

PROCEEDINGS BEFORE CORONERS.

INQUISITION.

TO WIT.

AN Inquisition for our Sovereign Lady Queen Victoria, taken at Eureka the District of Ballarat aforesaid, the seventh day of October A.D 1854, in the Eighteenth year of the Reign of our said Lady the Queen before me David John Williamson, Gentleman, a Coroner of our Lady the Queen for the District of Ballarat aforesaid, upon the view of the body of James Scobie then and there lying dead, upon the oaths of

Arthur Anderson

John Gillott

Henry Green

John Fletcher

John Phelan

Walter Davis

David Richards

Duncan Henderson

John Campbell

John Haig

Hugh Meikle

James Hasseltop

Good and lawful men of Eureka in the said District who being duly sworn and charged to enquire, upon the part of our lady the Queen, when, where, how, and by what means the said James Scobie came by his death, do say upon their oath the death of

Colony of Victoria

Ballarat described was caused by a blow but by whom it was given is at present unknown.

In witness whereof as well as the aforesaid Coroner as the Jurors aforesaid, have to this Inquisition put their hands and seals, on the day and year, and at the place above mentioned.

D.S Williamson

Walter Anderson

John Gillott

Hugh Meikle

Henry Green

John Campbell

Duncan Henderson

David Richards

John Haig

John Fletcher

John Phelan

Henry Green

Walter Davis

James Hasseltop Colony of Victoria Ballarat

#### CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of James Francis Bentley of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent James Francis Bentley on his oath saith as follows:-

I am the landlord of the Eureka Hotel about 2 o'clock this morning October 7th I heard a great noise & knocking at the door I enquired what it was & was told that it was some drunken men wanting drink about an hour or three quarters after that we were aroused and told that Dr.Carr wanted to bring a person in who was supposed to be dead the man was brought in & I went & reported the circumstance to the Police.

Question by the Coroner You did not leave your room when first disturbed

No not until aroused by Dr. Carr

Question by Juryman. Did you hear any noise between hearing the first disturbance to when Dr. Carr came

No

Was any one sleeping in the Bar

I believe the Barman was

James F. Bentley

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of Archibald Carmichael of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a Coroner in the said District

This Deponent Archibald Carmichael on his oath saith as follows:-

I am a Digger and have a Butchers shop near the Eureka Hotel I was called upon between one and two o'clock last night by the last witness Martin he said he thought Deceased was murdered I went to where deceased was lying I looked at him and said

I thought he was gone deceased was lying in a smooth open place within thirty yards of a tent and about sixty or seventy yards from the Eureka Hotel. I went for Dr. Carr leaving the last witness with the body, no one was there when I first arrived on the spot , Dr. Carr came back with me & we removed deceased to the Eureka Hotel the door was opened for us at once by two men I do not know

Archibald Carmichael

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of William Duncan of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

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

I am Barman at the Eureka Hotel after going to bed last night October the 6th I heard a noise outside & Mr. Bentley called out to know what it was I went to the door that led to the bar to see & found that it was caused by some drunken men who wanted to get in they went away about an hour afterwards Dr Carr came and asked to bring in Deceased No one left the house or came into it during the time that elapsed between the first disturbance by the drunken men to when Dr Carr came

William Duncan

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of Bernard Welch of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent Bernard Welch on his oath saith as follows:-

I live within about thirty yards from where Deceased was found dead Mr Bentley Mrs Bentley & three or four other men came last night between one & two o'clock & stood by the corner of our tent for about three minutes & then went on after picking something up which I thought was a spade, I do not know which of the party picked it up

Colony of Victoria Ballarat they went a little way on when I heard a scuffle and a blow

Question by Mr. Bentley. Will you swear positively that you saw me last night at your tent "him" No

I will not swear positively but I believe it was Mr & Mrs Bentley I saw & heard I do not know who the other parties were they returned in about five minutes after I heard the blow struck and came towards Mr Bentley & in passing our tent they threw down what they had taken up on first passing no horse was passing at the time but about ten minutes after a horse passed.

