married Ned Kelly, is this possible. His name was E. Cook Pritchard, and he was a Methodist (so perhaps not). He wrote a book called "Under the Southern Cross" and he certainly mentions meeting bushrangers and being treated with respect because he wore a "dog-collar". It would be great to find out. I can see no reason why she would tell a "whopper" to impress a small boy, she was a parson's wife* (2005).

Kelly's marriage myth, however, is not recent. In fact, Ned Kelly himself during his speech at Jerilderie in February 1879 said words along the lines of 'when outlawed I was only three weeks married' (Douthie, 2007: 144). Following this, a Carrington wood engraving made similar suggestions by illustrating a dapper-looking Ned Kelly, wearing a visible wedding band (**Figure 76**).

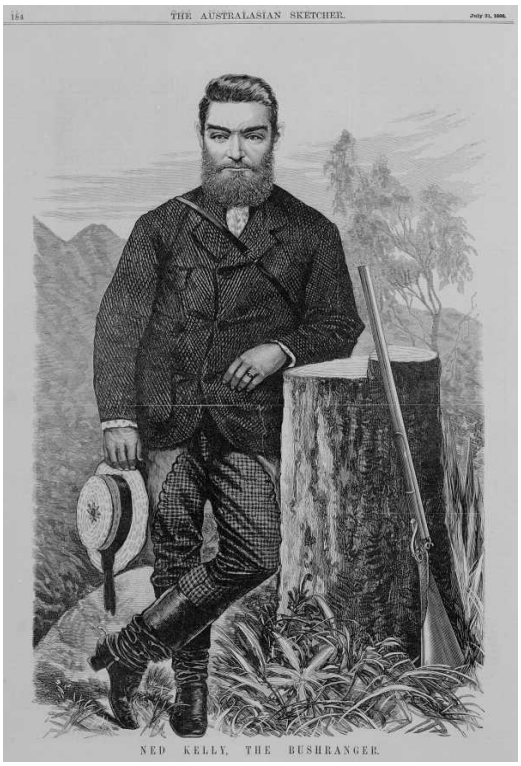

Figure 76: Thomas Carrington (1880) July 31. 'Ned Kelly the Bushranger', *The Australasian Sketcher*: 181

Julia Cook

Regardless of Kelly's supposed marriage to Catherine Lloyd, contemporary audiences have found interrelationships hard to fathom, as it has the implication of making Ned seem rather uncultured and uncivilised. Whether this was a reason for Robert Drewe's novel, *Our Sunshine,* or Jordan's 2003 film to invent the character of Julia Cook is unknown, yet it certainly creates a more sophisticated representation of Kelly.[168] Julia or Mrs C, as she is known in Drewe's novel, is English gentry and married to Ned's boss. Played by Naomi Watts in Jordan's film, this character, as Drewe's novel also describes her, is a picture of utopia, especially through the eyes of a poor Irish selector like Kelly. Dressed mostly in colours of white, her wavy blonde hair captivates Ned from the moment he lays eyes on her. And certainly she shows great affection towards Ned. In one scene she begs, 'What would it take to make you save yourself, Ned? My husband's best stallion? Forget the mares. Take it. It's yours ... don't make me grieve for you'.

Regardless of her class, Hobsbawm would consider Julia as the typical 'bandit lover' whose duties are to 'merely look on ... urging her husband to not take too many risks' (Hobsbawm, 2000: 147). Primarily, the job of bandit lovers is to lay low and pray that he is given amnesty so he can enjoy Hobsbawm's fifth rule of noble banditry: 'if he survives, he returns to his people as an honourable citizen and member of the community …' (Hobsbawm, 2000: 47). But, lovers do more than just worry about their bandits. Importantly, they offer them some sort of utopian escape and (if only for a brief moment) let them forget about their outlawry.[169]

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[168] The inclusion of the Julia Cook character in Jordan's film was hugely criticised during its release. Historians, for instance, claimed that the film purposely broke historical accuracy to represent this romanticised affair. Sadly though, none seemed to appreciate how this character allows the film to be more complex in its Irish/English opposition. Indeed, as demonstrated by this character, not all English are threatened by Kelly. Julia, like Mrs Scott from Richardson's 1970 film, represents Ned's sympathisers to extend beyond just poor Irish selectors. Actually, in all the later movies, Ned's lovers, whether Irish or not, share a similar disgust for the police and British hegemony. For example, in *Reckless Kelly* (1993), the American Robin Banks who overhears Sir John's plan to turn Reckless Island into a Japanese amusement park joins Ned's quest to buy back his family's island.

[169] According to Routt, lovers within the bandit narrative are a common feature of Australian rural movies. Describing Kate from *On Our Selection* (Ken Hall, 1920), Routt could easily be referring to one of Ned's bandit lovers:

> *She is more educated and appears more refined (cleaner, better groomed and dressed, conventionally attractive, graceful) … a bush princess ... she is necessary for love interest – and it is necessary for the love interest to be taken seriously that she be conventionally attractive, graceful, clean, well groomed and dressed …'* (Routt, April 3, 2004: 11). 'Kate' from *On Our Selection* in no way refers to Kate Kelly.

Ned's new chums

While women and lovers have often been included as important sympathisers, in the later movies, so have the Chinese. The Chinese sympathisers in these movies certainly illustrate how the Kelly Outbreak cuts through racial divisions. However, for years, Kelly was often represented as a staunchly xenophobic figure. During World War II, for example, a Kelly folk ballad was reworded to encourage young men to enlist. Titled 'Ned Kelly was a Gentleman', it included the lyrics:

> *And perhaps now in Australia we'd have millions trained with him,*
> *All laughing with a vengeance at the little yellow men.*
> *If Ned and such guerrillas were here with us today,*
> *The Japs would not be prowling round New Guinea and Milne Bay.*
> *Since Ned went over the border there has been many a change,*
> *Yet we may adopt his tactics around the Owen Stanley Range.*
> *Poor Ned, he was a gentleman, but never understood:*
> *We want men of such mettle now to stem the yellow flood* (Seal, 2005: 144).

The folk song *The Ballad of the Kelly Gang*, which was supposedly written by Joe Byrne, also treats the Chinese rather brutally:

> *They bailed up all the servants and placed them in a room,*
> *Saying, 'Do as we command you, or death will be your doom',*
> *The Chinaman cook, 'no savvy' cried, not knowing what to fear,*
> *But they brought him to his senses with a lift under the ear* (Seal, 2002: 9).[170]

[170] This tune was so popular during the Outbreak it even appeared on theatre broadside sheets around the country in 1879 (Seal, 2002: 7). Meanwhile, John Fahey in his book, *Joe Watson Australian Traditional Folk Singer*, explains how a 16-year-old Watson in 1897 often sang this song over a number of Kelly Magic Lantern slides in public presentations (Fahey, 1975: 3). A sound recording held by the State Library of Victoria includes the version of the ballad that folk singer Joe Watson sang in 1897 (Watson, 1976). Intriguingly, this version reveals how slightly it has changed since its 1879 circulation. As expected, there are some new phrases, but the 'Chinaman' verse remains with little modification:

> *Sure they bailed up all the servants and locked them in a room*
> *Saying, do as we do bid you, or death will be your doom.*
> *A Chinaman cook 'no savvy' cried, not knowing what to fear,*
> *But they brought him to his senses with a lifting under the ear* (Fahey, 1975: 5).

However, as demonstrated by the books *Australian Bush Ballads* (D. Stewart and Keesing, 1955) and *Ballads and Songs Collected by the Missouri Folklore Society* (Belden, 1940), Chinese hostages are often exploited, beaten and bullied in outlaw songs, as they are in the film *The Story of the Kelly Gang*, which sees Ned holding a Chinese hostage at gunpoint (**Figure 77**) .[171]

Figure 77: Chinese hostage stands centre (*The Story of the Kelly Gang*, 1906)

In the Jerilderie Letter, Ned certainly underscored his racism by describing the Chinese as uncivilised individuals who would 'buy white women' (N. Kelly, 1879). Other historical examples of Kelly's contempt towards the Chinese are found in the 1881 Royal Commission. In this document, Francis Hare accuses Ned of exploiting local Chinese storekeepers:

> *The Chinaman said, 'No fear; Kelly up at Buckland; get supplies from Chinamen'. He said, 'They come down frequently from the mountains with pack horses and take their supplies. But do you not tell Policemen about it. If you do, Chinaman's store get burnt, my garden destroyed and everything, you are not to say a word about it'* (1968b: 81).

Similar accusations circulated about Ned's resentment towards the Beechworth Chinese before the Outbreak even began. As an example, on October 10, 1869, Ah Fook accused Ned Kelly of assault;

[171] The usually oppressed races in folk songs are the Chinese, Irish, Italian and English (D. Stewart and Keesing, 1955).

however, due to Ah Fook's 'inconsistent testimony', which probably had to do with his poor English, all charges against him were dismissed (Corfield, 2003: 7). Jones claims that Ned had previously helped Harry Power bail up Ah Fook in a stagecoach robbery six weeks earlier (I. Jones, 2002: 37).[172] Conversely though, in *The Last Outlaw* (1980), Ah Fook or any Chinese are not victims of Harry Power and Ned's highway robberies.[173] Rather, *The Last Outlaw,* like all the later films, represents Kelly to have a peaceful and friendly relationship with the Chinese. Intriguingly, it is difficult to find examples of Ned's animosity towards the Chinese in works that represent him positively. One exception of course is Peter Carey's 2000 novel, *The True History of the Kelly Gang*, which plainly has Ned declare the Irish as a race morally superior to the Chinese:

> *Perhaps if I were a Chinaman I might have had the sense to betray Harry Power without no shame I cannot say but we Irish was raised to revile the traitors' name'* (Carey, 2000: 195).

According to Hobsbawm, racial prejudice is a trait connected almost exclusively with anti-social avengers who often inflict acts of 'ultra-violence' on racial minorities. Hobsbawm, for instance, writes that:

> *Several of the best-known examples of ultra-violence are associated with particularly humiliated and inferior groups (e.g. the coloured in societies of white racism), or with the even more galling situation of minorities oppressed by majorities* (Hobsbawm, 2000: 70).

Despite this, however, as Jones and others point out, there is historical evidence to suggest that Kelly did enjoy a collegial relationship with the Chinese. Indeed, as my own historical evidence has proven, historical reports certainly confirm that the police considered the Chinese as dangerous allies of the Kelly Gang. So much so that they even placed three Chinese detectives in heavily populated Chinese communities and drafted one hundred copies of Kelly reward posters in the 'Chinese' language.[174] These, Corfield claims, stated:

[172] It is commonly felt that Ah Fook's assault charge was in retaliation to Ned's robbery.

[173] For an alternative depiction, however, was the children's book, *Ned: A Leg End*. Published a few years after *The Last Outlaw* it features the bushranger 'accidentally' exploding a number of fireworks in Ah Fook's store. (Ferrier, 1984).

[174] For more on these detectives see 'Chinese Detectives' (Presland, 1994).

> *Last October three Policemen were murdered near Mansfield by four bushrangers who are still at large and have since plundered two banks. A reward of £8000 will be given to any Chinese who gives information to the Police by which the offenders are captured – or £2000 if only one of them is found – for it is known that they obtain food from the Chinese on the Upper Murray River and along Woolshed Creek* (Corfield, 2003: 104).

There is no doubt that the persecution against the Chinese immigrants mirrored that of Irish selectors. For instance, the only Victorian source from the nineteenth century to portray Chinese positively was the local newspaper *Chinese News*, which was only printed in Cantonese. *Police News*, on the other hand, seemed to take great pleasure in representing the Chinese, like the Irish, as great perpetrators of violent and criminal activity. For example, one front cover illustration titled, 'A mongolian fight. A lady's revenge', depicted some Chinese men fighting outside the United States Hotel in Ballarat (**Figure 78**).[175]

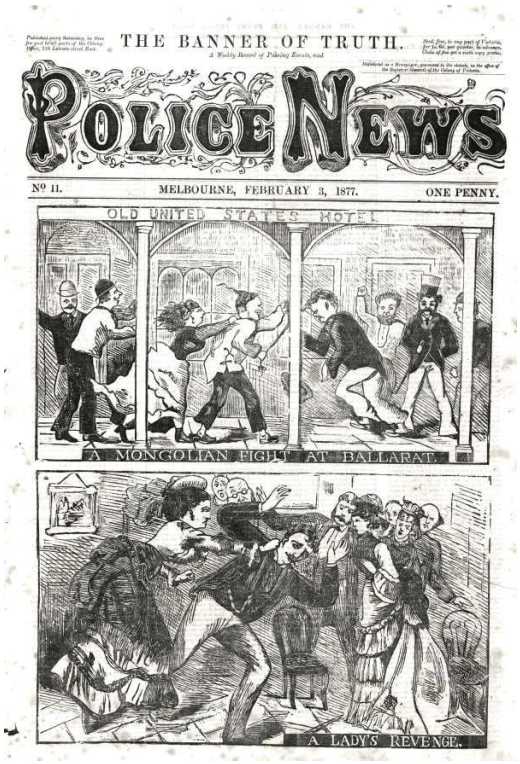

Figure 78: (1877) February 3. 'A Mongolian Fight. A Lady's Revenge'. *Police News*: Front Cover

[175] Today, Chinese from the nineteenth century are still recognised as victims of police persecution. *Histories of the Chinese in Australasia and the South Pacific* by Paul MacGregor features a selection of conference papers addressing this very subject (MacGregor, 1995), whereas the exhibition *Forgotten Faces: Chinese and the Law* indicates the high volume of 'notorious' criminals of Chinese descent in Australia during the gold rushes. Displayed in this exhibition was a selection of mug shots of Chinese prisoners, held in the Victoria Public Record's Office collection. The images and commentary from this exhibition begin to explain the circumstances and hardships that the Chinese were forced to endure.

Unlike many Irish who were originally brought to New South Wales and Van Diemen's Land as convicts, the Chinese had mostly travelled to Victoria in large numbers during the gold rush of the 1850s, and similar to Ireland, poverty was widespread in their homeland, especially in Canton (Meng, Cheong, and Mouy, 1879). Indeed, the migrants who came were mainly artisans, shopkeepers and merchants who, according to Ye Zhang, could read and write in English – even though most continued to speak Cantonese (Zhang, 1993). The other two-thirds came under a credit ticket system and were mainly farmers who borrowed money from rich bankers, village elders or wealthy moneylenders (MacGregor, 1995).[176]

One cultural work that supports Jones' view that Ned and the Chinese were not always at odds is the 1882 Australian play 'Drift', which narrates the fantastic story of 'Black Ned' who forms a gang with some Chinese who trick and deceive some rich squatters (V. Kelly, 1997a: 110).[177] As this example demonstrates, for minorities to survive in socially and racially oppressed regions at all, trickery is necessary. Another example related directly to the cinema is the Chinese merchant in *The Last Outlaw* (1980) who attempts to trick the Gang out of some money. Smelling honey inside his gold-measuring funnel, Ned laughs off the merchant's trickery as a good laugh. 'Cunning old beggar', he chuckles. As Hobsbawm would argue, this merchant plays one of banditry's essential parts. Defined as 'middlemen', this role requires shopkeepers, innkeepers and merchants to link bandits with larger networks of commerce that:

> *Like Pancho Villa, they must have at least one friendly hacienda across the mountain which will take, or arrange to sell, livestock without asking awkward questions …* (Hobsbawm, 2000: 93).

Jones claims that Ned also showed similar trickery such as exchanging 'stolen' ingots of gold (I. Jones, 1992: 25), yet interestingly, but not surprisingly, Jones overlooks this in *The Last Outlaw* (1980). As Hobsbawm asserts, social bandits must only commit crimes out of necessity and only ever rob the rich. Ideas of Kelly robbing his gold digging colleagues would certainly question his 'noble robber' status.

[176] Those who came under the credit-ticket system had to repay debts as soon as they earned enough money in the Australian colonies. Many of the Chinese in this second group went to the goldfields.

[177] There have been many Chinese bushrangers. For more on this subject see 'Wild Cathay Boys' (Noonan, 2000).

In *The Last Outlaw* (1980) and Jordan's *Kelly* (2003), the Kelly Gang have closer ties to the Chinese through Joe Byrne's ability to fluently speak Cantonese. In *The Last Outlaw* (1980), Ned marvels at Joe's incredible talent. 'I've never heard anything like it … when did you learn to speak Chinese'. In reply, Joe explains:

> *There was a Chinese camp across the creek from home. I was always hanging around there. I just picked up the language. It is like a song you keep hearing. You don't try and learn it, but you do.*

John Molony in his book *Ned Kelly* shares *The Last Outlaw*'s (1980) explanation for Byrne's skill:

> *Nearby to the Byrne home on the Woolshed there was a Chinese camp to which the quick-witted Joe often went and listened, fascinated, to their tongue, so that in time he acquired a modest mastery of its mysteries, and won the trust of those who had learnt to fear the white man since the riots on the Buckland in the golden days* (Molony, 2001: 65).

Joe's relationship with Chinese was so well-known that a local officer had supposedly once called him, 'half a Chinaman' (I. Jones, 1992: 24).

> *In this atmosphere the Byrne children grew up to accept the gently industrious Cantonese as neighbours, with their coolie hats, dungarees and sandals made of pieces of plank fitted with leather throngs* (I. Jones, 1992: 7).

According to historians, Byrne was a known opium addict, which made him friendly with many Chinese. Ian Jones acknowledges Byrne's dependency in his books *The Fatal Friendship* (I. Jones, 1992: 24) and *A Short Life* (I. Jones, 2002: 87); yet again, he overlooks it in *The Last Outlaw* (1980), as do the other films.[178] For the later movies at least, the Joe Byrne represented is a composed and disciplined individual who does not possess any vices he cannot control. He also is a fitting lieutenant for Ned, and offers council when necessary. In Gregor Jordan's 2003 film, for example, after Fitzpatrick leaves the homestead vowing revenge, Joe gives the Kelly brothers some sound advice: 'you and Dan ought to clear out for a day or two … just to be safe. God willing it will all blow over'. Fittingly, the place where they

[178] However, opium addiction in Kelly's age was not a seedy and underground industry. Because opium was considered a 'Chinese indulgence', which relates to British imperialism in China, the Government allowed its sale and consumption. In fact, they only intervened when reports confirmed a high dependency from white citizens (Oldis, 2008).

find refuge is on the Chinese gold fields. Importantly, in *The Last Outlaw* (1980) and Gregor Jordan's *Ned Kelly* (2003), Joe's bilingualism bridges the racial divide. And indeed, in Jordan's film, Joe socialising with Chinese inside the pub gives a strikingly different impression as opposed to the *Police News* engraving, 'A Mongolian fight. A lady's revenge' (**Figure 78**). Unlike many historical engravings, that represent Chinese and alcohol as incompatible, in Jordan's film, the Chinese are relaxed and peaceful inside the pub.

In Richardson's 1970 film, as a point of difference, Ned's Chinese sympathisers are noticeably westernised and, in fact, according to historical research many Chinese in the Victorian colony did saturate themselves in Western culture.[179] Carole Woods in *Beechworth: A Titan's Field,* for instance, claims that many Chinese dressed in Western clothing because they regularly attended a number of Beechworth's Anglican churches (Woods, 1985: 69). Because traditional oriental clothing and dialect would not have been acceptable in such establishments, the Chinese often dressed in Western clothing and spoke English. Representative of this is a rare positive engraving from the *Police News*, titled 'Newchum Chinamen'. Here, a Chinese father and son look dapper in their identical Western-style suits and top hats (**Figure 79**).[180]

[179] Ian Jones in *The Fatal Friendship* details the touching companionship between Joe Byrne and Nam Sing. Nam Sing raised a family with English woman Annie Cohen, and in 1871 was baptised 'William' at the Church of Christ (I. Jones, 1992: 25).

[180] This illustration proves that the *Police News* was interested in other types of Chinese representations beyond thuggee and criminal activity.

Figure 79: (1877) February 24. 'Newchum Chinamen'. *Police News*: Front Cover

The Chinese sympathisers in Richardson's 1970 *Ned Kelly* are also noticeably dressed in western style fashion. In fact, their clothing of waistcoats, hats and scarfs seems to mimic Ned's style that appears throughout all the later movies (**Figure 80**). In *The Last Outlaw* (1980), Ned's attire is almost identical to the Chinese sympathisers from Richardson's 1970 film (**Figure 81**). Indeed, in such a film, the sympathisers' western attire represents their devotion towards Ned Kelly.

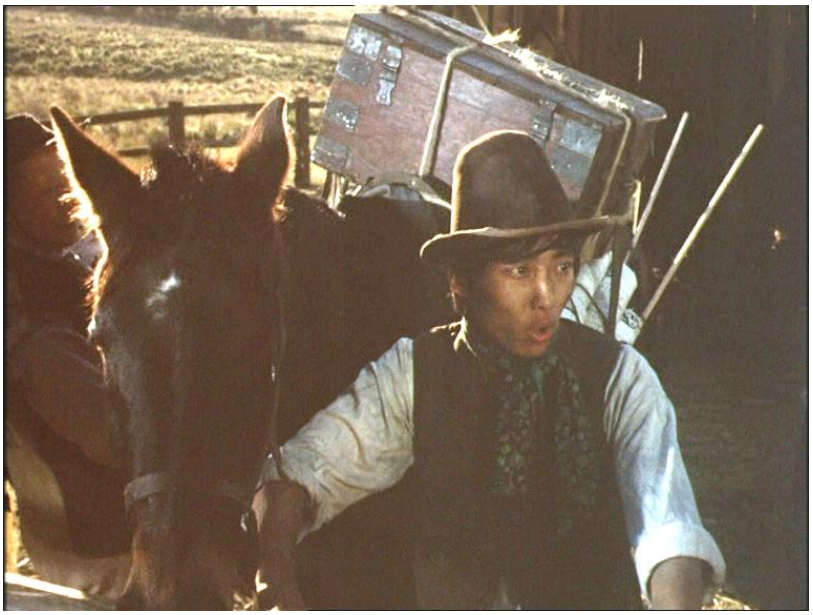

Figure 80: Chinese sympathiser dressed like a Kelly clone (*Ned Kelly*, 1970)

Figure 81: Ned dressed as a dandy (*The Last Outlaw*, 1980)

Beyond their fashion, though, Chinese sympathisers in Tony Richardson's *Ned Kelly* (1970) and *The Last Outlaw* (1980) also play a crucial role during the Glenrowan siege. In Richardson's feature, Ned instructs his two Chinese sympathisers:[181]

> *Now understand this: take the rockets down to the station and wait behind there until the train is wrecked … and then fire the rockets. Tom Lloyd and all our loyal friends and supporters are waiting in the hills. That's the signal for them to join us. Do you understand?*

Giving the Chinese sympathisers the role of shooting the firecrackers certainly makes them crucial to the smooth operation of the Glenrowan siege.[182] However, only in Richardson's 1970 film are the Chinese given such a responsibility. As a point of difference, in *The Last Outlaw* (1980), Chinese sympathisers have no more involvement beyond handing over some firecrackers, free of charge.

[181] The two sympathisers in Richardson's film are most probably portraying well-known Kelly sympathisers, Ah Ping and Ah Soon. These men lived on the Upper King River above Lewis Station (Corfield, 2003: 104).

[182] According to Ian Jones, close Kelly alliance Jack Lloyd fired the rockets (I. Jones, 2002: 14).

Aboriginals

Despite no historical account citing any Aboriginal as an official Kelly sympathiser, John McQuilton claims that Aboriginals 'regularly camped on the banks of the creek near the Kelly home. Ned Kelly's healthy respect for the skills of the black trackers during the Outbreak probably stemmed from this boyhood contact' (McQuilton, 1979: 75).[183] Others make similar claims such as the book, *But Now We Want the Land Back*, which describes Kelly as a positive figure amongst the Aboriginal people (Middleton, 1977: 121). Since the 1970s, there has been a significant shift to give Aboriginals a stronger presence in the Kelly story. Thomas Kenneally's novel *Ned Kelly and the City of Bees*, as an example, includes an Aboriginal character who nurses Ned back to health (Keneally, 1978)[184] Yet, not all representations depict Ned's relationship with Aboriginals all that positively. The 1977 comic, for instance, *The Iron Outlaw and Steele Sheila* depicts an Aboriginal chained and led like a dog, whilst in the background a line of Aboriginal porters are forced to carry boxes of goods for Ned and his 'white Australian' buddies (**Figure 82**) (Rutherford, 28 February, 1971: 9).[185]

[183] This sort of representation presents a different depiction as argued by Dennis Altman, who claims that Aboriginals have been historically banished from the 'magic circle of mates' (1987: 171).

