

Murdered

Martin LOEMANN

A miner working in Snobs' Gully Eaglehawk

Travelled north to the Plains (Terrick Terrick) on 14th June 1858.

His travelling mate returned 10 days later alone.

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SUSPECTED MURDER OF A PUDDLER BY HIS MATE

Mate returns alone.

**Martin
LOEMANN
travells north
with his mate**

Some degree of excitement has been occasioned during the last few days, in Snobs' Gully, Eaglehawk, in consequence of the disappearance of a puddler named Martin Loemann, under the following rather mysterious circumstances.

**Police report
on the
missing
Martin
LOEMANN**

It appears that Loemann, who is an Austrian, had been working for some time past at a puddling machine in the gully with a mate of the name of Christian Von See, a German. On the 14th of last month they left the place with a horse and cart to go into the bush in search of a horse which they had lost. Ten days after Von See returned alone, with the horse and cart, saying he had left his mate on the Plains, and that as they had not succeeded in finding the strayed horse he intended going to the Murray in search of it. On the 30th June a woman of the name of Schoeman, who had been cohabiting with Loemann for the last two years, reported the circumstances to Mr Schede, the Government Interpreter, and on Thursday last the police went to her tent in Snobs' Gully, at which tent Von See had been living.

The woman (through the medium of the interpreter) informed the police that some few days previous to the men going away together they had a quarrel about the puddling machine, which Von See wanted to claim a share in; that Von See owed Loemann some money, and the quarrel had ended by Loemann telling him to quit the place. Von See, she stated, had no money when they went away, as he borrowed eighteen pence from Loemann to pay for some beer which they had, and that upon his return from the unsuccessful search for the horse he had plenty of money, and had been "on the spree" ever since. Loemann, she said, had £20 on him when they left. Upon inquiring of her what things they had taken away with them, she produced a red blanket, three corn sacks, a rope, and a hatchet, which articles had been brought back in the cart by Von See. On the woman's information before the Police Magistrate, a warrant was

issued. Von See was arrested by Constable T Ryan on Saturday night in Market Square.

**The German
VON SEE
arrested**

The circumstances connected with his arrest are rather singular. He had received in 1856 a sentence of nine months' imprisonment for stealing a saddle from Mr Barwick, of Pall Mall, and on Saturday last, about twelve o'clock, he had attempted a similar offence at the same shop, and was arrested by the constable. He was immediately recognised as the man against whom the warrant was out, and was, of course, detained on the more serious charge. He was very much under the influence of liquor when arrested.

Yesterday, while in the lock-up, and in presence of Sergeant Ryall and the lock-up keeper, upon being asked if he knew what he was charged with, and being cautioned as to anything he might say being told to the Magistrates, he made the following statement:

**Statement by
VON SEE**

"Tomorrow (Monday) will be three weeks since I left Snob's Gully with my mate Martin Loemann, and a horse and cart, to go into the bush to look for a horse. We went first to Mouatt's, and inquired about the horse; we then went on to the Thunder Plains, slept in an old empty hut, and next day went on to the Piccaninny Creek; slept there the second night; next day went about ten miles further, towards Mount Hope, where we met a man (a Dane) who spoke a little German. He said he lived on Bendigo Flat, and had a puddling machine there. He also had lost his horse. We all three slept in the bush that night, and next morning Loemann said to me that as the road was so bad, I had better take the horse and cart and go back to the Lower Loddon Pound, and he would go on with this man to Maiden's Punt. We therefore parted. I went to the Lower Loddon Pound, and inquired for a chestnut horse, branded O T near shoulder, T off shoulder; stopped there two nights at the public house; the landlord lent me a saddle, and I went out riding to look for the horse, but could not find him; went then to the Durham Ox Public house, kept by Wood, remaining two nights there, and one night at the Serpentine Public-house (Rolf's); next day returned home; I was just nine days away; it was on a Tuesday I came back."

In addition to this, we may mention that he had, a few days ago, made a statement to a restaurant keeper at Eaglehawk, that while they were away his mate (Loemann) had got into a row with a Dane, and was killed.

**In a 2nd
statement
said Martin
LOEMANN**

The following is a description of the missing man: He is about 48 years of age; light hair, slightly inclined to gray, and rather bald at the top of his head; had no whiskers, but did not shave for a fortnight before he left. He

**killed by a
Dane**

had on two cloth jumpers, the inside one yellow; two pairs of trousers, made by himself of old flour bags; a pair of old bluchers or shoes, with blue stockings tied with old rags; an old black hat, with a cover of old sacking. He also took away with him a black-handled razor, with some letters on the blade.

**Physical
description of
LOEMANN**

We understand that Von See will be examined before the Police Magistrate today.

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Suspected Murder

Enquiries made

**Two troopers
despatched in
search**

The Suspected Murder of Loemann, the Puddler. We understand that Mr Inspector Kirk has despatched two troopers in the direction of the Murray, in order that they may ascertain any particulars respecting the fate of the man Loemann, whose mate Von See is in custody on suspicion of having murdered him. Some few particulars connected with their journey have come to light, which appear to contradict several portions of the account which Von See gave to the police of their actions while on the search for the missing horse.

