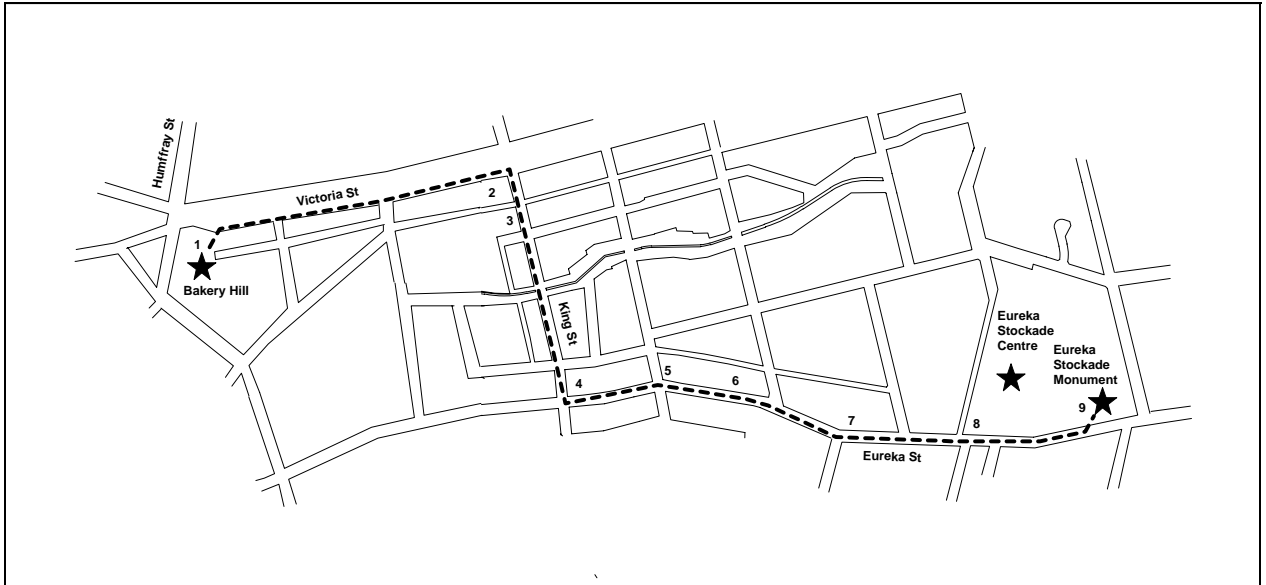


# Professor John Molony's Commentary on the Diggers March to the Eureka Stockade

## Route of the Diggers' March



### Points of Interest

- |                           |                                  |                            |
|---------------------------|----------------------------------|----------------------------|
| 1 Bakery Hill             | 4 Carboni's vantage point        | 7 Site of attack on troops |
| 2 Site of Catholic chapel | 5 Bentley's Eureka Hotel plaques | 8 Site of London Hotel     |
| 3 Site of Hayes' tent     | 6 Site of Bentley's Eureka Hotel | 9 Site of Eureka Stockade  |

### BAKERY HILL

I am delighted and honored to be among you today. I first spoke in this kind of a forum at the Stockade in 1988. So much has changed since those days when we were a small band of Eureka's children. We now have the new Stockade but, above all, there is a clearer recognition that Eureka lies at the heart of the formative spirit of our nation. Here we are all Eureka's Children, here we are all at home because Bakery Hill remains our place where we assemble to restate and renew our ideals. From here we will go together to the other place that forever belongs to the diggers and the nation the Stockade. There, as here, we set aside all divisions of race, politics, social status and religion. Eureka's unique allegiance, its unflawed and lasting allegiance, is to Australian democracy.

During October and November 1854, the diggers of Ballarat, and many of their

women, stood on Bakery Hill in their thousands at a series of four 'Monster Meetings'. Today, in our imagination, we can still look across the valley of the Yarrowee and see the Government Camp on the other side. In late 1854 the Camp stood out clearly to the diggers. The Camp, where the military and police were sworn to uphold good laws and a just order, was in fact a den of oppression, injustice and corruption. From the Camp, government spies were sent to Bakery Hill to hear and report on the words and intentions of the diggers at their meetings. Twice weekly the Commandant unleashed his hunters to harass the diggers by demanding they produce their licences to dig for gold. Within the Camp plans were made to smother the democratic agitation of the diggers at one blow. On Sunday morning, 3 December 1854, the forces of Queen Victoria came forth from the Camp to begin the work of crushing the bodies of the diggers, and of many others innocent of any involvement in the whole affair.

