

# LIBERTY!



**WELCOME TO LIBERTY!**

**#84 September 2023**

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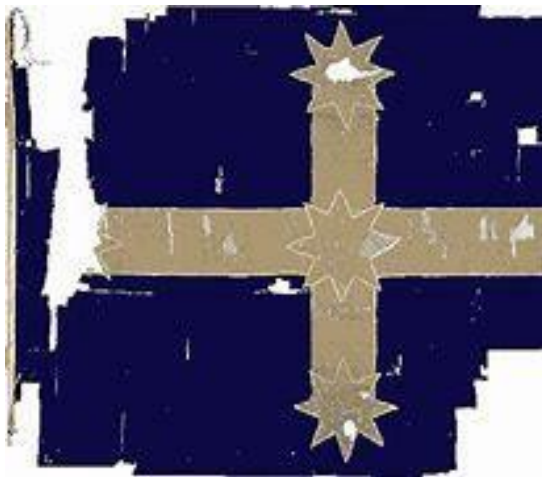
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**A friendly reminder for members to pay their memberships if still outstanding for 2023, and to look to register new members from their family and friends. They would be most welcome.**



**Eureka**AUSTRALIA  
DESCENDANTS AND SUPPORTERS



**You're invited!**

## **2023 Eureka Australia Annual Eureka Democracy Award Dinner**

**Venue: Amora Hotel 649 Bridge Road, Richmond  
Saturday 25 November 2023 6.30 pm for 7.00 pm**

**THE 2023 EUREKA DEMOCRACY AWARDEE: HUGH  
DE KRETSE**

The Dinner Commemorates and Celebrates the 169th Anniversary of the 1854 Eureka Events with the presentation of the Eureka Democracy Award. The 2023 Eureka Democracy Award will be presented during the evening to Hugh de Kretser, the Chief Executive of the Yoorrook Justice Commission & former Executive Director of the Human Rights Law Centre.



During Hugh's time as Executive Director of the Human Rights Law Centre from 2013 – 2022 the organisation's activities and size grew substantially. Under Hugh's leadership, the organisation:

- played a key role securing marriage equality
- defeated undemocratic anti-protest and anti-advocacy laws
- stopped harm against children in prison
- secured reforms to stop deaths in custody
- helped to secure safe access zones around abortion clinics
- helped thousands of refugees to have a future in freedom and safety

launched the campaign for an Australian Charter of Human Rights

Hugh's current appointment as Chief Executive of the Yoorrook Justice Commission is a recognition of his leadership ability. The Commission is of great historical importance as it is the first formal truth-telling process into injustices experienced by First Nations people, looking into both historical and ongoing effects.

On accepting the role Hugh commented: "This history and these truths must become everyone's history and everyone's truths if we are to create a shared understanding and achieve real change. I look forward to working with Yoorrook commissioners and staff to continue to build this historic truth-telling process."

His previous appointments include Commissioner of the Victorian Law Reform Commission 2008 – 2012 and Manager of the Brimbank–Melton Community Legal Centre 2004 -2007. And he is the 4<sup>th</sup> son of David de Kretser, former Governor of Victoria (2006–2011).

### **GUEST SPEAKER: BERNARD COLLAERY**

Bernard Collaery has had an interesting life. He has been an ACT politician and Attorney General, and First Secretary in the Australian Embassy in France. He has been a highly respected lawyer always prepared to take on cases where the defendant was not getting a fair go. He helped Timor Leste establish democracy after the Indonesians left the country in a state of abject poverty.

In June 2018, the Commonwealth Director of Public Prosecutions charged Bernard under the National Security Information (NSI) Act with disclosing protected

intelligence information.

The case related to the Australian- East Timor spying scandal where the Australian government illegally bugged Timor-Leste Government offices. This was done to gain a commercial advantage over the carve-up of the resource- rich Timor Sea. Bernard's only crime was to represent whistle-blower witness K and to bring the Government's behaviour to international scrutiny.

In July 2022, Attorney-General Mark Dreyfus waived all charges against Bernard Collaery. Until this happened he had endured 59 Court appearances held in secret, and faced the potential of a long prison sentence. This was extremely stressful - for 4 years he was unable to practice law. And his ordeal calls into question the accountability of unscrupulous people in power, and how our intelligence service can hide the truth in the guise of "protecting national security".



**Bernard wrote a book about this case *Oil Under Troubled Water: Australia's Timor Sea Intrigue* published by Melbourne University Press.**

**The publicity for the book said "Charged, with Witness K, for allegedly breaching the Intelligence Services Act, Bernard Collaery provides the whole sordid backstory to Australian politics 'biggest scandal'".**

**Copies of the book will be available on the night to purchase for the price of \$36.**

**Bernard has proven he is a determined fighter for justice, and he will tell you how some powerful politicians and public servants will do anything to hide the truth.**

**TICKETS: \$85 each, Tables of 10 - \$85**

**Bookings essential** - Contact the Secretary Peter Gavin 0417 135 373 or email: [committee@eurekaaustralia.org.au](mailto:committee@eurekaaustralia.org.au)

