



Eureka souvenir : Ballaarat, 1854-1904

AUTHOR(S)

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EUREKA

SOUVENIR

BALLAARAT

1854 - 1904

W. F. R. 1904

The Eureka Souvenir



is published in Commemoration of

The 50th Anniversary of the
Eureka Stockade . . .

and in memory of those who fell on the memorable
3rd December, 1854, while enforcing and resisting the
unconstitutional proceedings of the Victorian Government.

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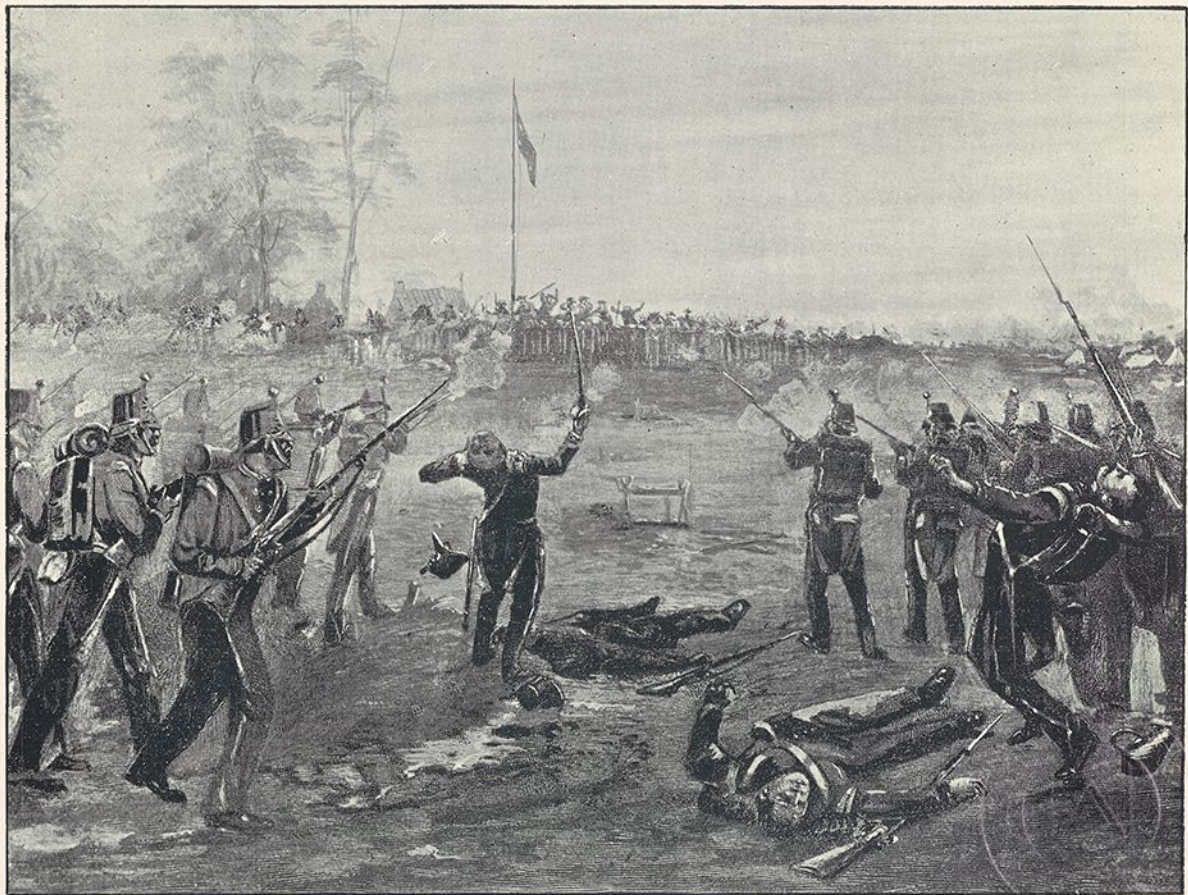


GOVERNOR HOTHAM.



HON. PETER LALOR.





EUREKA FIGHT.

ACCOUNT OF THE RISING.

When the gold discovery occurred at Golden Point, Ballarat, on August 24th, 1851, Victoria had not long been created an independent colony. It had become independent then only in the sense of separation from New South Wales, and in having a Lieutenant-Governor and a Parliament of its own. But that Parliament was not representative in more than a small degree. It was a single House, and largely composed of nominees of the Crown, the balance of members representing constituencies in which the masses, gathered and increasing on the gold-fields, had, not simply not a voice potential, but absolutely no voice at all. This was an injustice that was attended with more than the usual dangers that accompany wrong. The gold-fields inhabitants being outside the mystic circle of governing power were placed, *ab initio*, in an attitude of hostility to the constituted authorities.

When the European gold hunter arrived in Victoria, just after the gold discovery, he no sooner found himself upon the gold-fields than he was brought into contact with a Government in the construction of which, and in the direction of whose policy, he had no more voice than the naked aborigine he saw prowling about the bush. Before he could legally put pick or shovel into the ground, the digger had to pay a heavy monthly tax, levied upon him by a Government and Parliament in which he was not represented.

Englishmen, free from crime, were at the mercy in those days of many demoralised and ruffianly policemen, who treated the diggers like felons, and were too often abetted by their superiors in this treatment of men thus practically deprived of two centuries of political progress. To these causes of irritation were added suspicions of corruption in the administration of the common law on the Ballarat gold-field, and this it was, as will presently appear, that precipitated the events which ended in the collision between the Queen's troops and the armed insurgents. Begun at Bendigo in 1853, the agitation against the gold-fields license tax, and for representation in Parliament, was quickly taken up in Ballarat, and was there pushed forward with more eventful incident to a more tragic conclusion. The outbreak was not that of a stupid, stolid, ignorant peasantry in arms against hay stacks and threshing machines, but of free-spirited, intelligent, people, goaded to resistance by intolerable wrong, and guided—at all events during a portion of the period—by men of education and character among themselves, aided by a provincial press created and sustained for the most part by men also from among their own ranks. When commissioners, magistrates, and troopers, had got used to treating the diggers as people to be taxed and harried at pleasure, the offensive method of carrying out the obnoxious license law had grown so irksome that a reform of the whole system was irresistibly pressed upon the population. A Reform League was formed for the redress of grievances, and all the gold-fields supported the organisation. Towards the middle of 1854, Mr. Latrobe's successor, Sir Charles Hotham, and Lady Hotham, visited Ballarat, and, in spite of the existing grievances, they were loyally received.

