

EVELYN - THE FORGOTTEN STURT



Evelyn Pitfield Shirley Sturt was born in England on 25 October 1815; he was the ninth son and the last of the 13 children born to Thomas Lennox Napier Sturt and his wife Jeanette (née Wilson). The family history records that on May 30 of the next year he was baptised at Lee Church, in the parish of Blackheath in the presence of his parents, and his god-parents, Mr Shirley, his Uncle Pitfield and Lady Skipworth. Whilst his baptismal name of Evelyn may appear somewhat unusual for a boy, the Sturt family tree shows that it was a popular name in Victorian times and borne by a number of the family, both male and female. Pitfield was the maiden name of his grandfather's wife Mary, and, Shirley the surname of one of his godparents.

Whilst very little is known of his early life, family letters establish that his formative years were spent in France and that in 1828, when the family sold their home in Boulogne and moved back to England, Evelyn returned briefly to England, then was sent back to continue his schooling at Lille. Research indicates that he later attended the Sandhurst Military College, but the family history is silent on this matter. What is known is that he was reputed to have had a "skill at arms", which indicates military training, and that at age 18 Evelyn was a tall, handsome, athletic young man, *"the complete young sportsman, and a favourite wherever he goes"*. These were attributes that that were to stand him in good stead in his journey through life, the course of which was set in 1832 when his now famous older brother, Captain Charles Sturt, returned to England and published his book *Two Expeditions into Southern Australia*.

It was during this period of leave that Charles visited his parents at the family home, where he met his younger brother Evelyn, whom he had last seen in 1826, and it is evident that he convinced him that he should seek his fortune in the colonies. The family historian records *"one wonders what Charles had said to him, for they must have met at home during Charles' leave in 1833/34, for in October 1836, at the age of 21, Evelyn landed at Sydney, New South Wales"*. Little could he know that some eighteen years later he was destined to achieve high public office, become involved in the Ballarat riots and rebellion at the Eureka Stockade, and earn a place in the colonial history of Australia. But that was all in the future.

In 1837, no doubt through the good offices of his brother Charles, he was appointed as the Commissioner for Crown Lands for the Murray District, a vast tract of territory that extended from the left bank of the Murrumbidgee River in what is now New South Wales, to the right bank of the Ovens River in Victoria, at a point 40 miles from the Port Phillip side of the Murray River. He was to administer this territory until 1839 before embarking on the next phase of his life.

Following the overlanding of cattle to South Australia by Hawdon and Bonney, Edward John Eyre and his brother, Captain Charles Sturt, in 1838, Evelyn decided that he too would become an overlander. In 1839 he resigned his government post and set out from Bathurst with sheep and cattle for the Adelaide market. Following the courses of the Murrumbidgee and Murray Rivers, he arrived at Adelaide in the early part of 1840 and the family history records that *"In the early 1840's he occupied country in the Mount Lofty Ranges"*. The location and tenure of this holding is not specified, whilst the Devenport family records seem to be at variance with the Sturt history.

What is certain is that Evelyn remained in Adelaide for a time following his arrival in 1840, because an article in the *Adelaide Chronicle*, dated 3 June 1840, records a meeting of colonists to discuss the dispatch of an expedition to the Northern Interior of the colony under the command of Mr. E. J. Eyre. The Hon. Captain Sturt and his brother, Evelyn, were present and appointed to the committee, subscribing £25 and £10 respectively to fund the venture. The cost of this expedition was £1,391, of which Eyre contributed £680 from his own income.

This was the northern expedition that departed Adelaide on 10 June 1840. When defeated by the sweep of the vast salt lakes to the north, Eyre explored westward, following the Great Australian Bight until he arrived at King George Sound (Albany), Western Australia, in June 1841. This epic journey was to result in the desertion of his aboriginal guides, the murder of his companion Baxter and almost cost him his life.

Returning to Evelyn, it would appear that his stay in South Australia might have been somewhat short-lived because the Devenport papers state that he arrived back in Port Phillip (Victoria) about September 1840, but do not record how long he remained there. What is known is that he did reside in a cottage that is still standing in Willunga.



A comparison of the available references indicate that Evelyn Sturt did engage in a pastoral venture in this area and then moved to Victoria at some time between 1842 to 1843, because in her biography *Life of Charles Sturt* (circa 1899), Mrs N.G. Sturt writes *"Years later when Charles' younger brother Evelyn, was feeling his feet in a squatter's life, Davenport was sent with him as a tried bush-man, and at Evelyn's request was allowed to accompany him for good to Victoria"*. This fosters the impression that Evelyn was *"feeling his feet in a squatter's life"* at a location in South Australia from which he later moved to Victoria, and it is reinforced in a letter written by Charlotte Sturt to Charles' brother, William Neville, in 1844. In that letter she refers to a letter received from Evelyn in Mount Gambier, *"where he has very lately located himself with his sheep having been fed out at Port Phillip in which vicinity he has been for some time"*.

