

Chapter Eight

Rethinking 'Red-Ribbon' Protest: Bendigo, 1853-4

In the aftermath of the military attack made upon the Eureka Stockade at Ballarat in December 1854, a miner called Stephen Cummins told the investigators of his political convictions: 'I would go in for manhood suffrage and payment of members, and the districts to be equally divided; in fact, I would go in for the six points of what we used to call the Charter, in England'.¹ There can be little doubt that the original protest mobilised by the Ballarat Reform Association was partly inspired by Chartist idealism. Eureka, of course, has also become what Stuart Macintyre recently called 'a formative event in the national mythology', its flag (a representation of the Southern Cross) and legend claimed by the left and right.² But Eureka was only one manifestation of the Chartist inheritance upon the goldfields, and this chapter goes back to the Bendigo fields in the southern winter of 1853, where Chartists such as Henry Holyoake, George Thomson and William Dexter played a central role in organising the 'red-ribbon' protest against the thirty-shilling monthly miner's license.³ Unlike Eureka, the Bendigo anti-license demonstrations did not end in an armed conflict between miners and the state.⁴ But much of the martial tension that existed at Ballarat was also evident at Bendigo, where a highly organised campaign of 'passive resistance' barely disguised a threat of armed rebellion.

By and large, the Victorian goldfields have been depicted as an inchoate polity. Charles La Trobe argued that the red-ribbon crisis was primarily the work of a

¹ Report of the commission appointed to enquire into the condition of the gold fields of Victoria, *Votes and proceedings of the Legislative Council, 1854-5* (Melbourne, 1855), para. 707, evidence of S. Cummings.

² S. Macintyre, *A concise history of Australia* (Cambridge, 1999), pp. 89-90.

³ Illustration 14 of Thomson is taken from Cusack, *Bendigo*, opposite p. 36.

⁴ For the casualties see M. Chamberlain, 'Puzzles of the death-toll from the battle at the Eureka Stockade', *Australian Historical Statistics Bulletin*, 8 (1984), pp. 18-29.

small body of self-seeking and previously unknown 'agitators' who, encouraged by the *Argus*, imposed their treacherous political designs upon a wild but loyal digger population.⁵ Subsequent historians, on the other hand, predominantly assigned the causes of the protest to the economic hardships undoubtedly experienced by many miners. The broadly anti-political interpretative stance characteristic of existing historiography is perhaps most obvious in Bruce Kent's appraisal of early goldfields protest. According to Kent, 'the agitation which started at Bendigo in mid-1853 ... at one stage almost completely economic in tone, depended very much for its success on the extent to which the diggers were aggravated by the administration of the district, rather than on any consistent political convictions'.⁶ A decade or so later, Geoffrey Serle came to the similar conclusions:

The leaders had begun to think in political terms, and fully realized that the vote was the only satisfactory long-term solution for their grievances. Their followers, although all their assumptions were democratic, had barely begun to acquire a political consciousness ... for the moment their protest was almost entirely against the amount of taxation, the method of its collection, and the arbitrary nature of goldfields government.⁷

Thus it was not till the aftermath of Eureka that a 'popular democratic movement' truly emerged.⁸ In the later 1960s, Geoff Quaife restated what might be termed the apolitical digger thesis, stressing the apathy and parochial nature of goldfields politics after responsible government was introduced in 1856.⁹ Clearly, influential historians such as Kent, Serle and Quaife did not consider taxation as a political issue. Part of

⁵ Despatch of Lieutenant-Governor La Trobe to the Duke of Newcastle, no. 14, 12 September 1853, Further papers relative to the discovery of gold in Australia (1854), *British Parliamentary Papers*, Colonies (Australia), XVIII (Shannon, 1969 rep.), enclosure 1; Serle, *The golden age*, p. 106.

⁶ Kent, 'Agitations on the Victorian goldfields', p. 2.

⁷ Serle, *The golden age*, p. 113.

⁸ *Ibid.*, p. 170.

⁹ G.R. Quaife, 'The diggers: democratic sentiment and political apathy', *Australian Journal of Politics and History*, 13 (1967), pp. 221-46; G.R. Quaife, 'Make us roads no matter how: a note on colonial politics', *Australian Journal of Politics and History*, 15 (1969), pp. 47-54.

the problem here lies in the narrow conception of 'politics' that unites existing historiography. I will argue in this chapter that the political essence of popular radical protest on the goldfields needs to be acknowledged, as does its origins in Chartist political culture.

Victoria became independent of New South Wales in July 1851. Under the new constitution existing legislation continued to have effect until superseded by local laws. The Party Processions Act which Hawksley had criticised in 1849, for example, still applied in Victoria in 1853. Although the first Australian goldrushes occurred in the Bathurst region of New South Wales in May 1851, rich alluvial fields were soon found in many Victorian locations. The fledgling colony subsequently underwent substantial demographic change, the most obvious feature being an increase of population from about 97,000 to 540,000 by the end of the decade.¹⁰ Whilst significant internal migration occurred from other Australian colonies (New South Wales to the north, South Australia to the west, and Van Diemen's Land to the south) the majority of Victorian immigrants in the 1850s arrived from Britain.¹¹ Smaller, but significant numbers of gold seekers also came from Europe (particularly the German states), the United States, Canada and China.¹²

¹⁰ Borrie, *The European peopling of Australasia*, p. 68.

¹¹ *Ibid.*, pp. 69-70. For a selection of general accounts of the goldrushes see W.E. Adcock, *The gold rushes of the fifties* (Glen Waverley, 1977 rep.); R. Brough Smyth, *The gold fields and mineral districts of Victoria* (Carlton, 1979 rep.); J. Flett, *The history of gold discovery in Victoria* (Melbourne, 1970); G. Blainey, *The rush that never ended: a history of Australian mining* (Carlton, 1978); B.C. Hodge, 'Goldrush Australia', *Journal of the Royal Australian Historical Society*, 69 (1983), pp. 292-311; R. Annear, *Nothing but gold: the diggers of 1852* (Melbourne, 1999).

¹² Borrie, *The European peopling of Australasia*, p. 73; L.G. Churchward, 'The American contribution to the Victorian goldrush', *Victorian Historical Magazine*, 19 (1942), pp. 85-95; L.G. Churchward, 'Australian-American relations during the gold rush', *Historical Studies* (Australia and New Zealand), 2 (1942), pp. 11-24.

Political activity centred around opposition to the license had begun at Bendigo soon after the first rush to the pastoral frontier in 1851.¹³ Goldfields regulation was initially copied from the licensing system which had been hastily introduced in New South Wales just weeks earlier.¹⁴ After briefly doubling the thirty-shilling fee in December 1851, the Victorian government restored the original impost after protest meetings were convened by Captain John Harrison, a formal naval officer and republican who later took a leading role in both the red-ribbon movement and the Land Convention.¹⁵ All males living on a goldfield were obliged to obtain a license whether they were engaged in mining or service industries. Licenses had to be produced when demanded by the armed police force ('Joes', in goldfields parlance) deployed by the new colonial administration. Originally, holders were granted access to a plot of Crown Land measuring sixty-four square feet, although by mid-1853 this allocation had been increased to 144 square feet.¹⁶ In the first phase of the gold rushes, the working of both alluvial deposits (such as Bendigo and nearby Mount Alexander) and deeper leads (such as Ballarat) was undertaken primarily by small *ad hoc* co-operatives. According to government estimates, almost 20,000 diggers were at work in the Bendigo valley in August 1853, and a government camp had been established to administer the town and surrounding valleys.¹⁷

¹³ Kent, 'Agitations', pp. 3-4.

¹⁴ Blainey, *The rush that never ended*, p. 32.

¹⁵ Cusack, *Bendigo*, pp. 77-8. Illustrations 12 and 13 are taken from *ibid.*, opposite p. 84 and p. 36. For early fee regulations see *Victoria Government Gazette*, 16 August 1851 (Supplement); 20 August 1851, p. 259; 27 August 1851, p. 307; 3 December 1851, p. 825 (n.p.); 10 December 1851 p. 841 (n.p.). For Harrison see B. Nairn, G. Serle and R. Ward, section eds., *Australian dictionary of biography*, IV (Carlton, 1972), pp. 353-4.

¹⁶ Blainey, *The rush that never ended*, p. 32. For regulations in force in mid-1853 see *Victoria Gazette* (Supplement), 8 April 1853, pp. 483-5.

¹⁷ See La Trobe to Newcastle, 12 September 1853, enclosures 1, 21.

In the latter months of 1852 a considerable protest movement against the New South Wales' licensing system emerged at the Turon River field (near Bathurst). These demonstrations (which culminated in serious rioting in February 1853) were initiated by James McEachern, an associate of Edward Hawksley who had also been on the Sydney Constitutional Association committee.¹⁸ By June 1853 questions about the viability of the license were being raised in the New South Wales Legislative Council (then pre-occupied with a new goldfields management bill), a move which had considerable ramifications for the richer fields of Victoria.¹⁹ Whilst Victorian historians have not paid much attention to pertinent developments in New South Wales, Charles La Trobe, the Victorian Lieutenant-Governor, was certainly apprehensive about the course of events in the mother colony.²⁰ Perhaps it is no coincidence that the Anti-Gold License Association was formed at Bendigo at the very time the question of abolition was being aired in Sydney. It was not until after Eureka, however, that the licensing system was abandoned in Victoria and replaced by an export duty on gold.²¹

In June 1853 a wide-ranging petition of miner grievances was adopted by the Association at open-air public meetings convened at Bendigo.²² The town was then about two years old and still virtually a tent city. Lecturers from the Association committee visited nearby fields such as Mount Alexander and McIvor (both south-east

¹⁸ M. Higgins, 'The near-rebellion on the Turon Goldfields in 1853', *Journal of the Royal Australian Historical Society*, 68 (1983), pp. 292-311. One historian has called McEachern 'the least known, but the most intriguing political writer of his day'. See G. Nadel, *Australia's colonial culture: ideas, men and institutions in mid-nineteenth-century Australia* (Melbourne, 1957), p. 21.

¹⁹ Hodge, 'Goldrush Australia', p. 165.

²⁰ La Trobe to Newcastle, 12 September 1853, enclosure 1.

²¹ Serle, *The golden age*, p. 115.

²² G. Mackay, *The history of Bendigo* (Bendigo, 1891), pp. 23-6; Cusack, *Bendigo*, p. 84; G. Thomson, 'Leaves from the diary of an old Bendigonian of 1853' in T. Leavitt and W. Lilburne, eds., *Jubilee history of Victoria and Melbourne* (Melbourne, 1888), p. 25; C.M.H. Clark, *A history of Australia*, IV (Melbourne, 1978), pp. 61-5.

of Bendigo) to explain the objects of the protest movement and obtain further signatures.²³ In late July the petition was taken to Melbourne and on 1 August a miner's delegation consisting of George Thompson, Captain Edward Brown and Dr D.G. Jones presented it to La Trobe.²⁴ Receiving little sympathy, the delegates addressed some meetings in Melbourne before returning separately to Bendigo. Here three mass-meetings took place on three successive Saturdays from 13 August, whilst La Trobe took the unprecedented step of publishing his formal reply to the diggers' grievances on 20 August.²⁵ About this time a red ribbon was also generally adopted by miners as a badge of civil disobedience, and on 27 August a climactic act was played out when another delegation elected from a public meeting of about 15,000 miners tendered 10 shillings (one-third of the normal fee) to Bendigo camp officials for their September licenses, offering themselves for arrest in the process.²⁶ This tactic, agreed to by a literal majority of Bendigo diggers, had been originally proposed by Henry Holyoake on 13 August as a measure 'strictly within the bounds of moral force'.²⁷ La Trobe dissented, however, calling Holyoake's proposal 'a scheme to organise a systematic physical resistance to the authorities on the workings'.²⁸

By the end of August a considerable military force of about 170 mounted and foot police and 150 troops of the 40th regiment had assembled at the Bendigo camp. The Chief Gold Fields Commissioner, W.H. Wright, informed La Trobe that he had taken 'every precaution in my power to have the military and police forces available for any purpose ... though not exposed to view' on the day of the rain-sodden final

²³ Serle, *The golden age*, p. 107.

²⁴ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', pp. 25-6.

²⁵ La Trobe to Newcastle, 12 September 1853, enclosure 3.

²⁶ *Argus*, 1 September 1853, p. 5 (n.p.); *Melbourne Herald*, 1 September 1853, p. 5 (n.p.); *Argus*, 2 September 1853, p. 4 (n.p.); *Express*, 3 September 1853, p. 5 (n.p.).

²⁷ *Argus*, 19 August 1853, p. 4 (n.p.).

²⁸ La Trobe to Newcastle, 12 September 1853.

demonstration.²⁹ In the end the delegation's tender was refused with some diplomacy, and no arrests were made. Identical (but smaller) demonstrations were also undertaken at Castlemaine, McIvor, Jones Creek and the new field at Waranga.³⁰ At Ballarat organisers counselled the miners to pay the September license and await the result of their own petition to the Legislative Council.³¹ In Melbourne, however, reports appeared of impending rebellion at Bendigo.³² La Trobe having received a similarly alarming communication from his chief of police, the Council hastily waived compliance with the September fee and set up an inquiry which, for the time being, quelled the campaign of 'passive resistance' which had been co-ordinated from Bendigo.³³ So confident now was the Association of achieving its aims that it deliberately disbanded at a meeting held at Bendigo in October 1853.³⁴ Under emergency legislation passed by the Council in September, a £2 quarterly fee was introduced.³⁵ The new Goldfields Management Act, however, proved a bitter disappointment for the democrats – as did the Legislative Council's new draft constitution for the colony finalised (for the approval of the imperial Parliament) in March 1854.³⁶ Demonstrations against the 'license tax' and the lack of political representation thus escalated during the latter part of the year, culminating in the 40th regiment's dawn attack upon the Eureka stockade in early December.

²⁹ *Ibid.*, enclosure 9.

³⁰ La Trobe to Newcastle, 12 September 1853.

³¹ *Melbourne Herald*, 5 September 1853, p. 4 (n.p.).

³² *Geelong Advertiser and Intelligencer*, 5 September 1853, p. 2 (n.p.). See also *Melbourne Herald*, 5 September 1853, p. 4 (n.p.) and the summary in (the Sydney) *Empire*, 12 September 1853, pp. 2726-7.

³³ Serle, *The golden age*, p. 110; La Trobe to Newcastle, 12 September 1853.

³⁴ See *Argus*, 13 October 1853, p. 5 (n.p.).

³⁵ For the emergency legislation (17 Vic., no. 1) see *Victoria Government Gazette* (Supplement), 14 September 1853, (n.p.).

³⁶ Serle, *The golden age*, pp. 116-17.

II

It would be difficult to argue that the diggers' grievances had no economic basis, or that local factors had no role in determining the course of events at Bendigo. Yet material concerns invariably only tell only part of the story. A case can certainly be made that most of the demands espoused at Bendigo and other Victorian goldfields were democratically inspired and had identifiable Chartist cultural antecedents. The key document of red-ribbon protest, of course, was the goldfields petition.³⁷ Its preamble stressed the 'present impoverished condition of the gold-fields' and pointed out that the license fee fell equally upon successful and unsuccessful prospectors. The constant surveillance and searching of the mining population by police ('digger-hunting') was criticised, as was the 'squatter land monopoly'. Then followed a number of more specific requests regarding the license: the reduction of the fee to ten shillings a month; the introduction of an option for quarterly licences; a fifteen-day moratorium upon licensing obligations for new arrivals; the opportunity for miners to buy allotments of Crown Land near the diggings; the reduction of the penalty for not possessing a license from £5 to £1; and the removal of the armed police force. The petitioners concluded by reminding La Trobe

that a petition is the only mode by which they can submit their wants ... as, although they contribute more to the Exchequer than any other class of her majesty's subjects, they are the only portion unrepresented.³⁸

³⁷ For the text of the petition see *Argus*, 9 July 1853, p. 3 (n.p.); *Melbourne Herald*, 9 August 1853, p. 5 (n.p.). It is now held in the State Library of Victoria. A transcription of the document currently forms part of a virtual exhibition on the goldfields which can be accessed at www.slv.vic.gov.au.

³⁸ *Argus*, 9 July 1853, p. 3 (n.p.).

If the goldfields are considered as an anarchic environment in which nothing really mattered except material accumulation, or as a cultural vacuum devoid of a political heritage, a case might be made that these grievances were predominantly economic, parochial and non-political. But this approach ignores the manifestation of a range of ready-made democratic arguments that could be easily modified or transposed to suit goldfields' grievances.

The petitioning of executive government had been a common practice in Australia since the beginning of British settlement and was hardly a particularly 'Chartist' tactic. Nonetheless, the demands, scale and presentation of the goldfields memorial (it was over forty feet long, contained over five thousand signatures, and was sent to Melbourne amidst some fanfare) do suggest Chartist antecedents. Although J.D. Owens stated that he had not previously been 'called to political life' before arriving at the Ovens fields (Beechworth), a number of digger leaders such as Thomson, Holyoake and Dexter had active Chartist credentials.³⁹ As we shall see, other rhetorical linkages can be made, particularly the criticism of the 'un-English' policing of the goldfields. The principal problem of existing interpretation of goldfields radicalism, however, is the failure to see that taxation was a profoundly political issue. Not only did the goldfields petition clearly echo passages condemning unjust taxation in the 1839 and 1842 Chartist petitions. Even La Trobe recognised the ease with which the license issue fitted into radical rhetoric. As he pointed out to Sir William Denison, who had just succeeded FitzRoy as Governor-General in Sydney,

It has not been difficult for the friends of political agitation ... to persuade the mass, that the imposition is an unjust and oppressive tax, levied upon a portion of the community which has no voice in the enactment of the law under which it is levied

³⁹ *Argus*, 6 September 1853, p. 5 (n.p.). For Owens see B. Nairn, G. Serle, and R. Ward, section eds., *Australian dictionary of biography*, V (Carlton, 1975), pp. 385-6.

... it follows that all steps taken to compel compliance have been considered acts of tyranny and the authorities tyrants.⁴⁰

Despite this admission, in other influential quarters the almost automatic portrayal of the license fee as a tax upon unrepresented labour was disputed on theoretical grounds.

For example, just before the goldfields petition was presented to La Trobe the Melbourne *Argus* conducted its own dissection of the miners' demands. Whilst this leading colonial paper was highly critical of the colonial government's management of the fields and the 'inhuman and tyrannical treatment of the diggers', it was not of the opinion that the fee was a tax upon labour:

We do not look upon the license-fee as excessive. We consider it a *rent*, not a *tax*; and when rent is expended ... upon the people from whom it is raised, we do not conceive that they have yet shown good grounds for its alteration.⁴¹

Nonetheless, the *Argus* did stress a 'clause of particular importance' in the petition:

This is the question of the *representation of the miner* ... This is indeed an anomaly, and one which should be immediately rectified. About this there should be no mistake, no shuffling, no evasion, no misunderstanding whatsoever ... The deputation ought to insist explicitly upon the government pledging itself to introduce a bill to enfranchise the diggers *at the very opening of the Council*.⁴²

The latter point was reiterated by William Howitt, then wandering the Victorian fields: 'nothing could be clearer than that they [the diggers] should possess the franchise, and land also on which to base it'.⁴³ As David Goodman notes, however, Howitt increasingly became uneasy about the democratic culture he observed in

⁴⁰ Despatch of Lieutenant-Governor La Trobe to the Duke of Newcastle, no. 15, 17 September 1853, Further papers relative to the discovery of gold in Australia (1854), *British Parliamentary Papers*, Colonies (Australia), XVIII (Shannon, 1969 rep.), enclosure 1.

⁴¹ *Argus*, 28 July 1853, p. 4 (n.p.). Italics in original.

⁴² *Ibid.* Italics in original.

⁴³ W. Howitt, *Land, labour and gold* (Kilmore, 1972 rep.), p. 216.

Victoria.⁴⁴ The *Argus* also changed tack, and eventually spurned the diggers' claims to political representation.