The tide of irritation and discontent rose higher and higher, and the more excited of the population began to collect arms, to form leagues of their different nationalities, and to discuss the probabilities of open insurrection and a declaration of revolt from British rule. At length, in the latter half of the year 1854, a digger named James Scobie was killed in a scruffle at the Eureka hotel, on Specimen Hill (now Eureka street), kept by one Bentley, who was considered by the diggers to be a participator in Scobie's murder. The house was one of very bad fame, and Bentley was arrested and brought before a bench presided over by Mr. Dewes, the police magistrate, who acquitted him. There were a few thoughtful men sitting in the court at the time, who saw the gravity of what they felt to be a glaring miscarriage of justice. One of them—Mr. J. Russell Thomson—narrowly escaped committal for daring to urge that Bentley's was a case which should be sent to a jury. This acquittal aroused the population more than any single official act since the gold discovery, for the general belief was that Bentley was guilty, and that the police magistrate corruptly urged the acquittal because he was under pecuniary obligations to the prisoner. This opinion as to Dewes' embarrassments with Bentley is still held. Dewes fell before the popular storm, went to British Columbia, where he justified Victorian condemnation by committing embezzlement, and he ended his life by suicide in Paris. The exasperation caused by Bentley's acquittal gave a vigorous impetus to the agitations for reform. At an indignation meeting held on, or close to, the spot where Scobie was killed, Messrs. J. R. Thomson, T. D. Wanliss, Peter Lalor, J. W. Gray, W. Corkhill, Alex. M'P. Grant, and Archibald Carmichael were appointed a committee to take steps for the collection of money to defray the cost of a further prosecution of Bentley, and so warmly did the public respond that £200 were gathered in a very short time in Ballarat alone, when the collections were stopped, as the Government, in the meantime, moved in the business and offered rewards for the apprehension of Scobie's murderers. The collector of the moneys, Mr. John W. Gray, returned the subscriptions, after payment of some charges, and thus that expression of indignation at wrong done was ended. The other gold-fields ardently joined in the feeling prevalent here. In Ballarat meetings were held on Sundays as well as on other days, and on Saturday, 11th November, 1854, thousands of men gathered, and flags and bands of music lent ominous life to the assemblage. The leaders were in favor of moral force and a purely constitutional agitation; but there were more fiery spirits than they. One of these—a compatriot of Scobie—on another occasion harangued the crowd, and said the spirit of the murdered Scobie was hovering over them and yearning for revenge. The occasion referred to was a meeting held near Bentley's hotel on the 17th of October, when the arrival of the police and military, and some injudicious acts by a few bystanders, led to a collision with the police, the reading of the Riot Act, and the burning of the hotel. Some of the diggers were arrested, and one was rescued on the way to the Camp. Milne, Sergeant-Major of police, a man held in general execration as an unprincipled informer, was regarded as the right hand of the officials in that business.

With the now well ascertained opinions of Sir Charles Hotham on subordination, it may be readily imagined that he was furious at this open revolt against the law and fully bent on avenging the outrage. He had plenty of willing

GOLD

LICENSE.



No.

206

8 October 1853.

George Wiggan

The Bearer

having paid the Sum of Two Pounds Ten Shillings, on account of the General Revenue of the Colony, I hereby License him to mine or dig for Gold, or exercise and carry on any other trade or calling on such Crown Lands within the Colony of Victoria as shall be assigned to him for those purposes by any one duly authorised in that behalf.

This License to be in force until and during the month of
and no longer.

30th November
J. J. Hood.

Commissioner.

REGULATIONS TO BE OBSERVED BY THE PERSON DIGGING FOR GOLD OR OTHERWISE EMPLOYED AT
THE GOLD FIELDS.

1. This License is to be carried on the person, to be produced whenever demanded by any Commissioner, Peace Officer, or other duly authorised person, and is not transferable.
2. No mining will be permitted where it would be destructive of any line of road which it is necessary to maintain, and which shall be determined by any Commissioner, nor within such distance around any store as it may be necessary to reserve for access to it.
3. It is enjoined that all persons on the Gold Fields maintain a due and proper observance of Sundays.
4. The extent of claim allowed to each Licensed Miner is twelve feet square, or 144 square feet.
5. To a party consisting of two Miners, twelve feet by twenty-four, or 288 square feet.
6. To a party consisting of three Miners, eighteen feet by twenty-four, or 432 square feet.
7. To a party consisting of four Miners, twenty-four feet by twenty-four, or 576 square feet: beyond which no greater area will be allowed.

tools ready to his hands, men who, to use the words of one of his class, "would swear a hole through an iron pot" to oblige a friend. They at last picked out three scape-goats. One was M'Intyre, now in comfortable circumstances in Glasgow, who had used his best endeavours to restrain the crowd at Bentley's from overt acts. Another was Fletcher, a printer, whose office was on the Main road, not far on the Eastern Market side of Twentyman and Stamper's. Fletcher, from all that can be learned, was not off the Main road the day of the fire, and certainly was not farther than the Priace Albert hotel in that direction. Westerby, the third man, has been asserted to be equally innocent with Fletcher in the transaction.