**Statement by
Mr Mouatt**

He stated that they had slept one night at an empty hut on Mouatt's station. Mr Mouatt has written to the police saying that there is no hut of this description on his station. He also related that Loemann had left him to continue he search with a Dane, whom they met near Mount Hope, and who had also lost a horse. It appears that this man came back to Bendigo the other day, and on the police making inquiries of him, he informed them that he had never met with either Von See or Loemann in the course of his journey. We hope the search being made by the police will be successful, and something definite as to the fate of the man be ascertained.

**The Dane
returned to
Bendigo**

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ATROCIOUS MURDER AND BURNING OF THE BODY.

Human remains found

Late yesterday afternoon (Thursday) information was forwarded to the police authorities in Sandhurst that some human remains had been found on the 30th ult, by a shepherd in the employ of Mr Cooper. It seemed that the shepherd, while he was following his flock, came upon the remains,

Body burnt

around which a large fire had evidently been lighted, clearly for the purpose of destroying all traces of the fearful crime. The greater part of the body had been consumed, as of course were also the clothes. The skull, however, and certain other portions of the skeleton still remained, with sufficient of the clothes to allow of identification. In the skull appeared two distinct marks of fearful violence, the appearance presented being as if the deceased had been struck on the forehead by an axe or some other sharp instrument. The wounds must have penetrated the brain, and are fully sufficient to account for death.

Wounds to skull show murder**Body seems to be identified as Loemann**

That a most brutal murder has been committed seems evident, as does also an attempt to destroy all traces of the crime by the destruction of the body. The clothes that have escaped the action of the fire, it is believed, can be recognised, and it is almost certain are those of the unfortunate man Martin Loemann, about whose sudden disappearance a considerable sensation was occasioned some two months since. It may be recollected that he and a mate of his, one Von See, left Pegleg Gully to look for a strayed horse, which was supposed to have gone somewhere in the direction in which the body was found. Since this Loemann has never been seen, and a grave charge now hangs over his mate, Von See, which must, if the surmise prove correct as to the identity of the body with that of Loemann, be soon proved or otherwise. It only now remains for the authorities to institute such a searching investigation as shall, if possible, lead to this inhuman crime being brought home to its perpetrators. - Bendigo Advertiser.

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Editorial

THE LATE INQUEST.**Editorial on the Inquest**

The inquest on the supposed remains of Martin Loemann, terminated yesterday in the committal of Von See for the wilful murder of his mate. It is not our business at the present juncture to offer any opinion as to the guilt or innocence of the prisoner.

If he is guilty, there cannot be a question that the deed was one of a most deliberate nature, and in all probability was contemplated previous to the departure of the two men from Bendigo. If that was the case, Von See must be incapable of forming or carrying out a design in any but the most clumsy and stupid manner. Of this the appearance and bearing of the man afford confirmation.

And yet, during the examination of the witnesses before the Coroner, he occasionally manifested some acuteness. If he is guilty, his stolidity is such that he must be either a man of extraordinary firmness, or of very little sensibility. He manifested no fear, and even on the production of the remains of the murdered man, the closest observer could detect no sign whatever of emotion in his countenance. He approached the table on which they were lying on being called up to hear the depositions read over, without the slightest trepidation.

The sight of the tomahawk with which, by the clever evidence of Dr Hutchinson, it was proved, almost beyond a doubt, that the death-wounds on the skull had been inflicted, affected him visibly, no more than it did any other person present; nor did he wince in the smallest degree, when the charred relics of the murdered man's clothes, and the blood-stained sack, sworn to by the woman Maria Schoeman as having been taken away in the cart, and brought home again by him, were produced. At one time he stood with his foot buried under the open parcel containing these articles. He evidently observed it himself, as he made a slight motion to free the foot, without recoiling however, and looked down occasionally on the heap with an eye scarcely of cognizance, and certainly of indifference.

A single blood spot was pointed out on the wristband of a shirt he had worn during the journey. He took the shirt in his hand, and endeavoured to explain the cause of the stain with the most perfect coolness and self-possession. In fact, during the most critical and trying portions of the investigation, he never quailed, never once changed color, nor in any way evinced the smallest symptom of excitement. Yet, strange to say, it was observable that when, on being removed from the room, the hand-cuffs were placed on his wrists, he endeavoured to pull down the cuffs of his coat and so to adjust his hands as to conceal the irons.

On the evidence adduced against him, the jury could not possibly return any other verdict than that they did. As far as circumstantial testimony can be relied on, the facts which have been brought forward on the inquest are of such a nature as to place Von See in a most perilous position. Of this he was himself perfectly aware, and yet without a tittle of evidence in his favour it is singular that he should retain his self-possession to the last, if he is conscious of his guilt.

There are many persons who have closely observed him that are inclined to question his sanity. Guilty or not guilty, he is a being of a strange temperament, and cast of mind. All deliberate criminals are more or less so, however, and the difficulty in their cases is to draw the line between what constitutes a sound and unsound mind. We suppose some effort will

be made to prove whether this man is an imbecile, and it must now be left to the judge before whom he will be tried to decide whether, in the event of his being finally pronounced guilty of this most brutal murder, he is so far irresponsible for his acts as to render it proper to recommend him to the mercy of the Executive.