**Payment by cheque/ mail** Eureka Australia, 6 Gibbons Street, Sunbury 3429

**Payment via EFT to BSB 704191 account 90789** (please put your name as the reference in the eft transaction)

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## President's Column

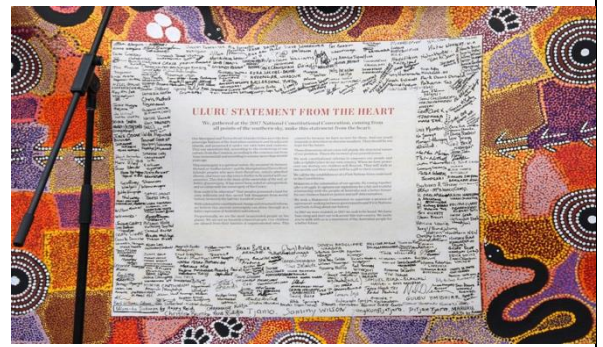
### **A VOICE TO THE VOICE**

**ERIC HOWARD: August 14, 2023**

**The Eureka Australia Committee considered the proposed referendum questions to be placed before the Australian people later this year at our meeting on July 27, 2023.**

**The referendum arises from the *Uluru Statement from the Heart* published by First Nations peoples in 2017.**

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart: Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs. This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago. This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors. This link is the basis of the ownership of the soil, or better, of sovereignty. It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown. How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years? With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood. Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness. We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of a First Nations Voice enshrined in the Constitution. Makarrata is the culmination of our agenda: the coming together after a struggle. It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination. We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history. In 1967 we were counted, in 2017 we seek to be heard. We leave base camp and start our trek across this vast country. We invite you to walk with us in a movement of the Australian people for a better future.



## THE ULURU STATEMENT FROM THE HEART

From the Uluru statement text above:

***"We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to their country. We call for the establishment of a First Nations Voice enshrined in the Constitution."***

The Australian Parliament has now legislated (on 19 June 2023) to conduct a referendum of all Australians later in 2023 with the question to be put at that referendum as follows:

*"A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. Do you approve this proposed alteration?"* (From the Australian Electoral Commission website)

As can be seen, the question accurately reflects the Uluru statement request. The decision as to how to vote in the referendum is for every individual voting Australian to determine.

The request has arisen from first nation's peoples in a ground up development process following years of work and thousands of conversations by and between First Nations peoples themselves.



I would encourage all members to not be influenced by the many loud advocacy voices and especially those offering misinformation and negativity.

The concept of first nations constitutional recognition does not belong to political parties or political leaders or peak bodies or media organisations. Indeed the Ballarat Reform League Charter of 1854 states that ***"The people are the only legitimate source of all political power"***.

It is now up to the Australian people to assess the request, consider the reasons for it and make their own individual decision unfettered by loud political voices or opinions or misinformation or other unacceptable characterisations.

Do we each support the First Nations Uluru statement request for the establishment of a First Nations Voice enshrined in the Constitution?

Australia really does have a clear choice here. Will Australians prioritise hope and fairness above fear and misinformation?

The Eureka Australia Committee after publishing a range of views from Committee members on the matter and seeking the views of members, considered the matter and resolved on July 27 as follows: ***While Eureka Australia encourages everyone to seek the information they need to form their own views on the referendum, Eureka Australia proudly supports the recognition of Aboriginal and Torres Strait Islander people in the Australian Constitution through the Voice.***

It is for each of you to determine your position on this referendum, reflecting the democratic principles of this remarkable country, building on the freedoms and the concept of the 'fair go' which were delivered by the diggers and supporters through the Eureka events 169 years ago.

You are free to determine your voting intention. This is a wonderful right and responsibility.  
What will make Australia a better place in your opinion?

Eureka Australia through its Committee has considered this critical issue and provided its position as set out above for your information.

Best wishes to all,



**Eric Howard AM**

President, Eureka Australia. [committee@eurekaaustralia.org.au](mailto:committee@eurekaaustralia.org.au)



**Eureka**AUSTRALIA  
DESCENDANTS AND SUPPORTERS

## Remembering the Red Ribbon Rebellion – 170th year celebration

On the 27<sup>th</sup> August 2023, Eureka Australia joined hundreds of others, on the hill where Bendigo's All Saints Cathedral now stands, in a march to commemorate the Red Ribbon Rebellion. On that day, 170 years ago, 10, 000 miners gathered from White Hills, Kangaroo Flat, Eaglehawk, Golden Square and all the gullies. All wore red ribbons and all marched peacefully, a culmination of years



of growing dissent and protect. Historically it was a turning point in both the growth of democracy and the development of the state of Victoria. The importance of the Red Ribbon Rebellion cannot be overestimated. It was the beginning of a series of significant events that shaped the history of Victoria and marked the beginning of a political movement that led to major changes to the laws in our state and our nation. It was the rebellion that led to Eureka.





## Red Ribbon Day, A reflection.

Eric Howard, AM. President Eureka Australia.

“The Bendigo Historical Society arranged with local theatrical society members to present a commemorative outdoor event in Rosalind Park, adjacent to the Pall Mall/ View Street intersection in Bendigo.



More than a hundred attendees gathered on a sunny Sunday morning around 11am and heard presentations by identified historical characters in costume, with text for their presentations drawn from historical records, of the lead up to the 1853 protest meeting on that site and the events of the meeting itself which was attended by tens of thousands of diggers. This was comprehensive, entertaining and very well done.