The argument that the license fee was not a tax was commonly voiced by colonial administrators in Victoria and New South Wales.⁴⁵ 'How is it you all call this license fee taxation, when in fact it is not a tax, but a rent or royalty', testily remarked W.C. Wentworth as chair of the 1853 select committee investigation into goldfields management in the older colony.⁴⁶ Few digger leaders, however, were troubled by semantic distinctions. The license was widely *perceived*, rightly or wrongly, as an indiscriminate tax imposed upon the unrepresented producers of colonial wealth – a grievance straight from the heart of the Chartist cultural inheritance. It might be objected, of course, that the taxation question was not particularly 'Chartist' in origin. To the contrary, it was central to the English constitutional heritage. But the Chartist movement had popularised the maxim that labour was the source of all wealth, and that working people subsequently had a right (and even a duty) to contest the constitutional legacy. The distinctively Chartist argument that labour and intelligence, not property, represented a legitimate source of political capital was the basis of digger claims to be heard and relieved.

At the Legislative Council's investigation held in September 1853 a range of often contradictory opinions were given about the origins of the opposition to the license. Conservative and democratic leaders alike stated that the objection was

⁴⁴ D. Goodman, 'Rereading gold-rush travellers' narratives', *Australian Cultural History*, 10 (1991), p. 106.

⁴⁵ See Report of the select committee of the Legislative Council on the gold fields, *Votes and proceedings of the Legislative Council, 1853-4*, III (Melbourne, 1854), paras. 760-6, evidence of G. Purchase.

⁴⁶ Select committee on the goldfields' management bill, *Votes and proceedings of the Legislative Council, 1853*, II (Sydney, 1853), para. 9. For Wentworth, a favourite conservative target of Edward Hawksley, see J. Ritchie, *The Wentworths: father and son* (Carlton, 1997).

primarily administrative and economic, only to contradict themselves when explicitly questioned about possible political motives. For example, J.D. Owens initially argued that the inequity of the license and its mode of collection had aroused most opposition:

The main objection of the diggers is to the mode of collecting the license fee; since this is managed with so much offensiveness as to make the diggers appear like a criminal class, and digging like a crime. They are subject at any time to be stopped and interrogated by the police, and to be carried off to a watchhouse, and this has naturally created a feeling of great irritation.⁴⁷

Yet Owens later stated that there was a 'very strong' feeling about the vote amongst the miners. In fact, he was 'certain that they would be perfectly pacific and contented if they were represented'.⁴⁸ From the outset of his public career, moreover, Owens had stressed that the miners' 'political and social elevation' could only be remedied by democratic political reform. In an open letter to diggers resident on the Owens fields circulated in the *Argus* in late July 1853, he pointed out the necessity of the formation of a 'Digger's Union' devoted to obtaining three 'fundamental' rights: firstly, the total withdrawal of the license fee 'to establish free labor for the poor man of all countries'; secondly, to 'obtain an entire change in the government of the goldfields, in accordance with the common rights of Englishmen'; and thirdly, 'to obtain for the mining districts a full and fair representation in the Legislative Council'.⁴⁹

Whilst Owen's political background in Britain is not clear, his basic argument had long been the basis of popular radicalism – that social ills ultimately emanated from political mismanagement, corruption and excessive taxation, and could only be corrected by Parliamentary reform. Opposition to the 'license tax' should thus not be

⁴⁷ Report of the select committee of the Legislative Council on the gold fields (1853), para. 181, evidence of J.D. Owens.

⁴⁸ *Ibid.*, para. 212.

⁴⁹ *Argus*, 29 July 1853, pp. 4-5 (n.p.).

seen as somehow opposed to democratic political demands as the traditional interpretation of goldfields protest assumes. Rather, these grievances were *complementary* elements of a radical constitutionalist critique of governance that applied as much to emigrant Victoria as it did to Britain. At the height of the red-ribbon demonstrations La Trobe attempted to assuage opposition by appointing Edward Emmett, a Bendigo auctioneer, as a digger representative to the Legislative Council. This proposal was angrily rejected at the final Bendigo meeting on 27 August, although Emmett was allowed to speak from the platform.⁵⁰ Whilst he came to be regarded as sympathetic to the miners and later was elected Mayor of Bendigo, Emmett resigned from the Council soon after being publicly rebuked by George Thomson and Henry Holyoake.⁵¹ Emmett himself underplayed the importance of democratic representation in his evidence to the select committee in September.⁵² Yet he did remark how 'a vast number who are located on the Diggings ... the moment they become possessed of a homestead ... will of course expect to see themselves enfranchised'.⁵³ Asked by the Committee whether the diggers considered themselves 'fully represented in the present House', he replied from bitter personal experience: 'They consider not, because they say that if they were allowed to elect a respectable man from their own class, their wants would be made known and their wishes attended to'.⁵⁴

⁵⁰ *Argus*, 1 September 1853, p. 5 (n.p.); 2 September 1853, p. 4 (n.p.); *Melbourne Herald*, 1 September 1853, p. 5 (n.p.); *Express*, 3 September 1853, p. 5 (n.p.); Mackay, *History of Bendigo*, pp. 25-6; Serle, *The golden age*, p. 110.

⁵¹ *Express*, 3 September 1853, p. 5 (n.p.); Serle, *The golden age*, p. 110.

⁵² Report of the select committee of the Legislative Council on the gold fields (1853), para. 69, evidence of E.N. Emmett.

⁵³ *Ibid.*

⁵⁴ *Ibid.*, para. 68.

Emmett, Howitt and Council members invariably linked the right to vote with the possession of real property or settlement. The undeniably transient nature of goldfields life was repeatedly raised by the select committee as a bar to electoral qualification. The democratic reply invariably wed a theory of natural political rights to the opinion that because the license was a tax it was also an elective qualification. Owens, Thomson, Angus Mackay and G.E. Purchase, for example, were all interrogated as to whether they thought 'it fair that a migratory population should be allowed to take a part in the settled business of the country', to which all replied in the affirmative.⁵⁵ Mackay thought that a hypothetical settlement qualification of six months would unnecessarily 'disfranchise a large proportion of the diggers', although George Purchase acquiesced to this course.⁵⁶ The democratic argument eventually became enshrined in the 'Miner's Right' introduced by the Legislative Council in June 1855.⁵⁷ As we shall see in the next chapter, however, conservative legislators effectively placed a brake upon a burgeoning democracy by implementing a number of procedural obstructions – including voter registration procedures which many diggers could not hope to satisfy.

The policing of the goldfields has become one of the abiding themes of goldfields historiography, and at least one memoir actually attributes the red-ribbon protest to police harassment.⁵⁸ Serle and others have argued that in late 1851 Victoria verged upon a complete break-down of the rule of law simply because existing resources and personnel were grossly inadequate.⁵⁹ After the hasty reinforcement of

⁵⁵ *Ibid.*, para. 256, evidence of J.D. Owens; paras. 754-6, evidence of G. Purchase; paras. 1025-9, evidence of G.E. Thomson; paras. 2053-6, evidence of A. Mackay.

⁵⁶ *Ibid.*, para. 2056, evidence of A. Mackay; para. 756, evidence of G. Purchase.

⁵⁷ Serle, *The golden age*, p. 179.

⁵⁸ G. Dunderdale, *The book of the bush* (Ringwood, 1973 rep.), p. 91.

⁵⁹ Serle, *The golden age*, pp. 24-5; Annear, *Nothing but gold*, p. 282.

the police and the establishment of government camps at the larger fields, however, goldfields narratives nearly always turn to the spectacle of armed 'digger hunts' commanded by petulant 'boy commissioners', and cases of miners being marched about and chained to trees like convicts.⁶⁰ Again, the objections to policing methods deployed upon the goldfields may ostensibly seem a localised grievance unique to these particular environments. But as with the rhetorical positioning of the license as an unjust tax, the antipathy to evolving forms of goldfields policing also needs be placed in a neo-Chartist cultural context.

We saw in chapter one how a hatred of the new police had become ingrained in working-class culture in Britain, and how Chartists deliberately exploited such misgivings. A related form of antagonism were the detested police informants or spies, some of whom ended up in Australia.⁶¹ Chartist public meetings were not only regularly observed by police informants; they also suffered the unwanted and sometimes violent attentions of squads of imported metropolitan police, the most infamous instance being the attack which preceded Birmingham's 'Bull Ring riot' of July 1839.⁶² J.J. Bezer's recollections of his boyhood in London gives a more humorous insight into the hostility:

trailing up Holborn-hill with my bag full of orders nearly dragging the ground behind me, a policeman – a *new* policeman we called them then – stopped me: 'You sir, what er ye got in there, a?' Now, I was not in the best of humours just then; indeed, 'Crushers' were never very popular with me;– so, (alluding to the policeman who had stolen a leg of mutton a while before, and which was all the talk), I answered promptly, looking at the gentleman as impudently as an embryo Chartist well could, 'Legs of mutton.' 'I'll leg o' mutton yer,' says he; and off I was taken to the Station.⁶³

⁶⁰ For typical examples see Howitt, *Land, labour and gold*, letter XXIII; Mackay, *The History of Bendigo*, ch. 2; Thomson, 'Leaves from the diary of an old Bendigonian of 1853', pp. 22-3; Cusack, *Bendigo*, ch. 10; Clark, *A history of Australia*, IV, ch. 4 and *passim*; Annear, *Nothing but gold*, ch. 20.

⁶¹ Belchem, 'The spy system in 1848'; Belchem, 'Chartist informers in Australia'.

⁶² Gammage, *History*, pp. 131-2.

⁶³ Bezer, 'Autobiography of one of the Chartist rebels of 1848', p. 165. Italics in original.

Two decades of popular antipathy towards policing reforms associated were implicit in Bezer's recollections. Again, police hatred was not particularly 'Chartist' in itself. But the *linkage* of new forms of policing with administrative centralisation, political surveillance and tyranny was one of the most obvious characteristics of Chartist rhetoric in Britain and Victoria. At the very least, we need to look beyond the immediate goldfields environment to understand the depth of feeling so evident on this issue.

Other rhetorical themes closely associated with characteristic Chartist discourse can be identified in red-ribbon rhetoric. Seweryn Korzelinski, a Polish emigrant who is said to have taken part in Continental revolutions in 1830 and 1848, stood aloof from the movement.⁶⁴ Despite his evident disdain for the digger leadership, Korzelinski's recollection of the rhetoric used at the mass-meetings once again suggests how demotic arguments closely associated with Chartism could be re-deployed upon the goldfields without any alteration whatsoever: 'Lacking arguments they insulted the Queen ... They cited the civil list and the huge amounts of money spent on the Queen, her husband and family, as well as the pensions paid to the progeny of the mistresses of previous kings'.⁶⁵ Korzelinski also noted how Captain Brown compared 'those expences with the expences of the United States ... [he] claimed that the British court alone cost England more than the President, the whole civil service, the army and navy in the United States'.⁶⁶ Similar rhetoric, as we saw earlier, can repeatedly be found in Chartist protest in Britain. A spectrum of neo-Chartist arguments, that went well beyond the programme of Parliamentary reform or

⁶⁴ S. Korzelinski, *Memoirs of gold-digging in Australia* (St Lucia, 1979).

⁶⁵ *Ibid.*, p. 98.

⁶⁶ *Ibid.*

the choice between 'moral' and 'physical' force intimidation, thus invigorated popular radical protest on the goldfields. Strangely enough, in Victoria these 'influences' seem to become clearer as the 1850s progressed – a paradox which will become more evident in the following chapter.

In his evidence to the 1853 select committee J.D. Owens commented that the miners, the 'majority of them being fresh from England, and having so recently escaped from a conflict with capital there, are naturally anxious not to get involved in a similar struggle here'.⁶⁷ As noted earlier, the distinctive feature of the initial stages of the goldrushes was the opportunity for small co-operatives to obtain a living from relatively accessible alluvial deposits. A highly organised co-operative system was also extensively used by Chinese miners who successfully worked diggings which had been abandoned by Europeans. As these alluvial sources were exhausted the mining of deeper leads began to predominate, an industrial activity which invariably required considerable investment. The romantic rhetoric of independence associated with the alluvial digging, on the other hand, had a number of resonances with radical agrarian ideology.⁶⁸ Independence, control over the timing and the manner of work, a symbiotic relationship with the soil through the application of manual tools, the escape from capitalism, factory production, the city and so forth were elements of each. That said, a number of striking differences distinguished the idealised independent agriculturalist and the roaming digger. An intoxicating sense of adventure, for example, seems to have eclipsed the notions of security invested in the ownership or control of a plot of land. The widespread expectation of easy wealth also

⁶⁷ Report of the select committee of the Legislative Council on the gold fields (1853), paras. 225-6, evidence of J.D. Owens.

⁶⁸ See Serle, *The golden age*, pp. 92-3 for digger conceptions of independence.

stood at odds with agrarian notions of industrious aggregation. Finally, the emergent and stridently masculine notion of 'mateship' apparent upon the goldfields clashed with agrarian conceptions of domestic satisfaction.⁶⁹ When gold mining increasingly became a capitalist industry from the mid 1850s, however, an agrarian rhetoric of independence, security and prosperity reawakened with a vengeance.

III

The organisation of the Anti-Gold License Association can also be placed in a neo-Chartist context. George Thomson wrote an influential memoir of the red-ribbon protest in the 1880s, and his description of the compilation of the goldfields petition will sound familiar to students of Chartism. The tent-city environment of Bendigo and surrounding goldfields, however, did present some challenges:

Funds for the purpose of a vigorous propaganda were furnished, the contributions being paid mainly in gold dust ... The difficulties to be overcome in organising public opinion were considerable. Printing presses were not available out of Melbourne or Geelong ... recourse, therefore, was had to writing. The announcements of the intentions of the league ... on sheets of brown paper, were distributed amongst the stores in the various gullies, at which places copies of the memorial ... were left for signature. Two members were appointed to address and explain to those working in more distant parts of the field the extent and object of the movement ... Local committees were appointed, the chairmen of which were to be members of the central body, who were to control and direct the policy and arrange the plans of action in the future. The deputies then visited the McIvor and Castlemaine districts ... At the end of July the memorial had been signed by 23,000 people on Bendigo and Castlemaine.⁷⁰

Thomson reported that in Melbourne the delegates had great difficulties securing a room to speak, as their movement was 'regarded by the authorities as an illegal

⁶⁹ For mateship, masculinity and gender see R. Ward, *The Australian legend* (Melbourne, 1978); M. Dixon, *The real matilda: women and identity in Australia 1788 to the present* (Ringwood, 1994); M. Lake, 'The politics of respectability: identifying the masculine context', *Historical Studies*, 22 (1986), pp. 116-131.

⁷⁰ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 25.

association'.⁷¹ In the Chartist tradition, he also significantly exaggerated the number of signatories.⁷² A transcription has been made of the goldfields petition, and it appears that many diggers signed more than once. Henry Holyoake, for example, appears to have signed three times.⁷³ This potentially risky tactic (given the ridicule which surrounded the 1848 national petition in England) at least ensured a document of impressive physical proportions that evoked 'monster' Chartist forbears. Perhaps the most obvious indicator of the goldfields petition's political heritage, however, lay in the organisers' decision to bind it for display in green silk.⁷⁴

Thomson's account portrays an improvised protest deprived of some of the most basic tools of political organisation such as access to printing and reliable postage facilities. One obvious solution was to rely on oral forms of communication. Just prior to the last mass-meeting on 27 August, for example, 'Messengers were seen flying to and fro in every direction'.⁷⁵ Despite the unavailability of printing presses, accounts of Bendigo during August 1853 invariably comment upon the use of placards inscribed 'NO LICENSE TAKEN HERE' pinned or pasted upon tents.⁷⁶ And there were the ubiquitous red-ribbons. 'You saw dogs going about with red ribbons around their neck; and horses with them attached to their blinkers, as anti-licensors', remarked Howitt.⁷⁷ Although the improvisation resorted to by Bendigo activists was a characteristic of Chartist protest generally, might not the choice of a red-ribbon seem a

⁷¹ *Ibid.*, p. 26.

⁷² Serle, *The golden age*, p. 108 puts the number at 'more than five thousand signatures'. The *Argus*, 28 July 1853, p. 4 (n.p.) estimated the signatories at 8-10,000.

⁷³ See transcription details under 'H' at the Goldfields petition virtual exhibition, State Library of Victoria, www.slv.vic.gov.au.

⁷⁴ *Argus*, 22 July 1853, p. 4 (n.p.).

⁷⁵ *Express*, 3 September 1853, p. 5 (n.p.).

⁷⁶ Dunderdale, *The book of the bush*, p. 91. Howitt, *Land, labour and gold*, pp. 228-9; Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 25.

⁷⁷ Howitt, *Land, labour and gold*, p. 229.

little incongruous, particularly given the presentation of complaint in the classic constitutionalist form of the petition? Although it is unclear who suggested this symbol of allegiance, leaders with both radical-constitutionalist (Thomson) and republican outlooks (Captain Harrison and William Dexter) were on the diggers' central committee. In his evidence to the select committee, George Purchase said he did not know whether the adoption of the red-ribbon signified 'red republican' allegiance.⁷⁸ Yet in section one we saw how Chartists drew upon both Paineite and constitutionalist arguments without arousing any sense of contradiction, and this inclusive feature of Chartist political culture would appear to have made the long journey to Bendigo, where loyalist and patriotic exclamations arose amidst republican rhetoric and the flags of revolutionary Europe. In any case, similar symbolic precedents can be identified from the first phase of Chartist protest. During the church visits of 1839, for example, a red-ribbon was used by Finsbury and Clerkenwell radicals 'as a badge of distinction and fraternisation' during their excursion to St James, Clerkenwell.⁷⁹

Like most investigations of its type, the select committee inquiry heard evidence from a range of perspectives. Diametrically opposed evidence was given on a number of subjects, including the level of political organisation apparent at Bendigo. Charles Parrott, a local storekeeper, reiterated La Trobe's argument that the diggers had few political convictions:

When a lot of them ... get together, they are like a set of schoolboys, they shout and halloo at anything. At their meetings it is always the loudest and noisiest speaker that gets the most shouts, and the man who uses the longest words gets the most cheers.⁸⁰

⁷⁸ Report of the select committee of the Legislative Council on the gold fields (1853), paras. 807-8, evidence of G. Purchase.

⁷⁹ *Examiner*, 25 August 1839, p. 538.

⁸⁰ Report of the select committee of the Legislative Council on the gold fields (1853), para. 1587, evidence of C.H. Parrott.

According to Parrott the diggers had been completely unconcerned with political issues until placards began to appear around the fields.⁸¹ William Ritchie, also a storekeeper, made a similar point.⁸² Another conservative witness argued that the diggers were not effectively marshalled.⁸³ However, these claims were flatly contradicted by Commissioner Wright who admitted that the red-ribbon movement was organised 'far beyond anything that I could have expected. The whole agitation was carried on in a way that I was certainly not prepared for'.⁸⁴

This admission is revealing, and hints at the flexibility of the Chartist political inheritance as a source of ideas and organisational precedents which could be quickly drawn upon in alien environments. The goldfields mass meetings were also characterised by a stress upon financial accountability, another telling characteristic of Chartist antecedents. At the final Bendigo meeting on 27 August, for example,

an abstract of the balance-sheet of the society was then read by the chairman ... the sheet had to be submitted to the auditors and passed to the committee; after which a number of them would be laid at various stores for the inspection of parties desirous of looking more closely into the matter ... a publication of it would likewise take place, through the columns of the press.⁸⁵

Another report gave brief details of the Committee's receipts (which totalled £309), and noted that its assets including a number of flags, banners and a horse.⁸⁶ According to the *Argus* correspondent, the extended account of these pecuniary details from the platform was soon met with exasperated cries of "“enough said,” and various other manifestations of confidence'.⁸⁷ However, the emphasis upon accountability was

⁸¹ *Ibid.*, paras. 1592-3.

⁸² *Ibid.*, para. 1670, evidence of W.H. Ritchie.

⁸³ *Ibid.*, para. 1411, evidence of A. Gilbert.

⁸⁴ *Ibid.*, paras. 1884-6, evidence of W.H. Wright.

⁸⁵ *Argus*, 1 September 1853, p. 5 (n.p.).

⁸⁶ *Melbourne Herald*, 1 September 1853, p. 5 (n.p.).

