

**THE LATE BUSHRANGING CASE.  
COMMITTAL FOR TRIAL OF SANDERS  
AND JOHNSON.**

The bushrangers, Thomas Sanders and John Johnson, were brought up, at the City Court, yesterday, for further examination on the charges of robbery under arms with violence, and rape.

The prisoners were brought into court under a strong posse of police, and both, Sanders especially, appeared less confident than on their former examination. As the case went on, however, Sanders recovered his usual manner. Johnson remained stolidly silent.

Henry Cropley said,—I am a farmer at Keilor Plains. I know the prisoner Sanders. I am not positive about Johnson. I think he kept behind him. About half-past six o'clock in the evening of the 9th September I was in front of my house, just coming out of my dairy, when two men met me, and presenting four pistols at me, told me they would blow my head off if I did not get into the house. Sanders was one of them. I can swear to him. They took and pushed me in, kicked me with their knees, and told me to stand with my face to the wall. They then asked me what servants I had got. I told them there was a girl in the yard milking. They asked me if I had any more. I told them I had no one else but the girl. Her name is Mary Egan. They went and fetched her in. One went out, and one kept watch over me. I could not tell which went out, as I had my face to the wall. One came back with the girl. They then told my wife to stand behind me with her face to the wall, and the girl too. My wife was in the kitchen when they came in, and banged the door in their faces, and screamed out. They told her to be quiet, and to put her face to the wall. When the girl came in they made her do the same thing. They then tied my hands behind me, and fixed me in a chair so tightly that I could not bear my arms. The little man kept watch over us till the other man (Sanders) came in and ransacked the house. I heard him pulling the drawers open, and the things about. I heard him count the gold. I heard him say nothing at the time. When he had ransacked the house they got a ham down out of the kitchen, and fetched the frying-pan in, and cut the ham up. They also got some wine, brandy, and three parts of a bottle of old tom. They then filled their pipes and had a smoke. After that they told my wife and child to go into the bedroom. Johnson kept watch over me. Sanders followed my wife, and put the child into a cradle. I heard one say to the other, "Bill, this is a snug place." That was Sanders, from the bedroom. He was there an hour. After he took my wife, he took the girl into her room. I heard nothing from my wife's room. I heard the girl cry out once, as if she was crying. That was all I heard. I should think altogether, going backwards and forwards from my wife's room to the girl's, he was about an hour and a half. I begged them to untie me a bit, as I could not bear myself, and they then loosed my hand, and tied my feet for ten minutes or a quarter of an hour, Johnson keeping watch over me. They gave me a spell for a bit, as they called it. Johnson did not go into my wife's or the servant's room, that I noticed. I was five hours tied up in the chair in that way. They untied me for a quarter of an hour, and then removed me into a little scullery, and tied me in a chair, with my arms to the arms of the chair and my legs to the legs. I was there till five o'clock in the morning. When I was released, the prisoners were gone. I got loose myself by a great deal of shifting about. I think they went away about half-past twelve. They went away very slyly. I then went and released my wife. She was not tied, but in bed. The door was locked,

very slyly. I then went and released my wife. She was not tied, but in bed. The door was locked, the key lying on a chair in the sitting-room. The windows of her room were nailed down inside. The servant-girl's room was treated in the same way. I heard them nailing the windows. They asked me for the nails and hammer, and where they were. I then searched the house, and missed one pair of fancy check trousers, a pair of black cloth trousers, a pair of dark doeskin trousers, one black coat, about £33 in money—£20 in gold, £14 in notes, one of them a £5-note, and the rest in silver and copper. Two waistcoats, one a drab silk vest and the other a black cloth vest, were also gone. The trousers and waistcoat produced are mine. I lost also three shirts. That is my shirt and handkerchief. That is my coat. These were all taken away that night. There were also lost a silver dessert-bowl, a pocket-knife, and other articles. To the best of my belief Johnson is the second man. He is of the same height and complexion, and is very like him. Sanders is the other man. I can swear positively to him.

By the prisoner Sanders.—I can swear positively to you. I remember the night. You both came up together. You both went in together. I was told to put my face to the wall. I did not look at you scarcely at all, but I met you full in the face, as you had a pistol. You had two double-barrelled pistols in your hands.

Prisoner.—Two double-barrelled pistols? Oh! They haven't been recovered anywhere. Well?

Witness.—I could not be positive which of you tied me. You told me to go in, or you'd blow my head off. You both rushed in together to the back kitchen door that leads to the back room.

The prisoner Sanders.—Was your wife's face turned to the wall, too? Come, out with it; there is a great deal depends upon it.

Witness.—My wife sat on the table, with the child in her arms, looking at me. You nearly frightened the poor children to death. You told my wife to be quiet, or you'd make her.