[184] The film, *Mad Dog Morgan* (Phillipe Mora, 1976), also shows Ned nurtured back to health by an Aboriginal. In the children's book *Ned: A Leg End* (Ferrier, 1984) one of his Gang members is Aboriginal.

[185] *The Iron Outlaw and Steele Sheila* was written by Graeme Rutherford and illustrated by Gregor MacAlpine (28 February, 1971). It presents Ned Kelly and his voluptuous offsider Dawn Papadopolis (a council typist) driving around the country in an orange FJ Holden, featuring a GT stripe and mag wheels. Appearing weekly in Melbourne's *Sunday Observer*, this became one of the most popular tabloid strips of the 1970s.

Figure 82: Graeme Rutherford and Gregor MacAlpine (July 1, 1971), 'The Iron Outlaw and Steel Sheila', *Sunday Observer*: 24

In the later films, however, Kelly enjoys a good-natured relationship with Aboriginals. Representative of this is the zany plot of *Reckless Kelly* (1993), which includes Aboriginals as part of the extended Kelly family that dates back forty thousand years to the first Kelly outlaw, Awaba Kelly.[186] At the time of its release, others were also publishing equally zany ideas about Kelly's 'historical' relationship with Aboriginals. A series of academic papers by Deborah Bird Rose, for instance, discussed the mythical stories that Aboriginal communities tell one another about Ned Kelly's 'spiritual significance':

> *No matter how many Captain Cooks, police, and settlers came later, it is unmistakably the case that Ned was here first, actively making the Australian continent … In spite of the many ambiguities, Ned Kelly - man, myth-dream, and Aboriginal Dreaming figure - provides a superb bridge between cultures* (1994: 182).[187]

Aboriginals are represented to embody a similar degree of oppression as felt by the Irish and Chinese, who were also subjected to brutal marginalisation and banishment by the Crown (McLean, 1998). And like the Chinese, settler depictions of Aboriginals in the nineteenth century were largely contemptuous. In the popular 1829 play, *The Bushrangers*, Aboriginals were portrayed as vicious, ungrateful and incapable of adopting civilised behaviour (Burn, 1974). Throughout the nineteenth century, the press also popularised Aboriginals as 'creatures' held in mortal fear. In fact, the common term for

[186] Also in this film, Ned acknowledges his Aboriginal uncle, Dan Kelly, as the finest bank robber to have ever lived. Indeed, Charles White in *History of Australian Bushranging* claims Aboriginal bushrangers sent shudders through the hearts of police officers around the country (C. White, 1981: 5).

[187] Germaine Greer in her book *Whitefella Jump Up* entered the debate by claiming that Aboriginal society was timeless and changeless (Greer, 2004: 42). On this also see *Dingo Makes Us Human: Life and Land in an Aboriginal Australian Culture* (Rose, 1992) and *Aborigines* (Rickard, 1992). Durack ultimately saw the Aboriginal community as conceited, with the introduction of the white race to Australia: 'Gone were the days when they had thought of discouraging the newcomers by attacking their shepherds and spearing their stock. They know themselves beaten now, and the dreamy, changeless philosophy of the old tribes superseded by a vigorous new way of life of which change was the keynote' (Durack, 1959: 43). Meanwhile, Edna Griffiths Cargill's book *Glenrowan* featured Kelly stories as told by schoolchildren, such as the Kelly brothers imagined as Aboriginals from the 'stolen generation' (Cargill, 2000: xii). Aboriginal artist Freddie Timms also felt Ned was a subject worth exploring in his painting,'Ned Kelly'.

Aboriginals in the nineteenth century was 'Bunyips', which *The Beechworth Advertiser* translates to mean 'wild black fellow' (November 13, 1874: 1).

The later movies which represent Kelly's relationship with Aboriginals as entirely good-natured, affectionate and sympathetic certainly challenge these earlier depictions. In fact, like *Reckless Kelly*, which sees Ned channel his Aboriginal ancestors, in Jordan's 2003 film, Ned before the Glenrowan siege says in voice-over:

> *There's a certain type of black tribesman that bends in the wind ... blends into the background. Mostly he employs the help of the dead ... to destroy other people. The 'Night Dancer', they call him.*[188]

During another moment in this film, Ned and an elderly Aboriginal stand before one another in the Wombat Ranges. And despite no dialogue being exchanged, both recognise something familiar in the other: Cultural differences aside, each is a symbol of their oppressed community, marginalised by the Crown (**Figure 83**).

[188] In Robert Drewe's novel, this quote is in description of Aaron Sherritt (Drewe, 1991).

Figure 83: Ned and a native come face to face (*Ned Kelly*, 2003)

Ned in *The Last Outlaw* (1980) also declares a similar affection for Aboriginals when sitting at a scenic and secluded river with Catherine Lloyd:

> *... The blacks would have known about a place like this, every cave, every spring. With them it's different, it's like they know it before they've ever seen it. A kind of power.*

Ned's respect and awe of Aboriginals in the later films certainly corresponds with current attitudes, tolerance and apologies towards Australia's native ancestors; however, beyond just the trackers, which I will discuss in the following chapter, the Kelly tradition has continued to awkwardly place Aboriginals

into its story.[189] In fact, Aboriginals for the most part are depicted as silent victims of colonisation. Even Ned's Aboriginal Uncle Dan, who is an integral part of *Reckless Kelly*, is given minimal screen time. As with all the later films, the Aboriginal representation, at most, is symbolic. Nevertheless, such tokenism should not be discredited. For instance, to depict Kelly as a perfect hero, he is required to, at least, be recognised as a spokesmen for 'all' socially oppressed communities, which certainly include Aboriginals, Chinese and Irish selectors. As McQuilton writes, 'if the selectors had feared the Gang, or had regarded the Outbreak as a criminal outburst, the Gang's run would have been brief' (McQuilton, 1979: 151). Despite the early movies dismissing the sympathisers as a minority drawn from criminal classes, the later movies represent them as cutting through socioeconomic and racial divisions. In these movies, the Outbreak galvanises Ned's community because it gives rural discontent a focus and broadens it. Indeed, supporting Ned becomes a defiant and rebellious act in the face of authority. And as the next chapter will explain, it has absolutely become more honourable to be a Kelly sympathiser than a member of the Victoria Police.

[189] For example in the undated paperback book, *Ned Kelly: A Tale of Trooper and Bushranger*, Kelly's Aboriginal friend is stripped of his own cultural identity to closely resemble a Hollywood Red Indian (Seal, 2002: 127).

Chapter 5 *The Victoria police*

> *(The Kelly Gang) are secure in the good will of a great majority of the inhabitants of these regions, a poor but semi-criminal class whom they move amongst and frequently assist and who supply them with food and information of the movements of the police. Indeed, the outlaws are considered heroes by a large portion of the population of the North Eastern District who, inured to the crime of horse and cattle stealing from an early age, look upon the police as their natural enemy.*
>
> - *Captain Standish* (McQuilton, 1979: 139)

Over the course of Kelly cinema, the police have been represented in two strikingly different ways. There are the early movies, which represent them positively, and the later movies that represent them as the story's real villains. 'The greatest thieves and liars the sun ever shone on are the Victorian police', Ned declares in Jordan's 2003 film. This chapter will investigate how the films have represented the Victoria police, and in doing so it will discuss their ties to broader historical depictions of the police. John McQuilton would certainly argue that the later movies provide a more historically accurate representation of the police as he, for one, claims that their behaviour allows Kelly to meet Hobsbawm's criteria of social banditry. In fact, McQuilton's description of the police who were posted at the Greta station resembles more of a gang mob mentality than a regulated police force (McQuilton, 1988: 48). McQuilton though, as with Jones and others, is entirely swayed by Kelly's Jerilderie Letter, which clearly casts the police as nasty bullies:

> *I heard how the Police used to be blowing that they would not ask me to stand; they would shoot me first and then cry surrender. And how they used to rush into the house and upset all the milk dishes, break tins of eggs, empty the flour out of the bags onto the ground, and even the meat out of the cask and destroy all the provisions and shove the girls in front of them into the rooms like dogs, so as if anyone was there they would shoot the girls first* (N. Kelly, 1879).

The early movies, however, which make no reference to the letters, challenge this representation. Despite censorship regulations forcing Harry Southwell's early movies to portray the police positively, the 1906 and 1951 films, which pre and proceeded censorship also represent the police generously. With

Fitzpatrick aside, the police by and large are portrayed trying to do their best under such trying circumstances. Furthermore, because the early movies shift significantly from the representation that is depicted in the Jerilderie Letter, they have more concession when representing both Kelly and the police. In the early movies, while the police are not perfect, they are not necessarily the crooked bullies that the later movies represent.

In these later films, the police are largely incompetent, cowardly and crooked. As well, they drink and gang-bash suspects. For instance, the 1970 film and *The Last Outlaw* (1980) restage the incident that saw the police beat Ned for refusing to wear a pair of handcuffs. On this incident, Ned in the Cameron Letter wrote:

> *Fitzpatrick, Sergeant Whelan, Constable Day, and King the bootmaker once tried to handcuff me at Benalla, and when they could not, Fitzpatrick tried to choke me. Lonigan caught me by the privates and would have killed me, but was not able. Mr. McInnes came up and I allowed him to put the handcuffs on me when the police were bested* (N. Kelly, 1878).

This incident, however, does not feature in the early movies, and as Bertrand claims, police bashings are a relatively recent feature of Kelly cinema (Ina Bertrand, 1978: 164). As a point of contrast, in the early films, all of the attention is placed on the Gang who are portrayed as criminal thugs. For instance, an intertitle that appears in both *The Kelly Gang* (1919) and *When the Kellys Were Out* (1923) righteously declares (**Figure 84**):

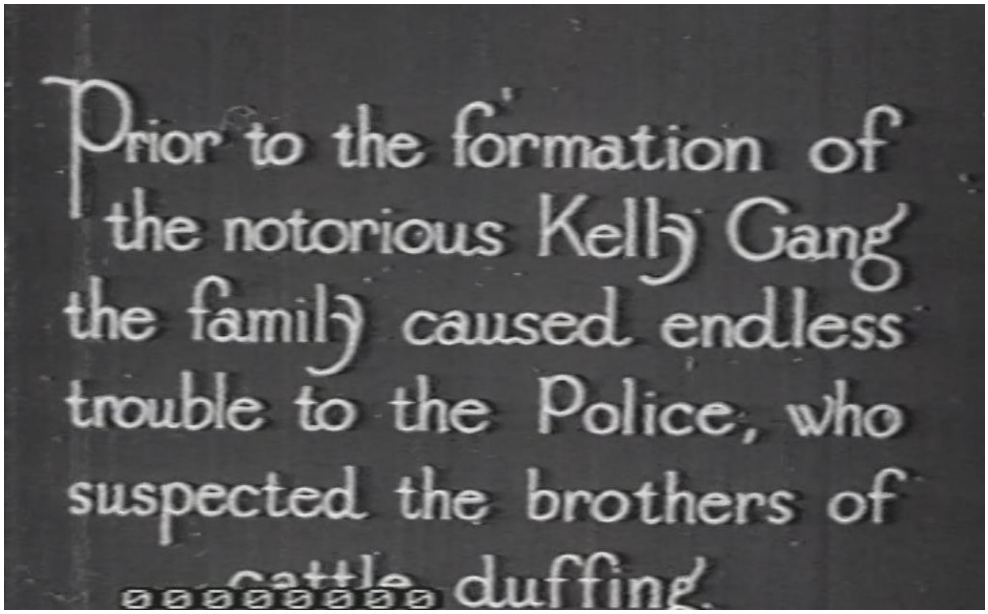

Figure 84: Kellys sordid background (*When the Kellys Were Out*, 1923)

As much as the early movies portray Kelly as a rural terror, the later movies ignore some of the more positive stories about the police. For example, Alex Castles believes that while Ned and Dan were hiding in the Wombat Ranges, Senior Constable Kelly (no relation) organised a fund so the local storekeeper could provide the Kelly-girls 'with any necessaries they might require' (Castles, 2005: 118).

Throughout the history of Kelly cinema, the character of Constable Fitzpatrick has remained the emblem of the force's crookedness and dishonesty. In fact, Fitzpatrick is remembered as the Outbreak's catalyst and, while Ned claimed that he did not shoot Fitzpatrick, many including Constable McIntyre, in his memoirs, assert that Ned, 'without a doubt', shot him in the wrist (McIntyre, 1902: 12). Supporting this belief, in the early movies Ned is commonly represented as Fitzpatrick's gunman.[190] Such a representation, of course, removes Kelly from Hobsbawm's noble robber principle that states the first rule of the noble robber is to 'begin his career of outlawry not by crime, but as the victim of injustice, or through being persecuted by the authorities for some act which they, but not the custom of his people, consider as criminal' (Hobsbawm, 2000: 47). The later movies, on the other hand, not only assert Kelly's innocence during the Fitzpatrick incident, but often remove him from the scene altogether. For instance, in Jordan's 2003 film, as Fitzpatrick arrives at the Kelly homestead, Jordan cuts to Ned enjoying the

[190] The children's book *Bold Ned Kelly* also has him shoot Fitzpatrick (Johnson, 1977: 12).

company of his mistress, Julia Cook, in her horse's barn.[191] Ned, in the later films certainly has great reason to begin his Outbreak, which in this 2003 film he voices in no uncertain terms:

> *They take the word of a lying drunkard and arrest an innocent woman. Well, I tell you, I will not accept this injustice ... because it's wrong. This treatment is wrong. I'll kill him. I'll scatter his blood and brains like rain, I swear.* [192]

The Jerilderie Letter Part 2

For the most part, Ned Kelly wrote his letters in response to the press's reaction to his killing of three police officers at Stringybark Creek. The Melbourne *Argus*, as a case, in point reported:

> *A terrible encounter, almost without parallel in Victoria, has taken place near Mansfield, between the police and four bushrangers. The particulars to hand are but meagre, owing to the intelligence having only been received at Mansfield yesterday evening, but they are of such a character as to show that four most unscrupulous ruffians are at large in the colony, and that no effort must be spared to secure them immediately. As will be seen from the following telegram, received last night from our Mansfield correspondent, two constables have been murdered, a third has had his horse shot under him* ... (October 23, 1878: 5).

The dramatic and captivating reportage certainly announced Ned as an evil predator, and even his biggest supporter, Ian Jones, has to admit:

> *We are tempted to say that the fuse of rebellion was lit and that the people of the northeast recognised Ned Kelly as their champion. But this is not quite true. There was no immediate support for the Kellys from any but their close friends and relatives. In fact, the first reaction to Stringybark Creek was one of horror and panic* (I. Jones, 1968: 163-4).

[191] In *The Last Outlaw,* a nail in the door injures the constable's wrist.

[192] Kelly in the Cameron Letter swore, 'Fitzpatrick shall be the cause of greater slaughter to the rising generation than St. Patrick was to the snakes and toads of Ireland' (N. Kelly, 1878).

The later films plainly show how the press reacted with outrage against Kelly. For example, in *The Last Outlaw* (1980) he throws the paper down in disgust and screams, 'Lies, filthy lousy lies', whereas in Richardson's 1970 film he calmly says, 'words are very loud, if only you could use them ... suppose I write a letter'. In these films, Ned is not a scholar or intellectual, but rather someone who, due to his misrepresentation, feels compelled to state his side of the events.[193]

The surprising element of the later movies is how they represent Stringybark almost exactly as Ned narrated it in the Cameron and Jerilderie Letters, and without any critical investigation or inquiry.[194] For instance, whereas Ned in the Jerilderie Letter declared:

> *As I knew the other party of Police would soon join them and if they came on us at our camp they would shoot us down like dogs at our work as we had only two guns. we thought it best to try and bail those up take their firearms and ammunition and horses and we could stand a chance with the rest We approached the spring as close as we could get to the camp as the intervening space being clear ground and no battery* (N. Kelly, 1879).

In *The Last Outlaw* (1980), he makes an almost identical statement: 'Bail them up, take their guns and horses off them and send them back from where they came'. Any questions of why the Gang ambush the police, rather than flee the scene, are entirely overlooked. As these films declare, Ned does not really have a choice as much as an obligation to 'do the right thing'. On the 2003 film, Routt agrees, 'every dilemma here – and there are a couple – is not a dilemma at all, but merely a matter of making an obvious choice ...' (Routt, 2003c: 17). Staring at the stretchers attached to the officers' horses, Ned grimly says, 'they ain't plannin' on takin' prisoners, that's for sure'. So rather than be gunned down like wild dogs they ambush the police, which results in the death of three officers. Kelly's choice to fight, though, is

[193] In the Jerilderie Letter, he famously wrote:

> *In every paper that is printed I am called the blackest and coldest-blooded murderer ever on record. Had I robbed, plundered, ravished and murdered everything I met my character could not be painted blacker than it is at present, but thank God my conscience is as clear as the snow in Peru (N. Kelly, 1879).*

[194] Jean Kitson felt that *The Last Outlaw* should not have accepted Ned's words as 'fact' (Kitson, 1981: 6).

acceptable because he only kills in self-defence and moderation. As Hobsbawm would agree, such a representation neatly places Ned within the history of social bandits:

> *There is just or legitimate killing and unjust, unnecessary and wanton murder; there are honourable and shameful acts. This distinction applies both to the judgement of those who are the potential victims of armed violence, the peaceable submissive peasantry, and to the fighters themselves, whose code may well be rough chivalry, which frowns on the killing of the helpless, and even on the 'unfair' attacks on recognised and open adversaries such as the local police* (Hobsbawm, 2000: 52).

The first person that Ned killed at Stringybark was Constable Lonigan whom he had apparently told, 'if I ever kill a man, you'll be the first' (Corfield, 2003: 316).[195] But, in the later films, as in the letters, it is merely a coincidence that his victim is in fact Lonigan. For instance, in Jordan's *Ned Kelly* (2003), Dan approaches the carcass and announces, 'Christ, it's Lonigan, Ned. You've killed Lonigan', whereas in the Jerilderie Letter, Ned wrote:

> *Lonigan ran some six or seven yards to a battery of logs instead of dropping behind the one he was sitting on, he had just got to the logs and put his head up to take aim when I shot him that instant or he would have shot me as I took him to be Strachan the man who said he would not ask me to stand he would shoot me first like a dog. But it happened to be Lonigan …* (N. Kelly, 1879).[196]

Despite Kelly admitting that Lonigan never 'fired a shot', in the films Ned kills only in 'self-defence' i.e. after Lonigan fires the first shot. In Jordan's 2003 film, for example, Lonigan barely misses firing a shot into Ned's skull, before Ned fires back. In these later films, the death of Lonigan is certainly gory, yet it is perversely satisfying as he is depicted as a mean and vicious bully. Indeed, although the Gang never plan for his death, they are unrepentant when it happens.

The death of Sergeant Kennedy on the other hand is a more regretful moment for Ned, and actually, unlike Lonigan, the Kelly tradition has always represented Kennedy as an honourable and decent figure. For instance, the famous play, *The Cause of the Kellys* described Kennedy, in comparison to the other officers, as sympathetic and kind:

[195] Jones claims that Ned made this statement during his 1877 police bashing (I. Jones, 2002: 199).

[196] Jones writes that Ned Kelly believed the officer was actually Constable Strahan (I. Jones, 2002: 130).

> *Kennedy has a rather pleasant face - is inclined to be fair and his beard not so heavy as that of the other three. The other three are dark with heavy black beards ...* (Clow, 1919: 21).

Another example is Keneally's fictitious children's novel *Ned Kelly and the City of Bees*, which names the caring police sergeant 'Kennedy' (Keneally, 1978). The early films, as well, portrayed Kennedy positively. In *The Kelly Gang* (1919), after Kennedy poignantly says goodbye to his wife and toddler, in the next scene he sadly premeditates his fate (**Figure 85**):

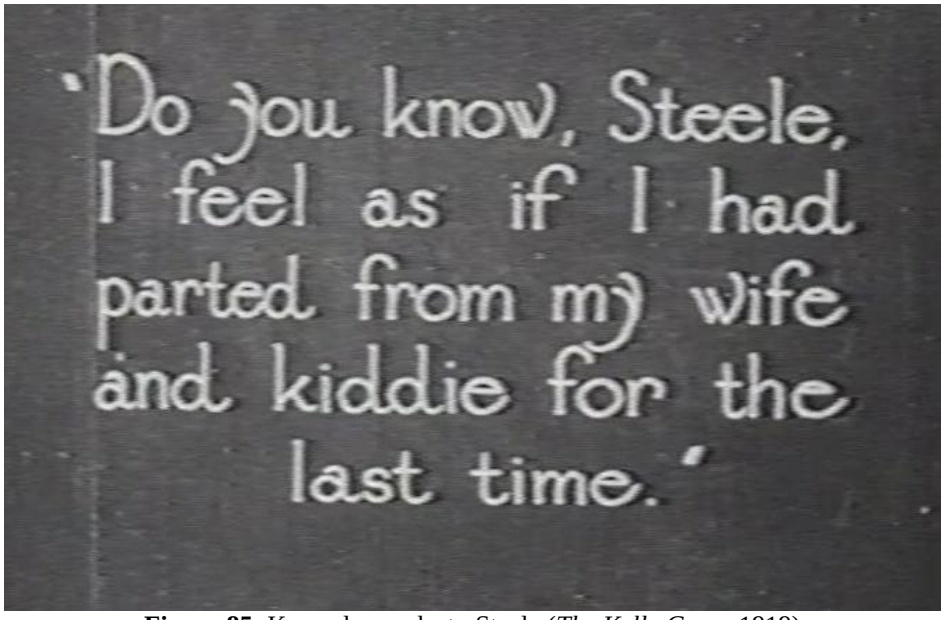

Figure 85: Kennedy speaks to Steele (*The Kelly Gang*, 1919)

For many, Kelly's killing of Kennedy proves his villainy, as does his decision to write about it. One officer, in fact, referred to the Jerilderie Letter as 'Kelly's confession' (Lundy, 1958: 58). Making similar claims, Alex McDermott, in an essay titled, 'The Apocalyptic Chant of Edward Kelly', writes how 'the letter leaves us with a very different impression of Ned Kelly from the one we are usually given. It tells the story of a violent man living a violent life ...' (McDermott, 2001: xxxiii).[197] Meanwhile, American travel writer Bill Bryson in his book on Australia – *Downunder* – wrote that Kelly killed the officers in a 'slow and pretty horrible way ... he shot them in the balls and let them bleed to death to maximize the pain and

[197] William D Routt and Tim Groves seem to agree with McDermott. To them the letter should be placed within the tradition of the suicidal bomber videos as 'both show themselves creating "figures of terror"' (Routt and Groves, 2003: 28).

indignity' (Bryson, 2000: 175). Unlike the deaths of Lonigan and Scanlon, Kennedy was killed when unarmed and not directly facing Ned. In the Jerilderie Letter, Ned confessed:

> *I shot him in the armpit and he dropped his revolver and ran I fired again with the gun as he slewed around to surrender I did not know he had dropped his revolver. The bullet passed through the right side of his chest & he could not live or I would have let him go had they been my own brother I could not help shooting there or else let them shoot me which they would have done had their bullets been directed as they intended them (N. Kelly, 1879).*

Pro-Kelly historians, however, consider Kelly's 'confession' as evidence of his honour and decency to 'do the right thing'. As Jones claims, Ned could have easily lied, yet he chose to tell the truth and face the consequences (I. Jones, November 13, 2005). Kelly's account, though, as the later movies represent, was a 'fair-fight' rather than 'cold-blooded murder'. By using a hand-held camera and adding a mist effect, *The Last Outlaw* (1980) creates a confused atmosphere, whereas in Jordan's 2003 film, Ned cries to Kennedy, 'why didn't you surrender … I wouldn't have shot ya … I'm sorry I shot you'. In Richardson's 1970 *Kelly*, Kennedy begs 'finish me off man … I can't last much longer' and indeed this mercy killing corresponds to Kennedy's autopsy report, which confirmed that he received a fatal shot from close range.[198] Yet, as overlooked in these films, his death could have easily been an 'execution', rather than an act of humanity.