⁸⁷ *Argus*, 1 September 1853, p. 5 (n.p.).

almost obligatory, given the claims of 'political trading' that had longed dogged Chartist organisation in Britain, and the charges of demagoguery laid against the Anti-Gold License Association in Victoria.⁸⁸

At the meeting of 27 August the *Melbourne Herald* correspondent noted that Emmett 'cut a poor figure' on the platform whilst George Thomson and Henry Holyoake were received with boisterous acclamation.⁸⁹ The *Express* also contrasted Emmett's solemn words (he concluded his speech by appealing to Heaven with an uplifted hat) with Thomson's 'caustic' rejoinder.⁹⁰ Thomson, Holyoake and William Dexter all drew their evidently effective speaking skills from active involvement in Chartist politics in Britain. Henry Holyoake can be found publicising a 'Musical and Dramatic Entertainment' at the John Street Institute, Soho, in aid of the National Charter Fund in May 1851.⁹¹ In addition to Chartist activities at Nottingham in the late 1840s, William Dexter sometimes spoke at the Bloomer dress-reform lectures given by his wife Caroline in London in 1851.⁹² It is not clear, however, whether he accompanied Caroline upon her didactic 'peregrinations ... from Perth to Penzance, and from Boston Deepes to the Irish sea'.⁹³

As we saw in the first section, one of the main themes of postmodern approaches to political leadership in the nineteenth century is the 'narratives of leadership' that were drawn upon by those seeking popular acclaim.⁹⁴ Whilst care should be taken to avoid conflating Chartist and popular liberal leadership styles,

⁸⁸ Pickering, 'Chartism and the "Trade of Agitation"'.

⁸⁹ *Melbourne Herald*, 1 September 1853, p. 5 (n.p.).

⁹⁰ *Express*, 3 September 1853, p. 5 (n.p.).

⁹¹ *Friend of the People*, 17 May 1851, p. 199. Austin Holyoake was also a sometime lecturer and member of the Owenite-Chartist John Street Institution in Soho. See *Cooper's Journal*, 1 June 1850, p. 341; *Notes to the People*, 2 (1852), pp. 882-3.

⁹² *Times*, 30 September 1851, p. 8; *Punch, or the London Charivari*, 21 (1851), p. 158.

⁹³ *Times*, 5 January 1852, p. 8.

⁹⁴ Vernon, *Politics and the People*, pp. 251-91.

historians such as Vernon and Joyce have stressed the contemporary 'fascination with leader heroes', whether they were gentleman leaders like Hunt, O'Connor, Jones, Bright or Gladstone, revolutionary heroes such as Mazzini and Kossuth, or the ubiquitous military man turned protector of the people. As we saw in chapter three, medical qualifications were also clearly endowed with a significant degree of moral capital in a proletarian political culture such as Chartism, and it should be noted that the biggest public meetings at Bendigo were chaired by doctors (Jones and Dr. J.E. Wall).⁹⁵ However, at the Ovens River (located in the highlands to the east of Bendigo, now Beechworth), the main license protest meeting was chaired by a Captain Wells, and at Bendigo two variants on the military model of political legitimacy emerged.⁹⁶

The 'gallant Captain' John Harrison was already a prominent political figure in Victoria before the goldrushes began, having taken a leading part in the local anti-transportation and separation movements.⁹⁷ Harrison was also involved in the Victoria Gold Mining Association and the Mutual Protection Society, both formed in 1852.⁹⁸ Captain Edward Brown, another prominent platform speaker and travelling lecturer who was arrested after the showdown of 27 August on a charge of attempted extortion, appears to have been a much more recent immigrant.⁹⁹ His avowed exploits in the Texas Rangers, moreover, were perhaps somewhat fortuitously unverifiable in central Victoria. Brown now seems a particularly elusive character, and is primarily

⁹⁵ *Argus*, 19 August 1853, p. 4 (n.p.); 1 September 1853, p. 5 (n.p.). Wall appears to have been a chemist rather than a medical practitioner, and was subsequently prosecuted for fraudulent activity and manslaughter. See K.M. Bowden, *Doctors and the diggers on the Mount Alexander goldfields* (n.p., 1974), pp. 131-3, 208.

⁹⁶ *Empire* (Supplement), 31 August 1853, (n.p.).

⁹⁷ Cusack, *Bendigo*, pp. 76-7.

⁹⁸ *Ibid.*, pp. 80-1.

⁹⁹ *Argus*, 8 September 1853, p. 4 (n.p.); 12 September 1853, p. 5 (n.p.); La Trobe to Newcastle, 12 September 1853, enclosures 17-18; Thomson, 'Leaves from the diary of an old Bendigonian of 1853', pp. 35-7.

remembered as the demagogue of the movement. Geoffrey Serle rated George Thomson 'a good witness', but the latter's biographical sketch of Brown written in the 1880s seems imbued with a vitriol that was not apparent in contemporary accounts of the Anti-Gold License Association.¹⁰⁰ According to Thomson, Brown

was by birth an Irishman, having been born at Bandon near Cork, had been fairly educated, and was a good Latin and a tolerable Greek scholar. He had been thrown early in life upon society without either trade and profession; all pursuits of a steady character were distasteful to him ... When quite a youth he landed upon the American shores ... Subsequently he drifted into Texas, at that time a wild region ... Ultimately the discovery of gold in Australia drew him to these shores ... He knew nothing of the goldfields grievances; but it was enough for him that they could be made the basis of an agitation of which he hoped to be leader and director ... He had no fixed principles of any kind, or business capacity for organization of any kind. He was always declamatory, never logical; his speeches were appeals to the passions of his auditors rather than to their reason ... with the crowd he had some influence, with the committee scarcely any. His imperious and dictatorial manner disgusted the men who formed that body.¹⁰¹

Thomson was an Owenite rationalist to his death, and this account reveals some the tensions of a political culture with strong romantic and rationalist tendencies. The biographical vignette is also so redolent of the kinds of criticisms that were heaped upon Feargus O'Connor as to leave the reader wondering about its ultimate inspiration.¹⁰²

In late July 1853 the *Melbourne Herald* portrayed the red-ribbon movement as possessing 'much good sense and loyalty' allied to a 'considerable dash of the old "Cuffey" mixture of brutality and buffoonery' – here referring to William Cuffay, the mulatto Chartist leader caught up in the 'Orange Tree' conspiracy of 1848.¹⁰³ George Thomson later addressed the issue of the red-ribbon movement's claims to respectability from the Bendigo platform. In a revealing analogy, Thomson related a

¹⁰⁰ Serle, *The golden age*, p. 110.

¹⁰¹ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', pp. 35-6.

¹⁰² Note that O'Connor also was born near Bandon, County Cork.

¹⁰³ *Melbourne Herald*, 25 July 1853, p. 6 (n.p.).

dispute which he and Brown had with Emmett over the dress worn by activists and diggers alike:

He (Mr. Thomson) well remembered a conversation with Mr. Emmett upon this movement in its infancy, and then it was wanting in respectability and dignity. Now he, the speaker, did not like men whose idea of respectability were centred in broadcloth. The movement was not to Mr. Emmett's taste because the people who advocated the cause wore blue shirts; and in fact, it was remarked to Capt. Brown and himself, over and over again, that they would have more weight if they adopted another style of dress. Now for his part, he was disgusted with such ideas. He (Mr. Thomson) considered that the respectability of the movement consisted in the ideas advanced and the manner in which they had been carried out. The cause of the people if advocated consistently, honestly and temperately, was the noblest cause a man could serve in. As to nomineeism, altogether, it was a perfect farce to suppose that a government nominee could represent the people.¹⁰⁴

These remarks echoed O'Connor's deliberate cultivation of fustian as a badge of honour during the early 1840s. More that a decade later in Victoria, the blue shirt was imbued with similar connotations: it was another symbol of the dignity of unrepresented labour.

At the select committee hearings in September and October some very different opinions were expressed about the respectability and ultimate aims of the red-ribbon movement. Angus Mackay, another journalist and former member of the Sydney Constitutional Association, argued that the

diggers have been very much misrepresented; they are not the turbulent and disorderly set that you have been taught to believe; but, on the contrary, the majority of them are steady thinking men who are lovers of peace and order. They are exceedingly intelligent also, and estimate at their proper value the men who put themselves forward to speak for them.¹⁰⁵

On the other hand, Commissioner Wright told the committee that 'The great mass of the people that made themselves most active were, I believe, old convicts'.¹⁰⁶ Emmett

¹⁰⁴ *Argus*, 1 September 1853, p. 5 (n.p).

¹⁰⁵ Report of the select committee of the Legislative Council on the gold fields (1853), para. 2036, evidence of A. Mackay. See also para. 2056.

¹⁰⁶ *Ibid.*, para. 1876, evidence of W.H. Wright.

added that 'some of the worst characters in the world' resided on the diggings.¹⁰⁷ Sampson Rogers, after disputing the numbers present at the monster meeting of 27 August, claimed that most of the audience were 'idle and disorderly', although he did admit that there were also 'a good many well behaved diggers' present.¹⁰⁸ Note again the way in which the respectability of the red-ribbon movement was being challenged and defended in public forums, just as Chartist association and activism had been debated in Britain. In both cases, perceptions of the respectability of the public voice of labour closely corresponded with perceptions of political legitimacy.

The use of intimidation by organisers was another issue that arose at the select committee hearings. Wright and Rogers both stated that coercive threats were commonly made in marshalling the protest, and even over the wearing of the red-ribbon itself.¹⁰⁹ Wright described the state of Bendigo when he arrived:

the first thing we remarked was, that notices of a very inflammatory character were posted up through the Diggings. They were notices calling upon the people to say that they would pay no more than 10s. as licence fee ... At the same time there were threats made of turning off the Gold Fields those who did not conform to this plan, or of destroying their property, and intimidating those that would not join it.¹¹⁰

In his earlier report to La Trobe, Wright reported that shopkeepers were subjected to an effective campaign of selective trading.¹¹¹ Seweryn Korzelinski also recalled other miners trying to co-opt him into joining the movement.¹¹² However, another witness at the select committee, Dr. C.A. Campbell, argued that nine out of ten diggers wore or hoisted the red ribbon 'Not from fear, but only to show that they were favourable to

¹⁰⁷ *Ibid.*, para. 152, evidence of E.N. Emmett.

¹⁰⁸ *Ibid.*, para. 572, evidence of S. Rogers. See also paras. 559-60.

¹⁰⁹ *Ibid.*, para. 571, evidence of S. Rogers; para. 1840, evidence of W.H. Wright.

¹¹⁰ *Ibid.*, para. 1840, evidence of W.H. Wright.

¹¹¹ La Trobe to Newcastle, 12 September 1853, enclosure 9.

¹¹² Korzelinski, *Memoirs of gold-digging in Australia*, pp. 101-3.

the reduction of the fee'.¹¹³ Thomson later claimed that 'no single instance' of extortion occurred.¹¹⁴

Whilst it is difficult to determine the extent of intimidation and coercion deployed at Bendigo, precedents for this kind of activity can certainly be identified within Chartist political culture. Contributions to the 'National Rent' (or Convention support fund) in 1839, for example, were not always the voluntary act of goodwill painstakingly recorded in the columns of the *Northern Star*.¹¹⁵ In July 1839 George White and John Wilson were charged under the Vagrant Act for 'begging' and 'going to some of the shopkeepers in Leeds, to solicit donations in aid of the National Rent'.¹¹⁶ Those who refused to support the Convention were recorded in a 'Black Book' carried by the democrats.¹¹⁷ We also saw in chapter one how the practice of booking storekeepers occurred at Ashton prior to the Chartist-Confederate outbreaks of August 1848.¹¹⁸ In Australia, as in Britain, the impression of mass-action, the people moving as one, was vital to the exercise.

It is something of a paradox that historians have recognised the revolutionary threat at Bendigo, yet consistently downplayed its political rationale.¹¹⁹ The possibility of armed conflict clearly arose at the end of August, a situation exacerbated by a clerical error which led to contradictory responses appearing on government notices regarding the fate of the license fee.¹²⁰ La Trobe justified his actions to the home

¹¹³ Report of the select committee of the Legislative Council on the gold fields (1853), para. 1287, evidence of C.A. Campbell.

¹¹⁴ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 29.

¹¹⁵ See, for example, the cases of national rent coercion at Newcastle, Halifax and Dewsbury cited in the *Times*, 25 July 1839, p. 5 and *Leeds Mercury*, 27 July 1839, p. 5.

¹¹⁶ *Northern Star*, 27 July 1839, p. 8.

¹¹⁷ *Ibid.*

¹¹⁸ *Ashton Chronicle*, 15 April 1848, p. 7.

¹¹⁹ Serle, *The golden age*, p. 110; Cusack, *Bendigo*, p. 76.

¹²⁰ La Trobe to Newcastle, 12 September 1853, enclosures 10, 16; Howitt, *Land, labour and gold*, pp. 229-30; Serle, *The golden age*, p. 112.

government by stressing the gravity of the situation, the massive numerical strength of the miners, and the probability of 'bloodshed' and 'disorder' had he not acquiesced to their demands.¹²¹ As Serle notes, George Thomson revealed that the diggers were 'fully prepared to resort to arms' (which many possessed) had their 'final effort' been obstructed in any way on 27 August.¹²² 'Armed resistance was openly talked of', recalled Thomson,

and ... a demand for powder and lead sprung up. The shopkeepers were entirely cleared out of these articles, even the linings of tea-chests being purchased to make into bullets, and large orders were given for further supplies. A whole week was devoted to the work of inciting the men to organise a determined resistance against the action threatened by the Government to maintain the existing state of affairs.¹²³

This defensive armed activity was reminiscent of the Chartist drilling which occurred in many areas of Britain in 1839 and 1848. Anecdotal evidence, whilst rather vague, suggests that some miners had revolutionary hopes. George Purchase, for example, recalled 'a mob of men near me who were always talking upon revolutionary topics', including 'Red Republicanism', and who used secret passwords.¹²⁴ Much to William Howitt's chagrin, continental revolutionary influences were also evident in the spectacle of the August meetings.

As David Goodman notes, *Land, labour and gold* is a typical example of the comic inversions – what Howitt termed the 'queer, topsy-turvy state of things' – commonly deployed in goldfields narratives.¹²⁵ Howitt's book also contained a well-known description of William Dexter's republican speech made at the monster

¹²¹ La Trobe to Newcastle, 12 September 1853.

¹²² Serle, *The golden age*, p. 110; Thomson, 'Leaves from the diary of an old Bendigonian of 1853', pp. 27-8.

¹²³ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 27.

¹²⁴ Report of the select committee of the Legislative Council on the fold fields (1853), paras. 796-812, evidence of G. Purchase.

¹²⁵ Goodman, 'Rereading gold-rush travellers' narratives', p. 105.

meeting of 13 August, in which Dexter described the flag he had executed. According to Howitt, Dexter

declared that he represented the French nation ... The only portion of that nation which he did faithfully represent were the Red Republicans. He declared that he preferred a republic to a monarchy, and hoped to see Australia a republic before long. He explained the digger's flag ... There were, he said, the pick, the shovel and the cradle,— that represented labour. There were the scales,— that meant justice. There was the Roman bundle of sticks,— that meant union ... There were the kangaroo and emu,— that meant Australia, & c, & c.¹²⁶

Apart from the obvious references to emergent Australian national symbols, Dexter's flag contained a number of images which could be found upon countless Chartist banners. On Howitt's account, however, the republican 'onslaught on the British flag' raised the ire of George Thomson, who 'immediately rose and gave three cheers for the British flag ... to which there was a thunderous response', and which Howitt 'joined with all my might'.¹²⁷ In his memoirs Thomson also explicitly placed the red-ribbon meetings in a tradition of public assembly that encompassed Peterloo, Irish Repeal, the Reform Bill, the Anti-Corn Law League and 'the more recent Chartist demonstrations'.¹²⁸

Patrick Morgan notes how the miners augmented the 'dramatic topography of the Bendigo fields' with fire, colour and music, and it is clear that these meetings were more typical manifestations of Chartist political culture than the *Hashemy* demonstrations in Sydney four years earlier.¹²⁹ Given the isolated location and improvised nature of the goldfields communities, this difference is quite striking. In the radical tradition, the larger August demonstrations were also perceived as local holidays.¹³⁰ According to the *Argus*, 'immense placards headed "No chains for free

¹²⁶ Howitt, *Land, labour and gold*, p. 224.

¹²⁷ *Ibid.*, p. 225.

¹²⁸ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 30.

¹²⁹ Morgan, *Folie à deux*, pp. 32-3.

¹³⁰ See *Express*, 3 September 1853, p. 5 (n.p.).

Englishmen,” and other fantastic devices, were seen in every direction’.¹³¹ Processions from various gullies were preceded by bands, and bugles were used to marshal the miners.¹³² Standard bearers wearing blue scarves inscribed with slogans such as ‘Liberty and Fraternity’ could be seen at the head of the processions which converged at the meeting place of View Point, just across from the Government camp on 13 August.¹³³ The *Argus* correspondent also noted the preponderance of visual devices:

the Germans in particular seemed determined to come out strong on the occasion, having ordered some splendid new banners for the purpose. The English nation was well supported by royal standards and union jacks, and the Irish seemed determined to be not behindhand, and had provided themselves with a very beautiful green flag, with the harp in the centre, supported by the pick and shovel. But the flag which attracted the greatest attention was the Diggers’ Banner, the work of one of the committee, Mr. Dexter, an artist of considerable talent, and certainly no company ever possessed a more appropriate coat of arms.¹³⁴

This co-operation between British, Irish and European radicals on the goldfields was facilitated by the often internationalist and republican tenor of late-Chartist political culture.

As Howitt noted, German miners were particularly evident at the mass-meetings, where their representatives spoke from the platform in English and German.¹³⁵ Later a miner called Charles Schmidt gave evidence to the select committee on the German miners’ behalf. Unlike Howitt’s deprecation of the ‘Contemptible wretches’ and ‘maniacs of revolution’ who denied the blessings of their adopted country, Schmidt assured the investigators that his compatriots admired the British constitution, and had no need for secret societies in Australia.¹³⁶ He added,

¹³¹ *Argus*, 22 July 1853, p. 4 (n.p.).

¹³² *Express*, 3 September 1853, p. 5 (n.p.).

¹³³ *Argus*, 19 August 1853, p. 4 (n.p.).

¹³⁴ *Ibid.*

¹³⁵ Howitt, *Land, labour and gold*, p. 223; *Argus*, 9 July 1853, p. 3 (n.p.); 19 August 1853, p. 4 (n.p.).

¹³⁶ Howitt, *Land, labour and gold*, pp. 225-6; Report of the select committee of the Legislative Council on the gold fields (1853), paras. 1365-99, evidence of C. Schmidt. Howitt, *Land*,

however, that all the miners wanted the vote 'and the chance of getting land near the Goldfields'.¹³⁷ Schmidt also noted the presence of aboriginal diggers at Bendigo, and their attitudes to the land:

I saw a native black fellow once taken by the police; and I asked the constable if the black was bound to have a license; and he said that he had orders to take every man that had not got a license. This black was, however, working on the Diggings, for he was employed by an Englishman to fill water for the cradle. He was taken to the Police Court, but the magistrates let him go. This frightened him so much that he did not come to work any more. There were four or five natives working together, and they made a good bit of gold. They were asked if they had any license, and said no, the country belonged to them, and they were not going to pay a license. They were after all ordered off the diggings.¹³⁸

Howitt also observed aboriginals amongst the audience of the red-ribbon meeting.¹³⁹ It is probable that these shadowy others were survivors of the Dja Dja Wrung people whose culture had been shattered by the arrival of the pastoral industry some fifteen years earlier.¹⁴⁰ Chinese miners also participated in the final red-ribbon demonstration, their vanguard being preceded by a 'long pole with small bells hanging on it'.¹⁴¹ This early instance of inter-cultural co-operation on the goldfields, however, soon degenerated into overt hostility.

Although Bendigo was the focus of the red-ribbon movement, sympathetic meetings were also held at Ballarat, the Ovens and a number of other fields. Angus Mackay was at this time the Ovens River correspondent for Henry Parkes' new Sydney paper, the *Empire*, and his accounts of the Ovens meeting held on 20 August

labour and gold, p. 225. For German immigrants generally see J.G. Vondra, *German speaking settlers in Australia* (Melbourne, 1981); I. Harmstorf, *The Germans in Australia* (Melbourne, 1985).