Prisoner (vehemently).—I want an answer from you. Were their faces turned to the wall?

Witness.—Yes.

Prisoner.—You say I told your wife to be quiet. Do you say that?

Witness.—Yes, you did.

Prisoner.—I want an answer from you, and you shall answer me. How could you know that I said it, if your face was to the wall?

Witness.—I can swear to your voice.

Prisoner.—We had supper, I suppose?

Witness.—Yes, you had.

Prisoner.—How do you know?

Witness.—When you cut into it, you said, "By—, Bill, it stinks."

Prisoner (with great vehemence).—How do you know it was I told your missis to go into bed?

Witness.—I heard you. My face was turned to the wall. I know you by the voice; you talked a good deal.

Prisoner (with a laugh).—Well, I certainly talked a good deal in your house. But come now, did you hear any screaming out, "murder?" Was there any suspicion in your mind of anything bad going on?

Witness.—I did not hear anything but the girl cry once.

Prisoner.—Which of us sent the girl to bed?

Witness.—I know it was you in the room with the girl. I won't say who it was sent her to bed. I could not see you from her bedroom. I heard her scream, and cry out.

Prisoner.—Did she report anything to you the next morning?

Witness.—I never asked her, or said anything to her. I gave a description of you afterwards, as well as I could. I have no particular mark on the clothes. I know them. I have worn them all. I have only just had them in my hands, that is, since I lost them.

Prisoner.—That's all. You'd better let me go.

hands, that is, since I lost them.

Prisoner.—That's all. You'd swear the hind leg off a horse.

As his depositions were being read over, the witness added—They also asked—I forgot to mention—what fire-arms I had got in the house.

Simon Searle, a farmer at Keilor Plains, deposed that he lived about a mile and a half from Mr. Cropley's. He said, I knew the two prisoners. They were both at my place the day before they struck up Mr. Cropley's. They came in the morning, and made inquiries about the neighbourhood. They asked me for Mr. Staughton's and Mr. Chirnside's. I told them as near as I could. They never touched me, and went away in the direction of Mr. Dogherty's, Skeleton Creek. From there to Mr. Cropley's is about four miles. I was not more than five minutes in conversation with them. I stood about a yard from them, and looked them in the face. I cannot be mistaken about their identity. They were on foot.

Prisoner Sanders.—I don't want to answer no questions. I don't see the utility of it. I never see that man in my life before.

Witness.—I saw you.

Sanders.—It is a pity you didn't see me, if I was over the same again.

(At this point both prisoners seemed to have quite recovered confidence, and whispered and laughed to each other in the dock.)

Detective Black.—On Monday fortnight, in the evening, after the prisoners had been arrested,

I went to the Pembroke Hotel, where they had been lodging, and was shown to a bedroom they had occupied the night before, and there I found the clothes produced. They were handed over to me by the landlord, Mr. Crust, and are those identified by Mr. Cropley. They were tied up in the handkerchief now produced.

Prisoner Sanders.—You visit the Pembroke Hotel very often, don't you?

Witness.—Sometimes.

Prisoner.—Was the room on the right hand side or the left?

Witness.—It was on the top of the landing. They told me the things belonged to two men. I speak out, I can't hear you!

Prisoner, loudly.—You can hear. You aren't so deaf as you pretend to be. It costs you a deal of money for the news you gets out of that house. They are as good detectives as you are. Look here, my good fellow; you say, they tells me, I landed in the colony on the 9th of July. I can call as good a master to show quite the contrary. No one can ever lay any charge to my character that I did a dishonest thing. Don't you ever come to me for information again, for if the rope was about my neck you wouldn't get it. I stand here indicted on three or four charges, and if the rope was about my neck you would get no information out of me.

Witness.—I can quite believe that.

(The witness then produced a bundle of clothes, identified as belonging to the prisoners; also some articles of bedding, taken from Mr. Cropley's, and important to the case.)

John Wilkins, sworn.—I am a surgeon, living at Williamstown. I have been attending the Cropleys for the last two or three months. I was sent for two or three days after the robbery occurred. I think it was on the 29th. My first visit was to see the child, who was very ill, and the two last to see the wife. I think it was the week before last, on Saturday or Sunday. I heard of the robbery before I left home to see the child. Nothing was brought under my notice then. On the 29th, I was called to see the servant girl and Mrs. Cropley. I made general inquiries, and made an examination of both. This was on Sunday, the 29th September. I did not gain much information. (The following details of the evidence of this witness were unfit for

gain much information. (The following details of the evidence of this witness were unfit for publication. They referred to the state of the bedding produced by Detective Black.) I saw a mark on the girl's arm, where she had been tied down. I could not swear whether a rape had been committed, as it was seven or eight days subsequently. I also examined Mrs. Cropley. I saw no marks of violence. I examined her in consequence of what she told me. She told me Sanders had not committed a rape on her. I examined the servant girl more particularly.