PAYMENT OF WITNESSES.

After the inquest yesterday, some of the witnesses applied to the Coroner for expenses, when he informed them that he had no funds for the purpose.

Payment of Witnesses

Now it appears strange to us that men should be dragged away from their homes and forced into great expense, without compensation, to give evidence not for any private individual, but for the State. If one private person feels aggrieved by the action of another, he has his remedy at law, and if he thinks it necessary to summon witnesses, he must, on demand, pay them; but in this case a man's life is taken away, by which the State suffers a loss, the supposed murderer is arrested, and the Crown prosecutes, why should not the Crown pay its witnesses? We confess we can see no reason why not.

In this case several of the witnesses have come upwards of ninety miles to give evidence for the Crown before the Coroner. They have all been considerably out of pocket, and one of them, the old shepherd, has, we believe, lost his situation by being absent, being thus actually punished for doing a service to his country. And there are few who will not be inclined to admit that he and the others have a right to demand such a sum of money as will not only give the amount expended by them in reaching Sandhurst and returning home, but compensate them for any loss which they may incidentally be subjected to.

This is not the first time that attention has been drawn to such a matter, but we hope it will be the last - that in this case the witnesses shall be fully compensated, and that to provide for the future a sufficient fund may be placed in the hands of the Coroner or some officer of Government on whom he can draw.

This is not a charity we ask for, nor a matter which we should be kept begging about for years, it is simply justice, and should be attended to at once.

Inquest leading to arrest of Von See

The Inquest

A very lengthened and careful inquiry into the identity of the deceased and the cause of his death was closed at Bendigo on Tuesday by the committal of Von See on the charge of wilful murder. The body when viewed by the jury was found to be a mere skeleton, little or no indications of flesh remaining attached to the bones, except on the lower part of the left leg and foot, and the scalp, which remained on the skull. The skull is cut or fractured in two places on the top part, evidently from the blow of an axe or tomahawk. The bone of the right arm and the right thigh bone are fractured. Several of the bones are burnt or charred by the action of fire. The lower parts of the jawbones present the appearance of having been broken or hacked by an axe, or a similar weapon. The skeleton in several portions exhibited marks which showed that it must have been torn by the dogs, or other wild animals in the bush. Several portions of clothing, which were found near the bones, were also produced. They were all more or less destroyed by fire. The jury having returned from viewing the remains, the Coroner said he had summoned them to decide, from the evidence which would be laid before them, on the manner in which the deceased came by his death.

Evidence shown to inquest jury

The prisoner Von See, who was in custody on suspicion of having murdered the deceased, it would be shown, had accompanied Loemann, on the 14th of June last, from Snob's Gully, Eaglehawk, to search for a missing horse. He returned alone, on the 22nd of the same month, stating that Loemann had gone further on, as they had not succeeded in finding the horse. The remains which they had seen had been found on the Terrick plains, and he thought they would be enabled from the evidence to arrive at the conclusion that they were those of the missing man Loemann. Maria Schoeman had been living with Martin Loemann, and recognised his remains by the hair on the scalp, and by that on the leg, and by the fragments of clothes.

Evidence from Maria Schoeman

Von See and deceased had gone away about seven or eight weeks before to look for a horse, and Von See returned alone in about a week, with the horse and cart which had been taken away, saying that deceased had gone further. The articles brought back by Von See were identified by this witness. William Perry had seen witness and another man, who corresponded to the description of Loemann, in a dray together about six weeks before, asking the way to Terricks. Francis Murphy, shepherd in the employ of Dr Rowe, at the Terricks, had seen a man corresponding to the description of Loemann in a dray, and prisoner walking by its side on the 15th of June. They said they were looking for a horse. Witness rode with them for about an hour, and pointed out the

William Perry saw Loemann and Von See on road

**Francis
Murphy saw
two men
together**

road. William Christian had seen two men, one riding in a dray and the other walking, pass Ganlay's station on the 15th or 16th June.

**William
Christian saw
two men with a
dray on 16th
June**

On the 4th of August the remains of a man were pointed out to him. There had been two fires there and a horse tethered.

**barman at the
Lower Loddon
Inn saw Von
See**

A R MacCallum, barman at the Lower Loddon Inn, saw the prisoner on the 17th inst. He spent from £5 to £10 between that and Saturday, and had a roll of notes beside.

Maria Schoeman had deposed that Loemann had about £25 in his possession when he started, and that prisoner had no money.

At the Durham Ox Von See also stayed for some days, and spent from £8 to £10. Lawrence had known deceased and Von See, and had often seen them quarrelling.

**Ralph and
Mary Corin
give evidence**

Ralph and Mary Corin had seen the prisoner, Von See, and were told by him that he had left Loemann in the bush, and he supposed he would get "three months for it."

