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### LIBERTY!

### WELCOME TO LIBERTY! #78 November 2021

### www.eurekaaustralia.org.au

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Eureka Australia – Descendants and Supporters Inc.

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### PRESIDENT'S COLUMN

I wish to draw attention to some important current issues which impact upon Australian democracy and electoral arrangements.



## FIRST: NEW ELECTORATE NAME OF 'EUREKA' TO REPLACE BUNINYONG AT BALLARAT

Eureka Australia was made aware of the Victorian Electoral Boundaries Commission proposal as part of a redistribution of electoral boundaries in Victoria in response to population changes to rename an electorate district in the Ballarat area to Eureka.

We wrote to the Commission in July expressing our strong support for the highly appropriate change in electorate name to Eureka to commemorate the sacrifices for political principles including electoral representation and male suffrage reform which were the issues of substance underlying the resistance and loss of life experienced in Ballarat on the Eureka Lead in December 1854.

Our letter is set out below and I wish to acknowledge the efforts of all Committee members in preparing our submission especially those of Dr. Geraldine Moore.

The basis of the supporting verbal submission to the Electoral Boundaries Commission by Phillip Moore is also provided below and is also available on our Eureka Website under the Home tab/ What is Eureka Australia, at a rectangular tile named "New Eureka Electorate".

Under that tile is a further 8 minute audio clip of an interview of the President around that time on ABC Ballarat about the electorate name change proposal.

Annika Smethurst wrote an article about the proposal in the Age on August 15, 2021:

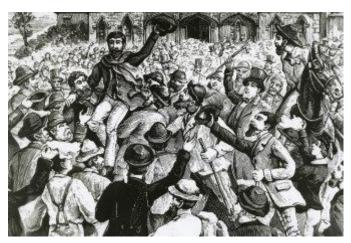
### Liberals rebel against 'Eureka' name change for electorate



By Annika Smethurst

Descendants of Eureka Stockade rebels have welcomed the decision to rename a Ballaratbased electorate Eureka, replacing a name from the local Aboriginal language.

Under changes to state electorates, the Electoral Boundaries Commission has proposed renaming the Ballarat-based electorate of Wendouree – which is both the name of a local suburb and a Wadawurrung word meaning "go away".



An 1887 depiction of a jubilant crowd hailing a Eureka defendant, said to be Raffaello Carboni, after his treason trial acquittal.

The commission has recommended naming the seat Eureka in recognition of the 1854 stockade, where disgruntled miners from the Ballarat goldfields rebelled against the government, which was demanding they pay a licence fee. The uprising is

considered one of most important historical events in Australia and is often claimed to be the birth of Australian democracy.

In its report, the commission argues the new boundaries for the seat, which include the bulk of Ballarat's urban area, could not be named "Ballarat" as it could lead to confusion with both the City of Ballarat and the federal seat, which is also called Ballarat.

"As the proposed district has lost part of Wendouree, the name is no longer appropriate," the commission said. "The [commission] proposes to rename the district Eureka. The locality is in the district and has great historical resonance in Ballarat."

The decision was welcomed by Eric Howard, president of Eureka Australia, a non-partisan group representing descendants of those involved with the stockade.

"This important contribution to the development of the Victorian political system is a matter of justifiable pride to the Victorian community and especially the local Ballarat community," he said.

Mr Howard – a descendant of Patrick Howard, who was one of the diggers arrested and hauled before the courts on charges of high treason for his part in the rebellion – said the Eureka Stockade provided Australia with a lesson in history and fairness.

"I can only think of it as a positive. It's a great story, it's our story, and we should be more aware of it."

Wadawurrung Traditional Owners Aboriginal Corporation chief executive Paul Davis told The Age it was a little strange the commission had chosen not to consult traditional owners when abandoning the name Wendouree.

"There is a growing community interest to see traditional names, so it seems strange they would replace an Aboriginal name with a colonial name," he said.



Canadian artist and digger Charles Doudiet's painting Swearing Allegiance to the Southern Cross, from 1854. CREDIT: CHARLES DOUDIET

The Victorian Liberal Party has also rejected changing the name of the seat, held by Labor, arguing a geographic moniker would be more "readily identifiable" with Ballarat. It has proposed changing the district to West Wendouree.

"In general, the commission has adopted a sound approach to naming districts after localities within the relevant district," the Liberal Party said in a submission. "However, on occasion, the choice of name for certain districts leads to some confusion as to why that particular name was chosen over a more obvious one.

"If the commission were to adopt the Liberal Party's suggestion of reverting West Wendouree to the district, it would further underscore the lack of need to rename the district."

When contacted by The Age, the Victorian Liberal Party would not elaborate on its decision to reject the name or say whether it was concerned about the long association between the Eureka flag and the labour movement.

Since the rebellion, the labour movement has captured the Eureka legend, with the flag that flew above the goldfields in 1854 adopted as a symbol by the Builders Labourers Federation in the 1970s and later the Construction, Forestry, Maritime, Mining and Energy Union, a major donor to Labor.

While the Labor Party has long tied itself to the Eureka legend, claiming it as the origin of trade unionism, many prominent Liberals, including Australia's longest-serving Prime Minister Sir Robert Menzies, have characterised the uprising as an example of small businessmen fighting for a fair deal and democratic rights. In 1946, Sir Robert described the rebellion as "a fierce desire to achieve true Parliamentary government and true popular control of public finance".