A meeting on Bakery Hill had adopted resolutions demanding the release of the prisoners, the dismissal of Milne, and affirming the right of the people to full representation, manhood suffrage, no property qualification of members, payment of members, short Parliaments, abolition of the gold-fields commission and the diggers' and storekeepers' license fees. Messrs. Hayes Humffray, Holyoake, Black, Vern, Burke, Kennedy, and others were the speakers, and Hayes was in the chair. There has been a commission of enquiry into the Bentley hotel affair. The commissioners were Captain Sturt, Dr. M'Crea, and the magistrate Dewes, and they had closed their sittings on the day before the Bakery Hill meeting. That commission was looked on with mistrust by the diggers because of Dewes, whom, moreover, the Colonial Secretary, Mr. Foster, had dismissed, or suspended, as a sop to the enraged population.

The commissioners went to Melbourne with their report. In December the trial of Westerby, M'Intyre, and Fletcher, the prisoners arrested for the burning of Bentley's hotel, was to take place in Melbourne, to which place the *venue* had been changed. Mr. Humffray prepared the briefs for their advocate. Bentley had also, in the interim, been re-arrested for the murder of Scobie, and had, with some associates in the affray that ended in Scobie's death, been convicted. They were sentenced to three years on the roads.

As soon as the conviction of Fletcher, M'Intyre, and Westerby was known in Ballarat, the Reform League sent Messrs. Kennedy and George Black to Melbourne to "demand" the release of the prisoners. Black was then editor of the *Digger's Advocate*, and wrote vigorously for the popular cause. Kennedy was a man of rough, but moving eloquence. It was he who, at the meeting that ended in the burning of Bentley's hotel, declared that the murdered man's ghost was there yearning for revenge. They reached Melbourne on the 25th November, Humffray, the secretary of the League, having on the 23rd, been introduced by Mr. Fawcner, M.L.C., to the Governor, who had intimated that if a proper memorial were sent to the Government, the prisoners might be released. The League secretary disapproved of the intemperate "demand" brought down by the delegates. The Sunday was at hand and the secretary and the delegates, and Mr. Ebenezer Syme, then of the *Arcus*, spent part of the day discussing the position. Meanwhile, rumors of an arrest of the delegates got current, the diggers at Ballarat resolved on a monster meeting, and the camp officials sent despatches for more troops. On Monday, the 27th November, the delegates and Humffray waited on Sir Charles Hotham, to present the remonstrant petition. His Excellency was attended by the Attorney-General,

Mr. Stawell, and the Colonial Secretary, Mr. Foster. The "demand" was refused, but reforms were promised, and were said to be already begun. It is worthy of record that in the course of the interview the delegates spoke of the mode of alienating the Crown lands as being inimical to the interests of the poor man. Thus early had begun our not yet ended troubles in land administration. The excitement in Ballarat now grew intenser, and the towns on the sea-board were alarmed with rumors of insurrection. On the eve of the 28th, Mr. Tarleton, the American consul, was feted at a banquet in Ballarat, and while the dinner was going on soldiers were arriving from Melbourne, and a collision had taken place between the soldiers, troopers, and diggers. All that night the diggers were busy preparing arms and ammunition, the committee of the League sat night and day, the Camp bristled with sentries, and an eventful morrow was looked for.

Reinforcements of horse and foot police were concentrated about this time at the Camp from the neighbouring diggings, together with detachments of the 12th and 40th Regiments of the Line. On the 28th November the police were pelted, and the military, entering from Melbourne by the Eureka, were attacked by the diggers. The party in charge of the baggage was for a time cut off, and some of the waggons were overturned and rifled by the diggers in hope of finding fire-arms. In this, however, they were disappointed. Several soldiers were wounded and a drummer boy was shot in the thigh. The diggers followed the troops to the vicinity of the Camp, when the mounted police made a sortie, wounded several men, and drove back the crowd, the troops entering quarters in a panic-stricken and exhausted state at 11 o'clock at night.

On 29th November some 12,000 men, it is said, were present at the meeting on Bakery Hill. A platform was erected, and on a flagstaff was hung the insurgent flag—the Southern Cross. The flag had a blue ground, on which, in silver, the four principal stars of the constellation of the Southern Cross were shown. The following resolutions were adopted unanimously :—

Proposed by Mr. Reynolds, seconded by Mr. Weekes—1. "That this meeting views with the hottest indignation the daring calumny of His Honor the Acting Chief Justice, while on the bench, of the brave and struggling sufferers of Clare, Tipperary, Bristol, and other districts, on their endeavours to assert their legitimate rights ; and do hereby give the most unmitigated and the most emphatic denial to the assertions of His Honor in stigmatising as riots the persevering and indomitable struggles for freedom of the brave people of England and Ireland for the last eighty years."

Proposed by Mr. Lalor, seconded by Mr. Brady—2. "That a meeting of the members of the Reform League be called at the Adelphi Theatre next Sunday, at 2 p.m., to elect a central committee, and that each fifty members of the League have power to elect one member for the central committee."

