

CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Cox of Eureka taken on oath this Eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Cox on his oath saith as follows:-

I am a gold Digger. I have know deceased two years and he has been a mate of mine for eighteen months, he went to Creswicks Creek three weeks ago, he came over on Saturday night December 2 I found him in my tent when I got in about half past eight, he said he had come over for some money and to see me, he went to bed about nine o'clock in a tent adjoining mine, he called me some time"

By a Juror - I am quite sure deceased was quite unconnected with any disturbances at Ballarat and was unarmed, he was standing still when "the police advanced on him I could not identify any of those who cut at deceased. The Sergeant who arrested me was among those who cut at deceased. I did not recognise any one in plain clothes.

William Cox

Taken and Sworn before me the Eleventh day of December A.D. 1854

At Eureka

D..J Williams" "CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of George Pobjoy of Eureka taken on oath this Eleventh day of December A.D 1854, at Eureka before the undersigned a Coroner in the said District

This Deponent George Pobjoy on his oath saith as follows:-

I am a gold digger. I was awoke on Sunday morning between three and four o'clock by the noise of firing I looked thro' the slabs and saw several people running away towards the bush went out into Dr. Lemons tent not deeming it safe to remain where I was I remained there about ten minutes when the firing ceased and I went out, I had got about fifty or sixty yards and then I saw the troopers making towards us, I then saw a single shot fired from a tent and a man running away from the direction of the tent, I saw the trooper ? and fire at the man who fell, and four troopers then made an attack on him at the same time thrusting at him with their swords, I saw them reforming and went back into Dr. Lemans tent for safety. By a juror I believe he was I saw wounded was Henry Powell I was not at Dr. Lemans tent which the shot was fired at it. I saw no civilian with the party.

George Pobjoy" "CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of George Pobjoy of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district

This Deponent William Pobjoy on his oath saith as follows:-

The man I saw running away had no arms and did not fire the shot because he was not coming in the direction the shot was fired from

The Police could have taken the man easily without violence and after receiving the first shot he was unable to make any resistance.

My mate the last witness helped to carry the man I saw wounded into the hotel.

The man was fired at from about forty yards from Dr. Lemans tent.

George Pobjoy. CORONER'S INQUEST

DEPOSITION OF WITNESS.

THE Examination of Henry Leakie of Eureka taken on oath this eleventh day of December A.D. 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Henry Leakie on his oath saith as follows:-

I was a gold digger I was awoke on Sunday morning Decbr 3 by the firing I heard the bullets coming against the slabs and thought it unsafe to stay longer – I walked towards the Eureka Camp and saw a troop of police and Soldiers coming behind me from the stockade the firing had then ceased, on my return I met a man who told me there was a man dying in the road (?) and asked my assistance to carry him away, I do not know the man who asked me. I went and found deceased incapable of moving, he seemed to be dying, he was in a sitting posture a man was supporting his head we carried him to the Albion Hotel with the assistance of two others. He was wounded in several places but I noticed most around in his head, deceased was insensible

Deceased was lying about three hundred yards from the stockade. He had no fire arms or weapon

Henry Leakie CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of Henry Leakie of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Henry Leakie on his oath saith as follows:-

(cont) of any description no one was living in the tent near which he was lying- I did not see the troopers attack deceased. They has passed the deceased in the direction of the Eureka Camp I saw no one civilian with the party. I did not see Mr Akehurst among the police.

I thought the wound in the head was caused by a sabre.

Henry Leakie. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of Joseph Ash of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Joseph Ash on his oath saith as follows:-

I am cook for Dr. Leman I recollect the morning of the third December I was awoke about four o'clock by the noise of fire arms several shots struck the tent the firing ceased and I imagined all was quiet, I heard the tramp of troopers close to the tent I thought they had passed and ventured to look out of the door I saw about twelve or fourteen cantering past the tent I saw a man in plain clothes about twenty five yards from me he made a hasty movement as if to get out of the way of the horses the troopers fired at him, the man leaped in the air as if he was struck On the report of the pistol some six or eight of the advanced troopers wheeled and closed in upon the man who was shot at who was then reeling I heard one trooper say ride the bugger down, I saw one trooper make a thrust at him and two others hacking at him

Joseph Ash. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of Joseph Ash of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Joseph Ash on his oath saith as follows:-

(cont) on the right and one on the left, I was then fired at by a trooper, a female was standing by me, the ball came close by me and lodged in a slot of the tent. I could not recognise the man who was hot by the troopers but I believe he was Henry Powell.