¹³⁷ Report of the select committee of the Legislative Council on the gold fields (1853), paras. 1383-8, evidence of C. Schmidt.

¹³⁸ *Ibid.*, para. 1395.

¹³⁹ Howitt, *Land, labour and gold*, p. 224.

¹⁴⁰ Cusack, *Bendigo*, pp. 4-6, 100-3.

¹⁴¹ Korzelinski, *Memoirs of gold-digging in Australia*, p. 99; *Argus*, 2 September 1853, p. 4 (n.p.); *Express*, 3 September 1853, p. 5 (n.p.).

suggests that a considerable degree of organisation occurred in the north-eastern highlands of Victoria:

The proposed demonstration against the license fee and in favour of the representation of the miners, had caused much excitement amongst the population, and the day was generally regarded as a holiday ... The place chosen for the meeting was an open space of ground close to the Sydney Gold Escort Office, opposite to, and in full view of, the Commissioner's Camp ... Messengers had been sent round to the various localities, to Reid's Creek, the Three-mile and Nine-mile Creek, summoning the miners. The diggers from Reid's Creek, numbering some 200, came in regular procession, with flags flying, and were received with three cheers from their assembled friends ... by the time the meeting commenced there were few short of three thousand persons present ... A dray formed the temporary platform on which the chairman and speakers were placed. Over the platform was a crimson flag on which was inscribed 'Taxation without representation is robbery.' Another flag which waved from a venerable gum-tree, bore the inscription of 'Representation of the Miners,' and on a third on which was written 'Unlock the lands,' a pick and spade crossed were painted.¹⁴²

Note the complementary emphasis upon the license and the vote. The resonances with radical democratic protest in Britain also abound: the expectation of a holiday, the martial processions, the appropriation of the public meeting, the use of an improvised outdoor platform, and finally, the contestatory ethos evident in the locale chosen for the protest.

The geography of contestation was also closely considered at Bendigo, just as it had been at the anti-transportation protests in Sydney. Eileen Yeo suggests that authorities developed a 'kind of schizophrenia' over the people's right to occupy public space and exercise free speech in the late 1830s.¹⁴³ The topography of political contestation may have been even more intense on the goldfields of Victoria, where an obsession with space, its regulation and transgression, consumed diggers and authorities alike. Whereas the preliminary red-ribbon meetings were held on various

¹⁴² Report of the select committee of the Legislative Council on the gold fields (1853), para. 2032, evidence of A. Mackay; Travers, *The grand old man of Australian politics*, p. 69. *Empire* (Supplement), 31 August 1853, (n.p.).

¹⁴³ Yeo, 'Will the real Mary Lovett please stand up?', p. 165.

hills around the Bendigo valley, the successive August demonstrations were convened at View Point, a rising piece of land located directly opposite the Government camp. The miners in assembly thus stood in a direct physical confrontation with the citadel of corruption itself. According to the *Argus* correspondent, 'the people and the local government (if the Bendigo rulers can be called a government) were *vis-a-vis*, both on an eminence ... the distance between the parties ... being about a rifle-shot'.¹⁴⁴ Prior to each of the August meetings the diggers also took the opportunity of perambulating the Bendigo fields in an intimidatory display of organisation and strength. Summoned by bonfires and rifle volleys, and marshalled by local committees, thousands of diggers marched in military order 'four deep'. Observed an irritated William Howitt: 'first marched the Irish,— always first in every agitation'.¹⁴⁵ George Thomson recalled that when the 'procession from the White Hills was opposite the Camp one section halted and fired a volley, as if to challenge the officials to an encounter with them'.¹⁴⁶ Although 'the first act of the meeting was to condemn this uncalled act of folly', the battlelines of political contestation had plainly been etched onto the crude civic environs of Bendigo.¹⁴⁷

The final act of the red-ribbon movement was played out in October 1853, when the Anti-Gold License Association was wound up at an outdoor social gathering.¹⁴⁸ The *Argus* correspondent described the event as 'the last and closing

¹⁴⁴ *Argus*, 22 July 1853, p. 4 (n.p.); Morgan, *Folie à deux*, pp. 32-3.

¹⁴⁵ Howitt, *Land, labour and gold*, p. 223.

¹⁴⁶ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 28; *Argus*, 1 September 1853, p. 5 (n.p.); Report of the select committee of the Legislative Council on the gold fields (1853), para. 1226, evidence of Dr Norris.

¹⁴⁷ Thomson, 'Leaves from the diary of an old Bendigonian of 1853', p. 28.

¹⁴⁸ Cusack, *Bendigo*, pp. 96-7. The license protest committee which had formed at the Ovens also dissolved itself in September, donating excess funds of £60 to a proposed 'Digger's Hospital Fund'. See *Empire*, 14 September 1853, p. 2735.

scene of the drama, in which the agitators against the license tax were the actors'.¹⁴⁹ As if to emphasise their success, the gathering was also held near the site of the August mass-meetings, although on this occasion a regular platform had been erected and decorated with green boughs. An adjacent tent was filled with enough sandwiches 'for all Bendigo'.¹⁵⁰ A number of women also appear to have been present (a tent being 'dedicated to "ladies only"'), one of the few references to female participation.¹⁵¹ Dr Jones assured some of his more anxious auditors that 'another organisation would immediately be formed, having more extended objects' than the present Association.¹⁵² He also restated the rationale of the protest:

The license tax was a direct tax on labor, and therefore the victory was that of labor over those who had long tried to oppress the working man ... Great efforts had been made in various quarters to prove that the licensing system was not one of taxation, but of rental ... The true definition of the licensing system was this, that it was a tax levied ... on one half of the public without the consent or approval of the forty-nine parts unrepresented in the legislature.¹⁵³

Although some of the committee had by this time abandoned the Bendigo fields, George Thomson, William Edmonds, W.D.C. Denovan and Henry Holyoake also spoke from the platform, Holyoake distinguishing himself by 'arguing the necessity for clubs, benefit societies, reading rooms and lodging houses for the diggers'.¹⁵⁴ George Thomson seconded a motion 'in aid of funds for the release of Captain Brown', whose standing among the diggers was reflected in the £179 subscribed 'on the spot in a few minutes'.¹⁵⁵ As the meeting closed, the indomitable Captain Harrison

¹⁴⁹ *Argus*, 13 October 1853, p. 5 (n.p.).

¹⁵⁰ *Ibid.*

¹⁵¹ According to one account of the 13 August meeting 'A great many ladies could be seen a short distance from the meeting'. See *Argus*, 19 August 1853, p. 4 (n.p.).

¹⁵² *Argus*, 13 October 1853, p. 5 (n.p.). The new organisation was the short-lived 'Digger's Congress Society', elected in December 1853. See *Banner*, 20 December 1853, p. 11.

¹⁵³ *Argus*, 13 October 1853, p. 5 (n.p.).

¹⁵⁴ *Ibid.*

¹⁵⁵ *Ibid.*

'held forth on the space below in favour of Unlocking the lands and Enfranchisement for the Diggers'.¹⁵⁶

IV

The Anti-Gold License Association thus had a formal existence of about four months. It had no independent journalistic voice, relying on a goldfields version of the 'mass platform' to mediate grievances about the license, 'commissioner government' and political representation. Despite the lack of access to printing facilities and the subsequent emphasis upon oral, visual (and improvised) propagation, the *Argus* played a *de facto* organisational role. It was the principal printed conduit between the various committees established around the fields, and also between the goldfields and Melbourne. The paper's network of agents and local correspondents buoyed demand, and when shortages existed it was not unknown for copies to sell for 'six, eight, and even ten shillings each'.¹⁵⁷ On 20 August Owens claimed that only one copy of two recent editions had found its way to the Ovens fields, due to the 'abominable arrangements of the Post Office'.¹⁵⁸ Under such circumstances, he commented, 'it hardly can be any surprise should the grievances and wrongs of which they complain, develop tendencies from which free and open discussion in public journals would preserve them'.¹⁵⁹ In October, however, Henry Holyoake announced the establishment of a new paper designed to voice miner concerns.

¹⁵⁶ *Ibid.*

¹⁵⁷ *Argus*, 22 August 1853, p. 5 (n.p.).

¹⁵⁸ *Ibid.*

¹⁵⁹ *Ibid.*

In early November another Chartist called George Black duly started the *Gold Digger's Advocate*, which was edited for a time by Holyoake.¹⁶⁰ Based in Melbourne, it aimed to make a single constituency of the Victorian goldfields. Others connected with the *Digger's Advocate* included H.R. Nicholls and Ebenezer Syme (who in 1852 named one of his sons after Joseph Cowen).¹⁶¹ Just before emigrating Syme had also been employed on the *Westminster Review*, and had assisted G.J. Holyoake in his London debates with Brewin Grant on secularism.¹⁶² George Holyoake may have notified Henry about Syme's impending arrival in Victoria in 1853, as Henry placed a notice in the second issue of the *Digger's Advocate* for Syme to contact him.¹⁶³ Syme subsequently became part of the fascinating printers' and journalists' co-operative which purchased the Melbourne *Age*, before he brought that paper outright in 1856.¹⁶⁴ H.R. Nicholls (who knew Austin Holyoake¹⁶⁵) also read the first issue, and immediately wrote 'to make a few suggestions' about the *Digger's Advocate*, particularly as to 'the requirements of a new chum'.¹⁶⁶ 'Having landed with the intention of proceeding to the "diggings"', he wrote,

my first step was to inquire for some *reliable* source of information. By accident I heard of the 'Digger's Advocate;' but I am sorry to say, that what appears to me ought to have been a principal feature in your paper was entirely neglected – I mean information for new comers. I saw a great deal about Bendigo and Forrest Creek, and some mysterious allusions to 'second bottoms.' The paper was evidently written for 'old hands.' I sought in vain for some route to the diggings, and for some notion of the expense of the journey. Do you not think, sir, that you would be conferring a great benefit upon those unfortunates who are landed on the

¹⁶⁰ *Argus*, 13 October 1853, p. 5 (n.p.); Report of the commission appointed to enquire into the condition of the gold fields of Victoria (1854-5), para. 418, evidence of H. Holyoake.

¹⁶¹ For Ebenezer Syme see S. Macintyre, *A colonial liberalism: the lost world of three Victorian visionaries* (South Melbourne, 1991), pp. 75-6; C.E. Sayers, *David Syme: a life* (Melbourne, 1965), pp. 16-43.

¹⁶² G.J. Holyoake, *Sixty years of an agitator's life* (London, 1906), pp. 256-8; E. Syme to G.J. Holyoake, 10 November 1852, Co-operative Union Library, Manchester, HOL. 541.

¹⁶³ *Gold Digger's Advocate*, 10 November 1853, p. 1 (n.p.).

¹⁶⁴ Macintyre, *A colonial liberalism*, pp. 76-7.

¹⁶⁵ H. Holyoake to Mrs. C. Holyoake, November 1854, Co-operative Union Library, Manchester, HOL. 713.

¹⁶⁶ *Gold Digger's Advocate*, 10 November 1853, p. 2 (n.p.).

wharf amidst bales of luggage, if you were to give a few plain, straight-forward directions as to the manner of proceeding to the diggings, and the necessities of the journey?¹⁶⁷

In 1854 Nicholls himself became an assistant editor on the *Digger's Advocate*.¹⁶⁸ Like so many of its radical forbears, however, the paper failed within a year of commencing operations.

Unlike the overtly English *People's Advocate*, its Victorian counterpart seems little concerned with British democratic struggles. The odd poem by Ernest Jones or Gerald Massey was reprinted, as were Kossuth's speeches and Mazzini's open letters.¹⁶⁹ In fact, the *Digger's Advocate* had a distinctly internationalist character that reflected earlier co-operation at Bendigo. One editorial published in May 1854, for example, portrayed the Crimean war as the potential birth of a republican European union:

The great struggle foretold by Napoleon is commencing, and whether Europe is to be 'Cossack or Republican' will soon be decided. We need not say that our best wishes are with the democrats. In fact, we have very little sympathy with the diplomatic aspect of the question ... we do not care one straw whether Russia or Turkey win ... We regard the war with interest because we believe that it will tend to settle the question of despotism in Europe, and may issue in the establishment of a confederation of European republics ... If despotism *should* triumph (which Heaven prevent) and the democracy abandon hope of success in Europe itself, they will swell the exodus that is proceeding to America. Instead of the Irish exodus, it will be a European exodus. The despots will be conquered by emigration ... Europe is either to become a second America, or America will *annex* Europe.¹⁷⁰

As these comments intimate, the *Digger's Advocate* did not condemn mass emigration from Britain and Europe.¹⁷¹ The implicit contradiction between Edward Hawksley's

¹⁶⁷ *Ibid.* Italics in original.

¹⁶⁸ Pickering, "'Glimpses of Eternal truth'", p. 65.

¹⁶⁹ *Gold Digger's Advocate*, 15 July 1854, p. 2 (n.p.); 26 August 1854, p. 3 (n.p.); 17 March 1854, p. 5 (n.p.).

¹⁷⁰ *Gold Digger's Advocate*, 20 May 1854, p. 4 (n.p.). Italics in original.

¹⁷¹ See, for example, *Gold Digger's Advocate*, 5 August 1854, p. 4 (n.p.).

removal to New South Wales in 1838 and his castigation of those who followed had been rendered irrelevant by the sheer scale of goldrush emigration.

A couple of features of the *Digger's Advocate* strike the reader in comparison with other colonial papers. Its masculine, democratic ethos was emphasised by the titles given to the readers' correspondence column – 'OPEN COUNCIL' and 'The Diggers Speaking for Themselves'. The paper's internationalist flavour also extended to its layout and content. The *Advocate* not only contained a considerable amount of German news; these items were often printed in German, usually in a suitably Gothic typeface.¹⁷² Although German language newspapers were not uncommon in Australia (particularly in South Australia, which had a large German-speaking population) this bi-lingualism certainly distinguishes the *Advocate* from most of its contemporaries. In Victoria Black, Holyoake, Syme and Nicholls had to cater for a new multi-cultural European readership which they embraced in the inclusive rhetorical identity of 'Digger'.

A railway was not opened between Melbourne and Bendigo until 1862, and the problems with transport to the diggings appears to have caused considerable difficulties for the *Digger's Advocate* – if not the actual collapse of the venture. In August 1854 Black sued his carters for the sum of £132 2s. 6d. (or the value of 1775 numbers of the paper) when a delivery consignment was stranded at Carlsruhe.¹⁷³ Perhaps the most significant problem, however, was the price of carriage. Originally Black had been forced to set the price of one issue at 1s. 6d. In May 1854 he was

¹⁷² *Gold Digger's Advocate*, 1 April 1854, p. 4 (n.p.); 13 May 1854, p. 4 (n.p.); 15 July 1854, p. 4 (n.p.); 5 August 1854, p. 4 (n.p.).

¹⁷³ *Gold Digger's Advocate*, 12 August 1854, p. 5 (n.p.). The plaintiffs were awarded £100 in damages.

forced to raise the price to two shillings in order to cover production, distribution and agency costs. The old cry of a exploitative 'trade' in politics ensued:

We have heard whispers that even our former price was too high, and that we must be making our fortune out of it. We have been asked by agents, or rather applicants for agencies, to let them have the paper at 6d. per copy and pay carriage to the diggings besides! Our reply was that each paper cost more than 6d. before it left the printing office! Now we have to send them up on packing horses, owing to the discontinuance of the ordinary conveyances. By this mode we have to pay nearly a shilling a copy for carriage alone.¹⁷⁴

This may seem an excessive price, but the early goldfields economies were laws unto themselves. Given that the *Advocate* did not survive the year, Black probably did not exaggerate the volatility of his costs.

The exorbitant prices paid for newspapers would suggest that collective readings were common practice on the goldfields. However, it is difficult to surmise how the *Digger's Advocate* was read. A reading room for the paper appears to have been set up in Bendigo by J.H. Abbott, a store-owner who also acted as a local correspondent.¹⁷⁵ Unlike the comparatively detailed accounts we have of the use of the public meeting as a political medium, very little evidence exists upon the consumption of newspapers on the goldfields. This problem also applies to the *People's Advocate*, although there is some evidence that earlier colonial papers such as the *Sydney Monitor* were read out aloud amongst convict audiences.¹⁷⁶ As we saw in chapter three, the *Northern Star's* commitment to 'members unlimited' was reflected in its extensive and detailed coverage of local Chartist activity. Regular reports of localised political and industrial activity in Victoria, on the other hand, do not start appearing until the *Melbourne Age* briefly introduced industrial and political intelligence

¹⁷⁴ *Gold Digger's Advocate*, 20 May 1854, p. 4 (n.p.).

¹⁷⁵ For Abbott see N.B. Nairn, A.G. Serle and R.B. Ward, section eds., *Australian dictionary of biography*, III (Carlton, 1969), pp. 4-5.

¹⁷⁶ See Ihde, 'Monitoring the situation', pp. 22-3.

columns in 1857 in an apparent attempt to boost its circulation. Yet even these columns give few hints about the way in which print was utilised by audiences, or how they responded to the medium. O'Connor's cultivation of a richly dialogic democratic print-media, it would seem, was another element of the Chartist movement culture that remained unique to Britain.

David Goodman remarks that 'In Australia, gold was an event as transforming and disturbing as industrialisation in Britain, and the languages of response were remarkably similar – the reassertion of an older and agrarian mode of understanding'.¹⁷⁷ In December 1853 the Melbourne *Banner* also commented upon the social upheaval that had beset Britain and Australia. The discovery of gold, the paper argued, was a divine intervention in the destinies of both countries – 'For what mind, actively alive to the social relations of the home country can fail to trace the finger of God in the wonderful opening of Australia as a field for the plough of civilization'.¹⁷⁸ The only blemish in the 'Australian spirit of the present' was its 'most unstable foundations', particularly the lack of a manufacturing base beyond 'the immediate necessities of civilised life', and the heavy reliance upon imported foodstuffs.¹⁷⁹ A great phase of agricultural innovation and progress, however, was 'rapidly approaching'.¹⁸⁰ Although the agrarian element of the Chartist cultural inheritance was evident in 1853, it had not yet become the central issue of radical-democratic contention. Rather, it was the complementary grievances of taxation and political representation which spurred the red-ribbon demonstrations. Having looked at the uses of the Chartist cultural inheritance upon the goldfields, we now need to look

¹⁷⁷ Goodman, *Goldseeking*, pp. 122-3.

¹⁷⁸ *Banner*, 9 December 1853, p. 9.

¹⁷⁹ *Ibid.*

¹⁸⁰ *Ibid.*

beyond the heyday of the goldrushes and examine how a radical agrarian language of desire came to engulf Victorian politics.

Chapter Nine

The Consolidated Legacy: Land and Reform, 1857-8

The liberal land Acts passed in Victoria in 1860 and in New South Wales in 1861 have been portrayed as some of the great failures of the colonisation of Australia.¹ Intended as instruments of agricultural settlement, historians have argued that they were also the means by which pastoralists retained control of the Crown Lands they had occupied under leases granted in Council in 1847.² Edward Shann concluded in 1930: 'And so it came to pass that demagogues dispersed the public estate and pastoralists gathered up the freehold thereof'.³ Geoffrey Serle also presents the three years of political struggle that preceded the Nicholson ministry's 1860 selection Act as the genesis of 'one of the most tragic of Australian delusions'.⁴ Delusion or not, such imagery correctly implies that the Acts were the result of a rich and complex political effort.

This chapter looks at vital aspects of that effort in Victoria. It examines the way in which a neo-Chartist political culture was manifest in the radical Land Convention which convened in 1857, election campaigns contested by Charles Don and J.B. Crews as

¹ Compare F.L.W. Wood, *A concise history of Australia* (Sydney, 1946), pp. 220-4; E. Scott, *A short history of Australia* (Melbourne, 1947), pp. 279-80; M. Clark, *A short history of Australia* (New York, 1963), pp. 133-6; R. Ward, *Australia: a short history* (Sydney, 1975), pp. 87-9; T.H. Irving, '1850-70' in F. Crowley, ed., *A new history of Australia* (Melbourne, 1974), pp. 156-9; Macintyre, *A concise history of Australia*, pp. 98-9.

