

The Lambing Flat riots and the Chinese quest for compensation

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Key Words: Lambing Flat, gold rushes, Chinese, compensation, protest, petitions.

Lambing Flat is popularly remembered for a riot in which Chinese miners were violently driven off a goldfield and as a consequence, anti-Chinese immigration laws were enacted. It is less well known that a campaign for compensation waged by Chinese victims of the riots succeeded in having a Commissioner appointed to investigate the claims and that the Commissioner's "*Aggressions on Chinese*" report in 1862 awarded compensation to some of the claimants.¹ This article re-traces the Lambing Flat riots, the campaign for compensation, the inquiry and the payment of compensation through close examination of a file of correspondence between William D. Campbell, the Commissioner appointed to conduct the inquiry and the New South Wales Secretary and the Under-Secretary for Lands contained within Letters Received by the Department of Lands and Public Works.² When Campbell laid his report on the table, the report contained four packets of claims received from the Secretary's Office, additional claims and petitions made in Chinese, their translations and the evidence of witnesses. Of these, only two Chinese petitions have survived on file. One of these, in a separate Department of Lands and Public Works file, is a petition signed in Tuena, south of Bathurst on 28th March 1864.³ Its 94 Chinese signatories, whose names are written on the petition in both Chinese and English, state that they were driven off the Lambing Flat goldfield on 30 June 1861, that they submitted claims for property losses sustained in the riots, that their claims were investigated and compensation approved, but almost three years later they were yet to be paid. This petition raises the question of whether compensation awarded was paid. In this investigation I seek to answer why a number of those who were awarded compensation in 1862 were still petitioning for payment in 1864, and determine whether the full amount of compensation awarded was actually paid out.

Early accounts of Lambing Flat by Myra Willard and D. L. Carrington listed the objections of the European miners to their Chinese counterparts, creating a narrative which in essence justified the actions of the European miners.⁴ The work of a later generation of historians broadened the analysis, with R. B. Walker examining the political consequences of the riots, Ann Curthoys, P.A. Selth and C.N. Connolly analysing the various causes of the riots, and Charles Price and Andrew Markus comparing anti-Chinese riots with antecedent riots on the Californian goldfields.⁵ These historical analyses focused largely on European responses to the Chinese on the goldfields, leading Ann Curthoys to note that the Lambing Flat riots have come to 'exemplify and represent anti-Chinese racism in nineteenth century Australia'.⁶

More recently Karen Schamberger's research into how the Lambing Flat riots have been remembered in local and national histories, has shifted the perspective to highlight Chinese voices in the narrative and Chinese agency.⁷ Both Schamberger and local

historian Robyn Atherton have documented that the Lambing Flat riots did not drive all the Chinese community away permanently. Many Chinese individuals and families settled in Young and Murrumburrah and ran businesses and market gardens.⁸ Sophie Couchman has also challenged some of the mythology around the Lambing Flat riots, arguing for the need to communicate complexity and diversity of experience in writing about Chinese goldrush history for the general public.⁹

There is no consensus amongst historians as to whether the Chinese claimants received compensation. Manning Clark stated that “though the Assembly graciously received all their petitions, the Government paid no compensation”.¹⁰ Schamberger stated that some Chinese petitioned the New South Wales government for compensation for their losses, but the Special Commissioner who investigated their claims accused them of fraud, so few were compensated.¹¹ Willard, Price, Selth and Walker, all simply assumed that the amount specified in the Commissioner’s report was paid out in full.¹²

The correspondence examined in this article has been cited previously by Kok Hu Jin, and in H.E. and J.K. McGregor’s popular history of the Lambing Flat riots, but their investigations have been incomplete.¹³ In this investigation, I have undertaken to reconstruct for the first time, a full account of the sequence of events around the Lambing Flat riots, the Chinese petitions for compensation, and the commission of inquiry which followed. Rather than focusing on the demands of the European miners and the legislative response, which have been discussed in the work of previous historians, this account attempts to give greater voice to the Chinese perspective, using where available, accounts given in Chinese petitions. This analysis is hampered by the fact that many of the claims and petitions have been lost, with only Su San Ling Doh’s petition and the Tuena petition surviving on file. To supplement the limited source material, I have drawn on copies of petitions in newspaper reports and other archives.

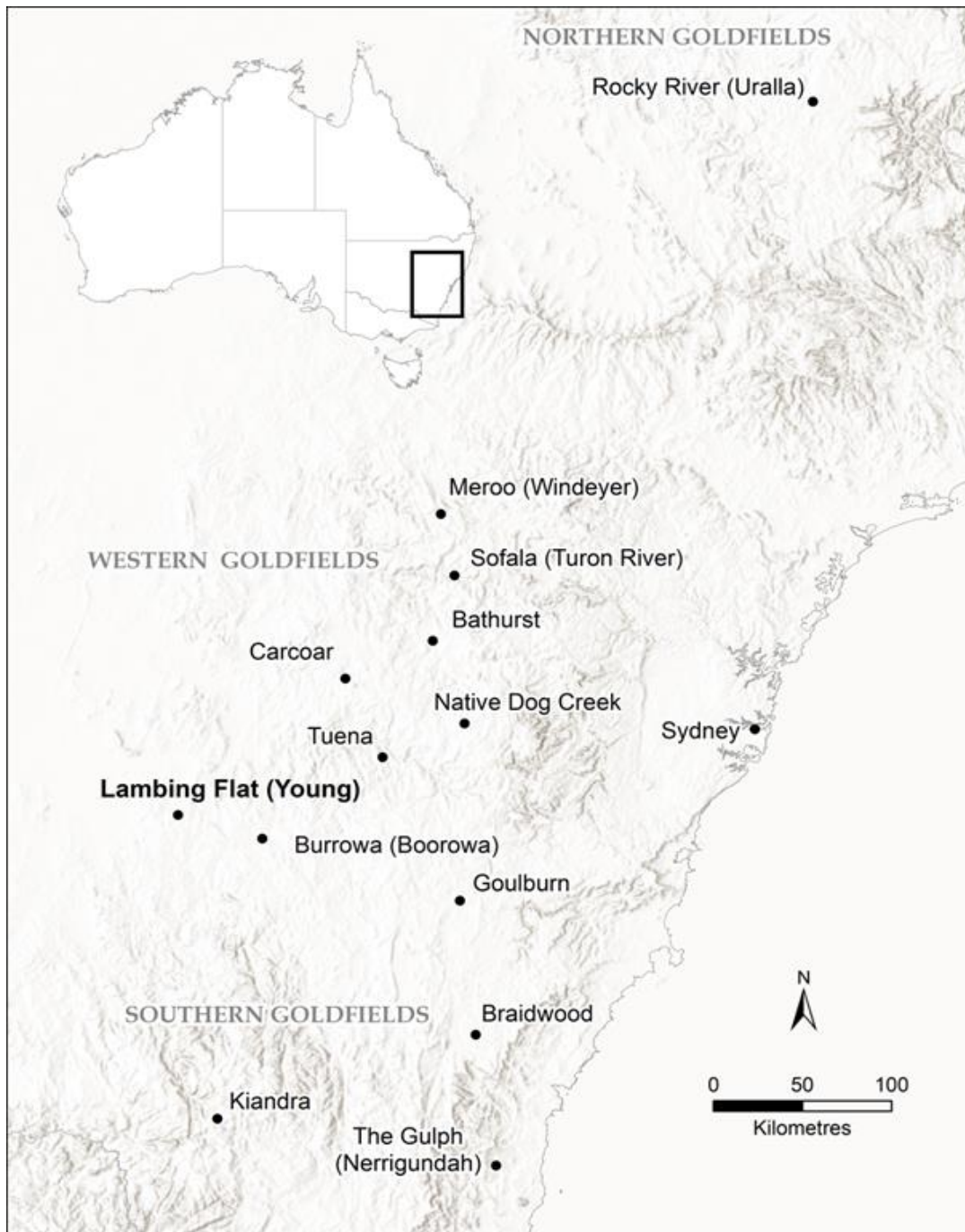
Early riots and claims for restitution

The Lambing Flat riot of 30 June 1861 was the largest of at least six riots in late 1860 and 1861, in which Chinese miners were driven off the Burrangong goldfield by a mob of European miners. A goldrush had begun in mid-1860 on the “lambing flat” on James White’s sheep station, *Burrangong*, about 220 miles from Sydney, but the identity of the person/s responsible for discovering the gold is unclear. The discovery was initially attributed to a coloured man known as ‘Alexander the Yankee’, employed as a cook for a party of stockmen engaged in mustering horses on James’ White’s station.¹⁴ The editor of the *Sydney Morning Herald*, the Reverend John West, claimed in February 1861 that ‘the Lambing Flat was discovered as a gold-field by the Chinese themselves’.¹⁵

