

Duplicate

Despatch No. 162

Reporting a serious riot and collision at the Ballaarat Gold Field

Toorac – near Melbourne 20th December 1854

The Right Honorable Sir George Grey Bart, K.C.B.

Sir,

In my Despatch No.148, of the 18th November last, I did myself the honor to inform you that in consequence of a riot at 'Ballaarat' arising from the murder of a man called 'Scobie' I had found it necessary to collect a considerable force on the ground; also that the presumed perpetrators of the crime had been brought to trial and convicted, and that I had reason to believe that the population of that gold field had returned to their usual peaceful vocations.

It is now my painful duty to acquaint you that matters have since assumed an aspect for which I was not then prepared. No sooner was the verdict promulgated than professional agitators repaired to 'Ballaarat' [Enclosure No.1 from Geelong Advertiser]; public meetings were called at which speeches were made, vying with each other in inflammatory declamation [Enclosure No.2], and resolutions passed which were to be presented to me by the delegates. For the particulars of my conversation with the delegates on the 27th of November, I refer you to the accompanying report [Enclosure No.3], the accuracy of which may be relied on in consequence of notes having been taken by the Government shorthand writer.

You will observe that the conversation commenced by Mr Black declaring that he was empowered by the diggers to demand the release of the prisoners – and although the delegates endeavoured to explain away and soften down the word, the fact remained that they were acting under instructions, and made use of the word, because they were enjoined to do so.

Short of relinquishing my authority as Her Majesty's representative, I deemed it my duty to spare no effort to conciliate, and I would particularly draw your attention to one of my expressions – 'Well, send your petition, and let me see it; I can give no other reply' – to prove that I was prepared to make every sacrifice to avoid bloodshed. But, as the surest way to prevent a conflict is to arm in time, so I assembled a force of 430 military and police at Ballaarat, and requested the Major General to entrust the command to Captain Thomas, of the 40th Regiment, and who on previous occasions had shown that he possessed the skill and ability required for the emergency.

A detachment of the 12th Regiment, which had been forwarded in vans from Melbourne, was commanded by an officer unacquainted with the locality; he omitted to take the precaution of forming his men before entering the diggings, and the miners, seizing the opportunity, overturned one waggon, maltreated the drivers and some of the soldiers, and gained possession of a box of ammunition; the disorder and confusion being terminated by the arrival of a body of mounted police, who galloped to the rescue.

On the 29th November, a mass meeting was held [Enclosure No.1], and the people were addressed by the usual orators, a magistrate and two witnesses attending in compliance with my instructions.

The principal topics of the discussion were, the reception I had given to the delegates, and

the injustice of the license fee. On the first I am led to believe that the delegates spoke with moderation and firmness, but when called upon to follow the example of the speaker and burn the licenses, a large number did as they were desired. On the whole, however, the meeting went off quietly.

On the following day, the 30th November, the Resident Commissioner directed a commissioner to take with him the usual force, and apprehend unlicensed miners [Enclosure Nos. 4, 5]. The results will be best comprehended by a perusal of Mr Rede's despatch. Suffice to say that a riot ensued, the Riot Act was read, the military called in, and shots exchanged, but without any loss of life resulting therefrom.

The aspect of affairs now became serious – the disaffected miners formed themselves into corps, elected their leaders, and commenced drilling; they possessed themselves of all the arms and ammunition which were within their reach, they established patrols, and placed parties on the high roads leading to Melbourne and Geelong, searched all carts and drays for weapons, coerced the well affected, issued orders, signed by the 'Secretary to the Commander in Chief of Diggers under Arms', [Enclosure No. 5A], despatched emissaries to the other diggings to excite the miners, and held a meeting whereat the Australian flag of independence was solemnly consecrated and vows proffered for its defence. [Enclosure No. 6 – Geelong Advertiser, 2 December 1854].

All cause for doubt as to their real intention from this moment disappeared; by the most energetic measures must order be restored, and property maintained; a riot was rapidly growing into a revolution, and the professional agitator giving place to the man of physical force.