In the later movies, Ned does not ambush the police without reason, and certainly, he does not wish to cause any bloodshed. As a point of contrast, Kelly in the early movies is less remorseful. For instance, in the 1906 *The Story of the Kelly Gang*'s program booklet he declares, 'if we had not shot them they would have shot us. We had to do it'.[199] However, it would be incorrect to give the impression that the early movies portray the death of Kennedy significantly different. In *The Kelly Gang* (1919), Ned does everything in his power to nurse the wounded sergeant back to health. Rushing to Kennedy's aid, Ned turns to Steve and orders:

[198] Sub-Inspector Pewtress, in a recently discovered letter, writes that the Gang had left Kennedy's body in such a horrific state the police banned the sergeant's wife from viewing it.

[199] A narrator probably spoke this line during the performance.

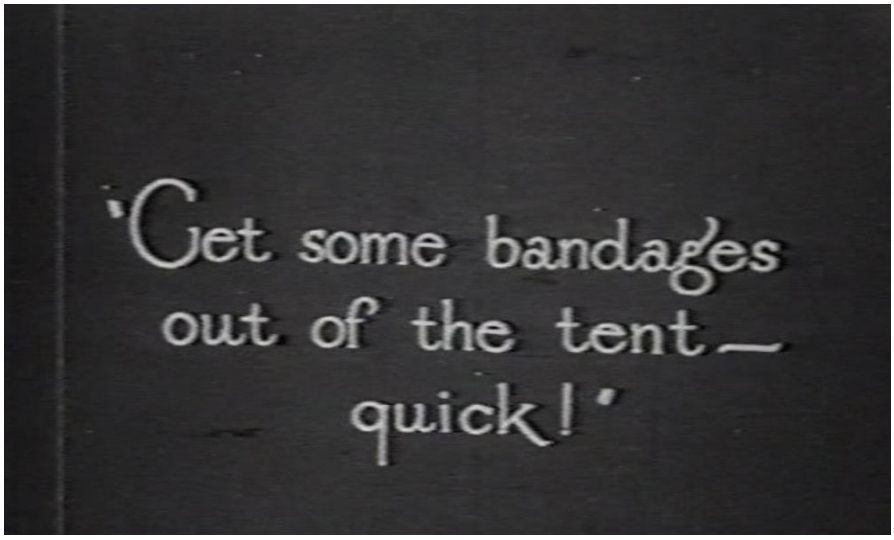

Figure 86: Ned's instructions at Stringybark Creek

The police at Stringybark have always been represented as victims of a poorly managed hunt, so much so that the Melbourne *Argus* openly condemned the decision to send four troopers to Stringybark as 'sheer cruelty' (November 4, 1878: 6). But, as the remainder of this chapter will discuss, the Aboriginal 'black' trackers continue to be represented as the pinnacle of the hunt's negligence and mismanagement. As the later movies represent, if it had not been for the contemptuous attitudes towards the trackers, the Kelly Gang would have been caught well before the Glenrowan siege.

Aboriginal 'black' trackers

After fruitless efforts to capture the Kelly Gang, the police, as a last resort, finally used Aboriginal 'black' trackers. Because the trackers were not actual members of the Victoria police, Hobsbawm would categorise them as 'official bandits':

> *... they may fight their way out of peasant lot by becoming village guards, lord's retainers or soldiers ... theirs is an individual rebellion, which is socially and politically undetermined, and which under normal conditions is not a vanguard of mass revolt, but rather the product and counterpart of the general passivity of the poor* (Hobsbawm, 2000: 41).

Before discussing how the movies represent these 'official bandits', it is important to place them within their historical cultural context. The Queensland trackers were not officially part of the Kelly hunt until March 1879, which was almost six months after Stringybark, and certainly, the decision to bring six experienced trackers from Queensland affirmed what many already thought: the police were no match for the Kelly Gang. This decision was more embarrassing when the police admitted that in December 1878, Frederick Standish had rejected the Queensland government's offer to use their most experienced 'black trackers' (I. Jones, 2002: 203). During the Royal Commission, in 1881, Standish declared:

> *I confess I was opposed to it, being convinced that, though in a large uninhabited district, where there is a scant population and little or no traffic, the services of the black Trackers, which are chiefly utilized in pursuing and dispersing the native blacks, are of use, it would be very little use in a district where there is a large traffic on all the roads, and where the movements of the outlaws were known to be wonderfully rapid* (1968b: 4).

The Queensland trackers were widely regarded as the crème de la crème of tracking in Australia and as demonstrated by a series of 1871 watercolours, commissioned by Sir Redmond Barry, they were framed inside the State Library of Victoria (**Figure 87**).[200]

[200] See 'Barry's 'Great Emporium' in the Twenty-First Century' (Kirsop, 1991).

Figure 87: S T (Samuel Thomas) Gill (1871). 'Troopers After bushrangers'. La Trobe Collection. *State Library of Victoria*: H5262

The Queenslanders arrived in Benalla on March 11, 1879, but because the police felt that the trackers made them look incompetent, they relegated them to the status of 'additional help'. On their arrival, the Queenslanders were given what Ian Jones terms 'demeaning official names': Sambo, Barney, Hero, Jimmy, Johnny and Jacky (I. Jones, 2002: 203).[201] John Molony said that their arrival at Benalla was the 'cause of much speculation' (Molony, 2001: 142). Representative of this, in *The Last Outlaw* (1980) the police parade the trackers on the Benalla station platform for curious bystanders and police officials. Dressed in their pristine uniforms of blue tunics and caps trimmed in red, the trackers bear no resemblance to the style of cavalry uniforms worn by the police officers. Ian Jones described the actual trackers recruited from Queensland as 'slim, bright-looking Aboriginals, aged between 17 and 20' (I. Jones, 2002: 2003). Indeed, the physique of the trackers in *The Last Outlaw* (1980) as lean, muscular and handsome draws obvious similarities to the representation of the Gang (**Figure 88**).

Figure 88: The Queensland trackers on parade (*The Last Outlaw,* 1980)

[201] Lieutenant O'Connor who had travelled with the trackers to Benalla, publicly declared that the permission given to them in Queensland – to eat the 'bodies of vanquished bushrangers' – would not be tolerated whilst in Victoria (Molony, 2001: 142). Certainly, these sorts of statements identified the trackers as primitive and vulgar.

The police traditionally did not accompany trackers, because in actuality their inferior horsemanship only slowed them down. William Strutt's 1851 watercolour, 'Bushranger on his way back from the Goldfields' (**Figure 89**), presents the standard depiction of black trackers, without the assistance of Anglophone officers. However, because Captain Standish took the view that any credit given to the trackers would be credit taken from the police, he insisted that the trackers be accompanied at all times.[202] This again reinforced their role as 'additional help'. Commenting on the terrible mismanagement of the trackers by the police, Ned in *The Last Outlaw* (1980) says:

> *Let's just hold fire. We really don't know how the traps plan to use them. If they've got any sense they will give the blacks free rein … but would they do that?*

Figure 89: William Strutt (1851). 'Bushranger on his way back from the Goldfields'. Parliamentary Collection. State Library of Victoria

This telemovie certainly represents the Kellys to have great admiration for the Queenslanders. Speaking to the Gang, sympathiser Tom Lloyd marvels 'not just Black Trackers … they are fighting men. They can use a gun. They keep the cannibals down along the Palm River'. In this same scene, Maggie Kelly also seems infatuated by their 'magical powers':

> *They put on a show. Do you know that one picked where a man had touched a slip rail … by the specs of salt from the sweat from the palm of his hand.*

[202] Standish was in charge of the Kelly hunt.

However, *The Last Outlaw* is not alone in its reverence towards the Queenslanders. In Tony Richardson's 1970 film, Joe Byrne's fear that 'they will probably catch us in our beds', provokes Ned to tell Caitlyn:

> *You can't stay here love … it's not safe here. It's not safe anymore. The black Trackers can trace us anywhere now. On the run, in the bush, it's no place for you.*

The problem of the Victoria police was their disdain for Aboriginals. Represented in *Ned* (2003), Governor Sinclair is completely contemptuous towards the Aboriginal trackers; yet, in this comedy his ignorance is part of its crass humour. For example, when he comes face-to-face with an 'authentic' Aboriginal he asks, 'Why is he burnt … he looks nothing like the last one'.[203] Surprisingly though, this is the only film where an official discusses the trackers. For the others, the trackers just appear, and then disappear, without any comment from the police.

Compared to the trackers' bravery, the police pale in comparison. For example, in Richardson's 1970 film, after the trackers locate the Gang and say, 'Kellys very near … we go catch them', the frightened officer demands that they leave. A few years after Richardson's film, the children's book, *Bold Ned Kelly* also used this episode to mock the cowardly officers: 'The police were afraid to meet the Kellys in the bush after Stringybark and decided to return to their base' (Johnson, 1977: 36). As historical engravings illustrate, the cowardice of the police, in comparison to the trackers, is not a new representation. Indeed, one 1881 engraving by Julian Ashton depicts a group of officers sitting stationary on their horses, whilst a Queensland tracker eagerly gallops in search of Kelly (**Figure 90**).

[203] Later he uses this tracker for target practice.

Figure 90: Julian Ashton (1881) June 18. 'The Black Tracker'. *The Australasian Sketcher*: Supplement Edition

Satirical plays that performed during the Outbreak, such as the 1879 *Catching the Kellys*, also used the Queensland trackers to mock the officers' incompetence. Advertised in The Melbourne *Argus* as a 'farce' (March 29, 1879), and a 'sketch' in the *Brisbane Courier* (August 28, 1879), Veronica Kelly in the *Annotated Calendar of Plays* gives a detailed synopsis of how the play represented the trackers and Kellys as friends – not foes:

> *A Queensland bush sheriff escorts two blacktrackers to 'catch the Kellys'. The trooper party wander aimlessly and are captured by the Gang. The play from here seems to reach a new level of absurdness. The Kellys then drink themselves into a stupor, are revealed to be amateur* Police *in disguise, and the Black Trackers turn out to be Irish* (V. Kelly, 1997a: 79).

The Victorian trackers were also used during the Outbreak. However, they were represented in the press entirely differently from the Queenslanders. The Melbourne *Argus*, for example, wrote:

> *It is generally recognised that the fear of the tracking power of the Queensland "boys" has been a strong deterrent of further crimes by the Gang – indeed the officers of Police know as much. Once they are removed and on the sea journeying homeward, there is little doubt the Gang of outlaws will consider the coast clear and commit a fresh outrage, possibly with loss of life. Information to hand points to the necessity for a replenishment of funds, and as there are many banks unprotected, a fresh crime is easy of committal, and it is felt certain will be committed if once the Gang feel sure they have only to deal with the ordinary Trackers the Victoria Government can command* (May 22, 1880: 5).

A typical engraving of the Victorian trackers was a cartoon that featured in the *Ovens and Murray Advertiser*, which was also syndicated in the *Sydney Punch*. Titled 'Where are the Kellys?' it illustrates a Victorian tracker guiding the police party past the Gang, who spy behind the trees (**Figure 91**). A scene in *The Kelly Gang* (1919), to a degree, resembles this *Ovens and Murray Advertiser* illustration. Depicting a Victorian tracker leading a police party to Ned's lookout, his discovery is fruitless; however, unlike this cartoon, the Gang is nowhere in sight (**Figure 92**).[204] Sadly, no scene of the trackers remains from *The Story of the Kelly Gang* (1906) despite the program booklet indicating that Scene Four did feature 'Black Trackers at Work in the Strathbogie Ranges'.[205] Thankfully, the booklet does include a still of the Victorian trackers walking their horses through the scrub (**Figure 93**).[206]

WHERE ARE THE KELLYS?

1. Captain Standish and the Victorian police on the *qui vive*. 2. After many weeks, they discover a clue to the whereabouts of the Kelly gang. 3. Who are discovered on the ranges by the light of the moon and the aid of a black tracker, who forthwith makes tracks, followed by the police, to the 4 Awful consternation of the bushrangers.—*Sydney Punch.*

Figure 91: (1879) July 10. 'Where are the Kellys?' *Ovens and Murray Advertiser*: 20

[204] Rupert Kathner does not include any indigenous representations in his Kelly film, which is surprising considering that many of his earlier films such as *Phantom Gold* (1937) and *Racing Luck* (1941) prominently feature Aboriginal characters.

[205] This location identifies these trackers as the Victorians. Indeed, there are a number of indicators to distinguish the Victorian trackers from the Queenslanders. Firstly, the Victorian trackers wore casual clothes and mainly travelled on foot.

[206] From this feature, NFSA hold more stills of the trackers.

Figure 92: The Victorian tracker searches for the Gang (*The Kelly Gang*, 1919)

Figure 93: Victoria trackers (*The Story of the Kelly Gang*, 1906)

Used at sporadic intervals in the hunt, like the Queenslanders, the Victorians also were held on a tight leash by the officers. Only allowed to track the Gang if accompanied by a member of the Victoria police their searches, not surprisingly, were fruitless. The police used the Victorian trackers shortly after Stringybark, yet when their searches failed to uncover the Gang's location, Chief Commissioner Frederick Standish felt it pointless to use them any further. During the 1881 Royal Commission, he stated: 'No doubt Trackers can be utilized in following the traces of men on foot, but for this kind of work they are

really perfectly useless, because their movements are so slow' (1968b: 4). Significantly, in all the Kelly movies the battle is fought between the Gang and Anglophone police. As well, the Victoria police never accept the trackers as honorary members of the hunt, and always treat them with disdain. Furthermore, while the Gang's admiration for the Queenslanders is evident and voiced on many occasions, they never consider them a cause for their outrage, but rather, a symptom of police incompetency. In reality, one reason why Ned staged the Glenrowan siege was to kill the Queensland trackers, and certainly, the trackers played a significant role during the siege (I. Jones, 2000b).

One wood engraving syndicated in at least *The Illustrated Sydney News* and *The Illustrated Australian News,* for instance, showed a bird's eye view of the Glenrowan siege (**Figure 94**). In this diagram, 'Figure 1' indicates the Gang's location from the Inn, while 'Figure 8' shows the spot where the trackers were camped. Considering the trackers direct line of fire, it is a wonder that none were killed. Not showing the same degree of courage, however, were the police officers, which 'Figure 7' indicates were scattered to the side and around the edges of the Inn. Unlike the trackers, they were not in range of the Gang's fire. Other representations also acknowledge the trackers as an important part of Kelly's capture. For example, a montage engraving, which appeared in the *Illustrated Australian News*, included a sketch of a 'wounded tracker' (**Figure 95**).[207]

[207] Many claim that the trackers were not even paid their fee. Corfield argues that the board decided 'it would not be desirable to place any considerable sum of money in the hands of persons unable to use it' (Corfield, 2003: 254). Ian Jones understands their payments were passed to the governments of Victoria and Queensland to be 'made at their discretion' (I. Jones, 2002: 330). In another example of contempt, Chief Commissioner Standish even refused a police victory parade until the Aboriginal troopers had been sent back to Queensland (I. Jones, 2002: 204). Still, in recent years, descendants have launched a number of appeals to retrieve the trackers' unpaid fees. In 2000, a court case heard the plaintiff ask for the original reward, plus interest. Greg Roberts, in the *Sydney Morning Herald,* claimed that they were asking for $84 million (Roberts, March 30, 2000: 13). Although such huge sums may suggest greed, it really suggests the acknowledgment that the trackers descendants seek.

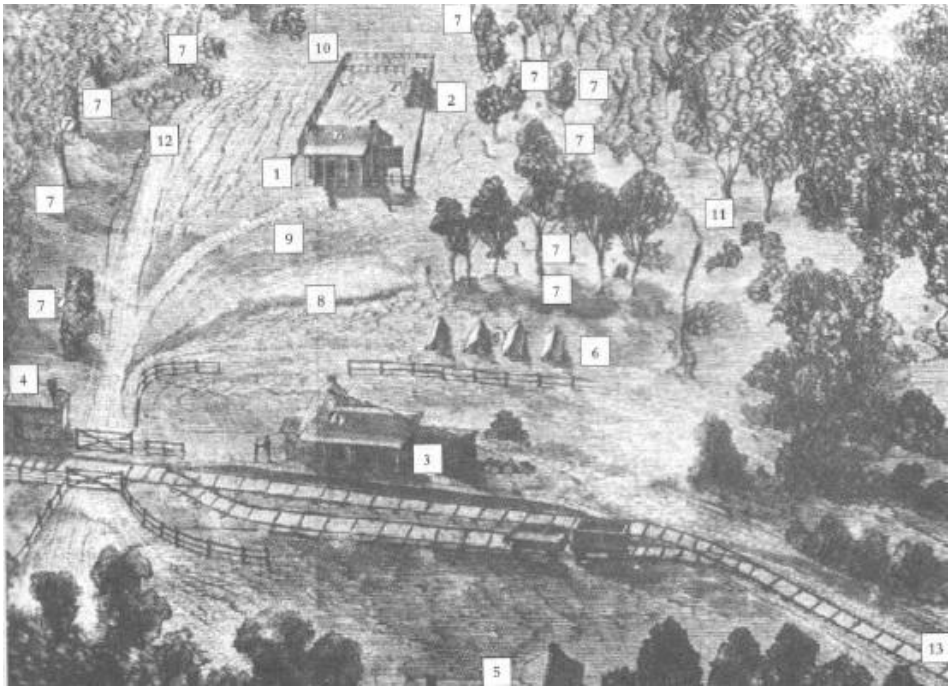

Figure 94: (1880) July17. 'Bird's eye view of Glenrowan'. *Illustrated Australian News*: 116

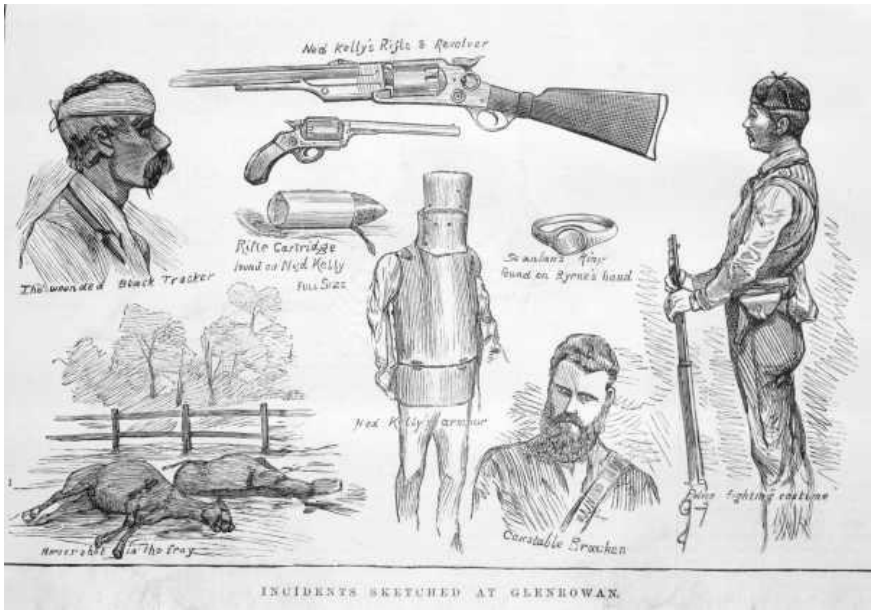

Figure 95: (1880) July 3. 'Incidents Sketched at Glenrowan'. *Illustrated Australian News*: 100

However, in the movies Glenrowan is almost exclusively a battle fought between the Anglophone police officers and the Kelly Gang. In *The Last Outlaw* (1980) for instance, the Queensland

trackers are shown on the Special Police Train to the Glenrowan siege, yet once the battle begins, they do not feature again (**Figure 96**). In fact, the gunfight occurs mostly between the Kelly Gang and their 'true' enemy: Victoria police officers. In response to the representation of the trackers, in *The Story of the Kelly Gang* (1906), Routt writes, 'I have yet to read an account of the Kellys that has managed to integrate the trackers into its narrative' (Ina Bertrand and Routt, 2007: 81). Although there are accounts that do satisfactorily narrate the trackers involvement, such as *For God's Sake, Send the Trackers* (Presland, 1998), as Routt rightly notes, the trackers remain a sadly neglected feature of the Kelly tradition.

Figure 96: The journey to Glenrowan (*The Last Outlaw*, 1980)

As this chapter has discussed, the representation of the police has significantly changed over the course of the films, and whereas the early movies sympathise with the police for 'doing their best' under dire circumstances, the later movies cast the police as the story's villains. Indeed, with such a representation tallying closely to Hobsbawm's understanding of social banditry, Ned becomes an appropriate hero in comparison to the crookedness and incompetence of the police.[208] In reaction to the

[208] To their embarrassment, much of the police incompetence was exposed by the Royal Commission (1968b).

police, Kelly's crimes are justified as a necessary endeavour to feed his impoverished and oppressed community. But, as I will discuss in the following chapter, how Kelly is represented to conduct his crimes often determines his status as a social bandit. By concentrating on his main crime of bank robbing, I will explore how Kelly in the later movies seems to embody Hobsbawm's definition of the 'noble robber', with little amendment. However, beyond this, I will also examine how the act of bank robbing becomes a political act in which Ned Kelly can conduct himself theatrically and dramatically for his captivated (and captive) audience. As Kelly cinema has continued to demonstrate, bank robberies for Ned become an enthralling form of colonial state theatre.

Chapter 6 *The noble robber*

> *The highwayman is gallant and considerate towards his victims, as any gentleman would be. Rumour says that he donates some of the proceeds of his robberies to the district's most needy citizens.*
>
> - David Brandon (2001: vii)

> *Ned's bank robbery was never a major concern as the 1840s brought in a law which exempted bushrangers from the death penalty unless they were convicted of murdering or fatally wounding a police officer.*
>
> - Susan Drury (1982: 40)

> *Folk traditions are fairly positive about an outlaw because the tradition is started by those who benefit from the outlaw's reign – the outlaw would normally share his riches with the community.*
>
> - Michael Billiot (1997: 8)

During the Outbreak, the Kelly Gang robbed banks in Euroa and Jerilderie. In this chapter I will discuss how the movies represent these robberies, with attention given to how the later movies represent Kelly as a courteous and charming robber. In fact, I am intrigued by how these later movies resemble Hobsbawm's definition of the 'noble robber', without any significant amendment. As the later films demonstrate, the noble robber is a figure determined to 'rob the rich and feed the poor', which Hobsbawm argues is perhaps social banditry's most important trait. To give this romantic doctrine some historical backing, Hobsbawm argues:

> *... there is also no question that some bandits do sometimes give to the poor, whether in the form of individual beneficence or indiscriminate largesse ... Luis Pardo, the Robin Hood of Peruvian banditry seems to have preferred scattering handfuls of silver among the crowds at fiestas, as in his native town of Cinquain, or 'sheet, soap, biscuits, tins of feed, candles etc'* (Hobsbawm, 2000: 50).

Despite, the word 'robber' conjuring sinister images of deceitful muggers pilfering unsuspecting victims, culturally, the robber is an alluring figure worthy of celebration and wonder. For instance, in 1841, Charles Mackay in his critical work on popular culture wrote:

> *Whether it be that the multitude, feeling the pangs of poverty, sympathise with the daring and ingenious depredators who take away the rich man's superfluity, or whether it be the interest that mankind in general feel for the records of perilous adventure, it is certain that the populace of all countries look with admiration upon great and successful thieves* (MacKay, 1999: 632).[209]

During the Outbreak, the press, which McQuilton writes, reacted to Kelly's robberies with 'begrudging admiration, for its strategy and execution which were seen as being worthy of better causes'. McQuilton goes on to describe the robberies as 'more like romance than reality':

> *The press noted the good humour, the charm, the skill and the flair of the Gang and in particular its leader, and the apparently willing acquiescence of the prisoners. The threats to shoot somehow seemed more bombast than murder and the robbery was something like a high adventure* (McQuilton, 1979: 112).