The Institute of Public Affairs – a think tank well connected within the Liberal Party – has backed the name change, rejecting claims the ideological roots of the labour movement started at the stockade. "Collectivist union movements in Australia have ignored the fact that the Eureka diggers were independent workers, fighting for lower taxes and less regulation," said Bella d'Abrera, the director of the Foundations of Western Civilisation Program. "The Liberal Party should support these principles.

"The right to vote and equal representation in Parliament for all men were achievements of the gold miners and the Ballarat reform league. These achievements make Australia one of the world's most successful continuous democracies. "The name change to Eureka is a terrific opportunity to reflect on this historical fact."

Labor's MP for Wendouree, Juliana Addison, would not say which name she preferred but said she would "continue to work hard ... regardless of what name is chosen for the area". The commission will hold its second and final round of public hearings about the proposed new state electoral boundaries this week.

On Thursday 28 October the Electoral Boundaries Commission announced the new boundaries and electorate names including 'Eureka' to replace much of the former Buninyong district and to include the Eureka and related goldfields areas in Ballarat.

Eureka Australia is delighted that the Eureka legacy has been honoured in this way. It does provide a topical theme to not only promote Eureka Australia, but also the powerful democratic messages and values that Eureka stands for and to strengthen our efforts to attract new members.



The Electoral Boundaries Commission Level 11, 530 Collins Street Melbourne 3000 July 25, 2021 Peter Gavin Secretary 6 Gibbons Street Sunbury, 3429

Email submissions@ebc.vic.gov.au

Dear Commission Members,

Support of proposal to call the new Victorian lower house electorate 'Eureka'

Eureka Australia Descendants and Supporters, Inc. supports the Electoral Boundary Commission's proposal to name the new Victorian Lower House electorate in the Ballarat region, 'Eureka'. The name commemorates the district's link with gold mining and, more

importantly, its leading role in the struggle for democratic ideals that tragically led to the famous clash at Eureka on 3 December 1854.

This event had great significance in the political development of Victoria. The aspiration for democratic principles that underlay the Charter of the Ballarat Reform League was one of three key issues that motivated dissent on the goldfields. The conflict was more than a dispute about the gold license fee, or indignation at the arbitrary arrest of three suspects in connection with the burning of the Eureka Hotel. A deputation of three representatives of the Ballarat Reform League met with Governor Sir Charles Hotham in Melbourne on 27 November 1854, six days before the conflict, in an attempt to negotiate a peaceful solution. The transcript of their interview, which can be viewed at the Public Records Office, shows that the representatives spent considerable time arguing the case for political rights, as summarised in their Ballarat Reform League Charter which they presented to Hotham, but that the Governor, the Attorney General and the Colonial Secretary would make no concession.

When the representatives reported their lack of success to a public meeting on Bakery Hill in Ballarat on 29 November, there was widespread indignation. Under the flag of the Southern Cross, some of the miners responded to a call to burn their licences as a sign of their determination to resist what they saw as tyranny. The diggers swore to "stand truly by each other and to fight to defend their rights and liberties".

The battle that followed on the morning of 3 December must be seen as a battle about political principles. Though the mining population of Eureka were defeated, the subsequent refusal of juries to convict the prisoners from the battle of the crime of High Treason indicated that, even in Melbourne, the public sympathy lay with the miners rather than the Government.

Within a matter of months and following the government authorised Goldfields Commission of Inquiry - which met immediately after Eureka, reported in March 1855, was highly critical of the government and made many recommendations for political and administrative reform (which were subsequently adopted by the government), the Government bowed to the widespread popular feeling engendered by the battle at Eureka, and conceded significant political rights to ordinary citizens. This uniquely important contribution to the development of the Victorian political system is a point of justifiable pride to the community who live today in the area where these momentous events were initiated.

Eureka Australia, Descendants and Supporters Inc. proudly includes many descendants of those who participated in the conflict on the Eureka Goldfield as well as other interested Australians. It strongly supports the proposal to commemorate the sacrifices for political principles including electoral representation and male suffrage reform, through the adoption of the name 'Eureka' for the new Victorian electorate.

Eric Howard AM

President.

For the Committee of Eureka Australia, Descendants and Supporters Inc.

### **EUREKA ELECTORATE PROPOSAL**

### Electoral Boundary Commission -10.10 am- 18/8/21 5 minute presentation + 5 minute question time by PHILLIP MOORE for Eureka Australia

The map of the proposed Victorian Lower House electorate "Eureka" takes in a number of Ballarat goldfield sites including in particular the Eureka Lead precinct.

It was here in 1854 where the Eureka Rebellion at the digger's Stockade took place. This historic event and its prelude and aftermath were pivotal in helping lay the foundations in the development of Australian democracy.

For instance; the digger's democratic actions at that time and those of others supporting their cause - included:

- 3 Monster meetings of over 10,000 people and one of over 6,000 in Melbourne
- The presentation of the Ballarat Reform League Charter at Bakery Hill
- The making and flying of the Eureka Flag
- A series of delegations and petitions to the Governor and Goldfields Commissioner who ignored their pleas and who were determined "to put down this democratic agitation"
- Then we have The Diggers stand at the Stockade where they were prepared to lay their lives to defend their rights and liberties
- The acquittal in Melbourne of all the diggers charged with treason
- And finally, a short period after the gaining of a range of democratic parliamentary outcomes as a result of Eureka and its Charter that influenced not only Australia but the world in terms of democratic government.