Several other witnesses deposed to the nature of the misunderstanding between Von See and Loemann and to the departure of the two in search of the horse. Herman Schide had had a conversation with the prisoner on the 14th inst and had been informed by him that deceased had either gone to New Zealand or "been burned by the Dane." Prisoner also asked particularly as to a sum of £100 deposited in the bank by Loemann, and as to whether he (Von Sec) or Maria Schoeman had the right to draw it out. Edward Wohler had heard Vou See speak of his quarrels with deceased, and say he would "make him cold."

**The axe
introduced as
evidence**

Sergeant Richards produced an axe, shirt, and rope which he received from Maria Schoeman; there were marks of blood on the shirt and axe. He also produced a bag which he found in the stable, on which were marks of blood.

**verdict of wilful
murder against
Vou See**

Maria Schoeman (recalled) said the axe and bag had been taken away by Loemann, and brought back by prisoner. Dr Huchison gave a very elaborate report as to the condition of the remains. He ascribed death to blows from a single edged or bevelled tomahawk like that the prisoner had brought back. The jury, after a consultation of about three quarters of an hour, returned a verdict of wilful murder against Vou See. They also wished to add as a rider that they considered the police were entitled to great credit for their praiseworthy efforts in tracing out the circumstances connected with the case, and for the clear and efficient

**Praise for
police
investigation**

manner in which they had got up the evidence. The Coroner remarked that he should also feel it to be his duty to endorse, on his own part, the remarks of the jury, and transmit them to the Superintendent of the District. The prisoner was then formally committed to take his trial for wilful murder at the next Circuit Court to be held at Sandhurst on the 4th of November next.

FROM THE BENDIGO MERCURY. MONDAY, NOVEMBER 15, 1858
SANDHURST CIRCUIT COURT.

MURDER TRIAL STARTS

Von See faces
court

Christian Von See was indicted for that he, on or about the 16th of June, 1858, did feloniously, wilfully, and maliciously, kill and slay one Martin Loemann. The prisoner pleaded not guilty. Mr O'Loughlin, instructed by Mr Ward, defended him. Victor Hersche was sworn to act as interpreter.

circumstantial
evidence

The Crown Prosecutor, in opening the case, said that it was one wholly based on circumstantial evidence, but which class of evidence, when it was so consecutive and so completely linked together as in the present instance was as strong as any kind of evidence that could be placed before a jury. It had been said by a very eminent man that although witnesses might lie in making a statement to a jury, circumstances could not. He then minutely went over the history of the case in a very lengthy address.

He detailed the manner in which Loemann and the prisoner Von See had left Snob's Gully in search of a horse, and traced their journey, according to the evidence which he would adduce, until the prisoner returned alone. With respect to the identification of the half burnt remains of the body which were found on the Terricks, he said the evidence of the witness Maria Schoeman (the woman with whom Loemann had lived) would establish that fact, from a recognition of the portions of wearing apparel which were found along with the remains.

Witness -
Lorenze Miller

Lorenze Miller, a German, who deposed: He was a miner at Snob's Gully. Was working with deceased in May or June last. The prisoner was also working with them at the puddling machine. He several times heard deceased and prisoner quarrelling about money matters, and about a half share of the puddling machine. Witness told prisoner to pay Loemann £16, and that would entitle him to a share in it. Prisoner said he often had the money, but he spent it in public houses. After one of their differences prisoner said to witness that he would strike Loemann on the head. Loemann was in the habit of wearing trousers made from a

sack, like the portion of dress now produced. Loemann had a lot of sacks of the kind of material now produced.

**Witness -
Edward Wollers**

Edward Wollers deposed to knowing the deceased and the prisoner at the bar. In the last week in February of the present year the prisoner came into witness's house, and complained of not being able to agree with the deceased and said, if he went with him into the bush, he would make him cold Witness told him not to do it, as they would make him cold. Prisoner then went away. Cross-examined by Mr O'Loughlin. - Knew the prisoner about two years and a half previously. Lived close to him. The deceased, he thought, came from Poland. The prisoner is a native of Mecklenburg.

**Witness -
Herman Schede
commission
agent**

Herman Schede, commission agent, knew the deceased and prisoner. On a Friday, before the 14th June, when they started in search of the horse, prisoner complained to him that he could not agree with his partner (Loemann) and that, if possible, he would shortly have the puddling machine to himself again, as he had bought his share back again for £15, and that he would try to have his mate out altogether. Prisoner said they were going on Monday to the Lower Loddon in search of the horse, and that as soon as he came back he expected to give witness a heavy case in his hands. Witness asked him what the case was about, to which he replied it was something concerning the machine. About twelve days afterwards on meeting him in the street prisoner told him he had come back from the Loddon without finding the horse; that he had left Loemann to go on further and look for the horse.

A few days after, met the prisoner again, and asked if deceased had come back, and he replied "No, he had not." Witness told him he had better go back and search for him. He first said it was not necessary, but on being again pressed to go, he said, "Well, I will go again and look for him." A few days after, met him again, when he told witness he had been in the bush looking for his mate, but could see nothing of him." He further said, "Perhaps he won't come back at all, as he was talking of going to New Zealand and very likely he has hooked it." Witness said, he did not think he had gone away, as he had £100 lodged in the bank, and which he thought he would take with him. On the afternoon of the same day, met the prisoner again opposite the Belvidere Hotel; he asked witness to get off his horse, as he wanted to speak to him. Witness did so, and he then asked him if deceased did not come back, would he have the right to work the puddling mill by himself?