Charles Latrobe lieutenant-Governor of Victoria in 1853, proposed a substantial increase in the monthly license fee required to dig for gold. The digger communities resisted this increase and petitioned Latrobe accordingly with more than 7,000 signatures placed on a long parchment petition (which is preserved in the State Library in Melbourne) from the diggers and their supporters to Latrobe.

At the 1853 meeting there was agreement to press for reforms of the license system and the means of collection of the license (the despised license hunting). The goldfield commissioner at the Bendigo fields did pause any increase for a time as a result of the meeting request but a few weeks later an increase was introduced.



The 2023 commemoration was attended by the Mayor of Bendigo, Cr. Andrea Metcalf; the Deputy Premier Jacinta Allan, MP, Member for Bendigo East; representatives of the Chewton Domain Society and representatives of Eureka Australia and members of the public.

Eureka Australia met with the Bendigo Historical Society, the Chewton Domain Society and the Mayor of Bendigo in April this year to develop a joint

submission for consideration by the UNESCO World Heritage listing bid committee, seeking a strong profile for the internationally significant development of democracy which occurred on the central Victorian Goldfields from 1851 to 1856 and beyond, and suitable prominence for this development in the bidding documentation.

Commencing with a protest meeting at Chewton in 1851 the story of progressive demands for reform of the license fee system and the seeking of reform to achieve broader rights for the digger and related communities, spread to Bendigo and lead to the 1853 Agitation. It then erupted in Ballarat in 1854. During those discussions the Bendigo Historical Society indicated the important event coming up this year - the 150<sup>th</sup> commemoration of the 1853 Red Ribbon League Monster Protest meeting in Bendigo. Eureka Australia was pleased to attend and support this commemoration a few weeks ago and congratulates the Bendigo Community on this informative and historical re-enactment.

Eureka Australia supports the broader Victorian Goldfields story about the progressive demand for greater rights and liberties for the goldfields communities and the outcomes delivered by 1856 and believes this major story requires greater promotion to the Australian community. A potential ‘season of democracy’ incorporating Bendigo in August, Eureka at Ballarat in December and Chewton later in December, reflecting the commemorative dates and associated

activities of major protests, and in the case of Eureka, loss of life, has been suggested and will be pursued further between representative of the three goldfield communities.

Eureka's 170<sup>th</sup> commemoration is of course in December 2024. "

Eric Howard



**The following article is drawn from a lecture by Eureka Australia Committee Member Mary Howlett, and provides a great summary of the historical lead up to this nationally significant event.**

## **RED RIBBON - THE REBELLION BEFORE EUREKA**

### **MARY HOWLETT**

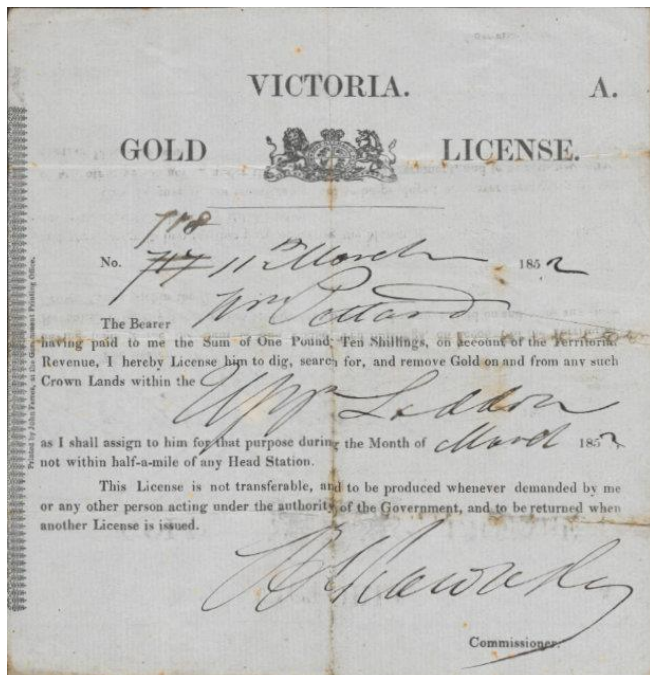
After Hargreaves discovered gold in Bathurst in 1851 the rush to the diggings had started. This meant a mass exodus from the Colony of Victoria and Charles La Trobe witnessed an instant decline in the population of his new colony. A gold discovery Committee was formed and a reward posted for the discovery of gold in Victoria while the good burghers of Melbourne hoped to bring the labouring classes back to their masters in Port Phillip.

*"The Committee appointed by the General Meeting held in Melbourne on the 9th instant, are now prepared to offer a reward of two hundred guineas to any person or persons who shall discover to them a gold mine, or deposit within 200miles of Melbourne, capable of being worked to advantage."*

*The Argus, 11 June 1851*



Small amounts of gold had already been found in Victoria, but nothing to suggest that there were vast deposits remaining underground. Within just a few weeks, however, three men working at Clunes, William Campbell, Dr George Bruhn and James Esmond claimed to have



found gold 'capable of being worked to advantage' James Esmond formed a very small syndicate of men who mined Clunes together. Following early success, James sold eight ounces of gold to a Geelong jeweller named William Patterson, the first commercial purchase of gold in Victoria. James later became an active member of the Ballarat Reform League and played an active part at the Eureka uprising.

