**Riley The Bushranger**

**By Don Schofield**

**Winner, Non Fiction category**

**2014 New England Thunderbolt Prize for Crime Writing**

In the history of the New England district of New South Wales one story that continues to stand out is that of the bushranger Thunderbolt, or Fred Ward. But other bushrangers roamed the New England ranges, and in the 1880s, at a time when bushranging was thought to have been largely stamped out, the newspapers of New England and beyond relayed the news of an outlaw whose story was so bizarre that one newspaper labelled him as “one of the strangest characters that has figured in the colonial records of crime”. He called himself “Riley the bushranger” and, with a bushranging career that probably spanned nearly seven and a half years, he almost certainly holds the record as having the longest bushranging run in history, even longer than that of Thunderbolt. Nevertheless today his story has been forgotten.

Riley is a unique figure in the history of Australian bushranging for unlike most, if not all, of the notorious bushrangers, for the majority of his career, his actual identity was unknown to the police. This led to much confusion and many costly mistakes in the hunt for Riley. Over the course of the pursuit at least ten different suspects were arrested, one suspect was already in gaol while the police were out hunting him, another was falsely convicted and gaoled as Riley, and another was shot dead in the belief that he was Riley.

While the New England ranges were to be his main stamping ground the man who would call himself Riley probably began his bushranging career in Queensland on the second last day of 1880 when he bailed up the Dalby mail near Woondool. Although he did not identify himself the Queensland police quickly determined him to be John Finnerty, previously convicted of robbing the Warialda mail in 1874, and now said to be heading into New South Wales. While Finnerty would remain the main suspect for probably the next four years he wasn’t the only one. Charles Hughes became one of the first of many to be arrested but, while positively identified by the mailman, other evidence proved his innocence beyond doubt.

In late 1881 there were more anonymous mail robberies near the Queensland border which were probably the work of the Dalby mail robber. In October the mail between Yetman and Bonshaw was robbed and then in late December the Yetman to Warialda mail was stuck up near Coolootai. A £20 reward was posted for the armed bushranger who the press linked to a series of robberies that the police believed John Finnerty was responsible for.

Then in May 1882 an armed bushranger stuck up the Armidale and Inverell mail coach 30 miles from Inverell. The bushranger, described as being about 30 years of age and having a dirty, ragged appearance, told the coach driver that he was Riley the bushranger, and that he was also responsible for the Yetman mail robbery. This ragged bushranger now appeared to be actively chasing notoriety – and to a large extent he got it. Whereas his previous anonymous robberies had received mostly local coverage in the press, news of this robbery spread quickly with articles appearing in newspapers throughout Australia and New Zealand. Soon Riley the bushranger became the man to blame for almost every robbery in the New England area.

Riley’s skills as a bushman became evident when it was revealed that on the day of the robbery he was found to have to have ridden over 100 miles across some of the roughest country in New England, “borrowing” fresh horses as he went. As the police scoured the countryside in search of the elusive bushranger, he struck again robbing a private mail near Wandsworth. Several more robberies followed, each blamed on Riley, but the *Armidale Express* soon expressed doubt that Riley had committed all of them believing that someone else was trading on his name and reputation. This certainly became the case when in July newspapers reported that Riley had robbed the Australian Joint Stock Bank at South Grafton. Within days it was established that the real culprits were the bank’s accountant, Angus McBride, and a friend. McBride, however, against overwhelming evidence, continued to hold to the story that Riley had held him up.

In December it was announced that the Grafton police had captured Riley, who the *Bathurst Free Press* described as “almost as desperate as Thunderbolt”. While the prisoner, whose real name was Alfred Brown, was said to be suffering from spinal paralysis, he had to endure three weeks in custody before he was declared innocent.

On the morning of May 23, 1883 Riley announced his reappearance by sticking up the Cobb and Co. coach from Bendemeer to Bundarra eight miles from Kingston. The robbery was conducted so quickly that one of the passengers slept through the entire affair. The lack of resistance shown to the lone bushranger that the *Armidale Express* referred to as “the inevitable Riley” caused the newspaper, with tongue firmly in cheek, to comment on the alleged power of the name “Riley”, whereby the mere use of it by a bushranger almost guaranteed the success of a robbery.