Recognition of these actions and the digger's cause is expressed for instance:

### In 2004

- The Eureka precinct because of its historical, cultural and archaeological significance was entered on the Australian Register of the National Estate. Ref. ID 105754. And in 2005 it was entered on the Victorian Heritage register. (No. H 1874) This site includes the Eureka Centre Museum, Eureka Monument and Memorial and soon to be launched the Eureka Pathway of Remembrance
- The BRL Charter was entered on the UNESCO Australian Memory of the World Register. And on the Victorian register in 2005. This political Manifesto which contains universal democratic principles and fundamental rights is similar to the American Declaration of Independence of 1776 which is so revered in the USA

### <u>In 2006</u>

• The Eureka Flag was entered on the Victorian Heritage register No. 2097.

### **And Currently**

The site of Eureka and its historic events are part of a Victorian Central Goldfields 13 Council's campaign for their goldfield historic sites and events to also win inclusion on UNESCOS World Heritage listing.

.....

Our Australian Democracy is one of the oldest and is considered as one of the most stable democracies in the world. We ought to be proud of it, understand it, protect it, enhance it and promote it – especially with the many challenges throughout the world that are threating this form of government. And we must not forget those democratic efforts and accomplishments of our young diggers and their supporters at Eureka.

Consequently, the proposal to establish a Eureka electorate in Ballarat not only adds to the recognition of the importance of Eureka as a great Australian historic event but it also helps to promote and further educate our people throughout Australia of the importance of and privilege we have with our form of democratic representative government.

.....

Question – Do you think the Eureka electoral boundary could be wider?

The summary of my answer was – Yes I do – It could take in some other gold field sites and discoveries in the immediate area including in the Buninyong area

.....

### Committee Member Leigh Callinan also provided a submission to the Electoral Boundaries Commission as follows:

### **Submission to Victoria's Electoral Boundaries Commission.** July 19 2021

I wish to support the proposed name for the new electorate, Eureka.

The Eureka Rebellion was the culmination of a struggle by diggers on the Victorian Goldfields to overthrow 'taxation without representation' and to buy land.

These principles are enshrined in the Charter of the Ballarat Reform League.

Governor Hotham and the Colonial Secretary, John Foster, would make no concessions to the diggers. So they 'swore to stand truly by each other and defend their rights and liberties'.

They did indeed and about 30 of them were slaughtered at the Eureka Stockade on Sunday morning Dec 3 1854. Thirteen diggers were put on trial for treason. Juries refused to convict them.

After showing the authoritarian Government that they were willing to lay down their lives for their cause, the Government, fearing more uprisings, soon after revoked the hated licence fee, gave voting rights to, at least, all adult males and freed up land for sale.

This was the beginning of democracy in Australia, an event that should be celebrated permanently. The site of the Eureka Stockade is located in this new electorate, what other

name could be more appropriate for it.

I must admit a personal interest in this. My great grandfather and 3 of his brothers fought at the Eureka Stockade; and their sister and cousin helped the injured on that bloody Sunday morning. I'm forever proud of them,

# SECOND: THE NEED FOR A NATIONAL INTEGRITY COMMISSION AND FOR LIMITS ON DONATIONS TO POLITICAL PARTIES

The Centre for Public Integrity provides the following <u>Integrity Reform</u> <u>Agenda</u> on its website, *see <u>https://publicintegrity.org.au</u>* 

The Centre is an independent think tank dedicated to preventing corruption, protecting the integrity of our accountability institutions, and eliminating undue influence of money in politics in Australia.

### Restoring public trust

Public trust in our democracy is low. A perceived lack of integrity in Australia's political and bureaucratic processes, gaps in the jurisdiction and powers of existing accountability institutions and attacks on those institutions have led to public concern that government, politicians and public servants do not always act in the public interest.

Reform is needed to strengthen confidence and trust in liberal democracy and the rule of law. Accountability institutions have been undermined and attacked in recent years. Attacks on institutions come in many forms, including weakened powers or jurisdiction, funding cuts, personal attacks on officials, or 'dud', partisan, or patronage appointments to senior positions.

Examples include Federal Ministers attempting to influence the Victorian Court of Appeal in 2017 terrorism cases, the sustained funding cuts and personal attacks on the ABC, and the de-skilling of the public service through outsourcing of up to 50% of government departments to contractors.

There is no independent oversight over the conduct of Commonwealth parliamentarians, ministers, political staff and public servants. Moreover, political influence can effectively be bought as a result of inadequate regulation of political donations and lobbying. Political donations under the threshold of \$13,800 need not be disclosed, disclosures are only listed annually and there is no limit to how much parties can spend on campaigns.

Lobbyists working in house directly for a company or association need not adhere to the Lobbyist Register or Lobbying Code of Conduct. The Australian Electoral Commission lacks the investigative powers and resources to enforce compliance with disclosure requirements and breaches of the Ministerial and Lobbying Codes of Conduct have no real consequence.