On 17 July 1851, the Gold Rewards Committee finally revealed in an Argus newspaper article that gold had been found. *'The Committee appointed to promote the discovery of a Gold*

*Field in the Colony of Victoria, have the satisfaction of announcing that unquestionable evidence has been adduced to them, showing the existence of Gold, in considerable quantity, both at the Deep Creek on the Yarra, new Mayor Newman's run, and also at the Deep Creek on the Pyrenees near Mr. Donald Cameron's house.'* The Argus, 17 July 1851

**This small snippet of news forever changed the colony.** Thousands of hopeful migrants rushed to Victoria and headed for the diggings.

In March 1851 Gold was discovered at Clunes, in June at Burnbank and in July around Warrandyte. In October 1851 Margaret Kennedy and Mrs Farrell were camped by the Bendigo Creek while their husbands were away working for squatters. They took billies to the creek bed and soon filled them with gold. The Bendigo Rush was on.

### **The Germ of Revolution**

The discovery of gold, whilst bringing great numbers to the colony saw a mass exodus from the newly established Melbourne. In August 1851, in an attempt to stem the flow, Licences to dig and search for gold, at a cost of 1 pound 10 shillings were established. While there was some grumbling, especially at the rough handed way the money was collected, the earnings were so rich, the licences were largely paid.

Three days later came a second proclamation which included paragraph four.....

"4. No person will be eligible to obtain a licence or the renewal of a licence unless he shall produce some certificate of discharge from his last service or prove to the satisfaction of the Commissioner that he is not a person improperly absent from hired service. "

## Mounting tensions

Gold commissioners, assisted by police, ran 'licence hunts' tracking down miners who had not paid their fees. Licences were to be carried at all times and little leniency was shown. The system was also open to abuse. Without a licence, diggers could be fined or gaoled, and *police* were able to claim *half* of the *fine* as a reward. Wrongful arrest, perjury and even blackmail occurred and normal policing was neglected.

Resistance to the licence fee spread throughout the fields. The first protest meeting was organised at Buninyong on 25 August 1851. Alfred Clark, a reporter for the *Geelong Advertiser*, attended the meeting and wrote:

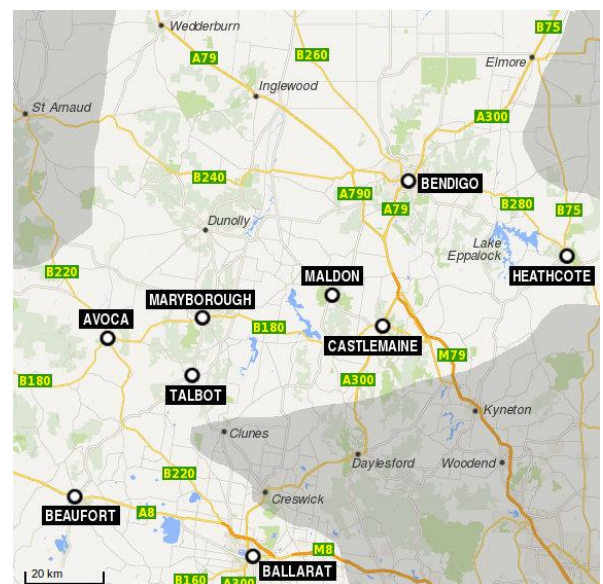
*"Tonight for the first time since Australia rose from the bosom of the ocean, were men strong in their sense of right, lifting up a protest against an impending wrong, and protesting against the Government. Let the Government beware! "*

A second meeting was held outside a bark hut in full hearing of the Commissioners. One of the diggers, Herbert Swindells, was in full force standing on a stump as he addressed the crowd. As Swindells denounced the conduct of the commissioners, he flourished a pistol over his head, threatening that "before he was done with this business he would shoot someone."

Resolutions were passed agreeing that no one would pay the fee for September: two were chosen as delegates to present their case to the commissioner and state their grievances. Mr Oddie was chosen, as he was a moderate and circumspect gentleman, as well as the vocal and fluent Swindells, a determined orator whom they felt could well represent their case.

The commissioners, who had already heard the tirade from the stump, gave the delegates an abrupt hearing, leaving them in no doubt as to the intention of the Crown. Oddie and Swindells left in no good humour. This was not improved when they learnt that Connor, although he had been among those who petitioned against the licence, had paid up, not wishing to lose his claim by default. As he left the Commissioners' camp, he was pelted with clay by his fellow diggers who were determined to hold their resolve against the tax. Connors was covered in clay from head to foot and several of the diggers also dealt him as few salutary blows for his trouble. Disappointed at the result of their attempt to change the commissioner's mind, most of the diggers then rushed to the licence hut to pay the tax so that they would not lose their claims.

True to his own invective, Swindells was the last man to apply for a licence which was refused by the commissioners because he had led the protest. Unable then to dig for gold or remain on the diggings, he was in a very unfortunate position until the other diggers took up a collection on his behalf and 12 ounces of gold was subscribed. He somehow lost the lot in twenty four hours. It was a sorry start for the success of organised protests on the Ballarat diggings. It was reported that Swindells left a month or two after this incident and went to



Forest Creek where he was also refused permission to dig. This dissent and dissatisfaction continued to gain momentum.

