

December 3rd 1854

Sir, I have the honor to report for the information of the Major General Commanding, the following details relative to a collision that took place this morning between the troops under my command, and the Ballarat rebels. The Major General has already been made aware of the fact, that a large number of ill disposed persons have for some days past been openly organizing, drilling, and equipping themselves, with the undisguised object of attacking Her Majesty's troops, and if possible of subverting government.

During the night of the 1st instant frequent signals were observed passing from tent to tent around the camp, and several shots were fired over the heads of the sentries. I therefore considered it necessary on the following day, to issue a Public Notice "That no light would be allowed in the neighbourhood after eight o'clock, that no discharge of fire arms would be permitted on any pretence, and that persons disobeying these orders would be fired at". This notice produced the desired effect. Early on the 2nd ultimo, information reached me that the rebels were forming an intrenched camp at the Eureka Diggings, about a mile and a half from our Camp, with the avowed intention of intercepting the force under the Major General's command en route from Melbourne.

In the course of the afternoon Mr. Commissioner Amos in charge of the Eureka station arrived here, and reported that an armed party of the rebels had marched up to his camp, taken him prisoner, and subsequently released him, but [had] kept possession of his horse. During the whole of that day strong parties of insurgents were parading the diggings in every direction, many of them in sight of the Camp, robbing stores, collecting arms, and forcing people to join their ranks. I did not consider it prudent to attack them, as they were not collected in anyone spot; and the safety of the Camp would have been risked had a large portion of the force been withdrawn.

I determined. however to attack their camp at daylight the next morning; for this purpose the troops (detailed in the margin) were ordered to assemble at t past 2 o'clock a.m. At 3 o'clock I left with this force handing over the charge of the Camp to Captain Atkinson of the 12th Regiment, with the remainder of the troops and police. Accompanying us were Mr. Commissioner Amos who acted as a guide, Messrs. Hackett, P.M. and Webster, Civil Commissary, all magistrates. In excellent order, and with perfect silence, the force arrived in about half an hour in front of the intrenchment and about 300 yards from it. Under cover of a rise of the ground the detachments of the 12th and 40th Regiments extended in skirmishing order, each having its proper support.

Part of the mounted force of military and police moved towards the left of their position to threaten its flank, and rear; the remainder of the mounted force, and the foot police were kept in reserve. We then advanced quietly towards the intrenchment where the revolutionary flag was flying; at about 150 yards we were received by a rather sharp, and well directed fire from the rebels, without word or challenge on their part. Then, and not until then, I ordered the bugle to sound the "Commence Firing". For about ten minutes a heavy fire was kept up by the troops advancing, which was replied to to by the rebels; during this time I brought up the infantry supports and foot police. The

intrenchment was then carried, and I ordered the firing to cease. All persons found within the intrenchment were taken prisoners, and many of the fugitives were intercepted by the cavalry.

I afterwards brought the infantry and a portion of the mounted police in charge of the prisoners, and wounded to Camp, directing the remainder of the cavalry to recover the Government Camp at the Eureka, which was 500 yards from the place we then stood ; and which was reported to be in possession of the insurgents. They found that it had been occupied by them during the night, and that it had subsequently been deserted. The whole force accordingly returned to camp.

The number of prisoners brought in was 125 ; a few of them, however, I ordered to be released, as I was not satisfied they had been in the engagement, although they were in the immediate neighbourhood. Several have been taken since on the charge of insurrection, which makes the number now in custody 114. The behaviour of the troops and police-both officers and men-in this skirmish was very good, and whilst I hope the Major General will be pleased to convey to His Excellency, my appreciation of the conduct of the whole police force under my command, I feel it right particularly to notice the extreme steadiness of the foot police under Captain Carter, who were brought up with the supports to carry the intrenchment.

I am most desirous of acknowledging the great assistance I have received in this affair, and in all the arrangements connected with my command, from Captain Pasley, Royal Engineers, who was good enough to act as my Aide de Camp on this occasion, and who joined the skirmishers in their advance; Mr. Webster remained under fire the whole time, giving me the benefit of his services; Mr. Hackett, the Police Magistrate, remained with the infantry, and Mr. Amos guided the cavalry to their position.

I cannot omit from my despatch the expression of my deep regret at the dangerous wound received by Captain Wise of the 40th Regiment, who, remaining at his post after getting a slight wound, "fell on the inside of the intrenchment, when conspicuously leading his company to the attack. Lieutenant Paul, 12th Regiment, also received a severe wound, but continued to do his duty in the ranks.

The number of the killed and wounded on the side of the insurgents was great, but I have no means of ascertaining it correctly; I have reason however to believe that there were not less than thirty killed on the spot, and I know that many have since died of their wounds. Amongst these, and the persons in custody, several leaders of the insurrection appear, two of whom lie dangerously, if not mortally wounded, in hotels near the spot. The effect of this blow has been that the police now patrol in small bodies the length and breadth of the Ballarat gold field, without threats or insults.

To such of the wounded as have not been removed, I have sent medical assistance, and have caused the unclaimed dead to be taken away, and buried in the cemetery. I have &c. (Signed) J. W. Thomas  
Captain Commanding Troops Ballarat

P.S. Annexed is the list of casualties copied from the Surgeon's report " "Ballarat 3rd December 1854

List of Casualties incurred by the Force under the Government of Captain J.W. Thomas 40th Regt in the attack on the Rebel Camp at Eureka on the 3rd of December 1854.

No.

#### 12th Regiment

Rank & Names

Killed Surgeon's Remarks

&nbsp; &nbsp; &nbsp; None &nbsp;

&nbsp; &nbsp; &nbsp; Wounded &nbsp;

1 Lieutenant W.H. Paul Severely Gun shot wound of the Hip.

1 Private Wm Webb Mortally Gun shot wound in Arm & Back.

2 Private Robert Adair Severely Gun shot wound through Hand.

3 Private John Smith Severely Gun shot wound in Thigh.

4 Private Felix Boyle Severely Gun shot wound in Nose.

5 Private William Butwell Very severely Compound fracture of the Arm.

6 Private Timothy Galvin Severely Gun shot wound in Neck & Ear.

7 Private William French Severely Gun shot wound in the Hip.

&nbsp; &nbsp; &nbsp; &nbsp; &nbsp;

&nbsp; &nbsp; &nbsp; 40th Regiment Killed &nbsp;

1 Private Michael Roney ----- Gun shot wound through Head.

&nbsp; &nbsp; &nbsp; Wounded &nbsp;

1 Captain H.C. Wise Dangerously

Flesh wound on the right Thigh. Gun shot wound through head of Tibia and Fibula.

1 Private John Byrne Severely Flesh wound in Neck & Leg.

2 Private Henry Colles Slightly Gun shot wound in the Side.

3 Private William Juniper Severely Compound fracture of Leg by gunshot.

4 Private Bernard O'Donnell Severely Gun shot wound in the Neck.

5 Private Joseph Wall Mortally since dead Pike wound lower part of Abdomen.

6 Private Patrick Sullivan Slightly Gun shot wound in the Arm.

(Signed) J.W. Thomas Captain Commanding Troops at Ballarat.