

Duplicate

Despatch No. 148

Reporting the burning of the Eureka Hotel on the Ballaarat Gold Field

Toorac – near Melbourne 18th November 1854

The Right Honorable Sir George Grey Bart, K.C.B.

Sir,

I do myself the honor to inform you that on the night of the 6th of October last, James Scobie, was found murdered on the gold field of Ballaarat. As he had been last seen coming from the Eureka Hotel, suspicion fell upon the landlord, James Bentley, his wife, and John Farrell, all of whom had formerly been convicts in Van Diemen's Land, and they were accordingly taken up, and brought before the bench of magistrates at Ballaarat.

The Magistrates after hearing the evidence and examining witnesses, pronounced the prisoners not guilty of the charges preferred against them, and they were accordingly released.

This decision gave great dissatisfaction to the entire digging community of Ballaarat; they denounced the presiding magistrate, Mr Dewes – accused him of being connected by interest with Bentley, and broadly asserted that he had been bought over.

Infuriated with rage, a vast assemblage of diggers was soon on the ground, and notwithstanding the exertions of the magistrates, police and a small party of military, they set fire to the hotel, sacked it, and burnt it to the ground, and with infinite difficulty the prisoners obtained safety in the camp, and escaped the summary capital punishment to which it was intended to subject them.

The knowledge of strength which they now had acquired, and the indecision and oscillation of the authorities, in allowing the riot to get head, caused the diggers to hold mass meetings, use the most threatening language to the officers of the gold field, and led them to fear that an attack would be made on the government buildings, and that they in turn might be destroyed.

On obtaining official information of these proceedings, I lost no time in making such dispositions as I concluded would enable the authorities to maintain the integrity of the law; and within four days 450 military and police were on the ground, commanded by an officer in whom I had confidence, and who was instructed to enforce order and quiet, support the civil authority in the arrest of the ringleaders and to use force, whenever legally called upon to do so, without regard to the consequences which might ensue.

These dispositions and the knowledge that the military were instructed to act, checked all further movement on the part of the diggers. Four of the supposed ringleaders were arrested, and very heavy bail taken for their appearance to stand their trial.

Gradually the irritation subsided, and the diggers returned to their ordinary labour, but the law Officers of the Crown, being of opinion that sufficient evidence did exist to criminate Bentley, his wife, and Farrell, they were again arrested, and are now in prison, awaiting their trial at the approaching assize.

The movement being now quelled, it behoved me to investigate the charges which poured in

from all quarters, of general corruption on the part of the authorities of the Ballaarat gold field, and accordingly I appointed a board of enquiry composed of officers of standing and ability, and directed them to proceed to Ballaarat, and ascertain if there was any foundation for these charges.

The board report that the Stipendiary Magistrate, Mr Dewes, had obtained loans of money from various individuals resident at Ballaarat, and state 'that such acts cannot be too severely inadverted upon as tending to subvert public confidence in the integrity, and impartiality, of the Bench'.

They also report Sergeant Major Milne of the police force as guilty of receiving bribes, but with these exceptions, they are unanimous in declaring that the conduct of the officers on the Ballaarat gold field, has been honorable, and correct.

I have directed that Mr Dewes' name be erased from the Commission of the Peace, and have requested the Attorney General to inform me whether Sergeant Major Milne can be prosecuted for receiving money illegally. In the meantime I have directed the law officers to prepare a bill, rendering any district which may be proclaimed by the Lieutenant Governor 'disturbed', liable to defray by assessment all extraordinary charges which may arise either from violence, or an increase of force.

I have the honor to be Sir, Your obedient humble Servant Chas. Hotham