Witness told him he would if he had a share, but he would be responsible for half the proceeds when Loemann returned. He then

asked if he or Maria Schoeman (the woman with whom deceased was living) would have the right to take the £100 out of the bank, should he not return. On witness telling him not, prisoner asked him to send out a man to work in Loemann's place. He was very drunk on both occasions. On the morning of Saturday, 3rd July, prisoner came to him at the Sandhurst Hotel, when witness asked him if he was mad, to come there, and whether he was not aware that he (witness) had taken out a warrant against him for the murder of his mate.

He replied that he knew that, and had come to ask his advice about it. Witness advised him to go to the Camp and deliver himself up. Asked witness if he would accompany him, and witness said he would if prisoner would wait for about an hour. Witness told him if he could give a good statement there might be no danger for him. He told witness since he last saw him he had been looking for his mate. Witness then asked him if he had really killed his mate. He said. "No, I think he has gone to New Zealand, but if he really should be dead that Dane may (or must) have burned him." He said the Dane was a puddler on Bendigo Flat. Prisoner was not drunk during this conversation. Prisoner can speak and understand English sufficiently well to transact business in that language.

Maria Schoeman deposed that she had been living with the deceased for two years, at Snob's Gully. She was not his wife. His hair was of a light grey color; he was forty eight years of age. The hair on the scalp produced, and on the portion of the leg produced at the inquest, is like that of deceased. He had a large quantity of hair on one leg, and a little on the other. The sock produced was one of a pair that Loemann had found on the road. She identified it by a piece of red string attached. The partially burnt portion of the trousers produced she also identified. They were made by witness and Loemann from an old sack and pieces of calico. She also identified the portion produced as part of deceased's coat; she knew it by the color, as she saw him wearing it every day.

Another portion produced is from the front part of deceased's shirt, which was made from an old flour bag. She recognised it, as well as a portion of the trousers, from the peculiarity of the sewing. She identified the buttons produced (blue buttons) as having been sewn on deceased's shirt by herself. The other buttons are from the trousers. Deceased was a small sized man. She also identified the remains of the boots produced.

Witness stated that on Monday, early in June the deceased and prisoner went away with a horse and cart to look for a horse he had lost.

Witness - Maria
Schoeman

When deceased left he had on a pair of trousers made from a sack, a hat made of alpaca, a pair of blue socks (of which that produced is one), and the other portions produced are parts of the clothes he had on at the time.

The axe produced he also took with him; he also took a large knife and razor, and the bag and rope produced. On the Tuesday week afterwards, Von See returned alone, when he told her that Loemann had gone with a Dane, and would return in about three days.

Von See brought with him the horse and dray, a bag containing some oats, the axe, and a piece of the rope. He stated that Loemann and the Dane had gone about forty miles in the bush to look further for the horse. He said that Loemann had sent word that they were to go on with working the machine. On the Monday following prisoner went into Bendigo for the purpose, he said, of looking for the Dane. He returned on the following morning, and said he could not find him, when she went to the police to give information.

On her return, the prisoner was not at the tent, nor did he return before the Friday following, when he returned in the evening. He slept that night in the stable behind the tent. When he changed himself on the morning following his return from the bush, he took off the dirty shirt produced. She found hidden under another bag in the stable the bag produced. Loemann had, when he left, £24 10s. It comprised a five pound note, eight sovereigns, and the remainder in one pound notes.

Deceased could not speak any English which was the reason of his taking Von See with him. On leaving, prisoner told deceased to take the razor with them, as it would be handy with the dray on the road. She had never seen anything more of Loemann alive since he left.

Cross examined by Mr O'Loughlin: She has now got the machine herself. A man named Cline works it with her. Loemann has a wife in Germany. Loemann had not a lot of stockings similar to that produced, as the witness Miller had stated.

**Witness -
William Perry**

William Perry deposed that in June last he was cook at Mouatt's station, about twenty miles from here. On a morning in June, about eleven o'clock, prisoner came up to the kitchen, and inquired the road to the Terricks, stating that he had lost horses. There was another man along with him in the dray - the same dray now outside the Court.

**Witness -
Francis Murphy**

Francis Murphy deposed that he was in the employ of Mr Fenton of the Terricks in June last, as cook. On the 15th of that month he was

returning from Bullock Creek pound, about ten o'clock in the morning, when he overtook the prisoner with another man in a horse and cart. They were foreigners. The prisoner is one of the men. The other man appeared to be very dirtily dressed. The prisoner was taller than the other man.

Witness accompanied them for about half a mile, during which prisoner told him they were looking for a horse; that he was going towards the Loddon pound in search of it. He asked the road to Mount Hope. He advised them to separate - one to go to the Bullock Creek, and the other to the Lower Loddon pound. The prisoner muttered something, but did not appear to wish to separate.

They did not separate, but went on towards the Lower Loddon. He told them that if they went to Cooper's home station, they could stop there for the night, when prisoner said they meant to "bush" it, as they had rations with them. They were both perfectly sober at the time. The place where the remains of the body were found is about fourteen miles from where he parted from them. They could easily have travelled the distance before night. The road they took when he left them led to Cooper's station.

