

# ‘The most determined, sustained diggers’ resistance campaign’

## Chinese protests against the Victorian Government’s anti-Chinese legislation 1855-1862

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“The most determined, sustained diggers’ resistance campaign”: Chinese protests against the Victorian Government’s anti-Chinese legislation 1855-1862’, *Provenance: The Journal of Public Record Office Victoria*, issue no. 8, 2009. ISSN 1832-2522. Copyright © Anna Kyi.

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### Abstract

**In the latter half of the 1850s, Chinese in Victoria protested against unjust taxation. Although the taxes imposed on the Chinese were much harsher than the goldfields licence that the diggers fought against during the first half of the 1850s, the Chinese protest campaign has not received the same attention or interest, either in history books or popular imagination.**

**This article aims to cultivate an appreciation of the Chinese protests by placing their petitions in the context of Victoria’s evolving anti-Chinese legislation. Besides providing an understanding of the arguments that the Chinese used to defend themselves, this perspective highlights the perseverance of the Chinese and draws attention to their successes in rendering anti-Chinese legislation ineffective. The accompanying article in this issue of Provenance is designed to assist researchers in locating the whereabouts of the Chinese petitions.**

Introducing new stories about the past and embedding them as part of the dominant historical narratives is not just a matter of uncovering new information. How the information is interpreted, how the story is told, and whether it captures people’s imaginations, play an important part as do the ever-changing contours of popular memory. These factors can make the process of embedding new stories a gradual one. The Chinese protests against the various taxes imposed on them by the Victorian Government during the latter half of the 1850s are an example of this.

In 1982, Kathryn Cronin noted that the Chinese protests had ‘received scant attention in Australian history books’ – Geoffrey Serle’s *The golden age* being the exception. [2] Since then, historians have attempted to address the imbalance.[3] In this latest body of research there has been a trend towards identifying the influences that earlier miners’ protests against the goldfields licence had on Chinese protest methods, particularly during 1859.[4] This approach has the potential to facilitate new understandings by building on the familiar. Furthermore, by identifying how Chinese adopted Western constitutional forms of protest, this approach challenges cultural stereotypes that suggest Chinese were incapable of crossing cultural boundaries.

Despite these advances, other existing popular historical interpretations have the capacity to undermine the acceptance and appeal of this story. Elsewhere, I have indicated that the story of the Chinese protests conflicts with popular multicultural interpretations of democracy in the aftermath of the Eureka Rebellion, one of the protests against the goldfields licence.[5] Other obstacles include the appeal of an instant success story, combined with a narrow perception of the measures of success.[6] As Cronin explains, the Chinese protests ‘had been the most determined, sustained diggers’ resistance campaign’.[7] The protests started in 1856, in response to legislation enacted in 1855, and continued into 1861; the various taxes imposed on the Chinese were removed in 1862 and 1863.[8] This period of time makes it difficult to package the protests into an instant success story, especially when there is no direct correlation between the petitions and the immediate removal of the taxes. Valerie Lovejoy’s research on the Bendigo Chinese protests in 1859 has attempted to overcome this obstacle. She suggests that sustained avoidance of the taxes after the 1859 petitions eventually led to the removal of the taxes.[9]

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A better appreciation of the Chinese protests has the potential to evolve if we adopt the concept of a sustained resistance campaign starting from 1855, when the immigration poll tax was introduced. While earlier studies by Cronin and Serle reflect this approach, more recent studies have detracted from this understanding by predominantly focusing on one specific phase of the Chinese protests in 1859 (discussed below).

By adopting the concept of a sustained resistance campaign, we can begin to recognise how the Chinese successfully used tax evasion to render anti-Chinese legislation ineffective throughout the latter half of the 1850s. Had this not been the case, the Victorian Government would have had little reason to amend the legislation in 1857 and 1859 in an attempt to force the desired outcome: to discourage the Chinese from entering and settling in Victoria. In effect, this perspective encourages us to broaden our preconceptions of the measures of success beyond the immediate removal of the taxes and to recognise the importance of perseverance.

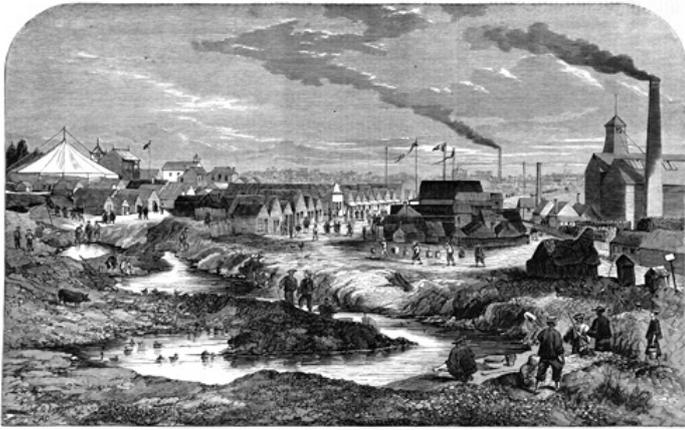
The concept of the protests being a sustained resistance campaign is also useful when examining the various petitions against anti-Chinese legislation. Besides demonstrating that the Chinese were capable of and willing to adopt Western forms of constitutional protest, the petitions are also examples of Chinese agency, evidence that the Chinese chose not to be passive victims. They provide valuable insights into the grounds upon which the Chinese defended their rights, and themselves, as well as understandings of the impact that anti-Chinese legislation was having on their lives. Documents presenting Chinese perspectives and those who supported them during this era of Chinese-Australian history are rare.

By placing the petitions in the context of evolving anti-Chinese legislation, it is possible to gain a clearer understanding of the specific issues the Chinese were seeking to address during various phases of the protest campaign. Similarities and differences in argument between various Chinese groups can also be revealed when petitions from a particular phase are compared. Until now, most research on the petitions has focused on versions that were published in either newspapers or parliamentary papers. Original petitions located at Public Record Office Victoria (PROV) have been overlooked, possibly because of the challenges involved in locating these documents.[10] Consequently, a number of the petitions have escaped the attention of historians.

This article seeks to build a more complete picture of the Chinese protests and to cultivate an appreciation of their sustained resistance campaign. It considers both published and unpublished petitions and examines them within the context of evolving anti-Chinese legislation during the latter half of the 1850s. In doing so, the article also identifies how the Victorian Government repeatedly amended anti-Chinese legislation and eventually removed these laws in response to Chinese evasion of taxes. The terms 'Chinese protests' and 'Chinese petitions' are used consistently throughout this article; however, it is evident that the Chinese were not alone in their fight. Elsewhere, I have started to discuss some of the motivations behind European support of the Chinese.[11] This article draws attention to this support; however, further detailed examination of the nature and extent of this involvement is beyond the scope of this particular paper.