Barnard Welch

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson" CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of Thomas Mooney of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent Thomas Mooney on his oath saith as follows:-

I am watchman at the Eureka Hotel I was on duty last night I heard some men knocking at the door and heard Duncan the Barman speak and one of the men answered "all right" the men then went away there were two of them some time afterwards Dr Carr came with the deceased and asked to bring him in

Colony of Victoria Ballarat to the house I heard no noise between the time when the men made the first noise to when Dr Carr came no one left the house after the men made the disturbance

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of Peter Martin of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent Peter Martin on his oath saith as follows:-

I am a gold digger I was in company with deceased last night October 6th between twelve & one o'clock we were coming across the Gully & saw a light in the Eureka Hotel and came to the window intending to get drink but the house was closed & we went away we were not sober I do not know whether deceased knocked at the door or not we went towards deceased's tent & when we had gone about 100 yards we heard a noise behind us deceased said let us turn back we came back a short way & met a number of men & one woman one of the parties said this is the man who was at the window I was knocked down then I got up almost immediately & ran thirty or forty yards and then returned and found deceased

Peter Martin

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson""CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of Peter Martin of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent Peter Martin on his oath saith as follows:-

lying upon the ground I considered him dangerously injured after examining him and went towards the butcher and called him he came and looked at deceased and then went for Dr. Carr I waited with deceased until the Doctor came "Question by the Coroner". Who were the parties who knocked you down. I do not know but the party consisted of four or five men & one woman I have known deceased about twelve months but have never worked with him we were always on good terms I was taken into custody by the Police about 4 o'clock this morning

Peter Martin

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of Mary Ann Welch of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent Mary Ann Welch on her oath saith as follows:-

I live in a tent near where deceased was found last night I was awoke about one o'clock by a noise of men quarrelling & a blow given I looked through the tent I saw a man lying down and another man standing over him who fell on the body of the man lying down & burst into tears before looking out I heard voices of several people but could not recognise them I heard a horse pass ten minutes after I first looked out saw the man lying on the ground.

My son the last witness and I had some conversation last night when we were disturbed during which I said I wonder if those voices are the voices of Mr or Mrs Bentley thinking that I recognised but I could not swear to them.

Mary Ann Harriet Welch

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

#### DEPOSITION OF WITNESS

The Examination of John Alfred Carr of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent John Alfred Carr on his oath saith as follows:-

I am a qualified medical practitioner, I was called up about half past one and requested to get up as there was a man either dead or dying close at hand, I got up and went to where deceased was lying and failed to detect any sign of life on first examination I had deceased removed to the Hotel and on re-examination found life quite extinct. I have made a post mortem examination of the body and find a considerable bruise on the right side of the cheek, and the face crossed with blood from a flow of blood from the nostrils and mouth there were slight bruises on the left collar bone, on the

right temple and on the back of the head on removing the skull the vessels immediately on the brain were found very much congested an effusion upon the right ventricle corresponding with the right temporal bone and within the internal membranes of the brain, the whole of the viscera were perfectly healthy and the brain also healthy, the stomach was filled with a large quantity of partially digested

Alfred Carr

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson CORONER'S INQUEST

DEPOSITION OF WITNESS

The Examination of John Alfred Carr of Eureka taken on this Seventh day of October A.D 1854, at Eureka before the undersigned, a coroner in the said District

This Deponent John Alfred Carr on his oath saith as follows:-

food and when opened the odour of spirits was very perceptible

I believe the cause of death to be the rupture of one or more vessels within the substance of the brain caused in all probability by a blow the state of the stomach from food & spiritous liquor would render a blow more dangerous & more likely to cause a rupture of the blood vessels I think the injury was inflicted by a kick & not by the spade now produced

Alfred Carr

Inquest on James Scobie

Crown Solicitor

J.F Bentley

Archd. Carmichael

Wm. Duncan

Barnard Wech

Ths. Mooney

Peter Martin

Mary Ann Welch

John Alfred Carr

TAKEN and sworn before me the 7th day of October A.D 1854 at Eureka

D.S Williamson