Prisoner Sanders.—You're a doctor, I suppose? What was you sent for?

Witness.—I was sent for to examine the female. I examined Mrs. Cropley. (The evidence here was unfit for publication.) I then examined the girl. I was not satisfied with my first examination. The girl then told me the whole particulars. I was under the impression a rape had been committed. The girl at first wanted to make me believe a rape had not been committed. Afterwards I was more fully convinced that one had been committed. (The following evidence was not fit for publication.) On my second visit, the girl seemed quieter, and told me the whole particulars. She said, a large big man had ordered her to go to bed, and made her undress in his presence. He made her go to bed. She began to cry, and he said that "if she did not shut up, he would blow her head off, and think no more of her life than of that of a rat." He then tied her, hand and foot, to the four corners of the bed. She tried to gnaw at the string, and he said that wouldn't do for him, and tied her two arms behind her underneath. He then went out for a little while, and came back, and had connection with her.

Prisoner Sanders.—I think, doctor, you are about as ignorant of it all as what I am.

Further evidence relating to the identity of certain articles of bedding was given.

John Macadam, M.D., deposed to the state of the bedding in question.

The prisoners declined asking this witness any questions.

The Court was then cleared, to allow of the evidence of the female witnesses being taken.

The girl, Mary Egan, was the first called. The first portion of her evidence was a close corroboration of that of her master, and is not necessary to be repeated. She continued:—The tall man was standing in the middle of the room. I turned to look at him, and he told me to turn my face away, and put a chair for me against my master and missis. He then told the other man to "tie my master's hands up," and pulled a rope out of his pocket, and tied him up. He afterwards told me to get up and make tea. I got up and stood at the fire, but was so frightened I could not make tea. When I saw my master tied up I began to cry, and the little man came up and told me to "shut up," at the same time pulling a pistol out of his pocket. Sanders then searched the rooms. I saw him as I was standing at the mantelpiece. Johnson was walking about the kitchen with a double-barrelled pistol in each hand. I thought they were then going away, but they came back again, and Sanders saw the ham hanging up in the kitchen. After they had had their own supper, Sanders sent Johnson to ask me if I would have any. I said I would not. They had been drinking a bottle of port wine and some spirits. I then heard them go into my room, and pull out my little box. Sanders then said it was time to put the girls to bed. He told my missis to go into her room, and then came back and took the cradle in. He stopped there some time. I can't say how long, and then came out, and said to me, "You, girl, you go to bed." I went in, and he followed me into my room with the candle. I was going to bed with some of my things on, and he made me get out and take off everything, except my chemise. He then tied me, hand and foot, to the four corners of the bed.

thing, except my chemise. He then tied me hand and foot, to the four corners of the bed, and, as my foot slipped, while he hurt my ankle, I kicked him in the face. He then said, "Oh, you d— little wretch, I'll give it to you for that." I then ceased to resist him, as I saw it was no good, and my master had told me to do what he told me. I did not resist him because he had pistols in his pocket, and he said if I did not do what he ordered me, he would blow my head off, and would think no more of my life than a cat's. He ordered me then to be quiet, and tied my hands behind me. He then brought the other man in, and said, "Wasn't I an enticing little devil." I didn't hear the other man say anything. They then went out, and took the candle with them, and after remaining a few minutes, Sanders returned, and said, "Now, my good girl, I'll give it to you for kicking me in the face." It was in the dark. I could not see him, but I knew his voice. I think he was undressed. He got into bed, and I said to him, "For God's sake not to do anything to me, for I was a poor orphan girl." He did not seem to hear, but I spoke loud enough for my master and mistress to hear. I then heard him at the foot of the bed, and he asked me "if I had any relations in the colony." I said "Yes, I had brothers and uncles." He said he didn't care, and then he had connexion with me. "I said, "God help me; there is no help." (The witness here described the circumstances, and was almost unable to proceed from agitation. They distinctly proved that a rape was committed.) Afterwards I begged him to untie me, as the flesh was rising over the ropes, and hurt me. He then untied me. I never told any one afterwards, as I never dreamt they would be taken up. I afterwards told the doctor everything. The witness here looked round, at the desire of the Bench, and said, "Those are the two men. That one (pointing to Sanders) is the man who had connexion with me."