In early 1860, hundreds of Chinese gold seekers had left goldfields in Victoria and New South Wales to join a new rush at Kiandra in the Snowy Mountains of New South Wales. The cold was extreme and ‘the Snowy’ proved a disappointment. The discovery of gold at Lambing Flat drew diggers from Kiandra and elsewhere, and by September 1860, a report from Lambing Flat stated, ‘there are a great many Chinese on the ground’.¹⁶ Chinese miners were first forced from their claims by Europeans in October 1860, when there were approximately 1700 diggers at Lambing Flat, of whom 500 were Chinese.¹⁷ In November, the Lambing Flat diggings extended 20 or 30 miles in all directions and there

were close to 4000 people at work, but still neither Commissioner nor police force (Fig. 1).¹⁸ On 13 November 1860, in the absence of law enforcement, European miners gave 500 Chinese miners notice to quit the Lambing Flat diggings, and then drove them off.¹⁹ Again on 9 December 1860, about 50 Chinese miners were driven off the Flat.²⁰ There are no Chinese accounts of the expulsions that took place in 1860.

Figure 1: *Map of part of the NSW goldfields showing the location of Lambing Flat*



Source: Map created by Deanna Duffy from Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community.

The first of the Chinese petitions dates from an expulsion which took place on 27 January 1861. Su San Ling Doh was one of the miners driven off the diggings in January. He made his way to Sydney, where he hand-wrote a petition on 12 March, in which he stated in part:

On the 22nd day of December 1860 I went to Lambing Flat I went to the Commissioner and asked him if Chinamen would be allowed to dig on those diggings and he said "yes", I had a miner's right from the snowy river and accordingly I comenced [sic] work on the 25th January ... The Europeans posted notices on the diggings stating on the 27th if the Chinamen would not clear out by that date they would drive them away. I asked the Europeans for three days to remove my goods bought at Walkers store in Braidwood and partly not paid for: which they would not grant me I then asked for one day and was refused On the 27 I was drove off with the rest of my countrymen I asked a policeman to look after my goods. Early on the 28 I went onto the diggings again I found about 20 or 30 Europeans and one woman by my tent my goods all gone and my tent burning. My goods amounted in value to 300 (Three Hundred Pounds sterling) ... ²¹

Su San Ling Doh wrote that his brother, interpreter Simon San Ling, and Simon's wife and children, remained on the diggings, where they were 'totally unprovided for'.²² Su San Ling Doh pointed out clearly that he had a licence to be on the field, and expected but did not receive the protection of the law.

In the wake of that riot, Peter Cloete, the Chief Commissioner of the Southern Goldfields and fifteen troopers from the Southern and Western Mounted Police under the command of Captain Zouch were ordered to proceed to Lambing Flat, where Cloete was instructed to 'uphold the law and the regulations without reference to condition or country'.²³ Selth has argued that though Commissioner Dickson had too few men to stop the riot on 27 January, nothing was done to arrest those responsible when reinforcements arrived.²⁴ The unruly element at Lambing Flat was, however, beyond the control of the Commissioners and the police stationed there, and the Chinese miners were driven off the field again on 17 February 1861. A telegram from a police officer testified to the size and violent intention of the mob:

On Monday last we arrested 14 men for assault and burning the Chinese tents at Blackguard Gully. They were allowed bail after hearing evidence and finally discharged for want of sufficient evidence. The night of the arrest between 5000 and 6000 diggers collected at Lambing Flat, no doubt to rescue the prisoners if in confinement. I think that one half of them were armed with revolvers and double and single guns and the remainder with bludgeons, preceded by a number of horsemen and a band of music. Remained in town all night and next day drove off all the Chinese. We were under arms all night. Our force is insufficient to deal with this lawless set as I would wish. I should be glad to see here about two hundred soldiers and fifty mounted men.²⁵

The same article described a similar account and request for reinforcements given by the Superintendent of Patrol.

Chinese miners driven from Lambing Flat walked 95 miles to Bathurst and were reported to be pouring in by the hundreds on 27 February.²⁶ Amongst those driven off the

field was Hong Kong-born storekeeper Mun Gaim, who had come to New South Wales from San Francisco in 1858. Mun Gaim later recounted in a petition that he had ‘by great exertions and unwearied industry’, saved a small sum of money with which he purchased and forwarded goods to Lambing Flat, erecting his store there. Only five days later, he was driven ‘illegally and by force’ to a distance of five miles from the diggings. His tent and the goods therein ‘consisting of Chinese silks and crape [sic], and other Chinese and European productions’ to the value of £500 were burnt beyond saving.²⁷

After the February riot at Lambing Flat, fourteen European rioters were arrested and brought to a hearing, however the case was dismissed due to insufficient evidence. The Commissioner reported that the evidence given by the Chinese in support of the charge was very difficult to determine, and the consequence was the parties who had been taken into custody were discharged.²⁸ The failure to obtain justice in the courts prompted remaining Chinese storekeepers on the Burrangong field to summon self-dubbed ‘Anglo Chinese linguist’ James McCulloch Henley from Victoria, ‘to negotiate with the government for redress on account of their loss in the late riots’.²⁹

Henley was an independent interpreter on the Ararat goldfield in Victoria in 1857, where he took it upon himself to translate the Chinese Regulation Act XLI of 1857 from English into Chinese.³⁰ He was in Castlemaine in 1859, where he advertised his services as interpreter and translator, and in May 1859 reported on a militant speech given by Chinese gathered for an anti-tax meeting at Fryers Creek.³¹ Henley wrote articles on the Chinese for the *Mount Alexander Mail* and the *Bendigo Advertiser* in 1859 and 1860, including a report characterising triad society as a dangerous fraternity.³² Though Henley may have made enemies of the Chinese triad society, his language skills also made him allies amongst Chinese merchants and miners.³³ Arriving at Lambing Flat in late March 1861, Henley advised his Chinese clients to seek redress from government, encouraging the belief that ‘a petition would be treated with due consideration in light of the treaty between England and China awarding Chinese equal privileges’.³⁴

Protest and petitions

Chinese migrants to the Australian colonies were, however, no strangers to asserting their rights. Before even setting foot in New South Wales, Chinese indentured labourers on the *Spartan* in 1853 mutinied against the appalling conditions of their transport.³⁵ According to historian of Chinese emigration, Wang Singwu, the mutiny on the *Spartan* was one of twenty-four unsuccessful mutinies which occurred on at least forty-two emigrant ships from Chinese ports between 1850 and 1872.³⁶ As Slocomb and Kwok observed, Chinese indentured labourers in the Australian colonies rebelled against the terms and conditions of their employment as pastoral labourers, using strategies which included refusing to work, absconding, and assaulting their overseers.³⁷ Chinese miners in Bendigo participated in the largest of the anti-tax ‘Red Ribbon’ protests on 27 August 1853;³⁸ they may not, however, have simply joined a movement started by European miners, but been amongst the miners who initiated the movement. The Red Ribbon movement in Bendigo employed a boycott strategy used earlier on the Turon goldfield in New South Wales in February 1853. The rebellion on the Turon protested the proposed *Gold Fields*

Management Act, 1852 (16 Vic. No. 43), which amongst other things, doubled the licence fee for aliens on the goldfields.³⁹ A Chinese party on the Turon reportedly offered the Commissioner a reduced licence fee and when this was refused, left the Turon for ‘the Ovens’ [Beechworth], rather than submit to new regulations.⁴⁰

