

(M.)

(11 AND 12 Vic., c.42) [No.96.

DEPOSITIONS OF WITNESSES.

TO WIT.

THE Examination of William Graham, Henry Moore & William Nevill in the Colony of Victoria, taken on oath, this 30th day of November, in the Year of our Lord one thousand eight hundred and fifty-four at Ballarat in the said Colony aforesaid, before the undersigned one of Her Majesty's Justices of the Peace for the said Colony, in the presence and hearing of John Chapman who is charged before me for that he the said John Chapman on the 30th day of November 1854 Ballarat in the Colony of Victoria did with others tumultuously and riotously assemble and thereby cause a breach of the Peace,

This deponent William Graham on his oath saith as follows

I am Sergeant of the Mounted Police at at Ballarat. I was on Duty this morning the 30th Nov on the Goldfields. I saw the prisoner John Chapman there at the Corner of the Government Road. I heard one of the troopers call out look out Sergeant he is going to fire at you. I immediately turned round and saw the prisoner John Chapman present a pistol at me. the pistol, I now produce, it was loaded and Capped when I took it from the prisoner, I arrested the prisoner, this was about 12 o'clock today, I did not here the Riot Act read there was a Crowd at this time collecting a very riotous mob assembled, & stones had been thrown at us previous to taking Chapman prisoner there were troops on the Ground at this time

William Graham

Sworn before me at Ballarat 30th November 1854

Charles P Hackett PM This Deponent Henry Moore on his oath saith I am Sub Inspector of Police This morning I was sent down to support. The Authorities I was returning home along with some mounted men, just behind a porion of the 12th Regt. We halted at the first turn of the Road some stones had been thrown at us, immediately after one of the men in Rear called and there was a man with a pistol I looked round and saw prisoner Chapman present a pistol at us,

I then had him arrested, I heard from Mr Rede that he had read the Riot Act about three quarters of an hour before this took place.

Henry Moore

Sworn before me at Ballarat 30th November 1854

Charles P Hackett MP And this deponent William Nevill on his oath saith. I am a Trooper. I went along with Mr Sub Inspector Moore We had been returning when I saw the prisoner Chapman present a pistol at our Ranks. I cannot swear the pistol was capped but the pistol was cocked when he presented it.

William Neville

Sworn before me at Ballarat 30th November 1854

Charles P Hackett MP (N.)

STATEMENT OF THE ACCUSED.

I.O.No.98

John Chapman stands charged before the undersigned one of Her Majesty's Justices of the Peace in and for the Colony aforesaid this 30th day of November in the Year of our Lord one thousand eight hundred and fifty (sic) for that he the said John Chapman on the thirtieth day of November 1854 at Ballarat in the Colony of Victoria did with others tumultuously and riotously assemble and did then and there cause a Breach of the Peace and the said charge being read to the said John Chapman and the Witnesses for the Prosecution

William Graham, Henry Moore, and William Nevill being severally examined in his presence, the said John Chapman is now addressed by men as follows. –Having heard the evidence do you wish to say anything in answer to the Charge, you are not obliged to say anything unless you desire to do so, but whatever you say; will be taken down in writing, and may be given in evidence you upon your Trial, whereupon the said John Chapman saith as follows:-

I have nothing to say

John Chapman

Sworn before me at Ballarat 30th November 1854

Charles P Hackett 17 Jan

Queen v John Chapman 19 Jan 1855

A'Beckett C.J

Verdict with 5 others

Not Guilty

Witnesses

William Graham – Trooper

Henry Moore – Sub Inspector

William Nevill – Trooper