**Witness -
William
Christison -
found body**

William Christison, general servant at Ganley and Waite's, squatters on the East Loddon plains, deposed: He resided at the home station, which is under the superintendence of Mr Cooper. In June last, on a Tuesday or Wednesday, about 3 in the afternoon, he saw two men in a horse and drag going in the direction of Mount Hope. They were avoiding the home station. He remarked the dress of the man who was walking alongside the dray: it was a Manilla or cabbage-tree hat, pilot cloth coat, and digger's trousers. Witness travelled for about three quarters of a mile in a parallel direction with them. Witness was on the road, and they in the bush, about three quarters of a mile separating them.

The remains of the body were found about four miles and a half from where he last saw the two men. The place was towards Mount Hope, in which direction they were going. The remains are the same shown to the jury at the inquest. He saw a tether rope under a tree close by.

**Witness -
Edward Bradley**

Edward Bradley deposed to finding the body. On the 2nd of August, about the distance of half a mile from his hut, his dog went ahead of him and began to bark. Witness followed, and found her standing over the remains of a human body. There was part of a blue stocking or sock on the left foot; the right one was missing. A short distance off found the head. Took it up and examined it. He found it fractured in two places

and partly burned. The hair on the scalp was a light grey. Saw traces of two fires. Put the head and pieces of bone he could find with the rest of the body.

About 30 yards off he found some horse-feed, horse dung, and a piece of rope coiled up. He could see a lot of young wood had been cut down with either an axe or tomahawk.

**Witness -
William Woods**

William Woods, landlord of the Durham Ox Inn, deposed to seeing the prisoner on the 19th of June, about 5 o'clock in the evening. He had a horse and dray with him. He remained until Monday about mid-day, when he left and took the road to the Serpentine. He spent in witness's house between £8 and £10 - £8 he would swear to. He paid in £1 notes. Said nothing about a mate.

**Witness - Alfred
Arglis**

Alfred Arglis, a miner, of Snobbs's Gully - On the morning after the prisoner's return with the horse and dray he came to witness at his machines. He asked him where the old man was. He replied they had fallen in with a Swede, who had gone on with the old man to the Goulburn, while he (the prisoner) was to take the horse and cart and go to the Loddon, and if he did not find the horse to come home and go on with the work. About three days after he saw the prisoner again, and asked him if the old man had returned. He said "No." Witness replied, it was d-d strange he did not return. Prisoner said, "Oh, he was a cranky old fool, and I suppose some - has cut his throat." Witness said if he thought that, he had better give information to the police. He said the Swede could speak very little German.

**Witness -
Adolph Teas**

Adolph Teas. - Was a refreshment tentkeeper, in Sawyers' Gully. Knew the prisoner and deceased. Exactly seven weeks before he gave his evidence at the coroner's inquest. He met the prisoner at Eaglehawk township. After bidding each other good morning, prisoner said he wanted to speak to him.

Witness asked if he had found the horse. He replied "No." Witness said, "What did your mate say?" Witness replied, "Oh, - him, I lost him in the bush." Witness asked "Where?" He replied, "Somewhere up on the Murray, about 60 or 70 miles from here." Witness said it was rather strange, as he could not speak any English. Prisoner then said he went away with a Dane or a Swede chap, another road, and they had a bottle of brandy with them, and he (the prisoner) went with the horse and dray another road. He then asked witness what he should do about it.

Witness replied, the best thing he could do was to go to the police and give information as to where he had lost him. He promised to do so.

Witness then asked if he had any money with him. He replied "Yes, about £60 or £70." Witness asked what did they want with so much money in the bush? He replied they wanted to buy a cheap horse at the Murray, in the pounds.

**Witness - Mary
Coran**

Mary Coran, residing at Eaglehawk, deposed that the prisoner came to her tent one evening in June, and said he had been looking for his mate but without finding him. He added that he believed that that woman (Maria Schoeman) would get him into trouble about him. Witness said she heard the police were after him, when he said he could not help it, he had not killed the man.

He said he had left him at the Piccanniny Creek with a shepherd, that he was to go one side of the Loddon, and his mate the other. He said they would give him (prisoner) three months for it, but they could not give him more. Her husband observed that if he had only left his mate in the bush, what was he to get three months for. Prisoner said, "Before I suffer anything for that old fool I'll leave the country altogether."

**Witness - Ralph
Coran**

Ralph Coran deposed that the conversation his wife had with the prisoner, and which he corroborated, took place on the Friday evening before his arrest.

**Witness - Police
constable
Mortimer
O'Flannagan**

Constable O'Flannigan, stationed at the Serpentine Creek, near the Durham Ox, deposed that on the 4th August he went with the witness Christison to where the remains were lying, and found the remains produced in Court. There was flesh on the left leg up to the knee; there was some light hair inclining to grey on the skull, which was removed some distance from the others. The bones were all more or less scattered about the fireplace; there were several bones on the piece of canvass, which the witness identified. Witness took off the thigh bone, and the blue sock produced was on the left leg.