While research by Messner and Kyi reveals militant protest strategies were employed by Chinese on the Victorian goldfields, Messner argued that Chinese turned to constitutional rhetoric, forums and procedures because this was the most legitimate course open to them.⁴¹ They proved themselves highly organised and effective in petitioning. A memorial against the capitation tax organised by the Chinese community at Bendigo in 1856 contained 5168 signatures; a similar petition from Chinese miners in the Castlemaine district boasted almost 3000.⁴² There was also a precedent for successful petitioning for compensation for losses suffered in a goldfield riot. As Paul Macgregor’s research has found, after the anti-Chinese riot in the Buckland Valley in Victoria on 4 July 1857, Chinese storekeepers petitioned the colonial government and a Board of Enquiry considered claims for property losses. The Board concluded the claims were genuine, and the Victorian government paid out £7336 in compensation.⁴³

Chinese storekeepers driven from Lambing Flat in February mobilised themselves to petition the government for compensation. Hu Foo and Kylong had anticipated the February roll-up and removed themselves and their goods to Wumba Numba Sheep Station, but they were driven from there by the mob on 19 February 1861.⁴⁴ They made their way to Sydney where they engaged a King Street solicitor, Maurice Reynolds, and mobilised support in the business community. On 11 March 1861, Reynolds forwarded a petition by Sydney residents and mercantile firms in support of the Chinese driven off the field; addressed to the Senior Military Officer in the colony, John Francis Kempt, it included the Belgian Consul amongst its signatories.⁴⁵

Su San Ling Doh’s petition to the Governor was presented to the Legislative Assembly by Henry Parkes on 14 March 1861.⁴⁶ With Reynold’s assistance, Hu Foo and Kylong also wrote a petition, which was presented to the Legislative Assembly on 10 April 1861.⁴⁷ The original petition has not survived, but its contents were reprinted in the *Sydney Morning Herald*.⁴⁸ Hu Foo and Kylong’s petition, which made a case for compensation, cited the statutes breached by the rioters, the terms punishable for such actions, and the right of the sufferers to be compensated in full. The petition also invoked compensation paid by the Victorian legislature to victims of the Buckland Valley riots. Although the petitioners argued that compensation would prevent the sufferers from becoming a burden, and enable them to contribute to the revenue of the colony, they asserted that their claim to compensation ‘does not rest on mere humanity or charity or benevolence’, and that a refusal to grant compensation ‘would be taken as a tacit permission or recognition and approval of the late riotous acts.’ An appended schedule listed losses amounting to £5339 but, in the absence of the Speaker, the petition was withdrawn from the Assembly.

A petition was also presented to the Legislative Council on behalf of 196 Chinese miners whose tents and other property were destroyed on 19 February 1861 by ‘a tumultuous mob of Europeans.’⁴⁹ The losses, which amounted to £5339, identify this as Hu Foo and Kylong’s petition. It too was withdrawn after John Robertson, the Secretary

for Lands, argued that the petitioners might ask for an Inquiry, but the House could not provide compensation.

Undeterred, Hu Foo and Kylong petitioned the Governor and the Executive Council on 11 April 1861, requesting an Inquiry. They also sent a further petition to the Legislative Assembly, dated 19 April 1861, with the names of 43 signatories in English and Chinese. A copy of this petition, in which the names of the petitioners are written in Chinese, is in the collection of the State Library of New South Wales.⁵⁰ A schedule lists the name of the licence holders, the dates of validity, and the value of the losses sustained by the licence holders, amounting in total to £5339/6/-; it was presented to the Legislative Assembly on 23 April 1861.⁵¹ Hu Foo and Kylong's petition was followed by the petition of Mun Gaim, presented to the Legislative Assembly on 5 April, and the petitions of Tu Lim Pow and Kew Loong Pow on 16 April 1861.⁵²

The appointment of William D. Campbell as Commissioner

The petitions were effective in gaining the appointment of a Commissioner to investigate the losses.⁵³ On 9 May 1861, the New South Wales Premier, Charles Cowper, agreed that a Commissioner should go up to investigate the cases, stating 'if a fair case was made out, the Government would be prepared to do justice to the Chinese as to any other persons in the Colony.'⁵⁴ Hu Foo and Kylong's solicitor Maurice Reynolds immediately wrote to the Colonial Secretary seeking information on the time and place for the Commission.⁵⁵ On 27 May 1861 Reynolds also wrote to the Secretary for Lands, stating that his clients required a month's notice and that Bathurst 'would be the most central and convenient place for holding the Commission so far as the sufferers are concerned', adding that as some reside in Sydney it would be most convenient to hold the Inquiry first in Sydney and then in Bathurst.⁵⁶ His request, however, was too late. The same day that Reynolds wrote requesting the Commission be held in Bathurst or Sydney, William D. Campbell, Burrowa [Boorowa] magistrate, residing on his pastoral property *Beverley*, 35 miles from Lambing Flat, also wrote to the Secretary for Lands to accept his appointment, and advising that he would communicate with Commissioner Cloete to arrange for the parties interested to be present.⁵⁷

It is difficult to understand why the decision was made to hold the Commission at Lambing Flat, given the knowledge of the volatile situation there. Cowper himself had visited Lambing Flat in March 1861, where he was given a 'Copy of Address' on behalf of the European mining community of Burrangong goldfields, which threatened:

...in the event of the Chinamen having the encouragement or sanction of government to return to Burrangong, the result will be highly disastrous to the general community and end in a collision in which human life will be destroyed...⁵⁸

Cowper had read out this address at a meeting of the Legislative Assembly in March 1861, together with the telegrams from police which described the violence of the February riots.⁵⁹

When the Commissioner and place of the Inquiry was announced, Reynolds wrote again to the Secretary, requesting that the Commission be held in Bathurst, stating 'nearly if not all the claimants are residing at the present time at or in the vicinity of Bathurst',

and that they were not in the pecuniary position of getting to Lambing Flat. It is also likely that there were some petitioners too traumatised to return to a field still occupied by the rioters. Reynolds requested that the government direct Mr Campbell to proceed both to Lambing Flat and Bathurst, for, 'if the Commissioner were to proceed only to Lambing Flat my clients would not have a fair opportunity given to them to prove their claims before him and thus a great injustice would be done to them.'⁶⁰ There is no response to Reynolds' request on file. Had Reynold's request been heeded and the Inquiry held in Bathurst, the claimants would not have had to return to Lambing Flat and the riot of 30 June 1861 might arguably have been averted.

30 June 1861 riot

The decision to hold the inquiry at Lambing Flat may have been made in the belief that the detachment of 130 men of the 12th Regiment sent to Lambing Flat from Sydney after the February riots would be adequate to maintain the peace. Indeed, whilst the military were present, law and order was maintained on the Burrangong field. On 24 May, however, the military were withdrawn from Burrangong, leaving only Gold Commissioner Lynch and Assistant Commissioner Clarke in charge, along with a small body of police.⁶¹ Around the same time there was a clash at Native Dog Creek goldfield south of Bathurst, in which armed Chinese miners reportedly inflicted injuries on a number of Europeans when they repelled an attempt made by Europeans to drive them off the field.⁶² No charges were ever laid and events at Native Dog Creek were eclipsed by the largest of the Lambing Flat riots on 30 June, 1861.