Dandy Ned

Ned Kelly's representation as a noble robber is certainly a result of his exhibitionism during his raids and, absolutely, his robberies were elaborate, theatrical and audacious. For each occasion, Kelly also dressed more like a gentleman than a criminal rogue. Whereas historians such as Keith McMenomy have come to describe Ned as a 'good-looking, well-dressed man who had no trouble passing as a well-to-do young squatter' (McMenomy, 2001: 65), hostages from the Outbreak also referred to his fashionable style. Mrs Scott, for instance, was reported to have said:

> *... they told me that Edward Kelly was an ogre, ugly ill-dressed and hideous and I find ... most certainly not the ferocious ruffian I had fancied; but what are you sir, a well dressed, handsome man – a gentleman indeed* (Pratt, 1911: 175).

News coverage made similar assertions, with Thomas Carrington's Glenrowan report marvelling:

[209] George Barrington was a pickpocket, whose crimes gave him immense media coverage and public celebrity. See *The Celebrated George Barrington* (Garvey, 2008).

> *He was dressed in the 'dandy' bushman style – yellow cord pants, strapped with slate cord bar pattern cloth, riding boots with very thin soles, and very high heels indeed; white Crimean shirt with large black spots; waistcoat of the same material as his trousers; hair jet black and inclined to curl; reddish beard and moustached, and very heavy eyebrows – altogether a very fine figure of a man* (July 17, 1880: 167).[210]

This report by Carrington was also reproduced in the 1906 *The Story of the Kelly Gang* program booklet (J. Tait and Tait, 1906: 3-22), and although a review for this film details Kelly's 'dandy bushman style', I cannot find any visual evidence of this (December 27, 1906: 5).[211] In fact, Kelly's dandy style is found only in the later movies. For example, in *The Last Outlaw* (1980), Kelly wears the sort of manila hat that Michael Billot claims Kelly was known to have worn: 'elegant Manila hats, crafted from Hemp fibres, with bread brims turned up in front and decorated with colourful ribbons' (**Figure 97**) (Billot, 1997: 19). After Glenrowan, press images, such as Carrington's *Melbourne Punch* illustration titled 'Moderation', often represented Ned as a dandy figure. In this illustration, Ned, smartly dressed in a dinner jacket and waistcoat, stands on stage performing to an audience of police officers (**Figure 98**).[212]

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[211] Carrington was certainly the illustrator most interested in Ned's dandy style.

[212] Norman Lindsay's description of fashionable young city men dressed for a Saturday night draws another intriguing link to Ned's fashion:

> *A stiffly starched white shirt, polo collar, and a narrow red tie fastened to his shirtfront with a brass clip. He then inserted his stockinged feet into a pair of bell-bottomed pants, which were too skin-tight at the knees to permit the passage of boots. His boots were very elaborate, with high heels, decorative toecaps, and brass lace-up tags* (N. Lindsay, March 18, 1967: 38).

During the nineteenth century, men typically put more effort into their appearance (Rolfe, 1979: 233). As Lindsay writes, 'at a dinner party, the men guests loaded the atmosphere with perfume and hair oil. It was in fact almost a male prerogative, as ladies used very little perfume' (N. Lindsay, March 18, 1967: 37). Men generally wore a considerable amount of jewellery, heavy signet rings, jewelled tiepins, watch chains from which dangled lockets, medals, charms and other trinkets. Also, they wore flowers in their buttonhole (N. Lindsay, March 18, 1967: 38).

Figure 97: Ned dressed as a dandy (*The Last Outlaw*, 1980)

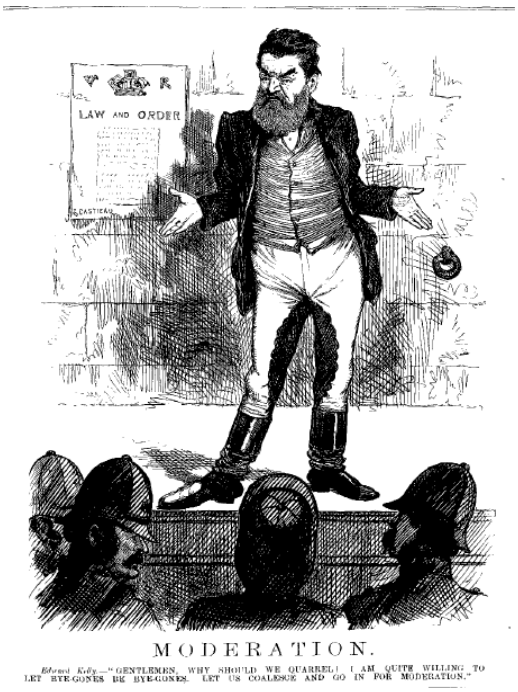


Figure 98: Thomas Carrington (1880) August 26. 'Moderation'. *The Melbourne Punch*: 85

The *Melbourne Punch* was renowned for its political satire and, in fact, Carrington's images of Kelly as a dandy were canvassing many illustrated newspapers. Carrington in an *Australasian Sketcher* illustration, titled 'Kelly in the Guards Van En Route to Melbourne' (**Figure 99**), drew Kelly in high-heeled boots, jacket, waistcoat, and hair neatly groomed and slicked back. In this image, Ned looks suited to rub shoulders with Victoria's elite. High-heeled boots was certainly a recognised characteristic of

Ned's attire as the *Sketcher* noted when describing Ned's footwear at Glenrowan: 'riding boots with very thin soles, and very high heels' (July 17, 1880: 167).[213] And, as demonstrated by this shot from Richardson's 1970 film, before the Gang's Euroa bank raid, high-heeled boots remain a recurring feature of the later films (**Figure 100**).

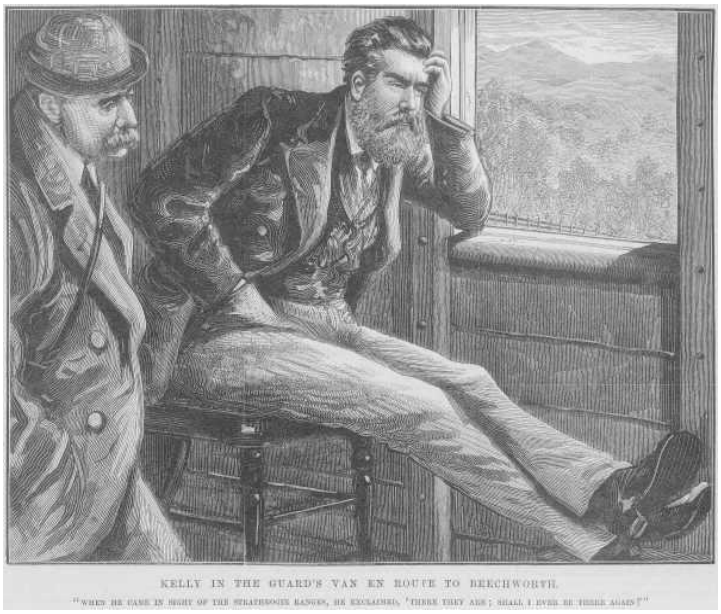


Figure 99: Thomas Carrington (1880) August 14. 'Kelly in the Guards Van En Route to Melbourne'. *The Australasian Sketcher*: 200

[213] Castieau's autobiography also makes note of Kelly's 'heeled Kangaroo skin riding boots, with spurs' (Castieau, 2004: 5).

Figure 100: The Gang dressed in their high-heeled boots (*Ned Kelly*, 1970)

Kelly's fashion in the later movies certainly gives him a representation beyond the stereotype of a grubby and uncultured outlaw. In Jordan's 2003 film, for example, during the Euroa bank robbery he intriguingly resembles the town's bank manager, Mr Scott, who like him wears a crisp white shirt, tie, waistcoat and dinner jacket. And regardless of Mr Scott's clothes being properly tailored, Ned does not look out of place in this milieu (**Figure 101**). As well, Ned shows no violence or animosity towards the Scott family, and indeed, this scene draws an intriguing point of contrast to the Euroa scene from *The Kelly Gang* (1919) that depicts Ned as aggressive and physically harmful towards his hostages (**Figure 102**). In this film, Kelly's violent behaviour, in addition to his dirty clothes and dishevelled features, plainly suggests a state of incivility.

Figure 101: Ned and Mr Scott dress curiously alike (*Ned Kelly*, 2003)

Figure 102: Ned gives his hostages some rough treatment (*The Kelly Gang*, 1919)

In fact, the Gang members in the early movies resemble outlaw rogues. For example, to open *The Story of the Kelly Gang* (1906), the Gang looks like a pack of outlaw thugs, dressed in their standard attire of khaki trousers, shirts, hats, gun-belts and riding boots, which they wear for the duration of the narrative (**Figure 103**).[214] Further, when Ned and Joe dress up as police officers, for their Jerilderie bank raid in *When the Kellys Rode* (1934), they still look like dusty and grubby outlaws (**Figure 104**). An intriguing

[214] For more on the concept of 'thuggee' see 'Thuggee and Social Banditry Reconsidered' (Wagner, 2007).

contrast here is certainly Ned in Richardson's 1970 film who looks pristine in his cleanly pressed and fitted police uniform, with immaculately polished boots. Unlike the 1934 film, the 1970 Kelly could easily pass as an officer of the Crown. So much so that in this 1970 film, Ned, dressed as an officer, cheekily tells one local, 'we've been sent here to protect you from the Kelly Gang' (**Figure 105**).

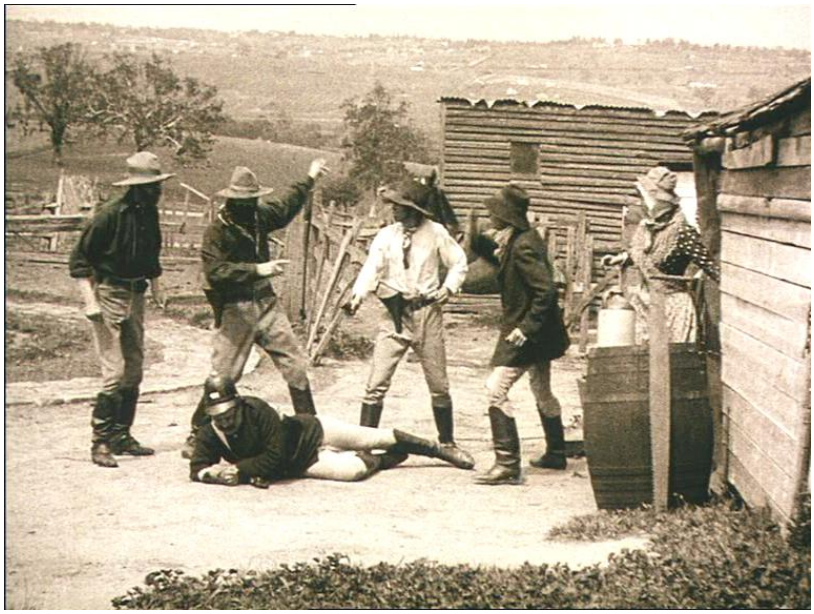


Figure 103: The Gang dresses as outlaws (*The Story of the Kelly Gang*, 1906)

Figure 104: The Gang masquerades as officers (*When the Kellys Rode*, 1934)

Figure 105: Ned dressed as an officer in *Ned Kelly* (1970)

Certainly, the Gang in the early films are distinguished from their community who, in comparison, dress more civilly and tidily. In his analysis of the hostages from the 1906 film, Routt writes, 'the inhabitants of Younghusband's Station are well-dressed, perhaps more sumptuously than they would have been in real life. This marks them of a higher class than the Kellys and culturally "English"' (Ina Bertrand and Routt, 2007: 78). Hostages in the later movies, however, are plainly more representative of Kelly. Illustrated by this shot below, the Younghusband's Station hostages from Richardson's 1970 film are depicted as distinctly 'working class selectors' (**Figure 106**).

Figure 106: The hostages (*Ned Kelly*, 1970)

If anything, Ned from the later movies dresses like a 'well to do young squatter' that is fashionable and in touch with nineteenth century popular culture. Representative of this, a police officer in *The Last Outlaw* even comments, 'is that master Kelly that just passed by ... he is cutting it rather flash these days'. In these films, when Ned begins to look unruly, he certainly puts time into his grooming. For instance, in Jordan's 2003 film the Gang heads over to Julia Cook's house for a haircut and bath, only to leave once again looking neat and tidy. As another interesting point, in these later films, Kelly only looks like a dishevelled and wild bushranger in the depths of the Glenrowan siege.

Apart from that, he is relatively well dressed and tidy for the remainder of the narrative. Significantly, in these films Ned does not begin as a career criminal living a life of lawlessness, but rather an ordinary Irish squatter who ultimately is cast into the martyr's role of a social bandit.

As a case in point, Kelly's beard growth illustrates this. For example, in the early films, Ned fashions a thick mangy beard throughout the entirety of the narrative, and certainly, from his first image he looks the part of a wild and unruly outlaw. Now, while this helps with issues of continuity, especially in the silent movies, it equally establishes Kelly as dishevelled well before the Outbreak officially begins. In the later movies, however, Ned begins the narrative as a cleanly shaven young man whose facial hair slowly begins to resemble the historical press imagery of Kelly's mangy and tattered beard from Glenrowan (**Figure 107**).[215] Yet, as a point of difference, in the comedies Ned remains clean shaven throughout the narrative and, in fact, the Gang in *Ned* don fake beards to at least look the part of 'authentic' bushrangers during their bank robberies. But, despite this suggesting something about the Gang's pubescent state, and also this film's juvenile humour, as with *Reckless Kelly*, it also represents Ned as less wild than in the other later films. In fact, his absence of facial hair, together with his happy-go-lucky personality, is representative of the comedies' neglect of the Outbreak's tragic reality.

[215] When Ned was captured, many artists painted thick bushman beards onto their earlier illustrations. For more on this see 'The Mere Fancy Sketches of Ned Kelly' (Gaunson, 2009b).

Figure 107: Ned at the opening and closing of *The Last Outlaw* (1980)

James 'Sandy' Gloster

More than just looking like a gentlemanly robber, the later movies represent Ned in the tradition of famous highway robbers such as Dick Turpin and Robin Hood.[216] However, as Elizabeth James and Helen Smith remark, Kelly has historically been framed within this tradition. As they discuss, a cover of a penny dreadful featuring Ned riding down the steps donned in his helmet curiously resembles an engraving of his 'Victorian cousin Dick Turpin' (James and Smith, 1998: 14). Other engravings, such as 'Ned and his Gang attacking a coach', also represent Kelly as a highway robber, who bails up his victims at gunpoint (**Figure 108**). Plays, as well, perpetuated the myth of Kelly as a highway robber. *Fleeced or the Vultures of the Bush or the Vultures of the Wombat Ranges*, for example, is said to have consisted almost entirely of Ned performing elaborate scenes of 'highway robbery' (V. Kelly, 1997a: 73).[217]

[216] For more on Ned's place in the history of bank robbers see *Robbing Banks* (Kirchner, 2000) and *Australian Bushrangers* (Molitorisz, 1998). Not all, however, consider the famous British highway robber Dick Turpin a gentleman. One popular tale even claims that Turpin placed an old woman upon a fire after she refused to reveal the location of her money (MacKay, 1999: 634). Still, the popular image sees Turpin as a noble gentleman. It is believed that when he robbed, he would generously leave his victims enough to continue their journey. On other occasions, he challenged his victims to win their money back. After Turpin pilfered Mr C's watch, snuffbox and money, they engaged in a bet on a horse race in which Mr C won. In the same gentlemanly fashion that robbed Mr C, Turpin returned all his goods (MacKay, 1999: 634).

[217] This play was first performed on November 16, 1878 (V. Kelly, 1997a: 73).

Figure 108: (Date Unknown). 'Ned Kelly and his Gang attacking a coach'. Mitchell Library. *State Library of New South Wales*

Even witnesses during Kelly's trial deposed how:

> *Daniel Kelly, Joseph Byrne, and Stephen Hart formed an organised Gang of armed highway robbers, under the leadership of the said Edward Kelly, and during the said period were the cause of much terror to the law-abiding and peaceable inhabitants of the said northern bailiwick* (September 20, 1880: 7).

Nevertheless, no evidence confirms that the Gang committed any highway robbery during the Outbreak. As an outlaw, Kelly only robbed banks. Yet, years before the Outbreak, Kelly was in fact connected with the infamous highway robber Harry Power who is remembered for his entertaining and relatively harmless robberies (McMenomy, 2001: 32). As represented in *The Last Outlaw* (1980), Power raids a Royal Mail coach with humour and charm, and as this image illustrates, if anything, his victims are more perplexed than fearful (**Figure 109**). In this miniseries, Power recruits Ned, and together they form a master and apprentice relationship. Significantly though, Kelly, who takes no active part in Power's highway robberies, hides in the bushes during the bail-ups. The fact that Kelly was charged with two counts of highway robbery on May 5, 1870 is curiously not mentioned in this miniseries, which indeed marks yet another example of Jones overlooking Kelly's darker reality for

his prime-time television audience.[218] Importantly, in *The Last Outlaw*, Power teaches Kelly the fundamentals of the noble robber criteria: never rob the poor and always use violence in moderation.

Figure 109: Harry Power conducts a highway robbery (*The Last Outlaw*, 1980)

As a direct point of contrast, however, in the early movies Ned Kelly does not exhibit Power's rules. In *The Story of the Kelly Gang* (1906), for instance, the Gang viciously and brutally loots the van of the poor Scottish hawker James 'Sandy' Gloster.[219] Indeed, for Kelly buffs, the name James 'Sandy' Gloster is certainly familiar as he, in fact, deposed how Ned had threatened to 'put a bullet in his head' (August 10, 1880: 7). According to Police Superintendent John Sadleir, Gloster was the only hostage at Younghusband's Station who openly opposed the Gang: 'of all these was only one man, a hawker named Gloster, who made any show of resistance' (Sadleir, 1913: 202). Gloster is a regular character of the Younghusband's bail up and, in her special commentary that accompanies the restored DVD version of *The Story of the Kelly Gang* (1906), Sally Jackson marvels at Gloster's slapstick

[218] For more on Kelly's highway robberies with Power see 'Ned Kelly – The Criminal' (Holden, 1968: 190).
[219] This incident occurred at Younghusband's Station in the lead up to the Euroa bank raid. Before Gloster arrived, the Gang had already 'bailed-up' the inhabitants of the station. Unsuspectingly, Gloster found himself at the outlaws' mercy.

performance (Jackson and Shirley, 2007). Gloster's theatrics are certainly part of this scene's allure, yet the Gang's reckless thuggee towards the hawker is rarely discussed. As Gloster and his junior partner (who portrays Frank Beecroft) are held at gunpoint, the outlaws carelessly pilfer his fancy clothes, cigars and liquor. The actual reason why the Gang stole Gloster's clothes was to look respectable for their Euroa bank robbery, but this point is not explained here. Rather, the Gang seems to take great pleasure in threatening and manhandling Gloster (**Figure 110**).[220]

Figure 110: The Gang ransacks Gloster's van (*The Story of the Kelly Gang*, 1906)

[220] Ned Kelly, in reality, had a history of physically attacking hawkers. For instance, in 1870 he was given 3 months imprisonment for confessing his savage attack of the hawker Jeremiah McCormack and his wife Catherine (Holden, 1968: 192).

In contrast, the Sandy Gloster character in *The Last Outlaw* (1980) is absolutely represented as a 'Kelly sympathiser'.[221] In fact, with his blessing, the Gang wears his swanky clothes and uses his van as transport for their Euroa bank raid. Indeed, the scene of the Gang dressing in Gloster's clothes curiously resembles the middle segment from a montage engraving that featured in the *Illustrated Australian News* (**Figure 11**; **Page 46**). In both images, the Gang, with their guns on the ground, dresses without the bother of Gloster (**Figure 111**). And while the historical engraving makes no mention of Gloster's whereabouts, in *The Last Outlaw* (1980) he is shown affectionately gazing at the Gang from afar (**Figure 112**). As well, in *The Last Outlaw* (1980), the Gang never actually robs Gloster. Rather, he gives them permission to take any item that they wish. This is a significant difference from *The Story of the Kelly Gang* (1906), which depicts the outlaws violently 'looting' Gloster's van.

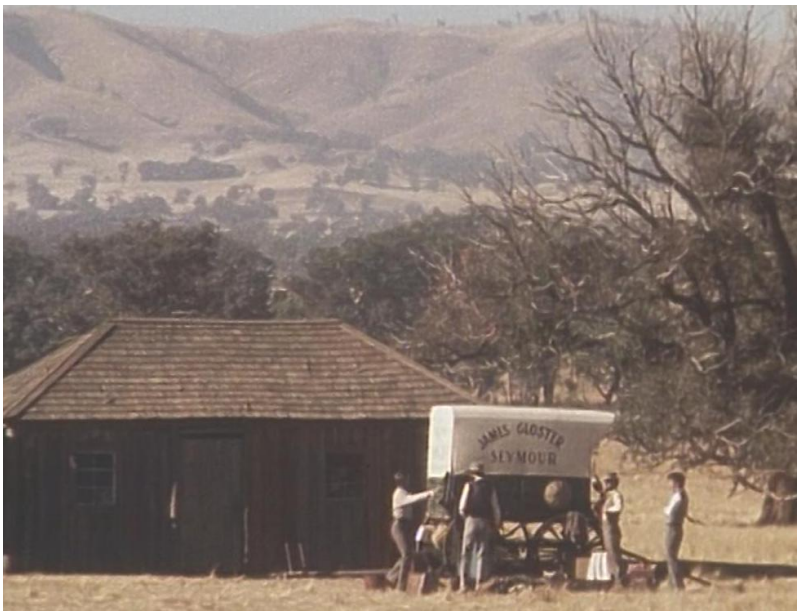


Figure 111: The Gang dresses in Gloster's clothes (*The Last Outlaw*, 1980)

[221] While Ian Jones makes no suggestion of this here, in *A Short Life* he claims that Gloster was already a Kelly sympathiser prior to Younghusband's Station (I. Jones, 2002: 164). Jones, however, does not satisfactorily explain why then Gloster testified against the Gang in court.

Figure 112: Gloster watches the Gang dress (*The Last Outlaw*, 1980)

Bail up

When it comes to robbing banks, Ned in the later movies sticks closely to the criterion that demands hostages are treated well. For example, when Steve in Jordan's 2003 film pilfers a hostage's hand watch, Ned grabs him by the scruff of the neck and demands that the item be returned: 'I'm not gonna tell ya again kid, give him back his damn watch' (**Figure 113**). An interesting contrast here is *The Glenrowan Affair* (1951) that sees Ned barge into the Jerilderie bank, and without much provocation, forcefully manhandle a bank teller (**Figure 114**). However, not only hostages resist Kelly in the early movies, as the so-called 'sympathisers' also cause him much anger and resentment. As I mentioned in Chapter 4, the sympathisers from these films blackmail Kelly to stay quiet, which indeed contradicts claims made by Jones and others who defend the Outbreak as a political movement, embraced by the wider community.[222] In the early films, the Gang are lonely desperadoes, who do not

[222] Compared to the police reward of £8000, the amount stolen from the banks was minimal. The Gang only took £691 from Jerilderie and £2260 from Euroa. Surely, it would have been more lucrative to assist the police.

encourage public sympathy and support. Fittingly, this point is promoted on a theatrical poster for *The Kelly Gang* (1919) that reads 'the terror of the whole continent fighting his last lone fight'. In *The Story of the Kelly Gang* (1906), as another example, Ned refuses to give his community any loot and as stated in the program booklet, the Euroa bank robbery ends with Steve Hart riding from the hostages with a 'bag of money' (J. Tait and Tait, 1906: 2).

Figure 113: Ned threatens Steve (*Ned Kelly*, 2003)

Figure 114: Ned threatens a hostage (*The Glenrowan Affair*, 1951)

As a point of difference, sympathisers in the later movies are entirely in support of the Gang, and certainly, there is no mention of blackmail or resistance. Apart from the occasional resister, hostages behave more like sympathisers, who support Kelly's cause. In *Ned* (2003), for instance, hostages flock to Kelly when he enters the bank, with one attractive female even asking, 'will you allow me but one kiss'. As an added comic touch, in this film, a street stall includes an assortment of paraphernalia displaying the slogan, 'I was robbed by the Kelly Gang' (**Figure 115**). Kelly in these later movies earns the hostages' respect by never robbing them and never resorting to acts of thuggee. Certainly, this is why Kelly reacts so aggressively when Steve attempts to pilfer the hostage's hand watch in Jordan's 2003 film.