I saw no one in plain clothes, but one man had cord trousers I believe the man I saw shot was taken to the Albion Hotel, he was perfectly unarmed and when wounded reeled partly towards the tent by the side of which he was found.

I believe the man in cord trousers to be a trooper because I saw him with the troopers on that occasion. He was a tall man. I should not be able to recognise any of the party. Deceased was not in a position after the first shot was fired to make any resistance and would have been taken prisoner with ease.

The trooper who fired at me within twenty yards must have seen the female by my side, and more of the female than myself.

Joseph Ash. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of Eliza Cox of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Eliza Cox on his oath saith as follows:-

Deceased was brought into our tent between six and seven o'clock on Sunday morning from the Albion Hotel he was bleeding in a dreadful manner and I thought he was quite dead I attended him during the week, he died on Saturday night last Decbr 9th about ten o'clock, he was more collected the later part of the week than he was at first" "and on the Saturday up to the time of his death he was quite sensible he told me several times during the week that it was the Clerk of the Peace who first struck him on the head with a sabre after demanding him to surrender in the Queens name, deceased replied Hold lord (?) I will go with you but I suppose you are not in a hurry for a few minutes

I looked out and saw the troopers riding about and heard the report of fire arms which I believe were fired by the troopers Deceased recovered his senses about two o'clock on Sunday morning

Eliza Cox. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of Eliza Cox of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Eliza Cox on his oath saith as follows:-

Up to Saturday deceased did not seem to think he would die but on Saturday he said I fear Mistress this is a case with me

I was present when deceased made his deposition he was then quite sensible.

He never varied in his statement regarding the manner in which he was wounded , and once whilst suffering great pain said Oh that bloody Akehurst I heard great screaming when I was in my tent . Deceased stated that we were as safe outside the tent as in.

The first cries assembled triumphant yelling the second screaming I also heard the cries of people begging for life

The body of troopers past on to the Eureka Camp and two came to our tent and took my husband who asked for time to put on his clothes but they said no you bugger come along. I recognised Mr Akehurst today from the description Powell gave me altho' I never saw him before

Eliza Cox. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Cox Junior of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent Eliza Cox on his oath saith as follows:-

On Saturday night Decbr. 2nd I slept in the same tent with my brother and deceased we went to bed between nine & ten o'clock we were awake by the noise of firing between four and five o'clock, I heard my brother get up and went away leaving deceased in bed, who said he thought he should not go out to see what was the matter I am certain deceased had nothing to do with the disturbances he

came over from Crewicks Creek the night before, he had no arms of his own and there was none in the tent he could have taken

He told me several times that Mr Akehurst the Clerk of the Police Court struck him the first blow with a sabre. I have been in the Police Court with deceased four or five times.

I was certain deceased knew Mr Akehurst and mentioned his name particularly He said he knew no one else. Altho twenty or thirty troopers were with him.

Wm. Cox. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Cox of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Cox on his oath saith as follows:-

Deceased told me that Mr Akehurst had a trooper jumper on that morning

Wm. Cox" "Taken and Sworn before me the Eleventh day of December A.D. 1854

At Eureka

D..J Williams. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Galloway of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Galloway on his oath saith as follows:-

I am a miner. I was standing in my tent with the door half open on Sunday morning after firing had ceased I saw the mounted fortieth pass by my tent followed by the troopers I heard the word halt given, three or four of the troopers halted and fired two shots and then went away I the went out and found a man lying outside a tent wounded, three men assisted me and we carried him to the Albion Hotel, I do not know who the man was, but I believe Powell was the only man taken to the Albion Hotel

No shot was fired from my tent, I was taken into custody because there was blood on my hand I told the troopers that the blood on my hand was caused by carrying away a wounded man. Sergeant King said shoot him shoot him,

I saw no one dressed in plain clothes. Deceased had no arms.