### Integrity Reform Agenda

- Preventing corruption through a National Integrity Commission
- Protecting the integrity of our accountability institutions
- Eliminating the undue influence of money in politics

Necessary reforms include transparent and timely disclosure of political donations, caps on political donations and campaign spending, expansion and enforcement of the lobbyist register and stronger post-separation employment restrictions for parliamentarians and senior public officials.

Accountability institutions are crucial to holding government to account and building confidence in our democracy. Secure and sufficient funding, permanent tenure of senior officials, and independent non-partisan appointments are among the reforms necessary to restore confidence in government. In addition, a National Integrity Commission is needed to investigate allegations and expose misconduct in the Commonwealth government and public sector. The Commission should have a broad jurisdiction, the powers of a Royal Commission including the ability to hold public hearings, adequate funding, and independent non-partisan appointment and secure tenure of officials.

James Massola wrote in the Age on October 31 "More than two-thirds of Australians support the creation of a powerful federal anti-corruption watchdog, with Coalition voters slightly more in favour than those who support other parties.

Changes designed to bolster the proposed watchdog's powers look increasingly likely after criticism from legal experts and lobbying from Liberal MPs, with Attorney-General Michaela Cash expected to bring a revised bill to cabinet within weeks.

Overall, 70 per cent of voters agreed with the need for a national integrity commission, while just 5 per cent disagreed and 25 per cent of voters were neutral or undecided."

(This Age article has been endorsed on the Centre for Public Integrity website. *See https://publicintegrity.org.au*)

All States have anti-corruption or integrity commissions with some having stronger regimes than others.

Eureka Australia is adding its voice to the public demand for such an Integrity Commission with adequate powers to identify and deter corruption at national level.

Further, most States have lower limits on donations to Political parties than currently exist at national level. Transparency through early real time disclosure of donations should be put in place along with lower limits on donations.

Eureka Australia also seeks strengthened regulation of political donations at Federal level. Political donations currently under the threshold of \$13,800 need not be disclosed, disclosures are only listed annually and there is no limit to how much parties can spend on campaigns. Reform is required.

Correspondence is being sent by Eureka Australia to all major political parties at national level seeking their responses to these two issues.

# THIRD: EUREKA MELBOURNE DEMOCRACY WALK APP - PROMOTION OF AWARENESS OF THE APP

The map within the Walking App has been reworked to improve its usefulness plus some very minor changes have been made to the final version of the brochure that were suggested by the Committee.

An electronic copy of the brochure which is now finalised will be forwarded in the next two weeks to all members for whom we have email addresses. Any ideas for promotion of the App would be appreciated. Please inform the Secretary, Peter Gavin, of your suggestions. The Eureka Centre, Ballarat is happy to promote the Melbourne App.

A couple of excerpts from the brochure are shown below:



This walking tour of central Melbourne on the ancient tribal lands of the Wurundjeri People explains how the clash between the goldminers and the troops on the Eureka goldfield became the catalyst for a powerful democratic political reform movement in Melbourne in the months and years to follow, which shaped Victoria's political system.

Although many of the original sites have been redeveloped, this walking tour will show you places of significance and reveal the fascinating stories of individuals who played leading roles in the unfolding story of political reform. These reforms were significant for Victoria and the Australian nation.



- 1 Introduction
- 2 Site of the original Melbourne Gaol, Eureka prisoners were held here awaiting trial for high treason at the nearby Supreme Court
- 3 State Library of Victoria
- 4 Statue of Sir Redmond Barry
- 5 Old Government House: site of diggers' deputation to Hotham, 27 November 1854
- 6 St Patrick's Hall site, home of the first Victorian legislature
- 7 St Patrick's Hall site, where initial and final meetings of the Goldfields Commission of Enquiry were held
- 8 Site of Melbourne 'Herald' office. The Herald led the campaign against Hotham's claim to autocratic (undemocratic) powers

- Charles La Trobe's portrait (not on public display). Melbourne Town Hall
- 10 St Paul's Precinct: Site of several mass public meetings opposing Government's treatment of diggers and the conduct of subsequent Eureka trials
- 11 Memories of Eureka in Melbourne: Eureka Tower & Skydeck
- 12 Statue of George Higinbotham, political reformer
- 13 Victoria Parliament House
- 14 Parliament House (1856). Henry Chapman succeeded in establishing voting by secret ballot, utilised for the first elections for the lower house
- 15 A residence of Peter Lalor while a Victorian Parliamentarian
- 16 Conclusion

Eureka Australia Descendants and Supporters, is an association of the descendants of those involved in or associated with the Eureka Stockade event, and those who support its ideals of democratic principles.

To learn more about our events please visit our website:

www.eurekaaustralia.org.au

### **FOURTH: BALLARAT EUREKA APP**

It has been agreed that this will be our major project for next year after bedding down the Melbourne App. Two separate apps to be developed, one for walking (the existing EA Diggers March pamphlet material) and the other new App about Eureka in Ballarat for vehicle based access and travel. The Eureka Centre are relaxed about Eureka Australia leading the project and will work with us to provide input. We intend to reach out to other key Ballarat stakeholders to seek their input on the vehicle travel based App as well.