Figure 115: Kelly paraphernalia on display (*Ned*, 2003)

In addition to his gentlemanly behaviour, Kelly in the later movies entertains his hostages in the manner of a colonial stage performer. Whether in myth or tradition, Kelly has always enjoyed close ties to theatrical exhibitionism, and from the Outbreak he became the perfect subject for the nineteenth century phenomenon of tent shows, where under a massive canvas, characters performed gun and horse tricks.[223]. The play *Hands Up* in 1880, for example, was one of the first Kelly tent shows' exhibitions (Parsons, 1995: 581). In this show, actors restaged Kelly's famous bank raids and last stand at Glenrowan. Indeed, the early films promoted themselves in the tradition of the tent shows. *The Story of the Kelly Gang* (1906), for instance, was advertised as the 'most sensational and most thrilling film', whilst *The Kelly Gang* (1919) poster read 'the picture with power and punch'. Illustrated by the poster for *When the Kellys Rode* (1934), horse chases and gun battles were marketed as prominent features of the narrative (**Figure 116**).

[223] Horse shows were popular up until the Great Depression and they are best known as Australia's version of Buffalo Bill's world famous Wild West show (Parsons, 1995: 581). Geoffrey Bond believes that Kelly shared a distant connection to another famous character of the tent phenomenon, Buffalo Bill. Apparently, Ned's grandmother was Mary Cody, who was the aunt of William Cody – perhaps better known as Buffalo Bill (Bond, 1961: 8).

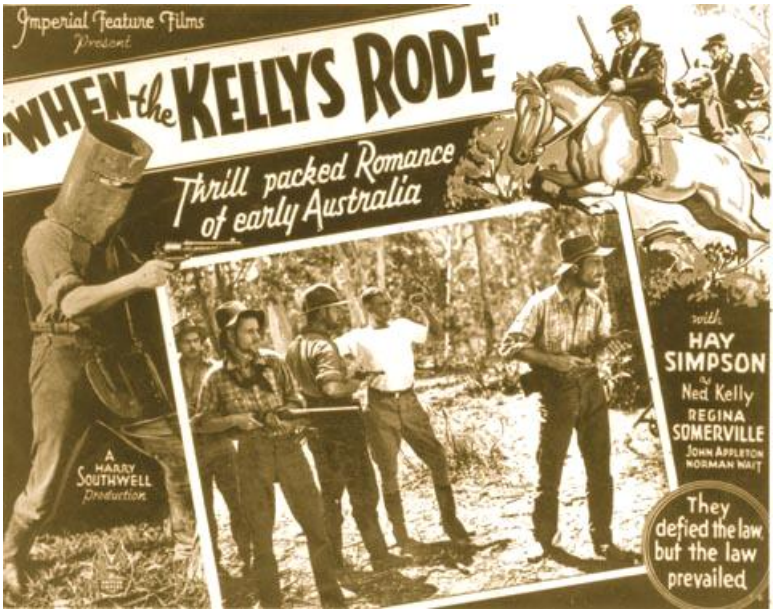


Figure 116: (1934). *When the Kellys Rode* Theatrical Poster, *National Film & Sound Archive*: 462793-6

In the later films, however, Kelly's exhibitionism is more stagey and sophisticated. In *Ned* (2003), the Gang during one of their robberies performs a choreographed dance to the song, 'Bushrangers with Attitude', whereas in Richardson's 1970 film, Ned concludes his Euroa bank raid by reading his hostages an excerpt from the Cameron Letter:

> *Ladies and gentlemen, before you go there is something that I'd like to say, the newspapers have called me a murderer but my conscious is as clear as the snow in Peru. I have never murdered anyone, I have killed police in a fair fight, but if I had been defenceless they would have shot me down like a dog. I was outlawed without cause while seeking justice for my mother and if I got that justice I will cry a go, but if I do not I will seek revenge while God gives me strength to pull the trigger. I have written a letter explaining all of this to a member of parliament, Mr Donald Cameron...* [224]

However, more than just illustrating Kelly reading his letters, the later movies also narrate how the letters are directly tied to his bank raids. In Jordan's 2003 film, Ned's impromptu speech during the Jerilderie raid becomes the content of his celebrated letter. Turning to Joe early into his speech he says, 'Joe get together your pen and paper ... we'll write ourselves a letter'. *The Last Outlaw* (1980), on the other hand, represents Ned's thwarted plans to publish the Jerilderie Letter in the local newspaper. In this miniseries, Ned's plan is simple: find the newspaper editor, Samuel Gill, and have

[224] For more on Kelly's speeches see *I Was at the Kelly Gang Round-Up* (Douthie, 2007).

him publish the letter. But when Gill flees the scene, Ned is left lamenting his failed opportunity.[225] So instead, he declaims the dramatic and theatrical parts of his letters to his hostages. Over many years now, historians have continued to celebrate the significance of Ned's robbery speeches. Seal, for one, marvels:

> *… the outlaws had openly avowed their intention of not interfering in any way with private individuals, and had even posed as champions of the oppressed against the oppressors of the poor … Kelly himself, when robbing the bank-safe, denounced all financial institutions as 'slavers' and 'Poor-man crushes'. Besides all these boastings of what he was going to do for the poor and oppressed, he followed it up by not taking anything away but the bank money, the policeman's horse, and a saddle out of the saddler's shop* (Seal, 2002: 91).

The Jerilderie bank manager, Mr John Tarleton, recalled similar stories about Ned's speeches:

> *Kelly saw fit to make a speech to his prisoners, now some 30-odd people, and lectured us about how the police had mistreated him and left him no choice but to murder three of their number* (Wilkinson, 2002: 81).

The bank raids in the later movies frequently end with a symbolic image of Ned sitting on his horse, speaking to his hostages. Horses in the films are certainly an appropriate platform as they illustrate Ned's freedom and elevate him above ground level. For instance, after the Euroa bank raid in *The Last Outlaw* (1980), Ned, sitting on his horse, declares:

> *I have no intention of asking for any mercy of any mortal man or apologising. But I wish to give warning if the people do not get justice and my mother and those innocent men released from prison I will seek revenge for the name and character given to me and my relations while God gives me strength to pull the trigger. If I get justice I will cry a go for I need no led or power to avenge me cause and if me words be louder I will oppose the law with no offence … I have written words along these lines in a letter to a member of parliament who has shown interest in our cause …*

As this scene demonstrates, Ned's exhibitionism is so captivating that he often overshadows his other Gang members. In *Ned* (2003), for instance, bushranger Dan Hughes is outraged when a

[225] For more on Gill see *Jerilderie: 100 Years* (Lundy, 1958).

hostage eagerly asks whether he is in fact 'Ned Kelly'. Throughout the Outbreak, hostages were certainly excited to see the 'real' Kelly, and actually, Captain Thunderbolt during his robbery of the Quirindi Bank was asked whether he was indeed Ned Kelly. Writing about this comical incident, Jack Bradshaw claims:

> *... assuring Mrs Allen that the Quirindi Bank would not be bailed up at the hands of the Kelly band, Thunderbolt not only had to contend with the disappointment of this 'Kelly fan' but continue moving through the shadows formed by the more famous outlaw* (Bradshaw, 1930: 56).

In the later films, because Kelly's wider band of sympathisers sustain him with goods, shelter and food, bank raids are not necessary for his own personal survival. Yet, for reasons of benevolence, showmanship and egalitarianism, he stages audacious robberies anyway. Importantly, Kelly's gentlemanly behaviour during his bank robberies strengthens his noble robber myth. However, as Jordan's 2003 film illustrates, Kelly fights a losing battle with the press who continue to depict him as an evil predator. Representative of this is one image featuring a news engraving of Ned looking menacing with his eyes drawn closely together (**Figure 117**).[226] Significantly, Jordan's film portrays the press as having painted an inaccurate portrait of Ned Kelly, and in the tradition of Kelly's social bandit image, it attempts to show Ned as his sympathisers and hostages perceived him: a decent and friendly robber. Indeed, the Kelly represented in the later movies is someone whose audacious and elaborate raids demonstrate the showmanship of the man. Fittingly, Ned in *Reckless Kelly* (1993) leaves his career of outlawry for a career of show business. Travelling to Hollywood, he stars in the B-Picture, 'The Christian Cowboy', as a partisan of God, who 'cleans up the rottenest town in the West', for the Sisters of Mercy. Regardless of Kelly not needing to rob banks for his own survival, his community is certainly grateful to receive his loot. As a case in point, Ned in Jordan's 2003 film, passes on his money with strict instructions:

[226] This image certainly illustrates how the press sensationalised Kelly to increase their circulation. Although *The Argus* was not an 'illustrated' newspaper, this headline does reference an actual headline that appeared shortly after the Euroa raid (December 27, 1878b: 3).

Two and a half thousand pounds. There's enough to pay rent on the leaseholds for lads in gaol. Thomas, you can take what you need for your mother to pay off her debt to McTeague. And there's some for McKinleys and Bill Skillion whatever he needs for his da ...

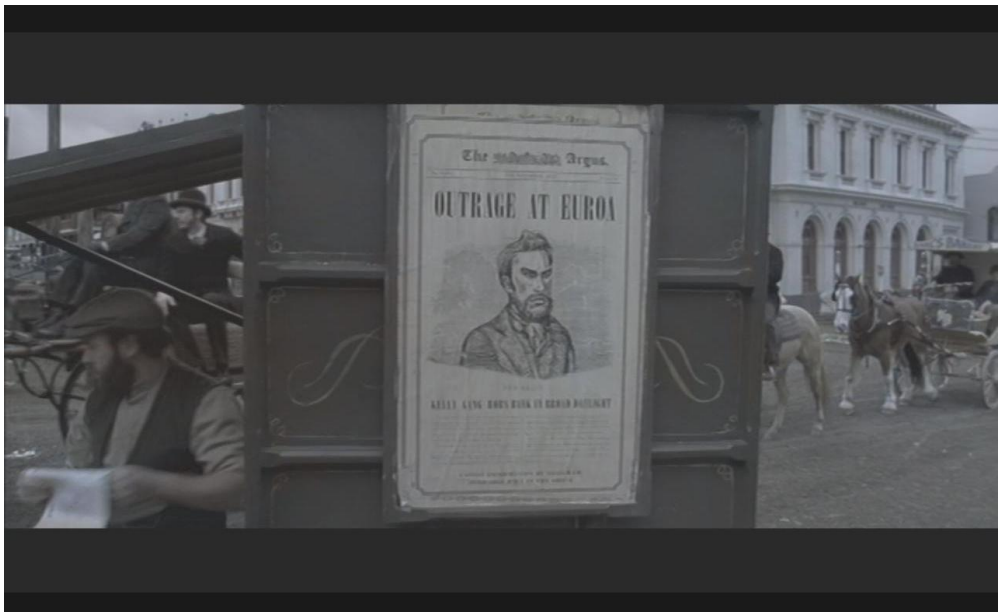


Figure 117: *The Argus* front page (*Ned Kelly*, 2003)

Because of their contemporary technocentric landscape, the comedies take Kelly's noble robber myth to another level. In *Reckless Kelly* (1993), instead of raiding bank tellers, he raids an ATM on a busy Sydney street. Indeed, such an image provides this film with a delicious element of capitalist critique. Storming into a Sydney bank, and boldly announcing his one-man-band as 'the Kelly Gang', he demonstrates his egalitarianism by instructing the tellers to deposit his money into the accounts of 'anyone who cannot afford to repay their home loans'. Significantly, *Reckless Kelly* (1993) represents the Outbreak beyond just rural discontent. Celebrated as a modern day Robin Hood, a television news story features a variety of 'city locals' praising Ned for 'lowering interest rates and raising the standard of living'. In a similar display of audacious benevolence, the actual Ned Kelly, at the Royal Mail Hotel, famously incinerated a number of mortgage bills that he stole from the Jerilderie

bank. Depicting this bold moment in Richardson's 1970 film, Kelly's costume of a police uniform presents a wonderfully ironic element (**Figure 118**).[227]

Figure 118: Ned burns mortgage bills (*Ned Kelly*, 1970)

Despite their textual differences, the later films are joined by their representation of Kelly as a helper of the poor, which, Hobsbawm would argue, frames him within the tradition of historical bandits. On this point, Hobsbawm writes:

> *Taking from the rich and giving to the poor is a familiar and established custom, or at least an ideal moral obligation, whether in the greenwood or Sherwood Forest or in the American south-west of Bill the Kid who, the story goes, was 'good to the Mexicans. He was like Robin Hood; he'd steal from white people and give it to the Mexicans, so they thought he was all right'* (Hobsbawm, 2000: 51).

[227] In Richardson's film, Ned burns the documents in the bank.

Kelly in the later films embodies themes of benevolence, showmanship and egalitarianism, which certainly strengthens his noble robber myth. As well, it also allows these films to be discussed as illustrations of Jones's generous account of the Outbreak, which disregards the criminal elements of the raids, and instead, concentrates on Ned's exhibitionism. According to Jones, Kelly's raids are significant because they provided the Gang with a 'public platform – a chance to display themselves as highwayman heroes such as Australia never had seen' (I. Jones, 2002: 160). Yet, as I will discuss next, Kelly cinema has continued to represent Glenrowan as Ned's greatest exhibition of all. Indeed, Glenrowan was the moment that finally saw him violently and dramatically come face-to-face with his enemy: the Victoria Police Force.

Chapter 7 '*Die Like a Kelly, Son*'

It may not be amiss to consider whether Melbourne had not witnessed sadder sights during the last few days than even the spectacle of a man deliberately put to death by his fellow creatures.

- *The Age* (November 13, 1880a: 4)

Farewell, adieu to outlawed Frank, he was the poor man's friend;

The government has secured him, the laws he did offend.

He boldly stood his trial and answered in a breath;

'Do what you will, you can but kill, I have no fear of death'.

- Frank Gardiner Folk Ballad (2002: 28)

Death is not the worst thing that can happen to men.

- *Plato* (Plato, 2007: 15)

This chapter will discuss how the movies represent Glenrowan and the aftermath that led to Kelly's death. Whilst I will continue to discuss Kelly's exhibitionism and showmanship, this chapter is more interested in the political components of the Outbreak. In the later movies, the political significance is something that Ned Kelly seems to comprehend, and indeed, his quest for Irish justice and showmanship craves something grander, and more spectacular, than just raiding banks. The Glenrowan siege certainly marks a unique and spectacular moment in the history of outlaw gunfights, and as this chapter will discuss, Glenrowan is remembered as the Outbreak's definitive moment.

Whereas the early movies represent Glenrowan as an old-fashioned gunfight, the later movies take reference from Jones's rationalisation, which explains the intricacies and social climate that led to the siege. For Jones, Glenrowan was the start of a guerrilla campaign and the establishment of a 'Republic'. In the later movies, Ned's idea for Glenrowan comes after some disturbing news about the treatment of his sympathisers. In *The Last Outlaw* (1980), for instance, Tom Lloyd explains how nobody named a 'Kelly sympathiser' can purchase land in the northeast. In response, Ned cries, 'they can't do that'. Glenrowan is Ned's opportunity to instigate a better society; or as McQuilton writes, the first 'pre-political stage in a process that can lead to the development of the insurgent state' (McQuilton, 1979: 168). Yet, as Hobsbawm attests, revolutions can also exist with no planned alternative power structure, which is certainly how Glenrowan is represented in the comedies *Reckless Kelly* (1993) and *Ned* (2003). Here the Gang stumble into a situation that has no planned alternative power structure. However, in these comedy films, with the community galvanised and desperate to rebel, all they need is a leader – even if he is foolhardy and juvenile.

Aaron Sherritt

In reality, Glenrowan's preamble began with the cold-blooded killing of Aaron Sherritt, as punishment for betraying the Gang and assisting the police.[228] The Gang decided that killing Sherritt would draw a Special Police Train through Glenrowan and into their trap. 'He has to die' screams Joe in *The Last Outlaw* (1980). In Jordan's 2003 feature, Joe is incensed that Sherritt thought he 'was a big-shot instead of just a shit-kicker's son like us'. Yet, as Hobsbawm would agree, traitors are a familiar and expected feature of banditry:

> *The ballads and tales are full of these execrated traitors, from the time of Robin Hood himself to the twentieth century: Robert Ford, who betrayed Jesse James, Pat Garrett, the Judas of Billy the Kid or Jim Murphy who gave away Sam Bass* (Hobsbawm, 2000: 56).

In the early movies, Sherritt is a fairly uncomplicated character, who in *The Glenrowan Affair* (1951), swaps information for money and reveals no sign of coercion, force or conflict. Actually, he seems a fairly corruptible and lowly sort of figure. Until recent times, Aaron Sherritt was the classic traitor of Australian folklore. On Sherritt, Jones in *The Fatal Friendship* writes that 'his name has a splendid ring of villainy to it and his best-known portrait shows an avaricious, almost cruel face, with sensual lips, cold eyes, and dark hair glossed back from a devilish widow's peak' (I. Jones, 1992: vii). Sherritt in the later films, however, is sympathetic, complicated and morally torn.

Jordan's 2003 film, as an example, casts Sherritt as a muddled and sad figure who intentionally confuses the police hunt. Arrested as a Kelly sympathiser, whilst in solitary confinement, Superintendant Hare pays him a visit:

> *I hear you're planning on getting married. Starting a family. Well, I'll tell you lad, your lack of co-operation will make it hard for me to get you out of here and get you back to that girl of yours. And I don't need to tell you about the reward, Aaron. It's a lot of money and I know you could use it. You're a friend of Joe Bryne, aren't you? You've known him since you were children, served time with him. I'm right about that, aren't I? Aaron, it's the Kellys we want. We don't care about Joe. But if it comes right down to it, he'll be shot down like the others.*

[228] Sherritt was killed for giving the police vital information of the Gang's movements.

> *The only chance your friend has depends on you. You can save him if you want to. If you help me with this I'll guarantee his safety.*

With limited options, Sherritt agrees to betray the Gang, despite such a decision costing his life. The man given the job of killing Sherritt is Joe Byrne, who in the later movies treats this horrendous task as a demonstration of his devotion to Ned Kelly. Whereas Stringybark proves Joe is willing to die for Ned Kelly, the murder of Sherritt proves his willingness to kill for him.

However, in the early movies, because the Gang does not show the same devotion to their leader, Ned Kelly is required to be the cold-blooded murderer of Sherritt.[229] Apart from the 1906 movie, Ned – not Joe – is identified as the gunman (J. Tait and Tait, 1906: 2).[230] To condemn Ned Kelly's actions, *The Glenrowan Affair* (1951) includes a montage of actual newspaper articles from the Outbreak, with one wildly inaccurate report even promoting Sherritt to the rank of 'Private Detective' (**Figure 119**).[231] Joe's murder of Sherritt in the later movies, however, means that Kelly only kills in self-defence and, importantly, in these movies, Sherritt's murder is entirely Joe's idea. Such representations are certainly consistent with historians, such as John Molony, who argues, 'Joe said, "we'll ride over and shoot him", Ned replied, "No, you can't have that. You are not going to shoot him"' (Molony, 2001: 165).

[229] Playing the role of Sherritt did not bother the film directors. Harry Southwell played him in *When the Kellys Were Out* and Rupert Kathner took on the role in *The Glenrowan Affair*.

[230] As indicated by the program booklet, Joe kills Aaron in the 1906 film (J. Tait and Tait, 1906: 2).

[231] Sherritt was shot dead wearing the cast-off clothing of Detective Michael Ward (Molony, 2001: 166).

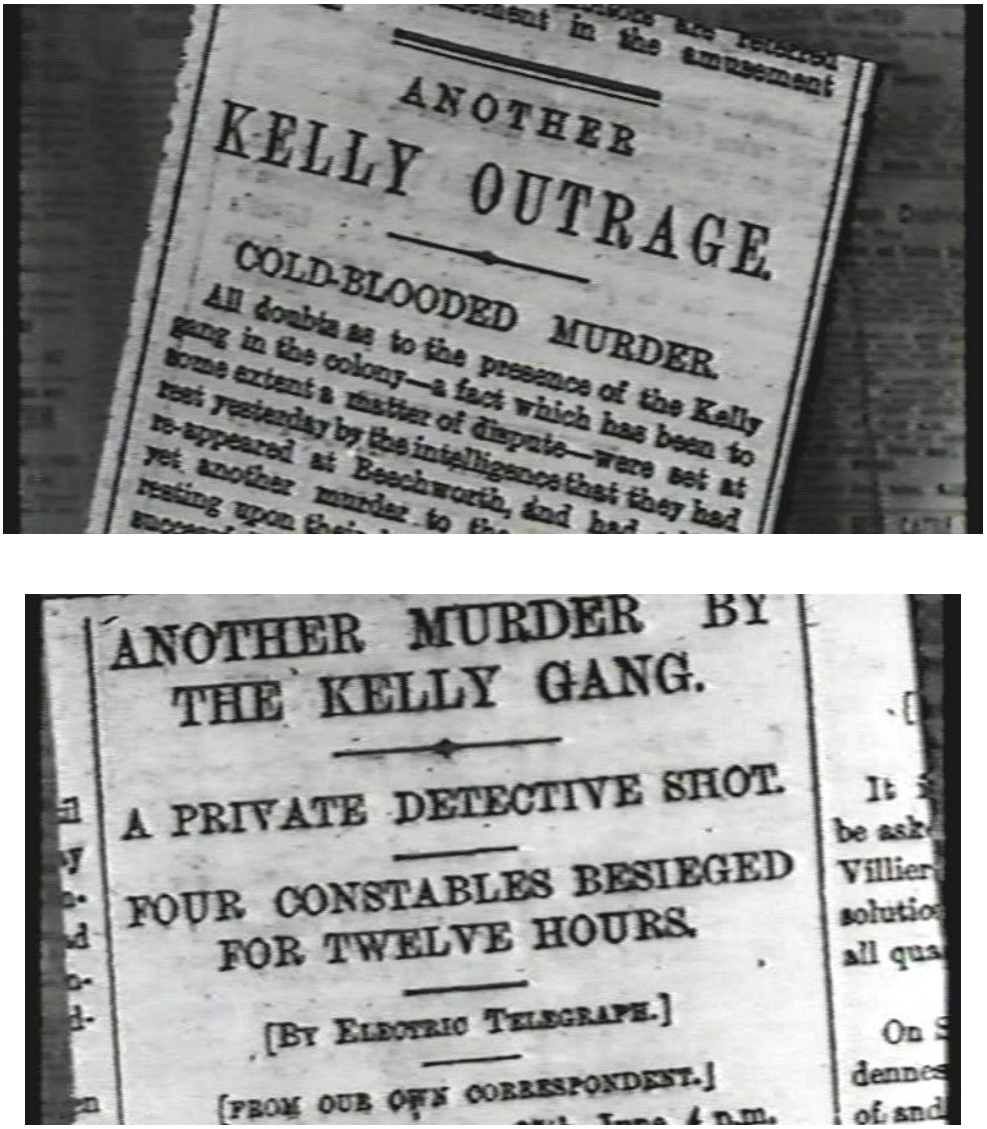
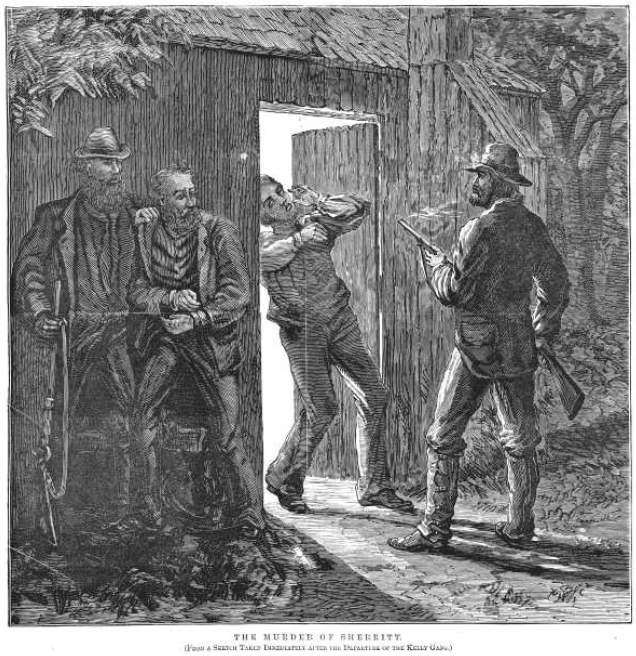


Figure 119: News reports (*The Glenrowan Affair*, 1951)

The later movies are also consistent with historical news illustrations composed shortly after the shooting. In fact, one particular engraving, which appears in Carlyon's book on the miniseries, seems to have profoundly influenced the staging of Sherritt's death in *The Last Outlaw* (1980) (**Figure 120**) (Carlyon, 1980: 52). This engraving, which portrays Byrne's murder of Sherritt, is historically accurate, despite one fundamental error: Dan's actual position was at the side door – not the front door. *The Last Outlaw* (1980) does correct this error, even though it includes its own inaccuracies. Here Joe does not shoot Aaron in the neck, as correctly depicted in this illustration, but in the stomach (**Figure 121**). Indeed, there is something more humane about shooting a bullet into his stomach, rather

than the grotesque graphic of a bullet splattering blood, bone and flesh from Sherritt's neck.