² For Victoria see E. Shann, *An economic history of Australia* (Cambridge, 1930), ch. 13; J.M. Powell, 'Gamblers by act of Parliament: some aspects of the first selection acts for Victoria', *Victorian Historical Magazine*, 39 (1968), pp. 197-214. For New South Wales see D.W.A. Baker, 'The origins of Robertson's land acts', *Historical Studies* (Australia and New Zealand), 30 (1958), pp. 166-82; K. Buckley and T. Wheelwright, *No paradise for workers: capitalism and the common people in Australia, 1788-1914* (Melbourne, 1988), ch. 7; B. Gammage, 'Who gained and who was meant to gain from land selection in New South Wales', *Australian Historical Studies*, 24 (1990), pp. 104-22.

³ Shann, *An economic history of Australia*, p. 233.

⁴ Serle, *The golden age*, p. 269.

‘working men’ in 1857-8, the Victorian Working Men’s Association’s political mobilisation of unemployed immigrants in 1857, and finally, the reform demonstrations marshalled by the Victorian Social and Political Union, which culminated in a torchlit march on Parliament in June 1858. The point of this detail is to suggest how thoroughly Chartist culture had permeated Victorian politics by this period.

Given the complexity of Parliamentary politics in the first years of responsible government in Victoria, the vitality of an extra-Parliamentary democratic culture during the period, and the comparative dearth of historiography on the latter theme, perhaps I should begin this chapter by stating what it does not attempt to do. It is not a definitive account of the Victorian Land League, or even its successor, the Land Convention. It is not a comprehensive interpretation of the Parliamentary crises spurred by land and reform policy between 1857 and 1860. Nor is it a detailed account of the radical-democratic associations and print-media which sprang up around the Convention, for some of these subjects could engage an entire thesis in themselves. Like earlier parts of section two, this chapter looks primarily at the cultural linkages between Chartism and colonial radicalism. I also examine the clash between radical ideology, colonial manifestations of racial difference, and the antipodean fate of the Chartist cultural commitment to ‘members unlimited’.

Elections for the new bi-cameral Victorian Parliament were held in the latter part of 1856.⁵ In November the former Colonial Secretary, W.C. Haines, formed the first ministry elected under the new constitution.⁶ This conservative administration lasted only

⁵ *Ibid.*, ch. 9; Quaife, ‘The victory of the ballot in 1856’.

⁶ For Haines see B. Nairn, G. Serle and R. Ward, section eds., *Australian dictionary of biography*, IV (Carlton, 1972), pp. 315-17.

four months. The subsequent O'Shannassy ministry was even briefer, and in April 1857 Haines formed a second government that managed to survive until February 1858, whereupon O'Shannassy again assumed power espousing a populist reform programme.⁷ The immediate spur behind the Land Convention was the Crown Lands Management Bill proposed by the second Haines ministry, and first read in the Legislative Assembly (or lower house) in May 1857.⁸ This legislation was widely perceived as granting pastoralists perpetuity of tenure to the Crown Lands they controlled under license, and it immediately provoked fury throughout Victoria.

Geoffrey Serle portrays 1857 as the year the Victorian people finally gained a recognisable 'political consciousness', albeit one largely untouched by class.⁹ Perhaps the fundamental reason why the Land Bill inspired so much popular wrath was that it appeared to negate the rationale of colonial emigration. As the *Bendigo Advertiser* put it:

We have now arrived at ... one of the most important epochs of our early history. To possess the land, we have left the countries and houses of our fathers, and journeyed from the remotest parts of the earth. We came with a purpose, and after having severed so many holy ties to obtain it, shall we relinquish it without a struggle! With millions of broad and fertile acres spread about us ... Shall we submit to the tyranny and injustice that would deprive us of the heritage we came to possess, and hand it over in perpetuity to others?¹⁰

Under Edward Higinbotham's editorship between 1856-9, the *Argus* pursued a cautiously liberal line easily distinguishable from its contemporary, the democratic *Age*.¹¹ However, the *Argus* was also highly critical of the proposed legislation, and reiterated radical claims

⁷ For O'Shannassy see B. Nairn, G. Serle and R. Ward, section eds., *Australian dictionary of biography*, V (Carlton, 1974), pp. 378-82.

⁸ Summary of proceedings on Bills in the Legislative Assembly during the session 1856-7, *Votes and proceedings of the Legislative Assembly, 1856-7*, I (Melbourne, 1857), p. xlv.

⁹ Serle, *The golden age*, p. 269.

¹⁰ Cited in *Age*, 1 July 1857, p. 5.

¹¹ See Macintyre, *A colonial liberalism*, pp. 25-6.

that the Bill would establish a colonial aristocracy.¹² Haines denied any such intent, but the issue of perpetuity of tenure inspired such popular suspicion that the whole legitimacy of the first Parliament began to be questioned in radical circles.¹³

In June and July 1857 large outdoor public meetings organised by the Victorian Land League were held in Melbourne and mining districts to condemn the 'Land Confiscation Bill'.¹⁴ Captain Harrison railed against his own order, 'for he was an anti-squatter even when he possessed one of the first stations in the colony'.¹⁵ The largest Land Bill demonstration meetings appear to have been held at Ballarat, where a meeting initially convened to take place at the 'Charlie Napier Hotel' in late June had to be adjourned outdoors after three to four thousand people had assembled.¹⁶ At an earlier Ballarat meeting Alfred O'Connor, a Local Court member and radical democrat soon to be elected a Convention delegate for the district, cried that 'God has given us the free soil, and we are not going to see a miserable squatting minority in possession'.¹⁷ 'I would leave the country, or rise up in open arms against such as monstrous proposition', he declaimed to 'Tremendous cheering'.¹⁸ At Bendigo, demonstration meetings were now held in large indoor venues, such as the Shamrock Hotel's concert hall.¹⁹ Although the Land Bill was the ostensible focus of these public assemblies, the question of

¹² *Argus*, 13 July 1857, p. 5. Italics in original. For further discussions of the Land Bill see 10 June 1857, p. 4; 12 June 1857, p. 4; 15 June 1857, pp. 4-5; 16 June 1857, p. 4; 19 June 1857, p. 4; 20 June 1857, p. 4; 26 June 1857, p. 4; 6 July 1857, p. 4; 16 July 1857, p. 4.

¹³ Serle, *The golden age*, pp. 266, 272.

¹⁴ For detailed accounts of protest meetings see *Age*, 16 June 1857, p. 5; 17 June 1857, p. 5; 23 June 1857, p. 5; 25 June 1857, p. 6; 26 June 1857, p. 5; 27 June 1857, p. 5; 29 June 1857, p. 5; 2 July 1857, p. 5 (n.p.); 8 July 1857, p. 3; 9 July 1857, p. 5.

¹⁵ *Age*, 23 June 1857, p. 5.

¹⁶ *Age*, 25 June 1857, p. 6.

¹⁷ *Age*, 16 June 1857, p. 5.

¹⁸ *Ibid.*

¹⁹ *Age*, 25 June 1857, p. 6.

representation was also of prime importance, for it was widely recognised that only democratic constitutional reform would thwart the ‘squatter majority’ in both houses of the colonial Parliament.²⁰ In practice this meant the creation of more seats, equalised electoral districts and the simplification of voter registration procedures. The workings of the new ballot system introduced for the first Parliament also found radical critics. At a Land Bill protest meeting in the Melbourne working-class suburb of Collingwood, for example, the seemingly ubiquitous Scottish Chartist and union leader Charles Don ‘contended that the present system of voting was a fraud, a delusion and a snare’.²¹ Don claimed that some of his supporters had ‘been blamed for voting for him’ in his recent electoral campaign, and hence his calls for further reform to ensure confidentiality.

The Legislative Assembly was also subjected to a barrage of petitions, some of which were at least twice the size of the red-ribbon petition of 1853.²² The Melbourne *Herald* claimed that these combined documents ‘were signed by a larger proportion of the adult male population than ever before signed a petition in any country of the world’.²³ The influence of the Land League is evident in many of the documents, particularly in their espousal of the basic principle of the free selection of unalienated Crown Lands. For example, a Bendigo memorial signed by 12,551 inhabitants stated that

the Land Bill ... is utterly opposed to the best interests of the Colony ... no Bill that does not recognise the right of the people to free access to the land, free selection after survey, with a right of pre-emption over one hundred and sixty acres, and time for

²⁰ *Age*, 15 June 1857, p. 5.

²¹ *Age*, 27 June 1857, p. 5.

²² Reprints of numerous Land Bill petitions can be found in *Votes and proceedings of the Legislative Assembly, 1856-7*, III (Melbourne, 1857), section E.

²³ *Herald*, 27 July 1857, p. 5 (n.p.). The male population in Victoria as at 29 March 1857 was 264,334. See census figures cited in Serle, *The golden age*, p. 382.

payment ... and provide that at least two millions of acres shall be always surveyed and opened for selection, will facilitate the settlement of the population.²⁴

Both this and the petition signed by nearly 15,000 Ballarat residents demanded that the Legislative Assembly pass an Act to increase its numbers, 'extend the elective franchise, and equalise the Electoral Districts', so as to secure 'a fair representation of every portion of the country'.²⁵ As the latter course of action was rather unlikely, the Land League decided upon taking a momentous symbolic step, and set about forming a virtual anti-Parliament, an obvious replica of the Chartist Convention of 1839.

II

The first Chartist Convention was the culmination of an extra-Parliamentary democratic tradition in Britain which stretched back to 1794. In fact, a number of popular radical attempts to form a rival representative body occurred between 1817 and 1839.²⁶ The 1839 Convention has always been a focal point for historians, although Thomas Kemnitz has pointed out that a plethora of factual errors can be found in earlier narrative histories.²⁷ Kemnitz presents the Convention as a tactical forum which considered three forms of political pressure: firstly, the 'moral force' persuasion long associated with the Lovettite and 'middle class' (Birmingham) factions; secondly, a series of intimidatory strategies such as simultaneous meetings and the 'sacred month' (Kemnitz does not mention the church invasions); and thirdly, the much-discussed 'physical force' alternative eventually

²⁴ *Votes and proceedings of the Legislative Assembly, 1856-7*, p. 925.

²⁵ *Ibid.*, p. 923.

²⁶ Epstein, *The lion of freedom*, p. 138.

²⁷ Kemnitz, 'The Chartist convention of 1839'.

adopted by militants in 1839-40 and 1848. Generally speaking, historians have not dwelt upon later gatherings arranged by the National Charter Association, which according to T.R. Parssinen, were 'model Wyvillite associations' with the exception of 1848, when the ill-fated National Assembly met for a 'fortnight of futile bickering'.²⁸ Although Parssinen and Kemnitz end their accounts of this form of action at 1848 (in line with the orthodox interpretation of the collapse of radicalism) the last Chartist Convention was not held until roughly a decade later.

In his memoirs Charles Gavan Duffy linked the Victorian Land Convention to the Irish Tenant Rights Conference he had been instrumental in organising in August 1850.²⁹ Moses Wilson Gray, the Land League president and a former editor of the *Dublin Freeman's Journal*, had also participated in that body.³⁰ Tellingly, however, Duffy did not seek election to the Victorian Convention. Nor did the Irish Catholic leader of the Parliamentary opposition, John O'Shannassy, despite the considerable political opportunities it offered as a focus of attack upon the Haines government. As Serle points out, the reason for Duffy's and O'Shannassy's reluctance to join the Convention was that its policy of free commonage and the virtual abolition of the pastoral industry (which was still a very significant component of the colonial economy) were simply too extreme for most Parliamentarians to embrace.³¹

²⁸ Parssinen, 'Association, convention and anti-Parliament', p. 531.

²⁹ C.G. Duffy, *My life in two hemispheres* (Shannon, 1969 rep.), II, pp. 193-4.

³⁰ For Gray see B. Nairn, G. Serle, R. Ward, section eds., *Australian dictionary of biography*, IV (Carlton, 1972), pp. 287-8; G.H. Schofield, ed., *A dictionary of New Zealand biography*, I (Wellington, 1940), pp. 318-19.

³¹ Serle, *The golden age*, p. 272.

During late June, the Land League Secretary J.J. Walsh, Gray, Don and other activists successfully instigated ‘a Congregational Assembly of Delegates chosen from every district and town in the colony’.³² In the first weeks of July Convention elections were held as public meetings, a legitimisation strategy which followed the Chartist model of 1838-9.³³ On 15 July 1857 sixty-seven delegates met at Michael Keeley’s Australasian Hotel, Lonsdale street, Melbourne, ‘to gather and concentrate the opinion of the country; to defeat the present Land Bill; and to originate such a scheme as will be acceptable to the people’.³⁴ During Convention sittings approximately twenty more delegates arrived, and after three weeks of deliberation the body agreed upon a radical land policy of free selection before survey, as well as adopting a neo-Chartist reform programme, and making policy statements on other issues including Chinese immigration and mining. The Convention adjourned in mid-August, although a permanent committee was set up in Melbourne, and regional branches established in major centres. The committee continued to meet regularly until a second Convention was convened exactly two years after the first sitting of the original body. However, the rationale of this much smaller forum (the establishment of a radical-democratic faction *within* the second Parliament) was quite different to its predecessor.³⁵

³² For Walsh see G. Serle and R. Ward, section eds., *Australian dictionary of biography*, VI (Carlton, 1976), pp. 347-8.

³³ For Convention election meetings see *Age*, 11 July 1857, p. 5; 13 July 1857, p. 5; 14 July 1857, p. 6; 16 July 1857, p. 5; *Argus*, 21 July 1857, p. 5 (n.p.).

³⁴ Anon., *Resolutions, proceedings, and documents of the Victorian Convention assembled in Melbourne, July 15 to August 6, 1857* (Melbourne, 1857), pp. 1-2.

³⁵ For details of the second Convention held at Hockin’s Hotel, Elizabeth Street, Melbourne, see *Argus*, 11 May 1859, p. 7; 4 June 1859, p. 6; 15 July 1859, p. 5; 21 July 1859, p. 5; 19 July 1859, p. 5; *Age*, 4 June 1859, pp. 5-6.

Keeley's Australasian Hotel was chosen for a number reasons. Michael Keeley himself was a delegate for Melbourne, and he supplied accommodation for many other delegates.³⁶ The hotel was also close to the new Parliament building. Deliberate attempts were made to fit out the 'Long Room' used for the Convention (it was soon found inadequate) as a Parliamentary chamber, although this task called for some degree of improvisation.³⁷ According to the *Argus*, the Bar separating delegates, the press and observers consisted of two sofas placed end to end.³⁸ In the place of a Parliamentary coat of arms was the Land League Banner, 'the device being a flash of lightning, inscribed "vox populi,"' passing through the Southern Cross.³⁹ Spectators were separated from the delegates by 'an usher, wand in hand', who guarded the sittings 'with a vigilance as rigid as if he was carrying out the orders of "the Speaker"'.⁴⁰ All the Melbourne dailies gave the Convention considerable coverage, and often placed reports next to Parliamentary intelligence.⁴¹ In his opening speech Gray proclaimed the agrarian and democratic aims of the body, and pronounced that the assembly would replace the Victorian Land League, which had originally been formed in Melbourne in August 1855.⁴²

Sir George Stephen, whose election for Melbourne lent the Convention a degree of respectability, remarked in his initial speech upon the 'truly representative character' of

³⁶ Anon., *Resolutions, proceedings, and documents of the Victorian Convention*, p. 3; *Age*, 7 August 1857, p. 5.

³⁷ *Herald*, 18 July 1857, p. 5 (n.p.). Within three days of sitting, inquiries (presumably unsuccessful) were made for the use of the Melbourne Town Hall. On 17 July it was also resolved that strangers would not be admitted to the Convention without a ticket issued by Michael Keeley.

³⁸ *Argus*, 16 July 1857, p. 5.

³⁹ *Ibid.*

⁴⁰ *Age*, 16 July 1857, p. 6.

⁴¹ Serle, *The golden age*, p. 270.

⁴² *Age*, 16 July 1857, p. 6; *Argus*, 16 July 1857, p. 5; Shiel, *The people's man*, p. 53.

the assembly.⁴³ The *Age* also raised the question of political legitimacy just before sittings began: 'PARLIAMENT re-assembles today. The National Convention assembles tomorrow. Which will be the real parliament? The voice of the "rude democracy" is, at length, about to be heard. Kid-glove representation is about to be shoved aside'.⁴⁴ The legitimacy of the Convention, however, was contested by the *Argus*. The latter conceded the evil of the Land Bill, and allowed that Gray, Stephen and many others (apart from some 'scamps and vaporisers') had good intentions.⁴⁵ The delegates, it said, also had some representative pretensions, even though Convention elections had been conducted in a most 'scrambling and irregular' manner.⁴⁶ But according to the *Argus* these public meetings were 'spontaneously packed' by those primarily interested in the land question, and as such those elected were not 'entitled to proclaim themselves as the people's choice'.⁴⁷ Other papers were rather more critical of the claims of the 'mimic parliament', the *Geelong Advertiser* being particularly abusive.⁴⁸ After the Convention adjourned the *Argus* also published a mocking obituary, correctly predicting that many delegates would eventually become Parliamentarians.⁴⁹

Thirty-two urban, mining and rural localities were represented at some point during the Convention's deliberations.⁵⁰ Some delegates were not democrats. Just as the

⁴³ For Stephen see G. Serle and R. Ward, section eds., *Australian dictionary of biography*, VI (Carlton, 1976), pp. 188-90.

⁴⁴ *Age*, 14 July 1857, p. 4. Emphasis in original.

⁴⁵ *Argus*, 18 July 1857, p. 4.

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ See reprints in the *Argus*, 13 July 1857, p. 5; 24 July 1857, p. 5.

⁴⁹ *Argus*, 7 August 1857, p. 5.

⁵⁰ The areas represented were Ballarat, Bendigo, Beechworth, Bacchus Marsh, Brighton, Castlemaine, Collingwood, Colac, Carisbrook, Dunolly, Emerald Hill, Fryer's Creek, Geelong, Gisborne, Heathcote, Heidelberg, Kyneton, Melbourne, North Melbourne, Mount Blackwood,

reform question became paramount in May 1858, for example, Sir George Stephen reluctantly resigned from the vice-presidency of the Convention committee. The land question, he explained, had become embroiled 'in political views in which I cannot concur'.⁵¹ But on the whole, the Convention leadership was clearly democratic. Land League stalwarts such as Gray, Walsh, Thomas Loader and James Warman were all elected as delegates, as were leading unionists and democrats such as James Galloway, Christopher Cutter, James MacMinn and Charles Don. Many other delegates either had experience in municipal politics, or were members of the Local Courts which now administered mining claims. The former group consisted of Michael Prendergast and William Hitchcock (Castlemaine), J.B. Crews (Pahran), Henry and Philip Johnson (Richmond), F. Spicer and T. Hales (St. Kilda) and M. Verdon (Williamstown). Local Court wardens included Alfred O'Connor, John Yates and Duncan Gillies (Ballarat), R.F. Smith (Beechworth), W.H. Wingfield (Dunolly), Samuel Scotson (Fryer's Creek), James R. Sloane (Heathcote), Frederick H. James (Beechworth), John Ramsay and Thomas Gainsford (Tarrengower).⁵² The Convention also claimed two Parliamentarians, Theodore Hancock (a Colac farmer elected to the Legislative Assembly) and John Hood (a Legislative Council member).⁵³

On day two delegates were required to speak on behalf of their constituents. As might be expected in a body with democratic pretensions, this task was taken seriously, and many delegates read prepared statements which some had circulated locally before

Nine Mile (Ovens), Pahran, Richmond, St Kilda, Seymour, South Bourke, Sebastopol, Tarrengower, Templestowe, Williamstown, Woolshed (Ovens) and Wangaratta.

⁵¹ *Age*, 21 May 1858, pp. 4-5.

⁵² Anon., *Resolutions, proceedings, and documents of the Victorian Convention*, pp. 3-4.