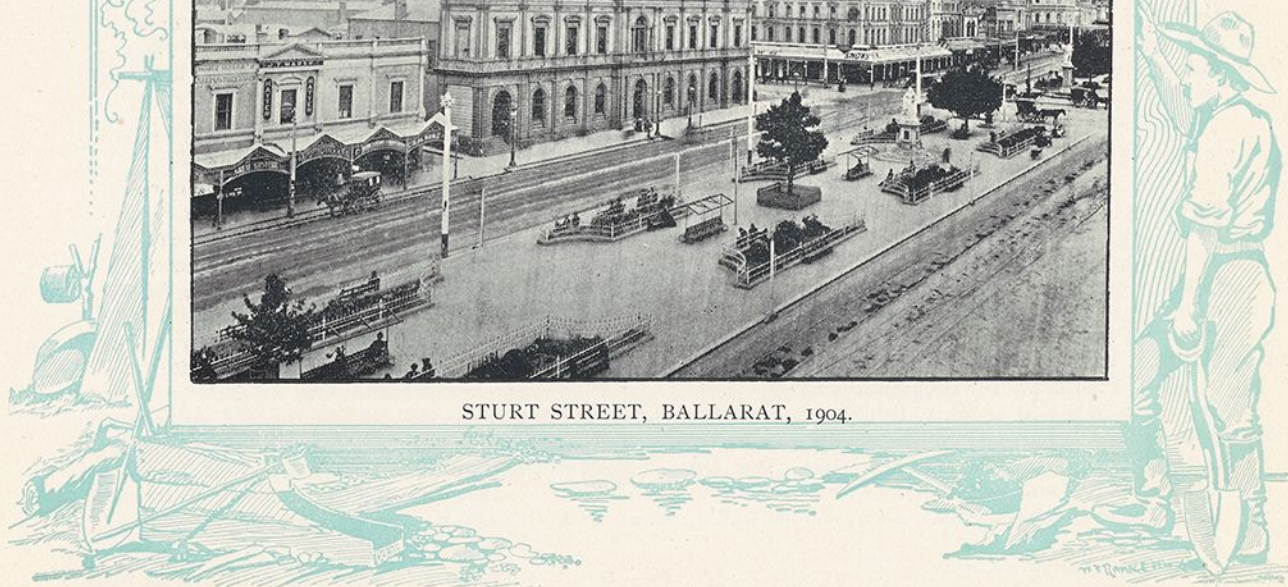
Proposed by Mr. Frederick Vern, seconded by Mr. Quinn—3. "That this meeting, being convinced that the obnoxious license-fee is an imposition and an unjustifiable tax on free labor, pledges itself to take immediate steps to



TOWNSHIP OF BALLARAT, SHOWING PART OF THE CAMP AND THE "LOGS," 1855.



STURT STREET, BALLARAT, 1904.



abolish the same, by at once burning all their licenses. That in the event of any party being arrested for having no licenses, the united people will, under all circumstances, defend and protect them."

Proposed by Mr. G. Black, seconded by Mr. Whatley—4. "That as the diggers have determined to pay no more licenses, it is necessary for them to be prepared for the contingency ; as it would be utterly inconsistent, after refusing to pay a license, to call in a Commissioner for the adjustment of such disputes, and this meeting resolves whenever any party or parties have a dispute, the parties so disputing shall each appoint one man. The two men thus appointed to call in a third, and these three to decide the case finally."

Proposed by Mr. Murnane, seconded by Mr. Ross—5. "That this meeting will not feel bound to protect any man after the 15th December who shall not be a member of the League by that day."

Proposed by Mr. Humfray, seconded by Mr. Kennedy—6. "That this meeting protests against the common practice of bodies of military marching into a peaceable district with fixed bayonets, and also any force, police or otherwise, firing on the people, under any circumstances, without the previous reading of the Riot Act, and that if Government officials continue to act thus unconstitutionally, we cannot be responsible for similar or worse deeds from the people."

Bonfires were made of licenses, guns and revolvers were discharged, and League tickets of membership were issued to the crowd. Troops were under arms in the gully beneath the Camp all the time in readiness for an outbreak.

With incredible want of prudence the authorities chose the juncture, marked by the meeting of the 29th November, for a more irritating display than usual of the so-long condemned practice of "digger hunting." On the 30th November the last raid of this kind in Victoria occurred, under the direction of Commissioners Rede and Johnston, and the authorities by that act destroyed the remaining influence of the friends of moral force action among the diggers. The police, supported by the whole military force available, with skirmishers in advance and cavalry on the flanks, formed on the flat south of the Camp and advanced upon the Gravel Pits, as the Bakery Hill diggings were called. This cleared the swarming crowd of diggers collected there, the diggers retiring as the troops advanced. At certain parts of the Main road, however, the diggers made a stand, and received the troops with a running fire of stones and occasional gun-shots. The troops took some prisoners and returned to Camp, and soon after that the Southern Cross flag was again hoisted on Bakery Hill; the diggers knelt around the flag, swore mutual defence, implored the help of God, and then began to drill. New leaders came to the front, as the advocates of moral force were discomfited by the authorities and the more turbulent insurgents. Peter Lalor, a native of Queen's County, Ireland, a son of the one time member of the House of Commons for the same county, was chosen "commander-in-chief" of the insurgents, and issued warrants and manifestos. A fiery-spirited Italian, named Carboni Raffaello, was another who then acquired prominence.

A mass meeting was held on Bakery Hill, where Lalor, gun in hand, mounted the stump and swore in his followers. The method of swearing-in was by uplifting the right hand, and was very impressive as taken by the

hundreds who encircled their leader. Immediately after the swearing-in the names were taken down, and the men formed into squads for drill.

As soon as the news of these doings reached Melbourne, the Government sent up all the remaining available troops, with men-of-war-men, horse and foot police, four field-pieces, and a number of baggage and ammunition waggons. Lieut.-Colonel Valiant, and subsequently Sir Robert Nickle, Commander-in-Chief of the Forces, and Colonel Macarthur, Deputy Adjutant-General, proceeded to Ballarat in command of the troops. The diggers who drilled under *their* commander-in-chief, meant, many of them at least, nothing less than revolution and a republic. Lalor had a "minister of war," named Alfred Black, who, or his brother, had drawn up a Declaration of Independence. This was drawn up in a store kept by one Shannahan; Black, Vern, M'Gill, Raffaello, Curtin, Lessmann (a German), Kenworthy (an American medical man), and others being present. Black was subsequently killed while working as a quartz miner. Lalor having been, to Vern's disgust, elected Commander-in-Chief, "orders of war" were issued by him for arms, ammunition, and impressment, and he sent out piquets to enforce them, and prevent their being made a cover for robbery. It appears, however, that ammunition was not abundant in the Stockade, the foraging parties of the insurgents to the contrary notwithstanding. A pistol was picked up in the Stockade loaded with powder and quartz pebbles, in lieu of ball or smaller shot, showing, as may be assumed, that the diggers were not rich in the usual materials of destruction.