We do well to pause and think upon the reasons why the diggers came here to what they called their 'old spot' and why they left it for the Stockade. No high flown words, no tortured argument about law and order can ever excuse oppression, injustice and corruption, then or now. For months the diggers were dealt injustice and oppression. In the end they had no alternative if they were to retain a vestige of their human dignity. They had to make a stand.

When the diggers asserted their equal right to have a part in the political and social fabric of the colony of Victoria, they laid down the foundation stone of Australian democracy. Furthermore, on 11 November 1854 at this place, they publicly and solemnly expressed their allegiance to the fundamental principle of republicanism. The Charter of Bakery Hill, read out and consented to by the affirmation of the thousands here present on that 11 November, stated, 'the people are the only legitimate source of all political power'.

Henry Seekamp, editor of the Ballarat Times spoke truthfully in those far off days. Seekamp claimed that here on Bakery Hill the seed of Australian independence was sown. We must not grieve that the Tree of Liberty has not yet yielded up its fruit. We must work to create our independence in the certain knowledge that no structure of the powerful has ever, or will ever, freely grant independence to a sovereign people.

At Bakery Hill, on the morning of 30 November 1854, the decision was made to remove to the Eureka lead. There they knew they would be free to stand with each other on a place they felt was their own. Eureka was chosen, almost by instinct, as the ground on which the diggers would defend their rights and liberties. Shortly, when we go there, we will understand the diggers because it is also our place our ground - because the diggers took their stand there as defenders of the human rights which every Australian treasures.

At sunset on that same fateful day, some 500 diggers came back here where they raised the Southern Cross. Unfurled in its simple beauty, the Southern Cross was the symbol of Australian independence. For the first time in Australian history, men who were mostly British subjects swore an oath beneath a flag that was not British, but thoroughly Australian.

It is a privilege for us to repeat their words today, but we must be conscious that we are not engaged in an empty gesture. We do a sacred thing when we swear that we will stand together 'to defend our rights and liberties'. The diggers stood true to their oath, history will judge us if we fail it.

## **CATHOLIC CHURCH AND HAYES' TENT SITE**

The most tightly knit national group on Ballarat in 1854 was that of the Irish Catholics whose young, learned and devout priest, Father Patrick Smyth, was much esteemed. He lived on this site in a recently built, modest house next to his chapel, a frail wooden structure with a canvass roof which could not hold the numbers who came to Mass. Smyth's predecessor had opened a school on this site in April 1853. It was the first school in Ballarat.

On 18 October 1854, the priest's crippled, Armenian manservant was arrested for the non-possession of a miner's licence. The arrest was a violation of the law because, as the servant of a minister of religion, he was not obliged to take out a licence. The charge was changed and the Armenian was fined five pounds, paid by Father Smyth, for assaulting the arresting constable. A respectable witness swore that, in truth, the constable had assaulted the cripple and allowed his horse to trample on him. The Catholics, represented by one of their leaders, Timothy Hayes, submitted a petition to the Governor which pleaded for the redress of the wrong done to their priest, his servant and to their community.

The Camp connived in this travesty of justice and Governor Hotham, at his home in Toorak, refused to act on the petition. This event was a turning point in the relations between the authorities and the Catholics. By it, according to their bishop, the Catholics were forced 'into the ranks of the disaffected'. That simple, but stark, injustice became a decisive event in the weeks leading to Eureka.

A few weeks later all had changed and death had stalked on the Eureka. On Monday, 4 December, Father Smyth arranged that Peter Lalor be brought here secretly to his house where two doctors amputated the leader's injured arm, thus saving his life. Peter was hidden in the homes of several brave citizens of Ballarat until February 1855 when he escaped to Geelong where, restored to health, he married Alicia Dunne on 10 July at St Mary's Church.

At the time of Eureka, Timothy and Anastasia Hayes, both Irish born, lived in a

tent near here. Timothy was a reporter with the Ballarat Times and he probably wrote some of its more forthright leading articles. He was also a digger trying to support their six children, one still a babe in Anastasia's arms. Together with a few other diggers, Tim was a founder of the Ballarat Reform League. He became a member of the council for the defence of the diggers' rights which met in the Stockade.