I received the despatch on the morning of the first of December. At 6 p.m. of that day, the remaining companies of the 12th and 40th Regiments, with two field pieces and two howitzers – the latter being manned by the seamen of H.M.S. Electra and Fantome under the command of Lieutenants Barnaby and Keene – were on their march to Ballaarat and Major General Sir Robert Nickle had assumed the command in person. My instructions were repeated to the authorities at Ballaarat to act with temper, caution, and judgment, but to enforce the law. I further added my satisfaction at the conduct they had evinced under peculiarly trying circumstances.

Hearing that several foreigners had taken an active part, the consuls of the different foreign nations issued a proclamation warning their respective citizens against participating in such unlawful proceedings. In the meantime authority was at an end on the gold field, the Government Camp was placed in a state of defence, the officers confined to it, and every preparation made to repel a general attack which was threatened by the insurgents. Mr Amos, a Gold Commissioner residing three miles from the Government Camp, was made prisoner and brought before the insurgent authorities; he found that they had encompassed a large space of ground with a stockade, had sentinals mounted, and were amenable to military leaders.

On the 4th December, information reached me that a successful attack had been made upon the stockade of the insurgents, that 30 had been killed and a large number wounded, whilst the loss on the part of the military and police amounted to three privates killed, Captain Wise of the 40th Regiment – since dead – dangerously wounded, Lieutenant Paul of the 12th Regiment severely wounded – and 11 privates of the 12th and 40th Regiments wounded [Enclosure No.7].

To the despatches of Captain Thomas, the officer commanding, Captain Pasley of the Royal Engineers, and the Resident Commissioner [Enclosure Nos. 8 and 9], I would draw your attention. They relate a well concerted and able movement; they prove that the officer in

command possessed the entire confidence of his men, and show that discipline and good order were at its highest point. My thanks and the thanks of all the well disposed of this community, are due to the officers and men of that small band; they crushed an extensive plot, they proved that masses are not to be dreaded where discipline and military confidence prevail, and I trust Her Majesty's Government may see fit to mark their approbation of Captain Thomas, to whom I consider this colony is deeply indebted.

In Captain Wise Her Majesty has lost a gallant and valuable officer, wounded in two places at the head of his men; as he lay on his back he cheered them on to the attack. The effect which this severe chastisement had on the gold field was evident. Sweeping before them 120 prisoners, the force marched back unmolested and the expression of those on the spot was that the people 'were stunned'. The insurgents had fired first on the Queen's troops, and a private killed before a shot was returned.

I have already stated that emissaries had been sent to the other gold fields to solicit their co-operation, and the time had arrived when the hands of the Major General must be strengthened to enable him promptly to execute such measures as the circumstances of the moment might require, and finding that my Executive Council concurred with me, I proclaimed [Enclosure No.10] that Martial Law should be administered within the district of Buninyong, comprising Ballaarat and its immediate neighbourhood, and I addressed the accompanying despatch [Enclosure No.11] to Lieutenant Governor Sir William Denison, requesting that he would allow this garrison to be temporarily reinforced by the 99th Regiment.

Further I ordered that warrants should be issued for the apprehension of all the ringleaders who took part in the meeting whereat the licenses were burnt, or were present in the stockade at the period of the attack, and subsequently I offered a reward of £500, for the apprehension of a Hanoverian named 'Vern', and £200 reward for the apprehension of two British subjects, 'Black' and 'Lawlor'.

On the receipt of a despatch dated December 5th 1854 from the Major General [Enclosure No.12], announcing that there was not the 'slightest expression of feeling during his progress through the diggings', I, – with the advice of my Executive Council, repealed Martial Law [Enclosure No.13] and therefore it had only an existence of three days.

In the meantime the aspect of political affairs in Melbourne had become unsettled. A public meeting called by the Mayor in accordance with the request of some of the most influential citizens, to support law and order, had been borne down by a turbulent section, and adverse resolutions carried. The public became alarmed and reports reached me that people from the disturbed districts were pouring into the capital, resolved to take advantage of any military force, and that another public meeting was to be held on the following day.

The safety of the cities of Melbourne and Geelong and the maintenance of the law depended upon their inhabitants, and to them I resolved to appeal. Accordingly I issued the accompanying notice [Enclosure No.14], and I am happy to say. that it was promptly and readily responded to – the Mayor of Melbourne reported 1,500 Special Constables sworn in on the first day, – similar measures were adopted at Geelong and I felt assured that, unless taken by surprize, rioting and sedition would be speedily put down.