In early June Riley, who was believed to have fled to Queensland, was identified in the Police Gazette as John Finnerty. But two years later the police would discover that Finnerty was already in gaol on another charge. Having been convicted, nine months before the Bundarra mail robbery, under the name John Duffy, he was then no longer considered a suspect.

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After a break of almost two years Riley resurfaced in May 1885, near Charters Towers in Queensland, when he attempted to bail up the Exchange Hotel at Cape River. A month later, when disturbed trying to raid the store of St. Ann’s Station on the Suttor River, he exchanged shots with the station cook, neither man was wounded. A few weeks later, though, the news emerged that Riley had been shot dead by Senior-Constable James Kennedy a short distance from St. Ann’s Station. The resulting inquiry established little except that the deceased was “supposedly Riley”, but shortly after some newspapers carried articles expressing the opinion that he was just an innocent swagman, not Riley. Some months later these doubters would be proved right.

In the early hours of February 23, 1886 Riley the bushranger demonstrated that he was still very much alive by sticking up the Warialda and Tamworth mail coach six miles from Manilla. Thirty troopers with trackers were out in pursuit but it came down to Sergeant William Langworthy to make an arrest, having tracked his quarry for ten days into the Booroolong Mountains. The prisoner’s name was James Frost, a member of one of the early pioneering families of the Armidale district. Once before, in 1883, he had been briefly detained on the suspicion that he was Riley. This time, though, his stay would not be brief.

At first the case against Frost faltered when neither the coach driver, nor the passenger, could positively identify him. Frost was released but was then immediately rearrested on other charges including the Bundarra mail robbery of 1883. In May, at the Inverell Court House, James Frost was found guilty and sentenced to ten years imprisonment. Despite having known him previously and not recognised him at the time of the robbery William McGinty, the coach driver, and one of the passengers Theophilus Cooper, a wealthy landowner and the former member for New England, both identified him as the robber. Frost, who was 47, still maintained his innocence but admitted to having known Thunderbolt and the man he claimed was the real Riley. As he was shipped off to start his sentence at the dreaded Berrima Gaol, there were reports of others who did not believe that he was Riley.

In July 1887 a bushranger with a rather dirty appearance robbed the Manilla to Bendemeer mail. If not for James Frost being in gaol the blame would have almost certainly fallen on Riley. Then, in November, another robbery by a bushranger of a very similar description occurred near Bolivia. This time the bushranger gave a name; Riley.

Around this time, in the rugged country bordering the Guy Fawkes River, there were sightings of a wild man who the locals dubbed the Hairy Man because of the thick beard and mane of hair that he sported. The police also had an interest in this Hairy Man as he was said to be robbing remote huts in the district. As police from Guyra to Grafton searched for this man that the *Armidale Express* called “the celebrated wild man of the Gulf”, he was finally captured by Constable William Byrne, on May 28, 1888, at Billy’s Creek. But it wasn’t just a wild man he had caught, for the Hairy Man was also said to be the real Riley the bushranger.

News of the capture of the notorious outlaw, whose name was said to be John Burns, spread quickly. In some reports Riley attempted to shoot the constable, in others the constable had shot Riley, and some said the bushranger was about to rob the Armidale mailman when arrested. Only the latter may have held some truth. Few reports mentioned that James Frost was now most likely innocent.

When Burns first appeared at the Armidale Court House it was crowded with people trying to get a glimpse of the famed Hairy Man. The *Armidale Express* described in detail John Burns’ wild appearance and, on a lighter note, expressed the hope that the police wouldn’t spoil the romance of it all by giving Burns the regulation prison haircut. They were not to be disappointed, but it was actually for the purpose of aiding identification that his locks were spared. Although charged with several more serious offences, when Burns stood trial in July it was only for a charge of horse theft, on which he was found guilty and sentenced to three years imprisonment. However, this gave the crown time to prepare a solid case against the bushranger.

