

# 1854

## REVOLT UNDER THE SOUTHERN CROSS

The Battle of the Eureka Stockade was fought for a mere twenty minutes before dawn on Sunday, 3 December 1854, when about 150 diggers were routed by a combined British military and police force outnumbering them almost two to one.

About thirty men died, and many were injured, mainly during an orgy of looting and burning by the government forces as they ransacked the stockade. Within days, thirteen of the ringleaders of the uprising were committed for trial on charges of high treason. Her Majesty's forces, it seemed, had crushed the 'democratic revolution'.

The stirring events were reported in detail by newspapers all over the world, from the *New York Times* to *La Presse* in Paris.

The major cause of the Eureka revolt was the Victorian Government's refusal to concede to a persistent demand from the diggers for the abolition of the monthly licence fee to mine on Crown land. Following the example of New South Wales, this tax had been introduced by Lieutenant-Governor La

Trobe soon after the discovery of gold in 1851.

A plan to double the tax to £3 a month from January 1852 met with such opposition from the many mass meetings of diggers — at Castlemaine for example 12 000 attended — that it was hurriedly abandoned, mainly because the Government did not have sufficient policemen to enforce such a controversial measure.

But, by 1853, La Trobe had a force of fifty London bobbies, hurriedly shipped to Victoria, and more than 100 ‘volunteer’ policemen, many of them former criminals.

Although the licence fee was dropped to £1 a month, more frequent checks were made to ensure that every miner had one. Those who could not produce their licence on the spot were fined £5 for the first offence and jailed for up to six months on subsequent convictions.

What created most bitterness, however, was the award of half the fine to the constable affecting the arrest. This led to diggers being hounded by the police, some of whom were not above perjury to ensure their reward.

La Trobe was succeeded in June 1854 by Sir Charles Hotham, who had orders from the Colonial Office to collect the licence fees even though ‘the question was not very likely to be settled without a fight’.

He ordered weekly, instead of monthly, checks on licences, which meant that diggers were frequently forced to climb up shafts 50 metres deep merely to show their piece of paper — or face instant arrest.

Feelings ran high when, in October, a digger named James Scobie was kicked to death at the Eureka Hotel in Ballarat.

Despite strong evidence, the owner of the hotel, James Bentley, and three others, were acquitted by a court consisting of Robert Rede, the goldfields commissioner; his assistant, James Johnstone (who dissented); and John D'Ewes, the stipendiary magistrate, who was in debt to Bentley.

A furious mob of diggers burnt down the hotel, for which three supposed 'ringleaders' were imprisoned for terms of up to six months. Because of the agitation, Bentley was later tried again in Melbourne and this time convicted of manslaughter, for which he was sentenced to three years hard labour.

Rumours of revolt were rife as the diggers demanded that the men convicted of destroying the hotel be set free.

On 11 November a mass meeting at Bakery Hill, Ballarat, met to form the Reform League, which added political demands to their other grievances. The *Argus* reported that the League planned to achieve:

1. *A full and fair representation.*
2. *Manhood suffrage.*
3. *No property qualification for members of the Legislative Council.*
4. *Payment of members.*
5. *Short duration of parliaments.*

*The immediate objects of the Reform League are:- A complete change in*

*the management of the gold-fields, by disbanding the gold commission. The total abolition of the digger's and storekeepers' licence-tax. A thorough organised agitation of the gold-fields, and then of the towns.*

The League was certainly as cosmopolitan as the population on the gold-fields, its leaders being J. B. Humffray (Welsh), Peter Lalor (Irish), Frederick Vern (Hanoverian), Raffaello Carboni (Italian), Timothy Hayes (Irish), and George Black (English).

Hotham, however, rejected a demand, presented by three of the League's leaders, that the convicted diggers be set free — and at a meeting on 29 November about 15 000 diggers agreed to liberate any member of the Reform League who was jailed for not having a licence.

Above them at the meeting flew a blue flag with a white cross, and on every corner and in the centre, was a star to represent each of the five Australian colonies. This 'Southern Cross' was destined to become the battle flag of the uprising.

As tension grew, Hotham hurriedly dispatched troops to Ballarat, while Commissioner Rede ordered a licence check on 30 November, during which eight diggers were arrested and the Riot Act read.

That afternoon about 500 diggers met at Bakery Hill and formed themselves into an armed force, swearing 'to stand truly by each other, and fight to defend our rights and liberties'.