A Miner's Association was formed at Mount Alexander (Castlemaine) in December 1851 and at Bendigo in 1853 the Red Ribbon Rebellion was led by the Anti-Gold Licence Association. Diggers wore red ribbons in their hats as a sign of protest, refused to pay their licences and collected a 'monster' petition which was presented to Lieutenant-Governor La Trobe. The petition demanded immediate reform of government administration, a reduction in the licence fee, the right to vote and land reform (with poor returns from diggings, miners wanted affordable land on or near the goldfields).

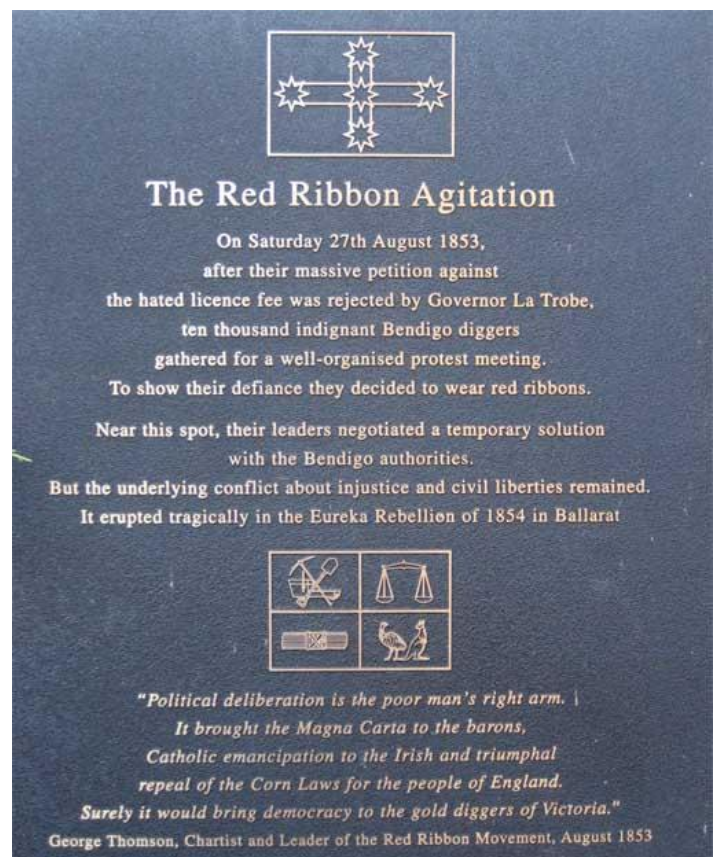
A constitution for Victoria was being developed in the early 1850s. At issue was the all-important question of suffrage – who could vote to elect members of parliament. In 1851 Victoria had a single Legislative Council chamber, with one third of the members nominees of the Lieutenant-Governor and the others elected on a restricted property franchise. This kept legislative power in the hands of wealthy property-owning men. Agitation on the licence question soon merged with wider demands for democratic reform. The miners began to claim 'No taxation without representation'!

In December 1851 the government moved to double the licence fee. On 15 December an estimated 15,000 angry diggers attended a Monster Meeting at Forest Creek in Castlemaine to protest. Two days later the government revoked the increased fee. The following notice was pinned to trees across that goldfield:

"FELLOW DIGGERS. The intelligence has just arrived of the resolution of the Government to double the licence fee. Will you tamely submit to the imposition or assert your rights as men?

You are called upon to pay a tax originated and concocted by the heartless selfishness, a tax imposed by the Legislators for the purpose of detaining you in their workshops, in their stable yards and by their flocks and herds....."

**MONSTER MEETING AT CHEWTON 1400** diggers attended and flew their diggers' flag. The flag showed the pick, the shovel, the cradle, -that represented labour. The scales meant justice. A Roman bundle of sticks meant union, "altogether" "all up at once." And the kangaroo and emu, represented Australia.





## Unity in Diversity

The lure of gold attracted a diverse group to the diggings. Some had been politically involved in movements such as Chartism in England or political revolutions throughout Europe. These men brought ideas such as equal rights and votes for all (men). Chartism was a working class movement which emerged in Britain in the 1830s. The aim of the Chartists was to gain political rights and influence for working class men. Chartism got its name from the formal petition, or People's Charter, that listed the six main aims of the movement.

1. a vote for all men (over 21)
2. the secret ballot
3. no property qualification to become an MP
4. payment for MPs
5. electoral districts of equal size
6. annual elections for Parliament.

"Political deliberation is the poor man's right arm. It brought the Magna Carta to the barons, Catholic emancipation to the Irish, and triumphant repeal of the Corn Laws for the people of England. Surely it would bring democracy to the gold diggers of Victoria."