### **The 1856 Chinese protests**

On 12 June 1855, the Victorian Government introduced *An Act for the Provision of Certain Immigrants* in response to concerns about increasing numbers of Chinese arriving in the colony.[12] In 1853, the number of Chinese arrivals by sea had been a paltry 140; in 1854 this figure jumped to 4920. It more than doubled the following year to 11,493.[13] Because they arrived in large numbers at a time when surface alluvial gold was becoming scarce, the Chinese were perceived by some as a cultural and economic threat. By June 1855 the Chinese population in the colony was estimated to be 17,000. Complete exclusion of the Chinese was not an option: this would have contravened the 1842 treaty resulting from the first Opium War between China and Britain and would have met with disapproval from the Colonial Office.[14] Instead, the government agreed to control Chinese immigration by placing restrictions on the number of Chinese each vessel was permitted to carry (one Chinese passenger to every ten tons) and by introducing a £10 poll tax for each Chinese migrant to be paid on arrival. The legislation was harsher than the recommendation made by the *Commission into Condition of the Goldfields* (1854-1855), which was wary of further increases in Chinese immigration with the abolition of the goldfields licence.[15] The Commission believed that restrictions on the number of Chinese passengers each vessel was permitted to carry (15-30 passengers or as many deemed necessary for a ship's crew) would be sufficient in dealing with the matter. Those who exceeded the restrictions were to be fined no less than £10.[16]



AC Cooke, Chinese Quarter, Ballarat, *Illustrated Australian News*, 18 July 1868. Pictures Collection, State Library of Victoria.

Towards the end of 1856, Chinese in Victoria protested against the £10 poll tax. Andrew Messner has commented on the Bendigo Chinese petition and its significant level of support (5168 signatures).[17] However, until now the petition from the Chinese immigrants in Victoria – with 3089 signatures including one belonging to Ballarat’s Chinese Protector, William Henry Foster – has been overlooked.[18]

While there are similarities in the basic arguments of both 1856 petitions, the Bendigo Chinese framed their arguments in a more sophisticated manner. Both petitions asserted the law-abiding character of the Chinese community and questioned the perceived economic threat they posed to other miners, when they worked over abandoned ground. The Bendigo Chinese emphasised the positive character of the Chinese community, noting the financial benefits they had brought to mercantile interests. Both groups suggested the entry tax could be (and was) evaded by landing in South Australia; however, the Bendigo Chinese went further, noting that merchants and others would be financially disadvantaged if the Chinese did not land in Melbourne.

In arguing about the injustices of the law, the Bendigo Chinese adopted a broader, more global frame of reference to support their arguments. They referred to the absence of such laws in other British colonies, the removal of similar laws in California, and claimed the legislation was ‘a violation of the fundamental law of the British Constitution’.[19] In contrast, the petition from the Chinese immigrants in Victoria relied mainly on strong language and comparisons between the treatment of the Chinese and other people in the colony. Besides referring to the amount of the tax as being ‘obnoxious’, they identified the practice of singling

them out as ‘invidious’. They claimed they had done nothing wrong ‘to be debarred from the same privileges freely accorded to other nations’.[20] Based on this understanding of the law, they interpreted the tax as a ‘penalty’ not a ‘subscription for revenue’.[21]

### The 1857 Chinese protests

The 1856 Chinese petitions did not result in the removal of the immigration poll tax; however, the Chinese managed to render the legislation ineffective by landing in South Australia, and travelling overland to the Victorian goldfields. Their success was indicated in the census statistics: in 1854 the Chinese population was 2,341 and by 1857 it had increased to 25,424. [22] Unfortunately, local and global conditions in 1857 were not favourable to promoting acceptance of the increasing Chinese population, which was perceived as economic competition on the goldfields. Overseas, China and Britain were engaged in the second Opium War; locally, there was a slump in returns from mining and a growth in unemployment. Incidents of racial conflict on the goldfields, including the Buckland Riots, emerged against this backdrop.[23]

Within this racially-charged climate, the Victorian Government endeavoured to fix flaws in the existing anti-Chinese legislation. To discourage overland migration it urged the South Australian and New South Wales governments to introduce the £10 immigration poll tax. The former eventually agreed; the latter refused. The government also appointed a Select Committee into Chinese Immigration with the objective of framing ‘a Bill to control the flood of Chinese immigration setting in to this Colony and effectually prevent the Gold Fields of Australia Felix from becoming the property of the Emperor of China and the Mongolian and Tartar Hordes of Asia’.[24]

The 1857 Chinese petitions were presented in response to this bill. Where the immigration poll tax was supposed to target prospective Chinese gold seekers, the Bill to Regulate the Residence of the Chinese in Victoria was designed to discourage those already residing within the colony from settling, and to recover some of the revenue lost through evasion of the immigration poll tax. The proposed bill included the introduction of a Chinese residence tax of £1 per month (£12 per annum). The miners had protested against paying the same amount for a goldfields licence three years earlier.

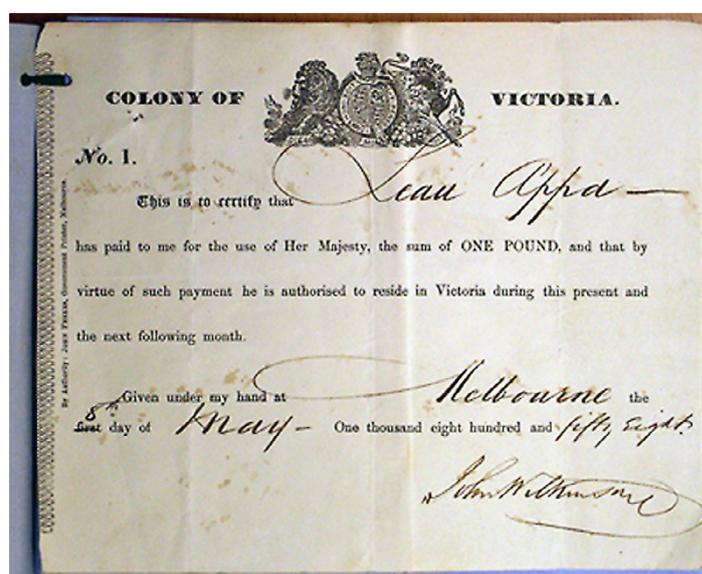
On top of the residence tax, Chinese miners were still expected to pay £1 for an annual protection fee that was specific to the Chinese, and £1 for a miner's right levied on all gold seekers. To address past and future evasion of the immigration poll tax, Chinese could only purchase a residence licence if they provided evidence that they had paid the £10 poll tax. Those who could not produce this evidence were required to pay the poll tax before they were allowed to purchase a residence licence. In total, a Chinese miner starting out on the goldfields would be expected to pay £24 in his first year. The proposed penalties for not paying were harsh. In addition to a fine of no more than £10, Chinese without a residence licence could be '*apprehended without a warrant by any person whatsoever and detained* [italics included in original text] and then taken before a justice of the peace, to be dealt with according to the act'.[25] As the *Ballarat Star* pointed out, this legislation 'constitutes everyone not of a proscribed race a police officer, empowered to arrest a Chinaman whenever he fails to produce a license'.[26]