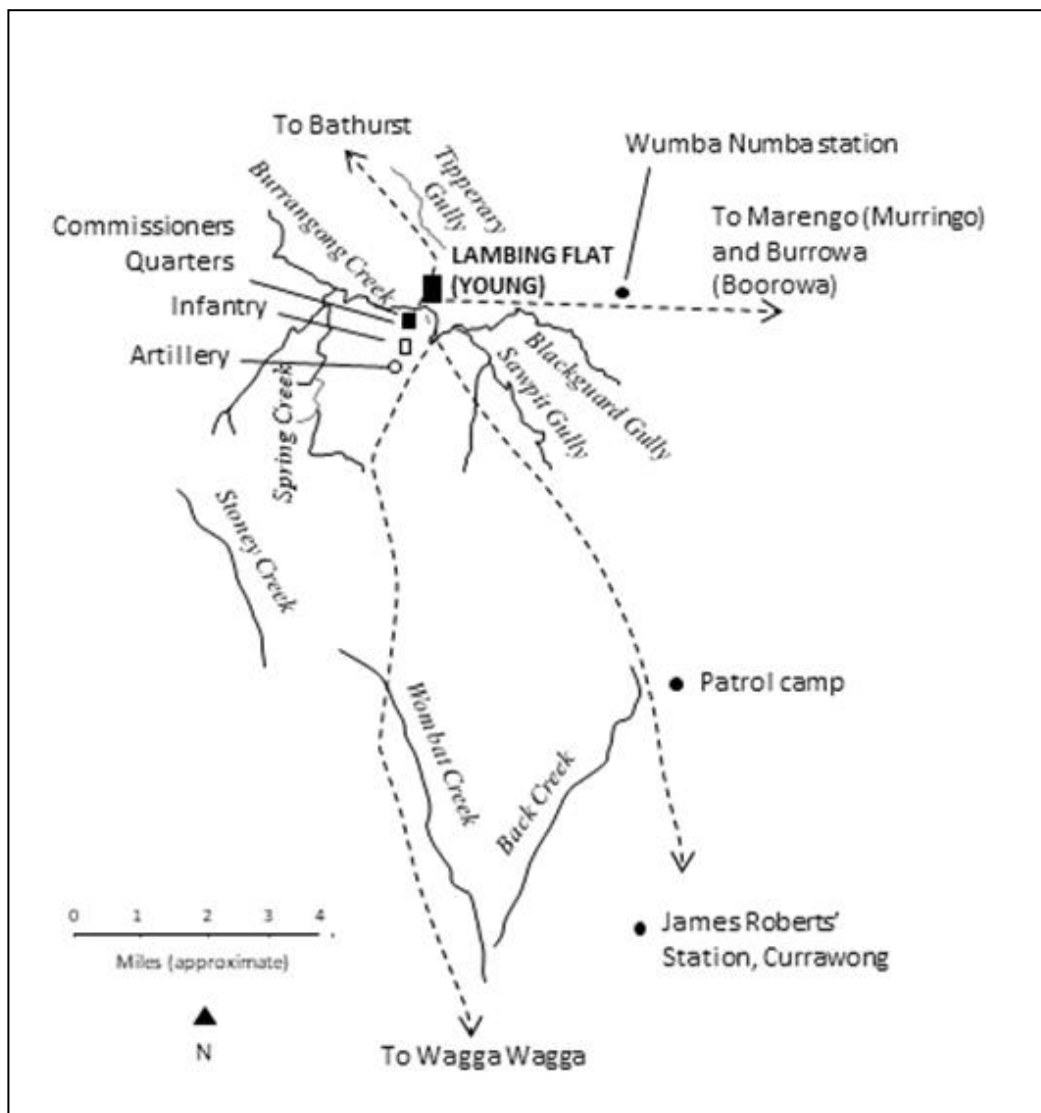
Eyewitness reports of the riot on 30 June 1861 were published in a number of newspapers, including the *Sydney Morning Herald*, whose special commissioner John Hux was the author of more than 75 reports from Lambing Flat between April 1861 and March 1862.⁶³ Hux reported that on 30 June, 1000 men armed with bludgeons or pick handles mustered at Tipperary Gully, then marched to Lambing Flat where they drove the Chinese off the field, cutting off their pigtails. The mob, by then numbering between 2000 and 3000 men, crossed the main creek and attacked the Chinese camp [at Sawpit Gully], destroying all their tents and property before proceeding to Back Creek, six miles away (Fig. 2).⁶⁴ Hux detailed the violence of the riot in this report and in another dispatch a few days later, in which he wrote, 'I feel fully convinced[,] agree with me[,] that no man could exaggerate, or pen describe fully, the sickening and disgusting brutality that was committed upon that day.'⁶⁵ Other newspapers that were usually anti-Chinese in outlook described the violence in similar terms. The *Miner* condemned the cruelty and unconstitutionality of the riot and referred to it as 'a day that will henceforth stand dark out in the calendar'.⁶⁶ The *Goulburn Herald* published an account from a correspondent at Burrangong who stated that 'the brutality of the rioters baffles all description'.⁶⁷

Su San Ling Doh's brother, Simon San Ling, was with his wife and three children at Back Creek that day. In a subsequent petition, Simon San Ling gave a first-hand account of his experience of the riot which reads in part:

... about thirteen or fourteen hundred persons assembled ... with firearms and other weapons ... without provocation ... drove your petitioner, his wife and family with violence from their tent, and destroyed the same and other property with fire. That

in making an attempt to escape your petitioner was pursued by two of the persons aforesaid on horseback and by several of the persons aforesaid on foot, by whom, or by some of whom, your petitioner was beaten with sticks, knocked down and wounded in his person ...⁶⁸

Figure 2: Map showing part of Burrangong goldfields at the time of the riots.



Source: Map created by Deanna Duffy, Burrangong - Sketch of Burrangong Gold Field 1860, SANSW: NRS-13886-1-[X772]-Volume 8 Part 4-30 | [Sketch book 8 folio 152].

Simon San Ling wrote that his queue (braided plait) was not cut off as he had no queue, but he was robbed of banknotes and nuggets, his losses totalling £100. He stated that the police did nothing to prevent or intervene in the riots:

...no endeavours to the knowledge of your petitioner were made by the police or by any of the authorities on the spot to or in the neighbourhood to prevent the outrages aforesaid or to apprehend any of the parties concerned therein ...⁶⁹

Hux annexed to his 9 July report a letter from James McCulloch Henley in which Henley claimed that the police did nothing to assist the Chinese in the riots.⁷⁰ This

corroborates Simon San Ling's claim that the police did nothing to protect the Chinese from the violence; Selth also notes that Commissioners Clark and Lynch were suspended after the riots.⁷¹

Chinese miners driven from Sawpit Gully and Back Creek on 30 June fled in various directions. Two hundred men headed in the direction of Goulburn, were reported camped at the Old Stockade on the Sydney Road on 2 July.⁷² Some camped at James Roberts' station, *Currawong*, and remained there until the military arrived on 30 July.⁷³ The *Yass Courier* reported that many of the Chinese encamped at Mr Robert's farm after the riot 'had severe cuts about the head and body, one had a bullet wound in his leg, and some four or five are represented to be in a precarious state'.⁷⁴ Some of these men may have made their way to Bathurst, as Chinese were reported arriving on 9 July, "destitute and bearing the marks of ill-usage. One was said to be in Bathurst Hospital 'with a ball in his thigh'.⁷⁵ Diarist Rachel Henning wrote on 11 July 1861, 'Those Chinese are dreadful rascals', though I do not think they ought to be treated as they have lately been by the mob at Lambing Flat diggings. There are lots of them in Bathurst.'⁷⁶

In August 1861, in a letter published in the *Herald*, James Achay, 'sworn interpreter at the Bathurst Courts', wrote that he and the Chinese storekeepers of Bathurst had assisted upwards of 300 Chinese to reach the Turon diggings. He described how they had been driven by whips from Back Creek, Burrangong on the 30 June, 'wandering in the bush, snow falling, without blankets even – the mob who drove them likewise used revolvers, fracturing their skulls with bludgeons, burning and destroying all their property'.⁷⁷

Achay appealed for law and order and equality before the law, emphasising that Chinese had licences to be on the gold fields and were therefore entitled to protection. 'We have paid our own passages to this country, and we pay all taxes that are asked of us by the Government we live under. We invade no-one's rights, we conform to the laws and obey them ...' He avowed the preparedness of his countrymen to pay a further tax to ensure protection.⁷⁸

Achay wrote that he was:

getting a monster petition at the request of my countrymen, to be sent to the Speaker of the Legislative Assembly and members thereof, which will be signed by the whole of the Chinese population of the Western Goldfields, praying that they will institute such measures at the gold-fields as will afford protection to the lives and property of the Chinese while there.⁷⁹

This petition is not on file, nor are several other petitions Achay claimed to have forwarded to the Executive from his countrymen, asking for compensation from the Government for their losses at the Lambing Flat.