George Thomson, Chartist and Leader of the Red Ribbon Movement, August 1853

In June 1853 an anti-gold licence association was formed at Bendigo to give voice to the diggers' many grievances about their conditions. The petition was signed by around 5000 diggers on the Victorian goldfields in mid-1853. At the time, the signatures represented about one in 12 diggers. The petition was signed by miners across the state's major goldfields, was brought to Melbourne and presented to Lieutenant-Governor Charles LaTrobe on 1 August 1853. Reportedly, two women signed the petition – Florence Foley and Sarah Williamson. Most of its demands were rejected, including the reduction in the licence fee. The diggers continued non-violent protest but eventually their dissatisfaction erupted, culminating in the Eureka Stockade battle on December 4<sup>th</sup> 1854.

Once thought to be lost, the Bendigo Goldfields Petition was discovered by chance lying in a pile of papers on a rubbish tip. Some 13 metres in length and bound in green silk, it is an important document for Victoria.

Dr John Chapman, a Melbourne collector, purchased the petition from its discoverer and presented it to the State Library of Victoria in 1988. Its discovery is particularly valuable for historians and genealogists investigating the history of social and political events during the gold rushes in Victoria.

The words used in the Petition make it clear that the diggers, storekeepers and others on the goldfields are loyal and law abiding citizens. It appears abundantly clear that the problem lies with the high licences and the manner in which they are issued and collected on the goldfields. This is an eloquently written document containing a plea for equality and justice.

52/26588 5/565

To His Excellency Charles Joseph La Trobe  
Esquire Lieutenant Governor of the Colony of Victoria &c

The Humble Petition of the Undersigned Gold Diggers  
and other residents on the Gold Fields of the Colony

Sheweth

That Your Petitioners are the loyal and devoted Subjects of Her Most Gracious Majesty Queen Victoria the Sovereign  
Ruler of this Colony and of all her Colonies and Territories

That in the present impoverished condition of the Gold Fields the impost of Thirty Shillings a Month is more than Your Petitioners  
can pay as the fruit of labor at the Mines scarcely affords to a large proportion of the Gold Miners the common necessities of life

That in consequence of the few Officials appointed to issue Licenses the Diggers Storekeepers and other residents lose much  
time at each Monthly issue in procuring their Licenses

That the laborious occupation of Gold digging and the privations attendant on a residence on the Gold fields entail much  
sickness and its consequent expenses on Your Petitioners

That in consequence of the Squatter Land, Namely a large proportion of successful Diggers who desire to invest their earnings  
in a portion of land are deterred from so doing

That newly arrived Diggers must lose much time and money before they become acquainted with the process of Gold  
Mining

That in consequence of Armed Men (many of whom are notoriously bad in character) being employed to enforce the impost  
of Thirty Shillings a Month there is much ill feeling engendered amongst the Diggers against the Government

That in consequence of the non-possession by some of the Miners of a Gold Diggers License some of the Commissioners  
appointed to administer the Law on the Gold Fields have on various occasions Chained non-possessors to Trees and Condemned them to hard labor on the  
Public Roads of the Colony - A proceeding Your Petitioners maintain to be contrary to the spirit of the British Law which does not recognize the  
principle of the Subject being a Criminal because he is indebted to the State

That the impost of Thirty Shillings a Month is unjust because the successful and unsuccessful Diggers are assessed  
in the same ratio

For these reasons and others which could be enumerated Your Petitioners pray Your Excellency to Grant the following  
Petition

- |                  |  |
|------------------|--|
| <u>First.</u>    | To direct that the License Fee be reduced to Ten Shillings a Month   |
| <u>Secondly.</u> | To direct that Monthly or Quarterly Licenses be issued at the option of the Applicants   |
| <u>Thirdly.</u>  | To direct that new arrivals or invalids be allowed on registering their names at the Commissioners<br>Office fifteen clear days residence on the Gold Fields before the License is enforced                          |
| <u>Fourthly.</u> | To afford greater facility to Diggers and others resident on the Gold Fields who wish to engage<br>in Agricultural Pursuits for investing their earnings in small allotments of land                                 |
| <u>Fifthly.</u>  | To direct that the Penalty of Ten Pounds for non-possession of License be reduced to One Pound   |
| <u>Sixthly.</u>  | To direct that (as the Diggers and other residents on the Gold Fields of the Colony have<br>uniformly developed a love of law and order) the sending of an Armed Force to enforce the<br>License Tax be discontinued |

Your Petitioners would respectfully submit to Your Excellency's consideration in favor of the reduction of the License Fee that  
many Diggers and other residents on the Gold fields who are deterred from taking a License under the present System would if the Tax  
were reduced to Ten Shillings a Month cheerfully comply with the Law & that the License Fund instead of being diminished would be increased

Your Petitioners would also remind your Excellency that a Petition is the only mode by which they can submit their wants  
to your Excellency's consideration as although they contribute more to the Exchequer than half the Revenue of the Colony they are the  
largest class of Her Majesty's Subjects in the Colony unrepresented

And Your Petitioners as in duty bound will ever pray &c.

*"To His Excellency Charles Joseph LaTrobe*

*Esquire Lieutenant Governor of the Colony of Victoria etc*

*The Humble Petition of the Undersigned Gold Diggers and other residents on the GoldFields of the Colony*

*Sheweth.*

**That** these Petitioners are the Loyal and Devoted Subjects of Her Most Gracious Majesty Queen Victoria, the Sovereign Ruler of This Colony and of

**That** in the present impoverished condition of the Gold Fields the impost of Thirty Shillings a Month is more than Your Petitioners can pay as the fruit of their labor at the Mines scarcely affords to a large proportion of the Gold Miners the common necessities of life.