The 1857 Chinese petitions clearly reflect anxieties about the proposed Chinese residence tax and concerns about accusations made against the Chinese in newspapers, the Select Committee inquiry and anti-Chinese petitions, which were also presented around this time.[27] While there are six Chinese petitions that have been identified from this era, none of them match the high level of support evident in the earlier 1856 Chinese petitions. The Castlemaine Chinese petition has the highest number of signatures (2,873).[28] While some of the groups who presented petitions during this era are identifiable in terms of specific regions such as Bendigo, Castlemaine and Ballarat, others are more general and obscure, for example the petitioners of 'Sitting on Chinese Business', or 'People of the Chinese Nations'. This makes it difficult to explore specific circumstances that may have caused variations between petitions. Further research of the signatures written on the original petitions might reveal more about the composition of these groups.

The Chinese argued against the proposed residence tax on the grounds of their inability to pay and their expectations to be treated equally. The 'Natives of China' petitioners claimed that paying the tax was 'utterly impossible': Chinese on the goldfields were 'barely obtaining a livelihood and have no means of returning to their country'.[29] The Castlemaine Chinese were more explicit, listing all the financial burdens they were already struggling to pay. With the pressure to pay taxes such as the Chinese protection fee and the miner's right, as well as the purchase of mining equipment and the 'basic necessities of life', many were unable to send

remittances back to China to support family members, 'some of whom consequently died of want'.[30] The

Ballarat Chinese outlined what they were willing to pay: 'Chinamen want back again the old law, £1 a year protection ticket, £1 for a miner's right. Chinamen do not like changes'.[31] In contrast, the petitioners signing 'Residents of Victoria Belonging to the Chinese Nation' wanted the government to appoint an inquiry into the allegations and accusations made against them before determining whether the tax should be introduced.[32]



Chinese residence licence, Leau Appa, 8 May 1858, PROV, VPRS 1189/P0, Unit 502, no. E58/4096.

The request for equality was common to most of the Chinese petitions from this and all other phases of the protest. It is this feature of the petitions that stands at odds with present-day multicultural memories of democracy in the aftermath of Eureka. Several of the 1857 petitions frame the request for equality as being consistent with British law, a right the Chinese were entitled to if they were obedient.[33] As such, the unjust treatment of the Chinese was not just interpreted as being contrary to British law, values and identity; it was also seen as an act of deception. The Castlemaine Chinese explained:

[N]early all of us left our native land at the solicitation of Europeans, to seek abroad that prosperity which we could not find at home, on the assurance that we should receive the protection of your laws so long as we remained obedient to them; and that we should be governed in that spirit of equity which we have been accustomed to associate with the English name; but that, since our arrival, we have been subjected to a series of insults and oppressions from the ignorant, the cruel, and the malicious, though we are not conscious of having merited such injustice.[34]

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The petitioners of 'Sitting on Chinese Business' and the Ballarat Chinese noted a change from the initial kindness shown by the government. The Ballarat Chinese complained:

Every nation is allowed to come into this colony – why not the Chinese? At first the government was very good to our petitioners but now it is going to be different.[35]

As previously mentioned, the Chinese also used the 1857 petitions to defend themselves against accusations and allegations made against them in newspapers, the Select Committee inquiry and anti-Chinese petitions. The Chinese used at least three different strategies to defend themselves.

Firstly, they questioned the validity of the allegations and requested supporting evidence. This was evident in the People of the Chinese Nation's request for an inquiry that would either prove or disprove the various accusations made against them. The Castlemaine Chinese took a similar line, saying court records would prove that 'in proportion to our numbers, fewer Chinese have been convicted of, or charged with crime, than any other class of inhabitants of this Colony'.[36] They also claimed that accusations about Chinese being guilty of 'unnatural vices' and 'abominable acts' were unsubstantiated.[37]

The Chinese also used the petitions to correct the cultural misunderstandings behind accusations used to inspire racial hatred.[38] Petitions from the Castlemaine Chinese, the Ballarat Chinese and the petitioners of 'Sitting on Chinese Business' provide the strongest examples of this strategy.[39] These petitions countered claims that Chinese had an unfair advantage in gold seeking because of their mining practices. As the petitioners of 'Sitting on Chinese Business' explained, 'We Chinamen who are here get no gold only by washing headings and tailings, and from old holes abandoned by Europeans, and from which we can but barely make a living. We having only the refuse cannot make as much as Europeans ...'[40] The Castlemaine Chinese believed this type of mining was only made profitable by their 'co-operative mining practices'.[41]

Ballarat Chinese and the petitioners of 'Sitting on Chinese Business' addressed complaints that the Chinese were not contributing to the economic development of the colony by pointing out they could not afford to buy land and farms as this required 'too much capital'.[42] Furthermore, the perception that they were sending lots of gold back to China was wrong. As the petitioners of 'Sitting on Chinese Business' explained,

Two or three pounds of gold is as much as we can get home; sometimes one man may appear to have plenty of gold, but it is because his friends each send a bit with him as we have no Post Office, to their parents, wives and children, for them very hungry.[43]

On the issue of evading the immigration poll tax, the Chinese petitioners sought to displace blame and claim ignorance. Those who organised the transport, either merchants, captains in Hong Kong, masters or supercargoes, were identified as the culprits. In China, distance and language barriers also contributed to ignorance of the tax.[44] By describing the hardships they endured during the overland journey – 'weariness', 'faintness', 'hunger and thirst', 'disease', 'death' and 'suicide' – the Castlemaine Chinese portrayed themselves as victims who had been 'fearfully punished'.[45]

The Ballarat, Castlemaine and 'Sitting on Chinese Business' petitioners also endeavoured to explain why they did not bring their wives to Victoria. In effect, they tried to settle fears about their predominantly male community, including homosexuality, racial miscegenation and juvenile prostitution. The justifications the petitioners gave for leaving their wives at home were both cultural and practical. The cultural practice of Chinese women binding their feet made it difficult for them to travel. Added to this was the cost of the trip, fulfilling family obligations to care for the elderly who remained in China and the desire to protect their women from a foreign society, in which they might not cope.[46]

The third strategy the Chinese used to defend themselves moved beyond the negatives to identify positive economic contributions they made to the colony by paying taxes, importing Chinese goods and consuming European goods. First used in the 1856 Bendigo Chinese petition, this tactic was used by the Castlemaine Chinese and their European supporters in 1857.[47] It is a strategy that can also be read as a response to accusations that Chinese were not contributing to the economic development of the colony.