On Saturday 2 December he probably heeded the plea of Father Smyth to the Catholics at Eureka to return to their homes and come to Mass on Sunday morning. As a result, he was not in the Stockade when the soldiers attacked at dawn but, despite his absence, Tim was rightly regarded as a leader in the whole movement. He was arrested, gaoled and tried for his life with twelve other diggers and, like them, acquitted by Melbourne juries.

Anastasia Hayes was one of the most remarkable women on Ballarat. Courageous, forthright and loyal, she supported her husband and the diggers' movement throughout the whole episode called Eureka. She helped sew the Southern Cross and was horrified at the bloody affair of Eureka Sunday. Later, she upbraided Tim for his meekness in allowing the police to arrest him, saying that she would have resisted with all her might. Convinced of their innocence, she stood by him and the others throughout their trials.

Anastasia's tragedy was that Tim lacked her great and noble spirit. Soon after Eureka, he left Ballarat to seek a fortune in America for himself and the family. Timothy Hayes never returned to them. Anastasia alone carried the weight of ensuring the upbringing of their children.

## **MELBOURNE ROAD & BENTLEYS EUREKA HOTEL**

As a sea port, Geelong was Ballarat's major link with Melbourne for several years after the first discoveries of gold in this area in 1851. For that reason the entry into Ballarat from Geelong was called Main Road, as it still is. Furthermore, to travel here from Melbourne through Geelong was considerably easier than coming through Bacchus Marsh and passing over the Pentland hills, especially on foot. Even by 1854 this road, the Melbourne Road, now Eureka Street, was little more than a bush track. In this exact locality the principal events occurred which bring us here today.

Eureka was opened as a new field in mid-1852, at the same time as Ballarat was proclaimed a town. Named after the word used by the famous Greek mathematician, Archimides, who exclaimed, 'Eureka', [I have found it.] when he solved a problem, the field proved as rich as Golden Point. Here the diggers, working in parties, began following the deep leads of the ancient creek beds. Being forced to dig down, perhaps to thirty metres, before bottoming out on a

bed, they created a stable work force and, by 1853, some diggers had even started to replace their tents with log huts. The population on Eureka included a large proportion of Irish.

It was customary for the Victorian authorities to imagine that the population of the goldfields was made up of unruly, rough and uneducated scum. In fact, the level of education among the diggers was higher than that generally pertaining in the British Isles. For the greater part the diggers were law abiding, aware of their civic responsibilities and intensely interested in the building of a well ordered and peaceful society.

Unsurprisingly, commerce quickly followed the success of Eureka and, among the first business premises was the Eureka hotel, owned by the ex-convict James Bentley and partly financed by the magistrate John D'ewes. Costing £20,000 and covering half an acre with its American bowling alley, the hotel was nonetheless a house of 'very bad fame' although its patrons included many government officials and police.

On 7 October 1854, two, young, Scottish diggers, James Scobie and Peter Martin, arrived at the hotel late at night. Both were with drink taken, but they were still thirsty. Their request for further refreshments was refused; a scuffle followed leaving Scobie dead from a head wound. Despite the widespread conviction that Bentley was responsible, he was exonerated with the complicity of Magistrate D'ewes. Public outrage in the community was immense and, on 17 October, the hotel was burnt to its stumps. With the arrests and imprisonment of three innocent diggers, the final events of Eureka had begun.

Despite the general air of good order on Ballarat, in late November Governor Charles Hotham, who was determined to crush the democratic movement here, dispatched additional troops from Melbourne. By 28 November there were 435 officers and men under arms in the Camp. On that same evening a small party of the 12th Regiment, accompanying wagons carrying ammunition and other baggage of war, foolishly taunted the diggers on Eureka by entering Ballarat on this road. A group of Gravel Pits men attacked them, overturned wagons, and inflicted injuries, including one on the regimental drummer.

The attack on the soldiers, although provoked, was cowardly but the widespread impression that the drummer boy had died from his wounds was false. It was used at the time, and until very recently, as grounds for accusing the diggers of murderous brutality. The historical record has now been set straight and the memorial to him in the Old Ballarat Cemetery removed.