The Commission of Inquiry

In spite of the violence of 30 June and the continuing lawless state of affairs at Lambing Flat, no change was made in the plan to hold the Commission there. Campbell wrote from *Beverley* on 23 July 1861, that he was about to proceed to Lambing Flat, when he received news of more recent riots and postponed his visit until a Commissioner was resident.⁸⁰ Campbell was referring to the mid-July riots between the European miners and the police

in which the mob was fired upon by police, one miner was killed and martial law was declared on the Burrangong goldfield.⁸¹ Troops under the command of Colonel Kempt, a police and naval brigade were sent to restore peace, with 400 Chinese men reportedly following in their train.⁸² It was not until Kempt's arrival on 3 August 1861, that 250 Chinese miners driven off their claims at Back Creek were reinstated. When Campbell arrived in Lambing Flat on 5 August, he found many of the claimants had not yet returned. He feared as so many were absent he would not be able to process claims, and proposed to resume when claimants returned.⁸³ He returned to *Beverley* and wrote from there that besides the claims forwarded on behalf of the Chinese directly to the Government:

... in addition, a large number were handed to me by the claimants themselves while at the goldfield, they having returned after the arrival of the military stationed at Lambing Flat. These claims were lodged in Chinese manuscripts and I found it necessary to avail myself of the services of interpreters for the purpose of translating them.⁸⁴

Campbell notified the Secretary for Lands that he had asked James Henley to prepare translations of claims on behalf of Chinese, but expressed reservations about employing Henley to act on the part of the Government while also acting for the Chinese. He asked if there was an interpreter who could check Henley's translations.⁸⁵ The Secretary then wrote to Harold Maclean, Commissioner for the Western Goldfields, stationed at Sofala, requesting that Maclean dispatch his paid government interpreter to Lambing Flat.⁸⁶ Campbell proceeded to Lambing Flat, but it was not until 15 September that Commissioner Maclean received the government request, and replied the following day to advise that he was recalling interpreter Thomas Hoy from the Meroo (Windeyer) and would send him post haste to Lambing Flat.⁸⁷ When Hoy finally arrived at Lambing Flat, Campbell complained that he could not write in English and therefore could not translate.⁸⁸ Henley was not available to translate either, having gone to Goulburn to give evidence at the trials of the Lambing Flat rioters.⁸⁹ Once again Campbell postponed the hearing.⁹⁰

Historians have remarked that Chinese miners driven off the Lambing Flat field repeatedly returned, although without fully understanding the requirement to meet with the Commissioner there to substantiate their losses.⁹¹ It is uncertain whether Chinese miners would have returned to Lambing Flat had they not been required to do so. Chinese refugees who passed through Carcoar after being driven off Lambing Flat in January 1861 were reported to have complained 'very bitterly of the treatment they met with at the Lambing Flat and say that they will not return to it again, but seek out some quieter diggings where they can work.'⁹² The requirement that the claimants repeatedly return to a volatile field was also the possible cause of subsequent conflict; in mid-September 1861, there was a report of a clash at Stoney Creek, which led to Chinese miners being driven from the field.⁹³ Once again Chinese miners retreated to Bathurst where in late September, it was reported that a Chinese village had 'sprung up like a mushroom' on the flat and river bank of the Macquarie, with 'some one hundred and thirty tent erections ... each tent we think containing not less perhaps than half-a-dozen persons.'⁹⁴

In late 1861 and early 1862, claimants had to return again to Lambing Flat to meet with Campbell and substantiate their claims of property losses. In his report Campbell wrote:

In consequence of the great number of claims it was impossible to take written testimony in each case, partly from the difficulty of getting the necessary statutory declaration from Chinese who knew nothing of the English language and partly because of the lengthened period over which, in such a case, the inquiry must have extended. The inquiry was therefore conducted in almost every case *viva voce* [verbally].⁹⁵

It was not only the field that was dangerous, travelling on the roads was also hazardous. In October 1861, Henley and ten other Chinese were held up on the Wombat road and one Chinese member of their company was badly beaten.⁹⁶ A Chinese delegation on the Lower Wombat visited the Commissioner in early January 1862, to express their fears that a new roll-up might take place.⁹⁷

Throughout the second half of 1861, the Legislative Assembly received further Chinese petitions, seeking compensation for losses suffered on 30 June 1861.⁹⁸ Of these, only the petition of Simon San Ling has survived. In the same period, the Assembly was presented with numerous petitions of European miners praying for the exclusion of Chinese from the goldfields. It was the latter petitions that were more successful. *The Gold Fields Act and Regulations of 1861*, assented to on 8 September 1861, did not exclude Chinese from gold fields, but did impose penalties on aliens not authorised to be on gold fields, allowing Chinese miners to be prohibited from new fields, and restricted to certain areas of established goldfields.⁹⁹ On the same day, Premier Cowper also introduced a Chinese Immigrants Regulation and Restriction Bill, which passed both Houses of Parliament and was assented to on 22 November 1861. The *Act to Regulate and Restrict the Immigration of Chinese*, (25 Vic. No. 3), introduced a tonnage restriction of one Chinese per ten tons of shipping and a £10 entry tax on new arrivals from China.¹⁰⁰ Resident Chinese in New South Wales could apply for a certificate of exemption from the tax before it came into force on 28 February 1862.

The justice system gave even less cause for Chinese satisfaction; the five men indicted by the Crown for rioting at Lambing Flat on 30 June 1861, and tried at the Goulburn Court, were found not guilty.¹⁰¹ The witnesses for the prosecution were four policemen who were present on 30 June, and James McCulloch Henley. Three leaders of the riots who were subsequently arrested had their charges dropped, and the other, Charles Spicer, was convicted but released before he had served his full sentence of two years imprisonment.¹⁰² Claremont Owen, the only other rioter to be given a gaol sentence, was convicted not for the 30 June riots, but for his part in the riot in the Police camp on 14 July 1861.

Chinese deaths at Lambing Flat?

Evidence given by James McCulloch Henley in the trial of the 30 June rioters raises the question of whether any Chinese were murdered in the Lambing Flat riots. Henley testified that on 30 June, 400 or 500 Chinese were assaulted, some were prevented from running away by their wounds, several were hamstrung and several murdered.¹⁰³ Henley

repeated his claim that Chinese were murdered at Lambing Flat, writing in a letter to the editor of the *Sydney Mail* on 1 December 1860:

I do positively assert that three Chinese were murdered, and that I am prepared to prove the same anytime when called upon. A fourth has since died from his wounds at the Turon, so I have been told by a merchant there who informed me by letter.¹⁰⁴

Henley was not, however, called upon to test his claims in court, and his credibility as a reliable witness was subsequently undermined by accusations of perjury. At the 10 December 1861 meeting of the Legislative Assembly, Mr Buchanan and Mr Dalgleish blamed Henley's evidence for the conviction of Claremont Owen and moved for an address be made to the Governor praying for Owen's liberation on the basis that Henley had given false sworn evidence. In the ensuing debate, this claim was proved false, Henley's good character was defended and the motion failed 2-33. The label of perjurer has, however, stuck.¹⁰⁵ Selth stated that Henley was a perjurer and wrote that 'despite the savagery ... not one Chinese is known to have been killed in the numerous roll-ups.'¹⁰⁶

From the reports of the violence at Lambing Flat on 30 June 1861, it appears conceivable that some of the injuries inflicted, in combination with winter exposure, may have resulted in deaths. However, none of the Lambing Flat Chinese petitions make claim for injury or loss of life, and no inquests into deaths were held. In contrast, inquests following the Buckland Valley riots confirmed three Chinese people died as a consequence of the riots.¹⁰⁷ The Board of Enquiry investigating the Buckland Valley riots had, however, paid compensation only for property loss. Possibly with this knowledge in mind, Chinese driven off the Burrangong goldfields claimed only for loss of property and not the loss of human lives.

'Aggressions on Chinese' Report

On 20 May 1862 Campbell finally delivered his official report, 'Aggressions on Chinese'. The report dealt firstly with three claims relating to the riots in January and February 1861, amounting in total to £6339. Assessing Hu Foo and Kylong's claim, Campbell stated that the whole value of equipment lost could not have exceeded £20. With regard to the loss of gold and notes, Campbell found no evidence of any robberies. He maintained the claim was unsupported by evidence, and dismissed it as altogether fraudulent. Campbell questioned Su San Ling Doh's claim, and concluded that under all the circumstances it was very doubtful if the claimant sustained any loss on the occasion referred to, 'but if he did, it could not have exceeded the value of his tent.' Campbell concluded that £700 worth of goods claimed to have been lost by Ar Sing, Yang Yei, Ar Song and Kan Long could not have arrived before the Chinese were removed from Blackguard Gully on 17 February and from the sheep station at Wumba Numba on 19 February. He dismissed the claims of the destruction of property on the occasion of the removal of the Chinese from Lambing Flat on 27th January and 17th February, 1861, as 'very trifling', and 'altogether fraudulent'.