The 1857 petitions were not successful in preventing the introduction of the residence tax; however, the bill was altered before it was finally introduced as *An Act to Regulate the Residence of the Chinese Population in Victoria*. [48] The amount of the tax was reduced to £1 every second month (£6 per annum) and the penal clause was removed. Instead, Chinese without a residence licence were to be punished by losing the right to institute legal proceedings if anyone took their mining claim or business. In effect, the law legalised claim jumping and negated the functions of the miner's right and Chinese protection ticket.[49]

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## The 1858 Chinese protests

On 21 January 1858 – two months after the *Act to Regulate the Residence of Chinese in Victoria* became operable – the Ballarat Chinese presented a petition to Governor Barkly, ‘on behalf of themselves and their fellow countrymen resident in the colony of Victoria’.[50] The petition revealed the impact the legislation was having on their lives.

Unprepared to meet this sudden imposition, they [Chinese without a residence licence] are in fact outlawed – their claims and their business premises are liable to be taken from them, not only by Englishmen but by any foreigner who may choose to take possession of them; for although by the law the miner’s right and business license make petitioners the bona fide owners of such claims and premises, yet now having failed to pay the first instalment of the new and sudden tax, the petitioners are deprived of their rights under these documents in which they never doubted they were by law secure from twelve months from this date.[51]

According to newspaper reports, the petition was signed by seven Chinese in English and about 1,400 individuals in Chinese characters.[52] Forty-five influential Ballarat Europeans, including Ballarat’s Chinese Protector, William Henry Foster, supported the Chinese petition with a testimonial to their good character.[53]

At this stage, the 1858 Ballarat Chinese petition appears to be the only one that was presented in the immediate aftermath of the *Act to Regulate the Residence of Chinese in Victoria*. Unlike the 1857 petitions which requested that the residence tax not be introduced, the 1858 Ballarat Chinese petition requested extra time (six months) to pay the first instalment. The Chinese were led to believe this was standard practice after legislation regarding the imposition of a tax had just been passed.[54] Chinese Protector William Foster believed the majority of Chinese would use the extra time to find a means of leaving the colony, while the rest would endeavour to make payment.[55]

To understand why the Ballarat Chinese made this request, it is necessary to consider the substantial losses they would have incurred because of the type of mining in which some were involved. By 1856, some Chinese in Ballarat were not just engaged in shallow alluvial mining and working over refuse, but were also working on the deep leads.[56] Compared to shallow alluvial mining, deep lead mining involved a greater commitment in both time and money. The penalty for not paying would have involved significant losses.



William Henry Foster, Ballarat’s Chinese Protector. Photograph courtesy of Andrew Foster.

This was demonstrated the day after the Ballarat Chinese presented their petition to Governor Barkly, when some European miners took a claim belonging to a party of Chinese miners who did not have residence licences. This party of Chinese miners had obtained a ‘grant’ of a portion of worked-out ground on the Red Streak Lead. They had paid £90 for the claim, erected machinery at great expense and spent considerable time making the necessary preliminary arrangements. After unstable ground resulted in two unsuccessful attempts at sinking shafts, the party had finally managed to ‘bottom on gold’.[57] European miners, in a process legitimised by the Act, were then able to come along and take the hard-won Chinese claim.

When the Ballarat Chinese presented their petition to Governor Barkly, he seemed oblivious to the impact the new tax was having on the Chinese community. He was surprised to hear of their hardships, indicating that the original bill had been altered in their favour with a reduction in the tax. The Governor correctly predicted that Parliament would not sanction any departure from the legislation.[58] One of the ministers pointed out that the object of the Act was 'to discourage the residence of Chinese in Victoria ... any interference with its operation would frustrate the intention of the legislation ... No doubt certain cases of apparent hardship may occasionally occur but did such cases not arise the whole act would be inoperative'.[59]

### The 1859 Chinese protests

Despite the government's objectives, the Chinese once again managed to find loopholes in the legislation and made it inoperative. They started travelling overland from New South Wales, where the government had refused to introduce the immigration poll tax. Serle estimates that between late 1858 and early 1859 the Chinese population stabilised at approximately 40,000. [60] The absence of a penal clause facilitated evasion of the residence tax [61] and the threat of legalised claim jumping was lessened by a loophole in the legal system. Because they were still in possession of their claim and had backdated licences, the Chinese on the Red Streak Lead were able to identify themselves as defendants and not plaintiffs. As such they could seek protection under the law and win back their claim. [62] According to the *Bendigo Advertiser*, this decision made by the Court of Mines would probably be used to enable other Chinese to win back claims.[63]

Chinese success in rendering the *Act to Regulate the Residence of Chinese in Victoria* ineffective was reflected in the steps the government took to amend this legislation. On the surface it looked like a softer approach was being taken when the government introduced *An Act to Consolidate and Amend the Laws Affecting the Chinese Emigrating to or Resident in Victoria*, in February 1859.[64] The residence tax was reduced to £4 per year and amalgamated with the miner's right and the Chinese protection ticket. However, the inclusion of a penal clause suggested a harsher line. Chinese who did not pay could be put in jail and sentenced to do public works. Chinese who arrived in the colony by ship were still expected to pay £10 on arrival. To discourage entry into Victoria from other colonies, in particular New South Wales, those arriving overland would be expected to pay £4.[65]

By mid-1859 the Chinese were protesting against the amended legislation. It is this particular phase of the Chinese protest campaign that has been the focus of recent research by historians.[66] No doubt the drama surrounding this phase has made it a matter of interest. As before, the Chinese held protest meetings and sent petitions, but the harsher methods of tax collection implemented on some goldfields together with the penal clause, inspired the Chinese to adopt stronger forms of protest as well. Acts of civil disobedience, such as Chinese refusing to do business with Europeans and choosing imprisonment over paying the taxes, feature in this period of protest as do threats of assassination. In contrast with earlier phases, historians have also recognised that the 1859 protests seem to be more organised, with the Chinese banding together under the banner of the United Confederacy.[67]

The Chinese protest movements in Castlemaine, Bendigo and to some extent Melbourne and Beechworth, have featured strongly in recent research. However, consideration of and comparison with the Ballarat context during this period provides an interesting insight into some of the variables that affected the protest campaign. The Ballarat Chinese sent a petition against the residence tax in mid-1859; [68] however, there was hardly any drama or disturbance compared to other goldfields such as Bendigo and Castlemaine.[69] According to the *Ballarat Times* this was 'partly because the tax has not been resisted so determinedly as elsewhere, and partly because it has not been enforced with the same rigour'.[70] Melbourne Chinese, like merchant Lowe Kong Meng, were keen to distance themselves from the disturbances on the goldfields. In a letter to *The Argus*, which highlighted the absurdity and injustice of assuming that Melbourne Chinese were involved, Lowe Kong Meng made an astute comparison with the Eureka Rebellion.