The Eureka stockade was at first intended more as a screen behind which the diggers might drill than as a fortification. It was an area of about an acre, rudely enclosed with slabs, and situated at the point where the Eureka Lead took its bend by the old Melbourne road, now called Eureka street. The Stockade included some of those holes, as well as some diggers' tents, where the staff and other officers and men of the insurgent force had their quarters. Pikes were forged in the Stockade, and arms and ammunition had been largely collected. Several companies of riflemen and pikemen were formed, and a military insurgency established. The mass of the diggers did not support this armed resistance, but friends, and, it is said, enemies also, dropped into the Stockade at all hours of the day and night of Saturday the 2nd of December. Friendly butchers brought cart-loads of beef to the rendezvous, and Lalor's men lay about the fires cooking, burnishing arms, or engaged in other warlike business. Lalor, it is said, gave "Vinegar Hill" as the night's pass-word, but neither he nor his adherents expected that the fatal action of Sunday was coming, and some of his followers, incited by the sinister omen of the pass-word, abandoned that night what they saw was a badly organised and not very hopeful movement.

As has been seen, the attack by the authorities was unexpected, and thus both men of war and men of peace were found within the Stockade, while insurgents were absent who would otherwise have been present. There were over a hundred armed men in the Stockade, including Lalor, the chief, and a company of pikemen, and a company of musketeers, under Ross, Vern, Lynch, and Esmond.

V.



R.

PROCLAMATION

By His Excellency SIR CHARLES HOTHAM, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Colony of Victoria, &c., &c., &c.

WHEREAS by a Proclamation bearing date the fourth day of December, in the year of our Lord, One thousand eight hundred and fifty four, Martial Law was proclaimed to be in force from and after the hour of *Twelve o'clock at Noon on Wednesday, the sixth day of December, (One thousand eight hundred and fifty-four,* within the following limits, that is to say: Commencing at the junction of the Yarrowee River and Williamson's Creek, thence by a straight line to the junction of the Lal Lal Rivulet with the Moorabool River; thence by that river to its source in the great Dividing Range; thence by that range to the boundry of the county of Ripon, and by that boundry south-westerly to the township of Carngham, at Bailie's Creek; thence by a line south-easterly to the junction of the River Yarrowee with Williamson's Creek aforesaid; Now therefore, I, SIR CHARLES HOTHAM, the Lieutenant Governor aforesaid *do hereby proclaim and declare that no arms, ammunition, munitions of war, food, or supplies, shall from and after the said last mentioned day be brought, without my consent, within the limits aforesaid;* And I do hereby notify the same to all subjects of HER MAJESTY in the Colony of Victoria.

Given under my Hand and the Seal of the Colony, at Melbourne, this fourth day of December, in the year of Our Lord One thousand eight hundred and fifty-four, and in the eighteenth year of Her Majesty's Reign.

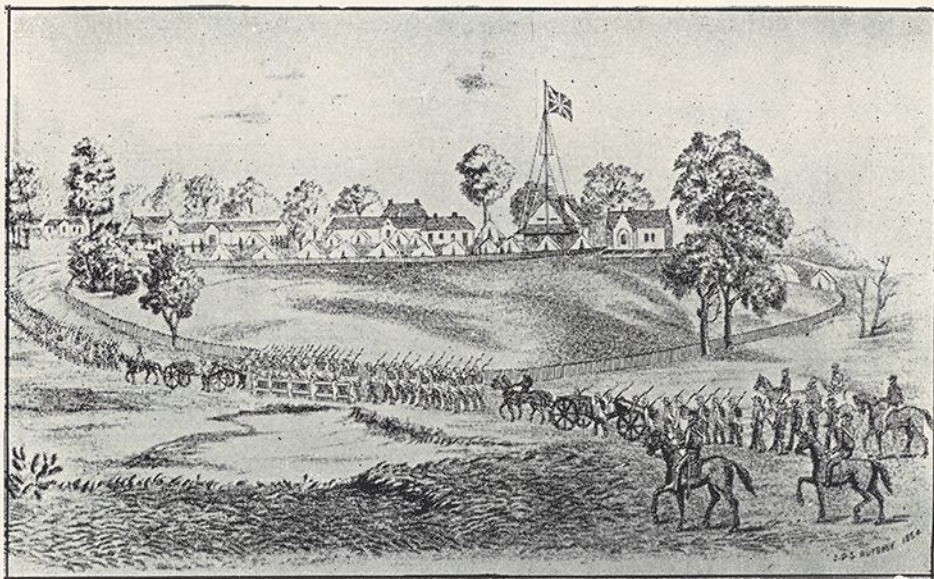
(L.S.)

CHAS. HOTHAM.

By His Excellency's Command,

JOHN FOSTER.

GOD SAVE THE QUEEN!



GOVERNMENT CAMP, BALLARAT, 1854. TROOPS ARRIVING FROM MELBOURNE.





NOTICE!

GOVERNMENT CAMP, BALLARAT, DEC. 3RD, 1854.

Her Majesty's Forces were this Morning fired upon by a large body of evil-disposed persons of various nations, who had entrenched themselves in a Stockade on the Eureka, and some Officers and Men were killed or wounded.

Several of the rioters have paid the penalty of their crime, and a large number are in Custody.

All well-disposed persons are earnestly requested to *return to their ordinary occupations* and to *abstain from assembling in large groups*, and every protection will be afforded to them by the Authorities.

Robt. Rede,

RESIDENT COMMISSIONER.

GOD SAVE THE QUEEN!!!

PRINTED AT THE "TIMES" OFFICE, BAKERY HILL, BALLARAT.

V.



R.