A separate report assessed the list of claims lodged by Chinese claimants for compensation for losses sustained at Sawpit Gully and Back Creek on 30 June 1861. It listed in English the names of 374 claimants, some of whom represented others. In total,

1568 individuals claimed losses totalling £40,623/9/8 sterling, 'being £20,083 for gold and notes, £4917 for opium; £2129 for store-goods; £13,492 for tents, clothing, goods'. Campbell's report stated there were 200 to 600 Chinese encamped at Sawpit Gully, and about 1000 to 1200 at Back Creek who were warned of the approaching rioters, and packed up their goods and left the encampment some time before the rioters reached that place. He estimated the number of Chinese at Back Creek on the arrival of the rioters as from 400 to 1000. Accordingly, Campbell asserted that claims were lodged by a greater number of Chinamen than appear to have been on the Goldfield. This runs contradictory to the account given in *The Miner*, which states 'the Chinese were without doubt taken by surprise'.¹⁰⁸ Henley also gave sworn evidence that there were 1223 Chinese at Back Creek on 30 June 1861.¹⁰⁹

Of the 1568 individual claimants, Campbell recognised only 706 as genuine. The rest of the claims were dismissed for various reasons including no appearance of claimants, claimant not known, claim fraudulent and duplicate claims. In the absence of all the documentation, we can only go by Campbell's assessment that half the claims were false. His assertion that, 'amongst a people whose regard for truth is so very questionable, and who have shown themselves so ingenious in devising frauds, every case of this nature has been discovered', suggests his judgement was coloured by prejudice.¹¹⁰ Of the £10,132/18/8 in losses claimed by the 318 'genuine' claimants, Campbell approved compensation to a value of £4240/-/8, making deduction for depreciation. Thus, barely ten percent of the total £40,623/9/8 sterling amount claimed was awarded. A separate list (List A), of the names of 318 of the 706 approved claimants (some represented a party of which not all members were named), the particulars of approved claims, and the amount agreed to be compensated, was appended to the Report. The names are typed transliterations of names on the petitions, and are of limited use in identifying the real names of Chinese who were at Lambing Flat, as opposed to the petition of Hu Foo and Kylong, and the Tuena petition, which contain the names of signatories written in Chinese characters.

Payment of compensation

Further long delays ensued before any compensation was paid. On 7 August 1862, the 1862-3 Budget, which listed the sum of £4,240 in compensation to Chinese for losses sustained by them during the Burrangong riots, was presented to the Legislative Assembly.¹¹¹ Due to the absence of claimants, and lengthy correspondence over the best method of identifying those who had been awarded compensation, it was over a year later before a schedule of approved claimants was published in the *Government Gazette*. Claimants were advised to attend in person at Young (Lambing Flat was renamed Young in May 1861), and to identify themselves for compensation, from the week beginning 21 September 1863.¹¹² Campbell wrote to the Under Secretary for Lands confirming his availability and requesting translations of the claims.¹¹³

These delays would have been a source of difficulty for the claimants, as under the new regulations, Chinese miners were restricted to the southern part of the Burrangong field.¹¹⁴ This area was limited in its resources, particularly water, and a large Chinese population would have placed an undue burden on resources. Moreover, it may have

increased risk of further riots. Over the course of waiting, claimants had dispersed to distant goldfields, and returning to claim compensation entailed leaving behind current claims and making long and dangerous trips back to Young to identify themselves.

Those who did make the journey to receive payment in September 1863 were disappointed. Campbell arrived at Young on the planned date to assist Commissioner Clark to identify the claimants and pay compensation money, but the requested translations had failed to arrive and Campbell left to attend the inquest of a bushranger killed near Boorowa. The claimants were informed that they could not be paid and that another date would be fixed for payment.¹¹⁵ The *Government Gazette* published a notice from the Department of Lands, dated 9 October 1863, advising of the postponement of payments and advertising a new date. Personal applications were now to be made to the Assistant Commissioner at Young between 1st and 15th December 1863.¹¹⁶ This was advertised in consecutive issues of the *Government Gazette*, providing almost two months' notice. Campbell wrote to the Under Secretary for Lands on 23 October acknowledging receipt of communication, advising him of the new date and stating that he would endeavour to be present to assist Commissioner Clarke.¹¹⁷

There is no correspondence on file which shows how many of the claimants made it to Young within the prescribed time, were identified and received payment in December 1863. We can only identify the 94 persons and parties who gathered in Tuena in March 1864 to sign a petition which stated that they had arrived too late to receive payment. The petitioners, who had come from the Snowy River, the Gulph, [Nerrigundah, near Bodalla on the NSW south coast], the Macquarie [River in Bathurst] and Rocky River [Uralla] stated:

... we formerly resided at Back Creek Lambing Flat and were driven away therefrom by the Riots that took place at Burrangong on the 30th day of June 1861: - that all the property we possessed there at that time was destroyed by the rioters. Statements of our losses were placed in the hands of William D. Campbell Esquire, Magistrate of Burrowa, who after transmitting the same to the Government of the Colony, certain monies were afterwards awarded to us, as compensation for our losses. That when information reached us that we were to receive our compensation at Young, we went there, but owing to the great distances we had to travel, and not having the means wherewith to purchase horses, we had necessarily to perform the journey on foot, that on our arrival at Young we were told by the commissioner that we were too late and that he could not pay us the same which we expected to receive on this account ...¹¹⁸

The petitioners stated that they had engaged the services of Mr James McCulloch [sic] Henley, Anglo-Chinese linguist to present the address, 'he having witnessed the destruction of our property, and knowing our condition better than any other person we know of.' There are no names which appear on both Hu Foo and Kylong's petition and the Tuena petition, which suggests that none of the petitioners was driven off the field on both 19 February and 30 June 1861. This is not to say that this did not happen, as so few of the petitions have survived as evidence.

The Tuena petition was forwarded to William Campbell for comment. In his response Campbell asserted it was possible but not probable that the petitioners were

ignorant of the time of payment when their countrymen residing at the same localities were aware of it. He raised doubts of whether the claimants were 'personating' the rightful claimants, noting that the signatures looked as though they had been signed by the same hand. Campbell wrote that on examining the signatures attached to the petition and comparing them with the names in the list of approved claimants, he found that there were only 24 sums not applied for, the gross amount being about £300.¹¹⁹

On my comparison of the English names of signatories on the Tuena petition and the names of claimants on the list of approved claims in the appendix of the report, 32 names are an exact match and the amount awarded to them totals £508.¹²⁰ There are in addition another 44 near matches, where the clerk copying out Campbell's list may have mis-transcribed names. For example, the Tuena petition has the name Chiu Yui Sing; List A of the report has the name Chu Yui Sing. In total these claims amount to £593/10/-. If the signatories to the Tuena petition are to be believed, at least £500, and possibly more than £1000 pounds in approved compensation was not paid out.

If it is Campbell's word against the claimants, it should be considered that the claimants would have been required to check their claims against the list of who had already been compensated. This document is not on file. The Statement of Disbursements for 1863, published in Sessional Papers for the 4th Parliament of 1864, lists £2585 pounds disbursed as Compensation to Chinese for losses sustained at the Burrangong Riots.¹²¹ This is not the amount of £4240 awarded in list A of approved applicants, and therefore indicates that £1655 of compensation awarded was not paid out.

The Tuena petition did not succeed. On the back of the petition is written:

The government having taken all reasonable steps to have this matter satisfactorily settled having reason to believe that several of these signatures are by parties endeavouring to personate the original applicants, I do not think this is advisable to reopen the matter.¹²²

It is also noted in red pen on the back of the document that Mr Henley received the response on 25 May 1864; the case thus drew to a close. In January 1864, Campbell had submitted his own invoice of £105 for services rendered in the payment of compensation to the Chinese for losses sustained at the Burrangong Riots, following up with a reminder in March.¹²³ His invoice was approved for payment from the consolidated fund appropriation by the Legislative Assembly;¹²⁴ this ended the correspondence.