Peter Lalor was elected Military Commander, and a stockade was erected on the Eureka claim where, in the early hours of 3 December, the brief battle

took place.

An eyewitness, Samuel Irwin, reported for the *Geelong Advertiser and Intelligencer*.

*The hurried note which I sent you by yesterday's express gave you, as far as I could make out from the different stories I heard, an outline somewhat near the truth.*

*Having heard about 50 other versions since then, I can approximate still more near the truth.*

*The insurgent party had been out most of Saturday on various duties, one of which was watching, after the rumoured approach of some additional force, which it was their intention of wait for, and, if possible, drive back.*

*Not having fallen in with this party, they returned to the encampment at Eureka, where a kind of barricade or stockade of slabs had been erected. Here, after orders when to reassemble, the whole force was ordered to go home; this most of them did, but a few, some 130 men would not go home.*

*Outposts were usually placed a long way out, in this instance there were none, and through some instant communication on this subject to the authorities, they were made aware of this fact and determined to surprise them.*

*The first intimation which was given of Her Majesty's troops was either a*

*demand from the officer in command that the insurgents should lay down their arms, or else trumpet at some one hundred yards distant from the stockade.*

*When the demand was made, either a negative answer or silence was the result; the troops were then ordered to fire, as had been agreed, on two rounds of blank cartridges. The diggers returned the fire. Five soldiers fell at the first fire. The troopers and few foot police were present, but at some distance. The main fighting part devolved on the soldiers. The diggers, as I said before, numbered some one hundred and fifty, they were in several divisions, rifle men, etc., in all five. After a contest of about from 15 to 20 minutes the whole affair was over. The insurgent party were thrown into immediate confusion, from the divisions having revolvers, in sheer daring running up to the soldiers to ensure a better aim, and thereby preventing the riflemen and other comrades from supporting them. The stockade was ultimately surrounded and those who still remained taken prisoners and marched off to the camp.*

*When the soldiers had once tasted blood they became violent, and had not the officers used every exertion, the prisoners would have been murdered on the spot. When it was clearly seen by the officers that no further resistance was offered, they wished no more blood shed.*

*Mr. Commissioner Amos is also most favourably spoken of! He saved two lives which else would have instantly been sacrificed. Mr. Commissioner Johnstone interfered in a praiseworthy manner, to preserve property which had been set on fire, and eventually succeeded in saving it.*

*But after giving credit where it is due, I must protest against the barbarities practised by the mounted troopers. Those who had taken the law into their own hands were punished by the soldiers — those who were warned and were perfectly innocent of rebellious notions were murdered, fired at, and horribly mangled by the troopers.*

*The names of the officers commanding the troopers on the morning in question should be inquired about by His Excellency, for their allowing such barbarities to be carried on should disqualify them from service under any civilised government.*

*Some men were killed outright, others were dangerously wounded, and a few slightly hurt from shots and sword marks from the troopers, who, after the fight was all over and all resistance passed by, kept up firing at such unfortunates as presented themselves from the doorways of tents to see what was going on ...*

Twelve of the arrested leaders were acquitted by sympathetic juries in Melbourne early in the following year. The Crown withdrew the case against the thirteenth. Lalor, who was wounded and subsequently lost an arm, remained in hiding until an amnesty was declared; then went on to become the Member of the Legislative Council for Ballarat.

As for the diggers, victory was theirs in the end. Large meetings held in Melbourne and other towns revealed the great public support for their cause, and for the ideal of self-government and independence.

The situation was diffused through concessions. A commission of enquiry

appointed by Hotham led to a miner's right, costing £1 a year, in place of the controversial licence, as well as giving the diggers the right to vote, and abolishing the constant police checks.

Holders of miner's rights would henceforth elect Courts of Mines to replace the Goldfields Commissioners, while Crown lands were opened to diggers. An export duty of '2s 6d an ounce' on gold was introduced to recover revenue lost through the abolition of mining licences.

Nor were the other changes demanded by the Reform League far off, including a fully-elected government, universal manhood suffrage, payment for Members of Parliament, and a shorter parliamentary term.

Australia's golden era had, as historian Marjorie Barnard put it, given men 'a taste of high wages, they had learnt to cooperate, from the isolation of bush life they had moved into the crowds of the diggings. The land could no longer be a monopoly. The digger vote was to swamp the squatter vote. Nothing could be quite the same again.'