Colonial Secretary's Office,
Melbourne, 18th December, 1854.

£400 REWARD.

Whereas Two Persons of the Names of

Lawlor & Black, LATE OF BALLAARAT,

Did on or about the 13th day of November last, at that place, use certain

TREASONABLE AND SEDITIOUS LANGUAGE

And incite Men to take up Arms; with a view to make war against Our
Sovereign Lady the QUEEN :

NOTICE IS HEREBY GIVEN

That a Reward of £200 will be paid to any person or persons giving such information as
may lead to the Apprehension of either of the abovenamed parties.

DESCRIPTION.

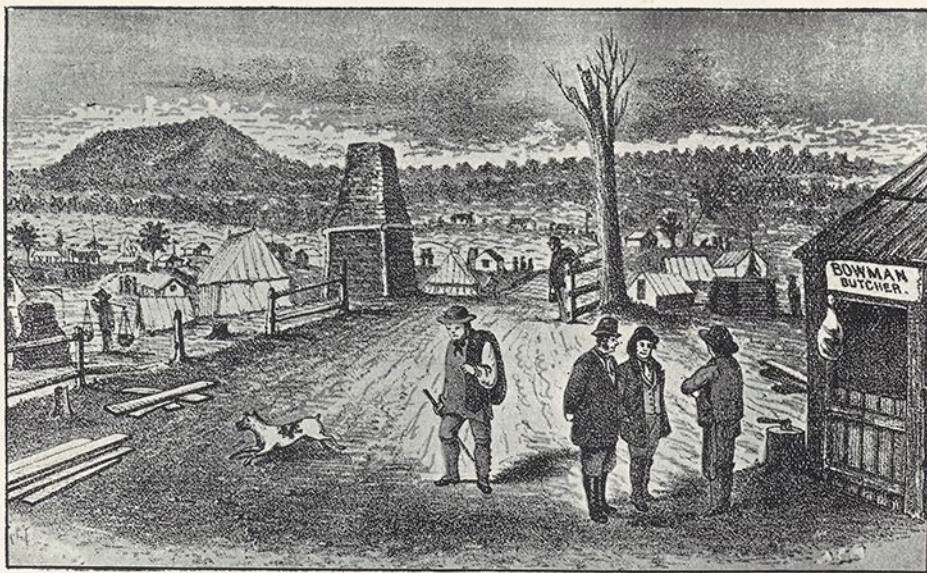
LAWLOR. — Height 5 ft. 11 in., age 35, hair dark brown, whiskers dark brown and shaved under the chin, no moustache, long face, rather good looking, and is a well-made man.

BLACK. — Height over 6 ft., straight figure, slight build, bright red hair worn in general rather long and brushed backwards, red and large whiskers, meeting under the chin, blue eyes, large thin nose, ruddy complexion, and rather small mouth.

By His Excellency's Command,

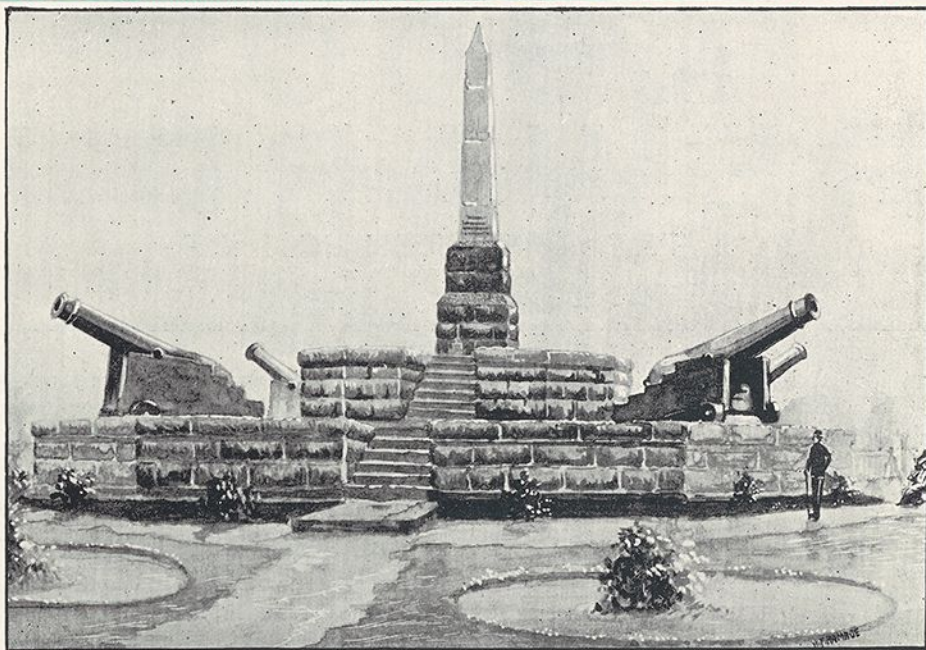
WILLIAM C. HAINES.

BY AUTHORITY, JOHN FERRES, GOVERNMENT PRINTER MELBOURNE.



SITE OF THE "EUREKA STOCKADE" SHORTLY AFTER THE FIGHT,
3rd DECEMBER, 1854.





THIS MONUMENT IS ERECTED ON THE SITE OF THE EUREKA STOCKADE.

V.



R.

£ 5 0 0
REWARD.

FOR THE APPREHENSION OF
Frederick Vern

WHEREAS

A Man known by the name of VERN, has unlawfully, rebelliously, and traitorously levied and arrayed Armed Men at Ballarat, in the Colony of Victoria, with the view of making war against Our Sovereign Lady the QUEEN :

NOTICE IS HEREBY GIVEN

That whosoever will give such information as may lead to the Apprehension of the said VERN, shall receive

A REWARD OF £500

being the Reward offered by SIR ROBERT NICKLE.

By His Excellency's Command,

JOHN FOSTER.

DESCRIPTION OF VERN.