**That** a consequence of the few Officials appointed to issue Licenses the Diggers Storekeepers and other residents lose much time at each Monthly issue on procuring these licenses.

**That** the laborious occupation of Gold digging and the privation attendant on a residence in the Gold fields entail much sickness and its consequent expenses from so doing.

**That** newly arrived Diggers must lose much time and money before they become acquainted with the process of Gold Mining.

**That** in consequence of Armed Men (many of whom are notoriously bad in character) being employed to inform the impost of Thirty Shillings a Month there is much ill feeling engendered amongst the Diggers against the Government.

**That** in consequence of the non-possession by some of the Miners of a Gold Digger License some of the Commissioners appointed to administer the Law on the Gold Fields have on various occasions Chained non-possessors to Trees and Condemned them to hard labor on the Public Roads of the Colony - A proceeding Your Petitioners maintain to be contrary to the spirit of the British Law which does not recognize the principle of the Subject being a Criminal because he is indebted to the State.

**That** the impost of Thirty Shillings a Month is unjust because the successful and unsuccessful Digger are assessed in the same ratio.

For these reasons and others which could be enumerated Your Petitioners pray Your Excellency to Grant the following Petition

**First.** To direct that the Licence Fee be reduced to Ten Shillings a Month

**Secondly.** To direct that Monthly or Quarterly Licenses be issued at the option of the Applicants

**Thirdly.** To direct that new arrivals or invalids be allowed on registering their names at the Commissioner's Office fifteen clear days residence on the Gold Fields before the License be enforced

**Fourthly.** To afford greater facility to Diggers and others resident on the Gold Fields who wish to engage in Agricultural Pursuits for investing their earnings in small allotments of land

**Fifthly.** To direct that the Penalty of Five Pounds for non-possession of License be reduced to One Pound



**Sixthly.** To direct that (as the Diggers and other residents on the Gold Fields of the Colony have uniformly developed a love of law and order) the sending of an Armed Force to enforce the License Tax be discontinued.

Your Petitioners would respectfully submit to Your Excellency's consideration in favour of the reduction of the License Fee that many Diggers and other residents on the Gold-fields who are debarred from taking a License under the present System would if the Tax were reduced to Ten Shillings a Month cheerfully comply with the Law so that the License Fund instead of being diminished would be increased.

Your Petitioners would also remind your Excellency that a Petition is the only mode by which they can submit their wants to your Excellency's consideration as although they contribute more to the Exchequer than half the Revenue of the Colony they are the largest class of Her Majesty's Subjects in the Colony unrepresented.

And your Petitioners as in duty bound will ever pray etc."

Signed in Ballarat, Bendigo, Castlemaine, Eaglehawk Gully, Myers Flat (Bendigo), The Ovens, Peg Leg (Bendigo)



The site of the Red Ribbon Rebellion is marked by two large rocks with plaques on them in **Rosalind Park just behind the city's art gallery**. The left hand plaque holds a copy of the Ludwig Becker painting, Government Camp, Bendigo, which shows the Camp Hill area where the Red Ribbon march took place.)

At Ballarat, after the Red Ribbon Rebellion, the tension between miners and government representatives increased dangerously.

On 6 October 1854 a young digger, James Scobie, was murdered outside the Eureka Hotel. Suspicion fell on the publican, James Bentley, an ex-convict from Van Dieman's land (Tasmania). Bentley was arrested but, despite his evident guilt, was exonerated after a brief hearing. The presiding magistrate was John Dewes, a friend rumoured to be a Bentley's business partner with news of Bentley's release a crowd of thousands gathered near the Eureka Hotel. Tempers flared and the hotel was burnt to the ground.

On 11 November 1854 the miners held a mass rally at Bakery Hill in Ballarat. Here, the Ballarat Reform League was formed.

The League drafted a four-page charter calling for fair representation for the goldfields in the Legislative Council, no property qualifications for MPs, payment of members and manhood suffrage (votes for all men). The Charter also demanded the immediate 'disbanding' of the Gold Commissioners and the 'total abolition of the diggers' and storekeepers' licence tax.' In both the language of the Charter and its principal demands the Ballarat Reform League drew on the immediate legacy of the British Peoples' Charter and the language of the American Declaration of Independence. .

*'That it is the inalienable right of every citizen to have a voice in making the laws he is called upon to obey – that taxation without representation is tyranny.'*

It failed to convince Governor Hotham, who eventually moved against the miners in force at the Eureka Stockade.

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## John Capp OAM A Proud Eureka Man

By Jim Brown

Antonio Capuano John's ancestor

Left Italy for a new life

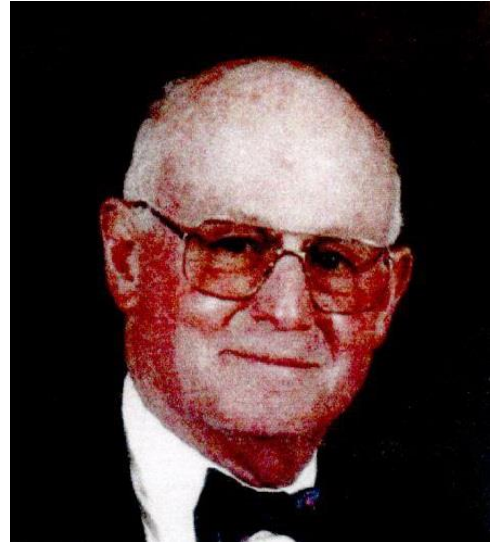
In Victoria's goldfields

Leaving his homeland's strife

But like others he soon found out too well

The tyrants tax in this new land

Soon made their lives hell.