William x Galloway

His mark. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Galloway of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Galloway on his oath saith as follows:-

I saw a trooper fall off his horse he had great difficulty in mounting In my opinion he either drunk or wounded

William x Galloway

His mark. Taken and Sworn before me the Eleventh day of December A.D. 1854

At Eureka

D..J Williams. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Wills of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Wills on his oath saith as follows:-

I am a properly qualified medical practioner I was called to see the deceased last Sunday morning Decbr 3rd I found him stretcher on which the officer now is, I examined the body the first wound I saw was that on the abdomen the ball had entered first near the ? ribs on the right side the ball made its exit just above and beyond the navel" "on the left side, the second wound was thro the right shoulder from before backwards, a third ball had gone thro the left arm just above the wrist, he had received a ? sabre cut on the left periotal bone indenting the bone two other wounds were on his head one on the frontal bone another on the upper part of the occuppilal bone both penetrating to the bone there was a wound in the left elbow joint penetrating to the humerus and a wound in the finger in the same hand laying open the tendon of the third finger Deceased made to Capt Evans in my presence a statement

William Wills. CORONER'S INQUEST

DEPOSITION OF WITNESS

THE Examination of William Wills of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Wills on his oath saith as follows:-

I visited deceased twice a day during the week and dressed his wounds and attended him ? administering all proper medicines. By a Juryman I believe one of the wounds on the head might have been the cause of death. By a juryman anyone of the wounds on the head might have brought deceased to the ground. I used no probe. I believe the wounds on the abdomen was caused by a musket ball. Either one of the four wounds might have caused death. I believe that no resistance could have been offered by deceased after receiving either one of the first major wounds Only one

of the head wounds could have proved mortal. One of the wounds on the head would have been sufficient to prevent deceased offering further resistance.

Deceased died last night at ten o'clock. In my opinion death was caused by the effect of the wounds generally.

William Wills. CORONER'S INQUEST

DEPOSITION OF WITNESS.

THE Examination of William Wills of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Wills on his oath saith as follows:-

By a Juryman During his illness deceased repeatedly told me that he came from Crewick Creek to visit his friends Mr (?) Cox & his family that about half past four in the morning he heard firing that he got out of bed and went about twenty yards from the tent, that he was then attacked by a party of troopers headed by a young man whom he recognised as the Clerk always (?) sitting for the magistrates in the court house he told him to stand, that he then cut at him with a sword, troopers immediately came up fired into him, cut at him and rode over him repeatedly, the first attack was made by the Clerk who cut him in the head and he fell with the blow, One of the troopers fired into him and said there you bugger that shows you

William Wills. CORONER'S INQUEST

DEPOSITION OF WITNESS.

THE Examination of William Wills of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Wills on his oath saith as follows:-

Deceased particularly described the party who first cut at him as being fair complexioned and recognised him as the Clerk who sat

before the magistrates

Deceased was quite sensible when he made his dying deposition and always appeared sensible during the time I attended him he stated that he had no arms when the attack was made. Deceased did not know the young mans name who first struck at him but knew him well from seeing him in the Court House.

Deceased said he never had anything to do with any insurgent movement at Ballarat and that he was in the habit of coming over to spend the Sunday with Cox an old mate of his

William Wills. CORONER'S INQUEST

DEPOSITION OF WITNESS.

THE Examination of William Wills of Eureka taken on oath this eleventh day of December A.D 1854, at Eureka before the undersigned, a Coroner in the said district. This Deponent William Wills on his oath saith as follows:- reexamined

I wrote to Mr. Sturt stating that deceased wished to make a deposition and that he was in a very bad state, and that it must be attended to at once, Captain Evans came and took the depositions but did not swear deceased. I told Captain Evans that deceased was in immediate danger.