

Blenkinsop and Freeman: affidavits

John William Dundas Blenkinsop and Sylvester Freeman

Introduction

From *South Australian Gazette & Colonial Record*, 24 February 1838. In reverse order.

Freeman

Affidavit of Sylvester Freeman, South Australia

to wit

Sylvester Freeman, second officer in command of the whaling party of Captain Blenkinsop at Encounter Bay, maketh oath and saith, that he one of a party who accompanied Captain Blenkinsop in a boat to the cutter, belonging to the South Australian Company, lying in Encounter Bay, depones that there were no arms in the boats and that he understood there were five of Captain Blenkinsop's men concealed on board the cutter to be conveyed to Kangaroo Island: Depones that Captain Blenkinsop went on board the cutter, and Mr Wright, who commands her, came up, when Captain Blenkinsop said to Mr Wright that he had come for the men of his he had on board: Depones that Wright called to the boy to bring his jacket and pass his pistols up, and that Wright took a pistol in his hand and held it to Captain Blenkinsop's breast, and threatened to blow his (Captain Blenkinsop's) brains out if he did not be off the decks of his vessel, and which pistol this deponent verily believes at the time to have been loaded with powder and ball. Deponent heard Wright hail the *South Australian* which was laying at some distance off, and tell Captain Blenkinsop that Mr Stephens was on board the *South Australian*: Saith that Captain Blenkinsop left a boat to watch the cutter and went in the other boat to the *South Australian*: Deponent accompanied Captain Blenkinsop, and the boat nearing the *South Australian*, was hailed from that ship and was answered "a whaler's boat." It was hailed again and the answer was "a whaler's boat, Captain Blenkinsop's," and it was hailed a third time, when the answer was "Captain Blenkinsop's whaler's boat:" Saith, at this time Mr Mead the headsman was standing at the thigh board and immediately a pistol loaded with powder and ball was fired into the boat by Mr Samuel Stephens at the said Thomas R Mead with intent to do the said Thomas R Mead, some grievous bodily harm: Saith, that he saw Mr Stephens level and fire the pistol right down into the boat amongst the crew and the ball struck the boat within a few inches, of the said Mead's thigh and struck the thigh-board: Saith, that Captain Blenkinsop jumped upon the deck rail and was immediately told by Mr Stephens, who had a pistol in each hand, that if he did not go back into his boat he was a dead man: Saith, that Captain Blenkinsop went back into the boat and then told Mr Stephens that he had come to know if the men concealed on board the cutter would be given up: Saith, that Mr Stephens said they were not on board the cutter to his knowledge, and ordered a boat to be lowered and manned, and muskets given to the boat's crew which proceeded to the cutter, as deponent supposed, to prevent the cutter being searched: Saith, that Captain Blenkinsop followed the *South Australian's* boat in which Mr Stephens and Captain Martin, master of the *John Pirie*, a schooner of about 100 tons, to the cutter, when they were not allowed by Stephens' armed boat to approach near but deponent heard Wright the master of the cutter say to Captain Blenkinsop, "I have taken away your men before and I will do so again whenever I can get them:" Saith, that after some words or conversation between Mr Stephens and Captain Blenkinsop they returned to the *South Australian* and Captain Blenkinsop went on board, but his (Captain Blenkinsop's) boat and

crew were ordered to wait off at some distance: Saith, that after waiting an hour or thereabouts, they were called to the side of the *South Australian*, were they had some wine given them, as deponent understood, by Mr Stephens' order, and afterwards they had some coffee: Saith, that the night was calm, and is certain the hails could be heard, for the people on board could not have helped hearing them: Saith, that Captain Blenkinsop said immediately after, and frequently since, that he would see if he could obtain satisfaction or justice for Stephens' firing into his boat: Saith, that Captain Blenkinsop always said that as soon as it was possible for him to leave his station, he would come over to Adelaide to endeavour to obtain redress: Saith, that Captain Blenkinsop was not armed, and that deponent knows this to be the case, as he heard Captain Blenkinsop say to his officers, that they should take no arms with them whatever: Saith, that before Captain Blenkinsop left the *South Australian*, the carpenter of the *South Australian* was sent to examine the boat in which the deponent was, but could not find the place where it was struck by the ball. And saith, that he heard Stephens say, that he (Stephens) was sorry he had not hit the boat or somebody in it, for he meant to have done execution in it if he could.