Why should you, or the Chief Secretary, try to mix us up with proceedings of a tumultuous nature, of which it appears that some of the Chinese on the diggings have been guilty? Has anyone proved our connection with those proceedings? Would it have been just, when the riots at Ballarat occurred a few years ago, and some European miners lost their lives in consequence, to connect the European merchants and traders of Melbourne with those riotous proceedings? Why should we be dealt with less fairly than others? [71]



A Flood of Celestial Light pouring on upon the Diggings, Melbourne Punch Almanack, January 1857. Rare Books Collection, State Library of Victoria.

The existence of the United Confederacy has probably played a part in overshadowing an appreciation of these differences, which are also revealed when comparing the content of petitions from Chinese in Melbourne with those on the goldfields. Petitions from Chinese on the Ballarat, Bendigo and Castlemaine goldfields all requested the cost of the residence licence be reduced from £4 to £2 per annum.[72] The Castlemaine and Ballarat Chinese believed this amount would be sufficient to cover government administration costs for the Chinese population. Because the Chinese would be more willing to pay £2 than £4, the Castlemaine Chinese argued it would actually provide a larger income for the government. As before, the Chinese outlined their inability to pay the existing tax: the Bendigo and Ballarat Chinese claimed they did not earn more than half a pennyweight in gold per day. The Ballarat Chinese also pointed out they had to pay the export duty on gold. In a further effort to persuade the Governor to accede to their request, they asked him to consider that the prosperity of the diggings had decreased since the law was made.

In their petition, the Melbourne Chinese differentiated themselves from Chinese miners, believing these differences were grounds for their exemption from the residence tax.[73] Because they did not live on the goldfields, they claimed they were not 'occasioning' the government any extra expense for Chinese protectors, headmen or interpreters. Furthermore, their particular circumstances meant they had to pay more taxes than Chinese miners. Melbourne Chinese who were merchants, traders and artisans regularly travelled between China and Victoria and had to pay the £10 poll tax every time they re-entered the colony. In addition, they incurred heavy expenses renting stores,

offices and conducting their businesses, which made it difficult for them to pay the residence tax.

The desire to have the same social liberties as other immigrants in the colony remained strong among the goldfields Chinese, but was not so strongly expressed by the Melbourne Chinese. The Ballarat and Bendigo Chinese were quite deferential in making this request for equality, stressing their willingness to abide by the laws but also their inability to do so.[74] The Castlemaine Chinese were more forthright and sophisticated in their request.[75] They used a wider frame of reference to argue against the injustices of the legislation, by comparing Victorian legislation with the treatment of Chinese people in other parts of the world such as California, and by identifying how it was at odds with treaties signed between Britain and China.[76]

That the evident tendency of legislation in this colony for natives of China, has been to harass and oppress them, while in all other parts of the world, California and elsewhere, the Chinese have been received upon the same footing as other foreigners, and have not been debarred from any of the privileges which have been conceded as a matter of right or courtesy to other nations of the earth.[77]

So far, research on the 1859 Chinese protests has neglected the second round of petitions that the Chinese sent to the Legislative Assembly in late 1859.[78] Further amendments to anti-Chinese legislation did not trigger this second round of petitions. Instead, a new understanding as to who had the power to change the legislation seems to have been the main influence. Most of the mid-1859 petitions had been either addressed or forwarded to the Governor. Considering the 1859 legislation stipulated that the Governor had the power to alter the tax, this was undoubtedly a reasonable course of action.[79] The Governor's responses to the petitions soon revealed, however, that he 'was powerless in the matter without the consent of Parliament'.[80] When the Melbourne Chinese and a deputation from Bendigo presented their petitions to the Chief Secretary in late May 1859, he advised both groups to send their petitions to the legislature.[81] Chinese in Castlemaine, Bendigo and Melbourne followed this advice in late 1859.[82]

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In addressing the Legislative Assembly, the petitions from the Bendigo and Castlemaine Chinese reflect an awareness of the differences in imperial and colonial power.[83] The appeals within their petitions, including the request for social equality, were no longer framed within expectations of British law and values, or treaties between Britain and China. Instead, their requests were framed within understandings of the democratic origins of the Legislative Assembly and the influence of Christian values. The Castlemaine Chinese appealed to the Legislative Assembly's duty 'as supreme authority elected by the people of Victoria to legislate and watch over the welfare of its various inhabitants without distinction of creed, or nationality'. [84] The Bendigo Chinese also recognised that the Legislative Assembly had been 'entrusted' to look over the welfare of the people and asked 'that the God of the Christians, whom your petitioners recognise as Chief Legislator, may watch over you and guide your deliberations'.[85]

The late 1859 Chinese petitions continued to reflect the different interests and pressures of Chinese in Melbourne and on the goldfields. The Castlemaine and Bendigo Chinese now wanted the removal of the residence tax. They believed the revenue raised from the payment of the miner's right would be sufficient to cover the additional expenses the government incurred for administration of the Chinese.[86] In contrast, the Melbourne Chinese were willing to stay with requests that goldfields Chinese had made during the middle of 1859. They asked for a reduction in the residence tax from £4 to £2, and expressed fears that if the tax continued it would 'reduce multitudes of Chinese to beggary'.[87] Melbourne Chinese continued to address matters that were specific to their interests. Once again, they asked the government to make the immigration poll tax less burdensome on Chinese involved in trade between China and Australia.[88]

The Bendigo and Castlemaine Chinese were not just opposed to the tax, they were also opposed to the harsh methods of collection practised on these particular goldfields. The Bendigo Chinese went so far as to claim 'The old license tax system with all its degrading attributes, has been re-enacted amongst us'.[89] In contrast to the petitions presented in the middle of the year, those presented in late 1859 from the Castlemaine and Bendigo Chinese provide insights into the hardships endured and their demeaning effects on the Chinese. [90] The Bendigo Chinese explained,

Policemen daily meet us at our work, and demand a sight of our residence tickets. Hundreds of our unfortunate countrymen have been taken away from their daily avocations and marched through the public streets in custody of police officers, like common felons, to prison because they were too poor to pay for a license.