# FIFTH: THE 13 LOCAL GOVERNMENT AREAS IN THE CENTRAL HIGHLANDS GOLDFIELDS AREA SEEKING WORLD HERITAGE LISTING

Leigh Callinan and Phillip Moore are liaising with the Cities of Bendigo and Ballarat about this important project. The Cities advise that they are seeking funding to develop the project, so there is no draft submission as yet prepared.

While it is early days for this project it is vital from EA's point of view that the story of the pivotal and courageous struggle for political and social rights on the major Victorian goldfields is explored, detailed and prominently featured in documentation of the significance of the gold rush period and the subsequent impacts of these struggles across Victoria and Australia.

# SIXTH: PATHWAY OF REMEMBRANCE AT THE EUREKA CENTRE

The revised tentative date of May 2022 remains the intended date for this launch, probably on a Friday afternoon. Confirmation will be provided when available.

### **SEVENTH: ANOTHER EUREKA**

Please read Peter Lalor Philp's significant article from his family newsletter on this matter reproduced later in the newsletter. Also see notes of Phillip Moore's remarks when presenting Senator Patrick Dodson with the 2017 Eureka Democracy Award

# EIGHTH: POSTPONED 2021 DEMOCRACY AWARD DINNER.

The Dinner and Award scheduled for November 27 2021, has been postponed until Saturday December 3, 2022, due to our caution in seeking to avoid exposing members and guests to Covid.

**Our Guest Speaker will be** Emeritus Professor of politics from La Trobe University, Judith Brett, author of 'From Secret Ballot to Democracy Sausage - How Australia Got Compulsory

*Voting* 'published in 2019 to much acclaim. Judith has also written many other books and articles notably '*Robert Menzies' Forgotten People*' in 2007, and '*The Enigmatic Mr*. *Deakin*' in 2018 which won the 2018 National Biography Award. Deakin was the first Member for Ballarat in the Federal Parliament from 1901 to 1913 (as well as being Prime Minister on three occasions).

Our Democracy Award recipient will be publicly announced early in 2022

### Eric Howard



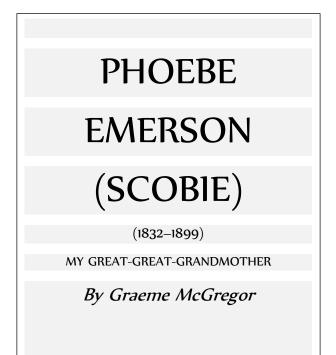
### **MEMBERSHIP QUERIES**

A Pauline Turville membership has paid her membership to our bank account without supplying any details so we do not have any address or phone etc. Would any member who knows Pauline please let us know her contact details please.

Also, a life member Katherine Armstrong has shifted her address and changed her phone number so we are unaware of her details, so we need your help please in locating Katherine.

### **EUREKA CONNECTIONS – THE SCOBIES AT EUREKA**

### Part Three





In 1832 Phoebe Watson was born into a mine engineering family in Durham, England's coalmining heartland. Her father, George, was a mining engineer as well as the official organist at Durham Cathedral.

On her 20th birthday, Phoebe married George Emerson, a shop-keeper by trade. On the following day, the newlyweds headed for the Ballarat goldfields, enduring the challenging four-month journey aboard the magnificent new ship, *Ben Nevis*. The fast and sleek *Ben Nevis* was a large three-mast barque commonly referred to as a "clipper". It is known to have made four trips to Australia; the first arriving in Melbourne from Liverpool on 3 January 1853 with 564 passengers (including Phoebe and her husband George Emerson) and immigrants onboard. Conditions for most passengers must have been incredibly cramped.



The clipper ship Ben Nevis in heavy seas. Oil on canvas Artist: Henry Scott

When they arrived at the Ballarat gold fields, Phoebe and George set up a general store at Eureka serving the needs of the miners. Phoebe was widely known on the goldfields and respected for being scrupulously fair and honest in business, and willing to help anyone in trouble. George suffered from lung conditions throughout his time in Australia, undoubtedly not helped by the living conditions in Ballarat at the time.

Coming from a Wesleyan background, Phoebe did not support the violent actions mooted by the miners, but in the early morning of 3 December 1854 Phoebe's world was turned upside down with the storming of the nearby Eureka Stockade by government troops. Newspaper editor, George Black, and miner, John Humffray, two prominent members of the Ballarat Reform League, fled the carnage that ensued when the Stockade was raided. With them was the cartage contractor, George Scobie, the brother to James Scobie who was murdered two months earlier at Eureka. They sought shelter nearby in Emerson's Store. Phoebe hid the men at considerable risk to herself so the government troops couldn't find them<sup>1</sup>.

After the battle, Phoebe's dogs began barking, and Phoebe discovered a badly wounded Peter Lalor, the leader of the miners' uprising, in the nearby scrub. During the fighting at the stockade, a miner named Dalton hid Lalor under planks in a mine depression. Lalor remained there until the troops had left the area. He then miraculously struggled to Emerson's Store where Phoebe bound his wounds, using strips torn from her petticoat. She summoned help from George Scobie who agreed to move Lalor in his dray later that afternoon to the safety of some friends a few kilometres away at Warrenheip. After dark, Phoebe sought help from Anastasia Hayes, one of her customers whom she knew could be trusted. Anastasia was the wife of Timothy Hayes who had been arrested. Hayes was later charged with high treason over his involvement in the rebellion. Mrs Hayes took Phoebe to Father Smyth at the Saint Alipius Presbytery seeking help for Peter Lalor. Lalor was then taken to an annex at the Presbytery where his arm was amputated by Dr James Stewart, assisted by Dr Doyle. These actions almost certainly saved Lalor's life<sup>2</sup>.