While the authorities prepared to extend John Burns’ stay in gaol, he in turn tried to cut it short. On August 30 Burns made an unsuccessful attempt to escape Armidale Gaol. As a reward the authorities added attempted escape to Burns’ list of charges. Then the crown prosecutor decided to shelve the present charges against Burns and instead try him on a new charge, the Bundarra mail robbery of May 1883. It appeared a rather risky move seeing that James Frost had already been convicted for that crime and, as such, it was an admission by the authorities that they had got it wrong. But the crown did have some new witnesses.

On October 9, 1888 Burns was tried before Judge Backhouse. William McGinty was now positive that Burns, and not Frost, was the man who had stuck him up. Theophilus Cooper and his son both appeared unsure, saying that Burns resembled Frost. One of the new witnesses was actually James Frost’s brother Samuel, who identified Burns as the man he spoke to on the day and in the vicinity of the robbery. Burns was duly found guilty and sentenced to fifteen years imprisonment.

After the trial a letter in the *Sydney Morning Herald* pointed out the inconsistencies of sentencing at the time. On the same day that Burns was sentenced another man, Arthur Coulton, had been tried at Tamworth for manslaughter, originally murder, and received a sentence of only two years and ten months. In the eyes of the law, the writer argued, property was more valued than life. But this did little for Burns, now behind the sandstone walls of Berrima Gaol, still also home to James Frost. Burns’ prison record listed him as a 36 year old native of Rangers Valley, though he appears older in his photograph, still sporting his wild hair and bushy beard.

The question of compensation for James Frost was raised in the New South Wales Legislative Assembly by the member for West Maitland, Richard Thompson, but he was duly informed that the charge of mail robbery against Frost had already been remitted. This was cold comfort for Frost though, still serving another sentence at Berrima. He was finally released in March 1889.

A year after the conviction of Burns the *Clarence Richmond Examiner and New England Advertiser* ran a series of articles and letters calling for the recognition, through promotion, of Constable Byrne for his arrest of Riley, but it came to nothing. Byrne, though, had in fact received a minor promotion, to Constable First Class, after the arrest but it wasn’t until 1894 that he received a full promotion to Senior Constable. This lack of recognition may have played heavily on Byrne as others, who had chased Riley in vain, like Constable Eather who had helped Byrne escort Riley into Armidale, now outranked him.

In June 1905 Senior Constable William Byrne shot himself with his service revolver, leaving a widow and five children, he was 46. The ensuing inquest found no reason for his suicide but it is hard not to see a possible cause for resentment on Byrne’s part in the recent appointment of Eather, by then a Senior Sergeant, as his boss. But the reason Byrne may have been overlooked for promotions possibly lay in his family background. For unbeknown to possibly all but the highest members of the police force, he was actually a cousin of Joe Byrne, the outlawed lieutenant of the Kelly gang, shot dead at the siege of Glenrowan.

And what of John Burns? In 1890 he was transferred to Parramatta Gaol and later to Trial Bay Gaol from where he was finally released on July 20, 1900. From there though, he disappeared from history, perhaps to return to the rugged wildernesses of New England or perhaps to the land that he was rumoured to own near Glen Innes. His final fate remains unknown. But while the man faded from view the story survived for a time. Tales of Riley or the Hairy Man featured in many articles in the early 20th century on the recollections of retired police officers, old coach drivers and others who claimed to have met him. But when the last of these old timers died so too did the story, for unlike the accounts of over a thousand other bushrangers, both major and minor, that have been told in the countless books on the subject, Riley’s has never been recorded.

Riley began his bushranging career the month following the execution of Ned Kelly and he was released from prison on the day the Governor brothers began their murderous rampage. In that twenty year period he was the most notorious bushranger in the nation and possibly the biggest single thorn in the side of the New South Wales police in the 1880s. Though now forgotten, he was conceivably the last truly authentic bushranger to achieve notoriety. Perhaps one day his extraordinary story may find a place amongst the tales of the bushranger greats.

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