Sylvester Freeman

Sworn before us, two of His Majesty's Justices of Peace for the Province of South Australia, this 12th October, 1837

T. Bewes Strangways, J.P.
Geo. Stevenson, J.P.

Blenkinsop

Affidavit of Captain Blenkinsop, South Australia
to wit,

John William Dundas Blenkinsop, commanding a whaling station at Encounter Bay in this Province, maketh oath and saith: That on or about the twenty-third day of June last, deponent understood from one of his men that five of his party were concealed on board the cutter belonging to the South Australian Company then lying in Encounter Bay: That deponent manned two boats unarmed, and proceeded to the cutter on purpose to demand that the men who were under articles to deponent should be given up: Saith, that on going on board the cutter, a man named Wright, who deponent believes commands her, came up the companion, and deponent told him that he was informed that he had five of his (deponent's) men in the hold of the cutter: Saith, that Wright immediately told deponent to go into his boat or he would blow his (deponent's) brains out, and without waiting for deponent's answer, Wright put his hand into the locker inside the companion and took out a pistol which he (Wright) snapped at deponent's breast, and which pistol this deponent verily believes at the time to have been loaded with powder and ball. Fortunately the pistol missed fire: Deponent immediately told Wright that he would go to the *South Australian* lying off less than a quarter of a mile and complain to Mr Samuel Stephens, who deponent believes is one of the managers of the South Australian Company, and deponent accordingly proceeded to the *South Australian* then lying in Encounter Bay: Saith, that on approaching the ship deponent was hailed by some one on board, when the bowman of the deponent's boat answered loud enough to be heard five times the distance, "a whaler's boat:" Saith that deponent was hailed a second time, when deponent himself answered in a loud voice, "a whaler's boat, Captain Blenkinsop:" Saith, that he was within twenty yards of the ship at this time and just ordered the harpooner to lay in his oar: Further saith, that when the harpooner had the boat hook in his hand holding on by the ship, deponent was hailed a third time, and the man who answered was the harpooner who cried out in a loud voice "Captain Blenkinsop's boat:" Saith, that deponent was at this moment getting into the main channels and heard the answer quite distinctly, and deponent is certain that the answers were all heard distinctly by the persons on board the *South Australian* as the night was perfectly calm, and they were heard by his other boat's crew at a distance of a quarter of a mile: Saith, that the deponent had his foot on the main channels and had hold of the lanyards with his hands, when a pistol loaded with powder and one leaden bullet

was pointed into the deponent's boat and was fired from the *South Australian* by the said Samuel Stephens himself, at one Thomas R Mead, then in the said boat, with intent to do the said Thomas R Mead some grievous bodily harm: Saith, that he saw the said Samuel Stephens point, level, and fire the pistol into deponent's boat: Saith, that the ball struck the boat at the thigh board which it went through, as well as the lining: Saith, that the ball went over the head of the harpooner and struck the boat within a few inches of his thigh: Saith, that as soon as the said Samuel Stephens fired the pistol, deponent called out to Stephens that he was a coward and no gentleman, and that if he would go on shore he deponent would meet him on any point he thought proper; deponent stood on deck and Stephens had two pistols in his hand and ordered deponent off or he would blow his brains out: Saith, that deponent went back to his boat, and Stephens then told deponent that if he would come the next morning, he (deponent) might search the cutter: Saith, that deponent said he would if wind and weather permitted, but next morning it blew hard, and the cutter went away the evening of that day with deponent's men, to the best of his knowledge and belief: Saith, that deponent has not recovered the men carried off nor seen them since: Saith, that Stephens, after he had fired into deponent's boat, seemed very much frightened at what he had done, and afterwards said that if he had known it was deponent he would have rather fired into the mainmast of the *South Australian*: Saith, that Mr Stephens afterwards, in the same evening when deponent was on board the *South Australian*, said that he was sorry he had not aimed at the steer oar, who was deponent; and that if he had missed the boat, it was the first time he had ever missed anything he had aimed at: Saith, that at times Mr Stephens was very angry, and that at other times he wished to make every apology possible, by offering remuneration, and to give a new boat or to build one for deponent: Saith, that he has since heard that Stephens had admitted that he knew at the time he fired it was deponent's boat; and deponent is certain Stephens must have known it was deponent's boat from the distinct answers given to the hails: Saith, that deponent communicated the particular facts contained in this deposition to Mr Mann, Advocate General, when that gentleman was at Encounter Bay for the purpose of enquiring into the murder of Driscall [Driscoll]; and that this communication was made to Mr Mann in the presence of Mr Powys and deponent's family; and deponent also produced to Mr Mann the ball and piece of wood it had perforated in the boat which deponent had cut out: Saith, that he also stated the same circumstances to Mr Light and Mr Fisher when these gentlemen were at Encounter Bay, and also shewed them the ball and piece of wood: Saith, that the Advocate General said that it was a very unfortunate thing; and that if deponent was determined to persevere Mr Stephens would find it a serious matter. Deponent said he was determined: Saith, that deponent has taken the first opportunity he possibly could of leaving his fishery and coming to Adelaide to give information of these proceedings.

J.W.D. Blenkinsop

Sworn before us, two of His Majesty's Justices of the Peace for the Province of South Australia, this 13th day of October, 1837

T. Bewes Strangways, J.P.

Geo. Stevenson, J.P.