Blood did stain the wattle,

At Eureka Stockade

And Antonio joined

The now famous digger's crusade

John Capp his descendant

Like Antonio knew right from wrong

I'm sure John and Antonio would agree

The diggers oath should be our song

We swear by the Southern Cross

To stand truly by each other

And fight to defend our liberties

This oath bound them as brothers

'neath the emblem of our southern stars

That day on Bakery Hill

It should be Australia's flag-

Perhaps one day it will.

John Capp we will miss you

As on your way you go

Not just a thinker, but a doer

We are all proud to know  
You achieved so much in life  
But most of all dare I say?  
Your Eureka values  
You lived by every day

.....

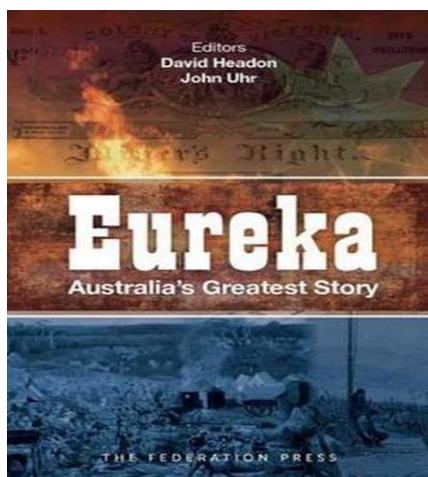
## Eureka - Australia's Greatest Story

The editors of this book boldly proclaim that Eureka is Australia's greatest story, having gathered together some of the country's finest historians to prosecute such a case.

In 1895 Mark Twain wrote "Eureka was the finest thing in Australian history, a revolution, a strike for liberty, a struggle for a principle and a stand against injustice and oppression".

Whilst before and after Mark Twain there has been many Interpretations of Eureka, now in the 21st century there appears to be greater interest in getting to know the story of Eureka and determining its real meaning and importance.

Contributors to this publication include: Emeritus Prof. John Molony; Prof. Frank Bongiorno; Prof. Clare Wright; Dr. Anne Beggs-Sunter; Assistant Minister for Competition, Charities and Treasury Andrew Leigh MP; Prof. John Uhr; Prof. Paul Pickering and others. Some of the key issues and questions concerning Eureka addressed by these presenters, include:



- Was the Eureka Stockade Battle a massacre or just another example of cautionary British justice?
- Was democracy first born at Eureka?
- What lessons have we learnt from the Eureka story and particularly the pertinence of the Ballarat Reform League Charter, the Eureka Oath and the iconic Eureka flag to our democracy then and now?
- Is the Eureka story told too rarely today and is it just a Victorian story or should it be recognised and celebrated as a national story that

**gave birth to our democratic soul?**

- Was Eureka Australia's first multicultural statement?
- Who owns the Eureka story? - The People or the Politicians? The building Unions or the Right-Wing National Front?

This Eureka symposium and its publication was initiated by Eureka Australia (then Eureka's Children) and its Canberra Chapter and jointly supported and hosted by the Australian National University's Research School of Humanities and Arts and the Centre for the Study of Australian Politics. We encourage anybody who has an interest in our Australian democracy and the Eureka story to read this excellent publication by well-known historians who have taken a fresh and well researched look at Eureka. Their collective argument that **Eureka is Australia's Greatest Story** is very strong.

This Book is on sale for \$30 at all Eureka Australia events.

**OR** Order and pay by cheque/mail to Eureka Australia 6 Gibbons Street, Sunbury 3429

**OR** Pay by EFT to BSB 704191 Account 90789 (include your name) Cost \$30, Plus Postage \$6.

Contact: Peter Gavin - Secretary 0417 135 373

Web: [www.eurekaaustralia.org.au](http://www.eurekaaustralia.org.au)

Email: [committee@eurekaaustralia.org.au](mailto:committee@eurekaaustralia.org.au)



A friendly reminder for members to pay their memberships if still outstanding for 2023, and to look to register new members from their family and/ or friends. They would be most welcome.

**MEMBERSHIP FORM:**  
**EUREKA AUSTRALIA**  
**DESCENDANTS AND SUPPORTERS INC.**  
Membership Application/Renewal for 2023 (Jan-Dec)  
*Please print all details and ☐ where appropriate.*

Surname:			
Other Names:			
Address:			
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Phone No			
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*Membership of Eureka's Children Inc. operates on a calendar year basis.*

- Ordinary Membership – Includes descendants of those connected with the Stockade event, its prelude and its aftermath as well as those who support the Eureka story and its ideals of democracy  
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\*Concession \$20.00 per annum ☐
- Family Membership Full      \$40.00 + \$20 = \$60 per annum ☐
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