Although many of your petitioners were men of respectability in their own country, and had never been in the company of criminals, no mercy or consideration has been shown towards them. Hundreds of your petitioners have been sent in company with the most abandoned criminals to sweep pathways and other similar degrading occupations, with policemen standing sentry over them with fixed bayonets.[91]

Police treatment of Castlemaine Chinese was not much better.[92]

The 1859 Chinese petitions did not lead to the immediate removal of the Chinese residence tax. Lovejoy suggests that Chinese evasion of the tax and weaknesses within the legislation led to the eventual removal of the residence tax in 1862.[93] Chinese resistance to paying the taxes, and the practice of not taxing Chinese in financial distress, meant there was not enough revenue to sustain the Chinese Protectorate System which was used to collect the taxes. Furthermore, inadequate jail accommodation and the need to summons Chinese for prosecution made it virtually impossible to implement the penalties for tax evasion.[94]

No doubt these factors contributed to the eventual demise of the legislation, however a petition from Chinese and Europeans in Ararat to the Governor in June 1861 may have also played a part.[95] The request to abolish the residence tax in this petition did not just rest upon calls for justice and equality for the Chinese; this petition suggests the abolition of the residence tax was closely linked to the survival of Ararat. Due to a downturn in mining, Ararat was suffering from a declining population. The European population had 'nearly disappeared' and the Chinese population had been reduced from 3,000 to 500.[96] In requesting the removal of the Chinese residence tax, the petitioners were hoping to hold on to what remained of the Chinese population. The fact that 102 Europeans signed the same petition as 75 Chinese individuals, as opposed to sending a separate petition or a supporting testimonial of their good character, seems to add weight to the united interests behind this particular petition.

## Conclusion

Recent studies of the Chinese protests during the latter half of the 1850s have been invaluable in terms of highlighting the influences of earlier protests against the goldfields licence on the strategies utilised by the Chinese protestors. Unfortunately, the tendency within these studies to focus on one particular phase of the Chinese protests, and usually one specific region, has detracted from the sustained nature of the Chinese resistance campaign. Consequently, Chinese success in using tax evasion to repeatedly render anti-Chinese legislation ineffective and eventually cause its removal has been hidden from view. Furthermore, the perseverance and determination of the Chinese protestors has been undervalued. In this article, the concept of a sustained resistance campaign has provided a useful framework for understanding the Chinese petitions. Not only has this framework revealed how the arguments of the Chinese changed over time and place, it has also drawn attention to some of the reasons for these changes and differences.

## Endnotes

[1] K Cronin, *Colonial casualties: Chinese in early Victoria*, Melbourne University Press, 1982, p. 100.

[2] *ibid.*, p. 100. G Serle, *The golden age: a history of the colony of Victoria, 1851-1861*, Melbourne University Press, 1963, pp. 328-31.

[3] A Messner, 'Popular Constitutionalism and Chinese Protest on the Victorian Goldfields', *Journal of Australian Colonial History*, vol. 2, no. 2, October 2000, pp. 63-9; K Reeves and K Wong-Hoy, 'Beyond a European Protest: Reappraising Chinese Agency on the Victorian Goldfields', in A Mayne (ed.), *Eureka: Reappraising an Australian Legend*, Network Books, Perth, 2006, pp. 153-74; V Lovejoy, 'Red Ribbon Revisited: The Chinese Rebellion of 1859', paper presented at the Chinese Studies Association of Australia Conference, 2005; A Kyi, 'Changing Perceptions of Democracy on the Goldfields', paper presented at the Museums Australia Conference, Canberra, 2007, available at <[http://www.museumsaustralia.org.au/UserFiles/File/National%20Conference/2007/AnnaKyi\\_ConferencePaper07.pdf](http://www.museumsaustralia.org.au/UserFiles/File/National%20Conference/2007/AnnaKyi_ConferencePaper07.pdf)>, accessed 4 August 2009.

[4] Messner, 'Popular Constitutionalism', pp. 63-9; Reeves and Wong-Hoy, 'Beyond a European Protest', pp. 153-74.

[5] Kyi, 'Changing Perceptions'.

[6] This tendency is also reflected in the focus which has been given to the Eureka rebellion, which was soon followed by the removal of the goldfields licence, and the comparative lack of regard for other earlier protests against the goldfields licence in Bendigo and Mount Alexander.

[7] Cronin, *Colonial casualties*, p. 100.

[8] Serle, *Golden age*, p. 331. Since completing this article another Chinese petition has been identified in Antoine Fauchery, *Letters from a Miner in Australia*, (Paris, 1857) translated by AR Chisholm, Georgian House, Melbourne, 1965. This petition from Quang-Chew appears to have been presented to the Governor when the 1855 legislation was being debated and the Legislative Council was calling for the exclusion of the Chinese. Further research needs to be done to assess the validity and context of this petition.

[9] V Lovejoy, 'Red Ribbon Revisited'; Kyi, 'Changing Perceptions'.

[10] The original petitions held by PROV can be found in either the Legislative Assembly records or the Chinese Protectorate Records in the Chief Secretary's Inward Correspondence, depending on who was being addressed. Further research of PROV records might uncover originals of petitions currently accessible only through newspapers and other petitions not identified in this article. The mid-1859 petitions are an example of this.

[11] Kyi, 'Changing Perceptions'.

[12] *An Act to Make Provision for Certain Immigrants For Certain Immigrants*, 18 Vict. 39, 12 June 1855; Serle, *Golden age*, pp. 323-4.

[13] Cronin, *Colonial casualties*, p. 135.

[14] Serle, *Golden age*, pp. 323-4.

[15] *Report of the Commission Appointed to Enquire into the Condition of the Gold Fields of Victoria*, Government Printer, Melbourne, 1855, p. l.

[16] *ibid.*, pp. li-llii. The 1855 Act was also harsher than the original bill Governor Hotham had introduced. This bill proposed a £5 poll tax and restrictions on the number of Chinese per vessel of one to every two tons. Serle, *Golden age*, p. 324.

[17] Chinese Storekeepers Miners and Others Resident in Bendigo, petition to Legislative Assembly, received 26 November 1856, E1, PROV, VPRS 3253/P0, Unit 29, no. 19; Messner, 'Popular Constitutionalism', p. 71.

[18] Chinese in Victoria, petition to the Legislative Assembly, received 11 December 1856, PROV, VPRS 3253/P0, Unit 32. The presence of Foster's signature suggests this particular petition had some connection with Ballarat and attests to Foster's longstanding support of the Chinese against unjust taxation, despite working for the government which created the laws.

[19] Chinese Storekeepers Miners and Others Resident in Bendigo petition, 26 November 1856, (E1).

[20] Chinese in Victoria petition, 11 December 1856.

[21] *ibid.*

[22] Cronin, *Colonial casualties*, p. 136. Accurate population statistics for this era are difficult to obtain due to the mobility of the gold rush population.

[23] Serle, *Golden age*, p. 325.

[24] *Report of the Select Committee of the Legislative Council on the subject of Chinese Immigration*, John Ferres Government Printer, Melbourne, 1857.

[25] *Ballarat Star*, 1 August 1857, p. 2.

