

Recognizance to give evidence: Henry Wright Recognizance to give evidence: Henry Wright
Recognizance to give evidence: Thomas Wood Recognizance to give evidence: Thomas Wood
Recognizance to give evidence: Thomas Conboy Recognizance to give evidence: Thomas Conboy
Recognizance to give evidence: Frederick Levy Recognizance to give evidence: Frederick Levy
Recognizance to give evidence: Maurice Linguist Recognizance to give evidence: Maurice Linguist
Recognizance of Bail: Albert Hurd Recognizance of Bail: Albert Hurd

Victoria Ballarat(M)
(11 and 12 Vic., c. 42)

DEPOSITIONS OF WITNESSES

To Wit,

The Examination of Henry Wright, Thomas Wood, Thomas Conboy, Frederick M. Levy, and Maurice Linguist of Ballarat in the said Colony,

Taken on oath, this 27th day of October, in the Year of Our Lord one thousand eight hundred and fifty-four at Ballarat in the Colony aforesaid, before the undersigned Two of Her Majesty's Justices of the Peace for the said Colony, in the presence and hearing of Albert Hurd

Who is charged this day before us for that he the said Albert Hurd on the seventeenth day of October 1854

Ballarat in the Colony of Victoria aforesaid, together with other persons, did tumultuously and Riotously assemble, and did then and there burn full down and destroy the Dwelling House of one James Francis Bentley

This deponent Henry Wright on his oath saith as follows

I am a "Trooper", on the 17 Instant at the Eureka Hotel I was on Duty there I was in front of the Hotel and at the side of the Hotel

I saw Trooper Wood struck with a bottle on the head, I looked round, I saw the prisoner called Albert Hurd throwing things at the Eureka Hotel,

I saw the prisoner Hurd pulling down the palings at the back of the Hotel" "Sworn before me
at Ballarat this 27 October 1854

EP Sturt PM

Charles P Hackett PM the building at this time was on fire. We moved round. I saw nothing of the prisoner after By prisoners Atty, I was near to Wood at the time, I swear I saw prisoner Hurd pull down more than one paling there were others pulling at the same time, I was near enough to him I paid attention to what he might say

Henry Wright And this deponent Thomas Wood on his oath saith

I am a Constable On the 17 Inst I was sent to the Eureka Hotel I saw the prisoner Albert Hurd throwing bottles and stones at the "Hotel," a few minutes after I saw him with a stick in his hand, he was saying "Come on" my boy & we will have plenty wood let us tear it down I saw prisoner Hurd taking cloth, and rags that were on fire and throw them into the Buildings –

By prisoners Atty. I am quite sure prisoner was the man I cannot be mistaken. I spoke to him he had a bundle of wood in his hand. The Ranks were broken several times by Diggers breaking through – the part that prisoner threw the Rags into was not on fire, and then part of the building was burning, his dress I think was similar to what he has now on he had no coat on

By the bench There were some hundreds of people there they were very riotous and joining in the Disturbance. I had sufficient time to observe the prisoner Hurd. I have not the slightest doubt of him now.

Thomas Wood

Sworn before us at Ballarat this 27th October 1854

E P Sturt PM

Charles P Hackett PM" And this deponent Thomas Conboy on his oath saith as follows I was on duty on the 17 Inst at the Eureka Hotel where there was a crowd of people assembled. I saw Trooper Wood struck with a bottle on the shoulder it drew my attention to the direction the bottle came from I saw the prisoner "Hurd" throwing several things at the Hotel and calling out to burn the bloody "murderer's house down.

By his Atty I swear distinctly I saw prisoner throwing Bottles and somethings at the house. I cannot swear they struck the house.

Thomas Conboy

Sworn before us at Ballarat this 27th October 1854

E P Sturt PM

Charles P Hackett PM And this deponent Frederick Levy on his oath saith

I am an agent for a Melbourne House I remember the 17th I saw prisoner Hurd about 150 yards from Bentley's House. We were about 50 yards from the House. I told him that we must rescue the

females from the house he said he had been assisting in rescuing Mrs. Bentley. from the House and that I need not be afraid ? I told him this was fearful, he said "BG it was fearful work. I know the prisoner to be a man of good Repute.

Frederick Levy

Sworn before us at Ballarat this 27th October 1854

EP Sturt PM

Charles P Hackett PM This Deponent Maurice Linguist on his oath saith I am Auctioneer near Bentley's I remember the 17th Inst I lived near there at the time, I know that Mrs. Bentley and Mrs. Gadd were in a tent close to mine, but I do not know who brought them there. I cannot recollect that prisoner helped to take the horses out

Maurice Linguist

The prisoner Albert Hurd declined to make any statement and is committed for trial at the Supreme Court of Criminal Sessions to be holden at Melbourne on the 15th November next

Sworn before us at Ballarat this 27th October 1854

E P Sturt PM

Charles P Hackett PM" "Queen v Albert Hurd ~ Riot and pulling down house

On bail

Witnesses

Maurice Linguist

Frederick Levy

Thomas Conboy - Constable

Thomas Wood – Trooper

Ms. Read

Appd. 7 Nov 1854

Copied 8 Nov 1854

Ded.(?) Nov 1854

Riotous ??? to be included in information got McIntyre re ?"