⁵³ *Herald*, 22 July 1857, p. 6 (n.p.); 23 July 1857, pp. 4-5 (n.p.); Serle, *The golden age*, p. 271.

journeying to Melbourne. The legitimacy of the assembly, and the illegitimacy of Parliament, was stressed by many. ‘Mr KENWORTHY (Kyneton) considered the Convention to be the first Parliament of Victoria, and the first representation of its will and power’.⁵⁴ Similarly, George Thomson argued that there was ‘not one single bond of union between the majority in the [Legislative] Assembly and the people of Bendigo’.⁵⁵ Observed by the American consul, delegate after delegate expressed opposition to the Land Bill. In one of the longest addresses, the Sebastopol delegate Thomas Mooney outlined a plan of permanent political organisation which had been drawn up locally and formally approved by his constituents at a public meeting. This called for the establishment of paid lecturers, a Convention newspaper, and a local branch structure which would hold weekly meetings, collect funds, ‘amalgamate the toiling classes’, and hold constant communication with the central directory, the members of which ‘should be few, well-trying, and removeable by vote’.⁵⁶ These proposals were echoed by the Convention finance sub-committee which reported its findings in early August, and elements were sporadically taken up by the central committee over the next two years, particularly the establishment of local branches, the organisation of didactic public meetings, and the appointment of Convention delegations to address various Victorian trades on reform.⁵⁷ In 1858-9 two short-lived papers (the *Freeholder and Convention*

⁵⁴ *Argus*, 17 July 1857, p. 5.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Age*, 4 August 1857, p. 5. For district meetings of the ‘Land and Reform League’ and Conventionist attempts to cultivate various trades organisations see *Age*, 27 October 1857, p. 5; 28 October 1857, p. 5; 3 November 1857, p. 4; 5 November 1857, p. 6; 12 November 1857, p. 6; 17 November 1857, p. 5; 20 November 1857, p. 5; 23 November 1857, p. 5; 26 November 1857, p. 5; 27 November 1857, p. 5; *Argus*, 11 August 1857, p. 4; 1 September 1857, p. 5; 11 November 1857, p. 5; 12 December 1857, p. 5 (n.p.); 14 December 1857, p. 6 (n.p.); 17 December 1857, p. 5.

Expositor and Convention: and True Colonizer) were also initiated by J.J. Walsh, who played a pivotal role in directing Conventionist energies.⁵⁸

Before adjourning *sine die* on 15 August, the Convention agreed upon a land policy which demanded that all males over twenty-one should have a right to select a claim of unalienated Crown Land before survey (a suitable acreage could not be agreed upon), at a fixed price (which also could not be determined).⁵⁹ This policy was made after an extended account of American selection was given by William Wingfield, a Dunolly delegate who had surveying experience 'all over the Western regions from Utah to Minasota'.⁶⁰ Other delegates who had lived in the United States (such as Gray and Mooney) confirmed Wingfield's evidence. A number of practical aspects of the American experience were discussed, including the questions of pre-emptive rights, the advantages and problems of selection before and after survey, upset pricing, boundaries and fencing, taxation and so forth.⁶¹ Although English authorities upon colonial political economy such as Edward Gibbon Wakefield and Sidney Smith were also cited, it is clear that the Convention looked primarily to America for a practical model. Policies were also drawn up by sub-committees ('select committees') appointed to investigate other pressing political issues, although some delegates protested that their instructions went no further than the land question.⁶² The issue of mining on private property received considerable attention, as did state-assisted and Chinese immigration. On the latter subject the

⁵⁸ Serle, *The golden age*, p. 287.

⁵⁹ Anon., *Resolutions, proceedings, and documents of the Victorian Convention*, p. 7. Most delegates favoured blocks of 320 acres, twice the American norm. Uniform prices of between 10s. and £1 an acre were proposed, a deposit of 10% to be paid upon occupation. The question of repayment was also left open.

⁶⁰ *Ibid.*, p. 11.

⁶¹ For summary see *ibid.*, pp. 11-18.

⁶² *Argus*, 4 August 1857, p. 4.

Convention demanded that the government act swiftly to ‘prevent the further influx of Chinese to this colony’.⁶³ Then in September 1857 the Haines Land Bill, which had been feverishly modified in a doomed attempt to appease opposed interests, was rejected by the Legislative Council.⁶⁴ This particular outcome had not been expected, but to all appearances, the Convention had won its first battle on behalf of ‘the People’.

III

The biographical details of many of the colonial democrats who figure in this thesis are quite obscure. One exception is Charles Don, the Scottish Chartist, Owenite and journeyman stonemason who was eventually elected to the Victorian Legislative Assembly as a Conventionist candidate in 1859.⁶⁵ Des Shiel traces Don’s active involvement in Scottish Chartism (where he had been an Association Secretary in Glasgow), his failed attempts at goldmining in Victoria, his leading role in the stonemasons union and the eight-hour campaign of the mid-1850s, in the Land League and in the Convention, as well as his Parliamentary career until his death in 1864.⁶⁶ Don first contested a Legislative Assembly seat in May 1857, after the mercantilist liberals Archibald Michie and David Moore were forced to seek re-election for the City electorate, having agreeing to serve in the second Haines ministry.⁶⁷ Don was partnered

⁶³ Anon., *Resolutions, proceedings, and documents of the Victorian Convention*, pp. 24-6.

⁶⁴ Serle, *The golden age*, pp. 272-3.

⁶⁵ For Don see illustration 20, taken from the frontispiece of Shiel, *The people’s man*.

⁶⁶ *Ibid.*

⁶⁷ For Michie see B. Nairn, G. Serle and R. Ward, section eds., *Australian dictionary of biography*, V (Carlton, 1974), pp. 246-8. For Moore see *ibid.*, pp. 275.

by Edward Cohen as a ‘popular candidate’ in this contest, although Cohen did not take any public part in the campaign.⁶⁸ Archibald Michie was a prominent anti-transportationist who had spoken at the *Hashemy* demonstrations in Sydney in 1849. In 1856 he was elected to the first Victorian Parliament on a ‘people’s programme’. However, following an abrupt shift in political allegiances in mid-1857, Michie became embroiled in a violent political struggle with Charles Don and his supporters.

Like other colonial radical programmes discussed in this thesis, the ten-point strategy Don agreed to support at a meeting of working men gathered at Melbourne’s *de facto* Trades Hall, the Belvidere Hotel, on 4 May 1857, was firmly based in Chartist principles. It called for a ‘comprehensive land law’, manhood suffrage, a shortening of the three years Parliamentary term, the ‘perfection of the ballot’, an increase in the number of Parliamentary representatives, the establishment of equal electoral districts, the abolition of property qualifications and the payment of members.⁶⁹ The ‘settlement of the question of mining on private property’ was urged, as was the abolition of state aid to religion and the cessation of government-assisted male immigration.⁷⁰ Don having consented to stand for a City by-election, the democrats planned an intimidatory assault upon their opponents, and a large body of Belvidereans were dispatched to Coppin’s Olympic Theatre, where Michie and Moore were to explain why they had decided to join the Haines administration.

⁶⁸ For Cohen see N.B. Nairn, A.G. Serle and R.B. Ward, *Australian dictionary of biography*, III (Carlton, 1969), pp. 436-7.

⁶⁹ See *Age*, 5 May 1857, p. 4.

⁷⁰ *Ibid.*

The rioting which eventuated at the Olympic that evening was imbued with the physical contestatory characteristics of urban Chartist political culture. Liberals and democrats rushed the doors, but it was soon obvious that democrats sympathetic to the recently deposed O'Shannassy ministry outnumbered their opponents.⁷¹ Cheers, groans, hisses and other forms of aural intimidation rent the air. It was 'the most hideous clamour that ever emanated from the human voice', claimed the *Argus*.⁷² When one Assembly member (George Harker) attempted to speak, 'he was greeted with groans, imitations of poultry, cries and shouts of "weathercock"'.⁷³ Another leading liberal, James Service, was given a similar welcome – despite being able to claim a solid Chartist family background himself.⁷⁴ At 'one time there were considerable fears for the building', claimed the *Herald*.⁷⁵ The democrats had also prepared some caustic handbills which they released from the upper gallery:

COPPIN'S OLYMPIC.
This Evening.
The old play of
THE LYING VARLET
To conclude with the laughable
Farce of the
WORKING MAN'S FRIEND!
The characters will be sustained by two well-known City members.⁷⁶

This 'indescribable storm of derisive cheers, laughter and groans' continued until Don – 'the hero of a hundred fights on their behalf' – mounted the stage.⁷⁷ Although reporters

⁷¹ *Herald*, 5 May 1857, p. 5 (n.p.).

⁷² *Argus*, 5 May 1857, p. 4.

⁷³ *Ibid.*

⁷⁴ For Service see G. Serle and R. Ward, section eds., *Australian dictionary of biography*, VI (Carlton, 1976), pp. 106-12.

⁷⁵ *Herald*, 6 May 1857, p. 6 (n.p.).

⁷⁶ *Age*, 5 May 1857, p. 5. Emphases in original.

⁷⁷ *Ibid.*

were able to record his opening flourish – ‘I come to bury Caesar, not to praise him’ – the uproar continued until Michie, Moore and their supporters eventually left their meeting.⁷⁸ They hastily re-convened at the Criterion Hotel, having first been turned away from Keeley’s by the proprietor.⁷⁹ At the Olympic, James Galloway (another Chartist stonemason and Conventionist) took the chair and declared that this was now a ‘working man’s meeting’. A few days later Galloway justified his role in the attack: ‘They might call it a packed meeting ... but he thought it was the voice of the people’.⁸⁰

Don was an orator of some ability. At the Belvidere meeting held to form his election committee, Peter Sherwin (another Conventionist) told the gathering that ‘Previous to coming to this country he (Mr. Don) was one of the greatest debaters amongst the working men of Glasgow; and he was capable of dealing with many subjects which few people had any idea of’.⁸¹ According to Edward Whitty, the gifted but dissolute *Times* journalist who arrived in Melbourne to witness Don’s first Parliamentary speech in 1859, he dressed ‘away from his class’:

The turn-down collar, thrown-off hair, and jerked back frock, do not assign him to any particular class; he seems a cross between the poet and the pirate, Byron and his Corsair; the marauder, perhaps, slightly predominating ... He introduced himself as a new fact in the British empire – an actual working artisan in a Legislative Assembly to speak and vote for his class ... he was kindly and favourably listened to, and ... encouraged with the usual attention, cheers, and laughter. But the Mountain is always the Mountain. In a little while Mr. Don was on his democratic stump; his voice rose, his speed increased, and soon he shouted, screamed, bellowed, bullied, always talking with some point and ability, but with such a chaos of confused sentences and with such abominable boisterousness and savagery of manner, that the House and galleries stopped their ears, shuddered and shrank away from the tornado of the people’s man. It

⁷⁸ *Argus*, 5 May 1857, p. 4.

⁷⁹ *Ibid.*, pp. 4-5.

⁸⁰ *Age*, 7 May 1857, p. 5.

⁸¹ *Ibid.*

was the fury and frenzy of Feargus O'Connorism of the most exaggerated kind revived.⁸²

Recall George Weerth's description of the flow, momentum and climactic finale of O'Connor's oratory. Don evidently felt compelled to imitate his idol in a forum where O'Connor would have almost certainly modified his oratorical technique.

Conservative commentators often argued that Don's Chartist rhetoric was out of place in a workers' paradise such as Victoria.⁸³ One gentle critic of 'THE MELBOURNE DON' depicted him as the picture of working-class respectability whose very appearance belied his Chartist arguments:

And why can ... you not forget the habits of thought, the resentment against the aristocracy, the 'down-trodden,' 'oppressed,' style of eloquence, that belonged to your Chartist days? You are not fighting for the franchise now. You have got it. You need not agitate for the ballot, or for no property qualification. You have got them. If there are 'points' left yet unattained, you have political power in your hands to conquer them.⁸⁴

Wrote another: 'He utters the old cry, "a fair day's wage for a fair day's work," just as if he was addressing a meeting of the working-class of Manchester, instead of Melbourne'.⁸⁵ The *Sydney Morning Herald* distinguished Don from 'aristocratic democrats', but also reiterated the old ideological cry: 'are we not all working men?'.⁸⁶ 'He is a candidate for a great city, but he does not propose to represent that city, but an order'.⁸⁷ What these observations invariably failed to point out was that Don's supporters saw nothing anachronistic in his demotic persona, or in his arguments.

⁸² *Argus*, 22 October 1859, p. 5. For Whitty, who died within weeks of arriving in Victoria, see T.H.S. Escott, *Masters of English journalism: a study of personal forces* (London, 1911), pp. 222-3; Duffy, *My life*, II, p. 193.

⁸³ See illustration 16, *Melbourne Punch*, 14 May 1857, p. 123.

⁸⁴ See 'My Note Book', *Argus*, 12 May 1857, p. 5.

⁸⁵ *Argus*, 11 May 1857, p. 5.

⁸⁶ *Sydney Morning Herald*, 16 May 1857, p. 4; *Argus*, 21 May 1857, p. 6.

⁸⁷ *Sydney Morning Herald*, 16 May 1857, p. 4. Italics in original.

Don's first attempt at entering the colonial legislature in 1857 failed, however, as he came fourth in the poll held on 13 May.⁸⁸ The introduction of the ballot the previous year seems to have had little effect upon the electioneering process in this case. After the Olympic Theatre meeting the *Argus* and the Melbourne *Herald* accused the democrats of using an unconstitutional menace of violence to cow the incumbents, and to force them to abandon public oratory for less manly printed avowals of principles.⁸⁹ A 'working man' who had been in Victoria for six years felt his class labelled 'to be at all identified with the disgusting, fiend-like mob' who assembled at the Olympic.⁹⁰ 'Pot house orators may catch a few of the unwary', 'TRUTH' added, 'but no common-sense man, with any experience of what chartism and rebelism have done for the mother country, will be led away by such stuff'.⁹¹ The attempt to 'martyrize' Michie and Moore after they were allegedly manhandled outside a ward meeting planned to be held at the George Hotel, North Melbourne on 8 May, however, was contested in the democratic press. 'I saw them leave in a conveyance', one witness told the *Age*, 'and know that no personal violence was then done or attempted ... As usual, there was hissing, groaning and cheering, and no more'.⁹² Similar disruptive scenes were enacted at the City nominations, and also at contemporaneous election meetings held in St. Kilda, where the democrats were marshalled by Thomas Loader and J.B. Crews.⁹³

⁸⁸ *Age*, 14 May 1857, p. 5.

⁸⁹ *Argus*, 11 May 1857, p. 5; *Herald*, 6 May 1857, p. 6 (n.p.).

⁹⁰ *Argus*, 11 May 1857, p. 6.

⁹¹ *Ibid.*

⁹² *Age*, 11 May 1857, p. 5; 13 May 1857, p. 4. For Michie's reasons why he and Moore would no longer attend ward meetings see *Argus*, 11 May 1857, p. 8.

⁹³ For the City nomination see *Argus*, 8 May 1857, pp. 4-6; *Age*, 8 May 1857, pp. 5-6; *Herald*, 8 May 1857, pp. 4-5 (n.p.). For disruptions at St Kilda see *Argus*, 5 May 1857, pp. 4-5; *Age*, 5 May 1857, p. 5; *Herald*, 5 May 1857, p. 5 (n.p.).

Don attempted to deny the charges of ‘political warfare’ laid against him by opponents, and his ward meetings occasionally interrupted – although never *en masse*.⁹⁴ As we saw earlier, when Don was finally elected to the Legislative Assembly in August 1859, he presented himself as the first elected advocate of labour, a claim reiterated by historians.⁹⁵ In 1857 the *Herald* countered similar claims as ‘mere falsehood and bombast’.⁹⁶ ‘At least one-quarter of the members of the Assembly had been day labourers, in some shape’, the paper bellowed.⁹⁷ On the other hand, none of the former Chartists who had been elected to the first Parliament (David Blair, Ebenezer Syme and John Basson Humffray) cultivated the kinds of manual and uncouth images which Don’s name immediately evoked in 1857.⁹⁸ That year William Dexter also ran as a ‘working man’ in the pastoral seat of Gippsland (on Convention principles), a largely symbolic act that echoed the Chartist practice of contesting elections they had little chance of winning.⁹⁹ At the nomination (where Dexter won the show of hands) he vowed to ‘support himself by labor in the day and serve them at night, and when called upon he would resign’.¹⁰⁰ No doubt Dexter had witnessed O’Connor make similar representative contracts with his constituents at Nottingham in the late 1840s.

⁹⁴ *Age*, 11 May 1857, p. 6. For interruptions see *Argus*, 9 May 1857, p. 4 and the defiant heckler at a St. James ward meeting Don addressed at the Southern Cross Hotel, *Age*, 11 May 1857, p. 5: ‘The pertinacity of this solitary dissident roused the indignation of one or two hot-blooded sons of Erin, who were impatiently desirous of chastizing him, but the rest of the meeting took it in gentle mood’.

⁹⁵ For Don’s 1859 election for the seat of Collingwood see Shiel, *The people’s man*, pp. 73-80.

⁹⁶ *Herald*, 13 May 1857, p. 4 (n.p.).

⁹⁷ *Ibid.*

⁹⁸ For Blair see N.B. Nairn, A.G. Serle and R.B. Ward, section eds., *Australian dictionary of biography*, III (Carlton, 1969), pp. 179-80; for Humffray see B. Nairn, G. Serle and R. Ward, section eds., *Australian dictionary of biography*, IV (Carlton, 1972), pp. 444-5.

⁹⁹ See P. Morgan, ‘Bohemians of the bush’, *Gippsland Heritage Journal*, 3 (1988), pp. 4-5.

¹⁰⁰ *Age*, 4 November 1857, p. 6. At the poll Dexter was beaten by his squatter opponent (John Johnson) by 133 to 9 votes.

In May 1858 J.B. Crews became the first Conventionist to be returned to the Assembly. Alexander Hunter, a Chartist surgeon, also followed Don in October 1859.¹⁰¹ These and other former Conventionists elected to the second Parliament formed the nucleus of the democratic 'Corner' faction in the Legislative Assembly. Crews' victory at St Kilda during the reform crisis is interesting because his campaign also revolved around a claim that he was not just a working man's candidate, but a *working man*: 'He was one of themselves, and in voting for him they were merely voting for themselves'.¹⁰² In England during the late 1840s Crews had led a few hundred Chartists and Land Plan members resident at Newton Abbot.¹⁰³ He spoke from the same platform as O'Connor in 1846, when Feargus went on a Devonshire speaking tour with the Land Plan lecturer Paul McGrath.¹⁰⁴ According to the *Star*, 'the struggling patriots of Newton, with Mr. Elms and Mr. Crews, as their legitimate and universally elected leaders' worked 'to secure a triumph for the Chartist principles' on the occasion.¹⁰⁵

Twelve years later Crews realised the triumph in a more material fashion. Formerly a printer, Crews was now a baker, and had become heavily involved in local politics in the Prahran area.¹⁰⁶ Later he became a captain in the local fire brigade.¹⁰⁷ In early 1858 Crews was also active in H.S. Chapman's failed attempt to gain a St Kilda

¹⁰¹ For brief biographical details of Hunter see Thomson and Serle, *A biographical register of the Victorian Parliament*, p. 99.

¹⁰² *Argus*, 14 May 1858, p. 2. See also *Age*, 26 May 1858, p. 5; 28 May 1858, p. 5. For Crews see also illustration 21, taken from J.B. Cooper, *The history of Prahran: from its first settlement to a city* (Melbourne, 1924), facing p. 116.

¹⁰³ *Northern Star*, 12 September 1846, p. 8.

¹⁰⁴ *Ibid.*, pp. 1, 8; Hadfield, *The Chartist Land Company*, p. 26.

¹⁰⁵ *Northern Star*, 12 September 1846, p. 1

¹⁰⁶ *Age*, 2 July 1857, p. 1.

