

The Examination of Gordon Evans in the Colony of Victoria (sic)

And Charles Jeffries Carter and Samuel S. Furnell of Ballarat in the said Colony, 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 Colony aforesaid, before the undersigned one of Her Majesty's Justices of the Peace for the said Colony, in the presence and hearing of William Bryan and Donald Mc Lead who are charged this day before me for that they the said William Bryan and Donald McLeod on the 30th day of November 1854 at Ballarat in the Colony of Victoria did with others riotously and tumultuously assemble, and did thereby cause a breach of the Peace.

This deponent Gordon Evans on his oath saith as follows

I am Inspector of Police at Ballarat On Searching for unlicensed miners, at about half past Eleven O'Clock this day I met the prisoner Bryan he was asked for his licence when he became excessively violent and made use of very bad language he refused to shew his licence and he resisted the Police he became so violent that I was obliged to have him handcuffs this Riot Act had been read more than half an hour previous, the prisoner Bryan called out to persons at a tent from which stones had been thrown at Police, Boys, "Come and help" this was about 12 o'clock I had the prisoner sent on to the Camp he was handcuffed to another man I do not recognize the prisoner McLeod,

By prisoner Bryan, I saw you on the Bakery Hill

Gordon Evans

Sworn before me at Ballarat this 30th November 1854

Charles P Hackett PM And this Deponent Charles Jeffreys Carter on his oath saith I am Sub-Inspector I was out with the Police after unlicensed miners this Day the prisoner Bryan was asked for his licence he said he had not one he was taken in charge he resisted the police and was thrown down on the ground to have him handcuffed he was very violent and on the way up he called out two or three times to people to come to help them. I think McLeod called out. Captain Evans told me that the Riot act had been read previously this would be about 12 o'clock, today the prisoner McLeod was asked by Gordon Evans for his license he refused to shew it at least half an hour before this occurred. I heard the Riot Act had been read

By prisoner McLeod you refused to shew them your license.

C. Martin

Sub Inspector

Sworn before me at Ballarat this 30 November 1854

Charles P. Hackett PM And this deponent Samuel S. Furnell on his oath saith I am Sub-Inspector of Police I was on duty today on the Digging about 11 o'clock and heard the Riot Act being read Mr. Rede read it. I saw both the prisoner McLeod and Bryan arrested

About a half an hour after, Bryan was exceedingly violent, and used every exertion to induce the people to rescue him

McLeod seeing Bryan so violent became so too.

By prisoner McLeod you refused to go with the Police

Samuel S. Furnell

Sworn before me at Ballarat this 30 November 1854 VICTORIA

(N)

STATEMENT OF THE ACCUSED

11 & 12, Vic., c. 42

William Bryan stands charged before the undersigned one of Her Majesty's Justices of the peace in and for the Colony of Victoria, this Thirtieth day of November in the year of Our Lord one thousand eight hundred and fifty-four for that he the said William Bryan on the thirtieth day of November 1854 at Ballarat 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 William Bryan and the Witnesses for the Prosecution Gordon Evans, Charles Jeffreys Carter and Samuel Slackwell Furnell being severally examined in his presence, the said William Bryan is now addressed by me 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 do say will be taken down in writing, and may be given in evidence against you upon your Trial, whereupon the said

William Bryan saith as follows:-

I was just come out of the hale (?) and was going up to dinner. The wind blew my hat off. The Police asked me for my licence and took me afterwards into Custody.

William Bryan

Queen v

Wm. Bryan

Witnesses

Gordon Evans – Inspector

Samuel S. Furnell - Sub-Inspector

Chas. Jeffreys Carter –

Taken before me at Ballarat in the said Colony, the day and year first above mentioned.

The Prisoner Donald McLeod is remanded.

The Prisoner William Bryan is committed for trial at the Supreme Court of Criminal Sessions Melbourne on the 15 December 1854

1st December The Prisoner Donald McLeod is discharged.

19 Jan 1855

A Beckett H.C.J

?

Not Guilty

Dec

19 Jan