THE MURDER OF SHERRITT.

Figure 120: Thomas Carrington (1880) July 3. 'The Murder of Sherritt'. *Illustrated Australian News*: 97

Figure 121: Joe Byrne kills Aaron Sherritt (*The Last Outlaw*, 1980)

The later movies certainly portray the Gang's cold-blooded murder of Sherritt as a strategic move in their grand plan. In Jordan's 2003 feature, Ned in voice-over says, 'our plan was to take on Hare and the Victoria police force, the whole bloody lot of them. But to bring them to where we wanted them we needed bait. And the bait was Aaron'. Sherritt's murder is unpleasant, but it is necessary, as is the plan to derail the Special Police Train, which becomes a symbol of war – not mass murder. 'It's war, open outright declared war', Ned explains in Richardson's 1970 film. As early as the Cameron Letter, Ned Kelly had been thinking about attacking the railroad, which he concluded by stating, 'remember your railway'. Indeed, throughout the Kelly movies, trains have been a motif identified with law and order. Constable Hare's first appearance in Jordan's 2003 film, fittingly, takes place on the train platform at Spencer Street Station. As his carriage door is opened, he royally steps from the train ready to take on Ned Kelly. Later, he lectures his troopers opposite the Special Police Train before they board for Glenrowan. To conclude this film, the gravely wounded Ned Kelly is placed aboard the Special Train, en route to Melbourne.

Appropriately, Richardson's film stages its capture of Ned on the Glenrowan railway tracks (**Figure 122**). Such an image is certainly symptomatic of the railways' ubiquity from the latter nineteenth century onward. As Michael Billot claims, late nineteenth century outlaws, such as Kelly

and Jesse James, are more remarkable because they survived during the age of the railroad (Billot, 1997: 11). Writing in 1838, the French poet Alfred de Musset predicted a future, 'in which the spread of railroads around the world would entail the disintegration of codes and traditions, boundaries in the largest and smallest senses' (Kirby, 1997: 75). The railway was often referred to as a 'steel God' (2006), and Kelly's vandalism of the train track, and intention to derail the Special Police Train, can certainly be interpreted as a desperate attempt to reinstate an 'order of the old'.

Figure 122: Ned is captured on the train tracks (*Ned Kelly*, 1970)

During the Outbreak, historical engravings, such as 'The Kellys at Glenrowan', appeared with Ned Kelly forcing the railway platelayers to remove the tracks (**Figure 123**). Railway workers were indeed regarded as 'men with status' and men who 'opposed the farming community' (Freeman, 1999).[232] As trains were also considered a luxury that only the fortunate could afford, images of removing the tracks became suitable examples of Kelly's underclass rebellion. Absolutely, the removal of the tracks is a staple of the Kelly movies, and as in *The Story of the Kelly Gang* (1906), the outlaws aggressively shove their guns into the faces of the platelayers as this ritual is performed

[232] Keith Lovegrove, for instance, argues that train carriages were a space of 'opulent luxury' (Lovegrove, 2005).

(**Figure 124**). Yet, unlike this chaotic representation from Tait's film, the later movies depict this scene in a similar manner to 'The Kellys at Glenrowan'. In this shot from *The Last Outlaw* (1980), Ned is composed, and not unnecessarily aggressive towards the platelayers. In fact, he supervises his workers without needing to say a word (**Figure 125**).[233]

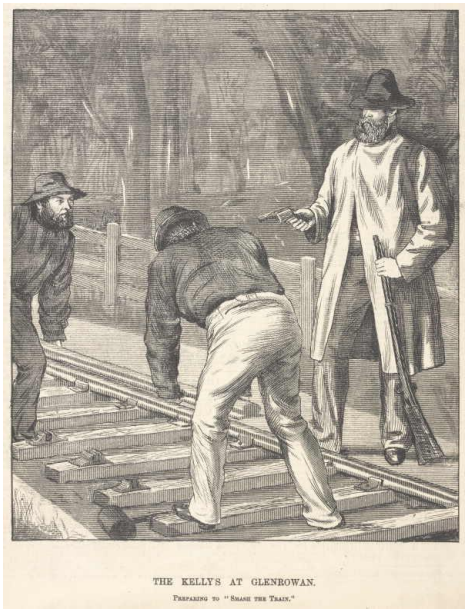


Figure 123: (1880) July 10. 'The Kellys at Glenrowan, Preparing to "Smash the Train"'. *Australian Pictorial Weekly*: 41

[233] The tracks were removed when Joe and Dan were away killing Aaron Sherritt.

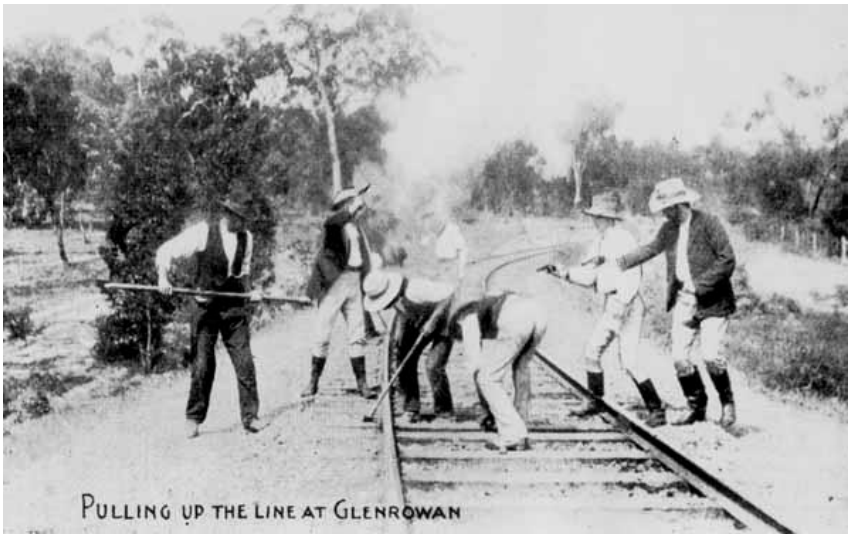


Figure 124: (1906). Pulling up the Line at Glenrowan – *The Story of the Kelly Gang*. *National Film & Sound Archive*: 451069-7

Figure 125: The tracks are removed (*The Last Outlaw*, 1980)

Despite pulling up the tracks, Ned in the later movies does not lose all sense of human decency and compassion. In the tradition of social bandits, he treats his hostages with great care and generosity. For example, inside the Glenrowan Inn, the hostages are welcomed members of a merry-old-bash that includes drinking, dancing and singing. According to Jones, the greatest failure of

Kelly's Outbreak was the bushranger's benevolence: 'Ned Kelly failed because he was neither ruthless nor cold-blooded; and in that failure he achieved true greatness' (I. Jones, 2002: vii). An example of this benevolence is Ned's permission to allow the Glenrowan hostage Thomas Curnow to leave the Inn, before the Special Police Train had arrived. In Richardson's 1970 film, Ned tells Curnow 'or right you can go ... but straight home'. Defying such instructions, Curnow, of course, makes a beeline for the train line, where he stands on the tracks waving a red flag as the train comes to a screeching halt. On this episode, the 1906 *The Story of the Kelly Gang*'s program booklet praises Curnow's bold actions as a heroic effort, 'thus taking his life into his hands, he proceeds along the railway and stops the pilot engine and Thank God he saved the Train' (J. Tait and Tait, 1906: 2). The later movies, on the other hand, do not represent Curnow so generously.[234] In these films, Curnow is represented as suspect and sneaky, and could be best described as a peculiar and sickly little man, who suffers from a hip deficiency. 'I feel sorry for the little fella', Ned says in Richardson's 1970 film. In these films, Curnow becomes symptomatic of the enemy that stops Kelly from achieving his republic.

Protective armour

The Glenrowan incident in the later movies, however, is not about killing police as it rather represents Kelly's bold attempt to initiate his republic of north-eastern Victoria. To prepare for Glenrowan, the Kelly Gang create four individual armoured suits, which symbolise the siege as a political battle, instead of a standard gunfight. Unlike the early movies, the later movies speculate about how the idea for the armour began. In Gregor Jordan's 2003 feature, Ned stares intensely at images of ancient Chinese warrior armour during the Euroa bank raid (**Figure 126**).[235] The fact that he

[234] For his bravery, Thomas Curnow received a reward of £550 (Corfield, 2003: 255).

[235] Saigō Takamori, the famous Japanese Samurai, wore almost identical armour during the Satsuma rebellion. Readers may recognise this armour from the Hollywood movie, *The Last Samurai* (Edward Zwick, 2003). In that film, Saigō and his band wore this armour in a battle during the early part of the film. As Mark Ravina writes in his biography, *The Last Samurai*: *The life and battles of Saigō Takamori*, Saigō's armour was part of the illustrious warrior family, renowned for its valiant service in defence of foreign invaders (Ravina, 2004: 73). The representation of Ned Kelly in Jordan's film sees him share a

looks to the past for inspiration ties this image to Hobsbawm, who states how the social bandit 'seeks to establish or to re-establish justice, that is to say, fair dealing in a society of oppression. He rights wrong' (Hobsbawm, 2000: 60).

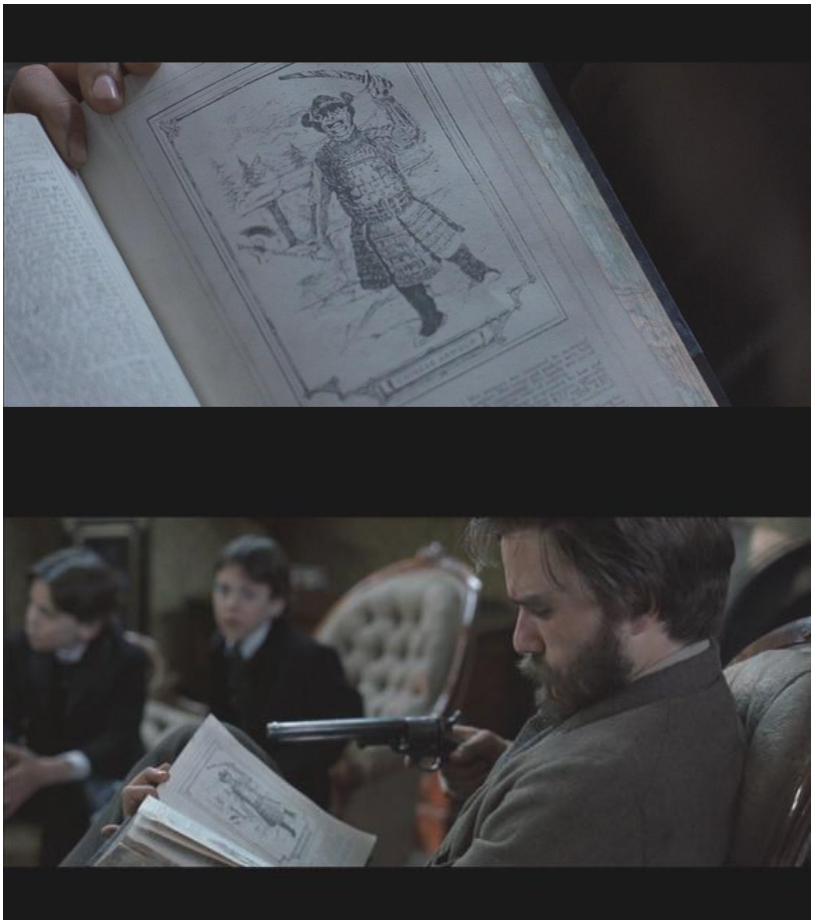


Figure 126: Ned stares at ancient Chinese warrior armour (*Ned Kelly*, 2003)

There is also some historical backing to support speculation that Chinese warrior suits inspired the Kelly Gang armour. It is believed that in 1874, Ned Kelly attended the Prince of Wales Birthday Carnival in Beechworth. There, the 3000 locals and 7000 visitors saw an extravagant procession led by a re-enactment of Henry VIII's entourage at the Field of the Cloth of Gold (I. Jones, 1992: 25). An

life of intriguing parallels with Saigō: Both directly attempt to overthrow the government and write letters to justify their rebellion. In an attempt to be pardoned for his role in the 'Ansei purge' rebellion, Saigō drafted a number of letters stating his reasons and motivations (Ravina, 2004: 87).

engraving published in *The Australasian Sketcher* illustrates the oriental warrior outfits on parade (**Figure 127**), whereas *The Beechworth Ovens and Murray Advertiser* acknowledged 'their magnificent costumes and emblems' (November 13, 1873: 2). Two days later, this same paper was still marvelling at the Chinese contingent of the parade:

> *The Chinese made a show in the procession which has never been equalled … To use a familiar phrase they took the shine out of all others who took part in the ceremony. The glorious materials and the exquisite handiworks of the exhibits were beyond praise. No European loom, and no European fingers could have produced such results* (November 13, 1873: 2).

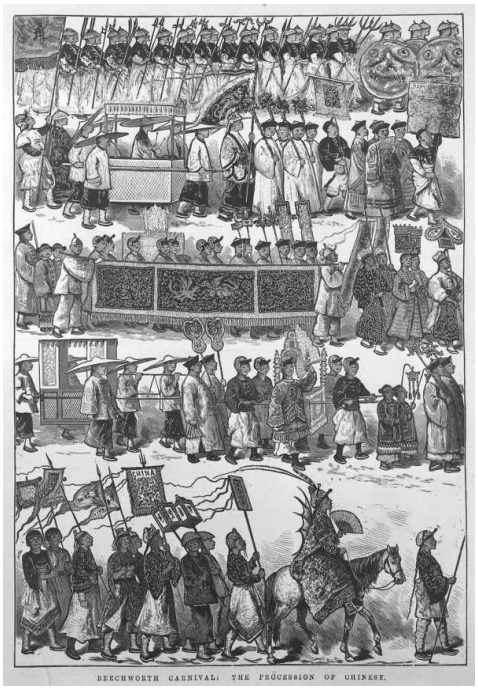


Figure 127: (1874) December 25. 'Beechworth Carnival: The Procession of Chinese'. *The Australasian Sketcher: 154*

The armour that Ned studies in Jordan's 2003 film is, intriguingly, the very same suits that were paraded in Beechworth in 1874. While the armour he creates is not an exact replica, its resemblance is obvious. And as with the Chinese model, the armour in this film grasps the upper torso and hangs in

sections from the waist, while an apron piece, slung by straps from the bottom of the breastplate protects the loins (**Figure 128**).[236]

Figure 128: Ned battles the police in his suit of armour (*Ned Kelly*, 2003)

As with Nolan's imagery, Kelly in *Reckless Kelly* (1993) and *Ned* (2003) wears the armour throughout the narrative. However, in these comedy films, the armour is also more domestic. In *Reckless Kelly* (1993), the helmet is a rubbish bin, whereas in *Ned* (2003) it is a letterbox. Suitably, Ned's body suit in *Reckless Kelly* (1993) is moulded from scrap metal found around Reckless Island. In both these comedies, the armour has the extraordinary ability to ricochet bullets onto the shooter, which fantastically eliminates Ned's need to shoot his victims. In the historical films, however, the armour is only worn at Glenrowan, and does not have such fantastic abilities. Whereas the police in *The Last Outlaw* (1980) dismiss reports that the Gang is planning to create armour suits, a montage shows the Gang members shaping and casting the armour themselves. There is no doubt that the armour in the later movies is quite magnificent and spectacular, and certainly, it is greater than the

[236] In Richardson's 1970 feature and *The Last Outlaw*, Ned finds the idea for the armour in his favourite book, *Lorna Doone* (Blackmore, 1922: 20).

ridiculous construction displayed in the early movies. For example, illustrated by this image from *When the Kellys Rode* (1934), the armour is just a few pieces of plough boards strung together (**Figure 129**). A striking contrast, however, is the Gang's armour from Jordan's 2003 film, which is tailored to the specific body shape of each member. The armour in this film is indeed magnificent, and certainly, it lives up to its public reverence (**Figure 130**). On Kelly's actual armour, Jones describes it as 'a figure from the dreams of his allies, from the nightmares of his enemies. Myth, legend and reality were fused into a preposterous icon' (I. Jones, 1992: 158). Kelly's armour, argued by Hobsbawm, is his eternal image: 'a ghostly figure, tragic, menacing and fragile in his homemade armour, crossing and re-crossing the sun-bleached Australian hinterland, waiting for death' (Hobsbawm, 2000: 143).

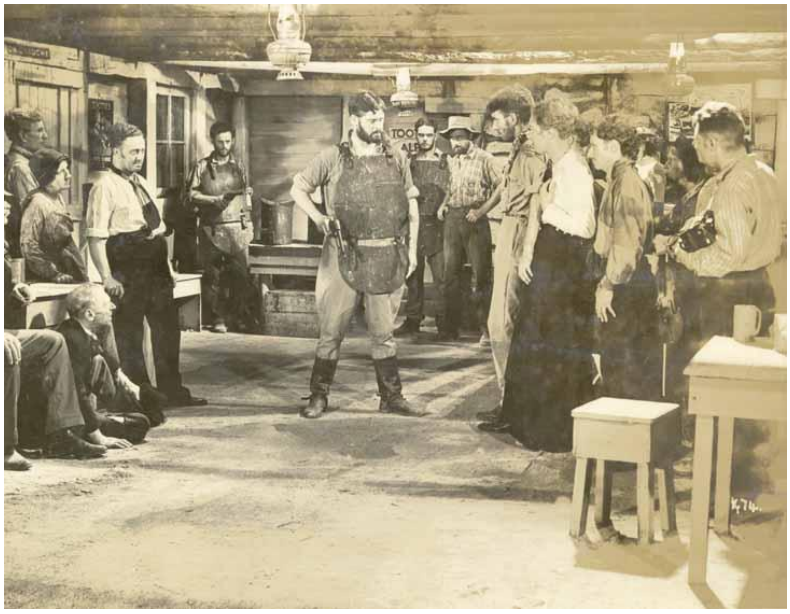


Figure 129: Ned in his armour (*When the Kellys Rode*, 1934)

Figure 130: The Gang dressed in their armour (*Ned Kelly*, 2003)

According to Jones, Kelly's plans for the armour beyond Glenrowan would see it used for future strike operations, where the four armoured Gang members would act as storm troopers (I. Jones, 2002: 212). Although Ned never put such mad ideas in action, in *Reckless Kelly* (1993) and *Ned* (2003), dressed in his armour, he performs a variety of successful bank raids. Unlike Kelly's crippling 44-kilogram suit, the armour in these comedies is lightweight, mobile and perfect for a bail-up and quick

exit. However, the historical films that stick to the story drastically limit Kelly's mobility inside the suit.[237] Accurately, *The Last Outlaw* (1980) represents how the armour severely handicapped him. In fact, in this telemovie Kelly is forced to stagger like a drunkard as bullets wound his unprotected arms, legs and groin. Even when he collapses onto the ground, like a maimed animal, the bullets continue to rip into his unprotected limbs. Such sights do nothing to enhance the reputation of the police.

In the later movies, Ned Kelly concludes his last stand mortally wounded, as his beautiful and trim Irish body is transformed into a sickening mess. Yet, such images are no more exaggerated than many of the historical engravings from the time. At Glenrowan, Thomas Carrington, for example, sketched Ned Kelly's wounded state. Titled 'Ned Kelly After the Removal of His Armour', Ned resembles an old weathered man who appears close to death (**Figure 131**). Something else about this image is the dandy clothing worn by Ned Kelly during the siege. For his big day, he wore pinstriped-strapped riding pants, Crimean flannel shirt, waistcoat and high-heeled boots.[238] In *The Last Outlaw* (1980), the gravely ill Ned Kelly wears the exact same outfit, as illustrated by Thomas Carrington's wood engraving (**Figure 132**). In all its gory detail, the later movies illustrate the 'brutality' that Ned Kelly endured at Glenrowan. For instance, in Richardson's 1970 film, the removal of Ned's helmet uncovers the bushranger dripping in blood (**Figure 133**). Such a shot also gives good reason to feel a degree of sympathy towards Ned Kelly, who certainly does not deserve such cruelty.

[237] Ned Kelly's suit is currently displayed at the *State Library of Victoria* (1880).

[238] Jones believes that the Gang also received haircuts in preparation for the big event (I. Jones, 2002: 228). However in the later movies, Ned's hair is long and his beard mangy.

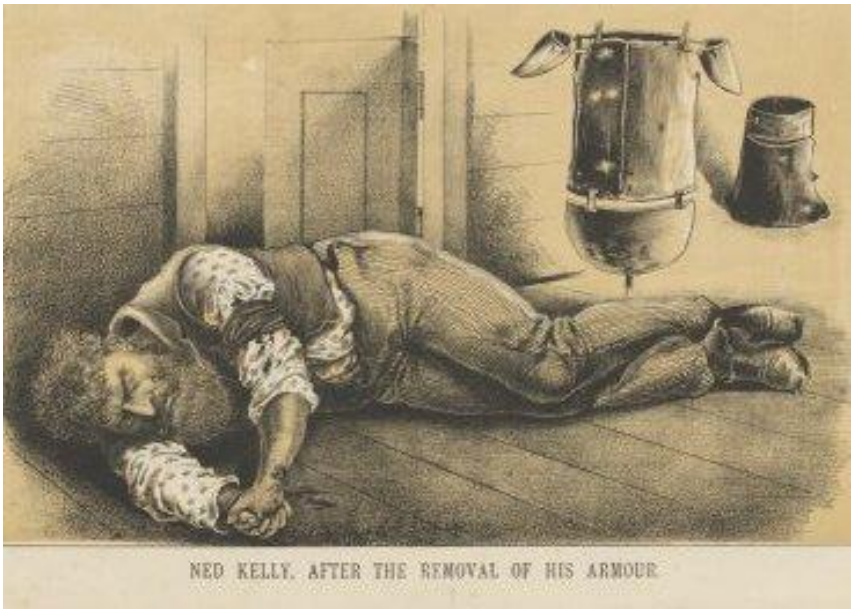


Figure 131: Thomas Carrington (1880) June 29. 'Ned Kelly After the Removal of His Armour', *National Library of Australia*, Canberra: 8420640

Figure 132: Ned lies mortally wounded (*The Last Outlaw, 1980)*

Figure 133: Ned drips in blood (*Ned Kelly*, 1970)

While this spectacle exposes the police as brutal thugs, in the early movies Ned's wounded body is not on show, nor does his treatment inspire sympathy. When captured, there is no blood to suggest discomfort, and he appears under no duress whatsoever. In fact, Ned's physical vigour, in this still from *The Story of the Kelly Gang* (1906), suggests that he is far from death (**Figure 134**). Studio portraits produced immediately after the Outbreak present similar representations of Kelly's capture. In this photograph, the model in forged armour wrestles with the police who are dressed in civilian clothing. As indicated by Ned's clenched fist, and the need to pry his fingers from the rifle, he is very much alive, and significantly, the police are not represented as using excessive force (**Figure 135**).