¹⁰⁷ Cooper, *The history of Prahran: from its first settlement to a city*, ch. 11; J.B. Cooper, *The history of St. Kilda: from its first settlement to a city and after, 1840 to 1930* (Melbourne, 1931), p. 127.

seat.¹⁰⁸ At a subsequent by-election he stood himself, again on a Convention platform.¹⁰⁹ And whilst Crews may have attempted to present himself as a working man and protector of Convention principles, he also declared that he would 'equally assist the working and mercantile community', here diverging from the more militant stance adopted by Don.¹¹⁰ Nor was Crews' 1858 campaign coloured by the violence of Don's first attempt to win an Assembly seat, despite Crews' active role in stacking and disrupting meetings at St Kilda in 1857. This conciliatory approach paid off handsomely, as Crews polled more votes than all his opponents combined, and paved the way for the establishment of a Convention faction within Parliament.¹¹¹

Yet to truly appreciate the persistence of Chartist political culture in Victoria we need to go beyond both the Parliament and the Convention, and look at the largely ignored radicalism of Melbourne's streets and Eastern Market, which by 1857 had become the main outdoor radical meeting place in the city.

IV

In early 1857 a number of mass-meetings were held in London's East End to publicise the stagnation of the building trades.¹¹² Subsequently William Howitt and the *Times* proposed Australian emigration as a remedy to the distress evident in Smithfield and

¹⁰⁸ *Argus*, 4 January 1858, p. 3.

¹⁰⁹ For Crew's opening campaign speech see *Argus*, 13 May 1858, p. 5.

¹¹⁰ *Age*, 17 May 1858, p. 6; *Argus*, 19 May 1858, p. 5.

¹¹¹ For the poll result see *Argus*, 19 May 1858, p. 5.

¹¹² For London unemployed meetings of between 10-16,000 see *Times*, 13 January 1857, p. 12; 20 January 1857, p. 8.

Clerkenwell.¹¹³ Ernest Jones disagreed. He told an meeting of about 3,000 London unemployed that deliverance lay not overseas, but in the implementation of the People's Charter and home colonisation.¹¹⁴ At a meeting held in a Clerkenwell temperance hall, however, it was agreed that the 'only hope' of warding off destitution lay in emigration. By August 1857 about 1400 emigrants had arrived in Melbourne sponsored under the 'Wellington Fund', so named because the (second) Duke of Wellington had contributed £1000 to initiate the scheme in the wake of the London unemployed meetings.¹¹⁵ The emigrants included a London Chartist called William Osborne, who quickly made contact with J.D. Owens, Charles Don and other prominent colonial radicals. Just as the Convention was winding up in early August 1857, a section of the Wellington migrants also combined to form a Melbourne 'Working Men's Association of the Unemployed', and began to protest at the living conditions at Victoria's immigration depot and the difficulties they again had in finding work.¹¹⁶

Soon the fledgling movement was plunged into a battle with the *Argus* over the state of Victoria's economy and the false promises of Australian emigration.¹¹⁷ *Melbourne Punch* also took aim at the new phenomenon, deriding recently arrived 'spouters' such as Osborne.¹¹⁸ According to Osborne and other radicals, the *Argus* was an organ of mis-information in Victoria and Britain, where it was distributed *gratis* in

¹¹³ *Times*, 19 February 1857, p. 8; 23 February 1857, p. 5; 26 February 1857, p. 8; 28 February 1857, p. 9; 17 March 1857, p. 9.

¹¹⁴ *Times*, 18 February 1857, p. 7.

¹¹⁵ For brief details of this emigration fund see *Times*, 17 March 1857, p. 9.

¹¹⁶ See *Age*, 5 August 1857, p. 6 for the formation of the Working Men's Association.

¹¹⁷ See, for example, *Argus*, 15 August 1857, p. 4; 16 September 1857, p. 5.

¹¹⁸ See *Melbourne Punch*, 20 August 1857, p. 26; 10 September 1857, p. 49; 15 October 1857, p. 91 (illustration 15).

libraries patronised by working men.¹¹⁹ Whilst the paper consistently denigrated the Melbourne unemployment demonstrations that took place in the latter half of 1857, it actually reported them in some detail – even impromptu gatherings where speakers were simply invited to speak from the audience.¹²⁰ Like Don's oratory, observers consistently placed these protests in a neo-Chartist context. For example, an unemployed but unconvinced 'PRACTICAL ENGINEER' who attended the first Eastern Market meeting in mid-August declared that 'we will not take all for facts that the worn-out remnant of a faction who made themselves rather ridiculous about Kennington Common in '48 choose to utter'.¹²¹ Martin Stapley, who attended an indoor meeting held at the Turf Hotel, also cast his account in a well established tradition of hostility:

Exactly forty-two persons were present. A youthful president in the chair, with 'the lion' in the corner ... A report was read, and a speech or two made ... Of the time each man was out of work, some were twenty, some thirty, some sixty days, and one interesting person asserted with indignation that he 'had never had no work at all'. A gentleman informed the meeting that he saw a man sign for a wife and eleven children, which man he knew to be single. A really honest fellow got up and declared he would be no party to such lying statements, for what would the *Argus* say if it saw them? ... Then came the Chartist Osborne to the rescue ... The usual trash followed: fierce and vulgar attacks on the press ... and much laudation of the martyrs Frost, Williams and Jones. Surely such a farce was never enacted! If Osborne (poor inflated fellow!) thinks Chartism, with its execrable doctrines, its exploded principles, its blatant humbug will ever find a resting-place ... here in free and fair Australia, he is much mistaken.¹²²

Stapley's letter elicited a curt reply from an anonymous Working Man's Association member who stated that Chartism and Osborne had been 'grossly misrepresented'.¹²³ 'I

¹¹⁹ *Argus*, 15 September 1857, p. 5.

¹²⁰ *Argus*, 1 September 1857, p. 5.

¹²¹ *Argus*, 17 August 1857, p. 6.

¹²² *Argus*, 24 October 1857, p. 6.

¹²³ *Argus*, 29 October 1857, p. 5.

do believe he mentioned Frost, but he certainly did not make any mention of Jones or Williams'.¹²⁴

The title of the Working Men's Association immediately evokes a Chartist heritage, even if there do not appear to have been any formal ties with what remained of the movement in Britain. In mid-September 1857 the colonial Association convened a meeting of about 600 unemployed immigrants at the Theatre Royal Hotel, Bourke street, following an interview with David Moore, now President of the Board of Land and Works. Osborne 'congratulated King Mob on becoming respectable – for they had commenced with meetings on the wharf, then gone to the Eastern Market, afterwards to the Belvidere, and now at the Theatre Royal'.¹²⁵ Another speaker denounced critics of emigrant orators 'living on the wages of agitation'.¹²⁶ In a telling remark relative to the derivative character Victorian popular radicalism, he then 'read a resolution which was adopted at a meeting of the unemployed in London, and said the resolution which he had to propose was drawn up to resemble it as much as possible'.¹²⁷ The *Argus* was then placed 'on trial' amidst bitter tirades directed at the 'the rascally Press-gang of the colony'.¹²⁸ Note the O'Connorite inflections of the latter phrase, and the characteristic 'trial' of political opponents – Feargus' letters had evidently become demotic phrase-books, ingrained in the memory of an 'old guard' sixteen thousand miles from home. Even 'the people's paper', Syme's *Age*, did not escape censure on the emigration

¹²⁴ *Ibid.* Stapley countered with another bitter attack upon Chartism, Feargus O'Connor and the 1848 national petition. See *Argus*, 30 October 1857, p. 5.

¹²⁵ *Argus*, 15 September 1857, p. 5.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

question, despite having commenced a (short-lived) ‘labor-column’ somewhat like the ‘Chartist Intelligence’ columns of the *Northern Star*.¹²⁹ The *Argus* reporter present had a victory of sorts, however, by refusing to record any declamation upon ‘the electoral question’. This subject ‘appeared to reporters to be foreign to the purpose for which the meeting was called’.¹³⁰

William Osborne ended his denunciation of the colonial press at the Theatre Royal by advocating direct action. ‘He advised them to go, in one vast body, to Toorak, to the Governor, the representative of the Queen, and ask him to do something to provide them with work’.¹³¹ He also ‘characterized the movement as a “march for bread”’.¹³² About a week later these metaphors were made real when two men named Thomas Ernold and John Caspin obtained bread from a Bourke Street bakery and refused to pay for it, ‘saying that they could not afford to do so’.¹³³ Following their arrest and removal to the William Street watchhouse,

a large number of the ‘unemployed’ amounting to five hundred, with Mr. Osborne at their head, perambulated Bourke-street and William-street, after having had an interview with the President of the Board of Land and Works, and happening to meet with the Attorney General, they stopped and asked him for food ... He assured them of his sympathy with their necessities, but added that it was wholly beyond his powers to do anything for them as an individual ... The crowd appeared to be convinced of the justice of the replies ... at another period of the afternoon a number of them promenaded Bourke-street, bearing a sort of banner or board, on which was inscribed the words, ‘We shall have bread’.¹³⁴

¹²⁹ *Ibid. Age*, 6 May 1857, p. 4.

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² *Ibid.*

¹³³ *Argus*, 24 September 1857, p. 4.

¹³⁴ *Ibid.*

It is not clear whether Ernold's and Caspin's refusal to pay was pre-meditated. However, the intimidatory street marching and begging evoked Chartist protocols of collective protest typified by Cooper's 'Shakspeareans' in the early 1840s. The colonial administration responded by providing manual work for about 1500 labourers in rural districts.¹³⁵ However, complaints were soon made by families forced to endure trying living conditions, not to mention the abusive disdain of an overseer 'who rejoices in the name of "Thundering Jack"'.¹³⁶ Osborne, James MacMinn and other Working Men's Association leaders subsequently sought another interview with David Moore, who angrily rejected their charges of mismanagement and broken promises. Earlier they had pursued Moore from one government building to another followed by hundreds of animated supporters.¹³⁷

A few days later another Working Men's Association delegation met the Governor, Sir Henry Barkly, to present a petition on behalf of married unemployed men requesting that they be given work in Melbourne rather than the interior.¹³⁸ Barkly was more sympathetic than Moore, but he too declined to act.¹³⁹ A demonstration of several hundred was immediately convened at the Eastern Market, in which more 'horrible disclosures would be made than any they had yet listened to'.¹⁴⁰ A patronising commentary which had appeared in the *Age* a couple of days earlier also evoked a dramatic response at this meeting:

¹³⁵ *Age*, 14 November 1857, p. 5.

¹³⁶ *Age*, 20 October 1857, pp. 4-5, 6; 21 October 1857, p. 5; 23 October 1857, p. 5.

¹³⁷ *Age*, 20 October 1857, p. 5.

¹³⁸ *Age*, 24 October 1857, p. 6.

¹³⁹ *Age*, 26 October 1857, p. 5.

¹⁴⁰ *Age*, 24 October 1857, p. 6.

Mr. OSBORNE ... ascended a table, and ... said ... there were a number of people prepared to back him up in carrying on an agitation having for its object free emigration to England. (Cheers.) They had that morning gibbeted a copy of the *Age*; and he had been concerned in first gibbeting and then burning a copy of the *Times* newspaper for its attacks on Kossuth; and the parties who did that would have burned the editor of the *Times* also if it had been necessary. He was desirous that they should carry the gibbet with the *Age* through the streets to the Government offices, but some of his friends objected to that, and therefore he would give in and have the *Age* removed to the place from whence it was brought, and hang it along with the *Argus* and the *Herald* some other day.¹⁴¹

The immolation of the traitorous *Age* ensued, whereupon those gathered at the Eastern Market marched upon the Government offices, unsuccessfully seeking another interview with the Governor.¹⁴² We can only wonder what role Osborne may have had in the Kossuth demonstrations. However, the street-marching and improvised theatrics he and the emigrant unemployed resorted to in order to mediate their claims had direct antecedents in the symbolic protocols discussed in section one.

V

Despite criticisms of the 'aristocratic trades' and radical objections to assisted male immigration in the late 1850s, the Victorian unemployed movement was assimilated into the left flank of colonial democracy within weeks of the Wellington emigrants' arrival. In the last chapter we also saw that some of Bendigo's early Chinese miners had participated in the red-ribbon demonstrations of August 1853. Within a year, however, the former Anti Gold License Association committee member W.D.C. Denovan convened a meeting

¹⁴¹ *Age*, 22 October 1857, p. 5; 24 October 1857, p. 6. The offending piece referred to unemployment amongst clerical workers who did 'not visit the market-place', were not 'disciples of St. Osborne, and are ignorant alike of fustian, trade unions, and stump oratory'.

¹⁴² *Age*, 24 October 1857, p. 6.

at the View Point hustings ‘relative to the alarming influx of Chinese into this gold field’.¹⁴³ According to the *Argus*, Denovan engaged in a ‘rabid tirade against the unfortunate celestials’, telling about 1500 diggers that the only solution was their forcible expulsion:

His proposal in reference to the Chinese was, that as the 4th of July next was the anniversary of American Independence, the diggers on that day should rise *en masse*, and drive all the Chinese out of the various gullies. (Great Cheering). The introduction of these people would have the effect of lowering wages, and that was why they were brought here by the squatters and other large employers of labor ... Mr. D. then concluded by putting his proposition of expelling the Chinese on the 4th of July from the diggings, which was most enthusiastically carried by an immense majority, amidst cries ‘We’ll have some sport.’ A few hands were held up in opposition.¹⁴⁴

Denovan subsequently withdrew his call for Independence Day action, as ‘reports injurious to his personal liberty’ had followed. At another meeting four days later, however, he called for the restriction of Chinese immigration.¹⁴⁵ Denovan’s rhetoric echoed Hawksley’s condemnation of imported ‘coolie’ labour in the late 1840s, and in 1857 the ‘Chinese question’ became particularly pronounced in Victoria, owing to the increase of the Asian population to about 35,000.¹⁴⁶

Various restrictive measures were tried by the Government. In 1855 a capitation tax of £10 was imposed upon Chinese immigrants, although this was often circumvented by ships’ captains landing labourers in South Australia, from where they made the considerable journey to the goldfields by foot.¹⁴⁷ After similar legislation was passed in

¹⁴³ For Denovan see B. Nairn, G. Serle and R. Ward, section eds., *Australian dictionary of biography*, IV (Carlton, 1972), pp. 55-6.

¹⁴⁴ *Argus*, 30 June 1854, p. 3 (n.p.).

¹⁴⁵ *Argus*, 10 July 1854, p. 3 (n.p.).

¹⁴⁶ Serle, *The golden age*, pp. 322-3. More generally see N.O.P. Pyke, ‘Some leading aspects of foreign immigration to the goldfields’, *Journal of the Royal Australian Historical Society*, 33 (1947), pp. 1-25; Markus, *Fear and hatred*, ch. 2; M. Cannon, *The roaring days* (Mornington, 1998), ch. 16.

¹⁴⁷ Serle, *The golden age*, p. 325.

South Australia in 1856, over ten thousand Chinese labourers were landed in New South Wales before an additional poll-tax was applied by the second O'Shannassy ministry in 1858.¹⁴⁸ Just prior to the Land Convention sittings in 1857, the anniversary of American Independence served as another rallying point when Chinese miners encamped on the Buckland River (south of Beechworth) were dispersed in a violent rampage by European diggers. An unknown number of Chinese were drowned as they were herded down the Buckland by hundreds of Europeans, whilst others died from other injuries inflicted in the attack, or from exposure.¹⁴⁹ Subsequently three miners were found guilty of charges of unlawful assembly and riot.¹⁵⁰

It is remarkable (but unremarked by most Australian historians) that Chinese labourers in Victoria who attempted to defend themselves against the repeated imposition of various taxes by the state consistently appropriated British constitutional protest forms. In 1856 the Government received a petition signed by over five thousand Chinese storekeepers and miners resident at Bendigo against the capitation tax imposed the previous year, whilst similar memorials were also made from other areas.¹⁵¹ As the Convention was winding up, Chinese miners living on the Castlemaine field convened a public meeting on Mechanic's Hill to 'take into consideration Mr. Haines's proposition for imposing a tax of £1 per month on each Chinaman in Victoria'. According to the *Argus*:

About twelve hundred celestials were present, and the orderly and methodical character of the proceedings was such as to be worthy of the imitation of Europeans.

¹⁴⁸ *Ibid.*, pp. 329-31.

¹⁴⁹ See *Argus*, 13 July 1857, p. 5; 14 July 1857, p. 6; Serle, *The golden age*, pp. 325-6.

¹⁵⁰ *Argus*, 12 August 1857, p. 4; 13 August 1857, p. 5; Serle, *The golden age*, p. 326.

¹⁵¹ For text of the petition signed by 5168 Chinese inhabitants of Bendigo, see *Votes and proceedings of the Legislative Assembly, 1856-7*, III, p. 855.

Chu a Luk, the interpreter, having explained the details of the bill to his compatriots, a proposition was submitted to the meeting that petitions should be presented to both Houses of Parliament, setting forth the injustice of the proposed tax ... at the same time asserting the anxiety of the Chinese to live in conformity with English laws and customs ... The petitions were then unanimously adopted, and a head man appointed to communicate with the Chinese in other districts and, if necessary, to collect subscriptions to enable them to be heard by counsel at the Bar of the Assembly.¹⁵²

Another report spoke of the holiday atmosphere of this gathering, and also remarked how the Chinese appeared to be copying ‘the example so often set them by the barbarians’.¹⁵³ However, just after the meeting finished a small group of European miners held a counter-demonstration, stating that it was ‘a disgrace that Chinamen should be permitted to meet in any place’.¹⁵⁴

Although it is unlikely that many (if any) of the Chinese who had participated in the 1853 anti-license demonstrations were still resident in Victoria, six years later ‘the largest meeting of Chinese that was ever held on Bendigo’ was convened at View Point, the site of red-ribbon demonstrations and of Denovan’s anti-Chinese rhetoric the following year. The object of the meeting was to protest against the imposition of an additional annual residential license of £4.¹⁵⁵ A ‘flaunting flag of liberty’ swayed aloft, wrote the *Age* correspondent, and ‘the business was conducted in the most constitutional and orderly manner throughout’.¹⁵⁶ An elderly Chinese doctor chaired the meeting, ‘attended by several headman from the different camps’.¹⁵⁷ In a remarkable shift,

¹⁵² *Argus*, 4 August 1857, p. 4.

¹⁵³ *Argus*, 7 August 1857, p. 6.

¹⁵⁴ *Ibid.*

¹⁵⁵ As Serle, *The golden age*, p. 330 points out, a £6 residence license had been introduced in 1857, but owing to the absence of penal clauses, was not policed. The new legislation introduced by the second O’Shannassy ministry in 1858 reduced the annual fee to £4, but ensured that it would be enforced.

¹⁵⁶ *Age*, 24 May 1859, p. 5.

¹⁵⁷ *Ibid.*

Denovan was chosen by popular acclamation as a delegate to present a ‘monster petition’ to the Governor. He does not appear to have been present at View Point, and he later apologised for being unable to take the Chinese anti-tax memorial to Melbourne.¹⁵⁸ However, Denovan did obtain an interview with O’Shannassy on behalf of the Chinese residents of Bendigo.¹⁵⁹ At Castlemaine the Chinese embarked upon a campaign of civil disobedience that echoed red-ribbon protest tactics. About 1000 miners marched upon the resident warden’s camp, sought an interview with officials, proclaimed their inability to pay the residence tax, and gave ‘themselves up to be dealt with according to law’ should their reduced offer of £2 per annum not be accepted.¹⁶⁰ A considerable number of European diggers also joined the procession. Captain Bull, the head warden, congratulated the miners on the constitutional ethos underlying their protest, and vowed to emphasise this facet of proceedings in his report. After cheering the Queen (‘at first it was but a very feeble imitation of the British hip-hurrah, but after one or two attempts, it rose into a very respectable cheer’) the demonstrators dispersed peaceably, although some disturbances were reported at Beechworth and Bendigo.¹⁶¹ It is impossible here to explore the full implications of these events. But such demonstrations clearly suggest that the constitutionalist idiom was also the ‘master narrative’ of political contention in Victoria, sufficiently powerful to animate a radically different culture.

The Convention was sympathetic to the grievances of the Buckland rioters, if not their actions. It exhorted the Legislature to force the Chinese to leave the colony within

¹⁵⁸ *Argus*, 25 May 1859, p. 7.

¹⁵⁹ *Argus*, 4 June 1859, p. 5.

¹⁶⁰ *Age*, 26 May 1859, p. 5.