In 1844 Evelyn Sturt took over the Compton Station in the Mount Gambier area. The Sturt family history records that the occupancy of this property was the source of a dispute between he and S.J. Henty, a brother of Edward Henty, who was one of the first colonists in Victoria. Apparently S.J. Henty visited the district in 1837, climbed Mount Gambier, and believing that he was *"in the colony of New South Wales"*, stocked a cattle run there. It was here that he built the first white settler's hut in the area, the site of which is now marked by an obelisk, and squatted on the land until the arrival of Evelyn Sturt. When it became evident that Evelyn was the lawful owner of the land, having obtained it with a loan from the South Australian Government, Henty had no alternative than to give way to him and vacate.

It is evident that in the years 1844 to 1849 Evelyn prospered and was foremost among the settlers of the area. The family history makes reference to an extract taken from a publication titled *Old Melbourne Memories*, which refers to the *"Mount Gambier Mob"*, cattle station holders who had attained to social distinction and amongst whom Evelyn Sturt was the hero of numerous local legends. He is reputed to have leaped from a bridge into a flooded river to rescue a drowning man, to have *"offered"* to suck the poison from the wound of a snake-bitten stock-rider, and to have quelled the boldest bushman in a shearing row. The articles states *"He was chief magistrate, universal referee, good at all arms, gallant, gay, the modern exemplar of the good knight and true and a general favourite with the women"*. He obviously had it all together.

It was during this time that another incident occurred, to which reference is made in Mrs NG Sturt's biography of Captain Sturt, and that is this story of *"Captain Sturt's black cat"*. *"Heroic was the devotion of a black tom-cat who was wont to bask daily in a particular window. Sturt's brother Evelyn begged for this cat, and took him to Mount Gambier on the Victorian borders. Six months later, the cat was missed by his new master, but in due time reappeared in his accustomed corner at Grange. Unless this cat had made his way to Port Phillip and there stowed himself on an Adelaide-bound ship, he must have crossed 600 miles of wild country, swimming the Murray on the way"*.

In 1849 Evelyn gave up the station, finally disposing of it in 1850, and accepted an appointment as police magistrate in Melbourne, and in 1850 was appointed Superintendent of the Melbourne and County of Bourke Police.

This force was a motley and inefficient organization, divided into seven distinct bodies, the City Police, Geelong Police, Goldfields Police, Water Police, Rural Bench Constabulary, Mounted Police and the Escort. The police in the country districts were controlled by magistrates, crime was rampant and the position was aggravated by the discovery of gold in 1851, when forty of his fifty staff resigned and rushed off to the diggings. Despite all of these problems, Evelyn Sturt remained the recognized head of the police and exercised full control over this conglomerate until March 1853. In that year, when the Legislative Council passed an Act for regulation of the Police under a Chief Commissioner, Evelyn relinquished the post and was appointed as Chief Police Magistrate for the City of Melbourne, where he presided over the city bench for the next twenty-five years. It was also during this time that Evelyn married Mary Frances, daughter of the Reverend J.C. Grylls, of Melbourne.

In October 1854, his life took a new direction, when during an altercation outside Bentley's Hotel in Eureka Street, Ballarat, a young gold-miner, James Scobie, was killed by a blow to the head with a spade. The owner of the hotel, one James Bentley, and others, were believed to be the culprits. When the matter came before the court it was heard by Magistrates Dewes, Johnston, and Commissioner Rede. Dewes and Rede, who were known to have had questionable dealings with Bentley, had a conflict of interest and it became evident that justice was not to be done. During a brief adjournment of the hearing, the prisoner Bentley and his lawyer were seen to enter Dewes' room where a private conversation occurred. Following that conversation the court reconvened, at which time Magistrate Dewes and Commissioner Rede "honourably discharged" Bentley and the others, with Magistrate Johnston dissenting. Outraged at this miscarriage of justice, on 17 October, several thousand miners assembled outside Bentley's Hotel, which they then destroyed by pulling it apart and setting fire to it.