On the following day, some government troops going past Emerson's Store found bloodstained rags and quizzed Phoebe about the find. She denied any knowledge of them. The soldiers warned her that she would be shot if found to have harboured any miners. It is quite likely that Phoebe's actions prevented the authorities from ever arresting the men. Phoebe, not yet 22 years old, performed an act of remarkable bravery on that day.

In 1855 Phoebe and George Emerson had a daughter, Sarah. In 1857 they had a son, John. On 10 September 1857, George died from a lung infection, leaving Phoebe to raise her eighteen-month-old daughter and baby son by herself. (It is not certain whether John was born when his father died). Within a few weeks of her husband's death, Phoebe sold the business and decided to return to England with her children.

With the exhaustion of the easily won surface alluvial gold it became necessary to follow the gold in the former stream beds buried beneath the basalt from nearby extinct volcanoes. This new phase of mining in Ballarat, known as deep lead mining, required underground mining expertise. Phoebe was almost packed to leave for England when a letter arrived from her brother, John Watson, an underground mining engineer, advising that he was on his way

<sup>&</sup>lt;sup>1</sup>The Age(Melbourne), *The Golden Women of Eureka* (24 November 1994, p 3)and Laurel Johnson *The Women of Eureka* (1995)

<sup>&</sup>lt;sup>2</sup>Eurekapedia.org states that the doctor who amputated Lalor's arm was Dr. James Stewart while Dr Doyle was also present. Also Peter Lalor mentions this event in *The Argus* 10 April 1855.

to Ballarat. Phoebe decided to postpone her departure and await the arrival of her brother. Had that letter from her brother arrived a moment later Phoebe would have left for England and, as a descendant, I wouldn't be here. She never did return home to England.

It wasn't long before Phoebe found she was being courted by George Scobie, the man she had harboured in her store after the raid on the Stockade. Phoebe would have known Scobie as he operated a cartage business, bringing stores from the Port of Geelong to Ballarat. They married in 1860, the same year that her three-year-old son John (to George Emerson) died.

George Scobie and Phoebe had six children together. Phoebe's three sons died while young; John George Emerson was three years old; James George Scobie was 13 months old, and John Scobie only six hours old when he died). Phoebe's twenty-year-old daughter, also named Phoebe, died in 1882. Five girls, one to George Emerson and four to George Scobie, survived to adulthood, and all married.

George Scobie died in 1874 in an accident at Newlyn Reservoir, north of Ballarat. Phoebe was only forty-one at the time and pregnant with her daughter Barbara. After her husband's death, she moved to nearby Newlyn North to raise her family by herself but never remarried. She took in whatever work she could find, such as sewing, to provide the money for her family.

Phoebe, whose life had never been easy, came down with bronchitis and was ill for eight days before dying on 19 October 1899 at the age of 66. The day before she died, Phoebe wrote her will showing that she had a small landholding and house at Newlyn North, but little else of value. She is buried in the Scobie grave in the Old Cemetery in Ballarat. One of George and Phoebe Scobie's daughters, Margaret, is my great grandmother.

### **ANOTHER EUREKA**

By Peter Lalor Philp, from the Winter 2021 Lalor Family Newsletter: "O'Leathlobhair Line"

"The power and relevance of the Eureka Stockade is that in a democratic society there is never an excuse for injustice, oppression and corruption." The thoughts of eminent Eureka historian, Professor John Maloney.

In the nation where the courageous stand by diggers was made, the first peoples of this land are currently making their determined stand. After 250 years of dispossession, oppression and injustice they are still struggling for recognition.

And that is the Uluru-Bakery Hill connection.

Noel Pearson, academic, lawyer and land rights activist speaking on the ABC's Radio National said that Constitutional Recognition of his people is unfinished business. He said that his people have never been recognized. Pearson has been calling on the Australian Government for a long time to put the issue to a referendum. "Without this recognition,

Australia does not make sense. Australia is not complete," he stated, "Australia is an absurdity, a nation missing its most vital heart."

The Indigenous population's Eureka Stockade is the Uluru Statement from the Heart, a place from which their voices of demand can be heard, not to lead an attack but to defend themselves against the disgraceful injustice of ongoing denial of constitutional recognition. How much longer can our First Nation's People remain on the edge looking in on what is truly theirs? Akin to the grievances of the Eureka diggers, our first Australians are being frustrated by the inertia shown by the authorities. "All we are asking for is recognition in the constitution. Why? Because we as a people have never been recognized. Never regarded as citizens by Captain Cook, or Governor Philip, not in the constitution of the new Federation of Australia in 1901," said Noel Pearson.