Our next pause will be on the ground where so much blood was shed on 3 December 1854. Before we move there let us remember the red-headed,

outspoken and fiery Italian patriot, Raffaello Carboni. Next to his tent he had an outside fireplace with a chimney from where, awakened by the first shots of the battle, he heard the commands of the military officers and of Peter Lalor in the Stockade; saw Lalor shot and watched the dying Thonen and others as they fell.

Carboni heard the soldiers shout 'Hurrah' as the Southern Cross was torn down and witnessed the wanton slaying of many innocent bystanders after all resistance had ceased. He was acquitted when later tried among the thirteen for treason and thus escaped the death penalty. Elected to the Ballarat local court, in the following year he set down Eureka and the events that led to it in his famous work, *The Eureka Stockade*, which he sold here on the first anniversary in 1855.

The most telling words in his book are in its sub title. 'The consequence of some pirates on quarter deck wanting a rebellion.' To Carboni, Hotham and his officers were the true pirates assembled on their bridge, then called a quarter deck, at Toorak. They wanted, and crafted, a rebellion so as to be able to justify their brutal crushing of the diggers and their democratic movement with one blow. All that happened at Ballarat proved Carboni was right. He returned to Italy, became a captain under Garibaldi in Sicily in 1860 and died in Rome in 1875.

## **THE NEW STOCKADE**

Welcome, a thousand warm welcomes, to Eureka and its new Stockade. There are some few among us who are directly descended from the men and women who made this place forever blessed. The diggers, and let us always include the women who stood with them, would want me to welcome you all in their name.

The high values they fought for and for which many died -- justice, human rights, personal dignity, responsible freedom, democracy all the noble lodestars that guide our lives, belong to all of us. They belong to all the people of Ballarat who increasingly treasure Eureka and its values. They are the lasting and precious legacy left by the diggers to those of our nation to whom the word Eureka is taking on its true meaning. We also speak in hope to those millions of Australians who, in a soon to come tomorrow, will embrace those same values as they flow on to them from this place of Eureka.

There are some things we need to be clear on about Eureka. The Stockade, the name given to this place, has become a hallowed one to us. To those who gave it that name it was one of shame and derision. When the authorities in the Camp heard of the flimsy, wooden and earthen barricade the diggers had hastily thrown up around an acre of ground here, one of them called it a stockade. It was a name they had become familiar with in the old convict days of New South Wales. When the chain gangs making the roads ceased work at night they were made to

erect a similar barricade where they were confined at night. It was called a stockade, a place to contain criminals, a place of shame. To the diggers it was their place the only place on Ballarat they could call their own. The name, Eureka Stockade, must never be lost to posterity.

You are all aware that there has been much gentle, and scholarly, argument about the precise location of the Stockade. It is possible that we will never know with certainty exactly where it stood except that it was on this ground where we now stand. Blood runs freely from hot and mutilated bodies. Carboni wrote of one digger's body on which he saw fifteen gaping wounds inflicted by bayonets. Wounded diggers fled in agony and horror from the Stockade, some to die in the nearby bush. Many uninvolved bystanders were cut down mercilessly, some of them many metres away from the Stockade. Is it not enough for us to accept in our hearts today that all this ground on which we now stand is the place of Eureka?

We still ask ourselves why the diggers came to Eureka. They did not come to wage war, to plan an attack on the Camp or to overthrow constituted authority. Goaded beyond endurance by the cowardly and provocative licence hunt of Thursday when eight of their mates were arrested, the diggers came here to make it clear that they would never again be subject to the licence fee and to the manner of its enforcement. To them it was unjust on two grounds. It was a tax on their labour rather than on their produce. The digger who made nothing paid the same fee as the digger who made a fortune. It was a tax that gave them no right to stand for, vote for, or be represented in Parliament. Finally it was inhuman, brutal and degrading in its extortion. From the Stockade they sent their representatives to the Camp to beg Commissioner Robert Rede to stop the licence hunts. They were dismissed with contempt.

After that rebuff the diggers said, in effect, to Rede in the Camp and to Charles Hotham at Toorak. 'We will no longer beg fruitlessly for the redress of our grievances. Redress them now and we will lay down our arms and return to work'. Fearing that the diggers would be true to their word, Rede wrote to Hotham on Saturday afternoon to tell him that it was absolutely necessary to catch the diggers with arms in their hands. By so doing the authorities would be free to crush them and their movement in a way that would warn others who held the same democratic values.