Figure 134: Ned is captured (*The Story of the Kelly Gang*, 1906)

Figure 135: William Burman (1880) July 15. 'Ned Kelly Captured', La Trobe Collection, *The State Library of Victoria*: H96.160/198

The police in the later movies leave Ned barely clinging to life. In *The Last Outlaw* (1980), for example, Dr Nicholson standing over his patient says, 'he has a remarkable constitution, but he shows no will to live'. Also featured in this scene is the Roman Catholic priest who reads Ned his last rites. A similar representation also appears in Jordan's 2003 film, which illustrates a priest clutching his bible, next to Kelly (**Figure 136**). Such sympathetic images of Kelly date back to the Outbreak itself. As a

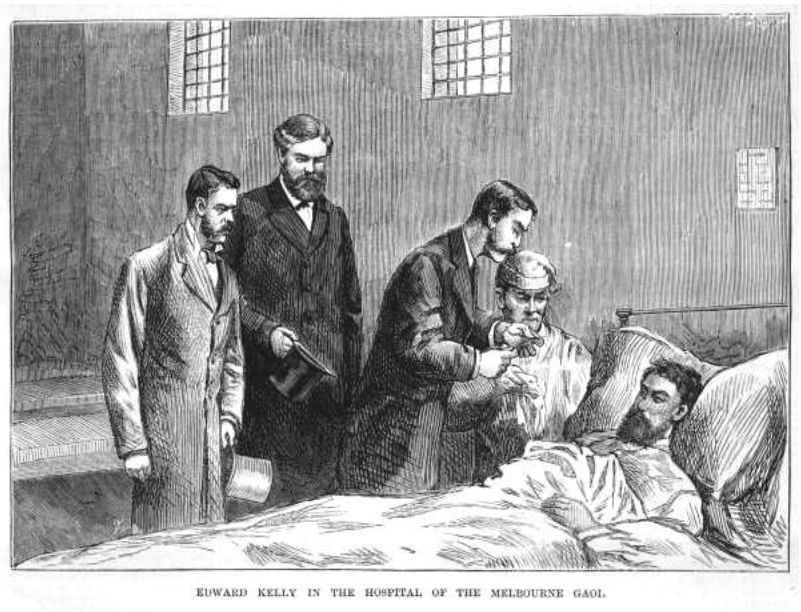
case in point, the engraving below depicts a priest amongst three doctors who observe their patient.[239] Indicated by the bars on the window, this location is certainly the Melbourne Gaol hospital (**Figure 137**).[240] In reference to this engraving, a report in *The Bulletin* makes no concessions for Kelly's sickly condition: '... the life of Edwood (sic) Kelly, should he ever leave the hospital alive will and should be taken coolly and deliberately with the stern relentlessness of that justice which never dies' (Rolfe, 1979: 26). Such opinions differ significantly from the later films, which plainly depict Ned as the poor and unfortunate victim of police brutality.

[239] While the doctors' heavy coats and top hats suggest that they are making a brief stop, the priest's presence seems more permanent. Next to the head of the bed he sits, staring at the patient with an expression of concern. The doctor leaning closest to Ned is Andrew Shields.

[240] The medical report by Doctor Andrew Shields was published in *The Argus*. It reads:

> *The prisoner Kelly was rather feverish on admission to the gaol hospital, the temperature being 102deg. and the pulse quick. Kelly is a tall, muscular, well formed man, in good condition, and has evidently not suffered in health from his late mode of life. The principal injuries are, first, a severe bullet wound near the left elbow. There are two openings, one above, the other below, the joint, the two apertures having probably been caused by the bullet traversing the arm when bent. The right hand has been injured near the root of the thumb, and from this I removed one large slug shot. In the right thigh and leg there are also several wounds, caused by the same kind of shot. These, however, seem not to be of a dangerous nature. The right foot has received a severe injury. The track of the ball here is marked by two openings, one on top of the ball of the great toe, and the other on the sole of the foot. The bone is damaged. The last wound and the one near the elbow joint are those of the greatest import. There is, however, no immediate danger. At the same time, it is very necessary that Kelly should be kept perfectly quiet, and free from all avoidable causes of excitement. "A. Shields. "Medical Officer, Melbourne Gaol"* (June 30, 1880a: 6).

Figure 136: The Roman Catholic priest is on alert *(*Ned Kelly, *2003)*



EDWARD KELLY IN THE HOSPITAL OF THE MELBOURNE GAOL.

Figure 137: (1880) July 17. 'Edward Kelly in the Hospital of the Melbourne Gaol'. *Illustrated Australian News*: 117

Death

Joseph Campbell argues the importance of death in the outlaw narrative:

> *The last act in the biography of the hero is that of death or departure. Here the whole sense of the life is epitomised. Needless to say, the hero would be no hero if death held for him terror; the first consideration is reconciliation with the grave* (Campbell, 1973: 356).

Suggested by these comments, social bandits are certainly required to confront death with the same dignity that defined their Outbreak. In *The Last Outlaw* (1980) and *Ned Kelly* (1970), for instance, Ned stands in the dock during his criminal trial not showing any sign of fear or dread. Indeed, his relaxed stance in *The Last Outlaw* (**Figure 138**) mimics Julian Ashton's engraving (**Figure 139**).[241] In this scene, Ned recites Kelly's dramatic and theatrical words as spoken during the trial:

> *But the day will come when we shall all have to go to a bigger court than this. Then we will see who is right and who is wrong. No matter how long a man lives, he is bound to come to judgement somewhere, and as well here as anywhere. It will be different the next time they have a Kelly trial for they are not all killed. It would have been for the good of the Crown had I examined the witnesses, and I would have stopped a lot of the reward, I can assure you …*

[241] As Julian Ashton sketched him from the dock, Ned covered his face in protest.

Figure 138: Jarrett resembles the historical illustration (*The Last Outlaw*, 1980)

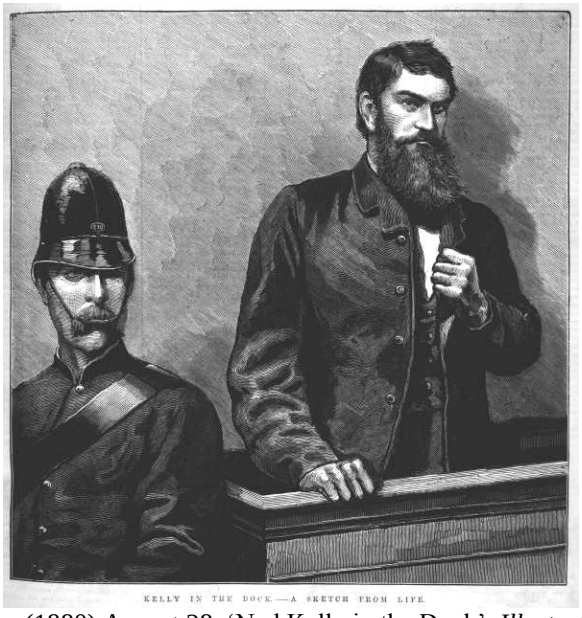


Figure 139: Julian Ashton (1880) August 28. 'Ned Kelly in the Dock'. *Illustrated Australian News*: 145

In Richardson's 1970 film, Ned demonstrates his bravery by declaring a variety of audacious statements such as, 'I fear death as little as to drink a cup of tea', and 'my mind is as easy and clear as it possibly can be'. In reference to this representation, certain historical evidence strongly suggests that the actual Kelly also faced death with good grace. The prison photo taken by Charles Nettleton shows Ned winking at the camera, whereas a distinct grin cannot be missed on his death mask. Similarly,

Richardson concludes his film with a freeze frame of Ned grinning into the camera as Justice Barry announces the sentence of death (**Figure 140**). 'I'll see you there', retorts Ned as he points his finger.

Figure 140: Ned points to the direction of hell in (*Ned Kelly*, 1970)

In the early movies, however, Ned Kelly does not accept his fate so calmly. Declared by an intertitle in *The Kelly Gang* (1919), he is redemptive and regretful:

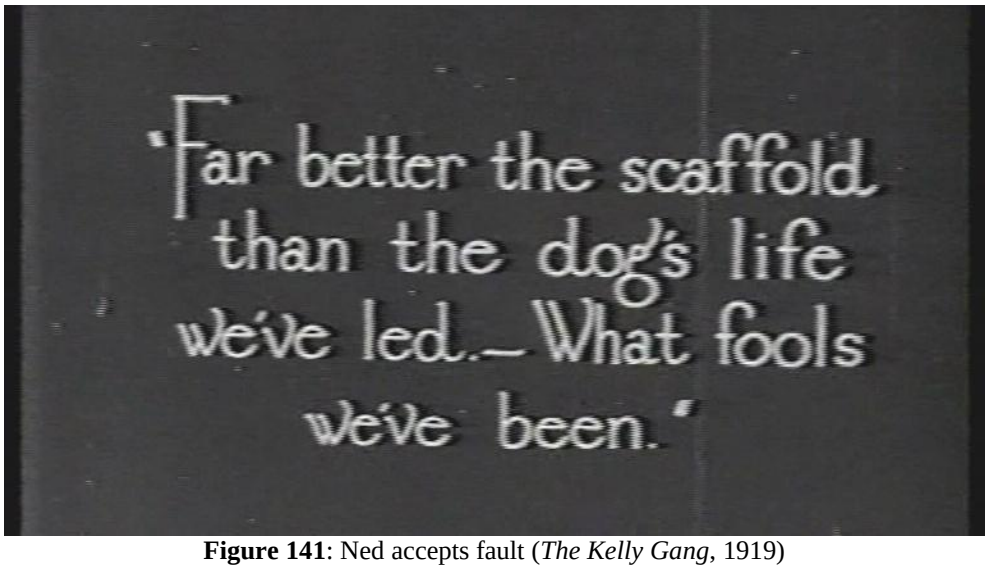


Figure 141: Ned accepts fault (*The Kelly Gang*, 1919)

Also, in the program booklet of the 1906 film, Ned pleads for the police to 'spare his life' (J. Tait and Tait, 1906: 2). For a man so bold and daring, his final moments in the early films are indeed sad and pathetic. As well, his entire capture lacks the drama portrayed in the later movies. In *The Glenrowan Affair* (1951), for example, an officer simply hollers 'we've got him. We got Ned'.[242] Kelly's death in the early movies is also unspectacular and unemotional. Following the sentencing in *The Kelly Gang* (1919), a brief shot illustrates the noose placed around Ned's neck (**Figure 142**). Filmed in long shot, there is no chance of intimacy or sympathy, as his death is represented no more spectacularly than 'routine'.[243]

Figure 142: The noose is placed around Ned (*The Kelly Gang*, 1919)

In reality, the ritual of Ned's death was no different from any of the other 104 executions staged at the Melbourne Gaol (Goad, 1998: 37). However, in the later movies, Kelly's death is more spectacular, vivid and tragic, and certainly, it encompasses everything that a martyr's death requires. The two films that explore the ritual of Ned's death are Richardson's 1970 film and *The Last Outlaw*

[242] Rupert Kathner plays Kelly during the Glenrowan battle.

[243] For more on the significance of long shots during scenes of death see 'The Art of the Moving Picture' (V. Lindsay, 1970) and 'The Mad Poet Dwells in Images and the Plagiarism' (Routt, 1998).

(1980), and, although Richardson's entire gaol sequence, which begins the film, is shot in grainy black and white, it is not dull.[244] In fact, at the time it would have been a revelation for cinema audiences to see footage of the gaol's interior. Significantly, Richardson's sequence marks the first moving pictures ever taken inside the gaol. Until 1929, the gaol was an active prison and during World War II it was reopened to house offending servicemen (Riddett and Down, 1991: 29). Becoming the property of the National Trust in 1957, and opened as a museum in 1972 (Goad, 1998: 37), Richardson, in 1969, was the first director given permission to film inside the gaol. And surely, this goes someway to explain his fetishisation of the architecture. In the still below, as a case in point, Mrs Kelly holds back her tears as she instructs her child, in long shot, to 'die like a Kelly, son'. Yet, unlike the long shot that ends *The Kelly Gang* (1919), this is intended as a highly emotional scene between mother and son (**Figure 143**).

Figure 143: Mrs Kelly tells Ned to 'die like a Kelly, son' (*Ned Kelly*, 1970)

Historically, the cold atmosphere created here is accurate, and although the final conversation between mother and son actually took place through the iron grill of Ned's cell door, the sentenced man was denied any privacy (Castles, 2005: 213). Ellen Kelly's biography claims that she was not allowed to touch or kiss her son (Balcarek, 1984: 105), and, according to Ian Jones, the conditions in

[244] Jordan's movie concludes at Glenrowan.

which they met were ‘starchy and impersonal’ (I. Jones, 2002: 283). Demonstrated by this shot from Richardson’s film, a snooping prison guard who stands with his body turned in the direction of Mrs Kelly does little to mask his blatant eavesdropping. In *The Last Outlaw* (1980), however, Ned’s final moment with his mother is tender and intimate. Past his cell door, Ned and Mrs Kelly stand wrapped, in close-up, in one another’s arms (**Figure 144**). As tears stream from their eyes, Ned is instructed to ‘die as bravely as you lived’ and of course, ‘die like a Kelly, son’. In the eyes of his mother, Ned remains a decent and admirable citizen.

Figure 144: Mrs Kelly farewells Ned (*The Last Outlaw*, 1980)

Ned’s execution was the final spectacle of his life and, with the gallows marking his stage, a contingent of journalists gathered to report the dramatic sight. In *The Last Outlaw* (1980), with the journalists eagerly awaiting his final words of remorse and regret, he cheekily says, ‘Ah well I suppose it has come to this … such is life’. Ned’s bravery as represented here provides a striking contrast to the eyewitness press reportage from the time. The Melbourne *Argus,* as an example, opined ‘It was his intention to make a speech, but his courage evidently failed him, and he merely said, “Ah, well, I suppose it has come to this”, as the rope was being placed around his neck’ (November 12, 1880: 6). Sadly, few historical illustrations document Ned’s death. In fact, the only known sketch composed at the hanging, titled ‘Last Scene of the Kelly Drama’, was published on the front cover of *The*

Australasian Sketcher on November 20 (**Figure 33**; **Page 68**). As this sketch marks how the stage was set, it has profoundly influenced future representations. *The Last Outlaw* (1980), as a case in point, creates an almost identical staging on the gallows (**Figure 145**), as does Richardson's *Ned Kelly* (1970). Yet, Richardson's stark black-and-white resembles this historical illustration's aesthetic even more (**Figure 146**). Indeed, neither the 1970 nor the 1980 editions make any significant amendment to Ashton's engraving.

Figure 145: Ned arrives on the gallows (*The Last Outlaw*, 1980)

Figure 146: Ned awaits his death (*Ned Kelly*, 1970)

Kelly's swift drop to death, in Richardson's 1970 film, is a disturbing image and although some reports claim that Ned's death was so torturous he took the best part of 4 minutes to die, this is not illustrated here (Terrance, 1991: 8). Rather, his death is sudden, but brutal nonetheless, and, what such a scene depicts is the same contempt for Ned's body as witnessed at Glenrowan. Furthermore, such an image exemplifies Bill Wannan's argument that, 'Ned Kelly's hanging brought to his short rebellious career the aura of martyrdom, and ultimately myth. By his execution he becomes a sacrificial victim of state power' (Wannan, 1974: 6).

To conclude *The Last Outlaw* (1980), Ned in voice-over reads a passage that appeared in his published interview with David Gaunson:

> *If my life teaches the public that men are made mad by bad treatment, and if the police are taught that they may not exasperate to madness the men they persecute and ill-treat, my life will not be entirely thrown away.*[245]

[245] The notes of this interview were supplied to *The Age* and *The Ovens and Murray Advertiser* and printed in the form of raw questions and answers between the 'reporter' and Kelly (November 13, 1880b: 4). What emerged were some of Kelly's most profound and celebrated quotes. Many, however, claim that Gaunson played an intervening hand in Ned's famous interview. Alex Castles argues that Gaunson decided 'Ned had neither the literary capacity nor the ability to express ideas clearly without assistance. As his lawyer, he

To follow this voice-over, an intertitle reads:

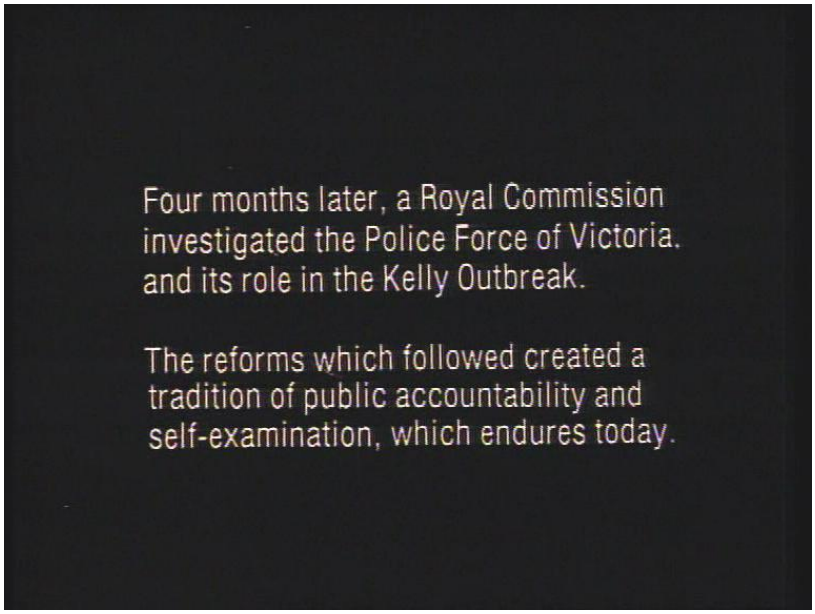


Figure 147: The final intertitle (*The Last Outlaw*, 1980)

The purpose of this Royal Commission reference is intended to represent Kelly as someone who posthumously had great political and social impact. In extension of this, the comedies add a delicious twist to Kelly's posthumous significance by depicting the bushranger to never actually die. To supplement his incompetence as a bushman, in *Ned* (2003), Kelly uses his talent as an illusionist to escape gaol and the scaffold, whereas in *Reckless Kelly* (1993), a falling petrol pump crushes his archenemy, Sir John, into the ground.[246] *Reckless Kelly* (1993), like *The Last Outlaw* (1980), concludes with an intertitle celebrating Ned's enduring legacy. Superimposed onto an image of the Australian coast, it reads: 'This film is dedicated to the irreverent spirit of a great Australian outlaw

would have taken it as a professional responsibility to 'translate' Ned's words …' (Castles, 2005: 168). Whoever authored these words deserves credit, as they are indeed beautifully engineered statements.

[246] In *The Glenrowan Affair*, Dan Kelly escapes the siege to live a free man. For more on this see 'B for Bad' (Gaunson, 2009a).

who championed the rights of the individual against the oppression of authority'. Intertitles such as these, together with Kelly's survival in the comedies represent his cultural endurance and historical significance that remains alive, at least in the hearts of the community. As Hobsbawm would agree

> *To some extent it expresses the wish that the people's champion cannot be defeated, the same sort of wish that produces the perennial myths of the good king – and the good bandit – who has not really died, but will come back one day to restore justice. Refusal to believe in a robber's death is a certain criterion of his nobility* (Hobsbawm, 2000: 57).

Songs from the Outbreak also championed Ned Kelly as the hero who would not die. 'The Ballad of the Kelly Gang', for example, concluded with the line 'where they have gone's a mystery, the police they cannot tell, So until we hear from them again I'll bid ye's all farewell' (Manifold, 1964: 73). Twentieth century pop songs, such as Midnight Oil's 'If Ned Kelly were King', also fantasises about Kelly's return:

> *Dreamtime developers they make all the sound*
> *Where will we be when they leave us a quarry?*
> *If Ned Kelly was king*
> *He'd make those robbers swing*
> *He'd send them down there* .(Midnight Oil, 1981)[247]

Beyond staying alive, Kelly in the comedies lives in a modern day Australia. *Ned* (2003), for instance, begins at a contemporary Glenrowan, which has been transformed into a tacky tourist destination, and there the 'real' Ned, who has aged into a weathered old man, tells the 'real story about Ned Kelly' (**Figure 148**). Importantly, Forsythe's use of a contemporary Glenrowan gives his film an anchor in the modern world of Kelly culture. And while such a setting seems foreign to the historical Glenrowan, an 1881 historical engraving by Carrington, of an organised school picnic at the site of

[247] A decade earlier Johnny Cash wrote his own song about Kelly:

> *Ned Kelly took the blame*
> *Ned Kelly won the fame*
> *Ned Kelly brought the shame*
> *And then Ned Kelly hanged.* (Cash, 1971)

Ned's capture, paints a similar illustration (**Figure 149**). Replacing the gigantic Kelly signage, tourist buses and mascots, is a kilted bagpiper, a merry-go-round, ladies with parasols and children waving flags. Intriguingly though, both representations similarly depict Glenrowan as a place of vibrant festivity and historical significance.

Figure 148: Modern day Glenrowan in *Ned* (Abe Forsythe, 2003)

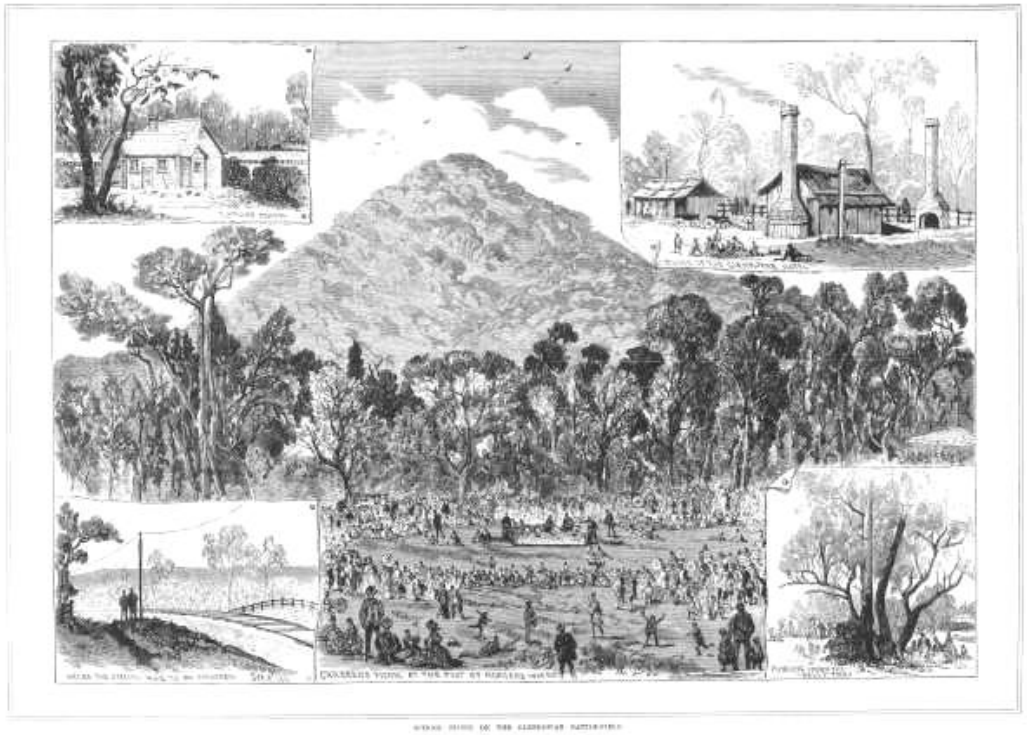


Figure 149: Thomas Carrington (1881) September 24. 'Kelly Picnic', *The Australasian Sketcher*: 308

Conclusion

> *That is why the few who do not, or who are believed to have remained uncontaminated, have so great and passionate a burden of admiration and longing laid upon them. They cannot abolish oppression. But they do prove that justice is possible, that poor men need not be humble, helpless and meek.*
>
> - *Eric Hobsbawm* (2000: 61).

> *Nowadays, as Ned becomes less familiar and more a part of what we try to imagine rather than what we are, we feel the need to hold him fast and make him perfect. Now we want him all golden, forever young, purely good – tragic – enigmatic – absolute. And this is what the newer films have given us: an Australian icon, a cultural monument – a memory.*
>
> - William D Routt (2003b)

The problem of studying Kelly cinema is how strikingly different the early films are in comparison to those produced since the 1960s. And while Australia's changing social and political landscape, during the twentieth century, is certainly a factor to consider, there are other pertinent issues that are too often neglected. These I have claimed are located in the time of Kelly's Outbreak from 1878–1880, which was the point of his media conception and commodification. Indeed, during this period, Kelly was represented by the media industry in a range of varying ways, and although part of this had to do with nobody really knowing much about Kelly, it also demonstrates the role that different forms of communication play in any cultural tradition.