In looking about near the fire, all the remains found were discovered and brought into Sandhurst. There was also, within five yards of the fire, a track of a dray, the gauge of which was, inclusive of the tires, four feet nine inches and a half or three quarter. The marks of the tires were two inches each. The direction was towards the Durham Ox or the Lower Loddon. The track appeared to come from the direction of Cooper's Station.

**Witness - Police
constable
William Vines**

William Vines, police constable, deposed to the prisoner coming to the police station and inquiring for Sergeant Richards. He had gone to Sandhurst. This was about the end of June. He said he had come to report a horse he had lost in the bush, which a man who was his mate

had ridden away with in the bush. He then left witness, telling him it was not a case for the police.

**Witness – Dr
John
Hutchinson**

John Hutchinson deposed he was a duly qualified medical man. The body was examined at an inquest held on the remains of the deceased. They were the bones of a male skeleton about the height of 5 feet 4 inches. There was little flesh remaining on the head, the knee, and the foot. The piece of scalp produced had light auburn hair mixed with grey. The head was fractured; the bones composing the vertebrae of the neck, the right arm, the right thigh bone, and all the ribs present were broken also. The head bore traces of burning. The injuries found on the body, he divided into two parts, those received before death and those received after death. The wounds on the upper part of the skull showed extrapolation of blood, and were received during life. Both wounds penetrated to the brain, breaking both tables of the skull.

**Witness - John
Bellen Richards
Police Sergeant**

John Bellen Richards, Sergeant of Police, knows the prisoner. Knew Martin Loemann. On Thursday, 1st July, went to the tent of Maria Schoeman, in company with the last witness, and found the tomahawk and bags produced. The bag produced was not among them. On the following Saturday was there, and again on Sunday, when Maria Schoeman gave witness the sack produced, and a shirt produced.

On Sunday, the 4th July, witness again saw Von See, and asked him, after cautioning him, whether he knew what he was charged with. He then made the following statement, "About three weeks ago on a Monday, it will be three weeks tomorrow, I left my place at Snobs' Gully, with my mate, Martin Loemann, with a horse and cart, and went first to Mouatt's Station, and from there to Piccaninny Creek. Asked some one at Mouatt's Station (the cook) if he saw any horses. We slept in a hut on the plains. There was no one in this hut.

While some other witnesses were presented, this was the bulk of the evidence.

**Judge
addresses the
jury**

His Honour then summed up. They had in this case to deal only with circumstantial evidence; they had no direct proof of the hand which committed this deed. When taking the life of one of our race, it generally takes place in the dead of night, or where no eye can possibly witness the commission of the crime. In all circumstantial evidence they had to deal with presumptions, and he having unfortunately had large experience in such cases, always considered it but little inferior to direct proof in cases of murder. His Honour then minutely dissected the evidence chronologically. After having gone through the whole of the

**Jury verdict -
guilty**

case, he charged the jury to weigh the evidence carefully, and decide first if the remains found were the remains of the body of Martin Loemann; if they were satisfied on that point, they should then pursue the inquiry further; and if any reasonable doubt existed as to the prisoner's guilt, they were bound to give him the benefit of it, but they must not be led away from the true points of the case.

His Honour spoke for upwards of an hour. The jury then retired for about 20 minutes when they returned with a verdict of guilty. His Honour, addressing the prisoner, said: - Christian Von See, you have been put upon your trial, and found guilty of the wilful murder of Martin Loemann, your mate, your countryman, and your friend and benefactor for some time. He sought your assistance to find some property he had lost and while trusting and confiding in you, you took the opportunity to slay him, to consummate a crime premeditated. When no human eye was present, when none was there to see but the Almighty, you slew your unfortunate victim. Asleep, confiding in you to whom he had been a friend, you slew him. The case has been protracted, and the evidence diffuse, but throughout one bold salient fact pointed to you as the murderer. At 8 o'clock you were identified as being four miles and a half from the fatal spot. Nobody sees the Dane, but plenty saw you, from 10 o'clock that morning, within a short distance of the spot at which you consummated this foul deed. There, the next day after you left your homes, you slew him and plundered him. Revenge and plunder seem to have been your motives.

In the dead of the night, you slew your benefactor; your countryman, your friend No time had he to prepare to meet his God, or breathe one prayer, or one thought towards heaven; but without warning, you slew him; you did it, who ought to have been his protector, you who ought to have defended him if attacked by midnight robbers, you killed him. You plundered him, and then went your way and spent your ill-gotten gains in an ill-begotten a manner. Nobbler after nobbler you took, no doubt to drown the memory of that awful night. But, even in intoxication did not the vision of your slaughtered victim haunt you?

Christian Von See, prepare for eternity, indulge in no hope of mercy; the law requires that atonement should be made, therefore make good use of the time before you; hour after hour rolls on and brings you nearer to your Judge. I know not what denomination of religion you belong to. Send for the priest or for your pastor at once, and endeavour to prepare yourself for your great change. I can say no more. Christian Von See, the sentence of the law is, that you be taken hence to the place from whence you came, and there, or at such place as His Excellency may

Sentenced
pronounced
To be hanged

appoint, you be hung by the neck until you are dead; and may the Lord have mercy on your sinful soul. Amen.