On Sunday morning at dawn on 3 December 1854 a hundred or so diggers were asleep in the Stockade. None of them expected that the Christian forces of the Queen would attack them on the Sabbath day. No Riot Act had been read, martial law was not proclaimed and no chance to surrender was offered. The well-armed military and police, 296 in number, fell on the diggers who struggled to take up their weapons, many of which were primitive pikes. Within twenty minutes resistance had ceased, but the sadistic retribution and bloody vengeance continued, in and out of the Stockade. A few days later one observer

condemned 'the Government of Victoria' saying, 'I am horrified at what I witnessed and I did not see the worst of it. I could not breathe the blood-tainted air of the diggings, and I have left them forever'.

We have come here in peace and we will leave in peace. Although the earth has soaked up the blood and the wounds no longer lie open, our hearts still grieve for the dead and our spirits remain restless until the injustice of Eureka is repaid by the greater justice of a free and democratic people. Yet, before we leave here, let us pause for a moment to remember the dead the fifty or more diggers and innocent bystanders who fell here or who died of their wounds afterwards and the five members of the military who suffered likewise.

PAUSE

May they all rest in peace.

## **EUREKA STOCKADE MONUMENT**

The monument we see here was erected in the mid-1880s and handed over to the Town Council of Ballarat East on 27 August 1886. The 64-pounder guns were a gift from the Victorian Defence Department. They then, and afterwards, served as a stark reminder of British imperial might and of the role played by British regiments in crushing the digger movement. Today they are an anachronism, but they have not lost their purpose of reminding us of that imperial and often despotic past.

Eureka quickly sent forth its first fruits. The thirteen men who had been put on trial charged with high treason, men whom Governor Hotham would have sent to the gallows had they been found guilty, never forgot the Melbourne juries who saw justice done by acquitting them. Back on Ballarat, the day of the diggers was soon over with the introduction of machinery and company mining onto the fields. The diggers became miners working for large employers. The Gold Commissioners, with their autocratic powers, were sent packing and the licence fee gave way to a duty on gold itself. Carboni was elected a member of the local Court set up to replace the Commission. Peter Lalor and John Basoon Hummfray were elected to a responsible parliament which, after 1856, was a body with financial as well as legislative powers. Manhood suffrage, a right asked for in the Charter of Bakery Hill, had been granted.

Ballarat itself, built on gold, was transformed into a gracious city with pride in all aspects of its past, except for Eureka. Many of the worthy burghers who controlled the civic affairs of Ballarat regarded Eureka as a sordid episode, as in insult to their imperial pride. In short, to them, it was best forgotten.

Nothing, however, could stop the flight of the legend of Eureka and its potent symbol, the flag. That painful march towards a democratic Australia, first undertaken by the diggers on Thursday 30 November 1854, had taken its halting steps. When reform began in the wake of Eureka, Peter Lalor mourned that nothing had been done to rectify matters 'before this bloody tragedy took place'. He went on, 'Is it to prove to us that a British government can never bring forth a measure of reform' without baptizing it in 'a font of human blood?' With the diggers he would rejoice that others now fly their flag; that others now formulate and strive for their vision. Yet it will ever remain the truth that the diggers were the standard bearers of a legend, fleshed out through the years and on into the future whenever the name Eureka is spoken.

The diggers would also rejoice to witness all that we have done in their honour today. They would ask us to remember that Eureka was only a beginning because democracy is born day-by-day in the hearts and minds of those who believe in it. They would be joyful to see the new Stockade that proudly flies the symbol of the Southern Cross. They would remind us that the Southern Cross itself hangs forlornly today at the exact place where it was reviled and desecrated by the inhabitants of the Camp. The diggers would say to us, as I say to you, 'Work with all your might to bring the Southern Cross back home. Eureka is its home because this ground is forever hallowed by the blood spilt on it.'

Finally, it is no idle fancy to believe that the day will yet come when an Australian republic will be proclaimed here at the Stockade where the diggers died for their ideals. Eureka is today, and will be in the future, a fitting place for that act. The Southern Cross, the chaste and beautiful symbol of resistance to tyranny, will then unfurl over a united and upright nation.