Cross-examined by Sanders.—I know the nature of an oath. It means bringing the Lord to witness. When you told me to make tea I got up, and stood with my hands to the mantelpiece, but I could not make tea. I heard you order my missis to bed, and I heard the child cry. You remained there perhaps—in my missis's room—twenty minutes or half-an-hour. I could hear your footsteps. (The prisoner continued to cross-examine the witness, who answered his questions with perfect minuteness, every circumstance being clearly imprinted upon her memory. After he had proceeded some time, one of his questions was of such a brutal nature that her firmness, which had been remarkable, gave way, and she had to be removed, in a fainting fit, from the court. The prisoner Johnson made some remark, and Sanders exclaimed, "Oh, she's well tutored!")

This was the case against the prisoners on the charge of rape.

Mr. Sturt said that he had been informed by Dr. Eades that Mrs. Cropley was too ill and too much agitated to be able to give her evidence in court. Her depositions would, therefore, be taken in the magistrates' private office. His Worship, accompanied by Mr. Brennan, J.P., then left the bench, and proceeded to the magistrates' room. The prisoners were also removed from the dock, in the custody of several constables, and were brought into the room. Mr. Cropley, Mr. Wilkins, the Superintendent of Detectives, and two or three other officers, were the only other persons admitted. Our reporter was likewise present.

Mrs. Cropley's evidence was then taken, but is quite unfit for publication. She distinctly identified both the prisoners. Johnson, it appeared, did not enter her bedroom until after the assault had been committed.

The prisoner Sanders put several questions to the witness, which were all answered with per-

fect clearness. He once said, "Now, mind, tell the truth; you know there will be some one else pecking at you next week—(alluding to the impending trial). You didn't mention what was done till after we were apprehended—did you?"

Witness.—No, I did not, because when you went away you threatened if we gave any information you would take our lives.

Prisoner.—Did the servant-girl tell you the next morning that she had been ill used?

Witness.—No; she told me a few days afterwards. (The witness spoke in a very low and indistinct tone.)

Prisoner.—Four days, you say. Put that down (to the clerk).

Witness.—A few days. I could not tell how many.

Prisoner.—And what was the doctor sent for; because the child was sick, wasn't it?

This question greatly agitated the witness, who hung down her head, and burst into tears, exclaiming in a low voice, "That child; poor boy!" (The child in question was a fine boy, about sixteen months old, who has died since the occurrence, it is said through the effects of excessive fright.)

Mr. Sturt asked the prisoner if he had any more questions to put to the witness?

Prisoner.—No, that's all. It will all come out yet.

The magistrates then returned to the court, and the prisoners were again placed in the dock.

Mr. Sturt asked the prisoners if they had anything to say, and cautioned them in the usual manner.

The prisoner Sanders.—My defence is this: I stand here charged with a crime of which I am as innocent as the child unborn. Only one, besides me and him here (pointing to Johnson) knows it, and that's One above. I stand here for the first time in my life in a criminal bar, accused of robbery and rape. It will all come out yet. And you have heard the evidence of the doctor, that he doesn't know if a rape had been committed or not—that's all. And that woman's a young female, and says I was the first man; and the doctor's examination showed no such thing. That's all.

The prisoners were then fully committed to take their trial on all the charges, including that of rape.

ERRATUM.—The motion of Councillor Phillips, with regard to the expense of corporate management, brought on at the City Council on Monday, was carried—not negatived, as stated in our report of yesterday.

THE FIRE INSURANCE COMPANIES to-day have issued the particulars of the increased scale of terms they have deemed it necessary to adopt, since their losses at the wharfs at London-bridge. In many cases the new charges are more than three times as high as those hitherto in use, the rate for each of the docks, for instance, having been raised from 3s. 6d. to 10s., for water-side warehouses (specific insurances) from 3s. to 10s., and for general floating policies from 10s. 6d. to 35s. per cent. These terms, however, are subject to reductions ranging from 30 to 50 per cent. in the event of certain requirements being complied with for the improvement of risks, and which are modelled very much on those which in the year 1844 were rendered compulsory at Liverpool by Act of Parliament, and which are said to have caused that town, formerly one of the most dangerous, to become one of the most safe. London is understood to be the worst in the kingdom, and the companies assert that according to the experience of a leading office during the past eleven years, while the average of premiums on dock and warehouse policies has been 5s. 6d. per

eleven years, while the average of premiums on dock and warehouse policies has been 5s. 6d. per cent. (from which about 1s. must be deducted for expenses), the average of losses has been 12s. 8d. per cent. The new tariff includes a scale of charges for floating policies, limited to two, but not exceeding four specified wharves. There is also a new and increased scale for ships in the port of London. The whole of the present rates are to apply to all new insurances from and including the 24th of June last, and to all existing policies for which the renewed notices had not been issued on that day.—*The Times City Article*, July 16.

National Library of Australia

<http://nla.gov.au/nla.news-article5704848>