The prisoner heard the sentence without emotion. The trial lasted from 10 o'clock in the morning until about a quarter past 8 o'clock at night. During the day the prisoner once or twice seemed very anxious. The court was crowded to excess. It meets again at 10 o'clock this morning.

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Extreme penalty paid Monday 29th November 1858

EXECUTION OF VON SEE

Yesterday morning (29th Nov) the extreme penalty of the law was exacted from the convict Christian Von See, who was at the last Castlemaine Criminal Sessions convicted of the murder of his mate at the Terricks. This was a crime of a peculiarly dark nature. The murdered man had for a long time been the benefactor, then the employer and the support of his assassin, who by a specious pretence lured his victim into a lonely part of the country, and there, for the sake of gain, when no human eye beheld him, rushed upon his victim, deprived him of life, mutilated his remains, and attempted to destroy them with fire. But the man was missed, suspicion was aroused, and this distinctly pointed to Von See as the criminal.

He was soon arrested. Inquiries were made, circumstance after circumstance was disclosed with providential rapidity, until at last the criminal was enveloped in such a mass of circumstantial evidence as left not the slightest ground to doubt his guilt. He was tried, convicted, and sentenced. In due time he was forwarded to Melbourne, to undergo his well merited but fearful punishment. For some days after his arrival in the condemned cell of the Melbourne Gaol, he seems to have entertained a hope of a commutation of punishment; for when it was announced to him by the sheriff that the authorities had ordered his execution, he became deadly pale, and literally reeled under the blow. Although a strong man, and of powerful muscular formation, he displayed a great amount of cowardice. This feeling never left him; the remainder of his life was an agony of terror. He was, however, carefully and sedulously attended by the Rev Mr Goethe, the Minister of the Lutheran Church, and it is but charity to hope that some good impression was made on his darkened mind.

On the morning of his death, when his hour had arrived, he came forth from his cell audibly sobbing. His face was covered with tears, his features convulsed with terror. His limbs were scarcely able to support

him. He was sustained on each side by two officers of the prison, while the executioner performed the duty of pinioning and otherwise preparing him for the scaffold.

This was all quickly done, and his last terrible walk commenced. He leaned forward considerably, and pressed heavily on the hands that supported him. He mounted the stairs with difficulty, and, once up, the proceedings were short indeed. The executioner left him, and moved round to his position at the bolt, Mr. Goethe still reading the funeral service in German. At the usual signal the bolt was drawn, and the murderer was suspended. He quivered and shook in every muscle, and every joint moved; his hands appeared to grope for something to grasp; his feet seemed to seek a resting place; at last he laid hold of his trousers, and endeavoured thus to support his weight. The hands then took an upward direction towards his neck. At this time his chest and shoulders were frightfully convulsed, and more than four minutes elapsed before life was thoroughly extinct.

On examination of the body after death, it was clearly proved that no mistake or awkwardness had tended to prolong the criminal's agony. The whole proceeding was pounced by a medical man to have been properly conducted. The lengthened struggles could, therefore, only be attributed to the tenacity with which a strong and muscular human frame will cling to life.

The gaol authorities in Melbourne complain bitterly that they are obliged to superintend the whole of the executions for the colony, with the exception of the few that are carried out in Geelong. They ask why this should be so, when there is a Criminal Court, a gaol, and a Sheriff in each district. Others also object to the custom, as one that shows in an unfavourable light the statistics of crime in Melbourne. They say that, as compared with other cities, the frequency of such scenes gives this city an unenviable pre-eminence in crime, to which she is not at all entitled.

Christian Von See was a native of Hamburg, and had not been very long an inhabitant of this colony.

Bendigo Advertiser Wed 6 Nov 1861 Page 2
CURIOUS DISCOVERY

A final curious story about this murder

A skull found

Two lads, named respectively Lane and Phillip Salmon, while fishing for crayfish in some ponds in High Street, nearly opposite Loridan's and D J O'Keeffe's establishments, discovered among a lot of rubbish a bag tied

up and stained with blood. Curiosity prompted them to search the contents, and strange as it may appear, they discovered, among a lot of sundries, a human skull.

The skull was taken to the camp, where, on examination, it was found that it had been fractured. The natural conclusion come to was that some foul murder had been committed, and the police were ordered to institute inquiries. Senior-Constable Sproule was directed to make every search, the result of which disclosed the following history of the mysterious affair.

The late Dr Hutchinson had, amongst other curious articles in his museum, the skull of the man Martin Loemann, who was murdered, it will be recollected, by a German named Von See some four year ago, at the Terricks. When the doctor's effects were sold off by Mr O'Keeffe, the auctioneer, previous to Dr Hutchinson's departure for the Fiji Islands, the skull, enclosed in the bag in which the boys found it, was removed with a lot of other articles of little value to Mr O'Keeffe's auction rooms in High Street, and the contents probably being unknown, it got taken away with some rubbish, which was thrown on to the waste ground where the boys found it opposite his house. The skull is now in the possession of Mr Inspector Nicolas.

The story