When a substantial document like the Uluru Statement from the Heart (a statement giving indigenous people a voice to Federal Parliament. A representative group of Aboriginal and Torres Strait Island people having a say about the laws and policies affecting them) was produced and supported by so many fellow Australians of different backgrounds, the same colonial response was made that the Ballarat diggers heard in 1854, but this time by a modern day prime minister. Scot Morrison's reaction was, he would not allow a referendum or constitutional recognition, because he identified it as a third chamber of Parliament and his belief was that the Indigenous of Australia would be better off with improved health and education support. Like Hotham, he didn't get it. A few years ago, Nain and I travelled through the majestic Australian Kimberley, returning with never to be forgotten images of the Mitchell and Horizontal Falls, the Bungle Bungles and the most dramatic, Indigenous people living around Kununurra. Tragic. They appeared to be an unwanted community existing on the edge of this busy central and touristy town. Even in our more liberal and advanced age, many non-Aboriginal people perhaps unwittingly view them as an embarrassment.

That's how it appeared during our brief stopover and I'm certain that is exactly how the local Indigenous in that town felt. Like so many other indigenous peoples around the world, authorities are happy to silence the heartfelt wishes of these communities with ample gifts, material aid and empty promises, but allow power to the people, never. There have been too many empty promises made by Australian authorities to our First Nation's People. "In 2007 John Howard in his election campaign, committed his government, that if elected, he would set up the process that could led to constitutional recognition within 18 months of his government's election. That same year, Opposition Leader, Kevin Rudd made a similar commitment and so did Julia Gillard. More than a decade later, governments, are still talking about the need for such a process," laments Pearson.

In spite of all the reforms made by Australian society in its treatment of our First Nation's People, governments' actions on important matters like this, have regressed to pre-Eureka times. Within a year of the 1854 Eureka events, Victoria had gained what the diggers had called for under the Ballarat Reform League Charter. There was no longer a Queen's price on the head of their leader, Peter Lalor, by then he was in member of State Parliament. Reflecting on the 1854 events, Peter Lalor said: "We got all that we fought for and a little more."

Again, Professor John Maloney: "It is a privilege for us to repeat their words (the members of the monster meetings) but we must be conscious that we are not engaging in an empty

gesture. We do a sacred thing when we swear that we will stand together and defend our rights and liberties. The diggers stood true to their oath; history will judge us if we fail." Noel Pearson, along with the mass voices of Australia's First Nation Peoples ask: "When will there be recognition. A recognition of justice... As long as indigenous people remain unrecognized, Australia is an absurdity, a nation missing it most vital heart."

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Eureka Australia appreciates Peter Lalor Philp's efforts to publish this article about indigenous recognition in the Lalor family newsletter.

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The following presentation was made at the Irish Embassy in Canberra in early 2018 by Phillip Moore when Senator Patrick Dodson was presented with our Eureka Democracy Award, which was announced at our Democracy Award Dinner in November 2017, that Patrick was unable to attend due to a family funeral in Broome.



#### PATRICK DODSON

### **EUREKA DEMOCRACY AWARD 2017**

I wish to acknowledge the NGUNNAWAL people; the traditional custodians of the Canberra region and pay my respects to elders past and present.

In 1854 at the Eureka Stockade the Diggers stood to defend their rights and liberties as manifested in their Ballarat Reform League Charter and its Demands for Democracy. For these early immigrants to the Goldfields and their thousands of supporters who met at the Monster Meetings at Bakery Hill, this was a new country that offered great opportunities for a better life. Eureka was a battle lost but a victory won – the Colonial Government finally acceded to their demands and which are now embedded in our Australian Constitution.

But this wasn't a new country – it has been occupied for over 60,000 years by our indigenous people - the oldest continuous culture on earth. For the last 200 plus years since European settlement, our Indigenous people have been demanding and struggling for their rights and liberties, for reconciliation, for a treaty and for constitutional recognition.

Patrick Dodson has been a leader in these struggles.

Patrick was former Director of the Central and Kimberly Land Councils, Commissioner in the Royal Commission into Aboriginal Deaths in Custody, Chair of the Council for Aboriginal Reconciliation, and Co-Chair of the Expert Panel for Constitutional Recognition of Indigenous Australians. Prior to his election as a WA Senator in 2016 Patrick was a member of the ANU Council, Adjunct Professor at the University of Notre Dame and Co-Chair of the National Referendum Council.

This Eureka National Democracy Award states that it is given to Patrick for his leadership in addressing the injustices facing indigenous people in this land, his tireless work for reconciliation and recognition over many decades through the dialogue he fosters between indigenous and non-indigenous Australians, his consistent commitment to human rights and dignity, and his continued encouragement for a much more informed, inclusive and engaged society. Patrick's leadership continues to keep alive the vision of participatory democracy in contemporary Australian culture....

One of the many outstanding examples of Patrick fostering dialogue and co-operation between indigenous and non- indigenous Australians would be that remarkable time when he joined forces with Rick Farley (now deceased) CEO of the National Farmers Federation and with Phillip Toyne (also deceased) Head of the Australian Conservation Foundation. These three set out to address such major issues on Land Care, Conservation, Reconciliation and Aboriginal rights. Their leadership and success was something to behold and today we benefit much from their work.

Patrick has influenced our national conversation; he has worked to strengthen our Australian democratic society and has built a reputation for his patient facilitation skills in meetings with diverse stakeholders. He is knowledgeable, he is intelligent and he is wise. He speaks the truth. And as Michael Gordon, National editor of the Age wrote "he is the voice of reason and there are few in this country that can match the power of his oratory"

I believe that Patrick is at the heart of this country; its land, its people, its culture and its spirit. Not only does Patrick have the attributes of a great leader, I hope that one day these attributes will be further recognized and may enable him to become the first President of Australia – A Republic.