For instance, the role of folk songs is significantly different from the role of newspapers. Whereas the former celebrate and marvel, the latter sensationalise and morally condemn. Interestingly, the early films really make no reference to the folk ballads, and rarely contest the news reports. For them, Ned is a fairly one-dimensional brutal bush rogue and, sadly, their limited scope ignores the complexities of the Outbreak that turned this bushranger into a folk hero. However, in saying this, I

am certainly not promoting the later Kelly movies as any more sophisticated and complex in their representation of Kelly. Although they directly challenge the press reportage, and feature historical artefacts, such as folk ballads and Ned's letters, they equally provide a fairly lopsided depiction of Kelly.

As I have discussed, an important element of Kelly cinema has been its dialogue with the global genre of outlaw cinema. In his study of European bandit films, Angelo Restivo asserts that the bandit is a global figure who refuses his allocated position: 'the bandit says "no" to something that everyone else says "yes" to. It is precisely this assumption of his own desire that marks the bandit with death; and this is also what turns him into the "impossible" popular hero' (Restivo, 1996: 30-31). While bandits have always existed, the modern technocentric media truly illuminates them as culturally and historically significant, and like the 'bad men' of the Hollywood western, such as Jesse James and Billy the Kid, Ned Kelly has remained a necessary and important figure of the twentieth and twenty-first centuries.

In the introduction, I asked, 'how do the movies represent Ned Kelly within a historical framework?' Despite historical evidence proving Kelly to be far from 'perfect', his cultural tradition has always championed him as someone who tallies closely with Eric Hobsbawm's notion of the 'social bandit'. And despite Hobsbawm's criteria seeming very restrictive, the later movies provide an almost absolute illustration of his model. In fact, Hobsbawm's model seems far more appropriate when discussing the later films, rather than the historical outlaw himself. In Chapter 6, I explained how the later movies represent Kelly as the perfect type of social bandit known as a 'noble robber'. Invoking Irish republican ideals, Kelly demonstrates that living by his noble robber code is quite liberating. Meanwhile, in Chapter 3, I discussed the importance of Kelly's Irish heritage, which ties him to the injustice and oppression experienced by his family and forefathers. Furthermore, I argued how the figure of Kelly, in the later movies, hopes to achieve economic and political equality by distributing government money to the poor and, of course, attacking corrupt officialdom.

A limitation of much 'bandit' analysis is ignoring the larger community in which bandits are contained. In Chapters 4 and 5, I examined the two groups who motivate cinema Kelly's quest for a republic: sympathisers and the Victoria police. And whilst the police have never been represented as perfect, in the later movies they are cast as the story's evil oppressors. Indeed, they resemble a violent band of thugs, more than upholders of the law. Chapter 4 examined how the later movies represent Kelly's sympathisers as cutting across racial, geographic and socio-economic divisions, and, as they imply, Kelly was widely supported and greatly mourned when he died. Still on this subject, Chapter 7 discussed how the representation of Kelly's death has undergone great revision since the early 1960s. For example, whereas Ned in *The Story of the Kelly Gang* (1906) begged that his life be spared, in *Reckless Kelly* (1993) he boldly declares, 'such is life' as a gun is placed against his head. In the later movies, Kelly faces death with dignity and pride, and although death is the inevitable consequence of outlawry, only true heroes die bravely. As Mrs Kelly tells Ned in *The Last Outlaw* (1980), 'die as bravely as you lived, son'.

While some may claim that Kelly's 'perfect hero' representation is relatively new, to some degree, he has always been championed as a social bandit. For example, the popular historical folk song, 'The Death of Ned Kelly' concludes with the verse:

> *And so they took Ned Kelly and hanged him in the jail,*
> *For he fought singlehanded although in iron mail.*
> *And no man singlehanded can hope to break the bars;*
> *It's a thousand like Ned Kelly who'll hoist the flag of stars* (Manifold, 1964: 173).

In response to this example, the later movies should also be valued as contemporary forms of Kelly sympathy. Fittingly, Jordan's 2003 movie concludes with an intertitle championing Kelly as a social bandit, at least in the eyes of his community: 'Despite petitions for a pardon that bore a total of 32 000 signatures, Ned Kelly was hanged for the murder of Constable Thomas Lonigan on 11th November, 1880'. Regardless of researchers exploring contemporary social changes to explain why Kelly is now represented as a 'social bandit', it seems that the origins of this representation remain firmly anchored in the nineteenth century media culture.

Contrary to McQuilton claiming that Kelly will do until Australia finds a 'real hero', Ned Kelly's cultural significance cannot be denied (McQuilton, 1982: 48). Represented in the later Kelly films, Ned in a time of great uncertainly, rural discontent and social depression says 'enough', and although his republic fails, his actions force a Royal Commission that results in making the judiciary and police more accountable for their behaviour. Furthermore, Ned posthumously drags Australia's colonial apparatus of politicians, police and press into the modern world. By 'filling in the blanks' and ignoring some of the facts, these later films represent Kelly as a perfect (inter)national hero of Australian popular culture.

Because the scope of this thesis has limited my discussion to only the Kelly movies, I encourage others to explore the wider scale of Kelly films that also include docudramas, documentaries and short films. In summing up, this study asked why the Kelly films should be considered important and significant additions to Kelly's cultural tradition. Whereas most writers regard them as curious representations of Ned Kelly, there lacks a study that satisfactorily discusses their cultural worth and ties to Kelly's cultural history. There is no doubt that social change in twentieth century Australia significantly altered Kelly's screen representation; however, to concentrate primarily on such an element would ultimately have distracted from my central interest of these films: their association and relationship with the historical Kelly representations and artefacts. Although I have certainly discussed social factors, such as film censorship and the revival of popular folk music, my interest has been in *how* these films represent Ned Kelly in a social and historical framework. Indeed, the significance of this study has been its ability to stretch beyond the typical parameters of traditional 'cinema studies' and work within the broader fields of cultural history and, of course, Kelly history.

Appendix: *cast and crew*

'The Perth Fragment'

Production Year	*1904*

****

The Story of the Kelly Gang

Production Year	1906
Premiere	December 26, 1906, Melbourne
Director	Charles Tait
Producer	J and N Tait/Johnson and Gibson
Screenwriter	Charles Tait

Cast

Ned Kelly	*Frank Mills/Canadian Stunt Actor*
Dan Kelly	*Sam Crew*
John Forde	*Mr Marshall*
Steve Hart	*Jack Ennis*
Mr McKenzie	*Norman Campbell*
Joe Byrne	*Will Coyne*
Aaron Sherritt	*Norman Campbell*
Kate Kelly	*Lizzie Tait*
Head of Police	*Charles Tait*
Sergeant	*John Forde*
Detective	*L A O Haslett*

Policeman	*Norman Campbell*
Banker	*Mr Veitch*
Sandy Gloster	*Norman Campbell*

****

The Story of the Kelly Gang

Production Year	1910
Director	William Gibson
Producer	Johnson and Gibson
Screenwriter	Johnson and Gibson

Cast

Ned Kelly	*Frank Mills*
Dan Kelly	*Mr Marshall*
Steve Hart	*Mr McKenzie, Jack Ennis*
Joe Byrne	*Will Coyne*
Aaron Sherritt	*Norman Campbell*
Policeman	*Norman Campbell*
Sandy Gloster	*Norman Campbell*

****

The Kelly Gang

Production Year	1919
Premiere	February 21, 1920, Sydney
Director	Harry Southwell
Producer	Harry Southwell
Screenwriter	Harry Southwell
Production Company	Southwell Screen Plays

Cast

Ned Kelly	*Godfrey Cass*
Dan Kelly	*Upton Brown*
Joe Byrne	*Horace Crawford*
Sergeant Kennedy	*Thomas Sinclair*
Kate Kelly	*Adele Inman*
Constable McIntyre	*Cyril Inman*
Aaron Sherritt	*Robert Inman*
Mrs Kelly	*Maud Appleton*
Sergeant Steele	*Harry Southwell*

****

When the Kellys Were Out

Production Year	1923
Premiere	July 9, 1923, Adelaide
Director	Harry Southwell
Producer	Harry Southwell

Screenwriter	Harry Southwell
Production Company	Australian Players Film Co.

Cast

Ned Kelly	*Godfrey Cass*
Kate Kelly	*Rose Rooney*
Aaron Sherritt	*Harry Southwell*
Dan Kelly	*Charles Villiers*
Steve Hart	*William Ellison*
Joe Byrne	*Allan Douglas*
Constable McIntyre	*Fred Twitcham*
Sergeant Steel	*Syd Everett*
Sergeant Kennedy	*Mervyn Barrington*
Fitzpatrick	*W Ryan*
Judge Redmond Barry	*David Edelsten*

****

When the Kellys Rode

Production Year	1934
Premiere	June 23, 1934, Brisbane
Director	Harry Southwell
Producer	Harry Southwell
Screenwriter	Harry Southwell
Production Company	Imperial Feature Films

Cast

Ned Kelly	*Hay Simpson*
Dan Kelly	*John Appleton*
Joe Byrne	*Norman Wait*
Steve Hart	*Robert Inglis*
Sergeant Steele	*George Randall*
Kate Kelly	*Regina Somerville*
Blacksmith	*Stan Tolhurst*

****

The Glenrowan Affair

Production Year	1951
Premiere	August 17, 1951, Sydney
Director	Rupert Kathner
Producer	Rupert Kathner
Screenwriter	Rupert Kathner
Production Company	Australian Action Pictures

Cast

Ned Kelly	*Bob Chitty*
Joe Byrne	*Albie Henderson*
Dan Kelly	*Ben Crowe*
Steve Hart	*Bill Wright*
Aaron Sherritt	*Rupert Kathner*
Father Gibney	*John Fernside*
Commissioner Nicholson	*Charles Tasman*
Superintendent Hare	*Charles Webb*

Superintendent Standish	*Edward Smith*
Sergeant Steele	*Frank Ransome*
Blacksmith	*Stan Tolhurst*
Kate Kelly	*Beatrice Kay*
Mrs Skillion	*Wendy Roberts*
Aaron Sherritt	*Hunt Angels (Rupert Kathner)*
Mrs Anne Jones	*Dora Norris*
Narrator	*Charles Tingwell*

****

Ned Kelly

Production Year	1970
Premiere	July 1970, Glenrowan
Director	Tony Richardson
Producer	Neil Hartley
Screenwriter	Tony Richardson and Ian Jones
Production Company	Woodfall Film Productions

Cast

Ned Kelly	*Mick Jagger*
Mrs Kelly	*Clarissa Kaye-Mason*
Joe Byrne	*Mark McManus*
Supt Nicholson	*Ken Goodlet*
Judge Barry	*Frank Thring*
George King	*Bruce Barry*
Mr Scott	*Tony Bazell*

Dan Kelly	*Allen Bickford*
Sergeant Steele	*Robert Bruning*
McInnes	*Alexander Cann*
Curnow	*David Copping*
Maggie Kelly	*Diane Craig*
Father O'Hea	*Gerry Duggan*
Steve Hart	*Geoff Gilmour*
Mrs Devine	*Anne Harvey*

****

The Last Outlaw

Production Year	1980
Premiere	October 15, 1980
Director	Kevin James Dobson and George Miller
Producer	Ian Jones and Bronwyn Binns
Screenwriter	Ian Jones and Bronwyn Binns
Production Company	Pegasus Productions

Cast

Ned Kelly	*John Jarratt*
Joe Byrne	*Steve Bisley*
Mrs Kelly	*Elaine Cusick*
Dan Kelly	*John Ley*
Steve Hart	*Ric Herbert*
Aaron Sherritt	*Peter Hehir*
Maggie Kelly	*Debra Lawrance*

Kate Kelly	*Sigrid Thornton*
Tom Lloyd	*Lewis Fitz-Gerald*
Sergeant Steele	*Tim Elliott*
George King	*Paul Mason*
Harry Power	*Gerard Kennedy*
Annie	*Jacki Kerin*
Jim	*Paul Trahair*
Grace	*Kaarin Fairfax*

****

Reckless Kelly

Production Year	1993
Premiere	April 8, 1993, Sydney
Director	Yahoo Serious
Producer	Warwick Ross
Screenwriter	Lulu Pinkus, David Roach, Warwick Ross and Yahoo Serious
Production Company	Serious Entertainment Pty Ltd

Cast

Ned Kelly	*Yahoo Serious*
Robin Banks	*Melora Hardin*
Major Wib	*Alexei Sayle*
Sir John	*Hugo Weaving*
Mrs Delance	*Kathleen Freeman*
Sam Delance	*John Pinette*
Dan Kelly	*Bob Maza*

Ernie the Fan	*Martin Ferrero*
Joe Kelly	*Anthony Ackroyd*
Miss Twisty	*Tracy Mann*

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Ned Kelly

Production Year	2002/3
Premiere	March 27, 2003, Melbourne
Director	Gregor Jordan
Producer	Nelson Woss and Lynda House
Screenwriter	John Michael McDonagh
Production Company	Working Title Films

Cast

Ned Kelly	*Heath Ledger*
Joseph Byrne	*Orlando Bloom*
Superintendent Francis Hare	*Geoffrey Rush*
Julia Cook	*Naomi Watts*
Aaron Sherritt	*Joel Edgerton*
Dan Kelly	*Laurence Kinlan*
Steve Hart	*Philip Barantini*
Kate Kelly	*Kerry Condon*
Ellen Kelly	*Kris McQuade*
Grace Kelly	*Emily Browning*
Constable Fitzpatrick	*Kiri Paramore*
Susan Scott	*Rachel Griffiths*
Robert Scott	*Geoff Morrell*

Premier Graham Berry	*Charles 'Bud' Tingwell*
Jane Jones	*Saskia Burmeister*

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Ned

Production Year	2003
Premiere	May 23, 2003, Sydney
Director	Abe Forsythe
Producer	Darryl Robinson
Screenwriter	Abe Forsythe
Production Company	Ocean Pictures Pty Limited

Cast

Ned Kelly	*Abe Forsythe*
Sinclair	*Felix Williamson*
Steve Hart/Orderly	*Damon Herriman*
Dan Kelly/Tour Bus Guide	*Nick Flint*
Joe Byrne/Orderly	*Josef Ber*
Mr Kelly	*Jeremy Sims*
Mrs Kelly	*Caitlin McDougall*
Narrator	*Drew Forsythe*
Muffy	*Michala Banas*
Tim Richards	*Hawkins/Ned Kelly World Ned*
Young Boy	*Shaun Loseby*
Henchman Shanahan	*Ryan Johnson*
Henchman Williams	*Michael Falzon*
Henchman Byrne	*Sean Lynch*

Henchman Morrissey *Septimus Caton*

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Attack on the Gold Escort (1911) Australia

A Bushranger's Ransom, or A Ride for a Life (1911) Dir. E I Cole, Pathé Frères, Australia

Adventures of Robin Hood, The (1938) Dir. Michael Curtiz and William Keighley, WarnerBros. Pictures, America

Against the Wind (1978) Dir. George Miller, Pegasus Productions, Australia

Always Greener (2001) Dir. Brendan Lee, Southern Star, Australia

*Assigned Servant, The (*1911) Dir. John Gavin, Crick and Finlay, Australia

A Stone in the Bush (1970) Dir. Michael Glasheen, Zzoommovies, Australia

A Tale of the Australian Bush (1911) Dir. Gaston Mervale, Australian Life Biograph Company, Australia

Australia's 5th Column (1941) Dir. Rupert Kathner, Enterprise Film Co., Australia

Bail Up!: The Bushranger on Australia's Silent Screen [1906–1928] (1996) Dir. Marilyn Dooley, ScreenSound, Australia

Bandits of Orgosolo (*Banditi a Orgosolo*) (1960) Dir. Vittorio De Seta, Titanus, Italy

Bandit Queen (2001) Dir. Shekhar Kapur, Roadshow Entertainment, India

Below the Surface (1938) Dir Rupert Kathner, Kathner & Tolhurst, Australia

Ben Hall (1975) Dir. Frank Arnold, British Broadcasting Corporation (BBC), Britain/Australia

Ben Hall and his Gang (1911) Dir. John Gavin, Southern Cross Motion Pictures, Australia

Besieged: The Ned Kelly Story (2003) Dir. Gregory Miller, Film Projects, Australia/Ireland

Burgomeister, The (1935) Dir. Harry Southwell, Belga Films, Australia

Bush Myth in Australian Films, The (1982) Dir. Bruce Molloy, Australian Film and Television School, Australia

Bushranging in Queensland (1904) Dir. Joseph Perry, Limelight Department, Australia

Bushwackers, The (1925) Dir. Raymond Longford, Longford-Lyell Productions, Australia

Captain Midnight, the Bush King (1911) Dir. Alfred Rolfe, Spencer's Pictures, Australia

Captain Starlight, or Gentleman of the Road (1911) Dir. Alfred Rolfe, Spencer's Pictures, Australia

Captain Thunderbolt (1953) Dir. Cecil Holmes, Associated TV, Australia

Chant of Jimmie Blacksmith, The (1978) Dir. Fred Schepisi, The Film House, Australia

Charge of the Light Brigade, The (1968) Dir. Tony Richardson, Woodfall Film Productions, Britain

Computer Boy (2001) Dir. Abe Forsythe, Australia

Dan Morgan (1911) Spencer Pictures, Australia

David (1924) Dir. Harry Southwell, Anglo-Australian Films, Australia

Dick Turpin (1925) Dir John G Blystone, Fox Film Corporation, Australia

Entertainer, The (1960) Dir. Tony Richardson, Woodfall Film Productions, Britain

Eureka Stockade (1907) George and Arthur Cornwell, Australasian Cinematograph Company, Australia

Fanta (1973) Dir. Gary Shead, Scope Films, Australia

Five of Hearts, or Buffalo Bill's Love Story, The (1911) Dir. E I Cole, Australian Photo-Play Company, Australia

For the Term of his Natural Life (1908) Dir. Charles MacMahon, Osborne & Jerdan, Australia

Frank Gardiner, the King of the Road (1911) Dir. John Gavin, Crick and Finlay, Australia

General, The (1998) Dir. John Boorman, Merlin Films, United Kingdom/Ireland

Glenrowan Affair, The (1951) Dir. Rupert Kathner, Australian Action Pictures, Australia

Golden Flame, The (*Hordern Mystery)* (1920) Dir. Harry Southwell, Southwell Screen Plays, Australia

Golden West (1911) Dir. George Young, The Australian Film Syndicate, Australia

Great Train Robbery, The (1903) Dir. Edwin S Porter, Edison Manufacturing Company, America

History of Australian Cinema (2000) Dir. Joan Long, Film Australia, Australia

Initiation (1971) Dir. Gary Shead, Scope Films, Australia

Kelly Country (1980) Dir. Stuart Cooper, Sawbuck Productions, *Australia*

Kelly Gang, The (1919) Dir. Harry Southwell, Southwell Screen Plays, Australia

Lady Outlaw, The (1911) Dir. Alfred Rolfe, Australian Photo-Play Company, Australia

Lament for a Bandit (*Llanto por un bandido*) (1963) Dir. Carlos Saura, Italy

Laughter in the Dark (1969) Dir. Tony Richardson, Woodfall Film Productions, Britain

Last Outlaw, The (1980) Dir. Kevin James Dobson and George Miller, Pegasus Productions, Australia

Last Samurai, The (2003) Dir. Edward Zwick, Cruise/Wagner Productions, America

Le Juif Polonais (1925) Dir. Harry Southwell, France

Life and Adventures of John Vane, the Notorious Bushranger, The (1910) Dir. S A Fitzgerald, Spencer's Pictures, Australia

Life of Rufus Dawes The, (1911) Dir. Alfred Rolfe, Spencer's Pictures, Australia

Liquid Room (2000) Dir. Abe Forsythe, Australia

Luck of the Roaring Camp, The (1911) Dir. W J Lincoln, Amalgamated Pictures, Australia

Mad Dog Morgan (1976) Dir. Philippe Mora, Mad Dog, Australia/America

Mark of the Lash (1911) Dir. John Gavin, Australia

Miner's Daughter, The (1911) People's Picture Company, Australia

Moonlite, (1910) Dir. John Gavin, Southern Cross Motion Pictures, Australia

My Brilliant Career (1979) Dir. Gillian Armstrong, Margaret Fink Productions, Australia

Ned (2003) Dir. Abe Forsythe, Ocean Pictures Pty Limited, Australia

Ned Kelly (1960) Dir. William Sterling, Australian Broadcasting Corporation (ABC), Australia

Ned Kelly (1970) Dir. Tony Richardson, Woodfall Film Productions, Britain

Ned Kelly (2003) Dir. Gregor Jordan, Working Title, Australia/Britain

Ned Kelly: Cultural Icon (2004) Dir. Kate Latimer, Media Giants, Australia

Ned Kelly: Making of a Myth (1980) Dir. Don Bennets, Australian Broadcasting Corporation, Australia

Night Must Fall (1964) Dir. Karel Reisz, Metro-Goldwyn-Mayer British Studios, Britain

Odd Angry Shot, The (1979) Dir. Tom Jeffrey, Samson Productions, Australia

One Hundred Years Ago (1911) Dir. Gaston Mervale, Australian Life Biograph Company, Australia

Outlawed: The Real Ned Kelly (2005) Dir. Mark Lewis, Australian Broadcast Corporation, Australia

Pat Garrett and Billy the Kid (1973) Dir. Sam Peckinpah, Metro-Goldwyn-Mayer (MGM), America

'Perth Fragment, The' (1904), Australia

Phantom Gold (1937) Dir. Rupert Kathner, Kathner & Tolhurst, Australia

Picnic at Hanging Rock (1975) Dir. Peter Weir, Picnic Productions Pty Ltd, Australia

Pyjama Girl Murder, The (1939) Dir. Rupert Kathner, Enterprise Films & Co., Australia

Racing Luck (1941) Dir. Rupert Kathner, Fanfare Films Pty Limited, Australia

Reckless Kelly (1993) Dir. Yahoo Serious, Serious Entertainment, Australia

Robbery Under Arms (1907) Dir. Charles MacMahon, MacMahon's Exquisite Pictures, Australia

Robbery under Arms (1920) Dir. Kenneth Brampton, Pacific Photo Plays, Australia

Romantic Story of Margaret Catchpole (1911) *The*, Dir. Raymond Longford, Spencer's Pictures, Australia

Salvator Giuliano (1962) Dir. Francesco Rosi Vides Cinematografica, Italy

Sentenced for Life (1911) Dir. E I Cole, Pathé Frères, Australia

Smithy (1946) Ken G Hall, Columbia Pictures Corporation, Australia/America

Squatter's Daughter, or the Land of the Wattle, The (1910) Dir. Bert Bailey, Australia

Squatter's Son, The (1911) Dir. E I Cole, Pathé Frères, Australia

Story of the Kelly Gang, The (1906) Dir. Charles Tait, J and N Tait/Johnson and Gibson, Australia

Story of the Kelly Gang, The (1910) Dir. William Gibson, Johnson and Gibson, Australia

Stringybark Massacre, The (1960) Dir. Gary Shead, Sydney Filmmakers Co-Operative, Australia

Sullivans, The (1976) Dir. Pino Amenta, Crawford Productions, Australia

Sunshine and Shadows: 70 Years of Australian Cinema (1976) Dir. Brian Adams, Australian Broadcast Corporation, Australia

Thunderbolt, (1910) Dir. John Gavin, Southern Cross Motion Pictures, Australia

Three in One, (1957) Dir. Cecil Holmes, Australian Tradition Films, Australia

Tom Jones (1963) Dir. Tony Richardson, Woodfall Film Productions, Britain

Trial of Ned Kelly, The (1977) Dir. John Gauci, Australian Broadcasting Corporation (ABC), Australia

Trooper O'Brien (1928) Dir. Jack Gavin, Australian Artists Company, Australia

True Story of Jesse James, The (1957) Dir. Nicholas Ray, Twentieth Century-Fox Film Corporation, America

When the Kellys Were Out (1923) Dir. Harry Southwell, Southwell Screen Plays, Australia

When the Kellys Rode (1934) Dir. Harry Southwell, Southwell Screen Plays, Australia

Whiplash (1960) Dir. Michael Noonan, 7 Network, Australia

Wings of Destiny (1940) Dir. Rupert Kathner, Enterprise Film Co., Australia

Young Einstein (1988) Dir. Yahoo Serious, Serious Entertainment, Australia

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