[26] *ibid.*

[27] The anti-Chinese petitions presented during this period, and now held at PROV as VPRS 3253/P0, are as follows: Petition of Members of the Local Court of Castlemaine, (E 38), received 17 July 1857, Unit 34, no. 407; Petition of Members of the Local Court of Fryer's Creek (E 58), received 7 August 1857, Unit 40, no. 362; Petition of large influential meetings that have taken place at Castlemaine, Campbell's Creek, Forest Creek etc. (E 61), ordered to lie on the table 7 August 1857, Unit 51, no. 453; Miners and others of the Jim Crow Goldfields (E 64), received 11 August 1857, Unit 49, no. 460; Petition of Inhabitants of Geelong in a Public Meeting Assembled (E 65), ordered to lie on the table 18 August 1857, Unit 49, no. 478; Petition of Miners and others, Inhabitants of Sandy Creek (E 72), ordered to lie on the table 1 September 1857, Unit 53, no. 509; Petition of Miners, Shopkeepers and other Residents of the Mclvor goldfields (E 75), ordered to lie on the table 3 September 1857, Unit 53, no. 516. Petition of Gold Miners and Others, Residing on Campbell's Creek, (E 77), ordered to lie on the table September 1857, Unit 53, no. 555.

[28] The following petitions also form part of PROV, VPRS 3253/P0: Chinese Resident in Castlemaine, petition to the Legislative Assembly, (E 66), received 18 August 1857, Unit 51, no. 479; Natives of China residing in Victoria, petition to the Legislative Assembly (E 56), ordered to lie on table 4 August 1857, Unit 49, no. 499; Sitting on Chinese Business, petition to the Legislative Assembly (E 76), ordered to lie on the table 9 September 1857, Unit 53, no. 528; Residents in Victoria belonging to the Chinese Nation (E 57), petition to the Legislative Assembly, received 4 August 1857, Unit 49, no. 450; Petition from the Storekeepers and Traders Resident in the District of Castlemaine (E 68), ordered to lie on the table 18 August 1857, Unit 49, no. 482 (note this petition is from European supporters); Copy of Ballarat Chinese petition to the Governor in 'Political Meeting of Chinese', *Ballarat Star*, 14 August 1857, p. 3.

[29] Natives of China residing in Victoria petition, 4 August 1857.

[30] Chinese Resident in Castlemaine petition, 18 August 1857.

[31] 'Political Meeting of Chinese', *Ballarat Star*, 14 August 1857, p. 3.

[32] Residents in Victoria belonging to the Chinese Nation petition, 4 August 1857.

[33] Natives of China residing in Victoria petition, 4 August 1857; Chinese Resident in Castlemaine petition, 18 August 1857.

[34] *ibid.*

[35] 'Political Meeting of the Chinese', *Ballarat Star*, 14 August 1857, p. 3.

[36] Chinese Resident in Castlemaine petition, 18 August 1857.

[37] *ibid.*

[38] The Castlemaine Chinese were particularly conscious of how cultural misunderstandings could create conflict: 'We feel that as strangers in a strange land, unacquainted in general with your laws, language and customs, and religion, our actions may be misconstrued, and that we may give unintentional offence'. Chinese Resident in Castlemaine petition, 18 August 1857.

[39] Sitting on Chinese Business petition, 9 September 1857; Chinese Resident in Castlemaine petition, 18 August 1857; 'Political Meeting of the Chinese', *Ballarat Star*, 14 August 1857, p. 3.

[40] Sitting on Chinese Business petition, 9 September 1857.

[41] Chinese Resident in Castlemaine petition, 18 August 1857.

[42] Sitting on Chinese Business petition, 9 September 1857; 'Political Meeting of the Chinese', *Ballarat Star*, 14 August 1857, p. 3.

[43] Sitting on Chinese Business petition, 9 September 1857.

[44] *ibid.*

[45] Chinese Resident in Castlemaine petition, 18 August 1857.

[46] Sitting on Chinese Business petition, 9 September 1857; Chinese Resident in Castlemaine petition, 18 August 1857; 'Political Meeting of Chinese', *Ballarat Star*, 14 August 1857, p. 3.

[47] Chinese Resident in Castlemaine petition, 18 August 1857; The Storekeepers and Traders Resident in the District of Castlemaine petition, 18 August 1857.

[48] 'Proceedings of the Legislative Assembly Friday 25th September: Chinese Resolutions', *Ballarat Star*, 28 September 1857, p. 2; *An Act to Regulate the Residence of the Chinese Population in Victoria*, 21 Victoria, no. 14, 24 December 1857.

[49] For various examples of legalised claim jumping refer to Cronin, *Colonial casualties*, pp. 60-61.

[50] 'The Levee', *Ballarat Times*, 22 January 1858, p. 2.

[51] Chinese Resident on Ballarat, petition to Governor Barkly (E 58), presented 21 January 1858, PROV, VPRS 1189/P0, Unit 502, no. 898.

[52] 'The Levee', *Ballarat Times*, 22 January 1858, p. 2.

[53] Testimonial from Ballarat Europeans supporting the good character of the Ballarat Chinese, 18 January 1858, attached to Chinese Resident on Ballarat petition to Governor Barkly, presented 21 January 1858 (E 58).

[54] Chinese Resident on Ballarat petition, 21 January 1858.

[55] Letter from William Henry Foster, Chinese Protector to the Resident Warden of Ballarat, 20 January 1858, attached to Chinese Resident on Ballarat, petition to Governor Barkly (E 58), presented 21 January 1858. According to Foster, many were struggling to pay the first instalment of the tax at such short notice because those who couldn't show proof that they had already paid the £10 immigration poll tax had to pay this tax before they were able to purchase a residence ticket. Letters, Reports and Diaries of William Foster, Chinese Protector, PROV, VPRS 751/P0, Vol. 1, pp. 707 and 711.

[56] Warden Sherard noted in 1856: 'The change ... in character of mining operations ... by the Chinese is remarkable, the greater portion of them being employed in deep sinking ... in place of shallow sinking and washing of refuse stuff as formerly'. Resident Warden Sherard, 'Fortnightly Report Ending 6 December' quoted in H Ware, 'The Chinese in Ballarat', BA Honours Thesis, University of Melbourne, 1987, p. 18. According to *Ballarat Star* journalist Samuel Irwin, by 1857 Chinese were working on some of the deepest leads in Ballarat: *Report of the Select Committee of the Legislative Council on the Subject of Chinese Immigration*, p. 16.

[57] 'Jumping Chinese Claims', *Ballarat Times*, 5 February 1858, p. 2; 'Jumping Chinese Claims', *Bendigo Advertiser*, 9 February 1858, p. 2.

[58] 'The Levee', *Ballarat Times*, 22 January 1858, p. 2.

[59] Comments and response written on Chinese Residents Ballarat, petition to Governor Barkly (E 58), presented 21 July 1858.

[60] Serle, *Golden age*, p. 330.

[61] *ibid.*

[62] 'Jumping Chinese Claims', *Ballarat Times*, 5 February 1858, p. 2; 'Court of Mines', *Ballarat Times*, 16 March 1858, p. 2. The idea for this successful strategy first appeared in the article in the *Ballarat Times*.

[63] 'Jumping Chinese Claims', *Bendigo Advertiser*, 26 March 1858, p. 3.