Tall, about 5 feet 10½ inches, long light hair falling heavily on the side of his head, little whiskers, a large flat face, eyes light grey or green and very wide asunder. Speaks with a strong foreign accent A Hanoverian by birth, about 26 years of age.

BY AUTHORITY, JOHN FERRES, GOVERNMENT PRINTER, MELBOURNE.

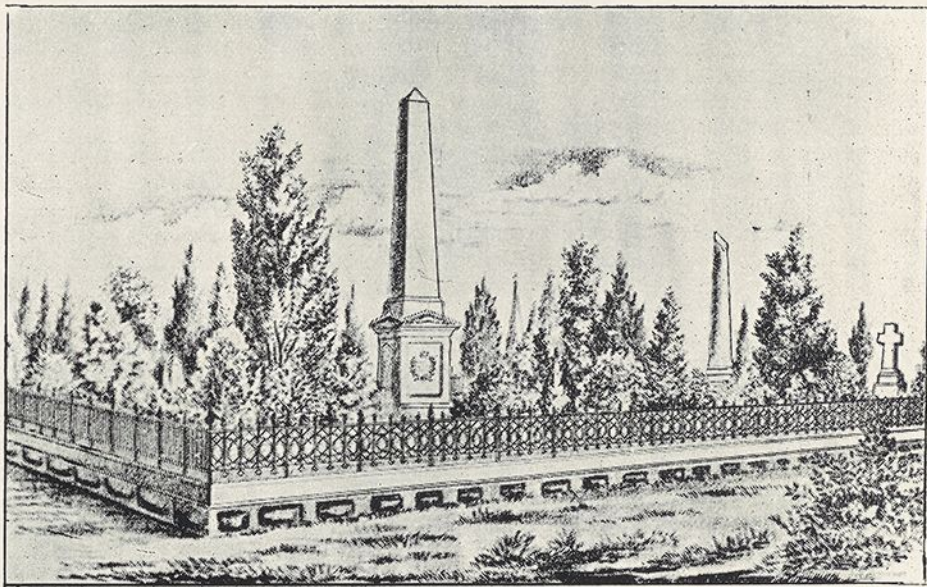
Here is Raffaello's description of the attack on the Stockade :—

Remember this Sabbath Day (3rd December) to Keep it Holy.—I awoke. Sunday morning. It was full dawn, not daylight. A discharge of musketry—then a round from the bugle—the command “forward”—and another discharge of musketry was sharply kept on by the red-coats (some 300 strong) advancing on the gully west of the Stockade, for a couple of minutes. The shots whizzed by my tent. I jumped out off the stretcher and rushed to my chimney facing the Stockade. The forces within could not muster above 150 diggers. The shepherd's holes inside the lower part of the Stockade had been turned into rifle-pits, and were now occupied by Californians of the I.C. Rangers' Brigade, some twenty or thirty in all, who had kept watch at the “outposts” during the night. Ross and his division northward, Thonen and his division southward, and both in front of the gully, under cover of the slabs, answered with such a smart fire, that the military who were now fully within range, did unmistakably appear to me to swerve from their ground; anyhow the command “forward” from Sergeant Harris was put a stop to. Here a lad was really courageous with his bugle. He took up boldly his stand to the left of the gully and in front: the red-coats “fell in” in their ranks to the right of this lad. The wounded on the ground behind must have numbered a dozen. Another scene was going on east of the Stockade. Vern floundered across the Stockade eastward, and I lost sight of him. Curtain whilst making coolly for the holes, appeared to me to give directions to shoot at Vern; but a rush was instantly made in the same direction (Vern's) and a whole pack cut for Warrenheip. There was, however, a brave American officer, who had the command of the rifle-pit men; he fought like a tiger; was shot in the thigh at the very onset, and yet, though hopping all the while, stuck to Captain Ross like a man. Should this notice be the means to ascertain his name, it should be written down in the margin at once. The dragoons from south, the troopers from north, were trotting in full speed towards the Stockade. Peter Lalor was now on the top of the first logged-up hole within the Stockade, and by his decided gestures pointed to the men to retire among the holes. He was shot down in his left shoulder at this identical moment; it was a chance shot, I recollect it well. A full discharge of musketry from the military now mowed down all who had their heads above the barricades. Ross was shot in the groin. Another shot struck Thonen exactly in the mouth, and felled him on the spot. Those who suffered the most were the score of pikemen, who stood their ground from the time the whole division had been posted at the top, facing the Melbourne road from Ballarat, in double file under the slabs, to stick the cavalry with their pikes. The old command, “Charge!” was distinctly heard, and the red-coats rushed with fixed bayonets to storm the Stockade. A few cuts, kicks, and pulling down, and the job was done too quickly for their wonted ardor, for they actually thrust their bayonets on the body of the dead and wounded strewn about on the ground. A wild “hurrah!” burst out, and the “Southern Cross” was torn down, I should say, among their laughter, such as if it had been a prize from a May-pole. Of the armed diggers, some made off the best way they could, others surrendered themselves prisoners and were collected in groups and marched down the gully. The mounted 40th, sword in hand, rifle-pistols cocked, took charge of them all, and brought them in chains to the lock-up. The red-coats were now ordered to “fall in;” their bloody work was over, and were marched off, dragging with them the

"Southern Cross." Their dead, as far as I did see, were four, and a dozen wounded, including Captain Wise, the identical one, I think whom I speak of in relating the events of Tuesday evening, November 28. Dead and wounded had been fetched up in carts, waiting on the road, and all red-things hastened to Ballarat. I hastened, and what a horrible sight! Old acquaintances crippled with shots, the gore protruding from the bayonet wounds, their clothes and flesh burning all the while. Poor Thonen had his mouth literally choked with bullets; my neighbor and mate Teddy More, stretched on the ground, both his thighs shot, asked me for a drop of water. Peter Lalor, who had been concealed under a heap of slabs, was in the agony of death, a stream of blood from under the slabs heavily forcing its way down hill.