Nevertheless I did not neglect to assemble a disciplined force; surrounding the place chosen for the meeting were 300 police and 100 warders, within an easy distance awaited 100 mounted gentlemen volunteers, and the seamen and marines of H.M.S. 'Electra' and 'Fantome' guarded the Powder Magazine and Treasury.

These precautions, and the firm front of the citizens of Melbourne and Geelong preserved

the peace in both cities; seditious placards were circulated [Enclosure No.15], inflammatory speeches made, and the crowd dispersed.

On the 10th December the 99th Regiment arrived; their presence tends to give confidence to the people, but I have every reason to hope that there will not be cause to require their further services.

On the 6th December Mr Miller, a representative member of the Legislative Council, gave the notice which I have now the honor to transmit [Enclosure No.16], and on the following day the Council, headed by the Speaker, presented it in person, the Speaker informing me that it had been passed unanimously. Time did not admit of my preparing a written reply, for the Colonial Secretary had very properly taken upon himself to fix the hour without any previous consultation with me; I therefore addressed the Council in person [Enclosure No.12], a shorthand writer being present to take notes.

On the 14th instant, the Mayor and Town Council of Melbourne presented me with an address [Enclosure No.17], expressing the assurance of their sympathy for the position in which I had been placed, and their resolution to maintain the supremacy of the law. In my reply I urged upon them the necessity of following up the precautionary measures which they had so well begun, always keeping in view the peculiar circumstances of this colony which render probable the recurrence of not unsimilar scenes.

A deputation from gentlemen representing the squatting interests of this colony also waited upon me tendering their loyal and undivided co-operation in the suppression of sedition [Enclosure No.18].

And I have before me the copy of an address to which I would draw your attention, subscribed by several hundred of the respectable inhabitants of Melbourne and its neighbourhood, which is to be presented to-morrow [Enclosure No.19], the committee for carrying out this object having been composed of some of the municipal merchants and bankers.

For the support I have received, I feel most grateful; my position has been trying and difficult, but the loyalty and sound feeling of the majority of the inhabitants of Melbourne and Geelong has been satisfactorily tested, and any hopes which the evil disposed may have had on that account shattered to the winds.

To Major General Sir Robert Nickle, I feel greatly indebted; his counsel and assistance have been invaluable, and I have to acknowledge the cordial co-operation of all the authorities, civil, military and naval, and again to repeat the name of Captain Thomas of the 40th Regiment, who has twice rendered this colony essential service.

Since the earliest period of my arrival my attention has been directed to the management of the gold fields. For the purpose of obtaining accurate and reliable information, I made a tour in the mining districts, as reported in my Despatch No. 112 of the 18th September last. Although frequently called upon to address the miners, I never made a promise; I required of them patience, and for myself time, to master the complicated difficulties in which I found the colony surrounded. As soon as I understood the general position of their affairs, I appointed a commission to enquire into the administration of the laws which govern that portion of the community. I selected members of the Legislative Council and those only who I believed would be acceptable to them. I entreated them to place confidence in the Commission and await their report, instead of which they flew to arms, and brought about a catastrophe which we must all deplore.

But that which has occurred will in no way militate against the promotion of that policy which

I believe necessary for Victoria; under a liberal system of government only can she thrive, and it will be my study and aim to foster and aid it.

Nevertheless the eyes of Government must not be shut against what I believe to be the fact; the agitators and promoters of sedition have further objects in view than the repeal of the license fee. The more moderate make a trade of their vocation and subsist upon the money collected from their followers and hearers; the rest hold foreign democratic opinions; they are indifferent as to the precise form of government to be obtained, provided the road to it lay through an overthrow of property and general havoc; foreigners are to be found amongst the most active, and if they abuse the hospitality and protection they obtain here, have no right to expect clemency if convicted.

Within another month, the commission now visiting the gold fields will have made their report, and by that I hope to be able to abide; but so long as a law, however obnoxious and unpopular it may be, remains in force, obedience must be rendered, or government is at an end.

Concessions made to demonstrations of physical force bring their speedy retribution; the laws which regulate the gold fields are as I found them and until they are legitimately repealed, or modified, it is my duty to maintain them.

I have the honor to be Sir, Your obedient humble Servant,

CHAS. HOTHAM