[64] *An Act to Consolidate and Amend the Laws Affecting the Chinese Emigrating to or Resident in Victoria*, 20 Victoria, no. 80, 24 February 1859.

[65] Serle, *Golden age*, p. 330.

[66] Messner, 'Popular Constitutionalism', pp. 63-9; Reeves and Wong-Hoy, 'Beyond a European Protest', pp. 153-74; Lovejoy, 'Red Ribbon Revisited'.

[67] In addition to the authors identified in the preceding endnote, see also Serle, *Golden age*, pp. 330-31 and Cronin, *Colonial casualties*, pp. 98-100.

[68] Chinese Residents of Ballarat, petition to Governor Barkly, adopted at a meeting on 20 June 1859, PROV, VPRS 1189/P0, Unit 522, file no. 59/M7364.

[69] *Ballarat Times*, 31 May 1859, p. 2; *Ballarat Times*, 4 June 1859, p. 2; *Ballarat Times*, June 1859, p. 2.

[70] *Ballarat Times*, 4 June 1859, p. 2.

[71] 'Chinese Residence Tax', *The Argus*, 1 June 1859, p. 7.

[72] Copy of Bendigo Chinese petition in 'The Chinese Residence Tax', *Age*, 1 June 1859, p. 2. Copy of Castlemaine Chinese petition in 'The Chinese Agitation', *Mount Alexander Mail*, 25 May 1859, p. 2; Chinese Residents of Ballarat, petition to Governor Barkly, adopted at a meeting on 20 June 1859.

[73] Copy of Melbourne Chinese Petition to Chief Secretary and Members of the Executive Council in 'The Chinese Difficulty', *Age*, 31 May 1859, p. 5.

[74] Chinese Residents of Ballarat petition, 20 June 1859; Copy of Bendigo Chinese petition in 'The Chinese Residence Tax', *Age*, 1 June 1859, p. 2.

[75] Copy of Castlemaine Chinese petition in 'The Chinese Agitation', *Mount Alexander Mail*, 25 May 1859, p. 2.

[76] *ibid.*

[77] *ibid.*

[78] Chinese Resident in the City of Melbourne, petition to the Legislative Assembly, ordered to lie on table 9 December 1859, PROV, VPRS 3253/P0, Unit 119, no. 67; Petition of Chinese Merchants, Miners and Others of Castlemaine, ordered to lie on table 18 October 1859, PROV, VPRS 3253/P0, Unit 122, no. 1; The Chinese Merchants, Miners and others of the town of Sandhurst and District of Bendigo, petition to the Legislative Assembly, ordered to lie on table 19 October 1859, PROV, VPRS 3253/P0, Unit 123, no. 27.

[79] Clause 19 outlined, 'It shall be lawful for the Governor in Council to remit the whole or any part of any penalty or sum of whatever description due or payable under the provisions of this Act'. *An Act to Consolidate and Amend the Laws affecting the Chinese Emigrating to or Resident in Victoria*, 22 Victoria, no. 80, 24 February 1859.

[80] *Mount Alexander Mail*, 29 May 1859, quoted in C Gervasoni & D Wickham (comps), *Castlemaine Petitions: Petitioners for a Castlemaine Municipality and Petitioners against the Chinese Residence Licence*, Ballarat Heritage Services, 1998, p. 12. The Castlemaine Chinese addressed and presented their petition to the Resident Warden and Magistrates of the Castlemaine Mining District. The Head Warden, Captain Bull, advised them that he could only receive the petition 'as a subordinate officer of the Government', his 'duty being simply to send it down ... The matter however, must ultimately rest with the Executive Council': quoted from 'The Chinese Agitation', *Mount Alexander Mail*, 25 May 1859, p. 2. The Governor's response noted in the *Mount Alexander Mail*, 29 May 1859 suggests that Captain Bull forwarded the petition to the Governor. When a deputation from Bendigo attempted to arrange a meeting to present their petition to Governor Barkly, they were advised by his secretary not to follow this course of action as 'It might only encourage unfounded expectations if his Excellency received their petition in person, the best course therefore for you to adopt will be to hand the original memorial to the Honourable Chief Secretary, who will inform you of the intentions of Government in this matter'. 'The Chinese Residence Tax', *Age*, 1 June 1859, p. 5. The Ballarat Chinese addressed their petition to Governor Barkly. Chinese Residents of Ballarat, petition to Governor Barkly, adopted at a meeting on 20 June 1859.

[81] 'The Chinese Residence Tax', *Age*, 1 June 1859, p. 5; *Ballarat Times*, 1 June 1859, p. 2.

[82] It is difficult to determine the level of support for petitions presented during mid and late 1859. In most of these petitions, one or a few people sign on behalf of a larger group. For example, the mid-1859 petition from Bendigo is signed by one person, the chairman Chuck Sam, on behalf of 4,000; while the Ballarat Chinese petition is signed by 9 people on behalf of a meeting of 5,000. In the late 1859 petitions, the Castlemaine Chinese petition is the only one that is signed by all 133 supporters.

[83] Chinese Merchants, Miners and Others of Castlemaine, petition to the Legislative Assembly, ordered to lie on table 18 October 1859, PROV, VPRS 3253/P0, Unit 122, no. 1; Chinese Merchants, Miners and others of the Town of Sandhurst and District of Bendigo, petition to the Legislative Assembly, ordered to lie on table 19 October 1859, PROV, VPRS 3253/P0, Unit 123, no. 27.

[84] Chinese Merchants, Miners and Others of Castlemaine petition, 18 October 1859.

[85] Chinese Merchants, Miners and others of the Town of Sandhurst and District of Bendigo petition, 19 October 1859.

[86] Chinese Merchants, Miners and Others of Castlemaine petition, 18 October 1859; Chinese Merchants, Miners and others of the Town of Sandhurst and District of Bendigo petition, 19 October 1859.

[87] Chinese Resident in the City of Melbourne, petition to the Legislative Assembly, ordered to lie on table 9 December 1859.

[88] *ibid.*

[89] Chinese Merchants, Miners and others of the Town of Sandhurst and District of Bendigo petition, 19 October 1859.

[90] Chinese Merchants, Miners and Others of Castlemaine petition, 18 October 1859; Chinese Merchants, Miners and others of the Town of Sandhurst and District of Bendigo petition, 19 October 1859.

[91] *ibid.*

[92] Chinese Merchants, Miners and Others of Castlemaine petition, 18 October 1859.

[93] Lovejoy, 'Red Ribbon Revisited'.

[94] *ibid.*

[95] Members of Council Bankers, Merchants, Traders and Other European and Chinese Inhabitants of Ararat and its Vicinity, petition to the Governor in Council, 18 June 1861, PROV, VPRS 1189/P0, Unit 523, no. 61/4997.

[96] *ibid.*