What became of the petitioners?

Newspapers provide some clues as to the subsequent movements of the claimants. Reports of a Chinese interpreter named Kylong at Smythesdale near Ballarat in December 1861, and a Ky-long charged with keeping a gambling house at Grenville, south of Ballarat, in October 1866, suggest Kylong may have gone to Victoria.¹²⁵ Simon San Ling's name appears on List A but not on the Tuena petition, which suggests he may have received compensation. In 1862, Simon San Ling was appointed government interpreter in the South Western Gold District.¹²⁶ Although he was charged with deserting Marcella in 1866, they must have reunited, as Simon San Ling was named as the father of a child born to Marcella in Wagga Wagga in 1873.¹²⁷ James McCulloch Henley was in Sofala in

September 1864 when a Chinese Mission was established on the Turon goldfield, and he assisted Chinese catechist Kong Shing Kon to conduct services in English.¹²⁸ In 1873 Henley was in Charters Towers, Queensland, where he translated goldfield regulations.

The Chinese names of firms and individual claimants in Hu Foo and Kylong's petition, and in the Tuena petition, provide a source of data for future researchers to trace the identities and the later lives of some of the Chinese storekeepers and miners at Lambing Flat in 1861. Four of the signatories to the Tuena petition - Wing Song Tong 永嵩堂, Wing Hop 永合, Wing Hu Loon 永裕倫 and Wing Chun 永全 are not the names of individuals, but names of firms. Sau Lum Yung 新林庸 and Leung Me Hoy 梁美記 may also be names of firms.¹²⁹

Family histories have also provided a path to identifying some claimants. One of the names which appears on both List A of approved claimants and the Tuena petition is 黃李實 Wong Le Sat. This is possibly storekeeper Wong Sat, who married Amelia Hackney in Goulburn on 19 March 1864. Wong Sat and Amelia ran a store in Tuena where at least the first five of their children were born, before the family moved to Fullerton in the late 1870s and then to Bolong. According to descendant Dawn Wong:

The family story has Wong Sat riding cross-country from Bolong to Lambing Flat to represent the Chinese after the riot. Leaving aside the fact that he did not acquire land at Bolong until after he was naturalised in 1879, some 18 years after the events at Lambing Flat, it is not out of the question that he may have been involved in some way with Lambing Flat, whether as a miner or someone helping his countrymen after the riot.¹³⁰

Bathurst resident Graham Lupp's great-great grandfather E. Wong may also have been a signatory to the Tuena petition. Graham related that according to the family folklore, 'there was a lot of trouble between the Chinese and the whites out at Tuena on the goldfields and apparently he was very instrumental in keeping the peace between the two because he was so well respected.'¹³¹ When Lupp's great-grandfather John Lupp married Hannah Sibraa in Tuena in 1886, his marriage certificate named storekeeper E. Wong as his father.¹³² It is possible that John Lupp's father was either the Wong E. You 黃意有 or the Wong E. Ching 黃意遷 who signed the Tuena petition.

The Tuena petition includes nine persons with the surname Chin. It is possible that one of them was A. Chin who married Sarah Peaistey [Peaisley] in Sofala in 1862.¹³³ After the birth of their daughter Emily in Sofala, the family moved to the south coast of New South Wales, where three more children were born in Broulee and Nerrigundah.¹³⁴ Their movements fit the claim made in the petition that some of the claimants dispersed to Nerrigundah while waiting for payment.

Conclusion

This investigation has shown that the petitions by Chinese miners whose property was destroyed in the Lambing Flat riots succeeded in having a commissioner, William Campbell, appointed to assess their claims. The petitioners also provided justifications for their claims, but I leave to future researchers the task of assessing the legal basis to

their claims, and the reasons for the government agreeing to investigate the claims with a view to compensation.

The decision to hold the Commission at Lambing Flat, and the requirement that claimants return there repeatedly to identify themselves, is likely to have put the claimants at potential risk of harm from the rioters who still occupied the field, given the degree of lawlessness and the inadequacy of policing. Nevertheless, many Chinese claimants did make this trip in an attempt to substantiate their claims and gain compensation.

The quest for compensation appears to have been a sorry one of delay and frustration, requiring much effort for very little return. The drawn-out nature of the case may have been the product of circumstance rather than deliberate stalling on the part of the Government, yet the correspondence reveals an apparent lack of sympathy on the part of the man appointed to hear their claims, and the slow response rate of a legal system which was at the same time erecting race-based barriers to further Chinese arrivals. The missing documentation also means that we can only go by Campbell's assessment.

Though Campbell dismissed all of the claims for the earlier riots, he did award about ten percent of the money claimed by victims of the riots of 30 June 1861, in total £4240. However, contrary to previous assumptions that the full amount awarded was paid out to approved applicants, the evidence shows that this did not happen. The Statement of Disbursements for 1863 states that £2585 pounds was disbursed as compensation to Chinese for losses sustained at the Burrangong Riots, leaving a difference of £1655. This evidence supports claims made by Tuena petitioners that they had not been paid the sums they were awarded.

In the course of this investigation, I also sought to shed further light on the question of whether any Chinese people died as a direct consequence of the riots. James McCulloch Henley claimed four Chinese deaths were due to the Lambing Flat riots. Contemporary eyewitness accounts of the riots, both Chinese and European, which attest to the extreme brutality of the rioters, make Henley's claim plausible, however, due to the absence of inquests and the claims for loss of life, there is no clear evidence to support his claim. The findings of this paper dispel the accusations of perjury and show James McCulloch Henley to have been a reliable witness, and to have been trusted by his Chinese employers to help them to gain justice, even if he was unsuccessful in doing so.

As a result of close examination of the correspondence in the file, Chinese storekeepers and miners can be seen and heard not as hapless victims of the Lambing Flat riots, but individuals who were aware of their rights, and banded together to campaign for justice and compensation. Those who had English language skills, such as Su San Ling Doh, wrote their own petitions, whilst those who were lacking in English proficiency employed James McCulloch Henley on the field at Lambing Flat, and Maurice Reynolds in Sydney as legal counsel.

This investigation provides us with evidence of greater agency on the part of the Chinese miners than can be seen in earlier historical accounts of the riots and their aftermath. Lambing Flat need not only 'exemplify and represent anti-Chinese racism in nineteenth century Australia'. ⁱⁱ The quest for compensation in the aftermath of the Lambing Flat riots can also be seen to exemplify Chinese agency and persistence in seeking justice and legal redress.

Acknowledgements

I wish to thank Karen Schamberger, Paul Macgregor and Michael Williams for their feedback on earlier drafts of this paper, and the anonymous reviewers for the time taken in providing helpful feedback. I also gratefully acknowledge Ely Finch for his transliterations and advice on Chinese names in the petitions, Deanna Duffy for her map-making, and Karen Schamberger for her assistance in locating places on the Burrangong Goldfields and for sharing newspaper reports not digitised on Trove.

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⁷⁰ *SMH*, 9 July, 1861, p.5, <https://trove.nla.gov.au/newspaper/article/13068895>

⁷¹ Selth, p. 58.

⁷² *SMH*, 6 July 1861, p. 6, <https://trove.nla.gov.au/newspaper/article/13063939>

⁷³ *BFPMJ*, 10 July 1861, p. 3, <https://trove.nla.gov.au/newspaper/article/62403245>; *SMH*, 1 August 1861, p. 4 <https://trove.nla.gov.au/newspaper/article/13069121>

⁷⁴ *The Yass Courier*, 3 July, 1861, p. 2, <https://trove.nla.gov.au/newspaper/article/263872742>

⁷⁵ *SMH*, 10 July 1861, p. 4, <https://trove.nla.gov.au/newspaper/article/13066956>

⁷⁶ Rachel Henning, *The Letters of Rachel Henning*, ed. David Adams, Sydney, Angus and Robertson, 1986, p. 72.

⁷⁷ *SMH*, 12 September 1861, p. 8 <https://trove.nla.gov.au/newspaper/article/13061100>

⁷⁸ *SMH*, 12 September 1861, p. 8, <https://trove.nla.gov.au/newspaper/article/13061100>.