Congratulations Patrick - Eureka's Children will do whatever they can to support you and those intrinsic and nationally important causes that you pursue. It is my pleasure to present this Award and the Eureka medallion.

PHILLIP MOORE

### GOLD RUSH IMPACTS UPON FIRST NATIONS PEOPLES

Eureka Australia has little awareness of available research or other information about the impacts of the gold rush, particularly at Ballarat, upon First Nation's peoples. Any member who would like to be involved in assisting the Committee to gather information about these impacts is encouraged to contact Peter Gavin, Secretary at <a href="mailto:committee@eurekaaustralia.org.au">committee@eurekaaustralia.org.au</a> to register their interest in contributing to an important piece of work.

It is also intended to obtain broad member input to further our understanding of this issue. Early in 2022, an on-line workshop hosted by Eureka Australia is planned which is to be available to all members which will feature Peter Lalor-Philp and other contributors. More information will follow when details are settled.

### **EUREKA CENTRE ACTIVITIES FOR 167<sup>TH</sup> ANNIVERSARY**

### Friday 3 December

8.30am

To mark the 167th anniversary of the Eureka Stockade, a morning service will be held at the Eureka Centre to honour those who died and were involved in the 1854 Eureka Rebellion. A complimentary breakfast will follow. Free

#### **Sunday 5 December**

To mark the 167th anniversary of the Eureka Stockade at the Eureka Centre with talks, live music and creative activities for the whole family.

### 10am - 2pm

Cardboard Landscape: The Eureka Stockade

What do you think the Eureka Stockade looked like? We are inviting kids to get building as we create and decorate a large-scale barricade with life sized barrels, wagons and pikes. Kids can drop in to experience and contribute to this immersive cardboard and paper landscape. Watch the stockade grow throughout the day.

Free. No bookings necessary. All ages.

#### 10.30am -11.30am

On Bush Poetry

Join Hedley Thompson and Ken Prato in conversation about bush poetry's historical development and contemporary resonance. They will read and discuss their favourite poets and reflect on popular bush poetry themes of mateship, personal hardship and misfortune. Free. No bookings necessary.

### 11am - 2pm

Flag Talks (on the hour)

Join us for a discussion on the myths and facts about one of Australia's most significant cultural artefacts and textile treasures, The Eureka Flag.

Free. No bookings necessary.

### 11.30am -1.30pm

Sausage Sizzle

Giving new meaning to the 'democracy sausage', enjoy a sausage sizzle in the beautiful grounds of the Eureka Stockade Memorial Park.

### 1pm -1.45pm

Live music by deborahN

deborahN's unique brand of Australian, Indigenous R'n'B is expressed through original songs and inspired interpretations. deborahN shares her soulful and heartfelt songs and stories in a journey through some of her life experiences.

Free. No bookings necessary.

The Peter Tobin Oration on Friday afternoon, 3 December has already been booked out, as is the concert by Shane Howard on Friday evening.

Any tickets that do become available for the Tobin Oration (to be held at 4.30 pm on Friday December 3) will be advertised on the Eureka Centre Facebook page from November 28th, 2021.

**MEMBERSHIP:** We are endeavouring to grow our memberships substantially during 2022 now that the pressures from COVID appear to be abating.

The assistance of all members to strengthen our voice and inputs would be appreciated

# PLEASE NOTE ALL MEMBERSHIPS FOR 2022 ARE PAYABLE IN JANUARY 2022.

Your early payment of your subscription would very much assist Eureka Australia's efforts to provide improved services to our members and improve awareness of the significance of Eureka to all Australians.

### **MEMBERSHIP FORM**

### EUREKA AUSTRALIA DESCENDANTS AND SUPPORTERS INC.

**Membership Application/Renewal for 2022 (Jan-Dec)** 

Surname:

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Other N	Names:		
Addres	ss:	Postcode:	
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Membe	ership of Eureka's Children Inc. operates on a calen	dar year basis.	
•	<u>Ordinary Membership</u> – Includes descendants of the event, its prelude and its aftermath as well as those its ideals of democracy		
	•		
	Full \$40.00 per annum	_	
	*Concession \$20.00 per annum		
•	Family Membership Full \$40.00 +\$20 = \$60 per annum		
•	Family M/ship Concession \$20.00 + \$20= \$40 per annum		
•	<u>Life Membership</u> Full \$300, Concession	on \$150	
Note:	ncessional Subscriptions include Pension Card Holders.		
	<u>For Family Membership</u> please list each other in All amounts include GST	name and their contact detail	S
<u>TOTAL</u>	DONATION WELCOME CHEQUE/MONEY ORDER	\$ \$	

EFT Payments can be made to: "Eureka Australia" - (BSB) 704 191 (A/C) 90789"

Please include 'EC MEMB' as well as your name on the internet transfer

To send cheque or money order please print, complete this form and return with your cheque/money order to: Eureka Australia. 6 Gibbons Street, Sunbury, 3429. If paying by EFT and you are a new member you would need to also complete and return this form as an initial record of your membership.