¹⁶¹ Serle, *The golden age*, p. 330.

six months.¹⁶² R.J. Smyth, a delegate for Beechworth, convened a meeting on 'THE CHINESE QUESTION' at the Star Theatre just before the Convention met. This gathering of about 400 miners expressed its 'heartfelt sympathy with the diggers of the Buckland who have been necessitated to expel the Chinese'.¹⁶³ A month earlier the *Age* raised the possibility of racial violence in its colonial summary designed for British readers:

Amongst the first novelties discussed by 'new chums' are the groups of grotesque, ungainly Chinese, which are now to be found in almost every district of the country. Upwards of 40,000 Celestials have already favoured us with their company With scarcely any exception, they seem to be the lowest class of Chinese. Repulsive in demeanour – false, cunning and covetous in disposition – they have rendered themselves detestable to the European inhabitants, and as they increase in arrogance proportionately in numbers, a deadly collision between the two races seems highly probable. Already there have been two serious conflicts at Ararat and Daylesford – originating in the encroachment of the Chinese upon the rights of European miners.¹⁶⁴

This kind of language was typical of radical attitudes to the Chinese who ventured to Victoria. At the Land Convention the Dunolly delegate W.H. Wingfield claimed that the Chinese miners were 'grossly immoral ... very filthy in their habits [and] have dangerous diseases among them, which baffle the skill of our medical men'.¹⁶⁵ No two elements of humanity, he contended, could be more different, or less disposed to the other.

The Chinese were by no means universally vilified, and the Buckland River murders were clearly regarded by many Victorians as shameful. The *Melbourne Punch* was compelled to publish an unusually solemn verse entitled the 'BATTLE OF THE BUCKLAND', which decried the 'infamy and deep disgrace' attached to the attack, and

¹⁶² Anon., *Resolutions, proceedings, and documents of the Victorian Convention*, p. 26.

¹⁶³ *Argus*, 17 July 1857, p. 1.

¹⁶⁴ *Age*, 24 June 1857, p. 5.

¹⁶⁵ *Age*, 7 August 1857, p. 5.

honoured 'the few who dared/ To shield the hunted mob'.¹⁶⁶ But even those who defended the Chinese invariably drew upon an alternative set of stereotypes when attempting to counter the usual stress on moral and sexual depravity. One such plea to the *Argus* written by a 'Digger' called for Victorians to 'divest themselves of the ... prejudices of caste and colour' which had gripped the public imagination, and stressed the thrift, industriousness, and docility of Chinese: 'I have invariably found them a humble hospitable, inoffensive, and harmless set of people'.¹⁶⁷ Similar adjectives can be found in a representative voice of colonial liberalism like H.S. Chapman. His attempt to effect a 'settlement' of 'THE CHINESE QUESTION' also raised the nightmare of racial violence, and argued that only 'exceptional' restrictive measures would stop events at Buckland River from being writ large.¹⁶⁸ Again, the essence of Chapman's case was that as the Chinese could never be assimilated into colonial society the only practicable solution was exclusion, however illiberal and 'un-English' this course might appear.¹⁶⁹

In contrast to the considerable attention paid to Chinese immigration, the Land Convention had almost nothing to say about an equally difficult matter, Victoria's indigenous population and their rights to the use of traditional lands.¹⁷⁰ Just prior to expiring in September 1854, the *Digger's Advocate* articulated a critique of the appropriation of colonial lands by the state:

We speak of 'crown lands' and 'titles from the crown,' but those are mere fictitious expressions. We use them but we do not believe them. They belong to the great

¹⁶⁶ *Melbourne Punch*, 16 July 1857, p. 193.

¹⁶⁷ *Argus*, 29 July 1857, p. 6. For another defence by 'A WHITE MAN' see *Argus*, 31 July 1857, p. 6.

¹⁶⁸ *Argus*, 18 July 1857, p. 9 (n.p.).

¹⁶⁹ *Ibid.*

¹⁷⁰ For Victoria generally see A. McGrath, ed., *Contested ground: Australian Aborigines under the British Crown* (St Leonards, 1995), especially ch. 3.

vocabulary of fraud, falsehood and humbug by which governments and priesthoods rule the world.¹⁷¹

‘Land that is unoccupied, or occupied only by savages’, the *Advocate* continued,

is in the position of that primeval paradise which belonged to the first man who was *willing to cultivate it*. The first tenure was a cultivation tenure, and it is the only rational or honest tenure to this hour ... The man who uses the land as God intended it, takes his title from the Creator, and if he is the first so to use that land, from what other source can he get a title that is more legitimate?¹⁷²

The rhetorical logic of *terra nullius* would find few better expressions than this appeal to ‘first principles’. A similar notion of divine approbation was implicit in the Convention’s policy that all adults had an inherent right to select (and eventually purchase) unalienated Crown Land for cultivation. But the rationale of this form of land use, the establishment of independent and democratic yeomanry, so delegates decided, did not extend to ‘races of certain extraction’.¹⁷³

Some emigrant Chartists might not have been completely ignorant of the injustices of colonisation, for hegemonic justifications of European colonial conquests had been criticised by Joseph Barker in 1848. Barker also refuted notions that the cultivation of the soil or dogmatic appeals to ‘civilization’ extinguished indigenous rights to traditional lands:

Some say that the first inhabitants of the earth obtained a right to the land by cultivating it. But where is the proof? The cultivation of the land gives the cultivator a right to ... the fruits of his culture, but not to the land itself ... Some say, DISCOVERY gives men a title to land. Am I then entitled to all the land I can *discover*? No, say they, unless it happens to be *unoccupied*. But where, under heaven, is the country that has not been occupied since time immemorial? Was AMERICA unoccupied when the Spaniards discovered it? Was AUSTRALIA unoccupied when the British discovered it? ... Some have said that *civilization* gives men a title to land; and that the civilized

¹⁷¹ *Gold Digger's Advocate*, 2 September 1854, p. 4 (n.p.).

¹⁷² *Ibid.* Italics in original.

¹⁷³ For the racial exclusion clause see Anon., *Resolutions, proceedings, and documents of the Victorian Convention*; *Argus*, 3 August 1857, p. 5 (n.p.).

men are entitled to the lands of savage or barbarous men. But who are to *judge* what nations are civilized? ... the principle that the civilized portion of mankind have a right to dispossess the savage portion of their lands, is a false and wicked principle.¹⁷⁴

The Convention heard a good deal about western expansion in the United States, and the delegates must have been aware of Aboriginal culture as a matter of everyday observation. However, they were silent on all these points, except James Cattach (Collingwood) who dissented from the agrarian programme because it did not explicitly provide for land to be set aside not only for schools, hospitals, railroads and parks, but also as reserves for Aborigines.¹⁷⁵

‘Our treatment of the original proprietors of the land is really disgraceful to our boasted Christianity and civilization’, lamented another *Argus* correspondent just after the Convention had adjourned.¹⁷⁶ ‘We have taken their land on the principle that might is right, and the very least we ought to do is to endeavour to make some provision for the miserable remnant of these people’.¹⁷⁷ The writer’s suggestion of a special ameliorative distribution of blankets (a symbolic gift commonly dispensed on ceremonial occasions¹⁷⁸), may have seemed a poor bargain to the recipients. But as Denovan’s about-face upon ‘the Chinese question’ implies, colonial race relations was a complex subject. It can only be touched upon here. Nonetheless, the incomprehension commonly shown towards the Chinese, and the Convention’s extraordinary silence upon the existence of

¹⁷⁴ *People*, 1 (1848-9), pp. 29-32. Emphases in original.

¹⁷⁵ *Argus*, 7 August 1857, p. 6. Another protest against the land policy was made by Henry Johnson, delegate for Richmond. See *Argus*, 5 August 1857, p. 5 (n.p.). Note that Cattach sought to distinguish his proposals from the more general dissent expressed by Johnson.

¹⁷⁶ *Argus*, 10 August 1857, p. 6.

¹⁷⁷ *Ibid.*

¹⁷⁸ See M. Smithson, ‘A misunderstood gift: the annual issue of blankets to Aborigines in New South Wales, 1826-48’, *Push from the Bush*, 30 (1992), pp. 73-108.

Aboriginal people (let alone any recognition of a traditional title to land) suggests just how effectively a demotic agrarian ideology subjugated all obstacles in its path.

VI

The cultural and racial limits of Chartism's underlying domestic ethos of 'members unlimited' is obvious in Victoria in the late 1850s. In the end, however, the endurance of the Chartist inheritance is perhaps most evident in the mass-demonstrations which took place during the reform crisis of May and June 1858. After the fall of the second Haines ministry earlier that year, the Convention became engaged in an intense struggle with the Legislative Council that echoed the British political crises of 1831-2. As Serle points out, the second O'Shannassy ministry presented itself as a democratic government and cultivated the Convention and its goldfields constituencies.¹⁷⁹ The cornerstone of the new ministry's populist credentials was H.S. Chapman's Electoral Districts Alteration Bill, which significantly increased the membership of the Legislative Assembly and removed the pastoral bias of the existing seat distribution. This radical measure was passed by the Assembly in April 1858, but was rejected by Council on 18 May.¹⁸⁰ While the Bill was before the Council Eastern Market meetings were addressed by Gray, Walsh, O'Connor, Don, Harrison and other prominent Conventionists.¹⁸¹ These urban meetings at

¹⁷⁹ Serle, *The golden age*, p. 278.

¹⁸⁰ *Ibid.*, pp. 278-9; *Votes and proceedings of the Legislative Council, 1857-8* (Melbourne, 1858), p. 94. For the Eastern Market see illustrations 17 and 22. The former is taken from Shiel, *The people's man*, facing p. 61, whilst the latter is taken from H.H. Paynting and M. Grant, eds., *Victoria illustrated, 1834-1984* (Footscray, 1985), p. 167.

¹⁸¹ *Argus*, 7 May 1858, p. 5 (n.p.); *Argus*, 21 May 1858, p. 5.

Melbourne's main demotic forum were spurred by the knowledge that the Bill was almost certainly to be rejected by the upper house.¹⁸² This having duly occurred, much of the colonial press united against the 'obstructives', and likened the course of events to 1831-2.¹⁸³ The Convention also convened large regional demonstrations at mining centres such as Bendigo, Ballarat, Dunolly, Pleasant Creek (now Stawell) and Ararat, where John Pascoe Fawcner and other members were stridently attacked.¹⁸⁴ One speaker at Bendigo contemplated armed resistance, citing Blackstone to the effect 'that the people should endeavour to attain their rights by civil means if they could, and if they could not, they had to maintain them by force. (Strong dissent)'.¹⁸⁵ At the Union Theatre, Ararat (in central-Western Victoria, and the site of a recent rush) an orator called McVeigh seconded a motion calling for the establishment of a 'United States of Australia'.¹⁸⁶ *'He proposed that 40,000 men should go from the diggings as a deputation on the part of the remainder, and that Government should pay all their expenses; and that the storekeepers should provide horses and carts to carry their blankets and billies, and that when arrived in Melbourne they should entrench themselves on the Eastern Hill.'*¹⁸⁷

Millenarian mobilisation was also being considered in Melbourne. One of the satellite organisations which sprang up around the Convention was a 'Social and Political Union' led by Charles Don, William Osborne and other militants associated with the

¹⁸² Serle, *The golden age*, p. 279.

¹⁸³ See reprints of *Bendigo Advertiser*, *Bendigo Mercury*, *Ballaarat Times*, *Ballaarat Star*, *Ovens Constitution*, *Ovens and Murray Advertiser*, *Tarrengower Times*, *Maryborough and Dunolly Advertiser* and *Williamstown Chronicle* in the *Age*, 24 May 1858, p. 6.

¹⁸⁴ *Age*, 25 May 1858, p. 6; 26 May 1858, p. 6; 28 May 1858, p. 5; 1 June 1858, p. 5; 2 June 1858, p. 5; *Argus*, 25 May 1858, p. 5; 26 May 1858, p. 6.

¹⁸⁵ *Argus*, 26 May 1858, p. 6.

¹⁸⁶ *Age*, 28 May, 1858, p. 5.

¹⁸⁷ *Ibid.* Italics in original.

Working Men's Association.¹⁸⁸ At a preliminary meeting attended by about 8,000 in late May, the Union openly planned a direct confrontation between the 'People' and their foes at Parliament House, with the hope of forcing a dissolution so that the reform Bill might be revitalised.¹⁸⁹ 'To your tents, oh, Israel', stated a placard. 'Now's the day and now's the hour'.¹⁹⁰ On June 1 a torchlit procession took place from the Eastern Market through Melbourne and its inner northern suburbs, culminating at the doors of the Legislative Council.¹⁹¹ Some of the flags read:

'Where justice is denied,
 Allegiance
 ceases to be a duty.'
 'Loyalty to our sovereign.
 Faith in ourselves'.
 'Contempt for the enemies of Reform.'
 'Victoria as she ought to be,
 With happy homes
 And a people free.'¹⁹²

The band played tunes such as 'The Marseillaise', 'Mourir pour la Patrie', 'Partant pour la Syrie', 'Yankee Doodle', 'Rule Britannia', and 'St. Patrick's Day.' According to the *Argus*, 'The "National Anthem" was also 'called for by foolishly loyal people at the outskirts of the crowd, but was not performed'.¹⁹³

This invasive protest, aimed at the very heart of legislative power in Victoria, quickly gained a notoriety similar to that attached to the Kennington Common meeting of April 1848. According to the *Argus*, it was 'a rising of the scum of our back streets'.¹⁹⁴

¹⁸⁸ See *Age*, 1 June 1858, p. 5; *Herald*, 1 June 1858, p. 5 (n.p.).

¹⁸⁹ *Age*, 1 June 1858, p. 5; *Herald*, 1 June 1858, p. 5 (n.p.).

¹⁹⁰ *Age*, 31 May 1858, p. 5. Illustration 18 is taken from Nadel, *Australia's colonial culture*, facing p. 18.

¹⁹¹ See illustration 23, taken from Paynting and Grant, *Victoria illustrated, 1834-1984*, p. 164.

¹⁹² *Argus*, 2 June 1858, p. 5.

¹⁹³ *Ibid.*

¹⁹⁴ *Argus*, 2 June 1858, p. 4; Serle, *The golden age*, p. 279.

The *Age* variously stated the attendance at 10,000 and 20,000, whilst the *Herald* put the figure at about 7,000.¹⁹⁵ Despite the lower estimate, the *Herald's* correspondent emphasised how the protest physically engulfed the building, effectively paralysing communications:

a great many were in a somewhat excited state, and loud shouts were raised for reform ... For upwards of an hour and a-half all ingress to or egress from the Assembly was impossible, and the noise of the people outside virtually stopped the proceedings within ... No attempt whatever was made by the police to interfere with the procession, which for sometime had entire possession of the principal thoroughfares.¹⁹⁶

Apart from disrupting government business by force of numbers and noise (the Legislative Assembly was then sitting), the proceedings at Parliament culminated in a pithy visual statement. 'A black board, upon which was painted in white the words "To Let, the upper portion of this house" was borne aloft, and nailed upon the temporary boarding which makes up the present front of the Legislative Council'.¹⁹⁷

In addition to the re-deployment of typical spatial and visual symbolic practices, classic Chartist tactics of massed aural approbation and intimidation were also evident as the procession took hold of Melbourne's central streets. According to the *Herald*, marchers cheered as they passed the *Age* office, whilst mixed notes of applause and groans were directed at its own premises. Outside the *Argus* office, however, 'a halt was called, and a perfect storm of groans and yells, interspersed with cries of "Write no lies" was raised which lasted for several minutes'.¹⁹⁸ The *Age* reported a similarly vehement

¹⁹⁵ *Age*, 2 June 1858, p. 5; 3 June 1858, p. 4.

¹⁹⁶ *Herald*, 2 June 1858, p. 4.

¹⁹⁷ *Argus*, 2 June 1858, p. 5. Other accounts vary on this point. According to the *Age*, 2 June 1858, p. 5, the wording on the placards was 'The Upper House to be Let, inquire within, or from Johnny Fawcner'. The *Herald*, 2 June 1858, p. 4 (n.p.) stated that the wording read 'to the effect "To be Let, apply to John O'Shannassy and Co."'.
¹⁹⁸ *Herald*, 2 June 1858, p. 4 (n.p.).

and deliberate aural attack upon the Melbourne Club, the most visible urban bastion of the pastoral interest.¹⁹⁹ After subsequently occupying the Parliamentary precincts ‘in an oratorical and musical manner’ for about two hours, the procession again headed back to the starting point of the Eastern Market, ‘where several men mounted a waggon and harangued the multitude’, before the gathering dispersed amidst cheers for ‘Liberty, fraternity, and equality’.²⁰⁰ One speaker at the Eastern Market wore a ‘kind of Red Republican scarf’, whilst another intimated that Parliament would need to be stormed and taken by its rightful owners if the demands of the people were not respected.²⁰¹

A second meeting held a week later at the Eastern Market was less impressive. A good crowd appeared although the weather was bitterly cold. The orators also had to compete with sundry roars emanating from an adjacent menagerie.²⁰² William Osborne ‘denied having ever received a penny of the people’s money’ after an account of the Social and Political Union’s finances was read aloud to the ‘shivering patriots’.²⁰³ Only a few torches lit the gloomy assembly, in accordance with assurances organisers had previously given to the Mayor.²⁰⁴ Perhaps in another conciliatory gesture, a resolution was passed calling for the establishment of a meeting hall, a ‘democratic centre, at which should be united in one common stronghold all the disjointed forces that during the last twelvemonths have but agitated the surface of political grievances’.²⁰⁵ The Convention proper had already (and somewhat disingenuously) distanced itself from the first

¹⁹⁹ *Age*, 2 June 1858, p. 5.

²⁰⁰ *Argus*, 2 June 1858, p. 5.

²⁰¹ *Ibid.*

²⁰² *Herald*, 8 June 1858, p. 5 (n.p.).

²⁰³ *Ibid.*

²⁰⁴ *Age*, 9 June 1858, p. 5.

²⁰⁵ *Ibid.* At a later indoor meeting about forty ten-shilling shares were taken up, and rooms were secured near the Eastern Market in Little Bourke Street for the establishment of a ‘People’s Club’.

demonstration. Whilst the *Age* condemned the ‘Billingsgate vocabulary’ of its competitors, it was also rather ambivalent about the ‘ill-advised step of meeting in Parliament Yard’.²⁰⁶ In an attempt to assuage criticisms, a delegation elected at the first meeting had met O’Shannassy and H.S. Chapman, and informed them that the protest location had not been pre-meditated. This brazen fabrication was diplomatically accepted, although O’Shannassy ‘reminded them of the extreme impropriety of affixing the board’ to the Parliament, and ‘intimated that the person who did so was well-known’.²⁰⁷

Parliament re-assembled after adjournment in October 1858, when identical reform legislation was re-introduced. The voice of property prevailed, however, and a hopelessly compromised Bill was gleefully passed by the Council.²⁰⁸ Serle argues that this defeat for the Convention was ‘the turning point for reform’:

The challenge of the Convention had been met just in time. The ‘first bite’ at democracy had been taken, the limits had been reached for the moment. Two of the less important chartist points had been gained – the ballot, and abolition of the property qualification; manhood suffrage, though with plural voting, had been won. The vital payment of members and equal electoral districts as well as the real fortress of conservatism, the ‘House of Lords’, remained to be conquered.²⁰⁹

Serle was primarily concerned with the evolution of democratic government in Victoria. From this perspective the Convention’s ultimate significance seems to have lain in the way it capitalised upon a few episodes of millenarian fervour, or in the way it provided invaluable public experience for a number of future legislators. My approach has been different. I have looked backwards from these dramatic events to the international cultural origins of radical contention in Victoria in the later 1850s. The intensity of a neo-Chartist

²⁰⁶ *Age*, 3 June 1858, p. 4.

²⁰⁷ *Age*, 5 June 1858, p. 4; *Argus*, 5 June 1858, p. 6.

²⁰⁸ Serle, *The golden age*, pp. 281-2.

²⁰⁹ *Ibid.*, p. 282.

politics in this particular colonial context may seem something of a paradox. But when the unique circumstances of a society of emigrants are taken into account – the upheaval of gold, the continual process of constitutional experimentation, the seemingly limitless natural resources waiting to be exploited, the intense individual hopes and ambitions of the goldrush immigrants – the tenacity of what had become an ingrained demotic legacy was only to be expected.