⁷⁹ *SMH*, 12 September 1861, p. 8, <https://trove.nla.gov.au/newspaper/article/13061100>.

⁸⁰ Campbell to Secretary for Lands 23 July 1861, SANSW: NRS 7933, [5/3671], 61/2526.

⁸¹ Curthoys, *Men of All Nations except Chinamen*, p. 113.

⁸² *BFPMJ*, 7 August 1861, p.2, <https://trove.nla.gov.au/newspaper/article/62403456>

⁸³ Campbell to Secretary for Lands 5 August 1861, SANSW: NRS 7933, [5/3671], 61/2072.

⁸⁴ Campbell to Secretary for Lands 10 August 1861, SANSW: NRS 7933, [5/3671], 61/2775.

⁸⁵ Campbell to Secretary for Lands 10 August 1861, NRS 7933, [5/3671], 61/2775.

⁸⁶ Maclean to Secretary for Lands, 16 September 1861, NRS 7933, [5/3671], 61/3147.

⁸⁷ Maclean to Secretary for Lands, 16 September 1861, NRS 7933, [5/3671], 61/3147.

⁸⁸ Campbell to Secretary 6 November 1861, NRS 7933, [5/3671], 61/4154.

⁸⁹ Carrington, p.174; *Empire*, 20 September, 1861, p. 2,

<https://trove.nla.gov.au/newspaper/article/60482792>

⁹⁰ Campbell to Secretary 6 November 1861, NRS 7933, [5/3671], 61/4154.

⁹¹ Carrington, p. 175; Curthoys, 'Men of All Nations, p. 110; Markus, Fear and Hatred, p. 42.

⁹² *BFPMJ*, 6 February 1861, p. 2, <https://trove.nla.gov.au/newspaper/article/62401531>

⁹³ *SMH*, 24 September 1861, p. 5, <https://trove.nla.gov.au/newspaper/article/13065903>

⁹⁴ *BFPMJ*, 28 September 1861, p. 2, <https://trove.nla.gov.au/newspaper/article/62401483>

⁹⁵ *Aggressions on Chinese* Report, VPLA, Vol 4, 1862.

⁹⁶ *Empire*, 19 October 1861, p. 3, <https://trove.nla.gov.au/newspaper/article/60487403>

⁹⁷ *BFPMJ*, 8 January 1862, p. 2, <https://trove.nla.gov.au/newspaper/article/62720766>

⁹⁸ Simon San Ling's petition was presented to the Legislative Assembly on 3 September. The petitions of Tom Me, What Young, and Que You, were presented on 10 September 1861. A petition from Ah Sue, complaining of loss of goods during the riots at Burrangong was presented on 17 September 1861. A petition from 51 certain Chinese miners, miners and storekeepers of Lambing Flat, complaining of aggressions on 30 June and praying redress was presented on 1 November 1861.

⁹⁹ *The Gold Fields Act and Regulations of 1861*, Thomas Richards, Government Printer, Sydney, 1862, <https://nla.gov.au/nla.obj-432851551/view?partId=nla.obj-433320552#page/n4/mode/1up>

¹⁰⁰ Chinese Immigrants Regulation and Restriction Act of 1861 No, 28a,

http://classic.austlii.edu.au/au/legis/nsw/num_act/cirarao1861n28503/

¹⁰¹ *Empire*, 20 September 1861, pp. 2-3, <https://trove.nla.gov.au/newspaper/article/60482779/5509262>

¹⁰² Curthoys, *Men of All Nations except Chinamen*, p. 113.

¹⁰³ *Empire*, 20 September, 1861, pp. 2-3, <https://trove.nla.gov.au/newspaper/article/60482779/5509262>

¹⁰⁴ *SMH*, 9 December 1861, p. 5, <https://trove.nla.gov.au/newspaper/article/13058055>

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- ¹⁰⁵ *SMH*, 11 December 1861, p. 3, <https://trove.nla.gov.au/newspaper/article/13055108>
- ¹⁰⁶ Selth, pp. 58 - 62.
- ¹⁰⁷ Kathryn Cronin, *Colonial Casualties: Chinese in Early Victoria*, Melbourne, Melbourne University Press, 1982, pp. 41-62; Diann Talbot, *The Buckland Valley Goldfield*, Albury, Specialty Press, 2004, pp. 87-107.
- ¹⁰⁸ *The Miner*, 3 July 1861, p. 2.
- ¹⁰⁹ *SMH*, 24 September 1861, p. 2, <https://trove.nla.gov.au/newspaper/article/13065884>
- ¹¹⁰ *Aggressions On Chinese* Report, p. 4.
- ¹¹¹ *SMH*, 8 August 1862, p. 2, <https://trove.nla.gov.au/newspaper/article/13232468>
- ¹¹² *NSW Government Gazette*, 4 September 1863, No 171, pp. 1969-1970.
- ¹¹³ Campbell to Under Secretary, 21 August 1863, NRS 7933, [5/3671], 63/4894.
- ¹¹⁴ *NSW Government Gazette*, 29 February 1864, No 39, p. 526.
- ¹¹⁵ Campbell to Under Secretary, 28 September 1863, NRS 7933, [5/3671], 63/5803; Cloete to Under Secretary for Lands, 28 September 1863, NRS 7933, [5/3671], 63/5803.
- ¹¹⁶ *NSW Government Gazette*, 16 October 1863, no. 197, p. 2207.
- ¹¹⁷ Campbell to Under Secretary, 23 October 1863, NRS 7933, [5/3671], 63/6363.
- ¹¹⁸ Tuena Petition, 28 March 1864, NRS 7933, [5/3673] 64/2287 enclosed within 64/2663.
- ¹¹⁹ Tuena Petition, 11 May 1864, NRS 7933, [5/3673] 64/2663.
- ¹²⁰ *Aggressions on Chinese* Report, VPLA, Vol 4, 1862, List A.
- ¹²¹ Revenue and Receipts of the Colony of NSW and their expenditure in the year 1863, Statement of Disbursements, p. 37 in Parliament of New South Wales website, 4th Parliament 1864, Sessional Papers, folio 743, <https://www.parliament.nsw.gov.au/la/papers/Pages/Votes-and-Indexes-from-the-1st-to-the-49th-Parliam.aspx>
- ¹²² Tuena Petition, NRS 7933, [5/3673] 64/2663.
- ¹²³ Campbell to Under Secretary, NRS 7933, [5/3671], 64/743; 64/1666.
- ¹²⁴ *Supplement to the Government Gazette*, no. 88, 26 April 1864.
- ¹²⁵ *The Age*, 12 December 1861, p. 6, <https://trove.nla.gov.au/newspaper/article/154844774>; *Wagga Wagga Express and Murrumbidgee District Advertiser*, 27 October 1866, p. 4, <https://trove.nla.gov.au/newspaper/article/105998077>
- ¹²⁶ *SMH*, 31 December 1862, p. 4, <https://trove.nla.gov.au/newspaper/article/28622231>;
- ¹²⁷ *NSW Police Gazette*, 5 December 1866, p.429 <https://trove.nla.gov.au/newspaper/article/251748047>;
NSW BDM 19754/1873.
- ¹²⁸ *SMH*, 1 September 1864, p. 5, <http://trove.nla.gov.au/newspaper/article/13105898>
- ¹²⁹ As translated by Ely Finch, 7 May, 2020.
- ¹³⁰ Pers. Comm. with Dawn Wong, 3 July 2016.
- ¹³¹ Pers. Comm. with Graham Lupp, 5 August 2008.
- ¹³² NSW BDM Marriage Certificate 4046/1886.
- ¹³³ NSW BDM Marriage Certificate 3016/1862. The Peaisley spelling was clarified in personal communication with descendant Jenny Wright, 6 August 2019.
- ¹³⁴ Emily AH CHING, born Sofala 1863, NSW BDM 13665/1863; Martha AH CHIN, born Broulee 1865, NSW BDM 7331/1865; Charles AH CHIN, born Broulee 1867 NSW BDM 7846/1867; George AH CHIN born Nerrigundah, 1870, Jenny Wright Pers. comm. 6 August 2019.