Alarmed at the growing unrest and the evident corruption of government officers in Ballarat, Governor Sir Charles Hotham dismissed Magistrate Dewes, appointed Evelyn Sturt to replace him, and instructed him to reopen the case of James Scobie. He promptly reviewed the evidence, found a case made against James and Catherine Bentley for the murder of James Scobie, took further depositions and recommended that they again stand trial. New warrants were sworn, following which James Bentley was tried in Melbourne, found guilty of manslaughter and imprisoned, and his wife acquitted. Evelyn Sturt was next appointed to the commission inquiring into "the burning of Bentley's Hotel at Ballarat". Whilst that final report by no means satisfied the majority of diggers, it identified and recommended the dismissal of certain corrupt officers, recommended that compensation be paid to some of those who suffered losses in the fire, and clearly advantaged some of the rioters. Without giving any reasons, Governor Sir Charles Hotham ordered that the search for the rioters concerned in the burning of the hotel be discontinued and nothing more was heard of it. It is arguable that one sees the hand of Evelyn Sturt in this decision that, in essence, wisely let sleeping dogs lie, but it was all to no avail.

The turbulence and distrust evoked by the Scobie affair merged into the growing anger of the diggers over the iniquitous cost of thirty shillings per month for a Miner's Licence. The arrival of military reinforcements in Ballarat at the request of the hated Commissioner Rede, and a provocative licence hunt conducted by police at the gravel pits diggings provoked another riot. This proved to be the straw that broke the camel's back. On Thursday, 30 November, thousands of diggers rallied at Bakery Hill, burned their licences, unfurled the Southern Cross flag, swore an oath of allegiance to it, and took up arms. At dawn on Sunday, 23 December 1854, 276 soldiers and Police attacked the Eureka Stockade killing 22 diggers, wounding 12 others, and taking 120 prisoners. This brutal encounter resulted in an outpouring of public anger against the authorities and again Evelyn Sturt played a crucial role in restoring public confidence and order.

When the processing of the prisoners began on 7 December 1854, it is recorded that Stipendary Magistrate E.P.S. Sturt advised the Colonial Secretary that:

"The Stipendary Magistrate of Ballarat, Mr Hackett, having been called to accompany the troops on the occasion of the attack and therefore present thereat, he thought it advisable not to appear as magistrate holding inquiry on the prisoners. I have therefore this day been engaged taking evidence and hearing charges in the attack against the prisoners apprehended at the stockade. The investigation will continue tomorrow and such prisoners as do not appear to have been in arms against her majesty's forces, or prominent instigators to the outbreak will be discharged".

Following his investigations of the 100 plus prisoners, Evelyn Sturt committed eight men for trial, two for further investigation, and discharged the remainder on the basis of insufficient evidence. Such was the force of public opinion, that when the ringleaders finally stood trial, the Melbourne juries refused to convict them and they were all discharged as free men.

Following the events at Eureka, Evelyn Sturt returned to Melbourne and resumed his duties as Chief Magistrate. In later years he was a member of the Royal Commissions that investigated the conduct of the ill-fated Burke and Wills Expedition of 1861, and in 1869 he took leave of absence and with his wife visited England, arriving at Southampton early in June of that year. On 9 June 1869, he visited his brother Charles at Cheltenham, which was to be the last occasion he was to see him, because seven days later Charles died of heart failure.



In 1871, Evelyn was appointed as one of the executors of the Victorian estate of the former Lieutenant Governor Charles La Trobe. Three years later, in 1878, his public life came to an end when with many others he was dismissed from office in what became known as the "Black Wednesday retrenchments", and was granted a government pension. In December of that year he and his wife went to England, following which he returned to Victoria in April 1881 and took up residence in a house at Brighton.

In 1883 he again embarked on a ship bound for England on what was to prove his last journey. It is of interest to note that on the way to England the ship called at India, where he was one of the witnesses at the wedding of Adeline Sturt to Lieutenant Norman Bray. Adeline was one of the daughters of his brother Henry Sturt, and Norman Bray was the great-grandfather of the late David Sturt-Bray, who was one of the founders of the Charles Sturt Memorial Trust in Adelaide, and one of its Presidents. Following the wedding, Evelyn and his wife continued their journey to England, where they remained until early 1885 when they boarded the ship *Pekin* for passage back to Australia, but it was a journey that Evelyn was not to complete. On 10 February 1885, one day before the ship reached Port Said, in Egypt, Evelyn Sturt died of severe bronchitis. He was 69 years of age.

His body was taken back to England, where he was buried at Highgate Cemetery. Childless, he was survived by his wife Mary who died in 1913. In Victoria his estate was valued for probate at £17,715. Sturt Street, Ballarat, was named after him, but apart from that and the references to him in the official records of those turbulent times, he has been all but forgotten.