The authorities were under the impression that Vern was the insurgent leader, and as Vern, and Lalor, and Black, the "minister of war," escaped the grip of the assaulting force, rewards were offered for their apprehension. For Vern, as the presumed chief, £500 were offered, and for Lalor and Black £200 each. None of them were ever arrested. Black was not present at the affair of the 3rd. Lalor had been severely wounded, and was supposed at first to be dead. He was covered up by a pikeman with slabs, till the soldiers retreated with their prisoners, when he left his hiding place, weary and faint with pain and loss of blood. Having made good his escape, he was, after divers troubles, secreted at a friendly hut on the ranges, where friends ministered to his necessities. On the night of the 4th he was conveyed to Father Smyth's house, where his arm was amputated by Dr. Doyle. For several years afterwards Lalor was elected Speaker of the Legislative Assembly of Victoria.

All the tents within the enclosure were burnt down and the district was placed under martial law. Upon 1st April, 1855, the Eureka prisoners were arraigned on a charge of high treason in the Supreme Court at Melbourne, but the three leading actors in the insurrection, Messrs. Lalor, Vern and Black, succeeded in evading the vigilance of the police. Public sympathy was so powerfully enlisted on behalf of the insurgents, owing to the character of the provocation they had received to take up arms in resistance of the maladministration of the law, that no jury could be found to convict the men who had been placed upon their trial. Their defence was gratuitously undertaken by several of the leading barristers, and their acquittal was hailed with general satisfaction. It was followed by an amnesty, and by the judicious removal of the causes which had led to the outbreak. A commission of enquiry declared that the diggers had been goaded to insurrection by bad laws, badly enforced, and recommended the introduction of Constitutional Government, with a broad franchise as the basis of its representative system. Between the last hours of the year 1855 and the first of the year 1856, Sir Charles Hotham succumbed to an attack of dysentery, brought on or aggravated by mental worry, and the administration of the Government devolved on Major-General Macarthur. A few weeks before this event, namely, on the 23rd of November, 1855, a new constitution prepared by the Legislative Council of Victoria, and sanctioned by the Imperial Parliament, was proclaimed. It established responsible Government and created two chambers, both of them elective. The first cabinet, with Mr. Haines as its chief, took office, and at the



GRAVES OF THE SOLDIERS AND DIGGERS WHO FELL AT THE
EUREKA STOCKADE, 3rd DECEMBER, 1854.

first general election, Messrs. Lalor and Humffray—the latter also one of the insurgents at the Eureka Stockade—were returned to the Assembly for the district of Ballarat.

In the Ballarat Cemetery a freestone obelisk is erected upon a pedestal, and on the east and west faces of the obelisk two marble slabs were inserted, scrolls on each face of the freestone carrying the word “Victoria,” and on the north and south sides the word “Duty” was carved beneath. Upon the marble slab facing east, as if looking towards the spot where the buried soldiers died their “duty,” and fell in doing it, is the following inscription. “In this place, with other soldiers and civilians of the military camp then in Ballarat, were buried the remains of the British soldiers, Henry Christopher Wise, captain, Michael Roney, and Joseph Wall, privates of the 40th Regt., and William Webb, Felix Boyle, and John Wall, privates of the 12th Regt., who fell dead or fatally wounded at the Eureka Stockade, in brave devotion to duty, on Sunday, the 3rd day of December, 1854, whilst attacking a band of aggrieved diggers in arms against what they regarded as tyrannous administration.” The original draft read “insurgent” instead of “aggrieved,” but the Minister in office rejected the original word as a reflection upon the diggers whose survivors’ suffrages helped to make members of Parliament, and, potentially, Ministers of the Crown. Upon the same marble slab, beneath the inscription just quoted, and from the same pen, are the following memorial words:—“Not far west from this spot lie the remains of some of the diggers who fell in the courageous but misdirected endeavor to secure the freedom which soon after came in the form of manhood suffrage and constitutional government.” Upon the slab facing west are the following words:—“This monument and the enclosing fence were erected ANNO DOMINI MDCCCLXXIX. by the Government of Victoria at the request of the citizens of Ballarat.

The diggers’ monument is a grey sandstone obelisk, surmounted by a draped urn, and resting on a bluestone base. The west face bears the following inscription:—“Sacred to the memory of those who fell on the memorable 3rd of December, 1854, in resisting the unconstitutional proceedings of the Victorian Government. This monument was presented by James Leggatt, Geelong, to the people of Ballarat, and by them erected on the 22nd March, 1856.” The other three faces have the following inscriptions:—“John Haynes, Co. Clare, Ireland; Patrick Gittings, Co. Kilkenny, Ireland; Thos. Mullin, Co. Kilkenny, Ireland; Samuel Green, England; John Robertson, Scotland; Edward Thonen, Elbertfeldt, Prussia; John Dimand, Co. Clare, Ireland; Thos. O’Neill, Co. Kilkenny, Ireland; John Donaghey, Co. Donegal, Ireland; William Clifton, aged 30, native of Bristol; Ed. Quinn, Co. Cavan, Ireland; Wm. Quinlan, Goulbourn, N.S. Wales; Wm. Emmerman, Hanover; Lt. Ross, Canada; Thaddeus Moore, Co. Clare, Ireland; James Brown, Newry, Ireland; Robert Jullien, Nova Scotia; — Crowe, Scotland; — Fenton, England; Edward McGlynn, Ireland.” Between the two monuments, but close on the west side of the soldiers’ memorial, is a plain truncated column of bluestone on a bluestone pedestal, enclosed by a chain fixed to four low bluestone posts. The pedestal has inserted on the east side a marble slab with this inscription:—“In memory of James Scobie, who met with a premature death on ‘Eureka,’ October 7th, 1854. Erected by his brother George.”

